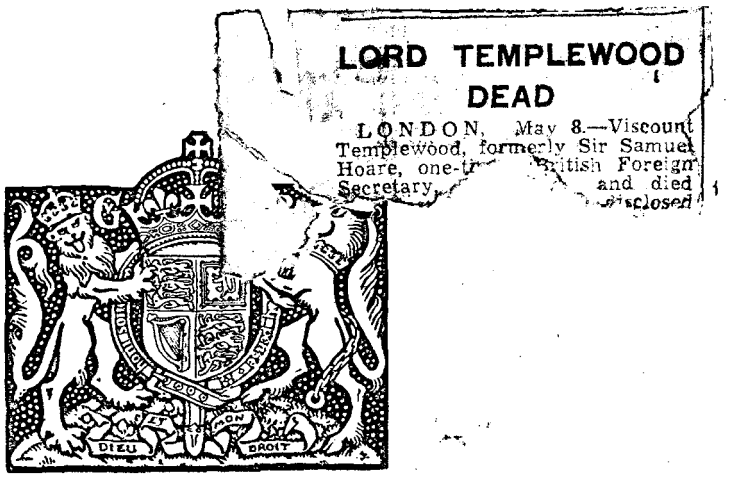

THE GOVERNMENT OF INDIA BILL

EXPLANATORY MEMORANDUM

Presented to Parliament by the Secretary of State for India by Command of His Majesty
January, 1935

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THE GOVERNMENT OF INDIA BILL

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The great length of the Bill is to a large extent apparent rather than real. The Bill has to provide for three separate entities—

(*a*) the Indian Federation;

(*b*) the Indian Provinces which, with the States, will compose the Federation; and

(*c*) Burma.

The clauses relating to the Federal Executive and Legislature—11 and 27 respectively in number—are repeated in identical form, and to a large extent with identical matter, in relation to the Indian Provincial Executives and Legislatures, and again in relation to the Executive and Legislature of Burma. Further, the Bill, having set out the provisions for the Legislative Powers, Administrative Relations, Finance, Railways, the Judicature, the Civil Services, the Secretary of State and his Department and the matters included in Part XII described as " Miscellaneous and General ", in their application to the Indian Constitution, necessarily repeats almost the whole of this matter with some modifications for Burma. The result is that, of the matter contained in the 150 clauses relating to Burma, there is nothing except the few provisions special to Burma which is not to be found in substance in other connexions in the earlier clauses of the Bill.

2. There are two reasons which have ruled out any attempt to avoid this duplication—in some cases triplication—of matter. First, it must be remembered that the provisions relating to Burma —that is to say the whole of Part XIV of the Bill—comprising as they do the future constitution for Burma, must be complete and self-contained, since it would obviously be inappropriate that the constitution for the separate country of Burma should have to be sought for all time among provisions relating to the government of India. Secondly, so far as the Central and Provincial Constitutions of India are concerned, although, as already explained, there are some 40 clauses which appear twice, to a large extent in common form, first in relation to the Federation and secondly in relation to the Provinces, there are none the less important differences of detail between these clauses in their relation to the Federation and the Provinces respectively, and any attempt to set out the Provincial Constitutions by a system of reference to the Federal Constitution, or *vice versâ*, would have inevitably resulted in a most complex and confusing presentation.

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3. The result of the arrangement adopted in the Bill is, however, that, although it contains 450 clauses, if due account is taken of the repetitions just described, it could be accurately described as a Bill of about half the length.

4. There is no need to explain in any detail the general purpose of the Bill, nor the nature of the Constitutions which it is designed to provide for India and Burma respectively: these matters have been set out at length and in detail in the Report of the Joint Select Committee, of which the Bill is the expression in legislative form. The Bill follows the Committee's Report with one or two exceptions (such as that it provides that the Federal Court should entertain appeals relating only to the interpretation of the Constitution Act and not to the interpretation of Acts passed by the Federal Legislature in the exercise of its exclusive legislative jurisdiction), and with certain additional details that were not dealt with by the Committee.

5. But, although detailed exposition of the contents of the Bill is for the reason just given unnecessary, there are one or two points which it is desirable to explain in order that its construction may be more readily understood. The present Government of India Act, after formally vesting in the Crown the government of India and assuming for the King all the powers which, up to 1858, had been vested in the East India Company, proceeded to place in the hands of a corporate body known as " the Secretary of State in Council of India " complete control over " all acts, operations and concerns which relate to the government or revenues of India ". Further, the present Act commits the " civil and military government of India " to the Governor-General in Council, and the government of each Province to a Governor acting with an Executive Council and Ministers, but at the same time places the Provincial Governments in subordination to the Governor-General in Council, and the latter to the Secretary of State in Council, the Act merely enabling the Secretary of State in Council so far as " transferred " subjects in the Provinces are concerned by statutory rules to relax or remove his hitherto all-embracing powers of superintendence and control.

6. The purpose of the present Bill is to resume into the hands of the King all powers hitherto exercisable in, or in relation to, India by any authority (clause 2), and thereafter to distribute to the various authorities set up by this Bill the exercise of the whole of these powers so far as they are distributed by the Act, and to leave His Majesty free to delegate such of those as are outside the strict ambit of the Act as he may think fit to the Governor-General or the Governors to be exercised on his behalf. The consequence of this Bill will, therefore, be that the Federal Executive and each Provincial Executive will, by direct delegation from the Crown, exercise independently on behalf of the King the powers respectively vested in them by this Bill, subject

to superintendence by the Secretary of State over the Governor-General and Governors in certain directions referred to below.

7. The entry of the States into the Federation is dealt with in clause 6 and other provisions of the Bill of which the effect is that, while the States which accede to the Federation will accept the whole Act, the extent of the powers exercisable in relation to any Federated State by the Federal Executive and Legislature will be governed by the Ruler's Instrument of Accession which will specify the matters in the Legislative Lists which he accepts as Federal matters in and in relation to his State. It is proposed that, immediately after the Bill has been passed, the Crown should enter into negotiation with the States individually for the conclusion of their accession to the Federation. The extent to which each Ruler is proposing to accede will be brought to the knowledge of Parliament before Parliament, by affirmative Resolutions of both Houses, invite His Majesty to issue the Proclamation inaugurating the Federation.

8. The legislative powers conferred upon the Federation and the Provinces respectively are statutorily defined by Part V of the Bill, read with the connected Seventh Schedule. The distribution of financial resources is effected in part through the legislative powers and in part through the provisions of Part VII.

9. Executive authority will be exercised in the Federation by the Governor-General, and in the Provinces by the Governor: but the Governor-General and each Governor will have to aid and advise him in the exercise of this authority a Council of Ministers. In this connexion it is important that the meaning and effect of two technical terms used throughout the Bill should be clearly understood. The duty of Ministers is described in the Bill as being that of aiding and advising the Governor-General (or the Governor) " in the exercise of his functions, except in so far as he is by or under this Act required to exercise his functions or any of them *in his discretion* ". Other provisions of the Bill require the Governor-General to exercise in his discretion his functions with regard to the three Departments which it is proposed to reserve for his own control (the Departments of External Affairs, Defence and Ecclesiastical Affairs), and various other specific powers conferred upon the Governor-General and upon the Governors by the Bill are described as being powers the exercise of which is in their discretion.

10. The result is that in regard to any power or function so described Ministers have no constitutional right to tender advice, but in regard to every matter not described as being exercisable by the Governor-General (or Governor) in his discretion the right to advise, i.e., to initiate proposals, rests with Ministers. The second technical term used in this connexion throughout the Bill is the phrase " exercise *his individual judgment* ". This phrase, which is applicable to matters within the purview of Ministers, means that the Governor-General (or Governor) after considering

the advice of Ministers is free to direct such action as he thinks fit, that is to say, not necessarily to accept the advice tendered to him. This course is open to the Governor-General (or Governor)—

(*a*) whenever any of the special responsibilities enumerated in clause 12 (and 52) of the Bill is, in his opinion, involved, and

(*b*) whenever any of the powers conferred upon him by the Act specifically require him in their exercise to exercise his individual judgment.

Whenever the Governor-General or a Governor is " acting in his discretion " or " exercising his individual judgment " he is subject to the superintendence of the Secretary of State (clauses 14 and 54). Full directions will be given to the Governor-General and Governors by an Instrument of Instructions to be issued with the approval of Parliament by the Crown. This document, though it cannot of course confer powers which are not to be found in the Act, will regulate the use of the powers conferred by the Act, and though the Instrument will cover many other matters, the directions on the points just described as to their relations with Ministers will be of fundamental importance. Amongst the more important of the other matters with which it is contemplated that the Instrument of Instructions should deal are consultation between the Governor-General's Counsellors and his Ministers in the day to day working of the Federal Executive, and an explanation of the line which it is intended that the Governor-General and Governors should follow in the interpretation and application of their special responsibilities; the Instrument will also indicate the nature of the rights of Indian States which require protection, and the line to be followed by the Governor-General in giving his previous sanction to certain kinds of legislation (an important instance of this category is certain financial legislation and, in particular, legislation affecting a federal surcharge on income tax (clause 138)). It is intended that a provisional draft of the Instructions contemplated by the Government shall be available for the information of both Houses of Parliament before the Bill comes under detailed discussion in Committee.

11. As to the coming into operation of the various parts of the Bill, the intention is that, with the exception of Part II relating to the Federation, the rest of the Bill will come into force on such date as the King in Council may fix, and that Part II of the Bill shall be brought into force by Proclamation on such date after the coming into force of the remainder of the Bill as Parliament may, by the Resolutions referred to in paragraph 7 above, request. During the period while the Bill, other than the provisions of Part II, is in operation, the transitional provisions contained in Part XIII, read with the Ninth Schedule, will regulate the powers of the existing Central Government. The effect of the provisions in Part XIII is to keep in operation, with some necessary modifications, such as the transfer of the conduct of

relations with the States to the authority specified in clause 3 (2), the provisions of the present Act relating to the Central Executive and Legislature, and to make such modifications as are necessary in the powers exercisable by that authority under such Parts of the Bill as are in operation. Their effect is also, while bringing to an end the Council of India as at present constituted, to leave in the hands of the Secretary of State and of the Advisers, who, under this Bill are to take the place of the members of the Council of India, the same measure of control over the financial operations of the Central Government, during the period intervening between the commencement of " provincial autonomy " and the establishment of the Federation, as is at present exercised by the Secretary of State in Council.

12. The Bill necessarily contains provisions (clauses 156 and 426) giving power to regulate the trade relations between India and Burma during the period immediately following separation, with the object of minimising the disturbance of the economic conditions in Burma which might otherwise result. In their present form these clauses must be regarded as provisional since discussions on the matter are still in progress, and it is impossible until they are concluded to be certain that provisions on the lines at present in the Bill are sufficiently precise. But, whatever form the powers granted to His Majesty in Council by the Bill may ultimately assume, it is not intended that they should be so exercised as to prejudice the fiscal autonomy which India has enjoyed in the past.

13. The franchise proposed for the provincial legislature is that embodied in the White Paper, as modified by the Joint Select Committee. It will be observed that the details of this find at present no place in the Schedules to the Bill, which has been drawn on the assumption that these matters in view of their technical character will, like many other matters of detail, be prescribed by Orders in Council to be made, subsequently to the passage of the Bill, with the approval of both Houses of Parliament. If, however, it should be found that Parliament would prefer that the provisions for franchise for the territorial Constituencies should be included in Schedules to the Bill, it should be possible to move the addition of another Schedule or Schedules for this purpose.

14. As for the expenditure necessitated by the Bill, so far as there is any charge on British Revenues, the financial memorandum attached to the Bill explains the position. So far as Indian Revenues are concerned, whilst it is impossible to estimate in advance and with precision the exact figures, the general effect may be gauged by the estimate laid before the Joint Select Committee and discussed in paragraphs 267-273 inclusive of their Report.

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Revised, 18th February, 1935.

THE

PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE

FOURTH SESSION OF THE *THIRTY-SIXTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *NORTHERN IRELAND*

TWENTY-FIFTH YEAR OF THE REIGN OF

HIS MAJESTY KING GEORGE V

FIFTH SERIES—VOLUME 298

FOURTH VOLUME OF SESSION 1934-35

HOUSE OF COMMONS.

Monday, 18th February, 1935.

The House met at a Quarter before Three of the Clock, Mr. SPEAKER in the Chair.

PRIVATE BUSINESS.

Harrogate Corporation Bill (By Order), Second Reading deferred till Wednesday.

ORAL ANSWERS TO QUESTIONS.

INDIA.

ARMY RECRUITING.

2 and 3. **Mr. DONNER** asked the Secretary of State for India (1) the number of combatant ranks recruited in India during the last three years in all the provinces of India, respectively, excluding Burma;

(2) the number of men recruited during each of the last five years in territories outside India, and the countries or territories from which they are drawn?

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): I am asking the Government of India for the information required, and will send it to my hon. Friend when received.

TANGASSERI.

4. **Duchess of ATHOLL** asked the Secretary of State for India whether he has yet received any expression of the views of the Government of Madras on the subject of the proposed cession of Tangasseri to Travancore; and whether he will instruct the Government in India to consult the Madras Government as to whether a plebiscite can be taken to ascertain the views of Tangasseri residents in regard to the proposed cession?

Sir S. HOARE: No, Sir. I have nothing to add to the reply which I gave to my Noble Friend's question on the 4th February.

Duchess of ATHOLL: Is it not the case that on the 3rd December the Government of India said that they were awaiting the report of the Government of Madras on this question; and is it not possible at an early date to ascertain the views of that Government?

GOVERNMENT CIRCULAR (PUBLICATION).

6. **Mr. THORP** asked the Secretary of State for India whether he is aware that a confidential circular of the Government of India, Home Department Political, dated 23rd November, 1934, addressed to all local governments and administrations, is in process of being published verbatim in the public Press in India; whether he is aware how this circular came to be disclosed; and whether he proposes to take any and, if so, what steps to prevent the publication of the

[Mr. Thorp.]
rest of the circular and any recurrence of similar disclosures in the future?

Sir S. HOARE: I have nothing to add to the remarks made on this point by the Home Member of the Government of India during the debate in the Legislative Assembly on 21st January, of which I will send my hon. and learned Friend a copy.

ORISSA (BOUNDARIES).

1. **Mr. MORGAN JONES** (*for* **Mr. ATTLEE**) asked the Secretary of State for India whether the Government accept the recommendation of the Joint Select Committee with regard to the boundaries of the proposed new province of Orissa?

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): Yes, Sir.

YUGOSLAVIA (EX-HUNGARIAN CITIZENS).

7. **Mr. RHYS DAVIES** asked the Secretary of State for Foreign Affairs whether, in order to prevent a further increase in the number of stateless persons in Europe, any representations have been made to the Government of Yugoslavia deprecating the expulsion of former Hungarian citizens till recently living in parts of Yugoslavia which used to form part of Hungary, who had renounced their Hungarian citizenship in order to qualify themselves for Yugoslav naturalisation but have not yet received it, and who have now been expelled to Hungary by the Yugoslav Government?

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir John Simon): The concern of His Majesty's Government regarding the recent expulsions from Yugoslavia and the action which has been taken by them in this connection have been explained on several recent occasions in reply to previous questions in this House. It does not appear to be the case that these events have increased the number of stateless persons. The legal situation as regards the nationality of the expelled persons is somewhat complex, but the national status of these persons is dependent on the relevant Articles of the Treaty of Peace, and not on the recent actions of the Yugoslav authorities.

LEAGUE OF NATIONS.

INTERNATIONAL OFFICE FOR REFUGEES.

8. **Mr. RHYS DAVIES** asked the Secretary of State for Foreign Affairs whether he has considered the communication from the Secretary-General of the League, asking what action His Majesty's Government recommends on the report of the Nansen international office for refugees; and whether His Majesty's Government will follow the recommendation of the Assembly of the League that Governments should put at the disposal of that office credits which would enable it to settle refugees in countries which were willing to receive them?

Sir J. SIMON: I am aware of the terms of the resolution passed by the 15th Assembly of the League of Nations in regard to the report of the Nansen international office for refugees for the year ending the 30th June, 1934, but His Majesty's Government have not yet received a communication from the Secretary-General of the League of Nations of the nature referred to by the hon. Member. As soon as such a communication is received, the terms of His Majesty's Government's reply will be most carefully considered.

Mr. DAVIES: Will His Majesty's Government give a general approval to this proposal?

Sir J. SIMON: I am sure that His Majesty's Government, in common with the other Governments at Geneva, will desire to take their part.

Major-General Sir ALFRED KNOX: Will specially generous treatment be given to the Russian refugees who have been exiled from their homes for 16 years?

CHINA.

10. **Mr. DAVID GRENFELL** asked the Secretary of State for Foreign Affairs what steps are being taken by the League of Nations to continue the work in China begun there by its technical agent?

Sir J. SIMON: Assistance continues to be rendered to the Chinese authorities by various technical organs of the League, such as the Communications and Transit Organisation, the Health-

Organisation and the Committee of Intellectual Co-operation. At its last meeting the Council Committee on technical co-operation between the League of Nations and China, while reaching the conclusion that it did not appear to be essential to appoint a technical agent for the time being, invited the Secretary-General of the League temporarily to dispatch to China the director of one of the competent sections of the Secretariat with a view to ensuring the continuance and development of the work begun by the former technical agent. I understand that the Director of the Communications and Transit Organisation of the League Secretariat has been selected for this mission.

Captain HAROLD BALFOUR: In view of the increased activity of the League in China, will the Bureau of the League ask China to pay her subscription?

NAVIGABLE WATERS (OIL POLLUTION).

11. **Sir COOPER RAWSON** asked the Secretary of State for Foreign Affairs whether he will give the names of the countries, the names of their representative experts and their qualifications on oil pollution, who have been appointed by the communications and transit organisation under the League of Nations to study the problems involved in oil pollution of the seas; and can he say, approximately, when they anticipate issuing a report?

Sir J. SIMON: The Committee referred to by my hon. Friend met at Geneva in November last, and its report has already been considered by the Council of the League. The present position in regard to this matter is briefly as follows:

The Communications and Transit Organisation of the League of Nations appointed a Committee of Experts to conduct a preliminary examination into the question of the pollution of the sea by oil. This committee met under the chairmanship of Mr. Grimshaw, of the British Board of Trade, and was attended by fully qualified representatives of Italy, the United States, Denmark, France and Japan. The committee recommended to the Council through the Communications and Transit Organisation that efforts should be made to conclude an international convention for the prevention of oil pollution. The Council approved this recommendation on the 11th January, and authorised the Communications and Transit Organisation to make all necessary preparatory studies with a view to facilitating the conclusion of such a convention. In pursuance of this resolution the Secretary-General has already circulated a questionnaire to Governments, and has asked that the replies should be sent in by the 31st May. On receipt of these replies, the Communications and Transit Organisation are called upon, in accordance with the procedure laid down for the negotiation of general conventions under the auspices of the League of Nations, to prepare a draft convention for communication to Governments. The Assembly of the League has also to take cognisance of the draft convention and to decide whether the subject appears *prima facie* suitable for the conclusion of a convention. It is hoped that the Assembly will be in a position to take this decision at its next meeting. I will send my hon. Friend the particulars about the members of the committee if he desires it.

Sir HERBERT SAMUEL: Do His Majesty's Government view with sympathy the efforts which are being made to get rid of this evil?

Sir J. SIMON: Yes, Sir, with all possible sympathy. I made a statement to that effect at a recent meeting at Geneva, and have already pointed out that the chairman of the committee is an official of the British Board of Trade. Throughout I think I may claim that His Majesty's Government have pressed this matter on the attention of the other Governments.

Mr. D. GRENFELL: Will the inquiry have regard to the treatment of the oil by separators, as well as to the advantage of codifying the laws regulating the discharge of oil effluents from vessels?

Sir J. SIMON: Yes, Sir; my understanding is that both the matters to which the hon. Member refers will be included.

Captain PETER MACDONALD: Is there a representative of the Navy on the committee? They are very much interested in the matter.

Sir J. SIMON: I have given to the House the details of the proposal, and, if my hon. and gallant Friend wishes it, I will send to him, as well as to my hon.

[Sir J. Simon.]
Friend the Member for Brighton (Sir C. Rawson), a list of the members of the committee.

Sir C. RAWSON: While thanking my right hon. Friend for his reply, may I ask him if it is a fact that Japan and America are sympathetic towards these proposals?

Sir J. SIMON: I am ready to make a statement, where I can, on behalf of His Majesty's Government, but it is a little dangerous to make statements on behalf of other Governments on a technical matter such as this.

SAAR TERRITORY (LOANS).

9. **Sir ARTHUR SHIRLEY BENN** asked the Secretary of State for Foreign Affairs what arrangements are being made to safeguard the interests of British holders of loans authorised by the Saar Governing Commission?

Sir J. SIMON: Section 4 of the Agreement reached at Rome on the 3rd December, 1934, between the French and German Governments and the Saar Committee of the Council of the League of Nations, lays down that

"5 per cent. of the total amount of Bank of France notes and other means of payment circulating in the Saar which are recovered . . . shall be assigned to the service of debts contracted by Saar natural or legal persons with the approval of the Governing Commission."

This covers the loans referred to, and British holders will benefit under the arrangement equally with holders of other nationalities.

Sir A. SHIRLEY BENN: If the 5 per cent. is not sufficient interest on the Sterling Loan and the Gold Loan, what steps will be taken to protect the interests of British holders?

Sir J. SIMON: I cannot deal with that point in answer to a supplementary question, but the whole matter has been most carefully considered by the committee presided over by Baron Aloisi, and my understanding is that an arrangement has been made which is calculated to cover the matters referred to by my hon. Friend.

DISARMAMENT CONFERENCE.

12. **Major HILLS** asked the Secretary of State for Foreign Affairs whether he has considered the draft articles for the regulation and control of the manufacture of and trade in arms submitted to the Disarmament Conference by the American delegation; and whether it is the intention of His Majesty's Government to support the American proposals?

Sir J. SIMON: The answer to the first part of the question is in the affimative. With regard to the second part of the question, His Majesty's Government have welcomed the American proposals and have accepted them as a basis of discussion. His Majesty's Government will have certain modifications of, and additions to, the American draft to put forward during the deliberations at Geneva of the committee, which held its first meeting on the 14th February.

AUSTRIA (HERR SCHUSCHNIGG).

13. **Mr. MORGAN JONES** asked the Secretary of State for Foreign Affairs whether Chancellor Schuschnigg is coming to this country on official business; and whether he is coming on the invitation of the Government?

Sir J. SIMON: The answer to both parts of this question is in the negative. I understand that the Austrian Chancellor and Foreign Minister have been paying a visit to Paris, and they naturally have desired to come on to London, where we are glad to receive them with every courtesy.

ITALY AND ABYSSINIA.

14. **Captain P. MACDONALD** asked the Secretary of State for Foreign Affairs what steps have been taken through the British Minister at Addis Ababa to prevent hostilities between Abyssinia and Italy; and whether he can make any further statement on this subject?

Sir J. SIMON: His Majesty's Minister at Addis Ababa has from the beginning with the full authority of His Majesty's Government used his good offices to promote an amicable settlement of the present differences between Italy and Ethiopia. I have no further statement to make except that I understand con-

versations have begun in Addis Ababa between the Italian Minister and the Ethiopian Government.

Mr. JOHN WILMOT: Does the right hon. Gentleman propose to raise this matter at Geneva?

Sir J. SIMON: No, Sir; I think we had better see how the matter goes on. It is going on from day to day, and Geneva does not meet for a little time.

Mr. WILMOT: Would it be possible to do something in this matter before it gets too far for anything to be done?

Sir J. SIMON: I do not think the British Government can be reproached with not having shown activity, but I assure the hon. Gentleman that it is not in every case in every part of the world that it is desirable that the British Government should raise every question.

NAVAL AND MILITARY PENSIONS AND GRANTS.

16. **Mr. SMEDLEY CROOKE** asked the Minister of Pensions whether he can state the number of cases in which the incapacity allowances to the orphan children of those who lost their lives in the Great War have been withdrawn on their attaining the age of 21, and the saving per annum to the country consequent on the stoppage of these allowances?

The MINISTER of PENSIONS (Major Tryon): I would refer my hon. Friend to the reply which I gave to him so recently as 14th February, in which I explained that no separate record is kept of the number of cases in which children's allowances cease at the age of 21.

TOURIST TRAFFIC.

17. **Captain P. MACDONALD** asked the Secretary to the Overseas Trade Department whether steps are being taken by His Majesty's Government to attract increased tourist traffic to this country from abroad during the period of the Jubilee celebrations?

The PARLIAMENTARY SECRETARY to the BOARD of TRADE (Dr. Burgin): His Majesty's Government are not taking steps in the direction indicated by my hon. Friend, but the Travel and Industrial Development Association which receives financial support from His Majesty's Government, is making widely known abroad, the many interesting events taking place in this country this year. There is every reason to believe that a very large number of visitors are proposing to come.

Mr. THORNE: Is someone keeping a sharp eye on the crooks who come in, better known as scientific pocket pinchers?

FISHING INDUSTRY.

18. **Lieut.-Colonel Sir ARNOLD WILSON** asked the Minister of Agriculture whether, in view of the opinion expressed in the report of the Committee on Street Trading (Command 1624, 1922), and paragraph 52 of the report of the Food Council on Fish Prices, 1927, he dill draw the attention of municipal authorities to the importance of encouraging hawkers and street traders in fish?

The MINISTER of AGRICULTURE (Mr. Elliot): The subject of the distribution of fish to the home market is engaging the attention of the Sea Fish Commission, and, as regards herring, I hope that it will, before long, be receiving the attention of the proposed Herring Industry Board. In the circumstances, I think that at this stage action such as is suggested by my hon. and gallant Friend would be premature.

AGRICULTURE.

MILK MARKETING SCHEME.

19. **Colonel BURTON** asked the Minister of Agriculture whether he can state the prices per gallon fixed by the Milk Board to be paid for milk purchased from the farmer and the prices of milk sold for domestic and commercial purposes, respectively?

Mr. ELLIOT: As the answer contains a number of figures, I propose, with my hon. and gallant Friend's permission, to circulate it in the OFFICIAL REPORT.

Following is the answer:

The following are the prices prescribed by the Milk Marketing Board for the sale of milk by wholesale by registered producers in England and Wales during the period 1st October, 1934, to 30th September, 1935:

Regional Wholesale Liquid Milk Prices (All Regions).

Month.	Price per gallon.
1934.	s. d.
October	1 4
November...	1 4
December...	1 5
1935.	
January	1 5
February	1 5
March	1 4
April	1 4
May	1 0⅛
June	1 0
July	1 1
August	1 1
September	1 4

The above are the prices to be paid by the purchaser for milk for liquid consumption.

Manufacturing Milk Prices (All Regions, All Months).

Milk manufactured into cheese (other than soft curd cheese and cream cheese), butter or condensed milk for export.

The average price per lb. for the previous month of Finest White Canadian Cheese and Finest White New Zealand Cheese, less a sum of 1¾d., with a minimum of 4d. per gallon in the case of milk used for condensing for export.

Milk manufactured into—

	Per gallon. d.
Soft curd cheese and cream cheese, fresh cream or ice cream	7½
Condensed milk, or natural sterilised milk for export...	6
Milk power	4½
Tinned cream	5
Chocolate	8
Other products	9

In order to be qualified to buy milk at the above prices, purchasers must fulfil certain conditions which are specified in the contract. An addition of 1d. per gallon is made in the case of milk brought in liquid form into the Metropolitan Police District or into the City of London and used for manufacture.

For milk sold for domestic consumption, minimum appropriate retail prices have been fixed as follows:

	All rural districts and urban districts with a population of less than 10,000.	Populations of 10,000 to 20,000.	Populations exceeding 25,000.	
	All Regions.	All Regions.	South-Eastern Region.	All Regions except South-Eastern Region.
1934.	s. d.	s. d.	s. d.	s. d.
October	2 0	2 2	2 4	2 4
November	2 0	2 2	2 4	2 4
December	2 0	2 2	2 4	2 4
1935.				
January	2 0	2 2	2 4	2 4
February	2 0	2 2	2 4	2 4
March	2 0	2 2	2 4	2 4
April	2 0	2 0	2 4	2 0
May	1 8	2 0	2 0	2 0
June	1 8	2 0	2 0	2 0
July	2 0	2 0	2 0	2 0
August	2 0	2 0	2 0	2 0
September	2 0	2 0	2 4	2 0

Under arrangements provided for in the terms of the contract, reductions in the minimum appropriate retail price have been approved by the Milk Marketing Board in some 280 areas.

20. **Colonel BURTON** asked the Minister of Agriculture whether there has been any surplus of milk in excess of domestic and commercial requirements; if so, what has been the quantity; in

what areas; and what was the method of its disposal?

Mr. ELLIOT: I am informed by the Milk Marketing Board that there has been no surplus of milk in excess of domestic and commercial requirements, and that all milk handled by the board during the past year was, in fact, marketed.

POST OFFICE.

PENNY POST.

21. **Mr. SMEDLEY CROOKE** asked the Postmaster-General whether as a part of the Jubilee celebrations, he will consider the advisability of reverting to the penny post for letters?

The POSTMASTER-GENERAL (Sir Kingsley Wood): I am afraid I can only repeat the answer which I gave to my hon. Friend's question of 1st November last.

AIR MAIL CHARGES (BRAZIL).

22. **Mr. BERNAYS** asked the Postmaster-General what is the minimum charged for an air-mail letter from Great Britain to Brazil?

Sir K. WOOD: The minimum charge on an air mail letter for Brazil for transmission via France or Germany is 3s. 6d.

Mr. BERNAYS: Why is that figure three times as much as an air mail letter from Brazil?

Sir K. WOOD: I endeavoured to deal with that matter on the last occasion.

Mr. BERNAYS: Is it not a fact that we appear to have made a bad bargain with Brazil on this question?

Sir K. WOOD: I shall be glad to discuss it with the hon. Member and, I hope, to reassure him on the point.

WIRELESS LICENCES (MOTOR CARS).

23. **Mr. HALL-CAINE** asked the Postmaster-General what is the number of licences which have been issued up to the present time for radio sets on motor cars?

Sir K. WOOD: No record is available of the number of licences issued in respect of wireless sets fitted in motor cars. To ascertain this number it would be necessary to examine the copies kept at Post Offices of nearly 7,000,000 wireless licences; and the cost of such a scrutiny would not, I fear, be justified.

TELEPHONE SERVICE.

24. **Mr. HALL-CAINE** asked the Postmaster-General whether, with a view to improving the existing standards of telephonic reliability and providing some compensation to subscribers in the event of unsatisfactory service, he will consider the introduction of a system whereby a suitable rebate is given for each occasion on which the telephone of a subscriber is out of order and proves to be unavailable for use when he wishes to make a call?

Sir K. WOOD: I have no reason to suppose that the existing standard of reliability of the telephone in this country calls for such an arrangement as my hon. Friend suggests.

SALE OF STAMPS (SHOPS).

25. **Mr. HALL-CAINE** asked the Postmaster-General how many tobacco, confectionery, and other shops in the United Kingdom are now in possession of licences enabling them to sell stamps; and whether, in view of the few shops which find it worth while to take advantage of such licences under present conditions and the inconvenience to the public which arises through insufficient facilities for the purchase of stamps when post offices are closed, he will introduce new arrangements which definitely encourage such shops to sell stamps on Sundays for the convenience of the public?

Sir K. WOOD: I am sorry that the figures are not available. I am considering whether steps can be taken to encourage applications for licences generally.

Mr. RHYS DAVIES: Will the right hon. Gentleman make an appeal to the public to buy their stamps on Saturdays instead of Sundays so that shopkeepers and shop assistants may have one day's rest in seven?

Sir K. WOOD: Perhaps the public will note the powerful appeal of the hon. Gentleman himself.

Mr. MORGAN JONES: Is the right hon. Gentleman satisfied that in London where local post offices are established in shops the public are adequately safeguarded, especially in shops which are very crowded with other customers?

Sir K. WOOD: I shall be glad to look into any case the hon. Gentleman has in mind.

FACILITIES, STRATFORD.

26. **Mr. BANFIELD** (*for* **Mr. GROVES**) asked the Postmaster-General whether his attention has been called to the overtures made by the West Ham County Borough to his Department for the provision of a sub post office in that portion of Stratford known as the Carpenter's Estate; whether he is aware that many aged people are at present compelled to cross the Stratford High Street in order to cash their pension vouchers; and, in view of the risk to life and limb thereby entailed, will he give personal attention to the matter and investigate the reasons actuating his Department's refusal of West Ham's appeal?

Sir K. WOOD: I will certainly investigate this matter as the hon. Member requests, and let him know the result of my inquiries.

REGENT'S PARK.

29. **Mr. BURNETT** asked the First Commissioner of Works whether he is aware that there is a shortage of public conveniences in Regent's Park; and whether he will obtain from the Bedford College authorities the surrender of a portion of their land, of which the Crown is the owner, in order to provide what is necessary close to the bridge on the Bedford College side of the lake?

The FIRST COMMISSIONER of WORKS (Mr. Ormsby-Gore): A new additional convenience in the Inner Circle Gardens, not far from the area referred to by the hon. Member, will be ready in the summer. The number of conveniences in Regent's Park will then, I am advised, be reasonably adequate, but I am now considering whether any further accommodation is required in the playing fields area in the Northern part of the Park.

COAL INDUSTRY.

GRESFORD COLLIERY DISASTER FUND.

30. **Mr. D. GRENFELL** asked the Attorney-General whether he has given consideration to the draft scheme for relief presented by the Central Board for administration of the Gresford relief fund; whether he is satisfied that the conditions for relief are as generous as desired; and whether it is intended to include representatives of the Miners' Federation on the Central Board?

The ATTORNEY-GENERAL (Sir Thomas Inskip): I am satisfied that the trust deed and scheme which has been prepared on behalf of the Lord Mayor of London and the Lord Lieutenant of Denbighshire for the administration of the Gresford Colliery disaster fund fully carry out the intentions of the subscribers and permit the Central Board which will administer the fund to grant relief on as generous a scale as the fund permits. It is not intended to include representatives of the Miners' Federation on the Central Board, but the president of the North Wales Miners' Federation will be a member. Moreover, the scheme provides for a local committee which will act in an executive capacity under the Central Board, and three representatives of the North Wales Miners' Federation and three representatives of the Gresford Miners' Lodge, in addition to other local representatives, will be members of this committee.

Mr. GRENFELL: Will these representatives be actually appointed by the bodies concerned or nominated by some other body?

The ATTORNEY-GENERAL: I think appointed by the body concerned. The scheme which is attached to the deed provides that "the appointed members shall be appointed by the following appointing authorities or bodies," and then the bodies I have mentioned are included.

Mr. GRENFELL: Is the Gresford Miners' Lodge included, and the Miners' Federation of North Wales?

The ATTORNEY-GENERAL: I have said that the North Wales Miners' Federation and the Gresford Miners' Lodge are among the appointing bodies.

EMPLOYÉS.

34. **Mr. T. SMITH** asked the Secretary for Mines whether he can state the number of wage-earners employed in the mining industry on the latest date available; and the number employed on approximately the same date during 1929 to 1934, inclusive?

The SECRETARY for MINES (Mr. Ernest Brown): As the reply involves a table of figures, I will, with the hon.

Member's permission, circulate it with the OFFICIAL REPORT.

Mr. SMITH: What is the difference between the numbers employed in 1929 and now?

Mr. BROWN: In 1929, 910,600, and in 1935, 771,900.

Following is the table of figures:

9th February, 1929	...	910,600
8th February, 1930	...	957,300
7th February, 1931	...	881,300
6th February, 1932	...	839,800
11th February, 1933	...	788,500
10th February, 1934	...	787,800
9th February, 1935	...	771,900

PUBLIC HEALTH.

SMOKE ABATEMENT.

31. **Mr. WILMOT** asked the Minister of Health whether he proposes to adopt the recommendations of the National Smoke Abatement Society to set up a committee to investigate and report upon the measures necessary to abate the nuisance arising from the use of pulverised fuel and nuisances arising in connection with generating stations and other statutory undertakings?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): I would refer the hon. Member to the reply given to the question of the hon. Member for Westhoughton (Mr. Rhys Davies) on 31st January.

REFUSE DISPOSAL, SHREWSBURY.

32. **Sir COOPER RAWSON** asked the Minister of Health whether he has considered the protest sent from 2,000 ratepayers in Shrewsbury against proposals to dump refuse on a site between two good-class residential districts on the banks of the Severn in Shrewsbury, alongside a public footpath used by thousands of people daily, including schoolchildren; and whether, in view of the local circumstances, he will advise the local authority that controlled tipping is less hygienic than incineration as a means of disposal of refuse in this case?

Mr. SHAKESPEARE: A public local inquiry with reference to this proposal has been held by one of my right hon. Friend's Inspectors at which full opportunity was given to the opposition to state their case. The Inspector's report is now being considered.

UNEMPLOYMENT.

WORK-SHARING SCHEMES.

35. **Mr. TINKER** asked the Minister of Labour how many employers have arranged with their employés to share out the work so as not to put some of them out of employment; and can he give the number of workers affected and the total who would be out of work but for the arrangement?

The MINISTER of LABOUR (Mr. Oliver Stanley): I am having a statement prepared and will publish it in the OFFICIAL REPORT as soon as possible.

BRITISH SHIPS (FOREIGN SEAMEN).

36. **Mr. HERBERT WILLIAMS** asked the President of the Board of Trade whether he can state the number of foreigners serving in the British mercantile marine?

Dr. BURGIN: The number of seamen employed in British ships is ascertained only at a date when a census of seamen is taken, and the latest information relates to 15th June, 1933. On that date there were enumerated as employed in sea-trading vessels registered at ports in Great Britain, Northern Ireland, the Isle of Man and the Channel Islands 7,661 foreign seamen (other than lascars) and 42,475 lascar seamen (British subjects and foreigners). Under the heading "lascars" are included Asiatics and East Africans employed under agreements for natives of Asia or East Africa, which open and terminate in Asia.

Mr. WILLIAMS: Will the hon. Gentleman send a copy of his answer to the hon. Member for Wavertree (Mr. Cleary), who told us the other day that there were 40,000 foreigners in the mercantile marine?

Brigadier-General NATION: Will the hon. Gentleman co-operate with the Home Secretary with a view to repatriating these foreign seamen who arrive in this country on British ships in order to make room for the thousands of British seamen who are out of work?

Dr. BURGIN: Everything that is proper will be done by the Board of Trade to encourage the greater employment of British seamen on British ships. The House will like to know that the number of foreigners employed on British

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[Dr. Burgin.]
ships has been steadily diminishing since 1903, and it has never been at a lower figure. It is very necessary that these facts should be given wide publicity. As to the treatment of alien seamen in this country, the law is already quite strong enough to deal with the matter. It is a question of the administration of that law, and due attention will be given to it.

Dr. ADDISON: Does the hon. Gentleman exclude from the term "foreigner" the large number of Chinamen alleged to have been born at Hong Kong?

Dr. BURGIN: The hon. Gentleman to whom the right hon. Gentleman refers excludes from "foreigner" every British subject, whether born at Hong Kong or elsewhere.

Mr. PALING: Are the wages of these people, lascars and foreigners, regulated by the Maritime Board?

Dr. BURGIN: Perhaps the hon. Gentleman will put down that question.

Viscountess ASTOR: Did I hear the International Brotherhood of Brothers talking about the Chinese as foreigners?

HIS MAJESTY'S SILVER JUBILEE (CELEBRATIONS).

39. **Lieut.-Colonel LLEWELLIN** asked the Financial Secretary to the War Office what arrangements, if any, are being made for all units of the Territorial Army in England to take some official part in His Majesty the King's Jubilee celebrations?

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Douglas Hacking): I am afraid that I am not yet in a position to supplement the answer which I gave to my hon. Friend the Member for the Spelthorne Division of Middlesex (Sir R. Blaker) last Wednesday.

PROSECUTION AND CONVICTION, WEALDSTONE.

40. **Mr. WILMOT** asked the Secretary of State for the Home Department, whether his attention has been called to the case of Mr. John O'Neill, who was convicted on the 21st September last by the Wealdstone Justices on a charge of embezzlement of a sum of £3 9s. 10d. and sentenced to three months' imprisonment, although a first offender; whether he is aware that, owing to the failure of the clerk of the Wealdstone Magistrates to forward the notice of appeal in the appropriate manner and time, this man was debarred from his legal right of appeal; and whether, in the circumstances, he will take steps to make amends for this miscarriage of justice?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): My attention was drawn to this case during the currency of the sentence and I communicated with the Clerk to the Justices about the matter to which the hon. Member refers, but there was no way of restoring to the defendant an opportunity of appealing, and, after making full inquiries into the merits of the case, I could find no grounds on which I could properly recommend that the prerogative of mercy should be exercised in his favour.

Mr. WILMOT: While thanking the right hon. Gentleman for the reply, may I ask whether he does not consider that it is a very serious condition of affairs that an accused person should lose the right of appeal on account of a mistake of an official of the court?

Sir J. GILMOUR: Oh, yes, Sir, but it was due to a misunderstanding, and, under those conditions, I looked into all the circumstances of the case in order to see whether there was any qustion of the prerogative of mercy, and on the information I had before me I came to the conclusion that there was not.

Mr. MORGAN JONES: Does not the right hon. Gentleman agree that, even if he himself saw no cause for reviewing the case, the Appeal Court might have seen that there was cause?

Sir J. GILMOUR: It is also the case that the Appeal Court as well as having power to reduce the sentence could increase it.

Mr. WILMOT: May I ask the right hon. Gentleman whether, in view of the very great hardship which has been caused by a miscarriage of justice in the case of a first offender, he will at least consider whether it would be possible to erase this conviction from the court rolls in order

that a possible miscarriage of justice may not hang round this man's neck for the rest of his life?

Sir J. GILMOUR: All I can say is, that if the hon. Member can produce any fresh facts for my consideration, I shall be quite ready to consider them.

FIRE, PEACEHAVEN.

41. **Mr. THOMAS COOK** asked the Home Secretary whether his attention has been called to a fire which recently occurred at Peacehaven; whether he is aware that two brigades refused to respond to a call, resulting in the property being destroyed; and whether he has any statement to make on the matter?

Sir J. GILMOUR: I have obtained a report from the chief constable of East Sussex and am informed that the two fire brigades did not attend because the fire was outside their districts. It rests with the local authority to provide, or to arrange with other local authorities to provide, any necessary fire protection.

Mr. COOK: Does not the right hon. Gentleman consider that the time has now arrived when the question of fire brigade organisation should have the attention of His Majesty's Government?

DANGEROUS ACIDS (ROAD TRANSPORT).

42. **Major HILLS** asked the Home Secretary when the revised regulations for the carriage of dangerous acids by road will be ready; whether he is aware that large quantities of such acids are now being transported by road, and that recently seven lorries containing carboys presumably filled with such acids were met with in a short distance on the Great North Road; whether he will bear in mind the disaster which occurred in 1933 at Boroughbridge owing to a collision with a lorry containing such acids; and therefore can he expedite the issue of such regulations?

Sir J. GILMOUR: I am not in a position at the moment to specify a date for the issue of the draft regulations; but I can assure the hon. and gallant Member that I fully appreciate the considerations to which he calls attention, and that, as I informed him in answer to his question on the 4th instant, all possible steps are being taken to expedite the matter.

NEWSPAPER ADVERTISEMENT.

43. **Mr. THORNE** asked the Home Secretary whether he has received a report from the Croydon Criminal Investigation Department in connection with a hoax advertisement that was inserted in two London newspapers; if he can state the names of the newspapers; whether efforts are being made to trace the person who inserted the advertisement; and what action he proposes to take in the matter?

Sir J. GILMOUR: My attention has not previously been called to this incident. I am making inquiries in the matter and will communicate with the hon. Member in due course.

ESTATE DUTY.

44. **Mr. WILMOT** asked the Chancellor of the Exchequer the amount of Estate Duty which has been paid to date on the estate of the late Sir John Ellerman; whether a complete and final valuation of the estate for Death Duty purposes has yet been made; and, if so, what is the figure of the valuation?

The FINANCIAL SECRETARY to the TREASURY (Mr. Duff Cooper): I am not prepared to disclose information relating to the estate of an individual taxpayer.

Mr. MORGAN JONES: Can the hon. Gentleman say whether there is any precedent at all for the information for which my hon. Friend asks?

Mr. COOPER: Not so far as I am aware, but perhaps the hon. Gentleman will give me notice of that question?

Mr. WILMOT: If I can show the hon. Gentleman a precedent for giving such information, will he be prepared to state it in this particular case?

Mr. COOPER: I think it is definitely not in the public interest to disclose the Income Tax return, or any return, about individual taxpayers. I must rely on the confidence which the taxpayer has in the discretion of the Government.

Mr. WILMOT: Will not the hon. Gentleman have regard to the fact that it is not a request for information with regard to Income Tax, but Estate Duty, and, of course, the person concerned is no longer alive?

Mr. COOPER: I think that the same objections obviously apply.

Viscountess ASTOR: Is it not of great public interest that Sir John Ellerman started as a penniless boy and made a fortune; and should not we look with pride on this triumph of private enterprise?

ARMAMENTS (ROYAL COMMISSION).

45. **Sir H. SAMUEL** asked the Prime Minister whether he is now in a position to give the composition and terms of reference of the Royal Commission of inquiry into the private manufacture of and trading in arms?

The PRIME MINISTER (Mr. Ramsay MacDonald): Yes, Sir. I am glad to say that the Royal Commission has just been completed. The composition will be:

Sir John Eldon Bankes (Chairman), ex-Lord Justice of Appeal.

Sir Thomas Allen, long associated with the Co-operative Movement.

Dame Rachel Crowdy, who has done great service in Geneva on the Secretariat of the League of Nations.

Sir Philip Gibbs, who has a unique knowledge of the Continental situation.

Professor H. C. Gutteridge, Reader in Comparative Law at Cambridge University, formerly Cassel Professor of Law, and Dean of the Faculty of Law in London University.

Sir Kenneth Lee, a well-known Lancashire business man.

Mr. J. A. Spender, the distinguished publicist.

The terms of reference are:

(1) To consider and report upon the practicability and desirability (both from the national and international point of view) of the adoption

(*a*) by the United Kingdom alone,

(*b*) by the United Kingdom in conjunction with the other countries of the world,

of a prohibition of private manufacture of and trade in arms and munitions of war, and the institution of a State monopoly of such manufacture and trade.

(2) To consider and report whether there are any steps which can usefully be taken to remove or minimise the kinds of objections to which private manufacture is stated in Article 8 (5) of the Covenant of the League of Nations to be open.

(3) To examine the present arrangements in force in the United Kingdom relative to the control of the export trade in arms and munitions of war, and to report whether these arrangements require revision and, if so, in what directions.

The Royal Commission will be appointed under the usual form of Warrant giving powers to call persons before them to give evidence, to call for information in writing and to call for and examine documents.

Brigadier-General NATION: Can the right hon. Gentleman say when this Commission will commence work, and whether the report is expected by the end of the year?

The PRIME MINISTER: Naturally, I cannot answer the second part of the question until the Commission have begun their work, but the intention is that the Commission should begin their work without delay. There will be certain papers that will have to be supplied and further information obtained, so that when they begin their work they may be ready to go straight ahead with it. There may be a week or two, not of delay, but of necessary preparation.

Sir H. SAMUEL: While thanking the right hon. Gentleman for his statement, may I ask whether the Commission will have the powers of a Select Committee to take evidence on oath?

The PRIME MINISTER: Various points were considered, that being one of them. We felt that it would be a great mistake to begin by assuming, by the special powers given to the Commission, that they were going to have any trouble at all in getting their witnesses and their

evidence, but I can say this, that the Government mean to give the Commission full support in the discharge of their duties, and, if the Chairman requires to make any representation to the Government in order to make that possible, he will get our assistance.

Captain P. MACDONALD: May I ask the right hon. Gentleman whether the evidence will be taken in private or in public?

The PRIME MINISTER: The method is as a rule in public, but if for any reason, with which the Chairman agrees, private sessions should be held, those sessions will be held in private.

Mr. LANSBURY: We have not had time to consider any of these names, but I notice that the right hon. Gentleman called special attention to a Lancashire business man. Is there any representative of Labour on this Commission?

The PRIME MINISTER: Sir Kenneth Lee is not a representative of business, but he is a Lancashire business man. I only said what I did about him because I had described each one. There is a name with which the right hon. Gentleman is familiar in connection with the great Labour economic movement of co-operation. None represent, but they are all selected by the Government.

Mr. LANSBURY: I quite understand that, but I suggest to the right hon. Gentleman that it is usual in a Commission of this character to appoint some one representing what is known as the organised Labour movement. I should have thought that in a matter of this kind such a representative would have been appointed. There is no opportunity to raise the question in the House except in this way.

The PRIME MINISTER: The right hon. Gentleman will, I am sure, appreciate the great difficulty that I was in in getting this Commission together, for the very simple reason that I could not select anyone who had written, or had spoken, or in any public form had committed himself to either "yea" or "nay" on the issues that will be before the Commission.

Mr. WILMOT: Did I understand the Prime Minister to say, in reply to the right hon. Member for Darwen (Sir H. Samuel), that the commission will not have power to take evidence on oath?

The PRIME MINISTER: No. What the hon. Member must understand is this, that to begin with they have not that power. That is not a power that is given to a Royal Commission, except under special circumstances. But what I have said is, that if there is any impediment which the chairman finds in his lack of being able to administer the oath to a witness, all he has to do is to communicate with me, and it will be removed.

Major Sir ARCHIBALD SINCLAIR: Will documents in Government Departments be at the free disposal of the commission in carrying out their work?

The PRIME MINISTER: In so far as there is no trouble at all in the production of documents, the commission will get them. If there are documents that are required but which in the opinion of the Government ought not to be produced, those documents will not be produced.

Dr. ADDISON: Does the power in regard to the production of papers relate to the proceedings of private firms? Is it a general power, or must they specify in advance the particular paper they require?

The PRIME MINISTER: We must leave that absolutely. They have power to ask for papers, and I shall leave how that is to be applied and operated to the discretion of the commission.

COMMODITY SPECULATIONS.

46. **Mr. D. GRENFELL** asked the Chancellor of the Exchequer whether he intends to take any action regarding the loss of confidence in the City of London due to recent commodity speculations?

Mr. COOPER: In view of the prompt measures taken in the City to minimise the effects of the recent commodity speculations, I do not think it would be correct to ascribe to these operations the movements of securities to which I presume the hon. Member refers. As to what further action, if any, should be taken, I understand the position to be that a petition has already been made to the Court for the compulsory winding-up of James and Shakespeare Limited, the company which was specially associated

[Mr. Cooper.]
with the recent ransactions. The petition is to be heard within a few days, and on its being granted the Official Receiver will be required, in the discharge of the duties specifically laid upon him by Section 182 of the Companies Act, 1929, to make full enquiry into the causes of the failure, and to report to the Court whether in his opinion further inquiry is desirable into the circumstances attending the promotion of the company and the conduct of its business. The section further provides that the Official Receiver may also, if he thinks fit, make a further report as to whether in his opinion any fraud has been committed by any person in the promotion or formation of the company, or by any director or other officer of the company in relation to the company since the formation thereof, and on any other matters which in his opinion it is desirable to bring to the notice of the Court. The House will, therefore, see that the existing law makes suitable provision for judical inquiry into the circumstances attending this class of case; and His Majesty's Government propose to await the result of the statutory inquiry or inquiries before considering the matter further.

Mr. GRENFELL: Is the hon. Member satisfied that the inquiry will be pursued as far as is necessary to allay public opinion, or general opinion in the City, and is he aware that already shareholders who have lost considerably by these transactions in connection with James and Shakespeare make the allegation freely that their interests in the firm were confined to the business in tin and not to the speculations in pepper, and that to that extent their investments in the company have been based upon fraudulent representations? Having regard to the necessity of giving confidence in the City and to the general public in the country, who are much concerned about the character of these transactions, will the inquiry be thorough?

Mr. COOPER: I think my answer has replied to all the points that the hon. Member has raised.

Sir WILLIAM DAVISON: Has not the loss of confidence in the City been due not so much to the recent commodity speculations as to the fear of the City that circumstances that have arisen might mean the return of a Socialist Government?

Mr. BRACKEN: Will my hon. Friend also consider the desirability of holding an inquiry into the wild speculations in Mincing Lane in commodities, which have inflicted immense losses upon the Co-operative Wholesale Society?

Mr. GRENFELL: Will the hon. Member inform the House whether it is the case that a very large number of the leading figures in joint stock banking were involved in this company and whether it is not in the public interest that that should definitely be made known.

ANGLO-SCOTTISH BEET-SUGAR CORPORATION.

47. **Mr. MALLALIEU** asked the Chancellor of the Exchequer what are the powers of the Government representative on the board of the Anglo-Scottish Beet-Sugar Corporation, Limited; and whether the loans made by the Treasury to this company received the full recommendation of the Government representative?

Mr. COOPER: The Treasury Director, in this and other cases, has no special powers over and above those conferred upon other members of the board. With regard to the second part of the question, the Treasury was given power, under the Trade Facilities Acts, to guarantee loans, after consultation with the Advisory Committee appointed in terms of those Acts. The question of a recommendation by the Treasury Director did not therefore arise.

Mr. MALLALIEU: Is it the practice before making such loans for the Treasury specially to consult their representative, and to have a report?

Mr. COOPER: The Treasury naturally keep in close touch with their representative throughout.

PROPOSED AERIAL CONVENTION (WESTERN EUROPE).

15. **Mr. MORGAN JONES** (*for* **Mr. ATTLEE**) asked the Secretary of State for Foreign Affairs whether he can make any further statement as to the proposed air agreement with Germany, France, and Belgium?

The LORD PRIVY SEAL (Mr. Eden): Yes, Sir. I can now inform the House that the Belgian, German and Italian Governments have all stated their point of view on the invitation issued to them by ourselves and the French Government after the London meeting to consider with them whether an aerial convention for Western Europe could not be promptly negotiated. The Belgian Government have informed us in an official note of 11th February that they recognise Belgium's interest in participating in this negotiation. An Italian communiqué published on 9th February states that Italy approves of the proposal in principle subject to consideration of the question of the special mutual responsibilities of Italy and this country to one another. The German Government have informed us in the official note published on 14th February that they welcome the proposal and are ready to consider in free agreement with the other Governments concerned the ways and the means of the conclusion of the proposed agreement.

Mr. JONES: While thanking the right hon. Gentleman for his reply, may I ask whether, when the communications have passed between the Governments in this matter and some agreement has been arrived at tentatively, he will present papers to the House so that hon. Members can study them before any discussion arises?

Mr. EDEN: I am sure that my right hon. Friend is desirious of keeping the House fully informed.

STONEHENGE.

27. **Mr. BURNETT** (*for* **Sir PERCY HURD**) asked the First Commissioner of Works whether, in order to preserve the amenities of Stonehenge as a national memorial, he will give instructions that no picnicking or unseemly litter shall be allowed inside the enclosure?

Mr. ORMSBY-GORE: Yes, Sir. I am proposing to take steps to prevent picnicking within the enclosure, and I am issuing special instructions as to the clearing of litter and warning of offenders. I am informed that the custodians do their best to cope with this problem but have to deal as well with rubbish that is blown in or thrown from the adjoining public road. The proposed establishment of a car-park and the appointment of an additional custodian should help considerably to diminish nuisances.

28. **Mr. BURNETT** (*for* **Sir P. HURD**) asked the First Commissioner of Works whether, in order to remove public uneasiness, he will now publish the text of the deed under which the control of a part of Stonehenge now passes to his Department from the National Trust to whom it was conveyed by the Stonehenge Preservation Fund?

Mr. ORMSBY-GORE: The deed is not finally completed, but I will certainly make its terms public at the earliest opportunity.

CANADA (MUNICIPAL LOANS).

33. **Mr. BURNETT** (*for* **Sir P. HURD**) asked the Secretary of State for Dominion Affairs the result of his inquiries of the Canadian Government regarding the position of British holders of the Ontario and Vancouver municipal bonds, in view of the recent official statements by the Ontario Minister of Municipal Affairs and the mayor of Vancouver?

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): As the information which has reached me from the Canadian Government goes into the position in considerable detail, I will, with the permission of the House, circulate a statement with the OFFICIAL REPORT.

Following is the statement:

I am informed that under the Canadian Federal system the Dominion has no control over, or responsibility for, municipal financial obligations. Municipalities are created by provincial legislation and are under provincial control. A number of the Provinces have set up municipal boards or commissions which exercise varying degrees of administrative control, particularly where municipalities find difficulty in meeting their obligations. Such difficulties have occurred in recent years as regards some 10 per cent. of the total amount of municipal bonded indebtedness outstanding. It is estimated that about 69 per cent. of all Canadian municipal obligations is payable in Canada, about 7 per cent. in the United Kingdom, and some 24 per cent. in the United States and other countries.

[Mr. Thomas.]

I am also informed that the Premier of Ontario has indicated that the statement of the Minister of Municipal Affairs in the Provincial Government of Ontario was to the effect that Ontario municipalities in default will pay 3 per cent. interest in 1935 and will be refinanced before the 1st January, 1936, the refinancing to consist of debtor and creditor arriving at a composition by mutual consent based upon ability to pay. The Premier of the Province points out that, before that statement was made, only 4 per cent. of those Ontario municipalities which were in default were paying any part of the interest on their debentures, only 3 per cent. full interest, and that over 90 per cent. had paid no interest in the last two years, whereas now all defaulting municipalities will pay 3 per cent. for 1935 pending refinancing. In this connection I would also refer to the reply given by my hon. Friend the Secretary to the Treasury to the hon. Member for West Bromwich (Mr. A. Ramsay) on the 14th February.

The Premier of Ontario has also called attention to a published statement which he made recently and which concluded as follows: "The high credit standing of the Province of Ontario in this country and abroad has been built up over the years by the prompt and regular payment of public obligations of the province and its constituent municipalities in accordance with the letter of the contract in each case, and I would regret the day that it cannot continue to do so. This does not imply, however, that certain municipalities do not require adjustment. They do. It is in the interest of bondholders that they do adjust. The Ontario Municipal Board will put an end to the idea of some that certain municipalities which have not defaulted will be permitted to do so to ease their situation and taxation they are facing.

As regards the question of Vancouver municipal bonds, I would invite reference to my replies to the hon. Member for North Newcastle-on-Tyne (Sir N. Grattan-Doyle) on the 6th February. I am now informed that the meetings of the Mayor of Vancouver with representatives of the bondholders on the 11th and 12th of February resulted in agreement that a Toronto financial expert should be engaged by the city council to examine the city's finances and resources. I gather that it is contemplated that this expert will report to the city council who will inform the bondholders.

EDUCATION (MAINTENANCE ALLOWANCES).

37. **Mr. McENTEE** asked the Parliamentary Secretary to the Board of Education whether he will give the names of the 142 local education authorities which provide maintenance allowances for special-place children, and the scale of allowances of each authority?

The PARLIAMENTARY SECRETARY to the BOARD of EDUCATION (Mr. Ramsbotham): I will send the hon. Member a list of the 142 local education authorities concerned. I regret that I cannot furnish him with the scales of allowances for each authority, since these vary according to the parental income, the number of children in the family, and, in some cases, the age of the pupil.

Mr. MORGAN JONES: Will the Parliamentary Secretary consider circulating this information in the OFFICIAL REPORT?

Mr. RAMSBOTHAM: The income scales of a single authority in some cases runs to three or four pages, and I do not think it would be possible to publish it in the OFFICIAL REPORT.

Viscountess ASTOR: Is it not the case that local authorities have a means test for granting maintenance allowances? Has not the London County Council a means test in granting these allowances?

Mr. RAMSBOTHAM *indicated assent.*

WOOLWICH ARSENAL.

38. **Mr. THORNE** (*for* **Mr. HICKS**) asked the Financial Secretary to the War Office whether he is now in a position to make a statement as to whether it is proposed to remove Woolwich Arsenal?

Mr. BLINDELL (Lord of the Treasury): I have been asked to reply. No, Sir. This question is a very large one, and a decision is not to be expected in the near future.

Mr. THORNE: Has the hon. Member seen a report which has appeared in most newspapers that it is possible that Woolwich Arsenal is going to be moved to Pembroke?

Mr. BLINDELL: I have not seen the report, but I will convey the information to my hon. Friend.

PALESTINE (ILLEGAL IMMIGRATION).

Colonel WEDGWOOD (*by Private Notice*) asked the Secretary of State for the Colonies whether he has any news of the hunger striking in the Palestine gaols and how many are at present striking?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): I have obtained a report from the High Commissioner for Palestine, stating the following facts. Sixty-eight Jews who were detained in Acre gaol following conviction for illegal entry into Palestine declared a hunger strike after evening meal on the 12th February as a protest against their continued imprisonment after the expiration of the sentences imposed upon them by the Courts. In every case an order of deportation had been made immediately upon committal by the Inspector-General of Police in the exercise of authority vested in him under Section 10 (1) of the Immigration Ordinance, and subsequently warrants of detention were issued by the High Commissioner under Section 10 (8) to cover any period of custody after the expiry of court sentences which might be necessitated by delay in completing the formalities of deportation. This is the normal procedure followed in all cases of conviction for illegal entry.

Actually on the day of the hunger strike the court sentences were still unexpired in 12 cases. In the remainder they had run out and negotiations with regard to deportation were proceeding. Although there was good reason to believe, and enquiries have since shown, that most if not all these 68 Jews are of European nationality other than Russian, each affirmed on arrest that he was a Russian, and each gave a false name and falsified other particulars of identity. No passports or other travel documents were found in their possession. The police have therefore to make complicated and necessarily protracted enquiries through agents in Syria, Greece and elsewhere. So far nationality has been established in 40 cases, mostly Polish, but including a few Hungarians and Czecho-Slovakians, and the foreign consuls concerned in Palestine have accordingly been asked to expedite the grant of travelling facilities. Enquiries continue with a view to establishing nationality in the remaining cases.

The High Commissioner has generally no objection to the acceptance of suitable bail bonds, and he accordingly gave instructions that any of the 68 persons whose court sentences had expired might be released on a bond of £100 by each of two reputable sureties undertaking to produce him at the end of two months, or sooner if called upon by the police, or alternatively to prove that he had left the country. On becoming aware of these instructions the prisoners broke their fast on the afternoon of the 14th February. The hunger strike was not complete. Seven prisoners took food on the 13th February and the rest took liquid throughout the duration of the strike. The strikers were examined daily by the prison doctor and found in good health with the exception of two who were admitted to the hospital ward on the morning of the 14th February and who were due to be discharged yesterday.

Colonel WEDGWOOD: How long is the right hon. Gentleman going to put in prison, and keep in prison these unfortunate Jews, whose only crime is that they want to enter Palestine?

Sir P. CUNLIFFE-LISTER: It is perfectly well known to every hon. Member of the House, if not to the right hon. and gallant Member, that illegal immigration into Palestine on the part of Jews or anybody else is an offence against the law. It is in the interests of the country that entry into Palestine of Jews should be in a properly authorised way. It is surely in everyone's interest that illegal immigration should be stopped.

Colonel WEDGWOOD: The House is aware, if the right hon. Gentleman himself is not aware, that this practice of gaoling people who are fugitives from Europe does not redound to the credit of this Government.

SCOTLAND (CUPAR SUGAR-BEET FACTORY).

Mr. HENDERSON STEWART (*by Private Notice*) asked the Secretary of State for Scotland whether he is aware of the concern aroused among farmers at the reported decision to close down the

[Mr. Stewart.]
only Scottish beet-sugar factory at Cupar; and, if in view of the fact that farmers in all parts of the country have prepared or are daily preparing their land for the next beet crop, and that if the Cupar factory is closed confusion and much loss will be caused in many farms, he can make an immediate statement to re-assure Scottish growers?

The SECRETARY of STATE for SCOTLAND (Sir Godfrey Collins): I am aware that the question of closing the Cupar sugar-beet factory has been under consideration by the Anglo-Scottish Beet Sugar Corporation, but no final decision has yet been taken in the matter, and I am not unhopeful that arrangements may be made under which the factory may be operated during the coming season.

Mr. H. STEWART: While thanking the right hon. Gentleman for his answer, may I ask, in view of the seriousness of the situation and the urgent need for re-assurance, whether he will be in a position to make a definite statement if I repeat my question in a few days' time?

Sir G. COLLINS: My hon. Friend will have to wait more than two or three days, but I will communicate with him when I am in a position to make a statement on the subject.

Viscountess ASTOR: Will the right hon. Gentleman bear in mind that sugar-beet has already cost the country £40,000,000? Will he therefore go slow before making any further grants and consider the need for nursery schools?

BUSINESS OF THE HOUSE.

Mr. LANSBURY: May I ask the Prime Minister what business he proposes to take to-night?

The PRIME MINISTER: We are suspending the Eleven o'clock Rule in order to take the Committee stage of the Cattle Industry (Emergency Provisions) Money Resolution; the Motion regarding the Proceedings on the Government of India Bill—that is the Motion which was not moved on Friday. We are also taking the Report stage of the Post Office (Amendment) Money Resolution, the Report stage of the Post Office and Telegraph Money Resolution and the Superannuation Money Resolution, which are all exempted business.

Ordered,

"That the Proceedings on Government Business be exempted, at this day's Sitting, from the provisions of the Standing Order (Sittings of the House)."—[*The Prime Minister.*]

WRITTEN ANSWERS.

AUSTRALIAN AND SOUTH AFRICAN WINE.

Mr. MAGNAY asked the Chancellor of the Exchequer the average alcoholic strength of wines imported in cask from Australia and South Africa, respectively, during each of the calendar years 1926 and 1933?

Mr. COOPER: The calculated average alcoholic strength of the total quantity of wine imported in casks (including both natural and fortified wines), which was consigned from Australia and British South Africa, respectively, during each of the calendar years 1926 and 1933, was as follows:

	1926. Degrees of proof spirit.	1933. Degrees of proof spirit.
Australia	32	34
British South Africa ...	26	36

BEER.

Mr. MAGNAY asked the Chancellor of the Exchequer the average original gravity of beer produced in England and Northern Ireland and Scotland, respectively, during the calendar years 1933 and 1934, and also the average original gravity of beer imported into the United Kingdom during the same years?

Mr. COOPER: The average original gravitay of beer produced in England and Northern Ireland and in Scotland during the calendar years 1933 and 1934 was as follow:

	1933.	1934.
England and Northern Ireland	1,040.59°	1,041.03°
Scotland	1,041.19°	1,041.88°

The average gravity of beer imported into the United Kingdom during the years 1933 and 1934 was 1,052.94° and 1,052.90° respectively.

NATIONAL HEALTH INSURANCE.

Mr. T. MORRIS asked the Minister of Health whether his attention has been called to the attempt of the workmen's medical committee at Llanelly to introduce medical practitioners with the object of reducing salaries; and whether this policy affects the arrangements for local National Health Insurance?

Sir H. YOUNG: I have seen references in the Press to this matter. It has no relation to the arrangements for National Health Insurance.

CORPORAL PUNISHMENT.

Mr. RHYS DAVIES asked the Home Secretary the number of cases of robbery with violence which have occurred in England and Wales in the years 1933 and 1934, respectively; the number of sentences of flogging passed by the courts for robbery with violence and for other offences during 1933 and 1934, respectively; and the number of sentences of flogging for offences against prison discipline during 1933 and 1934, respectively?

Sir J. GILMOUR: Statistics relating to convictions and sentences in the courts are not yet available for 1934. During 1933 the number of persons convicted at courts of quarter sessions or assize of robbery with violence or assaults with intent to rob was 66 and the number of persons ordered to undergo corporal punishment for such offences was 42. In addition two persons were ordered to undergo similar punishment for other offences. The number of awards of corporal punishment for offences against prison discipline was five in 1933 and five in 1934.

TAXIMETERS.

Sir M. SUETER asked the Home Secretary how many new types of taximeters have been submitted to the National Physical Laboratory for test and approval since 1914; and how many of these have been of British manufacture?

Sir J. GILMOUR: I am informed by the Commissioner of Police of the Metropolis that since 1914 he has submitted six new types of taximeters for test to the National Physical Laboratory. Without direct inquiry of the firms concerned, it is not possible to state how many of these have been of British manufacture.

Sir M. SUETER asked the Home Secretary the number of taximeters which have been licensed and approved by the National Physical Laboratory for the last five years, showing their country of origin and average date of manufacture?

Sir J. GILMOUR: The National Physical Laboratory does not license or approve taximeters. It only tests them. During the past five years 56,138 tests of taximeters have been carried out by the National Physical Laboratory. This number includes the annual tests to which all taximeters are subjected, and also tests carried out as a result of failure of the mechanism. No information is available as to the country of origin or the average date of manufacture of the taximeters in question.

UNEMPLOYMENT.

ASSISTANCE REGULATIONS.

Mr. T. MORRIS asked the Minister of Labour whether, in the administration of the new unemployment assistance regulations, he has received any complaints in relation to the disregarding of disability pensions, compensation payments, or sick pay, or whether this section of the regulations is working smoothly?

Mr. STANLEY: I am informed by the Unemployment Assistance Board that they have no reason to doubt that the regulations are working smoothly in regard to the matters referred to.

STATISTICS.

Miss CAZALET asked the Minister of Labour the number of registered unemployed for each week commencing with the first week in October and ending with the last week of December, 1934; the total number of those receiving transitional benefit; and the amount of that benefit during each of those periods?

Mr. STANLEY: The numbers of persons registering for employment at Employment Exchanges are ascertained only for one date towards the end of each month. The total numbers of persons (insured and uninsured) on the registers

of Employment Exchanges in Great Britain at the dates for which particulars are available were as shown below:

Date.	Total numbers on registers.
22nd October, 1934 ...	2,119,635
26th November, 1934 ...	2,120,785
17th December, 1934 ...	2,085,815

The number of persons to whom transitional payments were made and the amount of such payments are given below for each week from the beginning of October to the end of December, 1934:

Week ended.	Number of payments.	Amount paid. £
6th October ...	725,098	787,951
13th October ...	725,216	791,700
20th October ...	723,235	790,533
27th October ...	727,512	790,140
3rd November ...	723,945	791,820
10th November	726,603	790,482
17th November	723,861	792,039
24th November	723,440	790,147
1st December ...	721,521	789,856
8th December ...	719,218	788,209
15th December	720,034	789,221
2 weeks ended 29th December	1,425,776	1,551,383

NAVAL AND MILITARY PENSIONS AND GRANTS.

Brigadier-General CLIFTON BROWN asked the Minister of Pensions whether he is aware that Evelyn Maud Wilkes, daughter of the late sergeant No. R/24,248, King's Royal Rifle Corps, who died in May, 1920, as a result of War service, is a confirmed invalid, having suffered since birth from infantile paralysis and epilepsy; and whether, having regard to this fact, he will look into the case, with a view to the reissue of war orphan's allowance, which ceased on the 7th December, 1933?

Major TRYON: I have no authority to grant a further extension of the allowance which ceased when the young person referred to reached the age of 21 years for the reasons which I explained in my reply on 5th February to the hon. Members for Deritend (Mr. Smedley Crooke) and Rhondda, East (Mr. Mainwaring) of which I am sending my hon. and gallant Friend a copy.

ROYAL NAVY (VACCINATION, RECRUITS).

Mr. GROVES asked the First Lord of the Admiralty what proportion of Navy recruits during the last 20 years showed no marks of vaccination when accepted for service?

Sir B. EYRES MONSELL: Complete records are not available in this Department prior to 1922. During the last 13 years the proportion of recruits accepted for service who showed no marks of vaccination was 18.65 per cent.

EDUCATION.

UNEMPLOYED TEACHERS, LANCASHIRE.

Mr. TINKER asked the Parliamentary Secretary to the Board of Education how many certified teachers there are out of employment in Lancashire; and will he give separate figures of males and females?

Mr. RAMSBOTHAM: According to returns received from the training colleges and University training departments in Lancashire, of the 265 men and 1,027 women who left these colleges in 1933 and 1934, 180 men and 903 women had secured employment as teachers by 31st December last, and 37 men and 79 women had failed to secure such employment; 16 men and 18 women had not attempted to obtain teaching posts. No information is available regarding the remaining 32 men and 27 women, nor have I any further information regarding the number of certificated teachers who are out of employment in Lancashire.

INFANTS, LANCASHIRE.

Mr. TINKER asked the Parliamentary Secretary to the Board of Education how many children under five years of age are attending school in Lancashire; and will he give the figures for St. Helens, Wigan, and Leigh?

Mr. RAMSBOTHAM: On 31st March, 1934, there were 29,681 children under five years of age attending public elementary schools in Lancashire. Of these, 1,287 were in schools in St. Helens, 357 in schools in Wigan and 308 in schools in Leigh.

AGRICULTURAL WORKERS AND SMALL HOLDERS (WALES).

Mr. R. T. EVANS asked the Minister of Agriculture the number of farm labourers employed in each of the counties of Wales in January of each year from 1921 to 1935; and the number of tenants occupying on the same dates smallholdings established by county councils?

Mr. ELLIOT: Returns of the number of workers on agricultural holdings are collected only on 4th June in each year. Statement "A" hereunder gives the information for each county in Wales on that date, with the exception of 1922, when no return of workers was included in the annual schedule. Returns relating to smallholdings provided by county councils are normally collected on 31st December in each year, and as regards the second part of the question, Statement "B" hereunder gives all the information available in respect of the Welsh counties.

A.—The number of Workers* employed on agricultural holdings above one acre in extent as returned in June in the undermentioned years in each county of Wales was:—

Counties:— Workers.*	1921.	1923.	1924.	1925.	1926.	1927.	1928.	1929.	1930.	1931.	1932.	1933.	1934.
Anglesey:	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
Regular ...	2,895	2,652	2,727	2,782	2,803	2,882	3,029	2,904	2,888	2,911	2,752	2,500	2,329
Casual	1,032	866	899	863	795	770	819	761	569	548	514	494	436
Total ...	3,927	3,518	3,626	3,645	3,598	3,652	3,848	3,665	3,457	3,459	3,266	2,994	2,765
Brecon:													
Regular ...	3,007	2,621	2,858	2,767	2,968	3,060	3,146	3,105	2,891	3,071	3,036	2,814	2,604
Casual	639	498	577	563	554	500	439	462	341	360	327	346	289
Total ...	3,646	3,119	3,435	3,330	3,522	3,560	3,585	3,567	3,232	3,431	3,363	3,160	2,893
Cardigan:													
Regular ...	4,884	4,363	4,772	4,152	4,242	4,807	5,062	5,084	5,966	5,075	5,466	4,560	4,194
Casual	1,234	930	998	862	919	897	752	727	839	651	623	613	575
Total ...	6,118	5,293	5,770	5,014	5,161	5,704	5,814	5,811	6,805	5,726	6,089	5,173	4,769
Carmarthen:													
Regular ...	6,328	5,637	6,078	5,694	6,232	6,704	7,449	7,496	7,511	7,550	7,353	5,892	6,191
Casual	1,601	1,223	1,373	1,307	1,359	1,355	1,093	1,069	985	968	1,054	997	944
Total ...	7,929	6,860	7,451	7,001	7,591	8,059	8,542	8,565	8,496	8,518	8,407	6,889	7,135
Carnarvon:													
Regular ...	3,785	3,240	3,498	3,203	3,229	3,285	3,354	3,364	3,357	3,428	3,215	3,185	3,017
Casual	1,078	848	935	899	735	731	720	736	608	552	505	505	483
Total ...	4,863	4,088	4,433	4,102	3,964	4,016	4,074	4,100	3,965	3,980	3,720	3,690	3,500
Denbigh:													
Regular ...	5,322	4,809	5,087	5,082	5,186	5,404	5,539	5,606	5,341	5,315	5,280	5,073	4,667
Casual	1,905	1,132	1,478	1,409	1,268	1,278	1,201	1,106	894	947	881	840	756
Total ...	7,227	5,941	6,565	6,491	6,454	6,682	6,740	6,712	6,235	6,262	6,161	5,913	5,423
Flint:													
Regular ...	3,051	2,664	2,727	2,836	2,875	2,906	2,966	3,021	2,907	2,945	2,865	2,704	2,592
Casual	765	556	661	653	580	494	468	441	431	411	412	432	367
Total ...	3,816	3,220	3,388	3,489	3,455	3,400	3,434	3,462	3,338	3,356	3,277	3,136	2,959
Glamorgan:													
Regular ...	4,773	3,957	4,498	4,396	4,768	4,719	4,735	4,855	4,753	4,967	4,704	4,703	4,235
Casual	1,601	1,011	1,132	1,137	1,072	877	932	843	945	898	1,037	833	754
Total ...	6,374	4,968	5,630	5,533	5,840	5,596	5,667	5,698	5,698	5,865	5,741	5,536	4,989

Counties :— Workers.*	1921.	1923.	1924	1925.	1926.	1927.	1928.	1929.	1930.	1931.	1932.	1933.	1934.
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
Merioneth :													
Regular ...	2,284	2,017	2,207	2,173	2,254	2,371	2,404	2,445	2,391	2,421	2,293	2,286	2,150
Casual	654	556	570	605	546	518	500	473	426	391	385	331	294
Total ...	2,938	2,573	2,777	2,778	2,800	2,889	2,904	2,918	2,817	2,812	2,678	2,617	2,444
Monmouth :													
Regular ...	4,402	3,987	4,061	3,937	4,104	3,956	4,152	4,128	3,853	4,042	3,912	3,735	3,530
Casual	1,302	1,160	1,154	1,256	1,036	907	862	892	747	660	698	661	654
Total ...	5,704	5,147	5,215	5,193	5,140	4,863	5,014	5,020	4,600	4,702	4,610	4,396	4,184
Montgomery :													
Regular ...	4,705	4,479	4,463	4,556	4,583	4,475	4,473	4,734	4,534	4,730	4,614	4,584	3,998
Casual	1,084	938	1,053	1,052	932	860	798	793	663	600	587	547	576
Total ...	5,789	5,417	5,516	5,608	5,515	5,335	5,271	5,527	5,197	5,330	5,201	5,131	4,574
Pembroke :													
Regular ...	5,832	5,579	5,666	5,384	5,841	5,808	5,818	6,167	6,003	6,070	5,710	5,617	4,958
Casual	1,395	1,086	1,207	1,147	1,061	986	941	960	946	776	802	845	984
Total ...	7,227	6,665	6,873	6,531	6,902	6,794	6,759	7,127	6,949	6,846	6,512	6,462	5,942
Radnor :													
Regular ...	2,202	2,029	1,988	2,041	2,071	2,022	2,026	2,070	2,032	2,008	1,928	1,808	1,743
Casual	379	420	423	426	351	273	283	279	234	192	167	185	206
Total ...	2,581	2,449	2,411	2,467	2,422	2,295	2,309	2,349	2,266	2,200	2,095	1,993	1,949

* Excluding the occupier, his wife and domestic servants.

B.—Numbers of tenants occupying Smallholdings provided by County Councils under the Small Holdings Acts, 1908–1926, in each County in Wales on the dates shown.

—	31st Dec., 1924.	31st March, 1926.*	31st Dec., 1927.	31st Dec., 1928.	31st Dec., 1929.	31st Dec., 1930.	31st Dec., 1931.	31st Dec., 1932.	31st Dec., 1933.	31st Dec., 1934.
Anglesey	251	242	242	246	246	259	274	270	278	268
Brecon	57	58	58	58	58	57	55	56	60	60
Caernarvon	93	105	92	92	92	92	92	90	89	88
Cardigan	61	58	58	57	57	52	53	53	52	50
Carmarthen	194	185	185	179	179	180	180	181	182	196
Denbigh	280	268	268	268	268	270	273	284	295	283
Flint	155	150	155	155	155	157	161	174	174	184
Glamorgan	203	235	215	212	214	218	218	218	232	229
Merioneth	130	130	130	130	129	133	133	133	133	134
Monmouth	180	197	181	186	185	192	192	195	195	194
Montgomery	244	284	261	259	264	264	282	282	289	286
Pembroke	166	178	178	177	189	195	195	186	186	186
Radnor	93	95	95	95	95	89	89	89	89	89
	2,107	2,185*	2,118	2,114	2,131	2,158	2,197	2,211	2,254	2,247

* (i) Numbers of *Smallholdings* on 31st March, 1926. (ii) Figures for 31st December, 1926, are not available

INDIA (CIVIL DISOBEDIENCE PRISONERS).

Mr. McGOVERN asked the Secretary of State for India the total number of persons who are imprisoned as a result of various national demands for Indian freedom where either sedition or rioting was alleged?

Sir S. HOARE: The question is in such general terms that I am afraid it is impossible to give figures in reply, beyond saying that the total number of civil disobedience prisoners has now fallen to 76.

CATTLE INDUSTRY (EMERGENCY PROVISIONS) [MONEY].

Considered in Committee under Standing Order No. 69.

[Captain BOURNE in the Chair.]

Motion made, and Question proposed,

That it is expedient—

(1) to provide for extending, by not more than six months, the period during which cattle or carcases of cattle must have been sold in order that payments in respect thereof may be made out of the Cattle Fund under Section two of the Cattle Industry (Emergency Provisions) Act, 1934;

(2) to authorise the Treasury to make, during the months of April, May and June, nineteen hundred and thirty-five, advances to the said fund, not exceeding in the aggregate one million and fifty thousand pounds, out of the Consolidated Fund of the United Kingdom, and to provide for requiring that any such advances shall be repaid from the Cattle Fund to the Exchequer of the United Kingdom before the fifteenth day of August, nineteen hundred and thirty-five; and

(3) to provide for other matters connected with the matters aforesaid.—(*King's Recommendation signified.*)—[*Mr. Duff Cooper.*]

The MINISTER of AGRICULTURE (Mr. Elliot): This Financial Resolution makes provision for further advances from the Exchequer to the cattle fund with a view to payments being continued at the present rate to the producers of fat stock in the United Kingdom for a period of three months from 31st March, 1935, when the present Act expires. The present Act, of course, has not yet expired, and I am sure it will be for the advantage of all of us in this Committee to see that no rush takes place in this matter and that arrangements are made for the period to succeed 31st March well in advance of any crisis which might otherwise arise. The Committee will recall the circumstances in which Parliament was asked to approve the Cattle Industry (Emergency Provisions) Act in July last. In the memorandum on the livestock situation issued by the Government before that legislation was introduced, attention was called to the very serious decline which had taken place in 1932, 1933 and the first part of 1934, in the prices of fat and store cattle in the United Kingdom. It was then explained that the alternatives before the Government were either drastic reduction of imports to the point that was necessary to sustain prices of United Kingdom livestock at a remunerative figure, or the introduction, in agreement with overseas countries, of a levy upon imports, the proceeds of which would be available for the assistance of home industry.

The first solution, quantitative regulation, corresponds more closely with the views advocated by the right hon. Member for Darwen (Sir H. Samuel). The second one, the levy used to balance up the home price, corresponds more closely with the solution advocated by the right hon. Member for Swindon and his party. [HON. MEMBERS: "No!"] I do not expect all my hon. Friends opposite to be conversant with every detail of their official programme.

As regards the levy upon imports, it was explained in July last that the quantity of the imports might either be left entirely free or subjected to such moderate regulation as might be thought necessary to prevent the market from breaking altogether. It was, however, pointed out that without the consent of the countries concerned no duty could be imposed on Dominion meat before August, 1937, or on Argentine meat before November, 1936. The immediate crisis in July last was met by a subsidy to cattle producers in order to give time for negotiations on the proposals for a levy.

No one realises more clearly than the United Kingdom Government the extreme difficulty of the problems with which overseas supplying countries are faced, and negotiations involving issues of such far-reaching importance cannot be rushed. I stress that again to the Committee—that the trade and Imperial issues involved in these negotiations are of the greatest importance, and that it is vitally necessary that supplying countries should feel that every possible consideration would be given to their views and that every effort would be made to meet the arguments which they repeatedly advance to the Government of this country. We have been anxious to give the fullest possible opportunity for the examination of alternatives, neither of which, it was well recognised, could be regarded as palatable. It was hoped that the seven months' period during which Parliament has agreed to the situation being held by payments from the Exchequer would have sufficed for thus purpose. That hope, however, has not been realised.

It would, of course, have been open to us at any time in the last seven months to have cut the Gordian knot and to have solved the problem by the limitation of imports, as we have power to do under the agreements that we have signed; but to avoid the shock to the trade of supplying countries, which it is very necessary to do, we have held our hand in the interests of the general trade and commerce of this country, and the general trade and commerce of this country has benefited by the fact that we have negotiated and have not decided to take the drastic and immediate action which, all admit, was open to us under the legal agreements which have been drawn up. There was the question whether in these circumstances it would not still be necessary to bring into operation on 1st April next the alternative of drastic supply regulation, which was indicated in the White Paper of July last.

There can be no question that if the adoption of one or other of these alternatives is to be deferred, a continuance of financial assistance to the home beef industry is absolutely necessary. The fat cattle prices in England and Wales have fallen to 33s. 8d. per cwt. live weight. That is lower than the price in the corresponding week of 1934 by 4s. 8d., or practically the whole of the subsidy. The average price for the five months, September, 1934, to January, 1935, has been 34s. 11½d. per live cwt., compared with an average of 36s. 3½d. in the corresponding period of 1933-34.

Dr. ADDISON: The right hon. Gentleman mentioned a decline of 4s. 8d. in the price. Would he give us the dates again?

Mr. ELLIOT: In the twelve months period, taking this week with the corresponding week of last year, the price has fallen by 4s. 8d.

Sir PERCY HARRIS: That is since the subsidy.

Mr. ELLIOT: Oh yes. There was no subsidy at this time last year. The decline in the period of five months, September, 1934, to January, 1935, was about 1s. 4d. per cwt., or 3 per cent., and the producer was during that period, other things being equal, better off to the extent of about 37s. 6d. per beast as a result of the subsidy. Probably I shall be asked by hon. Members opposite whether the butcher is getting the money. All I shall say at the moment is that if I am asked that question I shall be willing on another occasion to deal with it at length. As to the question of the butcher not getting any of the money that would involve us of course in a further extension of control which it is very desirable to avoid. Nobody wishes to extend control any further than is absolutely necessitated by the circumstances of the case. If the prices were unremunerative in 1934 they are worse now. [HON. MEMBERS: Hear, hear.]

Sir HERBERT SAMUEL: Is the right hon. Gentleman not going to tell us where the money goes that is voted by Parliament? He said that if the question were asked he would deal with it on some other occasion, but we ought to be told now when we are being asked to vote the money.

Mr. ELLIOT: I do not wish to throw my remarks out of proportion and after all there are many factors involved in the question of where the money voted by Parliament has gone. As I say, there is a seasonal decline about that period of the year which inevitably absorbs a considerable quantity of the money. There have been heavier supplies for the market and cheaper supplies to many of the people of this country. Putting these and other factors together it would require an analysis of some length to work the matter out in detail. Taking it altogether there has been a certain advantage to the producer in this country and a certain advantage, no doubt, to the retailer in this country and a certain advantage to the consumer in this country but I do not wish to go into those factors at length at the moment.

All that can be done pending the conclusion of negotiations to hold the import situation has been and is being done. The reduction in foreign supplies of frozen meat agreed to at Ottawa, namely, 35 per cent. of the Ottawa year quantities has been maintained and the 10 per cent. cut in respect of foreign chilled beef first imposed in November, 1932, has also been continued. A very substantial measure of voluntary co-operation has been secured from Empire countries in conforming to the programmes put forward by the United Kingdom Government covering the periods July to September, 1934, and January to March, 1935. There has been

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a substantial reduction in the supplies of fat cattle from the Irish Free State and it is interesting to see how far the prophecies of evil which were launched by the Opposition have been falsified in the event. To listen to or to read their speeches anyone would conclude that beef was about to be made unprocurable by the working class of this country; that prices were to be hoisted to a region which would take beef utterly out of the reach of working-class households. Those extravagant assumptions have not been realised in practice, but what we forecast has been singularly closely realised, namely, that the reductions which we were making were barely enough to hold the market where it was and that any suggestion that this would lead to a great rise in prices would not be borne out.

Sir P. HARRIS: We never said that the subsidies would cause an increase of price—quite the contrary.

Mr. ELLIOT: I am afraid I have not made myself clear to the hon. Gentleman. At the moment I was discussing the reduction of the supply in the market and I was referring to speeches by the hon. Gentleman and others indicating that the reduction in the supply of Irish cattle—which was the means by which we only just held the market from utter crash and collapse—would deprive his constituents altogether of that healthy and pleasant food, British beef. I am pointing out that those speeches have not been justified by what has actually happened. The total supplies of beef and fat cattle during the period September, 1934, to January, 1935, were maintained at practically the same figure as those for the corresponding period of 1933-34. They were not diminished. They were maintained and as we all know there is going on a certain change in public taste. There is a movement away from beef and in favour of other forms of meat so that in fact the beef market is actually shrinking and the supplier will need to square that fact with his desire to send increasing quantities into the market. You have a market in which supply is outrunning demand but that is not due to economic circumstances. The shift in the demand was manifest even in years of relatively low unemployment and high prosperity. Even during those times the movement away from beef was manifest and the present rush of countries to heap further supplies upon this market is bound to bring about a situation in which the conditions move against the producer and in favour of others who are interested in the trade. The arrangement recently made for regulation of the supplies of imported beef during the first quarter of 1935 are designed—making allowance for the beef equivalent of the imports of fat cattle—to secure a reduction from 3,220,000 cwts. in the first quarter of 1934 to 3,138,000 cwt.. or a reduction of 2.6 per cent. and accordingly we have thought it justifiable to continue to negotiate.

At this point the Committee might be interested to have a few particulars as to the working of the Cattle Committee which will have to operate this Measure as it operated the last. The machinery for the distribution of the subsidy which was set up at very short notice and under great pressure has, I think I can claim, worked with remarkable smoothness and efficiency and I should like to take this opportunity of congratulating Sir John Chancellor and his colleagues of the Cattle Committee and their staff upon an administrative feat of which they and indeed the House of Commons may well be proud. Satisfactory results could not have been achieved without the help of various national organisations representing auctioneers, butchers and farmers who gave their active and cordial co-operation not merely in framing and launching the scheme but throughout its operation. The Act only received the Royal Assent on 31st July of last year and 10 days afterwards the Cattle Committee had presented its report and the Particulars of Arrangements required by the Act to the appropriate Ministers, who, on the same day, signified their approval of the arrangements. Invitations to apply for approval of certification centres were sent out to 800 markets provisionally agreed. On 29th August, the Cattle Committee were in a position to advise the Ministers that the arrangements were so far advanced that the scheme could be brought into operation on 1st September, the first date permissible under the Act.

It will be remembered that when the Measure was passing through the House of Commons grave doubts were expressed by hon. Members who were conversant with the practical working of the live-stock trade as to whether a scheme could

be got ready in time for the autumn. The scheme was got working in time and, what is more, it came into action with singularly little dislocation either of prices or supplies. There was no holding back before it and no rush into the market after it. The industry accepted the Act and worked it in a responsible and painstaking manner. By 31st August, over 600 applications for approval of live weight certification centres had been considered and passed. All these were markets likely to be held on Saturday, 1st September, and Monday, 3rd September, so that we had carried through all the complicated administrative details which were necessary to ensure that the certifying officers would be able to carry out their work. Twenty-five dead weight certification centres were approved in time to commence operation on 1st September and by the following Saturday the totals had been raised to 795 live weight certification centres and 29 dead weight certification centres. The arrangements for making the payments work so smoothly that payment is usually made within three or four days of the receipt of the certificate by the Cattle Committee —a very remarkable administrative result. It was estimated that about 1,000,000 animals were likely to be marketed in the seven months September to March. The present indications are that the number of animals likely to come forward in that period will be about 900,000, which is rather smaller than the number we expected. Of course, it was not possible last July to determine this figure with any precision. The figures on which the estimates were based were mainly derived from sales in the auction marts, and there was very little information available as to the numbers sold by private treaty, or direct to butchers. The average weight was expected to exceed 10 cwts. but, according to the latest information, the average will work out at something below 10 cwts., and that will affect the amount of the subsidy payments. Another factor very difficult to determine before the event was the extent to which the standards laid down by the Cattle Committee would render animals ineligible for subsidy. The percentage of rejected animals varies widely in different parts of the country, but the over-all average is not expected to be more than 9 per cent.

The experience now gained makes it possible to forecast the probable cost of operations during the three months April, May and June, 1935. The only significant figure affecting this calculation is the number of beasts likely to be certified as eligible animals during those three months. The figure depends on the voluntary action of thousands of producers throughout the country, and, while we cannot foretell what they will all do, I am advised that the number likely to come forward during those three months will be a total of some 400,000. Making the necessary allowance for expenditure on administration, which might be put at £20,000, and allowing for contingencies, the total will reach £1,050,000, which is the total set out in the Paper.

The Financial Resolution which I have the honour to submit to the Committee *makes provision for advances from the* Exchequer to the Cattle Fund to cover the period April to June, 1935, but I feel that the Committee is entitled to expect not only the explanation which I have given of the reasons which make this extension of the emergency provisions desirable, but some broader appreciation of the situation as it appears to us, and some indication of the lines which His Majesty's Government have taken, and are about to take to handle this situation. I feel that it is not, perhaps, necessary to deal with the objections which have been raised by Members of the Opposition, because, in the first place, there is no means test in this Vote, as we may say there is no means test for the bricklayers whose industry also receives great sums from the public purse under Measures now passing through this House—sums not grudged by anyone in any quarter of the House.

Nor is it necessary to deal with the opposition of my hon. and right hon. Friends below the Gangway who have claimed that the policy of subsidy is wrong, and that the Chancellor of the Exchequer is a lax guardian of the public purse. It looked all very well in the happy days a few weeks ago when they were not members of the united party rallied under the leadership of a great leader, who came forward with a policy involving an almost unlimited expenditure of public funds, not merely in existing industries, but in the great extension of new ones, and who, in particular, has nailed his colours to the mast for an extension of something like 1,000,000 persons to be settled upon the

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land. This is a policy which, as we all know, and which, I am sure, my hon. and right hon. Friends opposite, being students of, and great experts upon, agricultural subjects, will admit could not be done without either an indefinite raising of our present tariff system, or an enlargement of our subsidies to a point which would make anything I am suggesting here look altogether mean and ridiculous.

The House, with the exception of the immediate Labour Opposition, is committed to support an extension of agriculture. The only point of doubt is as to the measures to be taken, but I am sure that my hon. and right hon. Friends who press so keenly these matters upon us will not quarrel when we come to the practical details, such as those to maintain the agricultural population on the land in an industry which represents 54 per cent. of Scottish agriculture and something like 30 to 40 per cent. of English agriculture. It represents also an output of £200,000,000 or £300,000,000, and the major part of the livelihood of a great portion of those engaged in agriculture. Those who demand so keenly the extension of agriculture will not, I am sure, complain, at any rate, that Government aid has been given to this old and long-established—and rightly established—British industry of livestock and beef production.

It is impossible to survey this problem, or even the problem of all meat supplies, apart from the general provisions affecting supply conditions as a whole. There has been a call for a statement of the Government policy as a whole, and for an indication of the way in which it is linked with general trade considerations affecting world trade. The policy of His Majesty's Government with regard to food supplies may be very simply and briefly stated. It is to encourage the maximum supply of produce to the consumers in our markets at the lowest price, consistent with reasonable remuneration to the home producer. We wish to raise the maximum possible supplies, since restriction for its own sake finds no support either from me or any other Member of the Government or, I believe, of the House. We wish the returns to the home producer to be maintained at a point which gives him reasonable remuneration, since without that, not only will the great capital invested, amounting as it does to over £1,000,000,000, fall into decay and be ultimately lost, but also, and far more important, those making their living by this industry—well over 1,000,000 souls—will also lose the opportunity of earning a livelihood, and also fall into decay and be ultimately lost.

Without a reasonable level of returns to the producer in this country, no extension of rural population is possible. We must assert that again and again. Without such a reasonable living no schemes except those for merely small clubs of people living upon their own industry, and consuming nothing from outside and sending nothing outside, is at all possible. Nobody wishes to see any lessening of the rural population in this country, which is only 7 per cent. as against 20 per cent. in a country even so highly industrialised as Belgium. It has to be avoided at almost any cost, and an extension of that population is possible and urgent. It can be claimed that this policy of maximum supplies to the home consumer at the most reasonable prices has on the whole been well maintained. The food supplies of this country reach consumers at prices which compare more than favourably with those of almost any other country in the world, and those who complain that the cost of foodstuffs is being raised out of the reach of the working classes of this country, or the consuming class of this country, are talking without an examination of the figures.

One example will suffice. The food items in the cost-of-living index were in 1930, when the present Government was not in power, 145; to-day they are 122. What then becomes of the accusation that the food supplies of this country, by the policy of restriction, are being taken away from the working men of this country? If that accusation were to be considered for a moment, those who in 1930 supported the Government when our food index was 145, have surely much more to explain away than those who stand at this Box when the figure is 122. The food value of wages, which in 1930 stood at 100, is 112 in 1935. If it had been the other way, we should have heard plenty about it from hon. and right hon. Members opposite. That has been concurrent with an extension of our trade, home and foreign, a fall in unemployment,

and in recent years an improvement in the working conditions of over three-quarters of the agricultural labouring population.

To secure that, it has not been necessary to go to the lengths which many continental countries have found it necessary to do. The Wheat Act has proved that it is possible to safeguard the home producer from the full impact of world economic conditions while maintaining food prices at a level which gives the consumer practically the full benefit of the enormous supplies pressing upon the world markets to-day. Clearly it is to the advantage of all of us if this can be done. The individual consumer is benefited, the producer is safeguarded, and the level of consumption has been enabled to rise to a point at which real inroads are being made upon these enormous mountains of supplies. The best possible conditions are created for bringing the world surpluses into consumption, and if we can find new markets, not merely abroad but at home, and succeed in expanding consumption among our own people, we shall have gone a long way to solve many of the problems which we have to face.

These are matters of general policy, but they are matters which, I can assure the Committee, are not, and cannot be, for a moment absent from our minds when we are considering any question which concerns the food of the people and the well-being of those who produce it. The policy is succeeding. Consumption is going up and not going down. We have been accused, in the case of milk, of organising in such a way that the consumption of milk has to come down and not to go up, and many complaints have been launched in this House about areas where the consumption of milk has fallen, and not risen. We are able to examine the figures as a whole. The consumption of liquid milk sold on wholesale contracts in January was 2,500,000 gallons higher than in the corresponding month of last year—an increase of over 6 per cent. This is not a negligible fact. This increase is more than the whole of the increased consumption due to the milk-in-schools scheme, which accounts for an extra 1,500,000 gallons only. Even, therefore, if you put at 1,500,000 gallons a month the extra consumption due to the milk-in-schools scheme, there is still another 1,000,000 gallons included in the total I have given. It is not merely with words that the Government are supporting this policy; they are accompanying it with action.

The principle of the Wheat Act, is, however, not universally applicable. It must depend on the proportion of imports to the total supplies. In the case of meat, the Government stated, as long ago as July, 1934, that in its opinion a solution along that line would be the most favourable to all concerned. The policy which the Government desires to bring into operation, as soon as it is in a position so to do, is to assist the United Kingdom livestock industry according to the needs of the market from the proceeds of a levy on imports, not, of course, with a view to stimulating an artificial expansion of livestock production in this country, but in order to secure a reasonable return to the efficient producer.

The Committee will be fully aware that at the present time imports of meat are subject to regulation, in some cases imposed under Statute and in others agreed under voluntary agreements. The Government has given careful consideration to the question whether action on its part in this direction will be necessary or desirable when a levy-subsidy scheme is in full operation. We have come to the conclusion that, while it may well be found that some regulation of the market in certain cases or at particular times is desirable in the general interest to prevent those wide fluctuations in supplies and prices which bring no benefit either to producer or consumer in the long run, the Government of this country cannot regard as a satisfactory permanent arrangement a system under which the responsibility for the regulation of the market would rest on us alone.

We have had perforce to regulate the market in more than one case, and while doing so, and in the interests of many of those who supply the market, overseas as well as at home, we have been subjected to violent criticism from those who themselves were benefiting, and substantially benefiting, from those regulations. That has got to stop. Those who are going to benefit by the regulated market must co-operate in working the regulated market, or else it is up to the people of Great Britain to take steps to look after the home producer and

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wait until sense is borne in upon the world suppliers. There is a great deal to be said from every one's point of view for orderly marketing, but the orderly marketing of supplies which come from the ends of the earth to the United Kingdom is a task which, in the opinion of the Government, could best be undertaken by the overseas suppliers themselves. Our concern is the safeguarding of the interests of the United Kingdom producers. That achieved, we are of opinion that overseas producers should be left free to send such quantities to this market as they themselves desire. That is our case.

With regard to the progress of the negotiations, I am not in a position to-day to say more than that these discussions are actively taking place. We hope it may be found possible to reach agreements, but I ask the Committee to make provision for the short extension of the subsidy arrangement which is vitally necessary to enable discussions to continue in a friendly atmosphere. No good purpose could be served, as I said earlier, by bringing down the Guillotine and saying that what we decide must be accepted by all those who are trading with us. We should not wish that in the case of our trade with other countries, and we do not wish to impose that on their trade with us. We say that the regulation of imports which other countries wish to undertake, as in the case of wheat, they will have themselves to hammer out in the first instance, and the United Kingdom task is, first of all, to secure a remunerative level of prices to our own producers. With that object in view, we are carrying on those negotiations, and I think I am able to say to the House that there are indications that those with whom we are negotiating begin to realise the point of view which I have put forward this afternoon.

4.20 p.m.

Dr. ADDISON: I should like, in the first instance, to associate myself with what the right hon. Gentleman has said as to the efficiency and success of the administrative arrangements which have characterised the operations of the committee that has been dealing with this matter, and I would ask those who continually try to cast aspersions upon the ability of Government Departments to assist in practical arrangements of this kind to note the efficiency of this organisation and how it has been proved to be so acceptable to industry. I derive encouragement for the hope that we can do better perhaps in the future by copying this example. With regard to the last part of the right hon. Gentleman's observations, what may perhaps be called Part II of his presentation of the case, I rather gathered, by reading between the lines, that he was confessing the failure of quantitative regulation. Whether he was waiting till Mr. Lyons arrived, I do not know, but, to my mind, he portended something which was creeping dangerously near to an import board.

So far as this particular Motion is concerned, it is, of course, a confession of failure. It would seem, after all this time, that the Government want another three months in which to make up their mind, and during that time this money is to be made available. Whether at the end of the three months they will then be able to make up their mind remains to be seen, but if there should be a good deal of competition, I imagine they will not and that, therefore, there will be a further £1,050,000 required. This really means that the quantitative regulation conception has broken down, and although the right hon. Gentleman has told us, quite properly, that the popular habit is changing, he is introducing this grant in order to encourage the production of beef, which he says the public is increasingly not requiring. It seems to me illogical, but perhaps it might be better expressed if I were to transpose the right hon. Gentleman's words in the manner suggested by a neighbour on this bench, who said, "It should not be 'temporary aid by the Government,' but 'aid by a temporary Government'."

As a matter of fact, this does not lead anywhere. The House is no wiser as to what the policy of the Government is with regard to this section of agriculture than it was at the beginning. Thanks to the general review that the right hon. Gentleman has given to us, I take it that I shall be in order in discussing the matter equally generally. I take it that the policy that the Government has in view is to give the producers a fair price for their product. The party to which I belong does not object to the producer having a fair price for his product. As a matter of fact, it wants a system of prices estab-

lished in which a fair return to the producer will be the first element of price. We think the miner, or the agricultural labourer, or the farmer is entitled, because he does produce for the community, to a decent and secure living, but, as the right hon. Gentleman said, we profoundly differ from the Government as to the methods which we think advisable to attain that end. I suggest to the right hon. Gentleman that he has missed the two considerations which ought to govern his food policy, namely, in the first place, that there shall be abundant supplies for the community, and secondly that the idea that you can give to the producer a secure, fair, and reliable price by a limitation of supplies has clearly broken down.

I want to say a few words on the subject of quantitative regulation, of which this Vote recognises the failure. The purpose, I take it, of the restrictions which the right hon. Gentleman has imposed or has discussed from time to time with the Argentine in regard to bacon and other commodities was to try to secure a fair price for the producer. Let us examine why those policies have failed, because they have, otherwise this Vote would not be brought forward. If those policies had secured to the producer the satisfactory prices which they were designed to secure, we should not be asked to vote this money.

Mr. ELLIOT: I cannot have made myself clear. I said repeatedly that we had not applied this Government policy of regulation which was in our power, and that it was because of that fact that we had had to bring forward this Vote.

Dr. ADDISON: Yes, but the right hon. Gentleman knows very well that the arrangement with the Argentine was to restrict imports from the Argentine to a certain extent. The same applied to the importation of Danish bacon, and I think in that case the cut was 10 per cent. or 15 per cent. At all events, it was a cut, a restriction of supplies, and the idea behind it was to secure a system under which the home producer would secure a fair price. That is why it was done.

Mr. LAMBERT: It has not been done.

Dr. ADDISON: It has been done in the case of Argentine meat and in the case of bacon, and I will say why the restrictions failed. What actually happened in the case of the Argentine was that the price for home-grown beef of good quality three months after the restriction was applied was unprecedently low. It went down, and the fact that quantitative regulation was a failure is the reason for this Vote. If it had been a success, this Vote would not have been wanted. Why was the price lower than before? It was because the housewife in this country, who had not any more to spend on Friday, went into the shop to buy her weekly joint, and, having no more to spend and seeing that the restriction had to some extent tended to enhance the price of the cheaper qualities, she naturally did not want to buy the dearer qualities. The result was that there was immediately a depression in the demand for the higher quality home-grown article, with the result that its price was forced lower down. As a matter of fact, any scheme which restricts supplies and enhances scarcity in any direction must necessarily, so long as you do not have an increase in the purchasing power of the people, force down the price of the costlier sections of supply. The right hon. Gentleman made a point of the decline in prices between 1930 and 1935 from an index figure of 145 to 122. The reason for that is that the purchasing power of the people has diminished, and as purchasing power diminishes the demand for higher quality supplies diminishes, and the diminishing demand necessarily depresses the price. That is what has been happening all along.

Apart from quantitative regulation being a failure, I suggest that it is immoral in itself. It is wrong to try and force upon the country, when there is abundance in the world, a system that restricts supplies. I am glad, however, that the right hon. Gentleman admits the failure of a system of quantitative regulation as it has been adopted, because the object at which to aim is surely to stimulate demand and to increase purchasing power. There are hundreds of thousands of people in the country who could do with a good square meal, and we do not want less beef, but more. When we hear the protestations of the Government about their anxiety to provide the people with abundant supplies, we are entitled to ask why in the world they ever went in for restriction. The scheme which the Government have been

[Dr. Addison.]

operating all along has been to restrict supplies. If the right hon. Gentleman wants to have a system which gives the producer the benefit of a stable price, he must in common sense establish machinery to see that he gets it.

What happened in the case of bacon? There was a restriction of, I think, 15 per cent. That restriction was operated, as I gather the right hon. Gentleman still proposes to operate it, by the exporters. I do not know whether he has the Dominions in mind, but he says that it is up to the other country to set up its own machinery for sending its quota or for regulating its quantities to our market. That was a method adopted in the case of Danish bacon. The restriction was applied, and it was left to the Danish exporters to manage their exports. The immediate result was that you forced the formation of an export board in the exporting country, and as we had to take 90 or 95 per cent. of their supplies, they controlled the situation. The consequence was that in a week they put 2d. per lb. on bacon. They received more money for 90 per cent. of their supplies than they had previously received for the whole 100 per cent. By this machinery you put the whole power into the hands of the exporters. If we are to have a managed market, let us manage it ourselves. Why do we need to leave it to the exporting countries to manage the quantities that come into our market? The sensible thing is to manage it ourselves.

Let us trace this a little further. This idea of giving the producer a fair price by limiting supplies broke down in the case of bacon because every retailer or wholesaler had to buy supplies at 2d. per lb. dearer. He did not know what was going to happen next week, so he put on a little more, and by the time the quota had been operating a very short time the price to the consumer over the counter was 3d. or 4d. a lb. dearer. Everybody was uncertain what would happen next week. That must be so if you just leave it to chance. It is futile to think that by knocking off 10 or 15 per cent. something or other will happen which will benefit the producer. The thing that happened in this case, as in the case of Argentine beef, was that hundreds of thousands of pounds were put into the pockets of the middlemen handling the commodity, and it happened within a very few days in both cases. The blind enforcement of some curtailment of 10 or 15 per cent. is not a sensible way of dealing with the problem. If you want to give the producer a stable price, you must establish the proper machinery for seeing that he gets it. Otherwise, you may be certain it will be grabbed, as it has been in both these cases, by other agencies.

There is another vital consideration which must go with any system which seeks to give a fair price to the producers. Two other things must be added. You must see that the other section of the producers, namely, the agricultural labourers get their share. We see farmer's representatives on county wages committees refusing to acquiesce in a rise of a shilling or so, although they have received £3,000,000 for beef during the last year, and other millions for various other things. It really means that the benefit which the right hon. Gentleman's system is designed to bring to the producer has been taken on its way by other people. That is why he is having to introduce this Motion. We are having to pay for the failure of his policy. I want the farmer to have an extra 5s. or whatever it is he is supposed to get, and the fact that he has not had it is the explanation of this Motion. The farmer has not got it because the right hon. Gentleman has not devised the machinery to see that he gets it. Any scheme of this kind ought to be associated with control of distribution and price. Unless we can regulate and control prices down to the consumer, the same thing will happen as happened in the case of bacon. Within a month the price of bacon went up by 3d. or 4d. a lb., but the farmer did not get the extra price. A grant of £300,000 had to be made.

Mr. ELLIOT: I can assure the right hon. Gentleman that there was no grant whatever made under the bacon scheme.

Dr. ADDISON: It was a loan.

Mr. ELLIOT: Of which every penny has been repaid. Does the right hon. Gentleman call that a grant?

Dr. ADDISON: It had to be made. However, I am glad to hear that it has been repaid. It had to be made because the system was breaking down. The proof of its breaking down was an enormous diminution in the demand for bacon, and, while it was designed that the farmer

should get at the utmost 1d. per lb. increase in price, the housewife had to pay 3d. or 4d. more for her bacon over the counter. No policy can succeed while it is accompanied by consequences of that kind. Whether it be beef, bacon or any other commodity, the Government must see, if we are to have a system of stabilising food prices, that it is accompanied by a scheme which protects the consumer. We must control costs down to the consumer. If the right hon. Gentleman will dip a little further into the Labour party's policy, he will get nearer and nearer to adopting the principles which we commend. We say that if we are to have a managed marketing scheme, we should have one where we manage it through proper import board machinery and do the thing ourselves. Do not let us leave it to the exporter in some other country to do it. If we do, he will simply hold us up to ransome as he has done in the case of beef and bacon. Such a scheme must be associated with machinery here which will secure that the consumer is safeguarded. I am sure we can devise and work, especially with the excellent example of administrative efficiency which the right hon. Gentleman has quoted, a system which will control and regulate distribution and prices and safeguard the consumer against a rise in prices, while at the same time ensure to the producer security of price.

What security does this Motion give to any beef producer? It gives him a further three months' grace. I remember once being condemned, when I was addressing a Socialist meeting, because I was not revolutionary enough. I was describing the principles which I thought ought to be embodied in a system of import boards and control of food prices, and I was told that we ought to go much quicker. I replied to my interrupter, "Anyhow, it takes three years to produce a milch cow." Is any beef producer going to have any more confidence in planning the economy of his farm because he has another three months' grace from Parliament? It will not make any difference to his planning of his herds or his breeding system, because he does not know what the right hon. Gentleman is going to do.

There is another vice which is attached to the system of quantitative regulations of which this Motion is the confession of failure, and that is the embroilment in which it necessarily brings us with our Dominions. I have here a cutting from to-day's "Manchester Guardian" which refers to the fact that the Australian delegates are to discuss these matters withthe right hon. Gentleman. Apparently some rather bitter things were said about the Mother Country. That goes to show that the system of artificial restriction of supplies, when what is wanted is more not less, is irritating to our friends in the Dominions. I am afraid the right hon. Gentleman will find when the delegates get over here that the proceedings of the last three years have not made his path much easier. If we had a rational import board system, we could give all the preference we wanted without friction to our Dominions, but this arbitrary restriction of quantities is irritating, and must in the nature of the case be irritating, to our Dominion brethren. It is proved to be futile. This Motion shows that it is futile. It is the cost of its futility. While I am sure the right hon. Gentleman will get this Motion to-night, I think that the fact that Parliament is asked to vote blindly another £1,050,000 in the absence of any constructive long-term policy, and will probably have to vote more, only makes it more necessary that, some time or other before the next General Election, the Government should make up their mind what their long-term policy for agriculture is.

4.45 p.m.

Sir P. HARRIS: I shall not intervene for more than a few minutes, because there are many agricultural experts in the Committee, and that side of the problem will be dealt with by my right hon. Friend the Member for North Cornwall (Sir F. Acland); but the Minister has looked very pointedly at me, and I approach this problem from the point of view of the townsman and the consumer. Incidentally, I wish to congratulate the right hon. Gentleman upon his activity. There is a good deal of criticism of the Government for their inertia, but that is the last thing with which we should charge the right hon. Gentleman. He does stand for activity; rushing hither and thither from one policy to another in pursuit of a cure for the agricultural position. He is ready to try anything. Perhaps he acts first and thinks afterwards. I will not say that he repents as soon as he has initiated a policy, but

[Sir P. Harris.]

he is certainly not embarrassed by preconceived notions or abstract theories. He has indulged in a threefold policy and now, obviously, his Department stands for tariffs, the quantitative restriction of imports, and subsidies. Where he can he tries one, and if that fails he embarks on another, and if he is prevented by treaties or pledges—I suppose pledges have their weight too—then he turns to another expedient.

I have always had a shrewd suspicion that the reason the Government did not embark upon a duty on meat was to be found in the specific pledge given by the President of the Board of Trade. He made it very clear at St. Ives that though he was not against duties he would not agree to a duty on imported meat. My hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) will remember a sensational Division after a tariff Debate three years ago, when he tried to disembarrass the Government of that particular pledge, but the President of the Board of Trade proved to be stronger than he was. Perhaps the Minister will make it clear whether the President of the Board of Trade has been thrown overboard, or whether we are now to continue with subsidies as the alternative.

The right hon. Gentleman twitted me with contradictions. He reminded me of my opposition to the restriction on imports of cattle from Ireland. I may be old fashioned in my attachments, but I have always clearly held to the view that if supplies are stopped the tendency will be for prices to rise, and, on the contrary, if supplies are stimulated by artificial means—by subsidies—the tendency will be for prices to fall. When the subsidy was before the House on a previous occasion I did say—people were surprised, but I said it—that the effect of offering a subsidy to the farmers to bring cattle into the market would be not to raise prices but to keep prices down, and I proved to be a prophet. Prices have not revived as the result of that subsidy. The right hon. Gentleman brushed that aside as a small detail which he might dispose of in a future discussion—I suppose in his next speech in Committee—but he still has to make clear to the Committee and the country, as I hope he has made it clear to the Chancellor of the Exchequer, what has become of the money. Where has it gone? Is it in the pockets of the farmers? Has the subsidy saved the agriculturist? I do not want an explanation from the former Minister of Agriculture but from the present Minister. Has the subsidy resulted in keeping meat prices low? Has it gone to the butcher? Has it stimulated the bringing of extra meat into the market, or what has become of the money? Because these are big sums.

I am reminded that this is the ninth subsidy in 12 months that the Government have asked the House to vote, and figures mount up. We have a responsibility not only to producers and consumers but to the general taxpayer, and we have to be sure that this is an effective way of doing what we want to do, and that is to help the farmer to tide over the bad time through which he is passing. I always maintain, and I think it can be proved by figures, that the price of home-produced beef has very little relation—some relation, but very little—to imports from abroad. Chilled beef and frozen beef appeal to a different public. The price factor is most important. I have found by careful inquiries in industrial districts that when employment is good and money is plentiful the working man, in particular, always gives a preference to home produced fresh beef over frozen or chilled beef. One of the main reasons why there is such depression in the live-stock trade—not the only reason, but one of the main reasons—is that the miner, the docker, and the worker in the heavy industries is either unemployed or on short time. If we take 2,000,000 consumers out of a market it must materially affect the price of the commodity. There are other factors, for example, the change of taste, the consumption of mutton in preference to beef, the great increase in the consumption of butter and eggs, fruit and vegetables; but the change in taste is not the only factor.

I believe the real way to help agriculture is to put the industrial population into a position in which it is able to buy the home-produced article, which is, after all, the best. Anybody with a full pocket will naturally buy the best article and the British is the best, because it is fresh, it is produced at our doors and has not to go through any freezing or chilling process. The real trouble is that the Government are looking at this problem from a wrong angle. We agree that

marketing and co-operation—which has fallen very much into the background—are the right line of approach, but what is most serious is the tampering with our connection with our Dominions beyond the sea. I have had the opportunity of reading the papers and some of the correspondence between the Dominions and this country. There is serious apprehension that the policy of restriction which I understand the Government desire to embark on——

Mr. ELLIOT: I do not wish to bore hon. Members by repeating my speech, but I thought I spent a lot of time in explaining to the Committee that I was not asking Parliament to embark on a policy of restriction, and that was why I was coming here for this temporary assistance.

Sir P. HARRIS: The right hon. Gentleman never need fear that he is not clear. He is very clear to me. I thought he did make it clear that he desired to do so, but was prevented from doing so by the Dominions.

Mr. ELLIOT: I did my utmost to make it clear to the Committee that we were not prevented by any agreement, that we were wholly at liberty to reduce the imports from the Dominions but were not doing so because we desired that that line of policy should not be followed out. We were anxious that the Dominions and the other suppliers should send in their produce freely if we could insulate the home producer by a levy on imports.

Sir P. HARRIS: Now I understand that the quantitative restriction on imports is abandoned and that there is to be a levy. In other words, the President of the Board of Trade is to be thrown overboard, and now we are to have a duty on imported meat and the money is to be handed over as a subsidy. The subsidy is to be continued and it is to be paid for by the poorest section of the community, because it is they who eat the chilled and imported meat from abroad.

Lieut.-Commander AGNEW: I thought they ate bread also.

Sir P. HARRIS: Fortunately the working man of to-day eats a little more than bread. We do not want to go back to the old times. My hon. and gallant Friend seems to suggest that the working man is to be allowed to eat only bread for seven days a week. But I do not quite understand the relevance of his interruption.

Lieut.-Commander AGNEW: May I make it quite clear? When the Wheat Bill, which embodied the principle of a levy on flour in this country, was brought forward, the Liberal party, now in opposition to His Majesty's Government, voted for it.

Sir P. HARRIS: I can only say that I voted against it. One or two of my right hon. Friends voted for it, in order to keep the Government national, as part of the bargain. They were not unreasonable. They were prepared to swallow their theories to a small extent in order to get unity.

Mr. ELLIOT: I thought the hon. Baronet was also prepared to swallow tariffs now to keep the Government national.

Sir P. HARRIS: I have never swallowed any of my principles. I am able to look after my own principles. Apparently they are not as elastic as the principles of my right hon. Friend. It is clear that we have now got it out of the right hon. Gentleman that the quantitative restriction of imports is abandoned, and that the exporters of the Argentine, New Zealand and Australia are to be allowed to send as much as they like to market—to flood the market, if you like—as long as the Government can be allowed to impose a tax on the foreign meat that comes to the country, the proceeds of the tax to be handed over as a subsidy. In other words, it is clear that the policy of subsidies is to be continued. This subsidy, I repeat, is borne by the people who eat the inferior article, chilled or frozen meat. Having elicited this point as my contribution to the discussion, I think I may now resume my seat.

4.59 p.m.

Mr. LAMBERT: The Minister of Agriculture has been congratulated, and deservedly so, on the efficiency of the Government. My right hon. Friend the late Minister of Agriculture associated himself with that congratulation. I have never had any doubt that public officials can spend public money. They can always do that with great facility. Still, this has been done very well. My right hon. Friend, who was a colleague of mine in Governments in days gone

[Mr. Lambert.]

by, said he wished more of the produce to go to the producer. I am with him absolutely. I want to benefit the farmer, the actual producer, and with the farmer the labourer. Whatever may be thought of this subsidy, it is essential that some help should be given to the beef producers to save them from ruin. I have never known the beef trade in such a critical position, even with the subsidy. May I trouble the Committee with a few figures. In 1913 the price per live cwt. of beef was £1 16s. 4d. The right hon. Gentleman has just given us a figure of 33s. 8d.; that represents a reduction of something like 2s. 8d. per cwt. as compared with the price before the War, and everyone knows how costs have gone up. Even the figures of my right hon. Friend are higher than ours in the West of England. I happened to be in Devonshire this week-end, and I saw the prices of beef at the Exeter cattle market. I will quote from the official reporter of the Ministry of Agriculture and the Farmers' Union. I take this from the "Western Morning News":

"Steers and maiden heifers, super quality, 35s. 6d. per cwt."—

They are exceptionally beautiful North Devon beasts, and you cannot get anything finer in the world—

"first quality animals estimated to kill out at 58-64 lb., 33s.; second quality, 30s. 6d. Fat cows, first quality 22s. 6d. per cwt.; second quality 16s."

Those are quite impossible prices; and I say that, knowing the conditions, the country and the very skilled men who produce the animals.

The right hon. Gentleman the Member for Swindon (Dr. Addison) has not talked about the doles to farmers. I was rather expecting to hear a lecture from some of the miners' representatives so I prepared a speech on that. I was going to tell the Committee what doles the miners are getting, but I will not do that, as the subject has not been raised. [HON. MEMBERS: "Go on."] Well, I will do it. I have stated clearly that the price of beef is below that before the War. I ascertained from the Mines Department, thinking that this Debate would come, the price of coal from the pit head. The pit-head price of coal in 1913 was 10s. 1½d. per ton; in 1934 it was 12s. 10d. per ton, an increase of 25 per cent., not like beef, which is lower than pre-War. When coal comes to the consumer its price is very much bigger, but I will not go into that aspect of the subject at the moment. How has that increase of price in coal been brought about? It was by the Coal Mines Act, passed by the Labour Government in the last Parliament, by which supply has been regulated. If there were a full supply, there is not the slightest doubt that the price of coal would have dropped to pre-War level.

Last year 220,000,000 tons of coal were raised. The increase in price was 2s. 8d. per ton over the pre-War price and, therefore, something like £30,000,000 a year is being taken out of the pockets of the consumers of coal in this country and given to the coal miners. When it is a case of doles we are going to have something to say. Having got that sum, the miners' representatives come down here and object to us poor farmers getting a very much smaller sum. There is not much comradeship in that. The right hon. Gentleman the Member for Swindon told the Committee that as Argentine imports were regulated the price went down, but he forgot entirely the Dominion imports. I beg him to look over the trade returns for 1934. If he will take the figures of last year, he will find that New Zealand and Australia sent us in 1932 1,460,000 cwt. of beef, frozen and boned. In 1934 they sent us 2,660,000 cwt., and that increase has been the cause of the drop in price here. Although our people all prefer good North Devon meat, this frozen meat does come——

Dr. ADDISON: Are those the figures for beef?

Mr. LAMBERT: Yes, boned and frozen beef. I am sorry I did not bring in the trade returns, but my right hon. Friend may take it that the figures are pretty accurate. They represent almost 90 per cent. increase in two years, and that is why the price has dropped here. Argentine imports have, as he says, dropped 10 per cent. I looked at the trade returns just now. From 1925 Australia has sent us an enormous quantity of beef. In January, 1933—my right hon. Friend knows that the trade returns are only given for two years—the Australians alone sent us 46,000 cwt. In January, 1935, they sent 103,000 cwt. In

reality, it is Australian and Dominion imports that are causing the great fall in price.

Dr. SALTER: Does the right hon. Gentleman want to keep them out?

Mr. LAMBERT: I want the home producer to get a fair price for his product.

Dr. SALTER: Does the right hon. Gentleman want to keep them out?

Mr. LAMBERT: I would keep anything out to save the home producer. If the hon. Member would come down to Devonshire we could talk that matter out. I do not like these subsidies. We are old Liberals, and subsidies are very objectionable; but something has to be done, apparently. The Government have been too free with their subsidies, which, I am very much afraid, may have a bad effect on the Budget; but we must leave that until the Chancellor of the Exchequer unfolds his Financial Statement. I am sorry for some aspects of the policy of the Government. From an agricultural point of view Ottawa was a mistake. It may have been of advantage to some industrialists; I do not know, but I can assure the Government that the Ottawa rose has not a sweet perfume in agricultural nostrils. I hope that in these matters the Government will resume their fiscal freedom. Let us have fiscal freedom here. We want to encourage inter-Imperial trade, but we must have freedom. I am sure that Australia would never permit us to interfere with Australian trade. I hope there will be no more treaties which restrict our own fiscal freedom. The Prime Minister of Australia is coming here. I have here something that he said in Melbourne. There will be a very considerable amount of discussion, I know, between the home Government and Mr. Lyons. Mr. Lyons said—this is reported from Sydney on 11th February, just a week ago:

> "Any attempt to curtail our exports must be resisted strenuously."

Unless Dominion exports are restricted British agriculturists cannot live. We have to get that quite clearly into our minds.

Mr. CHARLES BROWN: Breaking up the Empire.

Mr. LAMBERT: I am not breaking up the Empire, because I regard England as an important part of the Empire, but unless Great Britain flourishes, the Empire will wither, and Great Britain cannot flourish upon a ruined agriculture. Let us get that quite clearly into our minds. What Mr. Lyons said was, in effect, "Unless you take our exports, we cannot pay our debts." That really means that the British farmer is to be responsible for the debts of the Australian bondholders. I object to that very much.

Sir STAFFORD CRIPPS: The right hon. Gentleman cannot both get paid the debts of this country and keep out the products which help the debtor to pay them.

Mr. LAMBERT: When I have to make the choice, I come down favourably to the producer at home. I will go a little further into this question of debt and consider it a little more minutely. The Minister of Agriculture gave us figures some time ago showing that the capital value of the land of this country had decreased by 25 per cent. between 1925 and 1931. It was stated also that the occupiers' capital had decreased by 23 per cent. I have had to deal with a case of conversion of 3½ per cents., in changing some trust securities, and I found that Conversion 3½ per cents. were issued in 1921 at 65; to-day the market price is 109. Why should there be that great capital appreciation for those who hold Conversion Loan, while those who work on the land have suffered a great capital depreciation? It is all wrong. If my hon. and learned Friend opposite were in office, and if he brought about, as he said, a financial crisis, something might happen, but this is pretty bad.

Sir S. CRIPPS: May I point out that I never suggested bringing about a financial crisis? The right hon. Gentleman is under a mistake. It was right hon. Gentlemen on the benches opposite who said it would cause a financial crisis.

Mr. LAMBERT: I am very sorry; someone has been misleading me. Some statement has been printed to the effect that my hon. and learned Friend said that, if the Labour policy is carried into effect, it will cause a first-rate financial crisis.

Sir S. CRIPPS: May I just correct the right hon. Gentleman? What I said was that, if a Labour Government came into

[Sir S. Cripps.]
office, there would be a first-class financial crisis, caused by right hon. Gentlemen opposite.

Mr. LAMBERT: At any rate, I am glad to have an authoritative quotation from my hon. and learned Friend. I will leave it at that—that the present Government being out of office would create a first-rate financial crisis. I do not quite know what the policy of the Government is going to be. I presume it will develop as the years go on. But there is one thing of which I want to warn the Government, and that is that up to the present apparently they have been infected with a marketing microbe. Marketing is my right hon. Friend's specific, but I am not very fond of it. Up to the present, so far as it has been tried, it has created a tremendous amount of unrest——

Dr. ADDISON: It is not my scheme.

Mr. LAMBERT: If my right hon. Friend's scheme would put more money into the pocket of the farmer, then I wish he would infect the Government with it; but, as far as I can see, this marketing simply determines the prices to be paid by the consumer. I think the Government will have to reconsider their policy. I could understand marketing in some directions, but at the present moment, in our part of the world, milk is sold at a certain price and it cannot be sold at less. I think that that is wrong, but I will not enter into it, because it would be somewhat outside this discussion. I should like, however, to point out what the farmers themselves have done in this country. My hon. Friends opposite talk about free imports, but you cannot have free imports with fixed costs of production. There is no possible way to consolidate the two, to enable the two to harmonise.

Wages are fixed, and I agree that, unless you pay good wages to the labourers on the land, they will not stay there. Indeed, something like 180,000 have left in the last few years. Unless you increase the price which the employer receives for his product, he will not be able to employ the labourers. That, to me, is as clear as crystal. Taking wages at £80 per annum in 1925, if wages had fallen as the prices of agricultural products have fallen, wages to-day would be £55, so that to-day farmers are paying £25 a year more in wages than the price of the product warrants. I want to get the price of the product up, so that the labourers can be paid good wages, and that will never be possible unless agriculturists are in a position to employ plenty of labour. I have other things to say, but they can wait for other occasions. This, however, I do say to the Government: For agriculture there have been marketing schemes, but for iron and steel there has been a tariff—a 25 per cent. tariff. There has been no talk about marketing for that industry.

I suggest that import duties will have to be used for the purpose of equalising costs as between this and foreign or overseas countries. I regret it. I have never had any great faith that tariffs or trade agreements would bring great prosperity. But, in the conditions as they are at the moment, I see nothing for it but import duties, if you like on the same conditions as the wheat subsidy. There the bread consumers pay to the millers a certain price, to enable them to make payments to the farmer. It is not an unreasonable price that he receives. I do not think that anyone, even hon. Members on the Labour benches, would object to the farmer getting 45s. a quarter for his wheat. It is only a reasonable price. I think the Government will have to come to this proposal for a levy on imports. I was tremendously interested by the recent speech of the right hon. Gentleman the Member for Carnarvon Boroughs (Mr. Lloyd George) at Bangor, when he said: We have tariffs; let us use them; you have in this market the great food market of the world; you could make almost any country come to heel on the question of tariffs. I have no doubt whatsoever that the Australians would reduce their tariffs. We have a trade agreement with Denmark, and here again the coal-miners are the spoilt darlings of the country——

Mr. PALING: That is why they get such big wages.

Mr. LAMBERT: They get better wages than the agricultural workers.

Mr. PALING: We want to see the wages of the agricultural workers brought up.

The DEPUTY-CHAIRMAN (Captain Bourne): I must point out that the Committee is supposed to be dealing with beef.

Mr. LAMBERT: I am sorry if I have transgressed. I will make one more remark in conclusion. I hope that this subsidy will be only temporary; the shorter the period for which it continues, the better; and I hope that the Government will give us a long-term policy which will restore some kind of hope to the agricultural community.

5.25 p.m.

Colonel Sir EDWARD RUGGLES-BRISE: I entirely agree with my right hon. Friend the Member for South Molton (Mr. Lambert) that some kind of import duty or levy is probably necessary to meet the case of the livestock industry, but personally I do not believe that that alone will be adequate, or will give to the home producer that reasonable price level to which he is entitled and which has been definitely promised to him. The right hon. Gentleman the Member for Swindon (Dr. Addison), who has experience in these matters, made a great point of the fact that in his view quantitative restriction has failed, and he said that that was the reason why the Committee are being asked to pass this Vote to-day. I think I am quoting him correctly. I should like him to consider for a moment what use has been made up to the present of the weapon of quantitative restriction. The only instance in which real quantitative restriction has been used so far is in the case of the importation of foreign meat. Under the Ottawa Agreements, it has been merely exercised voluntarily by such countries as we have been able to induce to enter into some voluntary agreement with us.

I understand that the right hon. Gentleman the Member for Swindon is in favour of import boards. If that be so, am I right in thinking that one of the chief weapons in the armoury of the import board would of necessity be the method of quantitative restriction? The right hon. Gentleman, I understand, shakes his head, and denies that the import board would make use of quantitative restriction, but in that case I cannot quite see what function the import board will fulfil. If it will merely try to create a tremendous glut of superfluous foodstuffs over and above the requirements of consumers in this country, in order to wreck the agricultural industry in this country——

Dr. ADDISON: The object would be to assist agriculture in this country and to safeguard the consumer.

Sir E. RUGGLES-BRISE: That is a most desirable object, and one to which, I am sure, every Member in the House subscribes, but I cannot imagine how the right hon. Gentleman is going to do it by means of import boards unless he uses the weapon of quantitative restriction as one of the means. However, I will leave that to the right hon. Gentleman to solve for himself. From what the Minister has told the Committee it is clear that the level of prices received by producers for home-produced beef is totally inadequate. My right hon. Friend has stated that prices are now at the pre-war level or something below it, and it is clear that something has got to happen. Either the livestock industry has to be supported in some way, or it has to be allowed to fall into decay and ultimately to die. His Majesty's Government have come to the conclusion, as I believe rightly, that this country cannot afford to let such a great and important industry as the livestock industry in this country fall into any further decay than that into which it has already unhappily fallen, and, therefore, my right hon. Friend comes to the Committee to-day and asks for a Vote to tide over a period until, it is hoped, other arrangements may be made whereby there may be a future for the livestock industry in this country.

I hope and believe that the Committee will concur in the passing of the Vote. We in the livestock industry are asked to-day to produce beef at a price which will be very attractive to the consumer, but which is utterly ruinous to the producer. We have been adjured in the last few days to cut unnecessary costs. I feel certain that every farmer in England is doing all he can with might and main to eliminate everything unnecessary in his costs of production. But in the production of livestock, as of most other agricultural products, apart from a share of overheads there are two main costs. One is the cost of feeding stuff, and the other the cost of labour. The producer of livestock has no control whatever over either. It is difficult, therefore, to see how he is still further to cut unnecessary costs.

[Sir E. Ruggles-Brise.]

The Minister alluded to the fact that there had been a shifting away from the consumption of beef towards mutton. I believe that is quite true, but another shift has taken place in relation to the consumption of beef, and largely of all meat. The consuming public are now able as a whole to buy better cuts than they used. It is a satisfactory sign from one point of view, because it means that the general purchasing power of the community has improved and, if one looks at the wholesale index figure of agricultural commodities which to-day, apart from the livestock subsidy and the wheat quota deficiency, stands at a figure of about 112, whereas we know that the level of wages has increased very far beyond that point, it is obvious that the consuming public as a whole is able, to buy, and does in fact buy, better cuts than it used.

What is the effect of that on the price of beef to the producer? At first sight it would be imagined that it was all to the good owing to the fact that a larger number of people go in for the prime joints of the home-produced beasts and, therefore, the producer of that beast is likely to obtain a better price for it. But, in fact, it operates in exactly the opposite direction. Although more animals are required to produce the prime joints, owing to the increased demand for prime joints there is a far greater waste of the inferior joints, and that is the point at which the producer gets hit. The butcher, although he knows that he will be able to get rid of all the better cuts, is left possibly with a very large portion of his bullock unsold. He says, "I have paid so much a cwt. for my bullock and I get more cwts. now wasted than I used to in the old days when I was able to sell every piece. Now I am going to pay the producer less because I am faced with a greater waste of the inferior cuts." Therefore, you get this paradox, that the shifting of taste owing to increased purchasing power on the part of the consuming public, which operates to make them buy the better cuts, is one of the causes why we have a very low price level for home-produced beef.

I should like to say a word in reference to the Government's beef policy. We understand that negotiations have been in progress for some time past and are to be resumed in the near future with the Dominions as to the future regulation of our beef supplies. As I understand it, the Government's policy is that, if the Dominions are prepared to submit to a levy plan, there shall be for them a completely unrestricted market in this country. I feel bound to enter a *caveat* here. I can visualise a position when quite possibly the Dominions would agree to the imposition of a levy, the proceeds of which might be passed on to the home producer, as in the case of the deficiency payments under the Wheat Act, but unless the Dominions were able to agree among themselves some method of quantitative regulation, some way of dividing up the market for meat imported into this country, they would create such a permanent glut of meat here as would swamp the home market and the market for themselves as well. I believe my right hon. Friend will be well advised if he will consider whether it is possible, with all the facilities that exist for bringing in meat in every form from the ends of the earth, to maintain a reasonable price level of meat for the home producer in this market if you are going to allow the whole world unrestricted entry. It will be a policy fraught with some danger unless there is the safeguard of quantitative restriction as well as levy.

Hon. Members above the Gangway have really to face up to this definite point. The livestock industry cannot go on as it is to-day, completely unaided and unsheltered. If they concede that point, which I feel quite sure they will, they must agree that something has to be done. Do they desire that the Government should leave the livestock industry completely unsheltered, that they should withdraw this Vote, that they should say to the producer of beef, "We are going to let things slide. We have no further interest in you. Look after yourselves." [*Interruption*]. The right hon. Gentleman understands perfectly well that this Vote is a temporary measure until the long-term programme of the Government has had time to fructify. If he would deny the home producer this Vote, is he prepared to see the inevitable collapse that is bound to overtake that branch of British agriculture, the great livestock industry? That is the alternative. It is true that this amount of assistance that

we are asked to vote is not going to bring salvation, or riches, or great prosperity to the livestock branch of agriculture, but it is at least something to try to keep its head afloat until some more permanent and more satisfactory measures can be brought in. The taxpayer may not like to foot the bill for £1,050,000, but will he like to foot the bill for keeping a larger number of people in unemployment when by voting this money he will at least have done something to keep them in employment?

5.42 p.m.

Mr. TURTON: The right hon. Gentleman the Member for Swindon (Dr. Addison) said that after hearing the Minister's speech he was still at a loss to know what the Government's policy was. The Minister made it quite clear both in July and to-day that his policy is a levy. I found it very hard to understand why the right hon. Gentleman the Member for Swindon talked against quantitative restriction. Surely, if we have an Import Board, its function is to regulate imports. If you regulate imports, you have either to restrict or to increase them, otherwise you do not achieve your function of regulation. If you restrict imports you are doing the very thing, under an Import Board, that the right hon. Gentleman seemed to dislike doing. Yet at the end of his speech, when we all thought we ought to have heard some new Socialist policy of helping the farmer out of the mess, what we hear is that he would devise some machinery. He has a great deal of machinery up his sleeve, but we have not seen a cog of it. He talks about machinery. He ought to let us know what his machinery is, and whether it is the same sort of machinery that he would inflict upon agriculture as the ex-Solicitor-General would inflict upon the banks. The only machinery that we know is that he is going to put an Import Board to deal with beef. If there is an Import Board, there must be this quantitative restriction, which I am delighted the Minister has decided not to continue on beef. If we agree to a long-term policy similar to that for wheat, with a guaranteed price, as Members in all parts of the House, with the exception of the hon. Baronet the Member for South-West Bethnal Green (Sir P. Harris) do, surely also we shall agree that the beef industry must not fall before the long-term policy comes in?

I am surprised, when so many hon. Members have spoken, that not one has mentioned that this is not a subsidy. It is an advance. When the bacon scheme was not operating to the advantage of the curers, there was an advance, which was in due course repaid. This advance can similarly be repaid if the Government will bring in their long-term policy without undue delay, and if that policy operates as I believe it will. Let us see what the temporary advance is to be. The subsidy is to continue for three months. It has not, the Minister has pointed out, succeeded in the previous six months in bringing satisfactory prices for beef. The Minister quoted the average price as being 33s. 8d. The prime quality price last week in the local market was 32s. per live cwt., and I am afraid that, even with the 5s., it is a far worse price than we were receiving both at the beginning of the subsidy period and at the same season last year.

Where has the subsidy gone? It certainly has not gone to the farmers. I took the opportunity of trying to find out in London how far it had gone into other hands. I went to the butcher's emporium nearest my chambers, and I was told that in July, when the subsidy started, the price of beef was from 1s. 5d. to 1s. 6d. per lb., and that on Saturday it was from 1s. 1d. to 1s. 2d. per lb. I recall the Debate which took place in the heated atmosphere of last July, when hon. Members from the Labour Benches said that the subsidy would put up the price of food, and that it was unfair to the poor consumer. The result of the subsidy has been that the consumer has had the advantage of 3d. or 4d. a lb. on beef. We must not forget, when we talk about the price being unfortunate and expecting the butcher to take a great deal, that one of the effects of the subsidy has been that the consumer has had cheaper beef. No one would quarrel because the consumer got cheaper beef, but we have to ensure also that the producer gets an adequate price for the live animal he is putting into the market.

Whatever the result in the fall in the price of the live animal has been, it is clear that the policy of restriction has played a considerable part. If one takes the year 1934, it will be found from the figures given in the Trade and Navigation Returns that more beef of all kinds entered this country than in the previous

[Mr. Turton.]

year, or even in the previous two years. In 1934, over 12,600,000 cwts. of beef came into this country, whereas in 1933 the amount was 12,000,000 cwts. and in 1932 12,100,000 cwts. That is a very unsatisfactory state of things, and one must congratulate the Committee that the Government are not going to pursue that method of dealing with the price of beef. That, probably, is the reason why the price of beef is so low to-day. If, as has been said, there has been a fall in consumption of beef per head, at the same time there has been an increase in the foreign imports of beef.

I want to put two other suggestions to the Minister as to why the subsidy has not achieved its proper effect. I believe that if he could institute some form of graded subsidy, he would achieve far better results than he is doing at present. He ought to raise the minimum level of qualification for subsidy. I will take the first point first. At the present time I understand that they are regarding as a minimum a killing percentage of 54. At this time of the year, and during the remaining three months of the subsidy period, we should have expected that the beef would kill at 8 lbs. to the stone, which is a percentage of 57. If you have this low killing percentage, you are encouraging farmers to put beasts on to the market which are not in the same condition of killing as they otherwise would have been. In farming, as in everything else, it costs a great deal more to get to a pitch of perfection, and I ask the Minister to consider the question about the killing percentage. As regards grading the subsidy, the man who is breeding and feeding the prime quality beef is really being hit harder than the man who is placing upon the market the lower quality beef. The consumer wants to encourage the beef of good quality, and I would ask the Minister to divide the subsidy as to 7s. 6d. for first quality beef, and 2s. 6d. for second quality beef. It would not mean to the Treasury a penny more, but it would encourage farmers to breed and produce a prime quality of beef. At the present time there is probably a difference of only 3s. on the market between first and second quality beef, which is far too small a difference to encourage farmers. If this were possible, it would be to the advantage of the working of the subsidy.

May I also ask the Minister to consider whether cow-heifers, if after the second calf they are not of bad quality, can be included in the scheme? Surely the standard should not be, how many calves a cow has had, but whether it is good beef or bad beef. No one wants, and I least of all want, bad cow beef to qualify for the subsidy, but I am afraid that in my constituency the fact that all heifers which have had their calves are disqualified from receiving the subsidy whether they are good or bad beef will cause a hardship. I ask the Minister in the course of the further legislation, which, I suppose, will be necessary, to give serious consideration to the question as to whether heifers which have had one or two calves should not still be allowed to qualify for beef.

I pay my respects to the Minister for his very clear enunciation of policy. It is not that we are going to cause restriction and try to drive up prices by restriction, but acceptance of the fact that if the Dominions and the Argentine want to send their beef they must pay for the privilege. The policy will not harm anyone, but it will help the farmer and the agricultural worker. I do not know whether Socialist Members appreciate that for which we are fighting? We are fighting for a price for beef of about 48s. a live cwt. If you take my killing percentage of 8 lbs. to the stone, you will find that it means that we are asking that we should receive 48s. for 64 lbs. of dead beef, and that work out at 9d. a lb. If any Member of a mining constituency wants to get his miners' beef at 9d. a lb. any farmer or farming Member of this House will be willing to sell him beef at 48s. a live cwt. and he can take it home and kill it and sell it to his mining constitutents at 9d. a lb. We have in Yorkshire great community of interests between the miners and the farmers. In good times we do well together, and in bad times we try to help each other. Do not let us have a feeling of hostility between town and country in regard to the beef position. Do not let beef down, and it is going down. It will pull down the miner as well as it pulls down the agricultural worker, who has a difficulty in buying his coal. He has low wages owing to beef being down. Any Member of this House who votes in the Lobby

to-night against the continuation of help to the livestock industry is voting against the agricultural labourer receiving a due wage and paying a decent price for his coal.

5.54 p.m.

Mr. C. BROWN: The hon. Member for Thirsk and Malton (Mr. Turton) began his speech by expressing some pleasure in the fact that prophecies, which he said were made from these benches in the heated atmosphere of last July, have not been fulfilled. Surely he must understand that we on these benches have to take his Government at their own valuation, and when they tell us that the main plank in their policy is to raise prices, we have to face up to what they say. The Chancellor of the Exchequer at the World Economic Conference made it clear that the main line of policy of His Majesty's Government in this connection was to raise wholesale prices.

Mr. HASLAM: Wholesale prices.

Mr. BROWN: I said wholesale prices, but the comment we made last July was that, if His Majesty's Government were successful in raising wholesale prices, inevitably at some stage it would be followed by a rise in retail prices. The whole speech of the Minister of Agriculture, as has been stated already from these benches, was a complete confession of failure on the part of the Government to implement their policy of raising wholesale prices. Therefore, I cannot for the life of me see why the hon. Member for Thirsk and Malton should express views of that kind at the beginning of his speech. Our criticism last July was justified entirely on the grounds of the announced policy of the Government. The fact that their policy has failed is not our fault, but their fault. If their policy had succeeded our prophecies would have been true by this time. Their policy has completely failed. Therefore the Minister comes along this afternoon and tells the Committee that in spite of the subsidy, and of all the money which the Government have taken out of the pockets of the taxpayers for the fat stock industry, prices, instead of rising, have fallen between that period and to-day. He does not even suggest—I did not detect any such suggestion in his speech—that the £1,000,000 which we are being asked to vote to-day will be instrumental in raising prices. He merely put it forward as a temporary measure while what the hon. Member for Thirsk and Malton and other hon. Members have described as the long-term policy is being worked out. The Government have been in office nearly four years, and they have had short-term and long-term policies being worked out all the time. When are they going to deliver the goods? That is the question we are entitled to ask. When are they going to deliver the goods to the agricultural community?

I am glad to see the right hon. Member for South Molton (Mr. Lambert) has returned to his place. I know that I shall not be permitted to make any extensive reference to the subject, because the right hon. Gentleman was ruled out of order, but I want to say a few words to him about the manner in which he referred to the coal industry. The whole of his speech purported to be made entirely in the interests of the producer. He was thinking of the actual working farmer, I take it, and the farm labourer and, therefore, the speech which he made to the Committee was intended to have an influence in moulding Government policy, in the direction of doing something for the actual producer of fat stock and all kinds of farm produce. In spite of the argument he put forward trying to convince the Committee that the coal industry had been in receipt of a tremendous subsidy, the actual producer of coal in this country, the working miner, is now producing more coal per shift than ever he did before, and his wages are tending to decline. If the right hon. Member wants to do something for the producer, and not only for the working farmer and the agricultural labourer, let him join us, because we seek to do something for the actual producer in the coal industry, the working miner. That is all that I want to say about the right hon. Gentleman's advocacy of a policy designed to assist the producer.

There are only two points that one need stress. The first point is, that the Government's policy so far has completely failed. They have failed to deliver the goods to the agricultural community, they have failed to raise prices, which was their announced policy, and now we have a phase of political bribery which has been carried on by this Government which is unexampled in the political history of the country. First,

[Mr. Brown.]
there was bribery in connection with wheat, then bribery in connection with meat and sugar beet, and now we have another instalment of £1,000,000. There is no other description of it than bribery by the present Government of their political friends.

Mr. HENDERSON STEWART: Will the hon. Member define precisely what he means by bribery?

Mr. BROWN: Yes, and I will use the arguments which I have heard made by Conservative and National Liberal speakers. If Members of the Socialist party go to the country and suggest that pensions and unemployment benefit should be higher, we are invariably accused of bribing the electorate. It is described as political bribery, and that we are putting forward that policy in order to get votes. These subsidies by the Government are political bribery of their political friends. They are giving money *ad lib* from the taxpayers to the agricultural and farming communities.

Mr. STEWART: If that is my hon. Friend's definition, then every social or industrial piece of legislation by any Government at any time is bribery?

Mr. BROWN: I am thinking of the definition that is usually used by anti-Socialist speakers. I am retorting in the same coin, and I say emphatically that all these subsidies are deliberately designed to retain the support of a section of the community which invariably gives its support to a Government of this kind. The right hon. Gentleman comes forward with his various proposals and makes his speeches, and would make one think that he is readjusting the whole world economy, but, when we probe the matter to the bottom, he is really engaged in giving bribes to political friends in the country who support this Government.

6.5 p.m.

Major HILLS: The hon. Member for Mansfield (Mr. C. Brown) has no description of the policy of my right hon. Friend except that it is a policy of bribes given to his own political supporters. I think that if the hon. Member reads those words a few years hence and realises the immense reform that my right hon. Friend has started, he will want to withdraw that statement. I do not think the hon. Member realises that what has happened is that a complete change has taken place in agriculture, and that change is due to the action of the Minister. The change is now being worked out. It has not achieved completion and, of course, it is very easy to attack a scheme which is in the course of formation. But the scheme is there, and I prophesy, with very great confidence, that when a general scheme of this sort has been started for the whole of agriculture it must go on the same lines as those which my right hon. Friend has laid down, and that no Government, even a Socialist Government, will change it. They may develop it, but they will find, if and when they come into power, that they cannot change it.

The right hon. Member for Swindon (Dr. Addison) started by saying, in contradiction of the hon. Member for Mansfield, that he wanted a fair price for the producer, but he went on to make the usual speech from the Front Bench opposite, and to destroy one by one all the means of getting that fair price for the producer. I put it to the hon. and learned Member for Bristol, East (Sir S. Cripps) that there are three means by which you can raise the price of an article like beef. You can restrict imports, you can put a duty on the foreign article, or you can subsidise the home producer. Outside these three courses I know of none whereby you can increase the price, if you assume, as I think the right hon. Member for Swindon did assume, that the price is now too low. But the right hon. Gentleman went on to gird against quantitative restrictions, and he is going to vote against this subsidy. If it were a question of a tax or an import levy on foreign beef, I am sure that he would vote against that. He wants to give a fair price to the producer, and admitted that the present price is not fair, but he destroyed one by one all the available means for producing that fair price. He took refuge in a cloud of words. He talked about an import board, which is to do something, not explained, to deal with the question of a fair price to the farmer, and yet not to raise the price to the consumer. I do not think that hon. Members opposite are half as fair to the producer as we on this side are fair to the consumer. I assure them that nobody can argue this question or do a service to the farming community unless he keeps

in mind the consumers' interests. All the speeches from the benches opposite contain plenty of words in praise of the producer, but when the speech is developed, those benefits are taken away one by one.

Before I come to the main object of my speech, may I say one word on the debatable point of who gets the 5s. subsidy? The Minister has been very fortunate. He said, if I understood him aright, that it partly went to the producer, partly to the butcher and partly to the consumer. I took some pains to ask the farmers, who would be the last people to admit that they had got the subsidy if they had not got it. I found very clearly that when the subsidy started, the farmers were convinced that the butchers were getting it, but, as time went on, I found some farmers who said that they got a part of the benefit while some spoke quite strongly of the advantage the subsidy had been. Since the latter statements were made at a time when the price was falling and the stock raisers' position was worse, I think it is very valuable evidence—of course, it is very difficult to ascertain, and it is a matter on which one ought not to dogmatise—that part of the benefit did go to the producer.

I welcomed the intervention of the hon. and learned Member for Bristol, East, with regard to what I think is the real problem. I believe we can, by means of controlled imports and home production produce just as cheaply, or nearly as cheaply, and yet give a good price to the farmer. The real contest is between the manufacturer here who wants a market in an agricultural country, and the farmer here, and also between the farmer here and the man who has invested money in railways, steamships or docks in a foreign country. That is the problem, and I suppose we shall solve it, not perhaps in the way the right hon. Member for South Molton (Mr. Lambert) advocated, by disregarding the fact that there is a problem at all, but by a compromise fair to the producer here, and giving such a fair return as will be a help to those workers who are out of work.

I gather that the final long-term policy of the Government will be an import levy on foreign imports, such levy to be used to subsidise the home producer, and I should like to tell the Committee why I think that is the right policy. Will it raise the price to the consumer unduly? Will the Liberal doctrine, which is so often urged but which is never proved in practice, operate, namely, that any duty always brings with it a rise in price of the home produced article, and that the home produced article is invariably raised in price, plus the duty? Except on the Liberal benches opposite I do not think that that theory is believed. It is too general a statement. I question whether the duty does raise the price of the article by the amount of the duty. In the first place, if it were a small duty, it would not raise the price. A duty of 6d. a lb. would not raise the price here. Secondly, the competing interests that try to keep our market have a very important effect, because the more they are able to send in the more they will compete in price, even while paying the duty themselves. In the third place, we have to bear in mind the cheapness of production in the country which exports to us.

If we look at the question all round, I believe that we can, subject to the consumers' interests, impose a levy on foreign meat which will subsidise a sufficient quantity of home-grown beef at a reasonable price. It is impossible to say at the moment what the levy would be, but I think it is conceivable, and that it can be worked out, that we could put your levy at such a figure as would bring into consumption the quantity of home-grown beef that you want to bring into consumption. It does not mean an unlimited quantity of beef. It might be an extended quantity of beef. Just as in the wheat subsidy there is a limit to the amount of wheat which can earn the subsidy, so in this case a certain maximum quantity of home-grown beef only would earn the subsidy. It might be a rising maximum. I believe it is theoretically and practically impossible to work out a scheme on these lines which would not hurt the consumer. Seeing the great attraction of our markets and the interests abroad who are anxious to send supplies here, I think you could get an import levy down to quite a small amount, and an increasing subsidy on home supplies could fill the demand for home beef at a cost to the consumer, part of which could be paid out of the subsidy.

It would not help the home producer of beef to put the levy too high. If it is

[Major Hills.]

too high, up goes the price here. That is the effect of a high duty, and then the foreign importer can jump over the bar and pay the duty. If it is kept at a reasonable height, a comparatively small percentage, I believe a scheme of that sort can be worked out. I wonder if hon. Members opposite would accept something of that kind? If they had only taken their courage in their hands, they could have claimed that the whole of the quota system and restriction of imports was really a scheme worked out by a Socialist import board. It was, but they are so unkind as to disown their own child. The import board must sometimes restrict; it cannot always increase the supplies of the imported article. I suppose that political agreements between two opposing parties are difficult, but I think we should try to get as much assent as possible from hon. Members opposite.

6.18 p.m.

Mr. McKIE: I am glad to be the first Member from Scotland to take part in this Debate, and in the few moments I propose to occupy I want to make one or two observations with regard to the details of the proposals now before us as they affect agriculturists in the northern part of the Kingdom. As is natural in a Debate of this kind, we have had some discussion on the principle of subsidies in general, and also as regards the way in which the subsidy of July, 1934, has worked out. Some hon. Members think it indicates the way in which the subsidy we are now considering in this Financial Resolution will also be applied. This Resolution is a sequel to our action of seven months ago. It is, perhaps, a somewhat unwelcome sequel. But I must qualify that adjective by saying that those who are intimately connected with the livestock branch of agriculture are eager and willing to grasp this or any other straw which seems to afford us any hope of winning through a difficult situation. The farming community have long been renowned for their independence, and their dislike of anything in the nature of State aid or doles.

Mr. C. BROWN: Does the hon. Member call £1,000,000 a straw?

Mr. McKIE: I am not going to be led away, but having regard to the peril to the livestock industry this sum of money, although it is large, is but a straw, at which we grasp in order to help us out of a very difficult situation.

Mr. BROWN: Will the hon. Member tell us how much he would like?

Mr. McKIE: I am not going to be led away into giving details of the amount which I consider to be adequate for providing help for the livestock producers. I would merely say this—and the hon. Member can draw what deductions he likes—that I hope this will prove to be adequate. The right hon. and gallant Member for Ripon (Major Hills) has said that the conversations he has had with members of the agricultural community in Yorkshire have led him to suppose that they are in favour of the way in which the subsidy of last July has been applied.

Major HILLS: It was not only in Yorkshire. I have talked to farmers in other parts of the country.

Mr. McKIE: I can corroborate what the right hon. Member has said, but there have been agricultural voices who have not spoken in such glowing terms of what the subsidy has accomplished for them. It has been my fortune, or misfortune to encounter many such voices in my peregrinations in the agricultural areas in Scotland. It has been said that the subsidy has not accomplished the marvelous things for the beef section of the farming community which were anticipated. I have done my best to point out that prices, although they have not shown such a marked increase as we would have liked, would have fallen much lower but for the fact that this temporary assistance was available. I congratulate the Minister of Agriculture in having carried us over a very difficult period indeed. There is no saying to what low depths agriculture might have sunk by now but for his courage and the activities of those connected with the working of the scheme. I hope that the money we are voting to-night will during April, May and June prove to be a valuable boon, and will carry us up to the moment when the long-term policy, about which the right hon. Gentleman spoke with such vigour and so definitely, will have been initiated. I hear voices behind me, sometimes raised in our agricultural Debates, saying "Another subsidy." I hope there

will not be another subsidy. I go further and say there cannot be another subsidy if we are going to retain—that is the great party which is supporting the National Government—the full confidence and support of the agricultural community. I suppose my hon. Friends opposite would call that a bribe, but I could not possibly agree with them in the truth of any such assertion, even if they made it.

There is a strong feeling among farmers that the livstock branch of farming should have been the first to have been tackled by a National Government possessing the doctor's mandate. It is often unwise to go back over past history, and it is certainly unwise in such a case as this for agriculture does not want a great amount of talk and discussion, but prompt and vigorous action. The Minister referred to the size of the livestock branch of agriculture; 37 per cent. of the industry in England and 53 or 54 per cent. in Scotland. Those figures illustrate, if any illustration be needed, the importance of preserving the rightful place of the livestock industry in our agricultural body politic. It is essential if the welfare of the workers in agriculture is to be preserved. Many questions have been asked by those who earn their daily bread by toiling upon the land as to where they come in in legislation as it affects the farming industry. As the livestock industry is the largest branch of farming so it is the branch which is going to call, directly and indirectly, for the greatest numbers of men and women.

Let me refer to one or two points regarding general policy and the prejudicial manner in which the Ottawa and Argentine Agreements are claimed to have operated, particularly as to livestock farming. All I can say about that is that those actively engaged on the soil do not quarrel with the principle of the Ottawa or the Agentine Agreements. It is not the principles that are wrong, but the way in which they have been applied. Members of the Opposition have said that this is a policy of bald restriction, but the Minister has emphatically denied that he is out on any such mission. He has said that nothing in the Ottawa Agreement or in any other agreement ties his or the Government's hands, and that, if necessary, he can go behind the back of these agreements and inaugurate drastic restrictions and control of imports. But he thought there was a more excellent way, that of voluntary persuasion. The Government have said over and over again that they are going to let nothing stand in the way of bringing about such a state of affairs, that the home producer shall have the first preference in our own domestic market, that the second place is to be reserved for the Dominions and colonies, if there are any colonies that wish to have agricultural trading relations with us, and that then, if there is any place left at all, it is for foreign countries. That is where the Argentine comes in.

The Under-Secretary of State for Dominion Affairs heckled in the Ottawa Agreements Debate, agreed that that was the policy of the Government two-and-a-half years ago, and I have no reason to suppose that they have departed from it, judging from the Ministerial announcement this afternoon. The Under-Secretary went on to say that the figures laid down in the Ottawa Agreement were maximum figures, and that the Government at any time could reduce them if they wished to do so. The right hon. Gentleman the Minister was to-day a little apologetic, but he showed great firmness at the same time. Of course there are difficulties in the way of action, and I am sure that Liberals will agree, though they might try to make the point that the Government have been lost in a maze of vagueness during the past few months. It seems as though some Conservatives are taking the same point of view. The Conservative party, no doubt, is supporting the National Government by an overwhelming majority.

The doctor's mandate certainly included any and every policy which it should seem good for the Government of the day to pursue with regard to industry in general, and agriculture in particular. The public mind had advanced very rapidly before the 1931 General Election with regard to operating some form of protection for the great basic industries, and the public mind has not remained stationary, as perhaps the mind of this House has done since that great and critical election. I seriously suggest to members of the farming community that in the time between now and the next general election they should get together and inform their representatives exactly what policy they think should be employed and offered to the electorate.

[Mr. McKie.]

I shall support this Financial Resolution, not because I am in love with the spirit of a dole to a section of the community which has always been very proud indeed of its independence, but because it is meant to carry us over while we use that spirit of sweet reasonableness and persuasiveness with the representatives of the Dominions, and Mr. Lyons in particular, before we take a firm hand with them, and with anyone else who comes in the way, and give the country at long last the benefit of the long-term policy about which we have talked so much and up to the present have awaited somewhat in vain.

6.35 p.m.

Sir FRANCIS ACLAND: First of all, I would like to apologise to the Minister of Agriculture for not having been able to hear his statement. I looked forward to hearing him, as I always look forward to any speech from him, but I was summoned suddenly to the Central Criminal Court, where I had to appear, not as a prisoner, I am glad to say, but in the witness box. I was glad to get away from that atmosphere, but I was too late to hear the statement of the Minister. I imagine he must have told the Committee how very badly the industry had been doing for many years, and especially in the last few months. Nothing that he could have said in that respect could have been an exaggeration, because the industry has been hoping, hoping, hoping against hope for some improvement from all the efforts which those in the industry believe that the Minister has been making on their behalf. Somehow or other, so far, the effects seem to be that prices which seemed all the time to be as low as they possibly could be, have tended to go even lower still. The figures of the Exeter market given to the Committee to-day are a dismal result of all the effort that has been made. It must be recognised that these men cannot turn from their stock production to any other class of agriculture. They cannot lay aside their farms, as the owner of a factory can close his factory if he loses money. Farmers must continue, whatever the price is, and the price is perfectly deplorable, of course.

I gather that the Minister made it clear that the subsidy given a few months ago had not had quite the effect that he had hoped. That is generally recognised. There is a puzzle in the minds of everyone as to where the subsidy has really been going. I shall not attempt to analyse that point. But there is another disadvantage of these continuing subsidies. Perhaps the Minister did not mention it and I would like to refer to it. In people's minds subsidies are becoming steadily and more and more identified with marketing schemes. People say, when one talks about a marketing scheme, "Where is the subsidy? We do not call it a marketing scheme unless it has a subsidy." I have noted the authoritative criticism of the policy with regard to eggs and poultry which has been brought out by the Commission over which the right hon. Member for Swindon (Dr. Addison) presided so well for some time. The agricultural correspondent of the "Times" said, in effect, that it would be much better to let the industry go on without doing very much in the way of reforming or improving its methods, but just to give it a subsidy or some sort of protection or limitation of foreign supplies, and that that would be enough.

The other day, in discussing subsidies in my division, I said that I thought they were tending to grow, that they were in the long run bad, that the appetite grew by what it fed on, that everyone was always asking for more, and that I wished they could all be abolished. I was challenged the next night, at another meeting, for having desired to abolish all agricultural marketing schemes. I was asked whether I had voted for the egg scheme, the milk scheme and the bacon scheme when they were brought forward. My questioners thought that because I disapproved of subsidies I had denounced everything in the way of marketing schemes. Certainly there are two disadvantages in these continued applications for subsidies. First, as people get them their mouths open wider, and more and more people connected with other industries or other branches of the same industry expect to be subsidised in their turn. Secondly, the more that happens, the more disinclined people are to any reorganisation of their methods or any real improvement of their marketing, which after all is the core and centre of the Act of 1931 passed by the Labour Government and of the later Act passed by the

present Government. It seems to me that that is a bad tendency. Unless the centre of these schemes is, not a subsidy, not direct or indirect attendance on the taxpayer, but a real improvement of marketing methods, they will in the long run fail.

My second point is that we ought to draw this moral from these continued Debates—that none of these schemes of quota or tariff or duty has much effect in the long run on the raising of prices, and that the only hope for the farmers' prosperity is the prosperity of their customers. I have said that for many years, in season and out of season, like a voice crying in the wilderness. I was interested therefore to see these words in a leading article in the "Times" this morning:

> "It will be admitted generally that, to quote from a recent letter from a British farmer, published in these columns, the real problem is to reduce unemployment and to raise the standard of living of those whose food consumption, both in quality and quantity, is below that of the ordinary household."

I believe that that is the core and centre of the whole position, and that however well-meaning these schemes may be, and however many forms they take, in the long run the farmers' main interest is not in tightening up these schemes of restriction of foreign supplies for this country, but in the wider object of greater freedom of trade and commerce all round, on which alone revival and prosperity depend.

Let me turn to one quite different point. I know that the Minister must have been having extremely difficult negotiations. Otherwise he would have brought forward a reorganisation scheme before now. I do not know how the negotiations have been going, but one does know that the Minister must get an agreement with the Argentine and with the Dominions before he can put on a limitation of imports. I believe that the present agreements hold in the case of the Argentine until November of next year and in the case of the Dominions till August, 1937. Whatever the Minister does now, therefore, will have to be done by agreement. I would express the hope that, whatever that agreement may be, it will not include, as the Dominions may be likely to ask that it shall include, any system which involves having to arrange a quota here. I can imagine that the Dominions might not unreasonably say that if anything is to be done which will indirectly limit what they can send us, we in our turn should limit what we are going to produce here, and not go in for a policy of restricting them while we ourselves expand beyond certain limits.

The danger is this: The present tendency to regulation and regimentation of our agriculture may increase. That is very much to be feared. If you have anything like a quota here you would have a definite amount fixed annually for production in each part of the United Kingdom, in each county and parish, and on each farm. That is not the sort of thing that can be done in connection with farming, for the industry varies from farm to farm, from season to season and from market to market. You cannot tell off a man at the beginning of the year, and tell him what amount he may produce and when he may send it to market.

I do hope that in this matter we shall call things by their proper names. A duty on imports is no less a duty even though the amount got from it is to be repaid to a certain class of the community. There is nothing to be lost by being honest about these things. If the Government try to wrap them up in some other way, say in the case of a duty of a 1d. or 1½d. a lb. on meat, they will only excite more anger rather than less. It is a duty, whatever you do with the money, and I hope that that is what we shall call it.

6.45 p.m.

Sir EDWARD GRIGG: It is clear that the Committee is generally agreed as to the urgent need for the Vote which the right hon. Gentleman is asking it to concede and that interest centres not so much upon the Vote itself as upon the long-term policy which, in the second and more interesting part of the speech, the right hon. Gentleman adumbrated. He told us that the long-term policy which he had in view was the imposition of a levy upon imports of meat into this country with a view to assuring to our own producers a reasonable remuneration. I agree strongly with my right hon. and gallant Friend the Member for Ripon (Major Hills)—who made a most interesting speech—that a great deal will turn on the size and extent of the levy and that it is vital, if we are to secure stable prosperity and as I hope expansion for

[Sir E. Grigg.]

the industry in this country, that the levy should be as low as possible.

I cannot understand why we should always proceed on the assumption that production in this country must be so much more expensive than production elsewhere. One or two hon. Members in this Debate have spoken about the cost of labour. It is ridiculous to talk of the cost of British labour as a high element in production cost when we are discussing comparisons with New Zealand and Australia. It has no bearing whatever on the question. The elements of cost in this country are not seriously affected, in my opinion, as regards our main competitors by the cost of labour. On the other hand, it is obvious that the cost of production in this country will have to be carefully studied if the levy which the right hon. Gentleman has adumbrated is to be reasonably low. It is to that aspect of the long-term policy which has been discussed from various aspects this afternoon that I should like to direct attention for a few moments.

We ought to be able to compete on fairly good terms with most of our competitors. Our land is as good as theirs; we have proximity to the market and we enjoy a natural preference. Most consumers would buy English stuff in preference even to Dominions stuff if they can afford it. All these things are very much to our advantage and I can see no reason, except some fault in the organisation of our farming, which makes it necessary for us, if we are to compete at all, to subsidise farming in order to secure higher prices. Obviously we are not going to get stable prosperity for the industry on that basis. In the first place, high subsidies to maintain high prices are an infraction of the Ottawa principle. We are saying to the Dominions, "By all means protect industries which you can protect on a reasonable basis but do not exclude us by high and unreasonable protection for industries of your own which could not exist otherwise." If we take that line with regard to their manufacturing industries we have to accept it with regard to our agriculture. I do not believe that we can ever arrive at a reasonable agreement with the Dominions except upon the Ottawa principle, clearly laid down, that on both sides protection is to be moderate and reasonable and is not to extend to industries which require very high protection.

The other objection, of course, to high subsidies and high prices is that undoubtedly they limit the extension of the home market for our own produce and seriously antagonise the consumer. It is, then, vital to examine the reasons which necessitate or seem to necessitate this high level. The right hon. Gentleman the Member for Swindon (Dr. Addison) gave what is, in my opinion, one of the reasons when he referred to the high cost of distribution in this country. I was delighted to hear him refer to it and I hope that he will be a strong reinforcement to those who call attention to that aspect of our agricultural troubles. It is not that I believe that I shall be able to go very far with him in the remedies which he proposes, but I am glad that at any rate he should call attention to the evil.

It is not however of the cost of distribution that I wish to speak at the moment. It is about another and, as I think, the chief aspect of the cost of production in this country and that is the cost of capital. I believe it is keeping up the cost of production in this country in two ways. In the first place there is the case of the owner-occupier who now represents over 35 per cent. of the farmers of this country. More than 35 per cent. of our producers, I think, now own their farms. Many of them bought those farms in the boom which followed the War at inflated prices. Most of them borrowed the money and are still paying interest on that money at rates which are much too high at the present time. That is a burden upon agriculture which necessitates high prices and prevents our producers from competing at a lower price. I do not think that any policy which ignores that factor in agricultural costs, which does not deal with the high cost of capital but tries to meet it by offering subsidies in one form or another, can be a stable policy which will give agriculture real prosperity.

The Conservative Government which fell in 1929 attempted, as I was glad to observe from a distance, to deal with this subject by passing the Act which established the Agricultural Mortgage Corporation. For some reason, however, that corporation has not done very much

to reduce the cost of capital to agriculture. It has only, I believe, so far managed to lend under £10,000,000. I beg the right hon. Gentleman and the Government to give attention to this aspect of the subject because it is being dealt with at this moment by all our competitors. Legislation for this purpose is going through in New Zealand at present. In New South Wales, if it is not going through, it is certainly predicted and promised, and it has been carried in Canada—and that on the top of existing legislation which makes capital much cheaper to the Dominion farmer.

That is one aspect—the cost of capital—but there is another. I believe that our farmers are paying far too much also for working capital, and that is one further reason why they have to be subsidised and why this levy of which the right hon. Gentleman spoke may have to be higher than it would otherwise be. How does our farmer now get working capital? In most cases by selling his produce to a dealer and because he needs money with which to carry on he sells on unfavourable terms. That is happening throughout the country. Again the Conservative Government of a few years ago attempted to deal with that question by means of the Agricultural Credits Act, but for some reason that Act has not brought very much help to the farmers. I must confess I think there is a strong case for investigation into the working both of the Agricultural Mortgage Corporation and of the Agricultural Credits Act. I dwell upon this subject because I do not believe that we can have any effective or satisfactory long-term policy until the question of credit has been thoroughly tackled. At present the heavy cost of capital is not only stopping all possibility of improvement, but is actually causing deterioration and is leading to further unemployment on the land. There are many farmers who know what they would like to do but cannot afford to do it. The research institutions are constantly making admirable suggestions which cannot be adopted because there is no capital available at a reasonable cost for the purpose. The same consideration applies to vital matters like an easy supply of water and drainage and a hundred other matters of that kind.

No one likes the idea of large loans being raised for the assistance of agriculture or anything else. But let us remember that the cost of the subsidies or repayable advances which are at present being made, is in the neighbourhood of £25,000,000 and that that represents interest at 5 per cent. or interest at 3 per cent. and a sinking fund of 2 per cent. on a loan of £500,000,000 to agriculture. I am convinced that the money could be better used in that way than in doling out these subsidies, which are necessary, I agree, as emergency measures but which produce a rather dangerous atmosphere in English farming and make it more difficult to arrive at a satisfactory long-term policy. I have spoken in haste, and I hope the right hon. Gentleman will not think that I have been either critical or dogmatic. I have not meant to be. Nobody appreciates more than I do how hard the right hon. Gentleman has worked and the courage and resource which he has shown. I am convinced that no one has done so much for English agriculture in any time that we can remember as he has done. These suggestions are made solely with the idea that they may be helpful. They are made in no dogmatic spirit, but I beg of the right hon. Gentleman, that before he establishes a long-term policy in respect of beef or anything else, he will have adequate investigation made into the question of agricultural credit in this country.

6.57 p.m.

Mr. DAVID GRENFELL: The right hon. Gentleman who has just spoken presented the Committee with a very clear alternative to the Measure which the Minister is about to propose and I congratulate him upon the very comprehensive plan which he has laid before us for the reconstruction of our agriculture. I hope he succeeded in impressing his neighbours upon those benches below the Gangway, but I imagine that their minds work on entirely different lines from his and that his conclusions and their are as far apart as the Poles. But the right hon. Gentleman was not dealing with the question before the Committee. He raised questions coming under many heads, such as the nationalisation of land and the planning of industry, but while his speech was very interesting and valuable, we have to come back to our muttons and I propose to address myself to the question before the Committee.

[Mr. Grenfell.]

The Minister asks for an extension of time in order that certain payments may be made while he is making up his mind on a long-term policy—if there is any such policy in prospect. We have long waited for such a policy. We have pleaded for one in vain and apparently the Minister has not yet made up his own mind upon it and has not yet obtained agreement with those other people with whom he must, at some time or another, come into agreement upon this subject. We have still to be content with what is admittedly merely an expedient. The Minister gave us some explanation of why this temporary Measure is to be continued for a further period. He referred to the serious effect which any real change in policy might have on foreign trade or upon Imperial relations. I think he spoke what was in all our minds when he reviewed the possibilities of a complete change of policy as regards the relations between ourselves and producers abroad. The producers who come into competition with the agricultural industry of this country are those very people with whom we wish to remain on the best terms of friendship and mutuality. It is the people in the Dominions with whom we are most concerned when we come to deal with Measures of this kind and we can excuse the right hon. Gentleman's lack of haste in coming to a final decision. We hope he will seriously consider all the things to which he referred this afternoon before doing so.

My right hon. Friend the Member for Swindon (Dr. Addison) rightly pointed out the possible effects of this kind of legislation which is only a patchwork and piecemeal interference with the activities of a very great industry. He rightly referred to the failure to safeguard the consumer, and we on this side always stress that hon. Members opposite in their concern for the producer are apt to neglect the other party to the transaction, who is the consumer. The right hon. Member for Swindon quite rightly referred to the failure of the Government, so far, to safeguard the right of the consumer in any way. Nor have we heard anything to-day to suggest that there is any prospect of a reorganisation of the wasteful and inefficient marketing methods from which the producer suffers so much. Neither is there any machinery for securing that the farmer and the farm labourer shall get the benefits of this scheme. The right hon. and gallant Member for Ripon (Major Hills) estimated, I think, that the farmers would get about one-half of this subsidy and that the other half goes somewhere else.

The hon. Gentleman who spoke last rightly spoke of the enormous burden of capital charges on this industry. He made reference to the very high rents. I think some £37,000,000 or £38,000,000 is paid every year in rents, and these are very heavy charges on the working capital of the farmer. I have no reliable estimate to guide me in this matter, but it is clear that an enormous burden is carried by agriculture for the use of capital by the agriculturist. This is a matter which should not be lost sight of in dealing with these matters. The Government must find itself in great difficulties—for it is a heterogeneous lot that we oppose day by day in this House. The right hon. Member for South Molton (Mr. Lambert) seems now to be the most rabid Protectionist in this House. He insists on more and more duties and expresses his conviction that he is now right where all his life he has been previously wrong. He is now a full-blown Protectionist and wishes to see tariffs rigorously applied. Strangely enough he seems in this matter to side with the right hon. Member for Caernarvon Boroughs (Mr. Lloyd George). They agree on this although they parted political company long ago. The facility with which people appear to reconcile their differences and persuade themselves and people outside that their differences have been successfully reconciled is the miracle of politics in these days.

The right hon. Member for South Molton is now such an ardent Protectionist that he is prepared to sacrifice everybody to raise prices higher and higher. It does not matter a bit, he says, whether food becomes dear or not; the industrial consumer must be made to suffer for the benefit of agriculture. He is turning a blind eye to all the possible evil consequences which may ensue from that course, and he wants the Minister to declare for just the kind of policy which will suit him and which will also mean high prices and a high measure of Protection. The hon. Member for Maldon (Sir E. Ruggles-Brise) spoke of quantitative restriction as if it had not been adequately used. He said he desired that

method to be applied with the utmost rigour. In addition to tariffs, he would use restrictions or quotas. He would use every weapon in our armoury in order to achieve the end of higher prices and better returns to the agricultural industry.

Sir E. RUGGLES-BRISE: I must protest against the hon. Member's interpretation of what I said. What I did say was that in so far as quota restriction had been employed it had been employed only in part and that it had not been employed with the full rigour with which it might have been applied.

Mr. GRENFELL: If that was not the hon. Member's meaning, I will withdraw it. At least, he urged the Government to use every weapon in their armoury and to take off the gloves to fight some imaginary enemy standing in the way of the progress of agriculture. I now come to the speech of the right hon. and gallant Member for Ripon who said, I think, that we on this side of the House showed no indication of any desire to assist the producer. Really, he is not entitled to charge us with that. There has been no evidence in this or any other Debate that we are not concerned with the prosperity of agricultural producers. But we do say that agriculture cannot be organised on these simple lines and that this is not a sufficient remedy for the evils of the industry. We urge that you cannot divide consumers from producers in a community like this, and that our interests are one and indivisible. The person who is a consumer of one commodity is a producer of another; and we say, therefore, that it is wrong and invidious to draw a comparison between consumer and producer in this way.

We would rather say that we do not regard this and all other problems in the light of their effect on the individual producer. If the agricultural producer is to be benefited, he can only benefit to the extent to which he shares in the general prosperity of the country. It is no use stressing the occasional differences between consumer and producer. It is much wiser on the part of all of us to stress the interdependence of all sections of the people. We would welcome recognition by this House that the farmer as a producer of food depends as much upon the prosperity of those concerned in the coal industry as on any other section of the people. Those two industries both provide commodities fundamental to the life of the nation. I claim first place for the mining industry, which provides the foundation upon which the whole superstructure of our industrial life is built. On that foundation all our industries have been founded, and, if we cease to be a coal-producing country, we shall cease to be a great industrial country, and we shall also cease to be a populous or powerful country.

We must not neglect the claims of the producer in other industries than our own. Those who wish to serve the cause of agriculture must find some means by which prices can be raised without making prices too high for the industrial consumer to make his due quota of purchases. One of our main criticisms is that this is a subsidy for the production of more beef, although the consumer of home-produced beef is not the coal miner or the men and women who work in our textile factories but the person who is rather better off and can afford to pay higher prices. Poorer people, because of their lower purchasing power, are compelled to buy foreign beef. It is no advantage at all to raise these prices so high as to confine the opportunity of consumption to a smaller and smaller class of people. What we need is to make it possible for a larger proportion of our population to buy and consume this class of goods.

I have a strong instinctive liking for the profession of agriculture, and I would warn my hon. Friends who speak for agriculture in this House to realise that it is a great mistake to imagine that it will be an advantage to raise these prices without raising the purchasing power of the masses of the people. If prices are raised too high, our industrial workers will be inevitably compelled to buy less and less quantities of these giods. There is no advantage to be got from high prices with a smaller volume of production. That will not help agriculture in the long run. I look forward to the time when we shall grow at home not from 35 to 38 per cent. of our food supplies but from 60 to 70 per cent. of our total requirements. I should like to see that and I think it is a possibility, but before that can be done a higher standard of purchasing power must be provided for the masses of the people not engaged in agriculture.

[Mr. Grenfell.]

I would ask the Minister to tell the House how we are to escape from this dilemma. Does he propose that prices shall be raised to any appreciable extent? And in that event how can we escape from this dilemma upon which we find ourselves impaled? How, if prices rise, will he maintain the volume of purchasing power and consumption? That is our main ground of criticism. I should also like the Minister to answer a communication which has come to us this afternoon and which affects people directly concerned in the industry. We have heard about benefit to the two classes of producers—the farmer and the man he employs on the land. Here is a telegram which has come from Airdrie in Scotland. It says:

"Debate on beef subsidy. Secretary for Scotland has repeatedly refused meet representative Scottish Farm Servants' Union which has asked opportunity lay before him facts about drastic reduction farm workers' wages. Farmers refuse meet farm workers to consider collective wages agreement for next year. Neither subsidies nor tariffs brought any advantage to workers. Farmers still taking advantage unemployed farm workers to reduce wages."

What is the reply to that? It is not a question which I have propounded, but one which has come from people who are as much interested in this problem as any hon. Member who sits here—people who are directly interested in the welfare of the actual producers of agricultural commodities. I shall be glad if the Minister will give us a reply on these two points—as to how the Government will safeguard the consumer against unduly high prices and how they will protect the interests of the workers in the industry, both the farmer and the farm labourer.

7.15 p.m.

Mr. ELLIOT: I am sure that no one in any part of the Committee will complain of the tone and temper of this Debate. It is true that, owing, I think, to the kindliness of the Chair, the Debate has been allowed to range a little more widely than within the narrow boundaries of the Financial Resolution. It is impossible that it should not, for the very purpose of this Debate is that we should obtain time for further negotiations, and unless the Committee was seized of all the considerations that arise, it would be wrong for it to entrust the Government with the large sum of money for which we are asking to-day. The tone of the Debate was almost summarised by that of my hon. Friend, if I may so call him, the Member for Gower (Mr. D. Grenfell), who has just sat down. He recognised in the Committee the remarkable fact of the difference in attitude towards agriculture which has come over the city representatives and the representatives of industry compared with that which existed only a few years ago. I cannot say how strongly I agreed with the hon. Gentleman when he said, "You cannot divide the interests of the producer and those of the consumer nor can you divide the interests of the producer of one kind of produce in this country from those of the producer of another kind of produce." It is true that all of us stand or fall together, and we in agriculture recognise that as much as anyone else. You cannot have a prosperous agriculture founded upon the ruins of other industries in this country, nor can you have prosperous industries founded upon the ruins of agriculture.

There were two specific questions which were put to me by the hon. Member for Gower. There was the telegram from Airdrie, complaining that farmers have refused to meet the representatives of the farm workers to discuss agreements. If he does not know already, it will be confirmed to the hon. Gentleman by all Scottish representatives in this House that when the original Agricultural Wages Act was drawn up, the representatives of all sections in Scotland, employers and employed alike, desired to be left out, and consequently the reason why there is no wage agreement in Scotland is the direct desire of the employed persons themselves. It may be that now a change of opinion is taking place, but it would be a little unreasonable to suggest that that change of opinion should not receive a certain amount of consideration and cogitation before it is acted upon. It is certainly a matter which is receiving the attention of my right hon. Friend the Secretary of State for Scotland, but I am sure that all parts of the Committee will agree that the workers themselves, who desired to stand out from the Wages Act system which holds throughout England, would not think it fair to reproach any section of the House with regard to it.

The hon. Member for Gower came to a fundamental question when he said, "How are you to solve the dilemma that if you raise prices too far, you bring

down consumption and thereby defeat your own object?" I would say that if we look at these things in a common-sense manner, I do not think we shall find these logical dilemmas so inescapable. The hon. Member belongs to the great mining industry, which secured an Act in this House for the very purpose of regulating consumption and production and held up prices. My right hon. Friend the Chancellor of the Exchequer, backed by Members who sit above and below the Gangway opposite, put through a budget which raised the tariff on competitive fuel to 200 per cent., and that I call a fairly restrictive tariff. It was said that it was only for revenue purposes, but it has no corresponding Excise levy, and if we could get something approximating even the half of that, we should not be coming to this House for temporary Votes for small subsidies. If competing foodstuffs were subjected to anything like the same duty as competing fuels, as in the case of oil, I do not think we should be coming on this occasion for any Vote for some small sum, such as £1,000,000, from the taxpayers' pocket. The difficulty of the producers in this country lies in the fact that we are a world State desiring to maintain a world trade, and we cannot simply take an axe and chop off any great section of our imports. I know that to be true, and I was glad to find one or two hon. Members opposite admitting that in my opening remarks I had done my best to grapple with that position. They say, "How do you think that these negotiations of yours will come to anything? Can you give us any reason to believe that these negotiations are proceeding successfully? Is there any hope that this is not simply a series of temporary subsidies, and that that series of temporary subsidies is not itself the long-term policy?"

I call in aid my hon. Friend the Member for Leith (Mr. E. Brown), who sits beside me on this bench. We have been called by the hon. Member a heterogeneous mob who could reconcile the most opposing policies. Well, we have reconciled fairly opposing policies, not merely in the long struggle between Liberal and Conservative, but in the more immediate struggle between the coal industry and the cattle industry, of which we are two examples. Is it not a fact that Members for Welsh mining divisions have every reason to be satisfied at the recent conclusion of a coal agreement with the Irish Free State, and that the agriculturists themselves were willing to sink their prejudices against the admission of any further cattle to this country because they realised that unless a man had a job of work to do, he was unable to buy a good pound of beefsteak when his task was over? I have had to defend that bargain on many platforms, and doubtless shall have to do so on many more, but the fact that we were able to make it, the fact that statesmanship was not so entirely bankrupt, the fact that the prolonged negotiations came to fruition, is to my mind, an evidence that in future our long negotiations here will come to a similarly happy end.

So much for the task of bringing about, by negotiation, agreements with these great suppliers to us, whose trade in turn we desire and whose friendship we vehemently desire to retain. There were other big questions of policy which were raised to-night and which will have consideration. We were told by my hon. Friend the Member for Altrincham (Sir E. Grigg) that we should turn our attention more closely to credit, that high charges on capital, high charges for the use of capital, as in rent, are heavy burdens on the producer. We shall certainly give these matters our closest attention. Whether these charges do more than replace the capital which is being used in agriculture I sometimes doubt. I do not think the charges are exorbitant for the replacement of the equipment of farming, and if we gave capital under that rate, we should in effect be giving a subsidy which would be almost as frank a subsidy as if I were to come here, as I am coming here, and ask the House to vote me £1,000,000. If there were any foundation for the proposition that a greater supply of capital at better rates would lead to an improvement in the condition of agriculture, we should be most foolish if we did not give that proposition our closest attention.

The right hon. Member for Swindon (Dr. Addison) indicated that all would be well if we had a good Import Board. I do not know any more fertile ground of friction than to refuse a man an order which he thinks he has a perfect right to give and when he cannot argue about the refusal. My fear of an Import Board is that, if we order in large quantities

[Mr. Elliot.]

from abroad, we cannot buy all the supplies brought to us, and that the will of the board in accepting certain orders and rejecting others will be interpreted as a most drastic kind of quota and a wretched interference and will, I fear, lead to even greater friction than we may get at the present time. I was glad to find that the hon. Member for South-West Bethnal Green (Sir P. Harris) had correctly grasped the import of the declaration of July, 1934, and the numerous speeches which we have since made, that if we can change from a system where the whole odium of regulating supplies falls on us to a system whereby they can be regulated among the various suppliers of this market, where we insulate our home producer and release him from the full weight of world conditions, we shall be satisfied. That is our policy, and he correctly expressed it. We are not asked, however, to compete on equal terms, but on terms not merely of depreciated currency and subsidy abroad, but very often of world prices far below the cost of production even in the cheapest countries which are producing now; and it is no help to this country or any other country to allow all the countries concerned to rattle themselves into bankruptcy.

I think it would be a pity if the Committee were not now to come to a decision. The right hon. Member for North Cornwall (Sir F. Acland) will, I am sure, pardon my not going at length into his remarks, the more so as he said himself that he had not the advantage of being present during the earlier stages of this Debate. As I said, none of us can complain of the reception which the Committee has given to this Vote, and if we can sustain the same temper in other *agricultural Debates that are before us,* we shall go far, here in this House, towards framing the long-term policies for agriculture which we all desire.

Question put.

The Committee divided: Ayes, 196; Noes, 37.

Division No. 49.] AYES. [7.29 p.m.

Acland-Troyte, Lieut.-Colonel
Agnew, Lieut.-Com. P. G.
Allen, William (Stoke-on-Trent)
Assheton, Ralph
Atholl, Duchess of
Baldwin, Rt. Hon. Stanley
Barclay-Harvey, C. M.
Barrie, Sir Charles Coupar
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Bennett, Capt. Sir Ernest Nathaniel
Blindell, James
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Boyd-Carpenter, Sir Archibald
Braithwaite, Maj. A. N. (Yorks, E. R.)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Ernest (Leith)
Brown, Brig.-Gen. H.C. (Berks., Newb'y)
Buchan, John
Burnett, John George
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Cautley, Sir Henry S.
Cazalet, Thelma (Islington, E.)
Chamberlain, Rt. Hon. Sir J. A. (Birm., W)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Sir Samuel (Edinburgh, S.)
Chorlton, Alan Ernest Leofric
Churchill, Rt. Hon. Winston Spencer
Clarry, Reginald George
Colfox, Major William Philip
Conant, R. J. E.
Cook, Thomas A.
Courtauld, Major John Sewell
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Cruddas, Lieut.-Colonel Bernard
Davidson, Rt. Hon. J. C. C.
Davies, Edward C. (Montgomery)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Denville, Alfred
Dickie, John P.
Donner, P. W.
Drewe, Cedric
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eden, Rt. Hon. Anthony
Elliot, Rt. Hon. Walter
Elliston, Captain George Sampson
Elmley, Viscount
Emrys-Evans, P. V.
Everard, W. Lindsay
Fielden, Edward Brocklehurst
Ford, Sir Patrick J.
Fox, Sir Gifford
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gilmour, Lt.-Col. Rt. Hon. Sir John
Gluckstein, Louis Halle
Glyn, Major Sir Ralph G. C.
Goff, Sir Park
Goodman, Colonel Albert W.
Gower, Sir Robert
Graham, Sir F. Fergus (C'mb'rl'd, N.)
Gretton, Colonel Rt. Hon. John
Grigg, Sir Edward
Gunston, Captain D. W.
Hamilton, Sir George (Ilford)
Hanbury, Cecil
Hannon, Patrick Joseph Henry
Harbord, Arthur
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hore-Belisha, Leslie
Hornby, Frank
Horsbrugh, Florence
Hume, Sir George Hopwood
Hunter, Capt. M. J. (Brigg)
Jones, Sir G. W. H. (Stoke New'gton)
Kerr, Lieut.-Col. Charles (Montrose)
Kirkpatrick, William M.
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Latham, Sir Herbert Paul
Law, Sir Alfred
Leech, Dr. J. W.
Lees-Jones, John
Leighton, Major B. E. P.
Levy, Thomas
Liddall, Walter S.
Lindsay, Noel Ker
Llewellin, Major John J.
Lloyd, Geoffrey
Lockwood, John C. (Hackney, C.)
Loftus, Pierce C.
Mabane, William
MacAndrew, Lt.-Col. C. G. (Partick)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
Maitland, Adam
Makins, Brigadier-General Ernest
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Sir Frederick (Leyton, E.)
Mitchell, Sir W. Lane (Streatham)
Monsell, Rt. Hon. Sir B. Eyres
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shepherd

Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H
Nicholson, Rt. Hn. W. G. (Petersf'ld)
O'Donovan, Dr. William James
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Petherick, M
Peto, Geoffrey K.(W'verh'pt'n,Bilst'n)
Procter, Major Henry Adam
Raikes, Henry V. A. M.
Ramsay, Capt. A.H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Reed, Arthur C. (Exeter)
Remer, John R.
Rickards, George William
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross, Ronald D.
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Samuel, M. R. A. (W'ds'wth, Putney).
Samuel, Sir Arthur Michael (F'nham)
Sanderson, Sir Frank Barnard
Shaw, Helen B. (Lanark, Bothwell)
Shepperson, Sir Ernest W.
Shute, Colonel Sir John
Skelton, Archibald Noel
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Sotheron-Estcourt, Captain T. E.
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Stewart, J. Henderson (Fife, E.)
Stuart, Hon. J. (Moray and Nairn)
Sugden, Sir Wilfrid Hart
Thomas, James P. L. (Hereford)
Thomas, Major L. B. (King's Norton)
Thomson, Sir Frederick Charles
Thorp, Linton Theodore
Train, John
Tree, Ronald
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wedderburn, Henry James Scrymgeour-
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Willoughby de Eresby, Lord
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Wise, Alfred R.
Wolmer, Rt. Hon. Viscount
Womersley, Sir Walter
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—Sir George Penny and Sir Victor Warrender.

NOES

Addison, Rt. Hon. Dr. Christopher
Brown, C. W. E. (Notts., Mansfield)
Cocks, Frederick Seymour
Cripps, Sir Stafford
Daggar, George
Davies, Rhys John (Westhoughton)
Edwards, Charles
Foot, Dingle (Dundee)
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks,W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Harris, Sir Percy
John, William
Johnstone, Harcourt (S. Shields)
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Lawson, John James
Lunn, William
Macdonald, Gordon (Ince)
Maclean, Neil (Glasgow, Govan)
Mainwaring, William Henry
Milner, Major James
Nathan, Major H. L.
Rathbone, Eleanor
Rea, Walter Russell
Salter, Dr. Alfred
Samuel, Rt. Hon. Sir H. (Darwen)
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Thorne, William James
Tinker, John Joseph
White, Henry Graham
Wilmot, John
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE NOES.—Mr. Groves and Mr. Paling.

Resolution to be reported to-morrow.

PRIVATE BUSINESS.

METROPOLITAN WATER BOARD BILL (*By Order*).

Bill read a Second time, and committed.

7.40 p.m.

Sir ARCHIBALD BOYD - CARPENTER: I beg to move,

"That it be an Instruction to the Committee to leave out Work No. 1, Work No. 2, and Work No. 3 from Clause 5 of the Bill."

I move this Instruction with some reluctance, but with some reason. I admit that the activities of such a body as the Metropolitan Water Board are entitled to our consideration, but, on the other hand, there are other activities throughout the country that are entitled to the same consideration. Works Nos. 1, 2 and 3 which are mentioned in the Instruction would affect the activities of one of the most remarkable research farms in the country. It is not large in area, but it is very large in the estimation of the public. It has been developed for a period of years and devoted purely to research work. Its work has met with the approval of great scientific societies in this country, such as the Royal Society, the Geological Society and the Scientific Development Society. Each one has gone down and witnessed the experiments that have been carried on on that farm, and it is an extraordinary thing to me that at this time, when the country is talking so much about agricultural development and the encouragement of agriculture, this farm should be put at the disposal of the Water Board with a view to its permanent elimination. The farm has been set up in an area where, after long consideration, the soil has been found to be congenial and where the activities of the people operating the farm have proved beneficial to science and to the world.

The farm is small in area, comprising 187 acres, but in that area many curious things are being developed. There is one acre under glass, where every experiment in the growing of vegetables that will militate against the importation of foreign vegetables is carried out. There are three acres under frames, and miles of water tubes under the land so that every experiment can be made with a view to the development of the agricul-

[Sir A. Boyd-Carpenter.]

tural industry in this country. It is calmly suggested that after this farm has been in existence since 1909 it should be eliminated and handed over to the not very essential needs of water in that particular area. There are many opportunities for establishing waterworks elsewhere, and if anyone travels down the valley of the Thames he can see many suitable places for such development. It is peculiarly objectionable to find the argument being put forward that this site is essential, when we know that for experimental research into agriculture it has the soil suitable for the purpose. The particular soil of a particular area is the desiderata for such an undertaking, whereas, as regards waterworks, so long as there is clay or other suitable formations, it is possible to meet the immediate needs of mankind for water. This is being done, although it is not proposed, at this immediate juncture, to construct these works.

Meantime, what will be the disaster to this experimental research farm? From the moment that the scheme is proposed the development of research work there is held up. People cannot go on with research work and development when they are told from day to day that Parliament may at any time and in any way give power to this board to oust them from the farm. Even supposing the Metropolitan Water Board do not propose to erect their works at the present moment, the proposal militates against any possibility of development or success on this research farm, because no longer will those running it have the encouragement or the support of anybody outside to go on with it. At a time when we are saying that we must devote our attention to agriculture as a means of solving many of our problems, it is absurd to suggest that one of the greatest research farms is to be obliterated—held to ransom for a period of years and finally put out of existence. The man and those associated with this farm have already been turned out in years gone by because of what were called developments in one part of the country and another, and now, at long last, after he has developed this farm and maintained it to the admiration of all people of scientific knowledge, making it a place to which people can go to see what can be done, he is to be warned off, told that he is not allowed to go on with it. I agree that the man is a business man, but he is a research man, and he has got all the experience and the right people with him.

There is permanent employment there in research work. There are research men working there apart from the ordinary employés. They are to be kicked out and the whole result of their endeavours is to be hurled away and cast into the dustbin. Is that quite right when we are talking of what should be done to relieve unemployment? The farm is an implement of encouragement to agriculture in this country. Last year 600,000 crates of vegetabes were sent out from that farm, 140,000 of them being crates of lettuces at a time when we had to import from abroad the lettuces we did not produce in our own land. That is a wonderful tribute to the acumen, energy and knowledge of the people on the farm. When we talk so much about the importation of foreign foodstuffs and vegetables we ought to consider those who, by their genius and activity, have done something to militate against the perpetual incursion of these things from abroad.

But it would be wrong for me to go on with a speech—though I think it will be of interest to the House, whatever differences of opinion there may be—and I would only suggest that hon. Members should consider whether it is right to destroy at one fell swoop, or to hold to ransom, one particular area in this country where the soil has proved its value by these experiments—to throw that away when the Metropolitan Water Board can look right down the whole Valley of the Thames and find areas where they can put up what they consider necessary for potential water supplies in the future. What is the real argument which they put forward? It is a very curious fact that they submit that

> "any difference of opinion as to the suitability of the sites selected for the purpose of the proposed storage reservoirs, or as to the alleged availability of other sites equally suitable, is a matter which can only be determined satisfactorily by a Committee after hearing technical and other evidence."

Then why do they try the case beforehand? They only gave notice at the end of last year that they were going to do this thing. Is it not rather hard on this man, with his technical knowledge and experimental staff, that the board should

act in this way? I submit with all humility that while it may be impossible for the House to accept this Instruction they should not rule out consideration of this man's experiment, which has been of vast value to the country and great use to the individual employés and to the very large number of people devoting their intelligence to research work in agriculture, horticulture and vitamin development, as regards the inculcation of good stuff into the vegetables of this country. I beg the House to give this matter a little consideration. I know that the view is held that when any big institution like this board puts forward a proposal we ought not lightly to stand in its way, but I am not sure that that is always quite the right view especially when we have also to consider the claims of people of virility, vigour, intuition and imagination who are working out for the benefit of the country a definite scheme, agriculturally inclined and horticulturally inclined, which has proved to be of benefit, employs men, and will yield undoubted advantages to the people of this country if it is allowed to continue.

7.53 p.m.

Lieut.-Colonel Sir ARNOLD WILSON: I beg to second the Motion.

There are a few additional facts which I would like to submit to the House. The annual turnover of this farm is approximately £30,000. The wages bill for the last ten years has averaged something like £10,000. About 100 men are employed there from one year's end to the other, icluding 14 apprentices who are working for wages and are there because there is no other place in England where they can receive such fine technical training. It is true that if this Instruction were carried and the reservoir were not to be built in that place some time would elapse before a new site could be found, and it might cost more money. But I have no doubt whatever that if those who feel that the employment of labour should have first place—and I am one of those—will balance the prospects of 100 men permanently employed as against temporary employment being found for 200 or 300 men for perhaps two years—and that is just about all that one can expect to employ upon modern works where a vast amount of excavating and other machinery is used—it will be found that there is a very strong case for the selection of an alternative site.

May I turn to an alternative line of thought which I suggest should be of interest to the House? The Minister of Health has, within the last two months, notified his decision to appoint a Water Survey Committee to advise on the progress of measures undertaken for a comprehensive inland water survey. That was on the 7th December. I suggest that pending the result of the labours of that Committee—a very highly qualified Committee—both the House and the Metropolitan Water Board would be very well advised to hold their hand in relation to this scheme. The board have done magnificent work in the past. Their plans were so magnificent that they stood up to the unparalleled drought of the last two years. Surely it is a reasonable risk not to anticipate an equally unparalleled drought during the next 12 months or two years? Royal Commissions have invariably been appointed to consider the problem of London's water supply, which has never been regarded as a local but as a national matter. There have been two Commissions in the last 30 years, the second of which, under Lord Llandaff, reported in 1897 that:

> "the supply from the Thames should be sufficient in quantity and quality up to 1941."

They added:

> "It remains for consideration whether it is advisable regularly to deplete the Thames of so large an amount as 300,000,000 gallons of water, and whether it would not be well to search for supplies outside the present limits of supply."

I think the time has come for us to go back to the wisdom of our forefathers, who were just as capable of planning as we are now, and to consider whether London should not meet its future needs by the construction of a pipe line from South Wales, which would render these reservoirs unnecessary. The cost was estimated by the Royal Commission at something like £20,000,000, to be spread over 10 years. London is the only great centre of population in England, I believe, which has not found it desirable to draw its water, or a portion of its water, from areas beyond its own locality. The Welsh scheme was very strongly supported in the 'nineties and in the first decade of this century, and were we to undertake it now, with the close co-operation of the Metropolitan Water Board, not only would London get a sufficient supply for the next century,

[Sir A. Wilson.]

but it would be possible to supply a large number of towns and villages between South Wales and London—of course at an additional cost, but much less than the present cost of some of these very elaborate schemes of purification and pumping which are now necessary. Anyone who will take a map and draw a line from South Wales to London will see that it passes through a large number of centres not all of which are well supplied with water.

I do not think I am out of order in suggesting that that scheme put forward by the Royal Commission 30 years ago is beyond practical politics to-day. This is really a national question. Meanwhile we have to face the problem of to-day and to-morrow. I am not satisfied from the reports of the Metropolitan Water Board that there is any real urgency for this reservoir. Nothing they said or did during the last 12 months gives me any reason to think that they are really nervous; and, of course, this Bill was drafted before the Minister ever reached a decision to take a broad and comprehensive view of the national water supplies. We hear a good deal of national planning. Those who believe in it should be prepared not merely to pay lip service to it but to request and require the Metropolitan Water Board to come into line with the general scheme for Great Britain as a whole, and to consider dispassionately and deliberately, with the assistance of its own experts and those from elsewhere, whether it should continue indefinitely to rely on the Thames. There are other cities besides London on the Thames. There is the question of sewage disposal, which may or may not become serious. The more water that is pumped out from the river the more has to go back in the form of sewage—after being purified, of course, but never quite the same from the point of view of the fish. This land has been in possession of one man since 1919—a portion only of the land.

Sir WILFRID SUGDEN: My hon. Friend the Member for Chertsey (Sir A. Boyd-Carpenter) who represents the constituency, gave the date as 1909.

Sir A. WILSON: I do not attempt to represent the constituency. I can only say that, from the information which I have received from one body, that the land has been in the possession of one man since 1919. I did not say which man. A great deal of money has been largely devoted to irrigation with water which is supercharged with oxygen and nitrogenous and mineral salts. The soil has no parallel in England, and it cannot be reproduced in less than four or five years. The Metropolitan Water Board may have to wait for 12 months to get a new site, but the owner of this land will have to wait four or five years. Ten thousand tons of manure have been dug into this land, and that has no parallel anywhere else in England, so far as I know.

There have been widespread protests from persons who are entitled to respect. Eight of the leading horticulturists in England wrote a letter of protest which, so far as I can say, has been completely ignored by the Metropolitan Water Board. I was informed, I think I am permitted to say, that the Royal Society have recently addressed a protest to the Metropolitan Board, and in other directions, in regard to this scheme. The Royal Society have always been regarded as the unofficial adviser of the Government in matters of this sort, and I suggest that their doubts cannot be resolved if this House decides to pass the Bill without the Instruction.

Finally, we have to consider the ultimate effect upon agriculture. Two or three times in the past few years good farmers within a few miles of London and close to the markets have been turned out at a few months' notice in order to make room for development. In no language in the world except English is land which is devoted to agriculture described as sterilised, while land which is devoted to the construction of shacks and bungalows is described as developed. We ought to consider agriculture as one of the major needs in the vicinity of large towns. There is no substitute for really fresh vegetables. I referred to the wages bill as £10,000 a year; that is only the wages paid to the men who are actually working on the land. There is all the transport, and other charges to be reckoned in.

From the point of view of direct labour, this reservoir will deprive the country of the regular subsistence of a far larger number of men than will be

given employment by its construction. There are other reservoirs, as the hon. and gallant Member for Chertsey (Sir A. Boyd-Carpenter) has said. There are other areas, but more expensive. Surely it is worth while for us to require the Metropolitan Water Board not to consider solely its own interests, to consider, not solely the interests of those who drink water, but of those who eat as well. Man does not live entirely by drinking water, and even if some of us have occasionally to do with our baths only half filled with water, that is better than having our stomachs only half filled with food.

8.6 p.m.

Sir RICHARD MELLER: The appeal which has been made by my hon. and gallant Friends would have a great effect if the House were not to hear the other side of the case. May I clear up one mistake? The hon. and gallant Member for Hitchin (Sir A. Wilson) said that the gentleman for whom he was speaking, the scientist in the agricultural world, had been in possession of this land since 1909. The petition which that gentleman has presented against the Bill stated that he came into possession of a lease for 10 years in September, 1933.

Sir A. WILSON: There was a landlord, who was also an agriculturist, who had the land in his possession, I am informed, since 1919. It has been used solely for the purpose of farming since 1919.

Sir R. MELLER: I am not contradicting that. I am only saying that the petition to the Metropolitan Water Board, on the ground that this farm was one of our great national possessions, stated that the farmer had been in possession of the land since 1932. I am not going to attempt to oppose any of the claims which have been put forward. I am speaking for the Metropolitan Water Board, which is not a commercial undertaking but which is a great body set up by this House to provide, and indeed to safeguard, the requirements from the water point of view of the great population of London and of the very large district outside. The hon. and gallant Member for Hitchin said that we cannot live on water alone. We should be in a very bad way if we had to live lettuces alone. We could neither grow our lettuces nor eat our bread unless we had water.

There has been a shortage of water in this country, and there are still a good many districts which have a shortage of water. The Metropolitan Water Board supplies water to 7,000,000 people, and to the industries which are settled in and around London. Those people are dependent upon the board for the supply coming up to their requirements. There has been an ever increasing demand upon the board for the supply of water. Let hon. Members visualise the burden which has been thrown upon this body by the great development of outer London. People have gone into modern types of houses and have left the crowded centres of London. They have learned to use water in a way they never used it before. The supply to the new houses is greater and the baths are more numerous. The claim per head of the population has, generally speaking, been greater during the past 10 years than it was previously. The annual increase in supplies has gone up by leaps and bounds. In 1925 the increase in supplies was 10,492 annually, but each year the increased supplies have risen. The increase for 1934 was 30,251. The board have so far managed to keep abreast with the demand, but in 1933-1934 the demand solely tried their resources. It is easy to speak now, when the emergency seems to have gone, but hon. Members will remember the view taken by this House, and by the people of London when supplies had to be cut down by the board in order to meet the emergency of last year. I think the House will agree that the greater responsibilities of the board must be met, and in a reasonable way.

The powers sought under the Bill are for an extension of works. I speak as a member of the Metropolitan Water Board who has been through a good many of the discussions which led up to the decision of the board to apply to Parliament for further powers. The decision was not taken in a wanton or light-hearted spirit, or with an utter disregard of those who occupy the land on which the board seek to execute their works. Every consideration has been given to the needs and desires of all interests in and around those particular works.

Sir A. BOYD-CARPENTER: Why was it that the Metropolitan Water Board never exchanged correspondence with the owner of the place? The owner wrote the

[Sir A. Boyd-Carpenter.]

1st November to the Metropolitan Water Board the first time he heard that there was any such suggestion. He had a reply on 3rd November, and he replied on 9th November, but he has had no communication from them since.

Sir R. MELLER: I am glad my hon. and gallant Friend has raised that. I have seen the correspondence——

Sir A. BOYD-CARPENTER: I have it here——

Sir R. MELLER: And I have a copy of the last letter, which states:

"I realise not only that your board has an important duty to fulfil, but also that it is a powerful and wealthy body, whereas I am simply a private individual doing my best to produce fresh fruit and vegetables in the face of fierce foreign competition. Nevertheless my last hope is, and must be, an appeal to Parliament: much as I deplore having to oppose your board's wishes as also the expenditure incident to a Petition against your Bill which, to me, will mean a good deal."

The board in their letter of 3rd November had set out three reasons for the line which they were going to take, and expressed

"regret that in all the circumstances it is not practicable for the matter to be reconsidered."

The board could only have replied to the letter of 9th November by way of acknowledgment.

Sir A. WILSON *rose.*

Sir SAMUEL CHAPMAN: What have you to do with it?

Sir A. WILSON: The first intimation he had of it was through an incursion of Metropolitan Water Board employés on his land, who told his employés they would soon have to get out, as something was going to be done there.

Sir R. MELLER: Those are *ex parte* statements. Let these matters go before the Committee upstairs who can go thoroughly into them. They ought to be thoroughly tested by the Committee, under the procedure which has been settled by this House in order that all matters may be gone into fully and carefully. It is no good bringing statements forward in this way in order to prejudice matters. The board have been set up by Statute in the best interests of the people for whom they operate, and very full, proper and careful consideration has been given to all the circumstances of this case.

Sir A. BOYD-CARPENTER: And two months' notice.

Sir R. MELLER: There is no two months' notice yet. I have not heard of it, and I know of no evidence that has been produced to the board on that. The board have sought the best advice they can with reference to this scheme. They are prepared to produce their technical and other advice. I have no doubt that the petitioners against the Bill will be prepared to produce their evidence and have it tested by examination and cross-examination. This is not the place where we can go into the merits or demerits of the petition put forward. There is another place where the merits of the Bill and the merits of any application against the Bill can be properly heard.

The hon. and gallant Member for Hitchin addressed a letter to-day to the "Times" in reply to a letter which had been put in by the chairman of the board. I do not think he wants to mislead the House, but he has not made a full note of the report of the Llandaff Committee. Perhaps he is not aware of the provisions of the paragraphs to which he referred in his letter. My hon. Friend's first quotation, from paragraph 123 of the report, is based on the assumption that the population of "Water London" will be 12,000,000 in 1941, whereas up to this year, 1935, it is only 7,250,000; and from the information which we have obtained and the calculations that have been made, it would seem we shall not reach in 1941 anything like the population figure suggested by the Llandaff Commission.

Sir A. WILSON: The *per capita* consumption has doubled.

Sir R. MELLER: As I have said, we have taught people to use water. The position arrived at is based entirely on the assumption that the population of "Water London" would continue to increase at the same rate.

My hon. Friend, in his second quotation, introduces the figure of 300,000,000 gallons, but as a matter of fact the commission were considering, not the figure of 300,000,000 gallons which he has interpolated into his extract from paragraph 131 of the commission's report, but

400,000,000 gallons. That figure does not appear in the paragraph. It says:

"It remains for consideration whether it is advisable regularly to deplete the Thames of so large an amount of its total flow, or whether, in view of the constantly increasing population, which would render even this additional 100,000,000 gallons shortly again inadequate, it would not be more prudent to seek for supplies outside the present limits of supply."

As a matter of fact, the commission were considering 400,000,000, and not 300,000,000, gallons. Therefore, I would beg my hon. and gallant Friend not to be misled, and not to put forward points which are likely to mislead the House. With regard to the suggestion made by my hon. and gallant Friend in his letter, that this matter should be referred to the committee which has been set up recently by the Minister of Health, that suggestion, no doubt, will be dealt with by the Minister himself.

I do not want to prolong this discussion. I hope that the House has fully made up its mind as to the necessity of the board's obtaining further supplies of water in order to meet the demands upon it. The other question is as to whether the board are right—whether their information is right, and whether they have been rightly guided by the experts who have advised them. I do not wish to say a single word against the work which has been done by Mr. Secrett with regard to agricultural development and scientific research. We want it; we want to get all the work we can for the agricultural workers of this country; and I should never stand up and say that the board would endeavour to kill that industry and research merely for the sake of not themselves making proper research and inquiry with regard to their scheme. I believe that the board have made full inquiry. They will be able to produce their evidence, and those who are opposing the Bill will produce theirs. I am satisfied that, after a right and careful and proper inquiry, the Committee must come down on the side of the Metropolitan Water Board.

Mr. HANNON: May I point out that my hon. Friend has not stated to the House why this particular site has been selected by the Metropolitan Water Board as against some other possible alternative site which would avoid the difficulties with which we are now confronted?

Sir R. MELLER: This site is the site above all others which is desirable and necessary for the development of the Metropolitan Water Board's scheme. Other sites have been considered, but there is no other site which is so appropriate and which can be carried on at such little cost to the community. Further, in no part of the river are we better placed for obtaining our supplies of water than at this proposed site.

Mr. HANNON: Is it the considered opinion of the Metropolitan Water Board that there is no other site which is adequate except this particular one? Is not that my hon. Friend's allegation?

Sir R. MELLER: My allegation is that there is no other site in the Valley of the Thames that is so suitable as this for the supply of water for London.

8.21 p.m.

Mr. MAITLAND: This House is always interested in a Private Bill, and I think my hon. Friends who have moved this Instruction have done so with a consideration which we must appreciate. But we already see indications of difference between those who are proposing this Instruction, and my hon. Friend who speaks with knowledge as a member of the Metropolitan Water Board, and it seems to me that we have had sufficient evidence even thus far to show that this is a matter which the House itself could not be expected to settle in a satisfactory way. In the first place, if the Motion of my two hon. Friends were carried, the effect would be that the Committee set up to deal with the Bill would have no opportunity of investigating the matter at all. Is that the right way to deal with a matter of this kind? I have had some little experience both of sponsoring Bills and of being interested in the opposition to Private Bills, and I have always found that every Private Bill Committee of this House has acted with the utmost fairness and impartiality. I express no view whatever either on the points which have been raised by those who have moved the Motion or by my right hon. Friend who speaks for the board, but I think that the question which has been raised is essentially one which would be best considered by a Private Bill Committee.

It would be a mistake on the part of the House to deprecate the ability of its own committees to settle these matters

[Mr. Maitland.]

properly. There no no body that is likely to deal more fairly with any such matter than a Private Bill Committee of the House. No one in the House will desire that any injustice should be done to any individual, but, on the other hand, no one would like to be a party to preventing such an important institution as the Metropolitan Water Board from carrying out its important public duties. That is a matter for evidence and investigation. Some of the remarks which have been made with regard to the details of the scheme obviously raise matters upon which there is difference of opinion, and it would be a great pity if, on the ground of some suggestion that there had been some little discourtesy, there were, I would not like to say prejudice, because that would itself be a prejudicial expression, but any idea that the House should think that this great authority was attempting to make an undue use of its powers.

I was very much impressed when my hon. Friend the Member for Chertsey (Sir A. Boyd-Carpenter) mentioned this matter to me in conversation, representing, as I do, an agricultural constituency and being very keenly interested in agriculture. I made it my business to try to find out what I could with regard to the other side, and I have gathered sufficient information to convince me that this is a matter which ought to be placed before a Private Bill Committee. The subject of employment has been mentioned, and that is a matter which we are all very anxious to safeguard, but I am sure it will be agreed that the development of this scheme will take a long time, and, if it is going to be delayed while other schemes have to be prepared, there will necessarily be delay in embarking upon the construction of these reservoirs, wherever it is decided that they shall be put. Is not this question of delay worth considering on the ground of employment? I think it more than offsets the suggestion of my hon. Friend. He has mentioned the fact of 100 people being employed, but, from what I have learned of the proposed undertaking, it will mean the employment of hundreds of men for a very considerable period on the constructional work.

Sir R. MELLER: Five hundred men for five years.

Mr. MAITLAND: I am glad that that information has been given to the House. The House will take what certainly seems to me to be a wise course in submitting this to a Private Bill Committee and not deprive them of any opportunity whatever of considering the evidence submitted to them on this point.

8.25 p.m.

Mr. CHORLTON: I join in this Debate to inquire why the reservoir is to be here rather than to consider the hardships that this research farm is suffering, although that question does interest me as I have tried to overcome the difficulties of our climate and temperature by laying pipes in the soil. I am disappointed that my hon. Friend the Member for Mitcham (Sir R. Meller) has really not explained in any degree why it is proposed to put the reservoir at Walton. Why should it be in this place? Are there no alternatives? After all, the main consideration is a clay bottom to prevent leakage, but I gather that, apart from that, cost has been almost the only consideration which has guided the Water Board, because it is near a pumping station and near an intake from the Thames. Those are right and proper things to consider but is it right to look at the thing from such a short angle as the immediate first cost in this way when you have to consider this capital city of the Empire and its expansion in the years to come from a very different angle, as many of us do?

Reference has been made to consumption, and to the number of inhabitants of the district. It has been said that the increase is not as great as was anticipated by the Llandaff Commission. That is rather remarkable, because we are all aware that of late this increase has been maintained not only on the population side but also on the industry side. Estimating the consumption at 80 gallons a head, which is not my own figure but one given in a paper the other day, I compute that we shall require four times as much water for this district as we take at present.

Sir R. MELLER: The consumption today is 40 gallons per head, practically the same amount as when the Llandaff Commission sat in 1911.

Mr. CHORLTON: I am well aware of that fact. I have also all the figures for almost all the towns in the country. I

am not putting my own figure forward but am accepting the figure of someone who has surveyed the situation and taken the general increase that is liable to come from the increase of different types of houses and all other considerations. He has taken 80 gallons. With a figure of nearly four times the amount that is taken to-day, it is surely rather short-sighted to lay your plans upon a reservoir, or a couple of reservoirs, in the way this scheme proposes. I feel that, while they are no doubt escaping from the dilemma set up by the late drought and while it will keep them clear for some years, it is hardly the policy that you would except from the biggest water company in the country, one of the biggest in the world, with all the experience of other undertakings before them. So far as I know, the comparable case of water taken from a long distance is Los Angeles, where about 300,000,000 gallons a day are taken from 230 miles distant.

Mr. DEPUTY-SPEAKER (Captain Bourne): I must remind the hon. Member that we are not now discussing the Second Reading but an Instruction.

Mr. CHORLTON: I was only trying to illustrate what arises out of the change in venue proposed by this Instruction to strike out the reservoir. I only meant to indicate that the alternative scheme, which is not a scheme which I am proposing myself but one that has been brought up on more than one occasion and has been considered by the board, is to bring water from Wales. The scheme has been gone into in detail and it has been shown that the water required to be brought from Wales——

Mr. DEPUTY-SPEAKER: I must rule that out of order. If the Instruction were carried, it would not and could not affect any such scheme.

Mr. CHORLTON: Then I must turn to another angle, which is why the reservoir should be in this particular place. I expected to hear more detailed information about that. If it had been said that the ground was sandy or that the second reservoir was at Staines where the ground was suitable, one could understand it. If it had been said that North London, which takes a very big supply, has already one big reservoir in the Lea Valley, that would have helped us. The difficulty is that the limitation to the consideration of this site has not allowed those concerned with the farm to understand why it is so desired, and that is why I have risen and why I was disappointed my hon. Friend did not give further explanation as to what is proposed. I should like to confirm what has been said by my hon. Friends about this farm. If it be as good as it is made out to be, it is not the issue of 100 men working there and the wages paid them, it is the issue of creating a far bigger industry to do away with the importation of vegetables. We have tried in the North to do this very same thing. I tried myself to the extent of being part of a company that we tried to get up for the purpose of overcoming climatic difficulties and growing vegetables. We depend upon the research work of a farm like this, and, if you are going to shut this down, inevitably four or five years will be lost. On the other hand, looking at it purely from an engineering point of view, if my hon. Friend had assured us quite definitely that there was no other suitable position in the Thames Valley for a reservoir, one would have been able to say that there is absolutely no alternative.

8.34 p.m.

Lieut.-Colonel LLEWELLIN: It seems to me that the greater part of my hon. Friend's speech has been an argument for sending the whole of this matter to a Committee upstairs. It is clear that this is not the place in which we can go into technical details. It is surely a matter for technical experts appearing before a Committee of the House and being cross-examined by people who are properly instructed for the other side.

Mr. CHORLTON: The great difficulty arising out of this matter is the cost. Those who are against it are not able to put up the case which the water board can do.

Lieut.-Colonel LLEWELLIN: We must approach this matter really from this point of view. This House has set up a great institution in the Metropolitan Water Board, which is responsible for supplying some 560 square miles of the most thickly populated area in the whole world, and some 7,250,000 people. We all had a certain amount of misgiving during the second dry summer. It was a ques-

[Lieut.-Colonel Llewellin.]

tion whether the water supply of London would hold out during that summer or not. In fact, it did. We are short-lived both in our political memories and in other memories in this country, but surely our memory is not so short-lived as to forget entirely that we had grave misgivings during the months of last summer as to whether the water supply of this great area would hold out or not, and we had, of course, to place restrictions on the supplies of a large number of people. Now this board is coming to the House and putting up a scheme for two large reservoirs. The effect of carrying the Instruction would be to cut away one-half of the Bill. It would leave it with only half its value as a supply proposition for the Metropolis.

Are we going to do that after just hearing in this House ex parte statements on one side or the other, or are we going to send the matter to a Committee upstairs? That is the whole and sole point that this House has to decide when it votes, if it does vote, on this Instruction to-night. There is not one of us who would like to see a man, apparently like Mr. Secrett, dispossessed of a farm of which he has made full use. After all, the Metropolitan Water Board will have to pay him full compensation for all these miles of pipes, and probably 10,000 tons of manure as well, and rightly so. But when we are informed that this is the best place in the opinion of the board, I do not think any of us can say that this big public body has just said, "Here is a good agricultural farm; we will take it." They have, obviously, gone into this matter from the point of view of knowing where best to get their supplies of water. This farm happens to be near their main intake. This new reservoir therefore happens to be an extension of the existing works, and from this point of view it is really the right place in which to put the reservoir, if indeed no better place can be found. But the people to decide whether another and a better place can be found are a trusted Committee of this House, after hearing the evidence on each side, and I have not the slightest doubt that Mr. Secrett, who has been able to organise considerable opposition in this House, will be able to put up quite as good a show before the Committee to whom, I hope, the House will allow the whole of the Bill to go.

8.40 p.m.

Mr. GARDNER: I cannot claim to speak as an agriculturist, but I can claim to say something as a member of the Metropolitan Water Board. The Water Board does not wish in any way to belittle the work which is being done on these two farms. We appreciate what is being done, but we are in the position in which we cannot help ourselves. The petitioner asks that the whole question shall be put to the strongest possible proof. We welcome that, and, as the hon. and gallant Member for Uxbridge (Lieut.-Colonel Llewellin) has just said, we ask that the Bill shall be sent to a Committee of Members of this House and for the hearing of the evidence of experts of all kinds. The hon. Member for Platting (Mr. Chorlton) wants to know why we want the reservoir where we propose to put it. The board bring this site to Parliament because they must. It has to be remembered that the board are not a private but a public corporation spending public money and bound to bring the cheapest and best proposition to Parliament, otherwise we would be failing in our duty. Therefore we bring this demand along. The hon. Member for Platting suggested that it would take four or five years to get a new start with this farm, but I would remind him that Holly Lodge and Crown Farm were set down in two years and some months, so that it will not be such a long job to get restarted if the proposition in the Bill is carried by this House.

Another reason for coming forward with this suggestion is that the Water Board already, as successors of the old Chelsea Water Company, have part of the site on a very long lease and are therefore already in possession of it. There are other factors. Proximity to the existing intake has been mentioned and proximity to existing mains. These things are of importance because the water which London has is river water, and storage is part of the purification process. That is one of the factors which determined Parliament in deciding that the Metropolitan Water Board should not go to Wales. That proposition has been put to Parliament and rejected. If I am informed correctly, the London County Council have tried again and again to get

powers for a scheme to draw water from Wales. I know that it is wrong to discuss that matter, but I should like to say, speaking with information that was not available then, that a water supply from Wales would be a very dangerous thing in certain eventualities. A pipe line from Wales could be blown up.

Mr. DEPUTY-SPEAKER: The hon. Member is now getting out of order.

Mr. GARDNER: I am sorry. Storage is part of our purification process. It was proved by the late Sir Alexander Houston, who died last year, by experiments on his own body, that river water, impregnated as it is sometimes with the typhoid germ, can be purified, as far as that part of the bacteria content was concerned, by storage. He discovered this fact by research. He experimented upon himself a number of times before he announced the discovery, and it was that fact which decided Parliament to allow the water supply of London to be drawn from the Thames. Therefore, if it is part of the purification, it is necessary to have it near the intake and the plant that deals with purification, so that the process may be as cheap as it is possible to make it. The need for further storage has been admitted. The Second Reading of the Bill has been passed formally, and I ask the House to send the Bill upstairs to Committee for the consideration that it ought to have. It is no use to suggest that the Metropolitan Water Board can wander about looking for sites for reservoirs. The area is strictly limited. It is strictly limited by the geological fact that is known as the London clay. There, the engineer can build and get his reservoir much more cheaply than by going somewhere else. For these reasons I ask the House to give the Bill, unmutilated, a chance to go to Committee upstairs.

8.46 p.m.

Major COLFOX: I oppose the Bill as an unprejudiced observer, who knows nothing at first hand about the district. I came here to-night hoping to hear some arguments from the supporters of the Bill why it was necessary to take this farm land for the purpose of the reservoir. Except for the fact that the land appears to be near another reservoir and near the intake of the river, we have had absolutely no arguments from any of the three hon. Members who have spoken in support of the Bill why this particular piece of land should be chosen. I cannot hope to compete with the forensic skill of my hon. and gallant Friend the Member for Uxbridge (Lieut.-Colonel Llewellin). He made out, from his point of view, the advocate's case, if I may say so without offence, for sending the Bill upstairs to be considered by a Committee which can take evidence and cross-examine witnesses. That would be all very well if the contesting parties were on an equality.

In this case you have a powerful and wealthy corporation, who are determined to get their own way, and who have the power of forcing their opinions through, while on the other side you have a private individual, who has devoted his life to agricultural and horticultural pursuits. No doubt he is very skilled in his own line of business but he has neither the money nor the skill to prosecute a case before a Committee of Parliament. Therefore, we have very unmatched opponents. My hon. and gallant Friend asked that the Bill should be sent upstairs, but I submit that the fact that the two antagonists are so ill-matched makes this procedure extremely unfair. Therefore, this point of principle ought to be argued and decided here and now on the Floor of the House. The promoters of the Bill have known all along that this was the case they had to meet, and yet they have come here totally unprepared with any arguments to meet the case that has been put against them. In my submission, they have entirely failed to make out their claim to have this Bill sent upstairs to a Committee, and for that reason I very strongly support the Instruction.

8.49 p.m.

Dr. O'DONOVAN: It is, perhaps, to a London Member, a little distressful to hear the Metropolitan Water Board referred to in this House as "a powerful and wealthy corporation, determined to get its own way." If that allegation were made out, there would be every reason to vote for the Instruction to the Committee, but I suggest that the House would be very ill-advised to take up that attitude of criticism and judgment upon the Metropolitan Water Board, which has served London so well. The board has brought Londoners up on Thames and Lee water, and the purification of this river water has been a lifetime study

[Dr. O'Donovan.]

for the skilled officers of the board. With the skill that they have acquired in the study of the problem they have preserved millions of Londoners from epidemics. The suggestion that the board's officers should be cut off from utilising a supply of river water whose management and purification they understand so well, and should by Instruction be told to look elsewhere, is a menace to the health of Londoners, which responsibility the competent officers of the board would not like to take over. The board has made London possible for the teeming provincials who crowd into it for their livelihood and their careers. An overcrowded London would not be tolerable in its present state of housing but for the way in which the board year after year has supplied it with ample quantities of pure water. The board has never yet, to the knowledge of London Members, misplaced the trust that we have in it, and I ask the House to say that the board should not have a public rebuff, while it is preserving the amenities and the health of the London which it has served so well.

8.51 p.m.

Sir GEORGE HUME: It is extremely important that the House should realise how serious the question is. In the speeches which have been made there has been a suggestion that there is no real excuse for coming forward with a scheme of this sort. As a Member of the Thames Conservancy, I can say that our officers have been regarding the situation of the Thames with very great anxiety for a long period. We have had two years of drought, and the water levels in the Thames basin have gone down, I think, something like 40 feet. Many tributaries of the Thames have dried up at their sources. It is true that we have had some rains lately, but they have not had the effect which might have been desired, and the result is that it is absolutely essential that further water resources should be provided. If we are to have another series of dry years, the outlook will be serious indeed. I had not intended to speak to-day, but in view of the fact that the danger that is being run is a very real one, and as no one has brought out that fact, I have thought it necessary to do so. Nobody regrets more than I that any land should be taken which may be vital in other directions, but in view of the general situation the House will be taking a great responsibility if they do not allow this problem to go before the Committee, to be thoroughly thrashed out. I hope, therefore, that the Instruction will not be agreed to.

8.53 p.m.

Mr. LEVY: It ill becomes me to oppose any movement for a greater supply of water for London or elsewhere, in view of the fact that for a long time I have been advocating not only an extra supply of water but a national scheme of water. In these circumstances, however, we find that the Metropolitan Water Board, for the purpose of building their reservoir, are acquiring land which is essential for research in agriculture. There is no reason whatever, as far as I can see, why their reservoir should not be built on some other site. The reservoir that they are proposing to build is one which they suggest will provide London with water, but that is an illusion, seeing that they will, before very long, have to go to Wales for their water. Therefore, I am opposing the Bill, because I consider that they are not doing the right thing by acquiring this particular land which is so essential to the agricultural industry from the research point of view, which the whole of this House is so anxious to revive. The Bill should be turned down by this House and the Metropolitan Water Board asked to pick another site so as not to interfere with land which is essential to agricultural research. That is my only reason for opposing the Bill. In the present state of agriculture we must conserve, as far as possible, all farms which are doing research work so essential for a revival of agriculture. I am not opposing the Bill because I want to deprive London of any reserve of water, but I have not heard any argument which has proved that it is impossible to find other land upon which to build the reservoir.

8.57 p.m.

The MINISTER of HEALTH (Sir Hilton Young): The House has listened with the greatest attention and interest to a closely reasoned and most temperate Debate, which has been remarkable for the even balance of opinion on both sides. I have lost count of the exact number of speeches for and against the Motion. These circumstances are rather unusual on

a Private Bill when we are more accustomed to all the speeches being on one side. The Minister of Health in addressing the House on such an occasion as this does not, save in the most exceptional circumstances, consider that it is his duty to argue for or against the Motion. There may be circumstances in which it would be his duty to maintain one side as against another, but I am sure hon. Members will agree that this is not such an occasion. The function of the Minister of Health is to do his best to assist the House to come to a conclusion and form a free judgment on the question.

The position to-night is that if we pass the Instruction it rules out from the consideration of a Committee of this House the proposals of the Metropolitan Water Board with regard to a water reservoir at Walton, which, as has been rightly said, is half the substance of the Bill. If, on the other hand, we do not pass the Instruction, it is clear that we are not thereby coming to a final conclusion on the matter. All we are saying is that this Bill should follow the ordinary procedure of the House and go to a Committee, who can deal fully and adequately with questions of this sort. What is the frame of mind in which hon. Members find themselves on this Bill? I think hon. Members may find themselves in the position of saying that as it is an issue involving a matter, of public moment, so great and vital, that the House ought not to come to a swift decision and remove it from the consideration of their own Committee.

What is the nature of the issue? It is not my intention, and I do not feel competent, to take a part in the arguments before the House, but it appears to be a case in which both interests are public interests. The case put before us on behalf of the Metropolitan Water Board, by the hon. Member for Mitcham (Sir R. Meller) and hon. Members who have supported the Bill, is that it is a matter involving the strongest and highest public interests, but, on the other hand, the case put before us by the hon. Member for Chertsey (Sir A. Boyd-Carpenter) and those who support him, is that there are also strong public interests on the other side as well. As to the nature of the interests involved in the case of the Metropolitan Water Board I will not state them in my own words but invite hon. Members to look at the manner in which they have been set out by the Metropolitan Water Board. I have before me a statement of the Metropolitan Water Board, and when I try to form a judgment as to the nature of the issues involved my attention is attracted by the following passage:

> "The proposed sites are not only the most suitable but also, in the case of reservoir No. 1 at Walton, the only practical one for the purpose in view."

That is an opinion which deserves the consideration of the House in arriving at a judgment. What is the purpose in view? I am sure the House will recognise the magnitude of the issues involved. On the second page of their statement they say:

> "The urgent necessity for additional storage accommodation to meet the growing needs of London and adjoining districts cannot be disputed."

It is not disputed by anyone, and such necessity has been emphasised in my experience at the Ministry of Health during the recent prolonged drought. I can confirm that statement from my own knowledge, because I remember during last summer being applied to by the Metropolitan Water Board to issue emergency orders. The next statement is one which I think sums up the great importance of the issues involved:

> "The board feel impelled by a sense of their public duty and responsibility for the supply of water to state unequivocally that the powers sought by the Bill are essential for ensuring an adequate supply, and that if these powers be not granted the supply will be seriously imperilled in the event of a period of severe drought."

The observation which must arise upon that is that the House has entrusted the vital responsibility for the supply of water to the people of London to the board, and when the body to which this important task has been entrusted says that such and such a measure is essential for securing an adequate supply, the House will certainly be inclined to think that that statement requires most careful investigation and consideration. I am sure we shall all do well to think once and twice before deciding whether it is safe or wise to judge the matter without giving it that full consideration.

Let me turn to the case as put before us by my hon. Friend the Member for Chertsey. There, again, I am sure that the House will find matter for serious interest. My hon. Friend dwelt upon the

[Sir H. Young.]

question of food supply. No consideration that raises that point can be lightly dismissed. He dwelt upon the national need for employment. Again, however small the case might be, that is an argument which the House will not lightly turn aside. There was a third point to which the House will attach even greater importance, and that is the extreme importance of doing nothing to discourage successful efforts in the way of agricultural research. I must not presume to have any acquaintance with the technicalities of that matter, but I feel the strongest sympathy with the argument that we cannot spare any profitable and useful work that can be done in the direction of such research.

The position then emerges from the discussion that we have here these great and serious public interests on the one hand, and on the other hand we have to consider the material, relevant and weighty matters advanced in the case put before us. If the House came to the conclusion that matters so serious should be judged with the most, I will not say elaborate, but the most searching procedure which this House has instituted, would not that indeed be a sound conclusion? There is one matter on which I must say a special word. My hon. Friend the Member for Hitchin (Sir A. Wilson) argued that this matter ought not to be decided until a report has been received from the Inland Water Survey Committee which was recently established by me for the purpose of water research. It is most natural, since that committee is only a recent institution, that there should be some misunderstanding, but I should make it clear that it would be altogether a misapprehension to think that such a matter as that which we are now considering would come under the consideration of the Survey Committee. That committee has been established for the purpose of a statistical research into the water resources of the country, and it would be quite outside its terms of reference for it to take into consideration specific schemes of water supply.

One last word upon this bearing of the case. The House might very naturally be inclined to say that the Minister of Health has a special interest in water supply, that he is likely to have water on the brain in these days, that he should take a more favourable view of water supply than of any contrary interest, and that he should co-ordinate water supply with the health interests of the nation. I thought it right on this matter to consult with my right hon. Friend the Minister of Agriculture, who is acquainted with aspects of which I cannot have knowledge. The result of that consultation is that the Minister has asked me to inform the House of his opinion on the matter. He is very much concerned with the interests of such institutions as the farm in question, with all its importance to agricultural research, but he agrees that the appropriate and most thorough way for considering these interests and their co-ordination with the public interest of water supply would be by reference of this matter to a Committee of the House.

The House will be grateful to my hon. Friends the Members for Chertsey and Mitcham for having called attention to aspects of the matter which, in the opinion of all of us, deserve the most careful consideration, but my own conclusion in this Debate is that all these things can most properly be considered by a Committee of the House. In that event my hon. Friends will be able to congratulate themselves that by their action they have done what is necessary to secure attention to the interests concerned.

Major COLFOX: Is my right hon. Friend quite certain that giving a Second Reading to this Bill and defeating the Instruction leaves it open to the Committee upstairs to review the matter of principle that has been raised? Is it not more probable that the Committee upstairs may assume that the passing of the Second Reading and the withdrawal or rejection of the Instruction is approval of the principle to which we are objecting? Is it not also a fact that this is the last occasion on which the point of principle can be decided?

Sir JOSEPH LAMB: Would the Minister say whether the passing of the Second Reading now would not practically be agreement to the particular site to which we object? That is very important. It has been said by some speakers in the Debate that we who oppose the Second Reading of the Bill are opposed to water supply or are questioning the necessity for water supply.

We are doing nothing of the sort. It is not at all a question of the supply of water, but a question as to the site of the reservoir for the storage of water. We want to be sure that if the Second Reading of the Bill is passed now we shall still have the power in Committee to ensure that full inquiry is made into the question whether there is any alternative site available.

Sir H. YOUNG: My hon. Friends will understand that I have no authority to speak for the Committee upstairs, and I can only express my opinion as to the procedure likely to be adopted. I have tried to explain that if we pass the Instruction to-day we do decide the matter against the Water Board, but if we do not pass the Instruction we leave the matter open to the Committee upstairs to come to any decision it thinks advisable on all the matters that have been discussed to-day.

9.14 p.m.

Mr. CHARLES WILLIAMS: After the very eloquent appeal of the Minister, that we should send the Bill upstairs to the Committee appointed by the House, a committee of experts who will hear evidence, I feel that that is probably the best method of dealing with the matter. As, possibly, the only Member of this House who spends a considerable amount of time in dealing with horticulture and horticultural exhibitions, I wish to put a point of view which has not yet been expressed in this Debate. We have been told by various hon. Members that the proper thing for us to do is to send this Bill up to the Committee. Now I am not saying anything whatever against the Metropolitan Water Board, but we all know that when there are very difficult legal questions involved in a Bill which is going before a Committee of this House and when, on the one side, there is a private individual and on the other side a great body like the Metropolitan Water Board, the individual is brought under a pressure which is very hard indeed. I do not think that the House is wasting time in taking a couple of hours to deal with the case of the private individual as against the big company in this particular instance.

As far as I know there is not one of those who have put their names down to the Motion who does not wish to see the most plentiful and most perfect supply of water possible made available for London. On the other hand, we are not satisfied with the position as we have heard it explained in this case. The hon. Member for Mitcham (Sir R. Meller) presented his case with that clearness and fulness which we expect from his legal training and knowledge but I wonder why he never told us when these works are to begin. Is it to be in one year or in five years? We are told that this would mean work for 400 or 500 men for several years but when are they going to get the work? In the meanwhile I would remind hon. Members that you have hundreds working there at present in what is one of the greatest institutions of its kind in this country. Why should we hold up the development of a place of that kind?

A slight mistake has occurred due perhaps to the enthusiasm of my hon. Friend who opened the Debate which I would like to correct. Reference was made to the ownership from 1909 to 1919. The present owner began in 1932, and actually this was market garden land from 1919. The district was gradually being built up and he took it on because it had advantages as regards soil and in other respects which enabled him to use it in this way. Not only have those who are supporting the Bill not told the House when they are going to begin; not only have they failed to explain what steps they have taken to find some other place for this purpose, but they have said, "These are not matters for the House at all, but for the Committee upstairs." Well, I am prepared to leave it to the Committee but when it goes to the Committee certain facts which have not been dealt with fully here will, I am sure, be considered in detail. Such questions as when the work is to commence, and whether it is really urgent or not will, I am sure, be gone into by the Committee.

I feel certain that if there had been a factory involved employing the same number of men there would never have been any question of bringing a Bill such as this before the House. But because it is something which is attached to agriculture, the poor Cinderella among industries, all these considerations are to be put on one side. I think the Committee upstairs will probably go into the matter also from that point of view. We ought to realise the actual position here. We

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are not proposing to take over an ordinary market garden, or an ordinary centre of intensive cultivation. We are dealing with an exceptional place which produces the highest standard of vegetables and the highest ratio to the acre known here. This is a centre which is turning out men and women who are qualified to act as instructors and managers all over the country. We hear a lot about bringing people back to the land. The work which is being done here is not only that of bringing people back to the land but of providing trainers and instructors for those who go back to the land.

I spend a considerable amount of time in judging at the Royal Horticultural Shows and at other shows, and the produce of this farm has won as many as seven, eight or nine out of 10 first prizes for vegetables during the last few years. We have something here which is above the average. I come from the West Country and I might be prejudiced against this farm. But as one who takes a keen interest in the production and marketing of vegetables in this country I realise its importance to the whole industry. We should hesitate before agreeing to a Measure which would take away from us this remarkable farm to which so much brains and ability have been devoted. Even to interfere with its development is almost as bad as taking it away altogether. If we do so, we shall be doing something which will affect not only that one district and those men immediately concerned, but the whole horticultural industry. It will take away the example on which we are building throughout the country. As one who has a close connection with the industry, I do not want our best example to be destroyed. I would say to my hon. Friends here that I think we might withdraw the Motion. It should be realised by now that when anything exceptional is involved in a case like this the House of Commons realises that the strongest possible appeal should be made for the individual as against any board, however powerful, and my concluding words would be that we do not wish to stand in any way against the development of the water supplies of this country.

Sir A. BOYD-CARPENTER: I beg to ask leave to withdraw the Motion.

Motion, by leave, withdrawn.

ORDERS OF THE DAY.

POST OFFICE (AMENDMENT) [MONEY].

Resolution reported,

"That, for the purposes of any Act of the present Session to amend the Post Office Act, 1908, and other enactments relating to the Post Office, it is expedient to authorise the payments out of moneys provided by Parliament of gratuities to owners of vessels or owners or persons in charge of aircraft in respect of postal packets conveyed by them on behalf of the Post Office, and to pilots, crew and others in respect of postal packets brought by them to any Post Office from any vessels or aircraft."

Resolution agreed to.

POST OFFICE AND TELEGRAPH [MONEY].

Resolution reported,

"That it is expedient—

(i) to authorise the payment out of the Consolidated Fund of such sums, not exceeding in the whole thirty-four million pounds, as may be required for the further development of the postal, telegraphic and telephonic systems;

(ii) to authorise the Treasury to borrow, by means of terminable annuities or by the issue of Exchequer bonds, for the purpose of providing money for sums so authorised to be issued or of repaying to the Consolidated Fund all or any part of the sums so issued;

(iii) to provide for the payment of such terminable annuities, or of the principal of and interest on any such Exchequer bonds, out of moneys provided by Parliament for the service of the Post Office or, if those moneys are insufficient, out of the Consolidated Fund."

Resolution agreed to.

Bill ordered to be brought in upon the said Resolution by Sir Kingsley Wood, Mr. Duff Cooper and Sir Ernest Bennett.

POST OFFICE AND TELEGRAPH BILL,

"to provide for raising further money for the development of the postal, telegraphic and telephonic systems"; presented accordingly, and read the First time; to be read a Second time, and to be printed. [Bill 30.]

SUPERANNUATION [MONEY].

Resolution reported,

"That it is expedient—

(1) to amend the Superannuation Acts, 1834 to 1919, and to make provision out of

moneys to be provided by Parliament in respect of—

(*a*) the application of the Superannuation Act, 1909, to female civil servants;

(*b*) pensions to spouses or dependants of civil servants in return for the surrender by such civil servants of part of certain annual superannuation allowances;

(*c*) the reckoning of service in an unestablished capacity;

(*d*) the alteration in certain cases of the amount of salary and emoluments upon which superannuation payments in respect of service in the Civil Service are to be computed, and of the scale on which additional allowances under Section one of the Superannuation Act, 1909, are to be computed;

(*e*) the abolition of certain statutory restrictions on granting superannuation allowances at the full rate to civil servants;

(*f*) the reduction to fifty-five years of the age on retirement at which without a medical certificate superannuation allowances may be granted to a certain class of civil servants who have been members of His Majesty's consular service in China;

(*g*) further superannuation payments to or in respect of persons transferred from the Civil Service to approved employment within the meaning of Section four of the Superannuation Act, 1914;

(*h*) superannuation payments in respect of service in the Civil Service to persons who, having been civil servants, retire from the service of certain local authorities; and superannuation payments in respect of service in the Civil Service to or in respect of persons who, having been in the service of certain local authorities, retire from or die while in the Civil Service;

(*i*) the application of the Superannuation (Prison Officers) Act, 1919, to certain officers employed in institutions maintained by the Board of Control;

(*j*) any amendment of Section one of the Superannuation Act, 1887;

(*k*) the increase of certain allowances and gratuities which have been or may hereafter be granted by the Treasury to or in respect of persons who have been employed in the Civil Service, in so far as such allowances and gratuities have been or may be calculated by reference to any bonus paid under a scheme approved by, or otherwise under the authority of, the Treasury;

(*l*) any consequential amendment of certain enactments in so far as they refer to the Superannuation Acts, 1834 to 1919, or to enactments contained in those Acts; and

(*m*) the modification or revocation of the rules made under Section six of the Superannuation Act, 1887, as modified under any subsequent Act;

(2) to provide for entitling or qualifying persons who, having been in the employment of certain local authorities, retire from the Civil Service, to receive from such local authorities certain payments in respect of that employment, and for modifying in connection therewith enactments and schemes relating to the superannuation of officers and servants of local authorities; and

(3) to provide for other matters connected with the matters aforesaid."

Resolution agreed to.

Bill ordered to be brought in by the Chancellor of the Exchequer and Mr. Duff Cooper.

SUPERANNUATION BILL,

"to amend the law with respect to the superannuation benefits of persons who have served in the permanent Civil Service of the State; to provide for the amendment of Section 1 of the Superannuation Act of 1887 and for the modification or revocation of the Rules made under Section 6 of that Act and for purposes connected with the matters aforesaid"; presented accordingly and read the First time; to be read a Second time upon Wednesday, and to be printed. [Bill 31.]

GOVERNMENT OF INDIA BILL (PROCEEDINGS ON COMMITTEE STAGE).

9.31 p.m.

The PRIME MINISTER (Mr. Ramsay MacDonald): I beg to move:

"That the following provisions shall have effect with respect to the Committee stage of the Government of India Bill:

(i) If the Chairman is satisfied with respect to a series of Clauses that no Member desires to move any Amendment to any of those Clauses or to move the postponement or omission of any of them, he shall put the question that those Clauses stand part of the Bill without putting the question separately as respects each Clause; and

(ii) Any Private Business which is set down for consideration at 7.30 p.m. on a day on which the Bill is set down as the first Order of the Day shall, instead of being taken as provided by the Standing Orders, be taken on the conclusion of that day's proceedings on the Bill, and may be proceeded with, though opposed, notwithstanding the provisions of any Standing Order relating to the Sittings of the House."

[The Prime Minister.]

This Resolution was on the Order Paper on Friday, and with the object of meeting the convenience of certain hon. and right hon. Members, it has been held over until to-day. The origin of the Resolution was explained by me last Friday in reporting the very useful work that the Committee representing all parties of this House has done in connection with the allocation of time for the Committee stage of the India Bill. I understand that in addition to the time-table to which it agreed, the Committee unanimously resolved to recommend to the House to make such provisions as are contained in this Resolution. The first part of the Resolution empowers the Chairman to put in a block Resolutions that stand together to which no Amendments are to be moved. It is a time-saving proposal. Instead of the Chairman putting Clause after Clause to which no Amendment is to be moved, he will put the whole of the Clauses together. The second part of the Resolution provides for the common practice under a Guillotine Motion, when Private Bills are down for a day when the Bill under consideration is being discussed in the House, that those Bills shall be taken not at 7.30 but at 11 o'clock, after the day's apportioned work has been finished. It is proposed that when the India Bill is the first Order of the day, then Private Bills, put down ordinarily for 7.30, will be taken at 11 o'clock, or as near 11 o'clock as the business will allow.

I repeat the statement I made on Wednesday, that the Government have no intention of frequently resorting to the suspension of the Eleven o'Clock Rule. As a matter of fact, this will be resorted to only when it is obviously for the convenience of the House, and in order to make the time-table really workable. Only in those conditions will the Government propose to suspend the Eleven o'Clock Rule. When it is suspended, it may be that a matter of five or 10 minutes will enable the Committee to finish a particular section of the Bill; and it would be a great waste of time to the Committee if the Government were to say now that it did not matter as to where the Committee had got at 11 o'clock, the India Bill business would be suspended and the Private Bill business would be taken. It is for that reason that I say we cannot promise that Private Business will be taken exactly at 11 o'clock. I would like to say in this connection that Private Business is a matter for the Chairman of Ways and Means, and our experience is that he always does his best to fit in that business so that it will not disturb any important business in which the House may be engaged, so far as it is possible to anticipate that. This Resolution, coming here with the unanimous backing of the Joint Committee which has been of such great help in arranging the business, comes, I think, with very high commendation.

9.35 p.m.

Mr. LANSBURY: It is quite true, as the Prime Minister says, that my friends on the Committee have agreed to these proposals, but I would like to say, before they are finally carried, that I very much hope the Chairman of Ways and Means will find it not convenient to put down Private Bills on days when the Government of India Bill is being discussed. But that, of course, must be within his discretion. I would also like to say that the fact that we come to this voluntary arrangement in respect to this Bill should impress all the Members of this House with the fact that sooner or later—I hope sooner—we shall come to some agreement to review our procedure in a more drastic and thorough manner and so arrange our discussions as to make this sort of voluntary arrangement unnecessary. If this is carried through satisfactorily, I think it will help us to arrive at conclusions as to reforms of our Standing Orders which I think are very necessary in regard to many of the details in connection with the consideration of Bills.

Although I know that on occasion I can be as good a sinner as anyone speaking from one of these boxes and although it is true that some people might say, "Physician, heal thyself," it is also true that whatever other people agree to for the convenience of the House I hope I shall only be too willing to fall in with. I hope very much indeed that there will be a voluntary agreement, and I repeat, what I said the other day, that those who are considered, and who sometimes consider themselves, entitled to make rather long speeches on important questions will all put a self-denying ordinance on themselves, especially as we shall be in Committee, and thus give everybody a fair and square chance.

It is in the natural order of things, I think, that, I was going to say a Churchill, but one of the descendants of one of the members of the Fourth party that was in existence a long while ago should be causing the sort of upheaval that he has caused, both in the party to which he belongs and in this House, but out of evil or what might be evil comes good, and if this proposal is carried through successfully, I should hope the House of Commons would tackle its whole procedure in a thoroughly workmanlike manner, so that we shall not need to have these voluntary arrangements as to how we should carry on our business.

9.39 p.m.

Mr. MANDER: I am fully in accord with the happy arrangement come to and should be very sorry to say anything to disturb it, but it does, as a matter of fact, have certain other consequences, because it will still further infringe on the small amount of time left to private Members. The Government has found it necessary to take all private Members' time this Session, and this Motion will have the effect that, if hon. Members desire to raise a matter on the Motion for Adjournment at 11 o'clock, one of the few opportunities left to them, and it so happens that under this arrangement the Chairman of Committees has put down a private Bill for 11 o'clock, they will be still further deprived of this opportunity. I want, therefore, to make an appeal to the Prime Minister to give still further consideration to the question that I put it to the Lord President of the Council before Christmas, to the effect that when the Motion for Adjournment at 11 o'clock for the purposes of private Members does operate, we shall be allowed to have the full half-hour. I have a question down on that subject for this week, and I hope that between now and when it is answered the right hon. Gentleman will consider whether in the circumstances he can make that concession.

9.40 p.m.

Mr. HERBERT WILLIAMS: I wish to thank the Prime Minister for the very clear and definite way in which he has met the point that I raised the other day, and made it quite clear that a notice of Motion to leave out a Clause is to be deemed to be an Amendment for the purpose of paragraph (i) of this Motion. I would, however, like to draw attention to the second paragraph, because a number of us are a little perturbed at the changes in the law that are being brought about in Private Bill legislation. Some little corporation seeks some new power of a general character, and unless it is challenged, it may pass through Committee upstairs and become the law of the land in respect of that particular locality. Because Parliament has consented to that change in respect of one municipality in one particular year, in subsequent years every other municipality that comes along can get that power, a power which in general may interfere with the liberty of the subject.

It happens that there is one Bill this Session which contains more Clauses challenging the liberty of the subject than any other Bill brought forward for a long time, and I hope that if that Bill is opposed on Second Reading, as I believe it will be, it may be possible for the Chairman of Ways and Means to select a day for its consideration at 7.30 p.m. which will not be a day on which the Government of India Bill will be under consideration in Committee, because from some points of view these Private Bills raise issues of very much greater importance in their ultimate consequences than some of the Government Measures which may be presented. The liberties of the people can be whittled away through a chance Clause in a Corporation Bill, which is gradually extended until it becomes the general law of the country, and my sole purpose in rising is to express the hope that when any Bill raising an issue of major importance is opposed, it will not be put down to come on at 11 o'clock instead of 7.30 p.m., when it will have a chance of reasonable and proper consideration.

9.43 p.m.

Mr. C. WILLIAMS: As I raised this question of postponing private business the other day, may I be permitted to thank the Prime Minister for the assurance that he gave us that every endeavour will be made to take this business as near 11 o'clock as possible? I would like to emphasise the point that private business, if carried on until a late hour, is expensive, if I know my lawyers, and the cost of private business is a very heavy burden on many people. I hope that under no circumstances will it have to

[Mr. Williams.]

come on at 11 o'clock, and that the Chairman's genius for finding better days will have the most complete success. If so, we need not worry about it, but I wish to put it on record that, although the emergency is very great and must be met, and although I am entirely favourable to this agreement and hope it will succeed, there are some of us who hope this will not be a precedent to be used in future for putting private Members' business down at 11 o'clock. With regard to what the hon. Member for East Wolverhampton (Mr. Mander) said, it seems that every single influence that the Government possesses is used to rule the private Member out of general circulation in the House and put him into circulation only in the Division Lobbies. I feel that the Prime Minister sympathises with private Members.

The sooner we get away from the danger of private Member's rights being eliminated, the better it will be for the morale of the House. I am sure that the House will have to be reorganised in a great many ways in future, and when it comes I hope that the opportunity will not be taken to eliminate the private Member. I wonder if I may add a word on the matter of long speeches. I do not know that I err so much in the length of speech as in the frequency of speech, and I welcome the appeal which the Leader of the Opposition has made for short speeches, especially from the Front Benches. Sometimes when I hear the Scotsmen asking for something, or lawyers or Members of the Front Benches asking for something, I become suspicious, but I hope that on this occasion it means that the right hon. Gentleman will lead us and that his appeal will not have been made in vain. On the Committee stage of a Bill Members want to seek the truth about the Bill and to have various points made clear, but if we are to have big three-decker speeches from right hon. Gentlemen and nobody else, it will be difficult to get all the information we want in order to deal with the Bill thoroughly. I congratulate the Leader of the Opposition on his appeal, and hope that he will follow his own advice.

Question put, and agreed to.

Ordered,

"That the following provisions shall have effect with respect to the Committee stage of the Government of India Bill:

(i) If the Chairman is satisfied with respect to a series of Clauses that no Member desires to move any Amendment to any of those Clauses or to move the postponement or omission of any of them, he shall put the question that those Clauses stand part of the Bill without putting the question separately as respects each Clause; and

(ii) Any Private Business which is set down for consideration at 7.30 p.m. on a day on which the Bill is set down as the first Order of the Day shall, instead of being taken as provided by the Standing Orders, be taken on the conclusion of that day's proceedings on the Bill, and may be proceeded with, though opposed, notwithstanding the provisions of any Standing Order relating to the Sittings of the House."

The remaining Orders were read, and postponed.

ADJOURNMENT.

Resolved, "That this House do now adjourn."—[*Captain Margesson.*]

Adjourned accordingly at Thirteen Minutes before Ten o'Clock.

HOUSE OF COMMONS.

Tuesday, 19th February, 1935.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

Private Bills (Standing Orders not previously inquired into 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 following Bills, referred on the Second Reading thereof, the Standing Orders not previously inquired into, which are applicable thereto, have been complied with, viz. :—

Bognor Gas and Electricity Bill.
West Hampshire Water Bill.
Chester Water Bill.

Bills committed.

Private Bills [*Lords*] (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, originating in the Lords, the Standing Orders have not been complied with, viz. :—

Stourbridge Navigation Bill [*Lords*].

Report referred to the Select Committee on Standing Orders.

Private Bill Petitions [*Lords*] (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 Petitions for the following Bills, originating in the Lords, the Standing Orders have not been complied with, viz. :—

Middlesex County Council [*Lords*].
Weymouth Waterworks [*Lords*].

Reports referred to the Select Committee on Standing Orders.

Reading Corporation Bill (by Order),

Second Reading deferred till Thursday.

ORAL ANSWERS TO QUESTIONS.

SCOTLAND.

HISTORICAL RECORDS.

1. **Mr. GUY** asked the Secretary of State for Scotland whether he will consider making arrangements for a survey of Scottish historical records in the hands of private owners, so that, where necessary, steps could be taken for their transference to the National Library of Scotland or the Register House?

The SECRETARY of STATE for SCOTLAND (Sir Godfrey Collins): A survey of historical records in private ownership is within the sphere of the Historical Manuscripts Commission, and the appointment of another body does not seem called for. Many gifts and loans of charters and legal records have been made to the Register House, Edinburgh, and of historical and literary records to the National Library of Scotland. I am glad to express my appreciation to the donors, and to make it clear that the Register House and National Library welcome communications from persons prepared to deposit records.

RIVER POLLUTION.

2. **Mr. BURNETT** asked the Secretary of State for Scotland whether the Scottish Advisory Committee on the Prevention of River Pollution is proceeding with its investigations; and when recommendations to the Government for the better control of pollution may be expected?

The UNDER-SECRETARY of STATE for SCOTLAND (Mr. Skelton): The answer to the first part of the question is in the affirmative. With regard to the second part, I understand that the Committee are at present examining the condition of particular rivers and that when that programme is complete they propose to submit a comprehensive report on the prevention of river pollution.

Mr. BURNETT: In view of the long delay that has occurred, would it not be advisable that they should make a temporary report?

Mr. SKELTON: I think that is rather a matter for the Committee. I shall be glad to consider getting into communication with them on the subject.

LAND DRAINAGE.

4. **Sir ROBERT HAMILTON** asked the Secretary of State for Scotland whether he can state the annual amounts paid by way of grants towards agricultural land drainage since the institution of the scheme, together with the proportion of the grant towards the total cost of the work done each year?

Sir G. COLLINS: As the reply includes a table of figures I propose, with the hon. Member's permission, to circulate it in the OFFICIAL REPORT.

Following is the Reply:

Since 1921 a scheme for the assistance of agricultural drainage in Scotland by way of grants has been in operation during each financial year ending 31st March. Particulars of the grants paid to date in respect of these schemes and of the proportion of the grant in each year to the total cost of approved work are as follows:

Year.	Total Amount paid in Grants.	Proportion of Grant to Total Cost of Approved Work.
	£	
1921-22 ...	14,826	50 per cent.
1922-23 ...	38,621	do.
1923-24 ...	32,048	do.
1924-25 ...	29,831	do.
1925-26 ...	9,112	30 per cent.
1926-27 ...	14,732	33⅓ per cent.
1927-28 ...	7,767	do.
1928-29 ...	10,056	do.
1929-30 ...	11,893	33⅓ per cent. as regards £9,814. *50 per cent. as regards £2,079.
1930-31 ...	23,110	33⅓ per cent.
1931-32 ...	24,020	do.
1932-33 ...	11,054	25 per cent.
1933-34 ...	7,834	do.
1934-35 ...	2,111†	do.

* A special rate for the relief of unemployment in the depressed areas.

† This represents the amount paid to date. Claims for payment can be submitted up to 28th instant, and this amount will be substantially increased.

MILK PRICES.

6. **Dr. HUNTER** asked the Secretary of State for Scotland whether he can state the price at present being received by milk producers in the South-Western area of Scotland; and how that compares with the price paid in November and December, 1934?

Sir G. COLLINS: The average nett price per gallon received for the month of January by all ordinary producers in the area of the Scottish Milk Marketing Scheme was 1s. 1d., as compared with 1s. 0¾d. and 1s. 1d. respectively for November and December, 1934. These nett prices however are subject to a deduction for haulage charges in accordance with the prescribed scale, the maximum being at the rate of 1½d. per gallon.

DOG RACECOURSES (BETTING).

3. **Mr. LEONARD** asked the Secretary of State for Scotland whether he is aware that at dog-racing courses in Scotland men are employed to perambulate the grounds touting for customers for the totalisator; that these men supply the customers with tickets registering the bets and take the money; and whether he will consider the necessity for preventing this practice which has been stopped in England?

Mr. SKELTON: After inquiry my right hon. Friend understands that on one dog racecourse in Glasgow spectators are supplied with tickets in connection with what is known as the "human tote." My right hon. Friend is not in a position to make any statement as to the legality of this form of betting, but in any event it will be illegal after 1st July next under the Betting and Lotteries Act, 1934.

AGRICULTURAL SECURITIES CORPORATION.

10. **Sir MURDOCH McKENZIE WOOD** asked the Secretary of State for Scotland whether he can make a statement as to the present position of the Scottish Agricultural Securities Corporation?

Sir G. COLLINS: As the answer involves a tabular statement and many figures, I propose, with the hon. Member's permission, to circulate it in the OFFICIAL REPORT.

Sir M. MACKENZIE WOOD: Is my right hon. Friend satisfied that the work of this corporation is sufficiently well-known to the farming communities?

Sir G. COLLINS: A considerable number of applications have already been received. The fact that the subject has been raised by question and answer will probably draw attention to the matter.

Following is the answer:

From the commencement of the Corporation's operations in September, 1933, to 9th February, 1935.	Loans on Heritable Security.		Loans under the Improvement of Land Acts.	
	Number.	Amount. £	Number.	Amount. £
Applications received...	191	674,165*	6	2,868
Loans completed	101	306,245	—	—
Loans awaiting completion	22	72,200	2	2,068
Loans under consideration	22	138,505	1	200
Loans refused by applicants...	46	114,320	3	600
Loans rejected by the Corporation... ...				
Loans withdrawn				
	191	631,270	6	2,868

* Subsequently reduced to £631,270.

WHITHORN SCHOOL (CURRICULUM).

5. **Mr. McKIE** asked the Secretary of State for Scotland whether he can make any statement regarding the decision to discontinue the teaching of Latin at Whithorn School?

Mr. SKELTON: Last year the education authority of Wigtownshire rearranged the curriculum at Whithorn higher grade public school. The curriculum at the time offered the opportunity of pupils taking either, or both, French and Latin. In view of the very small number who, in the preceding years, had taken Latin, the education authority decided that the only foreign language to be taught should be French. On full consideration of all the circumstances my right hon. Friend sees no reason for interfering with the discretion of the responsible local authority.

Mr. McKIE: In view of the fact that there is a very sharp feeling among many people in the parishes concerned, will the hon. Gentleman keep this matter carefully in mind?

Mr. SKELTON: The matter has been very fully and carefully considered, in view of the representations made, and, in all the circumstances, I have nothing to add to the answer which I have given.

COAL INDUSTRY.

WORK-SHARING SCHEMES.

14. **Mr. TINKER** asked the Secretary for Mines how many colliery companies have agreed with their employés to share the working time so as not to throw out of employment a number of them; and is he in a position to say how many would be out of work if no such arrangement was in operation?

Mr. E. BROWN: I would refer the hon. Member to the answer given to him yesterday by my right hon. Friend the Minister of Labour. The statement therein referred to will include particulars of work-sharing schemes in the coal mining industry.

STATISTICS.

11. **Mr. T. SMITH** asked the Secretary for Mines whether he can state the total amount of coal produced by machinery during 1934; and the amount so produced in the same period in South and West Yorkshire, respectively?

The SECRETARY for MINES (Mr. Ernest Brown): This information will not be available until about the end of March.

13. **Mr. SMITH** asked the Secretary for Mines whether he can state the number of separate mines employed in producing coal in each district during each of the last five years?

Mr. E. BROWN: As the reply involves a statistical statement I will, with the hon. Member's permission, circulate it in the OFFICIAL REPORT.

Following is the reply:

Districts.	Number of Mines which produced coal in				
	1930.	1931.	1932.	1933.	1934 (provisional).
England and Wales.					
Northumberland	97	100	95	97	97
Durham	235	218	212	209	216
Cumberland and Westmorland...	33	34	32	28	24
Lancashire and Cheshire	181	174	161	155	145
Yorkshire, South	105	103	106	99	102
Yorkshire, West...	112	104	96	97	98
Nottinghamshire...	45	46	46	45	45
Derbyshire, North	96	88	91	91	89
Derbyshire, South	12	10	10	9	10
Staffordshire, North	59	61	76	75	79
Cannock Chase	36	36	37	38	35
Staffordshire, South, and Worcestershire ...	73	58	45	47	46
Leicestershire	15	13	13	13	12
Warwickshire	19	18	18	18	18
Shropshire	37	37	28	31	28
Forest of Dean	45	37	33	33	32
Somersetshire	14	13	13	13	12
Bristol	3	3	3	3	3
Kent	4	4	4	4	4
South Wales and Monmouthshire	470	447	417	409	409
North Wales	25	24	23	24	23
Scotland.					
Fife, Clackmannan, Kinross and Sutherland...	54	53	46	43	43
Lothians (Mid and East) and Peebles ...	29	30	28	29	28
Lanarkshire, Linlithgow, Stirling, Renfrew and Dumbarton.	206	203	185	177	192
Ayrshire, Dumfries and Argyll	59	59	56	54	54
Great Britain	2,064	1,973	1,874	1,841	1,844

MINES INSPECTORS.

12. **Mr. TINKER** (*for* **Mr. PARKINSON**) asked the Secretary for Mines how many of His Majesty's inspectors of mines in Great Britain have sons occupying official positions in the district over which they have supervision as mines inspectors?

Mr. E. BROWN: Three.

Mr. TINKER: Can the hon. Gentleman say in what districts they are?

Mr. BROWN: I could not give the districts. One is an overman, another an undermanager and the third is an agent.

Mr. T. SMITH: Can the hon. Gentleman give an assurance that this practice will be discouraged?

Mr. BROWN: I could not give an assurance in general terms of that kind. It depends on the circumstances of the case as I have said in my answer.

Mr. PALING: Has the hon. Gentleman assured himself that in these particular cases there is no reason for this?

Mr. BROWN: I have.

MOTOR INSURANCE COMPANIES (DEPOSIT).

17. **Sir ARTHUR MICHAEL SAMUEL** asked the President of the Board of Trade whether, in view of the losses which have fallen upon the motor-car owners by reason of the recent insolvency of a motor insurance company which had become an authorised insurer under the Road Traffic Act, 1930, by depositing £15,000, he will take legislative action to require that the deposit of an authorised motor insurer shall be adjusted annually so as to be commensurate with the insurer's liability to policy holders; and will he also seek power to obtain annually from every authorised motor insurer a certificate of solvency?

The PRESIDENT of the BOARD of TRADE (Mr. Runciman): Serious practical difficulties would arise if companies were required to make deposits commensurate with their liabilities and in this way to immobilise a substantial proportion of their working capital. Whilst companies would thus be seriously handicapped in the conduct of their business, the suggested requirement could not be justified by reference to the position of the policy holders and other claimants in the case of the great majority of insurance companies. The suggestion made in the last part of my hon. Friend's question has been noted.

Sir A. M. SAMUEL: What protection now is given to policy holders if under the 1930 Act the £15,000 is shown to be obviously insufficient to protect them against an authorised insurer undertaking a larger liability than is covered by his assets? Is he aware of the grave danger to which the public are exposed by the methods of authorisation to issue insurance policies?

Mr. RUNCIMAN: Yes, I am well aware that there are risks where a company is undertaking risks which are outside the full range of its powers, but I should not care to answer such a question as the hon. Baronet has put without notice.

Sir A. M. SAMUEL: Is the right hon. Gentleman prepared to allow existing policy holders to continue under this risk?

Mr. RUNCIMAN: If the hon. Baronet could suggest action which would be feasible and would not interfere with the working of these companies on a proper basis, I should be very glad to consider it.

Mr. RHYS DAVIES: Has the right hon. Gentleman at any time compared the amounts that have to be deposited by these companies and by industrial insurance companies, and is he satisfied that the deposits in the former case are substantial enough to meet the claims upon them?

Mr. GRAHAM WHITE: Having regard to the fact that the deposit is inadequate for the protection of the insurers, will the right hon. Gentleman give his attention to the possibility of instituting a more rigorous and more frequent form of audit so that he may himself be able to control the situation, which he clearly cannot do at present?

Mr. RUNCIMAN: That is one of the questions that are under review at present. In my opinion, it is probably a more hopeful suggestion.

Mr. GLEDHILL: Will the right hon. Gentleman expedite the review?

22. **Mr. RHYS DAVIES** asked the President of the Board of Trade whether he will consider initiating legislation to prevent in future the results to persons insuring against risks exemplified recently in connection with the Anglian Insurance Company?

Mr. RUNCIMAN: The Assurance Companies (Winding-up) Act was passed as recently as 1933 in order to enable the Board of Trade to take action in cases such as the hon. Member has in mind. The Board have already taken action in two cases and will not fail to take action in future cases where, on the information available, there is reason to believe that a company coming within the scope of the Act is insolvent. As I stated last week, I shall continue to watch the situation and I shall not hesitate to ask Parliament for further powers if at any time this appears desirable and practicable.

Mr. DAVIES: May we take it for granted, therefore, that the right hon. Gentleman has found out already that the Companies Act gives him power to intervene when it is too late; and will he be good enough to consider, in addition to the suggestion made to him a moment or two ago that there should be a more frequent audit of the accounts of these companies, a suggestion that the Board of Trade should require a more frequent actuarial calculation of the assets and liabilities of the companies?

Mr. RUNCIMAN: This, of course, would certainly be involved in the audit question.

Mr. THORNE: Can the right hon. Gentleman say what is the position of people who were receiving compensation at the time this company went into liquidation? Have they any remedy at all?

Mr. RUNCIMAN: If specific cases were put to me I should be very glad to prepare an answer, but I should not care to answer the case without consideration.

Mr. THORNE: I have had one anyhow.

MERCANTILE MARINE.

LOSS OF OIL-TANKER "LA CRESCENTA."

18. **Mr. LOGAN** asked the President of the Board of Trade whether, arising out of the loss of the oil-tanker "La Crescenta," with all hands, he is aware that the master of the vessel wrote to relatives on 6th July last from Los Angeles, to the effect that they had had a bad break down at sea during the preceding week; that a member of the crew, in a letter to a relative, stated that the ship was getting very old, was continually breaking down, and that there had been a dispute about the cost of engine repairs at Los Angeles; and whether, in view of these circumstances, he will cause full inquiry to be held into the loss of this vessel?

Mr. RUNCIMAN: I should like to take this opportunity of expressing my deep sympathy, in which I am sure that the House will join, with the relatives of those lost in this disaster. Full enquiry is being made into the loss of the vessel. I should explain that the enquiry is necessarily taking somewhat longer than usual as the vessel was engaged mainly on trade between foreign countries and rarely visited this country. I am not aware of the facts given in the first part of the question but if the hon. Member has any definite information regarding the condition of this ship I should be glad if he would forward it to me.

Mr. LOGAN: At what date can we have a reply?

Mr. RUNCIMAN: I could not say that.

COLOURED SEAMEN (WAGES).

20. **Brigadier-General NATION** asked the President of the Board of Trade whether he will ascertain and inform the House what are the rates of pay paid by the Peninsular and Oriental and British-India Steamship Lines for lascars signed on Asiatic agreements?

Mr. RUNCIMAN: I am informed that the rates of pay for individual lascars signed on Asiatic agreements, excluding petty officers, vary from 18 to 50 rupees per month, according to rating and length of service.

Mr. WEST: Is the right hon. Gentleman aware that these lascars are paid at a considerably lower rate than white British sailors; and does he not think that British subjects employed on the same ship should have the same salary irrespective of colour?

Mr. RUNCIMAN: I gave the rates of pay of individual lascars. I am informed that the number of lascars is usually much larger than would be the case if they were white seamen.

Mr. WEST: Is it not a fact that 95 per cent. or more of the lascars employed on British ships are signed on under Asiatic and not European agreements and that, therefore, they are paid not more than a quarter of the rates paid to British seamen?

Mr. RUNCIMAN: If the hon. Member will put down a question on the subject, I shall be glad to find an answer for him.

Mr. WEST: Is it not a fact that at least 95 per cent. of the lascars are signed on outside Europe?

Mr. RUNCIMAN: I would rather not express any opinion or make any statement without having a chance of inquiring into it.

Mr. PALING: In view of the fact that a subsidy has just been paid to shipowners, is this not a good time to encourage them to employ British seamen?

Mr. RUNCIMAN: Certainly. That is what we are doing.

21. **Mr. WEST** asked the President of the Board of Trade whether he can give any information as to what is the monthly rate of pay for coloured able-seamen employed on British steamers?

Mr. RUNCIMAN: If engaged in this country, coloured able-seamen are paid £8 2s. per month, but under National Maritime Board arrangements there is provision for considering special cases. The rates of pay of coloured seamen engaged abroad vary, but I am informed that customary rates for lascar able-seamen engaged in India range from

20 rupees to 32 rupees per month, while Chinese engaged abroad receive about 30 dollars (Chinese) per month.

Mr. WEST: Is it not a fact that these lascars who are signed on outside Europe are paid about a quarter of the standard British rates of the Maritime Board and that the unemployment benefit arising out of the employment of these coloured seamen is costing the State over £2,000,000 a year to subsidise cheap coloured labour?

Mr. LOGAN: Is it not a fact that the rate paid to the lascar is £1 15s. per month and to British seamen £8 6s. 6d., and is it not time that this scandal ended?

Mr. RUNCIMAN: I have given such information as is in our possession with regard to the rates of pay of both classes.

Mr. WEST: Can the right hon. Gentleman give the figures not in rupees but in pounds and shillings?

Mr. RUNCIMAN: If the hon. Member would like me to give him the sterling equivalent, I should be glad to have it worked out.

Mr. LOGAN: Is the right hon. Gentleman not aware that the firemen are receiving £2 5s. and——

Mr. SPEAKER: We cannot pursue this subject at any length at Question Time.

COMMODITIES AND STOCK EXCHANGE SECURITIES (SPECULATIONS).

23. **Mr. DAVID GRENFELL** asked the President of the Board of Trade whether he is aware that large numbers of shares in James and Shakespeare were held by nominee companies formed by the banks, and did not represent investments by the banks concerned; whether he will request that the investigation into the affairs of the aforementioned company shall call for the particulars of persons owning the shares standing in the names of the four nominee companies who would have profited from the pepper gamble if it had succeeded; and whether arrangements will be made, if possible, that those persons should make compensation to those who have been ruined by the speculations in which they were innocently involved?

26. **Mr. JOHN WILMOT** asked the President of the Board of Trade whether he is aware that a winding-up order has been made against Messrs. James and Shakespeare, Limited; and whether, in view of the circumstances connected with this company and the recent pepper-pool operations, he will cause an inquiry to be made?

Mr. RUNCIMAN: I would refer the hon. Members to the answer given yesterday by my hon. Friend the Financial Secretary to the Treasury to the hon. Member for the Gower Division of Glamorganshire (Mr. D. Grenfell).

Mr. WILMOT: Is the right hon. Gentleman satisfied that the powers of the Official Receiver under Section 182 of the Companies Act are sufficiently wide to enable him to make an inquiry into matters of grave public moment not immediately connected with this particular company; and is it not a fact that the Official Receiver will be limited to inquiries concerned with the promotion and conduct of this particular company and will not be able to inquire into the very grave matters concerned with commodity speculation in other companies and concerns?

Mr. RUNCIMAN: I believe that the hon. Gentleman has a question down to that effect a little later on the Order Paper—No. 50.

Mr. GRENFELL: The answer given to me yesterday did not cover the second point in the question. Will the right hon. Gentleman therefore inform the House whether the investigators will call for the names of persons to whom reference is made?

Mr. RUNCIMAN: Very wide powers are given in the course of compulsory winding-up, and reports will be made to and by the Official Receiver.

47. **Sir CYRIL COBB** asked the Chancellor of the Exchequer whether, after the experiences of the public arising from the action of so-called stags in relation to Stock Exchange flotations and of speculators in the produce market, and as the Government have no control over the continuously repeated abuses in these markets, he will introduce legislation to place the Stock Exchange and the Mincing Lane market under charters, not

[Sir C. Cobb.]
for the purpose of controlling speculation, but for the normal protection of the public?

The CHANCELLOR of the EXCHEQUER (Mr. Chamberlain): As regards the recent attempt to corner a commodity, I would refer my hon. Friend to the answer given yesterday to the hon. Member for Gower (Mr. D. Grenfell). With regard to other forms of speculation, I am content to leave it to the authorities concerned to take any measures that may be practicable in the public interest to prevent abuses in matters under their control.

Sir PERCY HARRIS: In regard to the latter part of the question, will the right hon. Gentleman consider whether it is possible to give charters to these excellent organisations in order that they may control dealings in the public interest?

Mr. CHAMBERLAIN: If the hon. Member will look at the answer given yesterday, he will see that there is a prospect of an inquiry, and it would be premature to consider other steps before that inquiry has been held.

Sir P. HARRIS: The answer given yesterday was in reference to gambling in regard to one particular article. This is a much larger question; that charters should be given to these organisations so as to give them control. It is a rather larger issue than the gambling which has been going on recently.

Mr. CHAMBERLAIN: I agree that it is a larger issue, but it arises out of a particular instance, and I would like to see what happens in this particular instance before considering whether it is desirable or necessary to go further in the matter.

50. **Mr. WILMOT** asked the Chancellor of the Exchequer whether he proposes to take any action to prevent joint stock banks becoming involved in transactions similar to the recent pepper-pool operations?

Mr. CHAMBERLAIN: I think the hon. Member is under a misapprehension. It is entirely contrary to the banking practice of this country for a joint stock bank to speculate in commodities, and I have no reason to assume that any of the banks did so on this occasion.

51. **Mr. WILMOT** asked the Chancellor of the Exchequer whether he proposes to take any action to prevent a recurrence in other commodity markets of the recent pepper operations which have had such grave financial results in the city of London?

Mr. CHAMBERLAIN: I would refer the hon. Member to the answer given yesterday to the hon. Member for Gower (Mr. D. Grenfell).

Mr. WILMOT: I presume the right hon. Gentleman refers to the investigation by the official receiver. I should like to ask him whether the official receiver has sufficient scope in his inquiry to deal with the matters raised in this question?

Mr. CHAMBERLAIN: I think so.

Mr. WILMOT: Will the right hon. Gentleman consider the wisdom in the public interests of causing an inquiry to be made into this grave public matter, which is giving rise to a great deal of misgiving, especially with regard to the connection between certain persons involved in the recent commodity speculations and persons involved in other commodity pools, for instance, tin, to which his colleague has referred.

Mr. CHAMBERLAIN: I think we had better await the result of the inquiry.

TRADE AND COMMERCE.

Russian Timber.

24. **Vice-Admiral TAYLOR** asked the President of the Board of Trade what reply has been given to the communication received from the Canadian Government asking that the imports of Russian timber to this country in 1935 should be restricted to a figure below that permitted for 1934?

25. **Captain PETER MACDONALD** asked the President of the Board of Trade whether he is aware that the contract made by Timber Distributors, Limited, with the Russian Government for 400,000 standards of timber, which contains a fall clause allowing a reduction of 22s. 6d. per standard in prices, is an infringement of Clause 21 of the Ottawa agreements, both as regards quantity and price; and whether he will withhold his approval from this contract?

30. **Sir WILLIAM DAVISON** asked the President of the Board of Trade whether any protest has been made to the British Government by the Canadian Government with regard to the importation into Great Britain of Russian timber under a fall clause and at prices with which it is impossible for Canada to compete, seeing that this is in contravention of Article 21 of the Ottawa Agreement?

Mr. RUNCIMAN: I am not yet in a position to add to the reply which was given on the 11th February to the hon. Member for Maidstone (Mr. Bossom).

Vice-Admiral TAYLOR: Can the right hon. Gentleman state when a reply will be given in view of the immense importance to Canada to know whether the imports from Russia will be less than those of last year?

Sir W. DAVISON: Can the right hon. Gentleman say whether the Canadian Government have protested that Article 21 of the Ottawa Agreement is being nullified by this importation; and does he recognise that it must be so with the fall clause which gives Russia the opportunity of reducing prices by approximately 10 per cent. below the lowest tender of anyone else?

Earl of DALKEITH: Does my right hon. Friend favour the use of home-grown timber; and do the Board of Trade encourage people to increase employment by growing timber at home?

Mr. RUNCIMAN: With reference to the question put by my hon. Friend behind, I am afraid that I cannot add to the information already given, but we have had no protest from the Canadian Government. May I answer the further question put with regard to the source of the particular timber? That is a general question with which I have not attempted to deal in my answer, but last year the contract was, I think, 350,000 standards, and the proposal that has been made this year is for a contract of 400,000 standards, and that is a matter we are taking into consideration.

Captain MACDONALD: Have the Canadian and other authorities been consulted in the matter; and, if so, will sanction for the contracts be held up until replies have been received from them?

Brigadier-General NATION: May I ask the right hon. Gentleman whether he is aware that the Russian timber is cut to length and size suitable for building in this country, whereas the Canadian timber is not; and, in view of that fact, will he support this contract?

Vice-Admiral TAYLOR: Is it not a fact that what the hon. and gallant Gentleman has stated is not correct?

29. **Major-General Sir ALFRED KNOX** asked the President of the Board of Trade whether the fall clause in the agreement for the import of Russian timber in 1934 was prohibited; and whether it will also be prohibited in 1935?

Mr. RUNCIMAN: At the request of His Majesty's Government, the timber interests concerned arranged that the contract for the 1934 season for the importation of Russian sawn soft wood should not contain the fall clause. As has already been stated, questions raised by the contract for the 1935 season are receiving careful consideration, but I am not yet in a position to make a statement.

Sir A. KNOX: Has it not since been announced in the Press that the fall clause was going to be prohibited in 1935?

Sir W. DAVISON: Cannot the President of the Board of Trade say that such a very scandalous clause will not be allowed, as it is not fair to anyone?

Vice-Admiral TAYLOR: Is it not a fact that this fall clause would completely do away with the operation of the Ottawa Agreement?

TIMBER.

28. **Captain MACDONALD** (*for* **Lieut.-Colonel TODD**) asked the President of the Board of Trade whether the quota of 350,000 standards of sawn soft wood from Soviet Russia was duly observed in the year 1934; or, if exceeded, what action was taken?

Mr. RUNCIMAN: No quota was fixed for the importation of sawn soft wood from the Union of Socialist Soviet Republics in 1934. The contract between the White Sea Timber Trust and Timber Distributors, Limited, for 1934, provided for the importation of a maximum quantity of 350,000 standards of sawn soft wood. I understand that this quantity was exceeded by 4,595 standards or slightly more than 1 per cent. I do not propose to take any action in the matter.

COTTON INDUSTRY (SURPLUS SPINDLES).

27. **Mr. HAMMERSLEY** asked the President of the Board of Trade what progress is being made in the redundancy scheme for the cotton-spinning trade; and whether he contemplates the introduction of legislation on the subject?

Mr. RUNCIMAN: I would refer my hon. Friend to the reply which I gave to the hon. Member for Oldham (Mr. Crossley) on the 19th December to which at present I have nothing to add.

Mr. HAMMERSLEY: Does my right hon. Friend appreciate that there are a considerable number of redundant spindles which cannot be offered to a non-existent redundancy board; and will he take into consideration the desirability of setting up this redundancy board even if the total number of redundant spindles may not have been offered at the present time.

Mr. RUNCIMAN: I can only repeat what I said on previous occasions. If the proposal for the elimination of surplus spindles received the support of a sufficiently influential proportion of the trade, I shall be glad to ask Parliament for statutory sanction for the collection of the necessary levy.

Mr. HAMMERSLEY: Can my right hon. Friend give any indication of what is a sufficiently large proportion to justify bringing forward legislation?

Mr. RUNCIMAN: I cannot give the exact figure, but I hope that the general assurance will be sufficient to enable the industry to proceed with its plans.

Mr. CROSSLEY: May I ask my right hon. Friend whether, as all the replies were received before Christmas, he will make up his mind definitely before very long?

Mr. RUNCIMAN: The delay does not rest here. The delay, such as there is, is in Lancashire, and not here.

Mr. D. GRENFELL: Will the right hon. Gentleman inform the House whether he has accepted the basis of redundancy, and the basis of compensation which should be paid?

Mr. RUNCIMAN: No, Sir, I think that the committee are much better capable of assessing these values than a Government Department would be. I have no doubt, when they are ready to put forward ripe proposals, they will take these valuations into careful account.

Mr. HAMMERSLEY: Is it not a fact that very considerable progress has been made, and will the Government indicate that they will do their level best to introduce this legislation, even if the total number of redundant spindles is not offered in the first instance?

Mr. RUNCIMAN: I gave an assurance, which I made public in the House on the 19th December, and that assurance still remains binding on the Government.

ANGLO-ARGENTINE CONVENTION (MEAT TRADE).

15. **Mr. BURNETT** (*for* **Sir PERCY HURD**) asked the Secretary of State for Dominion Affairs whether, in view of the prior rights of Empire over foreign producers in the British market, the committee set up to inquire into the means of ensuring a reasonable return to cattle producers will include representatives of the Dominions as well as the Argentine and the United Kingdom? • • •

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): My hon. Friend's question is, I think, based on a misapprehension. The inquiry to which he refers is concerned solely with the economic and financial structure and working of the meat trade between Argentina and the United Kingdom and results from the provisions of the Protocol to the Anglo-Argentine Convention dated 1st May, 1933.

COTTON EXPORTS (CANADA).

19. **Mr. BURNETT** (*for* **Sir P. HURD**) asked the President of the Board of Trade to what extent Lancashire cotton goods are now finding an increased market in Canada under the Ottawa Agreement?

Mr. RUNCIMAN: Particulars of our exports of cotton goods to Canada are published in the monthly and annual trade returns. During the year 1934 exports to Canada of cotton yarns were double, and exports of piece-goods more than double, the quantity exported in 1932.

Mr. HAMMERSLEY: Is it a fact that a more generous interpretation of the Ottawa Agreement would enable Lancashire to export much more without doing any harm to any Canadian producing interest and with benefit to the Canadian consumer?

BRITISH ARMY (TANK TRAINING).

31. **Mr. ISAAC FOOT** asked the Financial Secretary to the War Office whether further consideration has been given to the possible use of Dartmoor as a training area for tanks; and if, before any decision in this direction is taken, the local authorities concerned for the maintenance of the amenities of this holiday district will be called into consultation?

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Douglas Hacking): Tentative inquiries were made as to the possibility of using Dartmoor for the purpose of tank training in the coming season, but the idea has now been abandoned.

HIS MAJESTY'S SILVER JUBILEE (CELEBRATIONS).

32. **Major WATT** asked the Financial Secretary to the War Office whether he can now state what part the Territorial Army is going to take in the forthcoming Jubilee celebrations?

33. **Lieut.-Colonel CHARLES MacANDREW** asked the Financial Secretary to the War Office what part will be taken in the Jubilee celebrations by the Scottish units of the Territorial Army?

Mr. HACKING: The arrangements are still under consideration, but I hope to be able to make a statement in about a fortnight's time.

Lieut.-Colonel MacANDREW: May I ask my right hon. Friend, in view of the fact that Territorial soldiers have pledged themselves to leave their certain employment and go overseas for a definite time for a small reward, to keep them carefully in mind and give them a prominent part in the celebrations in England?

Mr. HACKING: I think that I can assure my hon. and gallant Friend that they will be given a prominent part.

NAVAL AND MILITARY PENSIONS AND GRANTS.

34. **Mr. LOGAN** asked the Minister of Pensions whether he is prepared to grant under royal warrant a pension to the widow of the late Alexander Morrison, private No. 15,089, South Lancashire Regiment, who had a life disability pension of 22s. 8d. per week?

The MINISTER of PENSIONS (Major Tryon): As the conditions of the Royal Warrant are not fulfilled in this case, I have no power to award a pension. Mr. Morrison was in receipt of disablement pension at the 30 per cent. rate for a gunshot wound, and he died of an acute attack of pneumonia.

Mr. LOGAN: Is the Minister aware that this lady lost her son, 19 years of age, and that the man was receiving a disablement pension for life? Under the special Warrant is not there authority under special conditions to grant a pension to the widow?

Major TRYON: There is no authority under the Warrant to grant the widow a pension, but I will consider the point raised by the hon. Member with reference to the son.

LOUD-SPEAKER VANS.

35. **Mr. MANDER** asked the Secretary of State for the Home Department whether, in view of the action of the Chingford police in the case of Miss Mathieson's loud speaker, he will state what instructions are given by his Department regarding the use of a loud-speaker van in the streets; whether the police have instructions to proceed against the users of such vans; and whether he is aware that such loud-speaker vans have been used by a parliamentary candidate in the streets of Chingford in 1931?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): I have no power to issue instructions in this matter; it is a question in each case whether the relevant statutory or by-law provisions are infringed; and it is the duty of the police to take action if any infringement is observed. They have no record of the use of loud-speaker vans for election purposes at Chingford in 1931.

Mr. MANDER: Can the right hon. Gentleman say why an attempt was made in this case to prevent Miss Mathieson from using a loud speaker? What was the reason in this case?

Sir J. GILMOUR: I answered a question which the hon. Member put to me on a previous occasion, in which I made it clear that the police drew the attention of the ladies in question to what they considered might be a breach of the by-laws, if no more than that.

Mr. GEORGE GRIFFITHS: Is it possible for any lady to have a loud speaker?

WORKMEN'S COMPENSATION.

36. **Mr. TINKER** asked the Home Secretary whether his attention has been drawn to the delay in getting cases of injured workmen who have been served with the statutory 10 days' notice before the medical referee under the provisions of the Workmen's Compensation Act; and whether he will consider making it compulsory on the employer to continue paying compensation to the injured person until his case has been before the medical referee, as this would speed up the examination?

Sir J. GILMOUR: I do not appear to have received any complaints on this point. If the hon. Member will send me particulars of actual cases in which there seems to have been undue delay, I shall be glad to consider them.

EDUCATION (SCHOOL-LEAVING AGE).

37. **Mr. R. T. EVANS** asked the Parliamentary Secretary to the Board of Education whether he is aware of the latest returns of youths who have left school without entering employment; and, if so, whether he will reconsider the question of raising the school-leaving age?

The PARLIAMENTARY SECRETARY to the BOARD of EDUCATION (Mr. Ramsbotham): I am aware that the returns to which the hon. Member refers show an increase in the number of unemployed juveniles. This is mainly due to the large numbers leaving school at Christmas. With regard to the second part of the question, I have nothing to add to the answer I gave on Tuesday, the 29th January last, to the hon. Member for Westhoughton (Mr. Rhys Davies).

Mr. EVANS: Can we have some information as to how much worse the situation will have to be before action is taken?

Mr. RAMSBOTHAM: I cannot prophecy in answer to a hypothetical question.

Mr. WEST: Is it a fact that we are so short of labour in industry that it is impossible to raise the school-leaving age?

AGRICULTURE (HOME-PRODUCED BUTTER).

38. **Mr. R. T. EVANS** asked the Minister of Agriculture whether he will instruct the Agricultural Reorganisation Commission for Milk to investigate the position of domestic producers of butter and to formulate a scheme for ameliorating it?

The MINISTER of AGRICULTURE (Mr. Elliot): In so far as the position of domestic producers of butter is affected by the working of organised milk marketing in Great Britain, I have no doubt that it will be reviewed by the Reorganisation Commission. In the circumstances my right hon. Friend, the Secretary of State for Scotland, and I do not consider it to be necessary either to vary the terms of reference of the commission or to give it a specific instruction on this point.

Mr. EVANS: Is the right hon. Gentleman aware that the unremunerative price which home-produced butter is fetching at the moment is one of the chief causes of the embarrassment of the Milk Board, by the butter producers being compelled to throw their milk on to the board?

Mr. ELLIOT: The Reorganisation Commission has already power to investigate that matter.

Mr. REMER: Can the right hon. Gentleman say whether it is not the foreign imports of butter that are causing him and the Reorganisation Commission some embarrassment?

Captain HEILGERS: Is the right hon. Gentleman aware that the butter which is produced by the farmer's wife is fetching an unremunerative price to-day and doing great harm to the millinery trade?

COUNTY COURT OFFICE, SHAFTESBURY.

39. **Mr. ISAAC FOOT** asked the Attorney-General whether, in the new arrangements for county court premises at Shaftesbury, it is intended to establish the new county court office on the first floor of licensed premises; and, if so, whether there is any precedent for such conditions?

The SOLICITOR-GENERAL (Sir Donald Somervell): New county court

offices are urgently required at Shaftesbury and the only suitable premises the Office of Works have been able to find are two rooms over off-licence premises. The entrance from the street is 8 feet wide and the stairs leading to the upstairs rooms have a separate door. The Office of Works are hiring the rooms on a short tenancy only until other suitable accommodation becomes available.

Mr. FOOT: In the further consideration of this matter, will the Solicitor-General have regard to the fact that under the existing law it is impossible to hold ordinary sessions or a coroner's inquest on licensed premises, and why should not that apply also to county court offices?

The SOLICITOR-GENERAL: As I have said, these rooms have been hired on a short tenancy and are the only ones available at the moment.

Mr. CHARLES WILLIAMS: Who established off-licences? Was it Mr. Gladstone?

OPHTHALMIC BENEFIT JOINT COMMITTEE.

41. **Mr. BURNETT** asked the Minister of Health whether the names of the Ophthalmic Benefit Joint Committee have been lodged with him; and, if so, whether representation has been given to the Scottish Association of Opticians as the only examining optical body in Scotland?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): The Ophthalmic Benefit Joint Committee is a non-statutory and unofficial body, and my right hon. Friend is not responsible for its constitution. A copy of a recent report of the committee, in which a list of the members is given, has, however, been sent to my right hon. Friend, and from this it appears that direct representation on the committee has not been given to the Scottish Association of Opticians.

Mr. BURNETT: Will my hon. Friend represent that the claims of Scotland should not be overlooked in this matter?

WATER SUPPLY.

42. **Mr. CHORLTON** asked the Minister of Health whether, in the further powers contained in the Acts for water undertakings, he will see that a clause is incorporated binding the undertaking to put in a connection to an adjacent undertaking or undertakings with the object of securing the mutual advantage of assistant supply in times of drought?

Mr. SHAKESPEARE: The suggestion of my hon. Friend has been noted though, as at present advised, my right hon. Friend doubts whether it would be either desirable or economical to impose the general obligation suggested.

Mr. CHORLTON: Can it be given as an instruction?

Mr. SHAKESPEARE: No. I think the position is clear. If it is profitable to inter-connect, it will be done. If not, it will not be done.

Mr. LEVY: Are we to understand that the subject of water supply is being faced on the question of whether or not it is profitable?

43. **Mr. CHORLTON** asked the Minister of Health how many times the Regional Advisory Water Committee, formed last year for part of Lancashire and Cheshire, etc., has met since its formation; if the consultative committee for the three regional committees in this part of the country has been set up; and, if not, when it will be?

Mr. SHAKESPEARE: Two regional advisory water committees have recently been agreed, one for North, Central and South-East Lancashire and the other for Cheshire and North-West Derbyshire, following the recommendations made by a preliminary conference of the authorities held in October last. The first meeting of the former committee will be held on the 21st instant, and of the other committee in the near future. It is not proposed for the present to set up any formal consultative committee for the three regional committees in Lancashire and Cheshire.

Mr. CHORLTON: May I ask why the consultative committee has not been set up, bearing in mind that the Minister said at a meeting in Lancashire at the end of last year that it would be set up? Why is not that being carried out?

Mr. SHAKESPEARE: It is obvious that it will be set up when there is anything to consult about. The first thing

[Mr. Shakespeare.]
is to ensure that the regional committees undertake their powers, and, when they are in a position to consult, I presume they will do so.

Mr. HAMMERSLEY: Does that mean that we have to wait until some national dis-equilibrium arises before the committee is set up?

Mr. LEVY: May I ask whether the Minister is aware that the Yorkshire Advisory Committee passed a resolution to the effect that their work was of no avail, because they did not have any statutory authority?

Mr. REMER: In taking note of these matters, is the Minister taking into consideration the industrial requirements of water in the counties of Lancashire and Cheshire?

Mr. SHAKESPEARE: Certainly. The policy of the regional committees must be a slow one, because all the local authorities in the area must co-operate. The question of industrial requirements is one of the main points which the regional committees have to consider.

Mr. HAMMERSLEY: Is there any reason why progress in this particular area should be slower than elsewhere?

TIN REGULATION SCHEME.

44. **Mr. D. GRENFELL** asked the Secretary of State for the Colonies whether he is watching developments in the tin market; and whether he proposes to take any action to protect the public against speculative pool operations in this essential commodity?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): His Majesty's Government watch developments in the tin market, but do not consider that any action on their part is called for. One of the advantages of a complete and elastic scheme such as the tin regulation scheme is that it largely eliminates the opportunity for, and risk of speculation, both by providing a means of adjusting supply to demand and by securing as far as possible that the fullest information regarding stocks and supplies is available to the public. In fact the price of tin has remained remarkably stable for many months with the result that speculation has, I understand, greatly diminished. In addition in the tin scheme there exists a buffer pool under the control of the participating Governments which can be used as an additional safeguard against serious fluctuations in price. The hon. Member will recollect that the World Economic Conference reviewed the operation of the tin scheme and expressed their full approval of the scheme and its operation.

Mr. GRENFELL: Is the right hon. Gentleman aware of the very grave injury which the high price for tin means to the tinplate industry in South Wales?

Sir P. CUNLIFFE-LISTER: Not in the least. I have always understood from the consumers of tin that the essential thing for them is a stable price, and I have not heard any objection from consumers that the price is unreasonable. What is important is that at a World Economic Conference, in which every single country was represented, producers and consumers, went into this question most thoroughly and thought that the scheme was not only reasonable but essential.

Mr. GRENFELL: Are His Majesty's Government in favour of all these arrangements for keeping tin at a high price?

Sir P. CUNLIFFE-LISTER: His Majesty's Government to-day are in exactly the same position with regard to this scheme as His Majesty's Labour Government were when the scheme was adopted.

Lieut.-Commander AGNEW: Is my right hon. Friend aware of the great benefits which have accrued to home producers of tin as a result of this tin restriction scheme?

Sir P. CUNLIFFE-LISTER: Yes, Sir.

Major NATHAN: May I ask whether the right hon. Gentleman has any information as to the operations of this buffer pool to which he referred to in his reply?

Sir P. CUNLIFFE-LISTER: The whole of the facts have been fully stated regarding this buffer pool. The pool has to collect, I think, 8,000 tons of tin, which every producer has the right to produce, and which will then be under the control of the Governments concerned.

Major NATHAN: Will the right hon. Gentleman say, if he can, what are the financial results of the pool?

Sir P. CUNLIFFE-LISTER: No, Sir. It is obvious that if you are to have a buffer pool controlled by Governments in order to prevent speculations, you cannot disclose the exact position of the pool from day to day.

Mr. WILMOT: Is it not a fact that this tin scheme operates gravely to the disadvantage of British Empire producers of tin and entirely to the advantage of high cost producers in foreign countries?

Sir P. CUNLIFFE-LISTER: No statement could conceivably be farther from the truth. The Labour Government followed, if I may say so, an absolutely sound policy in this matter, and decided that before initiating the scheme they must be satisfied that it had the support of the great majority of producers, and that it was in the interests of the producers of tin within the British Empire. They fully satisfied themselves on that, and the scheme was endorsed by the World Economic Conference. For once a consistent policy has been carried out by all Governments.

53. **Mr. GRENFELL** asked the Secretary of State for the Colonies whether he has received any representations against the attempts being made to create a complete monopoly in tin; and whether he proposes to take any action to prevent this essential commodity coming under the control of one powerful group?

Sir P. CUNLIFFE-LISTER: No, Sir; no representations have been received, and the area of production of tin is so wide that it is almost inconceivable that it should come under a single control.

Mr. GRENFELL: Is it not the case that the price of tin is twice the cost of production in certain parts of the world; and does the right hon. Gentleman not consider that that price is unduly high?

Sir P. CUNLIFFE-LISTER: I should not dream of answering the first part of the hon. Gentleman's question without notice. Obviously, the cost of production must vary from mine to mine. If you take the price of tin generally to-day and compare it with the prices of other commodities, you will find that, to take coal for instance, in which the hon. Gentleman is interested, in terms of 1913, coal I think is 126 and tin 114.

AIR DEFENCE MEASURES.

45. **Mr. MANDER** asked the Prime Minister whether the women's legion new movement to assist in the organisation of help to the public in case of enemy gas attacks under the Red Cross and St. John Ambulance Societies is approved, encouraged or supported by the War Office; and whether he will give full particulars for the information of those interested?

The PRIME MINISTER (Mr. Ramsay MacDonald): I have made further inquiries, and I am informed that the War Office and other Departments are sympathetic in principle to the movement, and the subject is now being discussed by the three Defence Departments. I understand that full particulars of the movement in question were announced in a letter to the "Times" on the 25th January.

46. **Mr. MANDER** asked the Prime Minister whether he is now able to make a statement as to the results of the experiments carried out in the East End by the Home Office, with the co-operation of the War Office and Air Ministry, as to the best means of making dwelling-houses proof against aerial gas attack?

The PRIME MINISTER: No experiments have been carried out in the East End by the Home Office or any other Government Department as to the best means of making dwelling-houses proof against aerial gas attack.

Mr. MANDER: Do I understand that the widespread reports and various publications on this subject are entirely without foundation?

The PRIME MINISTER: I am much obliged to the hon. Member for sending me a pamphlet, one of the publications to which I suppose he has referred. I have made full inquiries, and the answer I have given is in accordance with the result of those inquiries.

INCOME TAX.

48. **Mr. TINKER** asked the Chancellor of the Exchequer whether there is any differentiation of treatment between the small income tax defaulter of payment and those who owe large sums; and whether he will make a statement of the general procedure that is adopted to recover payments?

Mr. CHAMBERLAIN: The hon. Member may rest assured that all practicable steps are taken to secure payment of taxes that are due and that there is no discrimination in this respect between those who owe small sums and those who owe large. As regards the second part of the question, the procedure for the recovery of taxes is governed by various provisions of the law, and is scarcely a subject which could be dealt with within the limits of a Parliamentary answer. But if the hon. Member wishes for further information on the subject or has a particular case in mind, perhaps he will communicate with me further.

Mr. TINKER: Is the right hon. Gentleman aware that there is unrest among smaller income tax payers because of recent evidence which has appeared in the newspapers? One person who went into bankruptcy was found to be owing £14,000 in income tax and surtax, and they think that he should have been brought to book long ago.

Mr. CHAMBERLAIN: My answer is that there is no ground for unrest or apprehension.

Mr. PALING: Is it not the case that men who are receiving unemployment assistance are being pressed and threatened with prosecution for not paying income tax, and will the right hon. Gentleman give sympathetic consideration to these cases? These people are absolutely bewildered and ask why they should be called upon to pay income tax when they are in receipt of money from the Unemployment Assistance Board.

Lieut.-Colonel MacANDREW: Is it not a fact that the £14,000 due for income tax is a case which has been running on for a number of years? Is it not quite incredible that it should have been allowed to run on for such a number of years?

ROYAL MINT (SILVER JUBILEE MEDALS).

49. **Commander OLIVER LOCKER-LAMPSON** asked the Chancellor of the Exchequer what precedent there is for the sale through the Royal Mint of medals in connection with the Silver Jubilee in competition with the accredited makers of these goods, who must work for profit and unprotected?

Mr. CHAMBERLAIN: I would refer my hon. and gallant Friend to the answer which I gave on the 14th February to the hon. Member for the Moseley Division (Mr. Hannon) of which I am sending him a copy.

FOREIGN LOANS.

52. **Mr. BURNETT** asked the Chancellor of the Exchequer whether he is aware that many pre-war foreign loans issued in London are not receiving full contract service; that the defaults are evidence that the market was unable to assess correctly the credit of foreign countries and institutions whose obligations the market floated on British investors; and will he, preparatory to any future consideration of the removal of the embargo upon the issue of foreign loans, arrange for the Government's economic advisers to draw up and publish for the protection of British savings a list of foreign borrowers who over-borrowed before the War and are now in default upon their pre-war obligations issued by the loan market in London?

Mr. CHAMBERLAIN: I would refer my hon. Friend to the reply given to the hon. Member for North Newcastle-on-Tyne (Sir N. Grattan-Doyle) on the 4th February.

FISHING INDUSTRY (IRISH TERRITORIAL WATERS).

16. **Sir M. McKENZIE WOOD** asked the Secretary of State for Dominion Affairs whether he is aware that the Irish Free State, in its Sea Fisheries Protection Act, 1933, claims, as territorial waters of the Irish Free State, that portion of the seas within which citizens of the Saorstat Eireann have, by international law, the exclusive right of fishing; whether the British Government accepts the proposition that international law gives Irish

Free State citizens any fishing rights to the exclusion of British subjects of any other member of the British Commonwealth; and whether he has invited, or will invite, the Irish Free State Government to reconsider their attitude on this question in view of the injury to both British and Irish fishing interests?

Mr. J. H. THOMAS: As I have explained to the hon. and gallant Member in reply to a question put by him on 5th February, the view of the Government is that the control of fishing within the territorial waters of the Irish Free State is a matter within the jurisdiction of the Irish Free State. This position was recognised in the British Commonwealth Merchant Shipping Agreement of 1931, Article 12 of which provides that

"nothing in the present agreement shall be deemed . . . to restrict the right of the Government of each part of the Commonwealth . . . to regulate the sea fisheries of that part."

In the circumstances, I am not aware of any ground on which I could usefully make representations to the Irish Free State Government in the sense suggested in the last part of the hon. and gallant Member's question.

Sir M. McKENZIE WOOD: Is the right hon. Gentleman aware that it is not a question here of regulation, but of the power to prevent Scottish or English fishermen from fishing in a proper manner within the three-mile limit, while subjects of the Irish Free State have free access to our territorial waters?

Mr. THOMAS: Nothing would give me greater pleasure than to be able to make representations for any English, Scottish or Welsh citizen of this country to the Irish Free State, but I am not going to make representation unless I am absolutely sure of my ground. In this case I have grave doubts.

Lieut.-Commander AGNEW: Are all the right hon. Gentleman's actions in these matters guided by considerations of the most strict reciprocity?

Mr. THOMAS: No, they are guided by common sense.

Mr. HENDERSON STEWART: Will the right hon. Gentleman consider entering into negotiations on his simple point whether the line of the three-mile limit is drawn accurately and reasonably or not, in view of the evidence which one has to the effect that it is unreasonably drawn on many parts of the coast.

Mr. THOMAS: I would ask my hon. Friend to remember that in all the negotiations between ourselves and the Irish Fre State I have never had experience of any simple point.

Captain ARCHIBALD RAMSAY: Is it any use relying upon common sense alone in any dealings with the Irish Free State; and will the right hon. Gentleman consider the common sense of denying to their nationals the right to fish in our territorial waters so long as they deny the corresponding right to our people.

MOROCCO (SPANISH CUSTOMS CHARGE).

40. **Mr. BURNETT** (*for* **Sir P. HURD**) asked the Secretary of State for Foreign Affairs whether he has now, in response to his inquiries, received from the Spanish Customs authorities an explanation of the Customs charge made upon the baggage of British passengers when passing through the Spanish zone in Morocco from the French zone to the international port of Tangier?

The LORD PRIVY SEAL (Mr. Anthony Eden): Yes, Sir; the charge levied was a gate tax, which is payable by British subjects. In the view of His Majesty's Government this tax, however, is not leviable on goods in transit, and His Majesty's Consul at Tetuan is pursuing this point with the Spanish authorities.

BUSINESS OF THE HOUSE.

Mr. LANSBURY: May I ask the Prime Minister what business it is proposed to take on Friday?

The PRIME MINISTER: The Report on Third Reading of the Herring Industry Bill, which, I understand, has just gone through Committee, and the Second Reading of the Post Office and Telegraph (Money) Bill. If there is time, other Orders may be taken.

HERRING INDUSTRY BILL.

Reported, with Amendments, from Standing Committee B.

Report to lie upon the Table, and to be printed.

Minutes of Proceedings to be printed.

Bill, as amended (in the Standing Committee), to be considered upon Friday, and to be printed. [Bill 32.]

SELECTION (STANDING COMMITTEES).

STANDING COMMITTEE B.

Mr. William Nicholson reported from the Committee of Selection; That they had discharged the following Member from Standing Committee B: Major Despencer-Robertson; and had appointed in substitution: Sir William Wayland.

Mr. William Nicholson further reported from the Committee; That they had added the following Ten Members to Standing Committee B (in respect of the Metropolitan Police (Borrowing Powers) Bill): Mr. Bracken, Sir Cyril Cobb, Mr. Duff Cooper, Captain Crookshank, Mr. Rhys Davies, Sir John Gilmour, Sir George Hume, Sir Henry Jackson, Captain Lumley, and Mr. Ernest Young.

STANDING COMMITTEE C.

Mr. William Nicholson further reported from the Committee; That they had nominated the following Members to serve on Standing Committee C: Lieut.-Colonel Acland-Troyte, Mr. Bailey, Colonel Baldwin-Webb, Mr. Banfield, Mr. Bateman, Mr. Batey, Mr. Boulton, Captain Bullock, Mr. Clarke, Viscount Cranborne, Mr. Daggar, Mr. Dickie, Mr. Doran, Mr. Drewe, Mr. Eales, Mr. Essenhigh, Mr. Fleming, Mr. Glossop, Miss Graves, Mr. George Hall, Mr. Hartland, Mr. Howard, Captain Michael Hunter, Mr. Jackson, Mr. Janner, Sir Alfred Law, Mr. Lyons, Sir Frederick Mills, Mr. Morgan, Mr. Palmer, Mr. Pike, Sir Walter Preston, Miss Rathbone, Mr. Arthur Reed, Mr. Rickards, Mr. Aled Roberts, Sir Thomas Rosbotham, Brigadier-General Spears, Mr. Summersby, and Mr. Wills.

Mr. William Nicholson further reported from the Committee; That they had nominated Standing Committee C as the Committee on which Government Bills shall not have precedence.

Reports to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to authorise the lending overseas of pictures comprised in the collections of the National Gallery which are by British artists." [National Gallery (Overseas Loans) Bill [*Lords*].

And also a Bill, intituled, "An Act to consolidate the Unemployment Insurance Acts, 1920 to 1934, and certain other enactments relating to those Acts." [Unemployment Insurance Bill [*Lords*].

WRITTEN ANSWERS.

AGRICULTURAL PRODUCTS (SUBSIDIES).

Mr. R. T. EVANS asked the Financial Secretary to the Treasury whether he will state under separate heads, the amounts expended by way of subsidies in respect of agricultural products in each year from 1931 to 1934, inclusive?

Mr. COOPER: Following is the information required:

Under the British Sugar (Subsidy) Acts, 1925 and 1934.

	£
1931	2,135,192
1932	2,356,207
1933	3,332,910
1934 (estimated) ...	4,450,000

Under the Milk Act, 1934.

1934 (estimated) ...	£1,444,725

Under the Cattle Industry (Emergency Provisions) Act, 1934.

1934 (estimated) ...	£2,100,000

TRANSPORT.

OCCUPATION CROSSINGS, RAILWAYS.

Lieut.-Commander TUFNELL asked the Minister of Transport whether he proposes to suggest to the railway companies that they should collect data as to the total number of occupation crossings in the country and consider what practical measures are necessary for securing additional safety?

Mr. HORE-BELISHA: I am already in communication with the railway companies on these points among others.

ROAD SCHEME, BURY.

Mr. THORNE asked the Minister of Transport whether he has received any communication from the Bury Corporation in connection with the £27,000 road scheme; and whether the corporation have been able to come to any settlement with the trustees of the land required?

Mr. HORE-BELISHA: I understand that the corporation have not yet concluded negotiations with the owners of the land.

UNEMPLOYMENT (STATISTICS).

Mr. T. SMITH asked the Minister of Labour the number of persons registered as wholly unemployed and temporarily stopped at Castleford, Normanton and Pontefract on the latest date available; the number in receipt of unemployment insurance benefit and the number receiving allowances from the Unemployment Assistance Board?

Mr. STANLEY: The following table gives the information desired.

Unemployed persons on the registers of the undermentioned Employment Exchanges at 28th January, 1935.

Employment Exchanges.	Total numbers of unemployed persons aged 14 and over (insured and uninsured) on the registers.			Insured persons (included in previous column) with claims admitted.	
	Wholly Unemployed.	Temporarily Stopped.	Total.	Insurance Benefit.	Unemployment Allowances.*
Castleford ...	4,083	1,407	5,490	2,398	2,400
Normanton	912	525	1,437	739	536
Pontefract ...	2,230	418	2,648	1,037	1,028

* These figures include a number of insured persons with claims admitted for transitional payments, the determinations on which had been given by Public Assistance Authorities prior to 7th January, 1935.

SCOTLAND.

PENAL SERVITUDE (LIFE SENTENCES).

Mr. McGOVERN asked the Secretary of State for Scotland the names of persons, male and female, who are at present in prisons in Scotland serving life sentences; the dates when sentences began; and the nature of the crimes committed in each case?

Sir G. COLLINS: The following statement gives the information for which the hon. Member asks.

Persons in Scottish Prisons serving Sentences of Penal Servitude for Life.

Name.	Date of Conviction.	Nature of Crime Committed.
Males—		
*James Reid	18th December, 1928 ...	Murder.
*Robert Swift Willox ...	20th December, 1929 ...	Murder.
*Peter Queen	9th January, 1932	Murder.
*George McCudden	20th April, 1932	Murder.
*Andrew Cameron	20th April, 1932	Murder.
*George Dollin	23rd April, 1932	Murder.
†John Maxwell Muir	13th April, 1933	Culpable homicide.
Females—		
*Helen Harkness	31st January, 1922	Murder.
*Jeannie Ewen or Donald ...	23rd July, 1934	Murder.

Notes.—* In these cases the death sentence imposed was commuted to penal servitude for life.
† Sentence imposed was penal servitude for life.

BORSTAL DETENTION.

Mr. McGOVERN asked the Secretary of State for Scotland whether boys due for Borstal training are sent temporarily to Barlinnie Prison; the number who have been sent there during the last five years; and the number at present in this prison?

Sir G. COLLINS: Boys sentenced to Borstal detention by courts in the Glasgow area have, pending removal to a Borstal institution, been temporarily detained in Barlinnie Prison since 1st April, 1932. Prior to that date they were temporarily detained in Duke Street Prison. During the last five years the total number of boys temporarily detained in Duke Street and Barlinnie Prisons was 365. At the present time one boy is being temporarily detained in Barlinnie Prison pending removal to a Borstal institution and 30 boys, who are revoked licence-holders, are undergoing Borstal treatment there.

POLICE OFFICERS, CAMBUSLANG.

Mr. McGOVERN asked the Secretary of State for Scotland the length of suspension that was imposed on Sergeant Craik and the constable involved in the Hillhouse assault case at Cambuslang; the date of suspension and date of reinstatement; if they were paid for the period of suspension; where they are now stationed; and if the legal expenses in the civil action fall wholly or partly on the local authority?

Sir G. COLLINS: As I stated in my reply to the hon. Member's question of 3rd July last, of which I am sending him a copy, the police officers referred to were suspended from duty for the period 10th January, 1934, to 2nd February, 1934, both dates inclusive. They were subsequently granted three months leave of absence without pay. Their leave expired on 3rd May, 1934, and they resumed duty on the following day. During their period of suspension the officers were placed on half pay. I understand that Sergeant Craik is now stationed at Whiterigg and the constable at Hamilton. As regards the last part of the question, I am informed that the officers have not so far made any application to the police authority for assistance in their defence in the civil action. The action, I understand, is still *sub judice*.

BREWING INDUSTRY (PROFITS).

Dr. SALTER asked the Chancellor of the Exchequer the profits of breweries for the last available year as computed for Income Tax purposes, less the amounts allowed for wear and tear of machinery and plant, and including profits arising from the carrying on of any trade auxiliary to the main business of brewing?

Mr. CHAMBERLAIN: The profits of brewing concerns for accounting years ended in the Income Tax year 1933-34 are estimated at about £18,000,000, after allowance for wear and tear of plant and machinery and including all ancillary profits.

ANAESTHETICS (DEATHS).

Mr. McENTEE asked the Minister of Health the number of deaths that have occurred from anaesthetics during the past five years giving separate figures for each year?

Sir H. YOUNG: The information which is available in relation to this matter is contained in the following tabular statement:

England and Wales: Deaths under or associated with Anaesthesia.

	1929—1933.
1929	730
1930	707
1931	723
1932	749
1933	768
Total	3,677

POSTAL ORDERS (SALE).

Sir M. McKENZIE WOOD asked the Postmaster-General the number of postal orders of the value of 6d. and 1s. sold by the Post Office for each of the last 10 years?

Sir K. WOOD: The figures are as follow:

	6d.	1s.
1924-25	3,717,000	8,247,000
1925-26	4,077,000	10,056,000
1926-27	10,673,000	16,449,000
1927-28	7,736,000	11,709,000
1928-29	11,827,000	11,244,000
1929-30	20,458,000	12,960,000
1930-31	29,699,000	15,274,000
1931-32	33,993,000	21,159,000
1932-33	26,465,000	23,320,000
1933-34	22,299,000	24,359,000

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ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee.

[Sir DENNIS HERBERT in the Chair.]

3.40 p.m.

The CHAIRMAN: I think it was the wish of the small committee which was set up some time ago that I should remind this Committee of the substance of what was then arranged. That committee, as Members will know, had no power. They arranged and agreed among themselves, and with the Government so far as they could do so, to complete the Committee stage within 26 days, increased, so far as might be necessary, up to 30 days. Having, as I say, no power over other Members, but merely being representative of different groups—there were 14 Members of the House present at that committee—they desire that an appeal should be made in their name to Members of this Committee generally to endeavour to work the Committee stage in the spirit of that agreement. So far as the Chair is concerned, there is no difference whatever in the functions of the Chair. In making that appeal, I would remind hon. Members that it means speeches as short as possible and as few as possible, and I think it has been suggested that the Government representative very often should rise perhaps somewhat earlier than he has done on previous occasions in order to give the Government's view. That may dispense possibly with the necessity for further speeches from supporters of the Government, if the Government put their case sufficiently without requiring adventitious aid.

There is one other point that I would like to refer to with regard to the position of the Chair. It may save time considerably if as seldom as possible appeal is made to the Chair for advice, information, explanations, or anything of that kind. I shall be very glad to do the best I can in that way by being accessible to Members outside the Chamber on any points that they may wish to bring before in order to avoid discussions on the floor of the House. The right of the Chair with regard to the selection of Amendments could not be, and was not, fettered in any way by that committee and, like all other powers of the Chair, it remains entirely unaffected by this arrangement.

3.43 p.m.

Mr. CHURCHILL: On a point of Order. I would wish to make it quite clear that I consider myself, personally, strictly bound to assist the Government in getting this Bill through in the 30 days of the Committee stage, but I do not at all want to be bound beyond that, and I think it would be a pity if it went forth that Members were engaged beyond that general acceptance of the total time. For instance, I hoped that perhaps I might draw from you some statement in public that the particular allocation of the stages now put down for this Bill is intended to be elastic and provisional and can be modified at the convenience of the House, the sole obligation which we have entered into with the Government being to abandon opposition to the Committee stage within the 30 days, if the Government majority hold together. I should like to have it on record that these provisional allocations are of an elastic character. It would seem, looking at this time-table, that probably more time will be required on the early stages of this Bill. They are fertile in large points of principle—the first 60 Clauses of it are peculiarly fertile in large points of principle—and it would seem that the 30 days would give an opportunity for a very full and free Debate upon the main selected points which the Committee would wish to discuss. I should deprecate our starting upon this discussion with any feeling that we have from the beginning to hustle through our task, to hurry on our task, and that everything has to be got through with the very greatest despatch. The Committee, I trust, will be permitted to work its way into the Bill in the ordinary manner, the agreement and understanding that we finish within 30 days being, of course, paramount. I put these observations forward in order that none of us may be held bound by detailed interpretations proceeding far beyond the subject matter of the main agreement.

3.45 p.m.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): Before you answer the right hon. Gentleman, Sir Dennis, may I remind you of what hap-

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pened at the conference of the various groups. We were none of us anxious to restrict the discussion of any important interest at all, but we all, including the hon. Members who, I think, represented my right hon. Friend, agreed that it was much better to have some kind of provisional time-table to which we should try to work, and I think we went so far as to hope we might from time to time have guidance from the Chair as to what progress we were making upon those lines. That does not mean that we wish the arrangement to be entirely inelastic, but I am sure that, unless we are ready to run the risk of going through the number of days and then finding at the end that great subjects have not been discussed, it is essential, if this agreement is to be kept—and I hope it will be kept; and I have no reason to think it will not be kept—that we should try to keep to this time-table.

3.47 p.m.

Mr. CHURCHILL: Further to the point of Order. My right hon. Friend talks about this agreement being kept. As I have said, the agreement exists, and it is clearly understood that the allocations are provisional. We find ourselves compelled to debate this Bill in Committee only seven days after the Second Reading, which is very unusual and a change of plan, whereas at least a fortnight should have intervened. Certainly I do not feel that we ought to be held in any strict manner to the allocation, and I think my right hon. Friend is putting an altogether stiffer interpretation upon it when he says that it might have some element of elasticity or some term like that. It is more than that. We must have free and easy debate and work our way into this Measure in a free manner, subject to the broad and general agreement which exists.

3.48 p.m.

The CHAIRMAN: I omitted to say, as I should have done, and as the right hon. Member for Epping (Mr. Churchill) reminded me, that the provisional arrangement agreed to by that committee was quite definitely that the published time-table was to be provisional, that the committee remains in existence, and that it will meet again from time to time as may be necessary in order to review its working. Perhaps I may just explain by way of example, how I think we stand now under the arrangement. We are now entering on the first period of six days allotted to Parts I and II of the Bill, and, as I understand it, if Parts I and II were finished earlier than the six days, we should be a little ahead and we should go right on to the next compartment. We should then have longer time, if it were necessary, for that compartment. On the other hand, if Parts I and II take more than the six days, there is no Guillotine that falls, and we go straight on with the discussion, but it means that we run into the next compartment, and in other words we are a little behind our provisional time-table. It may be that in that next compartment of time we shall make it up, and we must endeavour to do so, as far as we can, but the working of the time-table is entirely elastic. The small committee hope to meet again from time to time in order to revise the time-table as may be necessary and to make proposals with a view to guiding this Committee as to what it thinks is probably the sort of time-table it would desire to adhere to, if possible.

3.50 p.m.

Mr. LANSBURY: It seems to me that this arrangement all depends upon the spirit in which we all agree to carry it out. We all have certain rights in this matter as Members of the House of Commons, and we have collective rights, and all that we are concerned about is that those Amendments which we on this side consider important should have as fair a chance of discussion as those with which the right hon. Gentleman the Member for Epping (Mr. Churchill) and his friends are concerned. People do not quite understand that if we felt we had the power to stop the Bill we would use that power, but we have not and, therefore, we propose, with the assent of the Committee and the House, to do our best to amend it in such ways as we think necessary. This proposal, whoever made it, is an excellent one for dealing with a Bill of this kind, but it can only be successful if all of us without reserve consider one another and do our best to get the Bill through.

CLAUSE 1.—(*Short title.*)

Colonel WEDGWOOD: I beg to "That consideration of the Clau postponed."

Sir S. HOARE: I am quite prepared to accept the Motion.

Question put, and agreed to.

CLAUSE 2.—(*Government of India by the Crown.*)

3.52 p.m.

Sir REGINALD CRADDOCK: I beg to move, in page 1, line 13, to leave out "his territories in India," and to insert "the territories in India for the time being vested in him."

This Amendment will not take long to explain——

Sir S. HOARE: I am quite ready to accept the Amendment.

Mr. MORGAN JONES: It is all very well to encourage as much rapidity as possible, but when an hon. Member gets up to move an Amendment and the Secretary of State says that he is ready to accept it we are left in the dark as to the reason for moving it. We should be glad if the Secretary of State would say a few words to enable us to know the effect of the Amendment.

Sir S. HOARE: I assure the hon. Gentleman that it is only a drafting point. My hon. Friend wishes to retain the words of the Government of India Act. There is no reason why we should not retain them, and it was on that account that I immediately accepted the Amendment.

Amendment agreed to.

Motion made, and Question, "That the Clause, as amended, stand part of the Bill," put and agreed to.

CLAUSE 3.—(*The Governor-General of India and His Majesty's Representative as regards relations with Indian States.*)

3.54 p.m.

Sir ROBERT HORNE: I beg to move, in page 2, line 7, after "Manual," to insert:

"after consultation with the Committee of His Majesty's Privy Council established by this Act and styled the India Advisory Committee."

In order to make clear what this Amendment means, I will ask the attention of the Committee to a proposed new Clause which appears later on the Order Paper in the name of my Noble Friend the Member for Aldershot (Viscount Wolmer) and myself, which defines the India Advisory Committee which we contemplate. It is as follows:

"(1) There shall be a Committee of His Majesty's Privy Council styled the India Advisory Committee.

(2) The India Advisory Committee shall consist of the First Lord of the Treasury, or other person who is the Prime Minister for the time being, the Secretary of State for India, and all persons being members of His Majesty's Privy Council who shall have held the office of Governor-General of India before or after the passing of this Act, or shall have held after the passing of this Act the office of His Majesty's Representative for the exercise of the functions of the Crown in its relations with Indian States.

(3) It shall be the duty of the India Advisory Committee to advise His Majesty as to the appointment of persons to the offices of Governor-General of India, His Majesty's Representative for the exercise of the functions of the Crown in its relations with Indian States, and Governor of any Province, and as to the removal of such persons from such offices."

Put shortly, the Amendment I am moving will provide that the appointment of the Governor-General of India under this Bill and His Majesty's Representative in India shall take place only after consultation with living ex-Viceroys who happen to be members of the Privy Council. That would, in fact, include all the living ex-Viceroys. There is a precedent for the proposal which I am making, for under the Government of India Act, 1919, Section 3, it is provided that the Governors of the Provinces in India, except the three major Provinces, shall be appointed after consultation with the Governor-General. The Amendment which I am putting forward, accordingly, only extends that precedent to the case of the appointment in future of the Governor-General. It is worth while for the Committee to consider what is the nature of the office to which the Governor-General is to be appointed and what is the kind of man who will be required to discharge the functions of that office.

I have not addressed the House or any Committee of the House upon the subject of India the day on which the Select Committee was set up. On that occasion I set forth the views which I held as to the dangers which have to be encountered and the difficulties against which we have to guard ourselves. Never after the Select Committee was set up did I express any opinion whatever on this very important matter, nor did I

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address the House in the Debates on the Report of the Select Committee or on the Second Reading of this Bill. I voted in support of the recommendations in the Select Committee's Report, and I also voted in the Lobby in favour of the Second Reading of the Bill. I am sure that the is nobody who gave a vote in favour of this proposal for a new Constitution for India who did not feel that he was taking upon himself a very grave responsibility. Never since I became a Member of this House have I given a vote after such serious deliberation, or with as grave anxiety as I felt about the judgment which I had to form in connection with the policy which we are to adopt for India.

None of us, I am sure, can forget that we are proposing to impose a system of democratic responsible government upon people whose whole traditions are alien to the foundations and fundamental theory upon which democratic government rests. We are giving it to 350,000,000 people, a population nearly three times as large as the whole populations which are assembled within the orbit of the United States of America, a people, or rather, I should say, many peoples, divided by a war of tongues, by deep cleavages of race, by bitter antagonisms of creed, by all the contempts and hatreds involved in caste, and one thing we have to keep in mind which we are apt to froget is that these people have never been a nation. They really have no unity which has not been given to them by the advent of the British people in India who have given to these immense hordes a common law which has operated through this gregarious tumult confined within borders, which, after all, are only a geographical expression.

That is the problem with which we are dealing, and we must not imagine that it is an easy one. There are a certain number of people who, I gather, are able to take the complacent view, and after they have announced it think that no further argument is required, that bad self-government is better even than good government by somebody else. But even if you admit that idea as a good foundation for your policy, it is obvious that it acts only within very restricted limits. As soon as you find people uncomfortable enough, or irritated enough, or depressed enough, look how readily they depart from this idea of democratic government, and rush to other forms for help. We have seen it take place within our own time in different countries of Europe, but nothing in my view has been so remarkable in all history as the way in which vast numbers of the citizens of America, who have hitherto been given up to a theory of extreme individualism, have rushed with one accord to place their burdens and troubles in the hands of one individual whom they hope to be able to save them from their difficulties. Accordingly, we are challenged with the clear fact that what we are doing here is to embark upon the most colossal experiment that has ever been attempted in human history. If it breaks down we shall be responsible for one of the greatest catastrophes that has ever been known. It is, above all, our duty to see that it does not break down, and that it cannot break down, and, as I take it, while we are considering the various Clauses of the Bill, it must be with the strict intention of adopting every precaution by which we can save this great experiment from failure.

We have put into this Bill many safeguards, but all of those safeguards revolve round a single individual, and that is the Viceroy. He is the linch-pin of the whole system. He is the keystone of all this mighty fabric. If the Viceroy fails, nothing can save the system you have set up. You may say that the Viceroy always has behind him the India Office, but in nearly all cases in which he has to act, he has to do so by his own discretion. On occasions he will not have time to consult anybody, and the decision will depend upon his foresight and his insight, his tact, his judgment and discretion; and even when he does consult the India Office on most of these problems the foundation of the reply of the India Office must be the impression which the Viceroy himself has formed. That is the information upon which alone they can form an opinion. Accordingly, I cannot imagine any office in the world in which the appointment is more important than that with which we are dealing in the case of the Viceroy of India.

What are the main functions which the Viceroy has to perform? I have had taken out for me a list of the things he

has got to do, and I am sure that every hon. Member would be as staggered as I was if he saw the list I have in my hand on eight closely type-written sheets. Many of the matters dealt with are undoubtedly routine matters, but a very large majority of them are matters to which the Viceroy would require to give his own personal attention and careful deliberation. I need not worry the Committee by going through all these matters, but let me remind them of one or two of the things which stand out on the face of the Bill. The Viceroy is to be the head of the Executive. He has to preside over the Ministers. He has got to take part in all deliberations. He has got to form the rules for the transaction of business. He has got to arrange what is done in the case of the vacation of seats. And, in addition to all the ordinary duties of presiding over the deliberations of Ministers, he himself is charged with three separate departments of his own. He has got to look after ecclesiastical matters. He has go to deal with finance; and he has got to deal with defence. You may say with regard to finance that he has to appoint a financial adviser. It is perfectly true, but there is a vast number of questions arising out of finance upon which he, personally, will have to decide, because it will be impossible for him to defend his actions, as he is bound to do, unless he applies his mind to the reasons for the actions he has taken.

Those are not matters such as one is familiar with in Government Departments in this country where a Minister can readily accept the judgment of a subordinate upon a matter which he knows will be defended by the Department in due course. The Viceroy has to defend his own actions, and he has to show in a large number of instances the reasons why he differs from the advice given to him by his Ministers—a totally different situation from anything we know in this country, or in any democratic system of which I have ever heard. On these questions of finance, it is obvious there will be many quarrels between the Provinces and the Federal Government. There will be the question of income tax, for example, and there are many questions between the Provinces and the Federal Government on finance tion of defence, the Viceroy cannot simply leave that to his skilled advisers and pronounce a judgment. I do not know whether hon. Members have taken the trouble to look at the Instructions which my right hon. Friend the Secretary of State for India has issued to the Governor-General and Governors in connection with this Bill. Those Instructions consist of a remarkable series of powers and checks upon powers to be exercised by this one individual who is charged with these colossal duties. One paragraph alone which I might read to the Committee gives some idea of the amazing discretion and tact which the Viceroy will be compelled to display in dealing with this situation.

What has he got to do in the exercise of his time and judgment in connection with defence? He has not merely to decide himself what is to be required, but he has to take his Ministers into consultation. I do not for a moment question the necessity of these Instructions. I think they are admirable for the purpose. They exhibit exactly what is expected of the Viceroy, but if you look at Instruction XVII, for example, it says:

> "Our Governor-General shall encourage the practice of joint consultation between himself, his Counsellors and his Ministers. And seeing that the Defence of India must to an increasing extent be the concern of the Indian people it is Our will in especial that Our Governor-General should have regard to this instruction in his administration of the Department of Defence."

That is to say, that although the Governor-General has the last voice upon this question of defence, he has got to bring his Ministers together into consultation, and to try to get their co-operation and to try to come to a common view. Instruction XIX says:

> "And We desire that, although the financial control of Defence administration must be exercised by the Governor-General at his discretion, nevertheless the Federal Department of Finance shall be kept in close touch with this control by such arrangement as may prove feasible, and that the Federal Ministry and in particular, the Finance Minister shall be brought into consultation before estimates of proposed expenditure for the service of Defence are settled and laid before the Federal Legislature."

Anybody who knows what has happened in the government of India, especially in the struggle between the civil department

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this will require the very utmost limit of the time and the patience, the perseverence and the forbearance of the Viceroy in endeavouring to arrive at this co-operation which the Instruction quite properly sets out. What I have said shows that the Viceroy will have a full 24 hours each day; but things do not by any means stop even there. He has to keep in close touch with everything that is going on, because of the duties imposed upon him in watching to see that none of the things which Parliament seeks to have safeguarded shall be in any way infringed. In particular, the Viceroy is given special responsibilities with regard to minorities, safeguarding the interests of public servants, and discrimination in trade. Just imagine what that means. Things which might injure the public servants of India might be subtly or insidiously introduced into acts of administration which it would be very difficult to detect, but the Viceroy is enjoined to keep a constant watch upon those things and to deal with them if they occur. When it comes to minorities, the Instructions provide that he has a special responsibility for the safeguarding:

"Of the legitimate interests of minorities as requiring him to secure, in general, that those racial or religious communities for the members of which special representation is accorded in the Federal Legislature, and those classes who, whether on account of the smallness of their number or their lack of educational or material advantages, or from any other cause, cannot as yet fully rely for their welfare on joint political action in the Federal Legislature."

That is another very exacting duty, because nothing has been more trying in India in the past than endeavouring to resolve the difficulties which occur between religious communities. Then, subtly, the draftsman has added this to the Viceroy's difficulties:

"But he shall not regard as entitled to his protection any body of persons by reason only that they share a view on a particular question which has not yet found favour with the majority."

I imagine the draftsman must have heaved a sigh of relief when he succeeded in getting that sentence off. As to discrimination in matters of trade, there is a difficulty which taxes the skill of the most subtle administration. The instruc- be obvious at first sight, and with regard to that matter the instructions require and charge him to regard

"discriminatory or penal treatment covered by this special responsibility as including both direct discrimination (whether by means of differential tariff rates or by means of differential restrictions on imports) and indirect discrimination by means of differential treatment of various types of products."

I do not know what kind of staff the Viceroy is to be supplied with in order to perform all these duties, but whatever the extent of the staff direct responsibility is placed upon the Viceroy for the action which he is to take in any single case, and it is the most exacting duty I have ever known put upon any single individual in the history of our legislation. But what I have said touches only the fringe of the matter, because the Viceroy is at the same time to deal with all matters connected with the Indian States which are not confided to the Federal Government. He has still to exercise the right of the Paramount Power, and that involves many most delicate transactions and will take up a great deal of the Viceroy's time.

I myself have had the privilege of being in the company of the Viceroy for many days, and seeing him at his work under the old conditions. That Viceroy was one of the most skilled administrators this country has ever possessed, a man of outstanding ability, as recognised by everybody, and with immense capacity both for work and for the rapid survey of papers; and in my experience, except for the hour when he rode in the morning, he was chained to his chair for the whole day. Further, the Viceroy has to appoint the Commissioners of the Commissioners' States. He has to concern himself with Baluchistan; he has to deal with railway matters; he has to appoint three-sevenths of the members on the Railway Federal Board; and as an anti-climax he has to see that the broadcasting system of India is fair and equitable. In addition to all these things he has to play a part which is even more important in the East than here, he has to play the part of the representative of the King, and never fail in keeping up those great ceremonial duties which appeal so much to the mind of the Indian populace.

keeping in mind the effect of his Amendment. The effect of this Amendment, if I refer to the proposed new Clause on page 252 which he mentioned, is to establish a committee to advise as to the appointment of the Governor-General. I can understand the relevance of a great deal of what the right hon. Gentleman has said as to the importance of the post, and that that indicates the importance of choosing the right man, but I have ventured to interrupt because his Amendment, so far as I can see, is confined entirely to the appointment of a committee not to advise or assist the Viceroy in his work but merely to deal with his appointment.

Sir R. HORNE: I apologise if I have gone beyond the bounds of fair exposition of the point I was making, and I apologise particularly to the Committee for taking up time, but I did think it important, in connection with the question of the appointment, that we should realise what kind of man we require for this post. I shall not pursue the matter any further, and will only say that it must be obvious from what I have said of the duties pertaining to the great office of Viceroy that India will require of our very best, and that there is no one in the whole world who exercises a responsibility and discharges duties of anything like the magnitude that are to be placed upon this single individual.

I ask, therefore, whether we can leave the appointment of a man to such an office to the mere play of political chance. Can we feel sure of the Prime Minister or the Secretary of State for India, of any party in a partisan Government, always being willing and free to choose the appropriate man for the office? I have a great belief in Prime Ministers, and I have a childish faith in Secretaries of State for India, but I cannot trust the judgment of even the most distinguished of them to so great a degree in this matter, because we cannot afford to make a mistake, for, believe me, if the Viceroy fails the system is immediately brought to disaster. He is the key to the whole position, and I cannot imagine that a Prime Minister or a Secretary of State would feel himself embarrassed by consulting with ex-Viceroys available and obtaining their judgment; and, on the other hand, I can quite well imagine a situation in which a Prime Minister would be glad to be able to answer to his party that he was bound to take other people's views into account in making the appointment. It is for these reasons—and again I apologise for expressing them at so great length—[HON. MEMBERS: "No!"]—that I ask the Committee to consider this Amendment very seriously, and to take action by which we can really feel more assured in our minds that the appointment to the office of Viceroy will be entirely safe in the hands of those who have the duty to recommend the Viceroy.

4.27 p.m.

Sir S. HOARE: I am torn between two desires. On the one hand, I should like to follow my right hon. Friend over the very wide field he has travelled, and on the other hand I am very anxious, in the first speech which I deliver in this long Committee stage, to follow both in the letter and the spirit the advice just given from the Chair, that the Government speeches should be few and short; and on the whole, with all due deference to my right hon. Friend, I am going to try to follow the very wise advice given by you, Sir Dennis Herbert, this afternoon. I hope, therefore, that no one in the Committee will think I am perfunctory or that I am not dealing adequately with the arguments on any particular Amendment.

Let me begin by saying that I have great sympathy with the object which I think is in the mind of my right hon. Friend, namely, to get the appointment of the Viceroy on to the broad ground of a national rather than a partisan appointment, and that we should take every step to ensure that we do get for this post a man who will not only command the support of a particular section of the community here, who may be in power only for a limited period of time, but will really represent the nation rather than any particular section of the nation. Secondly, I agree with my right hon. Friend in a great deal of what he has said about the importance of the Viceroy's post. Obviously, it is an important post, and a very delicate one. Let me say in passing, however, that great as its difficulties are I think my right hon. Friend seemed in his argument rather to assume that the Viceroy is going to be a lone, isolated individual standing by himself. That is not the case. The Viceroy will have his advisers and behind

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his advisers will have whatever staff he needs for dealing with the kind of question to which my right hon. Friend has just referred. Behind his own staff there will be the whole body of the Services, stretched over India from one end to the other, upon whose loyal advice and constant help I am certain that he will always be able to depend.

Let not my right hon. Friend imagine that the Viceroy will be acting almost in the dark, and that the kind of situation which he has just described will be constantly coming upon the Viceroy unawares. I do not think that that is likely to happen. The Joint Select Committee rightly attached a great deal of importance to the need for the Viceroy to be constantly kept informed, not in any haphazard way but regularly and methodically through the official channels, of the kind of situation which I think was in the mind of my right hon. Friend. Moreover, there were, on the Joint Select Committee, three living ex-Viceroys, and they all took it quite definitely that with those means of information at his disposal, with a staff at hand—after all, he is to be the judge of the numbers of his staff and of the expenditure which is to fall upon the Votes—with those services and this machine at his disposal, the Viceroy ought to be able to carry out his duties, complicated even though they are.

Having said, I hope, enough to show my right hon. Friend that I agree with him, first of all in his desire to ensure the best possible appointment for the Viceroyship and, secondly, in his evident desire to give a Viceroy every possible help in carrying out his difficult duties, let me now turn to the actual proposals which my right hon. Friend makes. He proposes, in the case of the Viceroy, that a special committee of the Privy Council composed of those ex-Viceroys who are members of it, should be a consultative committee, and that the Prime Minister should consult them before submitting a name to the Crown. I have summed up what my right hon. Friend means when he talks of this consultative committee, but even after his speech I am still left in doubt, for this reason: In his speech he spoke of this body as a purely consultative one, whereas in the New Clause which he has put down for discussion at a later stage, he talks of the committee as an advisory committee whose duty it is to advise the Crown. My right hon. Friend who, I know, is an expert in these constitutional questions, will at once see that these two conceptions are quite different. A consultative committee is one thing and an advisory body, whose statutory duty it is to advise the Crown, is quite a different thing.

An advisory committee whose statutory duty it is to advise the Crown would really take the responsibility away from the Prime Minister and the Cabinet. It would introduce into our Constitution a totally new kind of procedure in which it might well be that the majority of the committee composed of the ex-Viceroys might advise the Crown—"advising the Crown" is, as my right hon. Friend knows, a technical expression—to make an appointment that is not approved by the Prime Minister and the Secretary of State. The effect of that would be to withdraw from this House and from the Cabinet any responsibility for the appointment. While I am most anxious to keep this appointment as far as possible out of the ordinary ruck of party politics, and I think every other hon. Member is anxious to do that, I see grave objections to introducing a new procedure into our Constitution and taking this appointment out of the control of Parliament. I hope that at some later stage of this discussion my right hon. Friend and those who are working with him will make it quite clear whether, when they speak of an advisory committee in the proposed new Clause later, that is what they mean.

Sir R. HORNE: I can make that perfectly clear to my right hon. Friend now. The effective words of the Amendment are "after consultation." That is the only point that really matters, and the fact that the body which the Prime Minister has to consult is described as an advisory committee does not affect the duty of the Prime Minister in regard to it, or the duty of consultation which is imposed by the Amendment. I have no particular predilection for the word "advisory"; call it any other kind of committee you like.

Mr. ISAAC FOOT: Does not Subsection (3) of the right hon. Gentleman's proposed new Clause carry the matter a great deal farther than he has just said? It states:

"It shall be the duty of the India Advisory Committee to advise His Majesty . . . . "

Sir R. HORNE: The effective Amendment which I am moving at present is that consultation be had with a body which is to be set up. The particular character of this body is a different matter, and I am prepared to alter the words of the proposed new Clause which we have not yet come to, in order that the body shall perform the duties of consultation alone.

Sir S. HOARE: I take it that the right hon. Gentleman does not stand by the words of Sub-section (3) of his proposed new Clause.

Sir R. HORNE: No.

Sir S. HOARE: And that he does mean consultative body, and not advisory body?

Sir R. HORNE: I know perfectly well that a body to advise the Crown in this respect would be an invasion of the Royal Prerogative. I do not propose that at all.

Sir S. HOARE: That being so, and having cleared that difficulty out of the way, let me now address myself to the proposal in the sense which my right hon. Friend has just described, namely, a consultative committee. I put my difficulty to the Committee without reserve, and I hope that hon. Members will face it. I am, first of all, nervous of the existence of a committee of this kind bringing the appointment of the Viceroy into public discussion. I think there is a great deal to be said for the Prime Minister of the day consulting individually the ex-Viceroys, and I can conceive that that usually happens, but as soon as you set up a committee by statute you run the risk of bringing the question of the appointment into discussion in the House. Questions may then be asked whether such and such a member of the committee agreed with the recommendation, which might become the subject of party controversy. I would very much like, if possible, to avoid that kind of risk.

Whether it be possible to reach the result that my right hon. Friend desires by some other means I am not sure. I am not sure, for instance, what it is that he and those who are supporting this Amendment really desire. Do they desire to keep the appointment out of the field of purely partisan appointments? If that be the case, I would be inclined to think that the right way to achieve that would be a convention between the Prime Minister and ex-Prime Ministers; namely, before a name is submitted to the Monarch the Prime Minister would consult the ex-Prime Ministers and the Leader of the Opposition on the subject. The effect of such a convention would, I think, avoid the risk of a future Prime Minister repudiating an appointment made by one of his predecessors. If, on the other hand, what is desired is to bring to bear upon a recommendation of this kind the expert opinion of those who have had first-hand experience in the highest post in India, I think you ought to consult the reigning Viceroy as well as the former Viceroys. I still think, however, that it is better to consult them individually rather than to set up in the body of the Bill a statutory committee that will be liable to the kind of risks that I have just described.

I hope that my hon. Friends will address themselves to these difficulties. We all want to get the best possible man and we all want his merits to be considered but not from any party or sectional angle. I am inclined to think that the setting up by statute of a committee of this kind would either be of no avail in the event of a Prime Minister's ignoring the recommendation of the ex-Viceroys, or it might be embarrassing, in the event of a discussion arising in this House as to why a particular individual was or was not recommended. The position of the Government is, in a sentence or two, to be described as follows: We see grave danger in blurring Ministerial responsibility. We feel that whatever consultation there may be and with whomsoever that consultation may take effect, the responsibility of the Prime Minister and the Cabinet ought to be clear and distinct; we feel, secondly, that if there is to be consultation it would probably be much more effective if it went on by convention rather than by provision of this kind in a Bill, a provision which, as I say, either will be of no avail or will be very embarrassing to the individual who is eventually appointed. Speaking generally, the Government could not, I think, accept the Amendment in this form, but I should

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welcome an opportunity of hearing the views of hon. Gentlemen in all parts of the House on the subject.

4.45 p.m.

Mr. MORGAN JONES: Like the right hon. Gentleman, I do not wish unduly to detain the Committee, but I would like, on behalf of my hon. Friends on this side, to say at once and without any qualification what our attitude is with respect to this Amendment. The right hon. Gentleman the Member for Hillhead (Sir R. Horne), if he will allow me to say so respectfully, scarcely advanced an argument in favour of the change implied in the Amendment. I heartily agree with him that the responsibilities of the Governor-General under the new regime, as, indeed, they have been under the old, will be very heavy and exceedingly difficult to discharge, but I did not quite gather what the drift of his argument was—whether it was that the responsibilities were so onerous that no single individual could be expected to discharge them, and that, therefore, they should be discharged by some representative body in India. That, at any rate, seemed to me to be a logical deduction from the right hon. Gentleman's argument. I think, however, he succeeded none the less in disclosing his real purpose. If I understood him aright, he is really rather concerned as to what might happen as regards the future appointment of Viceroys in the event of the entry into office of Governments to whom he is politically opposed.

We can test the value of the operation of this proposal if we project our minds into a time when there is an alternative Government differing in complexion from the present one. Suppose that a Labour Government comes into office, and this scheme is in practice. The Advisory Committee which the right hon. Gentleman visualises is to include the Prime Minister, who would naturally be a Labour man, and the Secretary of State, who also will be a Labour man; but will there be any other Labour representative on this Committee of the Privy Council? Every other member of the committee will be politically opposed to the Government, if we may take our experience hitherto as a reasonable guide, because I cannot recall any Viceroy of India who on his return has associated himself with the Labour movement. [HON. MEMBERS: "Lord Chelmsford."] Lord Chelmsford specifically declared, when he joined the Labour Government, that he did not accept the ordinary party beliefs and policies of Labour. Therefore, I am strictly correct in what I have just said. How does that work out in practice? How could anyone expect a Labour Government to be prepared to relegate the responsibility of determining who is an appropriate person to exercise the function of Viceroy or Governor-General of India to a committee of honourable people I dare say, but of people none the less who are politically opposed to themselves?

Serious political issues may arise from time to time between the new India and the Government in this country, Labour or Conservative as the case may be, and it is fair that the Labour party should anticipate that the person whom it would appoint to exercise this very important function should be a person in strict accord with its outlook in relation to Indian affairs. Why not? Would right hon. Gentlemen opposite appoint a Socialist? The Tory party's great complaint at the moment is that the Government have become so Socialist, and if it is proper for right hon. Gentlemen opposite to complain of our influencing Tory policy, we are entitled to complain of Tories influencing our policy. Therefore, we shall vigorously object to this attempt to preserve high appointments in India in the future to the Tory party. The right hon. Gentleman and his friends may as well get rid of the impression that they are to exercise a permanent control over the policy of this country in relation to India. We are entitled to express our view about it, and, if we are the Government, we are entitled to determine what shall be the policy of the country.

The right hon. Gentleman spoke of his desire not to make an appointment of this sort too strictly partisan in character. He wants it national and representative. The way to arrive most nearly at representative opinion in this country is to determine who are the people who have been elected by the people of this country to be the Government for the time being. If it happens to be a Conservative Government, it is presumed to be representative of the people of the country; If it happens to be a Labour Govern-

ment, it is presumed to be representative of the people of the country. I do not want to be more partisan in this matter than the occasion demands, but I say emphatically that we are not going to allow ourselves to be drawn into any sort of scheme whereby an additional safeguard in relation to future appointments in India is introduced so as to give the Tory party a permanent lien on the offices held in that country.

4.51 p.m.

Viscount WOLMER: I wish that the hon. Member for Caerphilly (Mr. Morgan Jones) had had a bigger House to listen to his speech. I do not think that the Secretary of State ought to be afraid of making new constitutional precedents. He has here a constitution which is neither a democracy nor a monarchy, neither a Parliamentary Government nor an autocracy, which is neither monarchy nor dyarchy. It is something that he is doing quite afresh. Therefore, we have to make our precedents, and I am certain that if we can convince him that we have to make our precedents, he will be prepared to do it. I would ask him and the hon. Member for Caerphilly to consider, not the dignity of politicians in the House of Commons, but the way in which the people in India will look at this matter. This Constitution is being set up in which admittedly the Viceroy is, as my right hon. Friend calls him, the linch-pin or the keystone. Everything depends on getting the very best man, a man who possesses an extraordinary range of powers and experience, to fill this post. We are all agreed that it is all-important to find the right man. It may be very difficult for a Prime Minister, in face of his own political supporters, to appoint the right man. He may learn that the right man is not a follower of his own party, and it would be a great assistance and support to the Prime Minister to be able to turn to his party and say, "I am enjoined by the Government of India Act to consult a committee of the Privy Council. After such consultation we came unanimously to the opinion that So-and-so was the best man, and we have considered the interests of India and the interests of India alone." Have not the people of India the right to ask that of us? Have not they a right to demand that we English politicians should put aside our party prejudices and passions in appointing their Viceroy, and appoint him solely and entirely on account of his fitness for this extremely difficult and complicated task? I would ask the Committee also to consider the position of the Viceroy himself after he has been appointed. When he has to use these very invidious and delicate powers, will it not be a great support to him if everybody, not only in England but also in India, knows that he has been appointed after consultation with the greatest experts that the Empire holds on this subject?

Who are the people who, according to our suggestion, should be consulted? The men who have themselves borne that particular burden, and who know as nobody else can know the ramifications and difficulties involved. The hon. Member for Caerphilly talked of keeping the office of Viceroy as a Tory preserve, or something of that sort. That is not the character of the present ex-Viceroys. They are not people of a political complexion with which I personally sympathise, but I am perfectly certain that they and their successors would never recommend anybody with regard to what his English politics were, but would only recommend people whom they believed to possess the qualifications necessary for dealing with Indian problems. Surely, it is going to help enormously the whole working of this scheme if the people in India know that the man sent out to them as Viceroy has been appointed absolutely free of any party considerations here, that he has been appointed after consultation with men whom they know, Viceroys under whom they have lived, men who know their conditions. Will not that assure the new Viceroy of a welcome which he could not possibly get under the present system?

The Secretary of State sems to think that this might drag such appointments into party politics, but the object is exactly the contrary. I would ask him to recall his own experience during the past few months. How did he set about getting his Indian reform proposals through? He got a Joint Select Committee appointed, on which he put as many ex-Viceroys as he could find, and other people who could speak with authority to the people of England. The report of that committee, backed by those men, has enormously facilitated the task of the right hon. Gentleman; and so it will be in the future with regard to any

[Viscount Wolmer.]
Viceregal appointments if the public in this country, in India, and in the whole Empire know that the appointment has been made after consultation with people who, in their capacity as ex-Viceroys, stand above party and irrespective of party. If it is known that the appointment has been made in that manner, there will be far less disposition to question such appointments than there has been in the past.

The committee that we suggest is intended to be a purely consultative committee. If "advisory" is the wrong word to use, that can easily be altered. The object is that these experts should be consulted, and that the whole question of the appointment of Viceroy should be lifted above party politics. If the Labour party fear that, they show a strange lack of faith in the ability contained within their own ranks. I am certain that a panel of the kind suggested would not consider the question from a party point of view, but would supply what the whole working of the Constitution very much needs, and what India needs, because I hope it is not out of order to say that this committee is intended also to advise in regard to the appointment of Provincial Governors. We cannot discuss that question in detail at the present moment, but I would like to say this, that the appointment of Provincial Governors in the past, and, indeed, in the last 10 years, has not been above the reproach of being affected by party considerations in this country; and if we passed an Amendment of this sort we should be doing a very great deal to give Indians an assurance that appointments of that kind would not occur again, and I believe they would be profoundly grateful to us for it.

5.0 p.m.

Mr. ISAAC FOOT: The Amendment has already undergone a change since it was introduced. The right hon. Gentleman who moved it will recognise that it would be very different if the words that appear in Sub-section (3) of the new Clause which appears on page 252 of the Order Paper were adopted. That fact invalidates a great deal that was said in the course of his speech. The Noble Lord the Member for Aldershot (Viscount Wolmer) has asked us to assume the general acceptance in India of an appointment which had behind it the unanimous recommendation of this Advisory Committee. Why should he assume that such an Advisory Committee would be unanimous? What provision is there if there should be a division of opinion on the Advisory Committee? I suppose that there would be five members of the suggested committee. There would be the Prime Minister and the Secretary of State, and I believe there are three past Viceroys who are spared to take part in our counsels. Assume a position where there is a division, that the three in exercising the duty with which they have been entrusted by Parliament came to the conclusion that there should be one appointment, and that the Prime Minister of the day and the Secretary of State thought that the appointment should be of another kind.

Viscount WOLMER: I ask the hon. Gentleman whether, with his knowledge of public affairs, he thinks that that is likely. Does he not think that men of experience and responsibility, meeting together, would in nine cases out of ten come to a unanimous agreement?

Mr. FOOT: I do not know why they should. Suppose that there is a question of policy. Suppose that there were those three members holding views upon the Indian question like those of the Noble Lord himself, and holding those views very sincerely and very vehemently. They would probably disagree with the expressed outlook of the present Secretary of State and Prime Minister. That division would be bound to manifest itself amongst five people of very wide experience. Probably they would reconcile their differences before the end, but the very fact that there were these differences between five men of very high experience would almost certainly leak out; and if the Viceroy so appointed carried out a policy which was considered a failure whom could we criticise in later years? The Noble Lord just now expressed an opinion about the recent appointment of Governors. It may be an advantage that he can express his criticism. If it is a criticism he can bring it to bear on the Secretary of State in such measure as is allowed.

Viscount WOLMER: I was not accusing the Secretary of State.

Mr. FOOT: I am not suggesting that the Noble Lord is doing so. He said that some of these appointments are open to question, but if he has that objection he can express it now to the Secretary of State and the Prime Minister of the day. To whom would he express his objection under the operation of this Amendment? It is quite possible that the Secretary of State of the day would take refuge behind the Amendment and say that the appointment was not his, and that he must not accept sole responsibility. It is a most dangerous Amendment. Divided responsibility in a matter of this kind means very often that there is not the same sense of responsibility as is felt when the appointment is in the hands of one man. I do not think that an appointment by such an Advisory Committee would be more welcomed in India than appointments as they are made today. I am rather astonished that this grave constitutional innovation should be suggested from the other side of the Committee. We are very anxious to deal with the more outstanding controversies raised by the Bill, and those who sit on the Liberal benches wish to state that if there is a Division on this Amendment they will support the Government.

5.7 p.m.

Colonel WEDGWOOD: I should not have intervened but for the speech of the Noble Lord the Member for Aldershot (Viscount Wolmer). I should not like it to go out from this House to the public that the appointments of Governors made from this House had been failures. I believe that the entire population of India prefers a Governor who has come from this House or the other House to a promoted civil servant. I served myself under the Noble Lord's father, who was an admirable Governor. I should hope that the noble Lord himself will in due course be a Governor in India. I should have much more confidence in him than in any promoted civil servant. We must not depreciate the importance of this House in the training of people for the job of carrying on as Governors in India. I like this House. I like all Houses of Commons. I think we are the training ground——

Viscount WOLMER: I never suggested for a moment that people with Parliamentary experience should not hold this office.

Colonel WEDGWOOD: I am sure that if the selection was made by ex-Viceroys and people of that sort no Member of Parliament would be chosen. I would sooner trust myself to the tender mercies of the Secretary of State. Not that I am a candidate, mind you.

5.9 p.m.

Mr. AMERY: It is rather important that we should be clear as to what proposals we are discussing. My right hon. Friend the Member for Hillhead (Sir R. Horne) made it quite clear just now, in answer to the Secretary of State, that what he contemplates and what he wishes the Government to consider is a consultative committee, consultative with the Prime Minister. Unfortunately that is not the actual Amendment before us. If we read the words of the Bill with the Amendment it is clear that the Governor-General in India is to be appointed by His Majesty after consultation with the Committee of His Majesty's Privy Council, and so on. That means consultation by His Majesty. Later on, on page 252 of the Amendment Paper, it is stated in a new Clause that the India Advisory Committee is to "advise His Majesty." It seems obvious, in view of the explanation of my right hon. Friend, that he is not going to press the Amendment in the form in which he has moved it.

Sir R. HORNE: I ask my right hon. Friend to realise that the effective words are "after consultation."

Mr. AMERY: But as the Amendment stands it is to be "His Majesty, after consultation" with a committee of which the Prime Minister is only one member. If the wording were "His Majesty after the Prime Minister has consulted" such and such people, that would more truly express my right hon. Friend's view. I want to lay stress on that, because if the Amendment falls in its present form it disposes of some of the objections of the right hon. Gentleman opposite and of the hon. Member for Caerphilly (Mr. M. Jones). The objections of the hon. Member for Caerphilly would have validity if there were a question of the Prime Minister and Secretary of State being outvoted by ex-Viceroys in such an advisory committee. However, as I now

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understand the proposal, what the Prime Minister has to do is to consult ex-Viceroys, and, having consulted them, to come to his own conclusion independently and on his own responsibility.

Mr. MORGAN JONES: Does the right hon. Gentleman not forget the point that under the operation of Sub-section (3) of the new Clause on page 252, the main proposal, not only is the person to be appointed after consultation, but in point of fact he cannot be removed without reference to this Advisory Committee?

Mr. AMERY: That, I understand, is a separate Amendment. At any rate, I think it is clear that the Amendment in its present form cannot stand, and it is not really being pressed. Therefore, to that extent the objection falls. The idea is that the Prime Minister is expressly to consult ex-Viceroys before coming to a decision on his own responsibility. No one can doubt the immense importance of the functions of the Viceroy or the immensity of his task. It always has been an immense task, and under this Bill his responsibility is, if anything, to be enhanced. Whatever the burden of work may prove to be, it is vital that the very best man should be chosen. It is, therefore, rather doubtful whether actually defining and circumscribing the area of consultation upon which the Prime Minister and the Secretary of State have to come to a decision is altogether desirable.

I admit that the authority of the ex-Viceroys is very high indeed. The Noble Lord the Member for Aldershot (Viscount Wolmer) spoke of them as the greatest experts, as men who know what no one else can know. But they are not the only persons whose advice might have to be taken. We are sometimes asked to believe that they are pygmies in considering what is good from the point of view of India, but giants when it comes to selecting a Viceroy. In any case, they are not the only people whose advice it may be desirable to select. The present Viceroy is no politician. At any rate, there is a grave objection to specifying a particular list of people who are to be consulted. At once the question arises, "Not only were they consulted, but what were their views?" Will it help the situation in India if a doubt should arise that the views of two of the Viceroys were overruled by the Government?

I really doubt whether in practice it is desirable to make semi-public this question of consultation. More than that, we are really up against something which is fundamental to our Constitution. We heard a great deal in the earlier Debates on India of the vital importance of responsibility for Indian policy. I think it is no less important to strengthen the element of responsibility for British politicians. I think it would be a danger to the whole conception of our Constitution if we assumed that the Prime Minister is a mere party man who is to be guided by mere party motives in the selection of high officials, whether it be Viceroys, Ambassadors or anything else on whom the future of the Empire may depend, and that he must be specifically instructed to do what should be his obvious duty, that of consulting anyone who can help him in coming to his own responsible decision. Surely the whole essence of our government is that those who hold office under the Crown are responsible not merely to their party for carrying out a party policy, but to the Crown as embodying the permanent welfare of the nation and the permanent unity of the Empire, in the selection of the best man they can get for high Imperial posts. Certainly, while I sympathise entirely with the motive underlying the Amendment, what I hope is that this office above all will be one that every Prime Minister and every Secretary of State will think it his highest duty to select from the point of view of India's welfare and of Imperial strength and unity and not from the point of view of party. I think we shall do well to leave things in that hope and that faith rather than attempt to put a narrow, circumscribed, and I believe ineffective fetter upon the responsibility of the Prime Minister.

5.16 p.m.

Mr. MAXTON: I rise with great hesitation but also with a tremendous temptation to follow the right hon. Gentleman the Member for Hillhead (Sir R. Horne) in delivering on the Committee stage a speech that I was precluded from delivering on the Second Reading, but for a different reason from his. I was a member of a meeting upstairs which came to an honourable understanding to do the whole of this job in 30 days, and I have

been watching the time very anxiously on this very minor and to me unreal Amendment. The whole discussion has gone on the assumption that new Viceroys are going to have more responsibilities to shoulder when India has self-government than when India was ruled from here. That seems to me to be a fantastic conception. If this even confers a measure of self-government—I understand that right hon. Gentlemen who are responsible for the Amendment are of that group who believe that we are giving India too much self-government—the responsibilities of the Viceroy are bound to be diminished and not increased, because more is being shouldered by the Indian people themselves. The right hon. Gentleman shakes his head and, therefore, I must assume that, when he talks of the Bill going too far, he does not really think it.

The discussion is unreal because, if one looks at the experience of the other places where self-government has been conferred, whether Ireland, Australia or anywhere else, what happens is not that the particular nation concerned ask us to set up advisory committees to appoint their Governors-General but that they themselves set up advisory councils and insist that we accept the Governor-General and Viceroy that they nominate. That is the next stage, and the right and proper stage. Just as Ireland insisted on nominating its Governor-General, and Australia is insisting on it, not merely for the Commonwealth but for the various Colonies, so India will demand the same, and rightly so, and any advisory committee that you set up to assist in the appointment of a Viceroy or Governor-General should be a committee of Indians and not a committee of the British House of Commons or of ex-Viceroys or anything else. I hope, now that all sections of the House have expressed their views on the matter, it may be possible to dispose of it and get on to important matters.

5.20 p.m.

Lord EUSTACE PERCY: I only rise to put a question to the Secretary of State which possibly may shorten the Debate. I think there are many people in all parts of the Committee who realise that the Amendemnt raises a point with which we are not very anxious to deal. There is always a danger in a democratic country of partisan appointments. There is always the danger of the spoils system, and, if that should come about in this case, our future in India would be hopeless. On the other hand, we in this country and, above all, the Tory party have always been very careful about putting the prerogative of the Crown into commission, and, although my hon. Friends who have moved the Amendment have been careful to say that this is only consultative, the whole argument of my Noble Friend the Member for Aldershot (Viscount Wolmer) was that India would know that this Committee has recommended a particular appointment, but of course they would not know that it was merely consultative, and no one would know what passed. The appointment would be an appointment made by His Majesty for which the Prime Minister and the Government had accepted responsibility.

One of the dangers of putting the prerogative into commission in this way is that you cannot circumscribe the personnel of the committee. If you had a committee like this set up you could not resist the claim of the Indian members of His Majesty's Privy Council to sit upon it. That is the sort of danger. Cannot this matter be dealt with in another way? This House and another place are going to be called upon in due course to present an Address to His Majesty praying him to issue a Proclamation to bring the Federation into being. It seems to me that it would be perfectly proper for this House in presenting such an Address to express their strong feeling as to the spirit in which and the principles upon which the Government of the day should advise His Majesty in regard to the appointment of the Governor-General of the Federation. I would ask the Secretary of State whether he would be prepared to consider that method of dealing with it, which would put formally on record the strong feeling of the House of Commons and would not tie His Majesty within the bounds of some statutory definition in the exercise of his discretion for which the Government of the day is responsible but which is, nevertheless, in a very real sense, in the opinion of the people of the country, his discretion in the exercise of the Royal Prerogative.

Amendment, by leave, withdrawn.

5.25 p.m.

Colonel WEDGWOOD: I beg to move, in page 2, line 10, to leave out from "Majesty" to "as" in line 13.

If these words remain in the Bill, it will be a Federation of all India. If they are left out it can be only a Federation of British India. The object of the Amendment is to get a Debate, and if possible a vote, on the supreme issue of whether we are to have a Federation of the Indian States plus British India or whether we are to make it, as the Indians themselves wish, a Federation of British India alone. The chief argument in favour of a Federation of all India is that thereby we bring the Princes in as a safeguard that the conduct of the Central Government——

Sir S. HOARE: On a point of Order. Does the Amendment in its present form open this wide question of a Federation of all India or of British India? My own view is that it raises a much narrower point, the point in connection with paramountcy.

Colonel WEDGWOOD: I am perfectly prepared not to move it on this occasion but to raise it on the Question, "That the Clause stand part of the Bill." I think you, Sir, will agree that we can have a Debate either here or on that Question.

The CHAIRMAN: It is a little difficult sometimes to understand exactly what is the intention of an Amendment or what the particular point is which the hon. Member proposes to discuss, and I have had some difficulty over this Amendment. It is not a very satisfactory place in the Bill for raising this point, and, if the right hon. and gallant Gentleman is prepared to discuss it either on a later Amendment or on the Question "That the Clause stand part," I think that will be better.

Colonel WEDGWOOD: I am prepared to do it on the Question "That the Clause stand part."

Sir S. HOARE: Clause 5.

Colonel WEDGWOOD: No. If once Clause 3 is passed I may be told that it is too late.

The CHAIRMAN: I can help the right hon. and gallant Gentleman on that. My intention is certainly, in the circumstances, to call Amendments on which this question could be raised on Clause 5, which deals definitely with the inclusion of States in the Federation.

Colonel WEDGWOOD: In that case, I will not press the Amendment now.

Amendment, by leave, withdrawn.

5.29 p.m.

Viscount WOLMER: I beg to move, in page 2, line 22, at the end, to insert:

"(3) The person appointed to fill either of the said offices shall hold that office for the period specified in the commission under the Royal Sign Manual by which he is appointed to that office, subject to a power of removal by His Majesty on an address presented to His Majesty by both Houses of Parliament.

Provided that the person for the time being holding either of the said offices may by leave of His Majesty resign that office by writing signed by him."

This raises a quite different point from that which we discussed just now but one of equal importance. It is that the Viceroy should have some security of tenure in his office. The more I think about this Bill and this Constitution the more important it seems to me that he should have security of tenure. It is a great mistake to think that the Viceroy's actions are not going to be criticised on all sides. We recognise, of course, that he will incur violent criticism in India whatever he does. He will also be liable to criticism in this country, which will be of a particularly difficult and dangerous type to him, because he will be unable to reply to criticisms in this country. The hon. Member for Bridgeton (Mr. Maxton) speaking just now said that it seemed that the Viceroy was going to have more power under the new Constitution than he has under the old. While in a sense that is true, he will certainly have a great many more difficulties. Therefore, we have to see what conditions we can provide to make his path as easy as possible, and one of the conditions that I want to give him, which it seems to me and my hon. Friends most important that we should give him, is some sort of security of tenure.

The principle of security of tenure is fully recognised in our Constitution. It is a position enjoyed by every judge in the country. Why have judges been given that position? They did not always hold it. There was a time when the judges

of this country were removable by the Crown. Why was that altered? It was altered because it was found highly inopportune in the interests of the State that the Government of the day should interfere in the administration of justice. Therefore, His Majesty's judges have been put into this position by an Act of Parliament under which they are irremovable except on a petition being presented by both Houses of Parliament to the Throne. Parliament has felt that it was necessary to give judges that security to enable them to carry out their duties efficiently, but will not the duties of the Viceroy of India be much more difficult and far more important, affecting personal, private and political interests just as much as the decision of any judge in this country. If it be right that the judges of England should be given this security of tenure and be irremovable except by an Address of both Houses of Parliament, then, surely, it is far more necessary that the Viceroy of India, who may have to do things far more uncongenial to certain politicians, should be placed in the same position.

You may say that in contemplating the Viceroy being removed from his office by the Government of the day, I am contemplating something which never has occurred and never will occur. That is not the fact. We have had in quite recent history cases where two pro-consuls have been forced to resign by the Government of the day. You may say that forcing a pro-consul to resign does not come within the ambit of this Amendment, but I think it does. If a Viceroy knew that he could not be dismissed without an Address by both Houses of Parliament, he would not be likely to resign unless he thought that an Address would be forthcoming. But we have the cases of Lord Lytton, who was forced to resign by Mr. Gladstone, and Lord Lloyd, who was forced to resign by the late Labour Government, to show that there is no security of tenure enjoyed by pro-consuls at the present moment.

I ask the Committee to conceive the position in which the Viceroy may find himself. He may have to make decisions at very short notice indeed. He has to play a most difficult hand all through. One day he has to be a parliamentarian, he can go down to either Chamber and address them, he can try all the known parliamentary arts behind the scenes, and the next moment he may find himself in the position of a Mussolini having to close down the Chambers, to make ordinances and to defy the popular opinion of the moment. He may have to do things which are very difficult for the English public to understand, not knowing the circumstances of the case. Above all things, he must feel that he is given a chance of playing his hand boldly, and playing it through. If at the time when he is facing Congress, when he is facing some grave civil crisis in India or some threat to the Indian frontier, with immense issues hanging in the balance, if he feels that he may be overruled from Downing Street at any moment, it will not facilitate his task and improve the way in which he plays his hand. We have to face the fact that if there is one thing about which the people in India are unanimous, it is that they want to get as far away as they can from Downing Street. You will find great unanimity of opinion among Indians on that subject, and also among the British in India. By the Constitution you are creating, you are turning the Viceroy into a sort of patriot king, the old theory of George III, to work with a Parliament. But he has all these powers in reserve by which he can function without Parliament if he wants to do so.

You have to lean more and more on your Viceroy, and you cannot do it successfully if he is liable to be interfered with by Downing Street at every turn.

Frankly, I want to put the Viceroy into a position where he cannot be tripped up by political intrigues in this country. I want to give him the same security of tenure and the same dignity as is possessed by His Majesty's judges at home. It has been shown to be of enormous benefit to the administration of justice that judges should be put into that position, and I believe that it will be found equally to the benefit of the whole position of the Viceroy and the way he carries out his duties, that he should feel that he can play his hand, take the action which he thinks right, and carry out the powers that Parliament has conferred upon him, without being tripped up by some miserable little Secretary of State acting from party motives. Therefore, I hope very much that the Government, in making all these new con-

[Viscount Wolmer.]
stitutional experiments, will give a favourable consideration to the proposal which I have advanced.

5.40 p.m.

Sir S. HOARE: I speak with some diffidence as one of the pigmies and miserable little Secretaries of State, but please do not let my Noble Friend think that I am not as anxious as he is to keep the position of the Viceroy as independent as possible, and as free and unsusceptible to partisan attacks in this House or in another place as it is possible to do. Unfortunately the position is not quite as simple as my Noble Friend seems to make out. For instance, I do not think that the analogy of the judges of which he made a great deal is at all as close as he seems to think. The judges are not executive officers. They have nothing to do with policy. They are appointed for life, and for many generations past it has been the general feeling in this country that that being so, and in view of the fact that judges might give decisions hostile to the Government of the day, a special procedure should be adopted in connection with their tenure of office. The judges, therefore, unlike the Viceroy, are appointed for life, and not for any short period of time. And their action cannot be criticised in this House except in the formal manner of an Address.

The position of the Viceroy is quite different. The Viceroy is an executive officer carrying out from day to day executive policy, and, further than that, under the proposals of this Bill, carrying out a policy over a large field of his activities that is of very direct interest to public opinion generally in this country, and, as a result of that, to this House. For instance, can it be conceived that this or any other party will wish to withdraw from the possibilities of any Parliamentary discussion the great field of the Viceroy's reserved departments, and his special responsibilities? While I hope that we shall maintain the tradition that has been in existence for many years past in this House, namely, that this House does not attempt to administer in detail Indian affairs, I cannot conceive of Parliament divesting itself of the opportunity to discuss, and, if necessary, to criticise actions that are so constantly in the minds of every hon. Member of the House. If we adopted the suggestion of my Noble Friend it would be impossible to ask questions upon Indian subjects?

Viscount WOLMER: Why?

Sir S. HOARE: On the analogy of the judges. I am assuming that my Noble Friend intends that the sole object of his Amendment is to withdraw this kind of subject from discussion.

Viscount WOLMER: I am afraid that my right hon. Friend has misunderstood me. My analogy of the judges was in regard to the importance of their work. I did not suggest that their work was the same as that of the Viceroy. I merely said that the work of the Viceroy was far more important than that of the judges, and quite as unsuitable for Parliamentary interference. That does not in the least prevent Parliament from asking questions and getting the same information as it does to-day.

Sir S. HOARE: I may be stupid, but I really fail to see any distinction. If the object is not to cut off the Viceroy from Parliamentary criticism, then I do not see the object of the Amendment.

Mr. ISAAC FOOT: He would be irremovable under the Amendment. How could he be criticised?

Sir S. HOARE: I should have thought that the proposal was double-edged, and that the Opposition of the day—not this particular Opposition—if they knew that they could not make the kind of criticism that is made to-day of the administration, that is, by criticising the Secretary of State, for he is the right person to be criticised, they would be very much tempted to put down a Motion for the Viceroy's recall. I could not imagine anything worse from the point of view of India or from the point of view of the Governor-General himself. The fact that a Motion of want of confidence was discussed in this House, even though it were defeated, which have the worst possible effect upon opinion in India, and upon the future position of the Viceroy. My own very definite view, therefore, is that the procedure outlined in the Amendment not only would be a serious innovation, but a great mistake. I think that it would be much wiser to strengthen the Convention as far as we can in every possible way by co-operation between one section of the House and another, and

that we do not attempt to impede the Viceroy's action in matters of detail, but that we should act better by strengthening the Convention than by attempting to accept a proposal of the kind outlined in the Amendment, which I think would have disastrous results.

5.47 p.m.

Duchess of ATHOLL: I do not think that my right hon. Friend has made quite clear what is the legal implications of the proposal. Until I am told definitely that our proposal would make it impossible for the House to discuss policy in India, I should like to emphasise what I feel to be the reason of my Noble Friend in putting forward the Amendment. The object is to strengthen the hand of the Viceroy in India, not to protect him from legitimate criticism here on major points of policy. The reason for that is obvious. Quite apart from the great variety of his work, so much of his work and his responsibilities will depend on the action of others, upon Indian Ministers whose action he cannot control, indeed by whose advice he is bound to be guided, except where his special responsibilities are concerned. Therefore, it seems to me that there will be great and constant danger of friction between the Governor-General and the Ministers controlling various departments that interlock, so to speak, with the Viceroy's special responsibilities. It is because of that fear of friction that it seems to us to be necessary to put the Viceroy in an unassailable position *vis-a-vis* the public in India.

Take the greatest of the Viceroy's reserved Departments—Defence. The Royal Commission of 1930 pointed out how this Department interlocks with railways, roads, posts, telegraphs, finance, etc. The question of defence is concerned with all those other Departments, and yet, so far as I can see, the Bill gives the Viceroy no definitely stated power in regard to posts, telegraphs or roads, the administration of which may vitally affect the efficiency of defence, for which he is responsible. Take the telegraph department. In the rebellion of 1919 in the Punjab and Bombay a very large number of telegraph clerks had to be got rid of for different reasons. If the Viceroy suspects that influences are at work in Departments upon which the efficiency of the Defence Department so largely depends, it may be extremely difficult for him to ascertain what the position is if there is defection in the Telegraphs Department. Take, again, the question of roads. These are in the charge of Provincial Ministers.

The CHAIRMAN: I fail to see how this argument affects the question of the Viceroy being appointed to his office for a fixed period, without there being the power of removal by Parliament.

Duchess of ATHOLL: It is because I think that my right hon. Friend the Secretary of State has rather misinterpreted the purpose of the Amendment, that I was endeavouring to show what I believe to be the real purpose underlying it, namely, to strengthen the position of the Viceroy's office *vis-a-vis* Indian Ministers in Departments upon the working of which the efficiency of defence, for which he is responsible, greatly depends.

The CHAIRMAN: That is a matter which may be referred to, but it cannot be developed in argument.

Duchess of ATHOLL: I will only briefly outline the fact that roads are in the hands of Provincial Ministers, and that at the present time Provincial Governors get instructions from the Viceroy as to how exactly they are to keep up roads of military importance. We have not heard that the Viceroy will have any such power under the Bill, and it seems to me that if he attempts to exercise supervision and guidance in regard to roads of strategic importance, he may find himself in very grave conflict with Ministers in one Province or another. It is because I believe that there will be opportunities of friction in regard to the exercise of the Viceroy's responsibility for defence, the finance of the Army and so on, that I feel there is a great deal more in the Amendment of my Noble Friend than my right hon. Friend has realised. Therefore, I am glad to support it.

5.53 p.m.

Mr. BAILEY: I do not wish to pursue this matter for more than three or four minutes, but we regard the Amendment as fundamental, and as transcending any mere question of detail. I have listened with the utmost interest to the short observations of the Secretary of State. He said that we ought not to pass the

[Mr. Bailey.]

Amendment because we ought not to take away the right from the House of Commons to criticise the Viceroy. If we thought that any such right would be taken away, where legitimate criticism was justified, we should not propose the Amendment. It is exactly because we think that there should not be criticism of the Viceroy on partisan grounds, where it is not justified in the public interest, that we would take that right of criticism away. We hear talk about the convention. Is it not a convention that we do not criticise His Majesty's judges here, unless there are very grave grounds for so doing? I consider that we might get a very good convention if we placed the Viceroy's office above the arena of partisan discussion and debate. We might get a convention that he was not to be brought into the politics of the day unless there were some absolutely supreme reason for so doing.

I should like to ask the Secretary of State a question about this convention. I have always understood that a convention demanded more than one party, and I have been very interested in noting that no hon. or right hon. Member opposite has defined his attitude in regard to the convention. We have heard not once but many times right hon. and hon. Members opposite say that they reject the whole policy of safeguards, upon which the Government base the whole of this Constitution and upon which they seek to persuade us that it is harmless. The party opposite reject the policy of safeguards outright. I respect their point of view, but I do not agree with it. If the Viceroy in the future came to the conclusion that it was essential to exercise his safeguards, what would be the attitude of the party opposite? Holding the views that they do about safeguards, what would be their attitude if the Viceroy sought to exercise his safeguards? They would say: "You may exercise your safeguards, although we have stated publicly that we condemn them root and branch, and if you do so you must resign and we will send another Viceroy who will not exercise the safeguards." That is the reason why we regard the Amendment as fundamental.

The right hon. Gentleman is seeking to cloud the issue by words, as he has done throughout. If you can only make a subject dull, you generally carry your policy. The Minister has deceived us, I do not say deliberately, because he has managed to deceive himself before he has deceived us. I should like to put this question to him, without the least desire to be acrimonious. We might as well get down to brass tacks. He is pretending that there is agreement on the part of parties here to keep this matter out of politics, whereas we know that there is no such agreement, and that the first opportunity on which hon. Members opposite can bring it into politics they will do so. Therefore, it is absolutely essential that if the Viceroy is to be in a position to carry out his duties he should know that he will not be dismissed for so doing. What will be the position of the Viceroy otherwise? Faced with a position in India which he knows demands the exercising of a strong hand and the exercising of the safeguards, he may know that there is a Government at home which is committed to the abolition of the safeguards and that even if the Government were inclined to be reasonable, it is pledged to its supporters. Will not the Viceroy in those circumstances be hampered in his attitude, in advance, because he will not know whether or not he will get support at home?

On the other hand, if the Viceroy knows that a Constitution has been set up, the handiwork of all sections in the House, that it stands immutable so far as any individual Government is concerned, that under that Constitution he will be able to exercise his prerogatives and power and he knows that if he exercises his safeguards he cannot be dismissed except by an Act of Parliament, will not his hands be greatly strengthened? The right hon. Gentleman said that we were wanting to take this matter from Parliament, but I would remind him that the House of Lords is as much Parliament as the House of Commons. If the Governor-General can be dismissed in exercising his prerogative and doing his duty, there ought to be a vote of both Houses of Parliament. Only so will that unfortunate official, whoever he may be, be able to carry out fearlessly the duty which we are devolving upon his shoulders through this Constitution. Only so will he be able to exercise the safeguards without fear, if it becomes necessary in the interests of the people of India to do so. For the reasons that

I have given, we regard the Amendment as absolutely vital, and we hope that the Government will for once act in a spirit of reasonableness, and accept it.

6.0 p.m.

Mr. CHURCHILL: I do not care to give a vote for this Amendment without offering in a few sentences my explanation to the Committee. I admit, quite frankly, that there are disadvantages in this proposal, as there were disadvantages in the previous proposal we discussed this afternoon. Anyone can see how we trespass, or seem to trespass, upon the plenary responsibilities of the Government of the day, and to some extent on the liberty of discussion in this House. But the defects are but the shadow of the far greater defects inherent in the structure of the Bill. I agree that these kinds of remedies would not be proposed were the disease which we are resisting and endeavouring to check as far as we can, not so grave and desperate. A public functionary is being created under the Bill unique in character. Nothing like it has ever been conceived, or ever will be conceived after an experience which future years will no doubt bring. This is not the time to enlarge upon the functions of the Viceroy, but to suggest that they will not be functions exciting the fiercest controversy and almost continuous friction is to miss the whole point.

Hon. Members opposite seem to suppose that now that responsible self-government is being given to India, the Viceroy will have nothing to do. It is not merely the vast range of subjects with which he will have to deal, but also their highly controversial nature. At any moment he may be called upon to resume autocratic government of a Province, to sweep away a Constitution. At any moment he may be called upon to dismiss Ministers, to dissolve Parliaments and veto legislation. Now that the Government by their Measure have dragged India into party politics, and have raised issues which will not slumber during a whole generation, the position and actions of the Viceroy will be the subject of continuous criticism in this House, whichever party occupies the seat of power or opposition. There will be criticism. The Viceroy will be expected to act in regard to the reserved powers to maintain security of defence, and great anxiety will be caused as to whether he is, in fact, discharging that duty. You may see that movement from this side of the House. On the other hand, in India you may have great resentment of his exercise of safeguards, and pressure being put upon him by his Ministers, complaints of the autocratic temper of the Viceroy, Ministers in conflict with the Viceroy, and with the Houses of Parliament over here, and the Ministry of the day in conflict with them. Is it to be wondered at that in these circumstances, when you have this official lifted up so entirely out of the common run of all political devices and arrangements, around whom these storms are going to beat—is it strange that we should in the best way we can, and by the best amendments we can propose, seek, in the first place, to free his appointment as much as possible from partisanship, to ensure continuity in the appointment of any such functionary and to secure him a certain reasonable stability once he has undertaken these duties?

Those are the objects of the Amendment. It may be that the actual wording of the proposal shows defects—many of us can see them—but, nevertheless, the object is of the most serious character. The speeches which have been made from the Government Bench, and the speech of the Noble Lord the Member for Hastings (Lord E. Percy), have indicated the serious character of the difficulties we are endeavouring to meet. The Government have brushed them away and leave the Viceroy, confronted not merely with the difficulties I have mentioned, but with crises of a most extraordinary character, to be dismissed from his office in the ordinary manner as if he were no more than a simple official placed in this extraordinary position. It seems to many of us that his dismissal ought to be affected in the broad, open light of day, and by the full act of Parliament. It should not be a matter which should rest exclusively with the executive. It is true that the executive, if it wished to dismiss the Viceroy, would presumably command a majority of the House, and I cannot myself conceive that in these matters the present House of Lords would use its veto on Indian questions, which I observe are not subject to the Parliament Act.

It seems to me that when you are placing the Viceroy in this position, charged with these peculiar functions, he is going to be the storm centre for many

[Mr. Churchill.]

years, and the least you can do is to fortify his position in some way, not relieve him from the criticism of Parliament, but make sure that his dismissal, if it is decided upon, shall operate only through the most formal, ceremonious and grave methods in which such an act can take place. It is too much to expect that the Government will accept the Amendment in its present form any more than they did the pertinent Amendment by which the right hon. Member for Hillhead (Sir R. Horne) sought to mitigate the defects of the Bill; but while pointing the moral of the danger in which we stand we may still express a hope, a faint hope, and, therefore, a hope which requires to be cherished all the more, that as our discussions continue the Government will take steps to reassure the sincere and urgent fears which are held not only in this House, but with increasing force throughout large parts of the country.

6.8 p.m.

Mr. AMERY: It is interesting to see exactly where the right hon. Member for Epping (Mr. Churchill) stands. We have listened to him upholding the rights of Parliament against the encroachments of Indian self-government. The whole issue between him and the supporters of the Government so far has been that he wishes to maintain the effective control of Parliament over the centre in India, even if he is prepared to resign it with regard to the Provinces. Now, in support of this Amendment, if it really could have any effect, he would set up in India an autocratic form of government under an English-born Viceroy. The Amendment, if it really was effective, would enable the Viceroy to snap his fingers at any British Government and govern entirely in consonance with his own views—views which may be more coloured by Indian environment and interests than by Imperial interests here. Is there really any possibility that the Amendment would achieve the end we all desire, namely, the elimination of the Viceroy's functions as far as possible from party controversy? The Noble Lord the right hon. Member for Aldershot (Viscount Wolmer) quoted the case of Lord Lloyd. I was one who had the greatest admiration for the administration of Lord Lloyd in Egypt. The Government of which I was a Member had complete confidence in him, but the fact remains that the next Government took a different view of his policy. Would the situation here in Parliament, or in Egypt, have been better if Lord Lloyd had been able to defy the Secretary of State and could have said, "Turn me out on a Motion of Censure in the House of Commons if you can."

Suppose such a Motion had been carried by the Government in this House and not carried in the House of Lords, you would have had a complete and hopeless deadlock making the Government of Egypt the very focus of party controversy. Surely one thing which helps to keep our representatives in foreign countries, and indeed in the Empire, out of party politics, is that the primary duty of the Secretary of State is to protect them in this House, to state their case and defend them, as long as there is any reasonable chance of agreement. Even when there is a good deal of difference of opinion behind the scenes, I have known cases where the Secretary of State has regarded it as his first duty to defend his representatives abroad, whether they are Viceroys or Governors, and when things come really to a deadlock, when the possibility of resignation arises, it arises in a form which prevents a lot of party controversy and does less injury to public opinion than a raging, tearing controversy in Parliament culminating in a Vote of Censure or a demand for resignation. In this matter we must trust to the sense of public responsibility on the part of the Viceroy, and we should be wise to leave it there, retaining as far as necessary the general control of this House over those branches of Indian policy which are still reserved, at the same time exercising a wise self-restraint in our interference with India.

6.13 p.m.

Brigadier-General Sir HENRY CROFT: I merely want to comment on what the right hon. Member for Sparkbrook (Mr. Amery) has said. It seems to me that the usefulness of his speech has been completely minimised by the dramatic statement we had from the Front Opposition Bench, when the hon. Member for Caerphilly (Mr. Morgan Jones), speaking officially for the Opposition, said that there was going to be no nonsense about it: every Viceroy in future was going to be a Socialist.

Mr. MORGAN JONES: I never said anything of the sort.

Sir H. CROFT: At any rate, that every Viceroy under a Socialist Government was going to be a Socialist.

Mr. LANSBURY: Why not?

Mr. JONES: What I said was that a Labour Government should be as capable of appointing a Viceroy as any other Government.

Sir H. CROFT: I think the hon. Member said something stronger than that, and I think he will find that is so if he will read the OFFICIAL REPORT to-morrow. He made it perfectly clear that when the Socialist party are in power they are going to insist on the right to have a Socialist Viceroy. His whole point was that they were going to do this because the Conservative party had previously taken such steps, and they were determined that the Conservative party was not going to have a lien on the appointment of the Viceroy in the future, regardless of the fact that only one Viceroy since the War has been a Conservative, and he is hardly one who would be welcome in the right wing of Conservatism at the present moment. The hon. Gentleman having spoken thus for the Opposition, and the leader of the party having endorsed what he said just now, it seems imperative that we ought to do all in our power to see that these political considerations shall not come into these matters. The right hon. Gentleman the Member for Sparkbrook mentioned the fact that the moment a Socialist Government came into office, Lord Lloyd's brilliant regime in India was brought to an end, simply on account of the change of Government. Can we conceive, with the vital change which we are making in India, that any such position as that is going to be satisfactory? Anything that we can do to stabilise the position and take the Viceroy out of politics must be in the interests of the people of India and of the whole Indian government, in connection with the administration from the House of Commons, and I hope that my noble Friend will press the Amendment.

nominees for important posts. If the Conservative party can accept their Prime Ministers from the Labour party, why worry about Viceroys? If my hon. Friends propose to go into the Lobby on this Amendment, I shall be glad to support them. I take it that this Measure, as drafted by the Government, puts the Viceroy and the Commander-in-Chief beyond criticism in the House of Commons, that it puts them in a position similar to that of His Majesty himself. [HON. MEMBERS: "No!"] Well, it does not matter with reference to the point which I am making. The attempt of the Amendment is to extend the power of criticism of the Viceroy in the House of Commons—[HON. MEMBERS: "To diminish it"]—and to give to me, as an individual Member, the right to put down a Motion in the House of Commons for the removal of the Viceroy.

If I went to the Table to-day with a Motion for the removal of the Viceroy of India it would be refused, but once this Amendment is carried, as I hope it will be, the hon. Member for Gorbals (Mr. Buchanan) and I, on finding any particular Viceroy in India objectionable to us, can put down on the Order Paper a Resolution for his removal. Whether that Resolution would ever be called or not would be a matter for the Government of the day, but the Resolution would be framed in such terms as to achieve practically all the purposes that a wide discussion would provide. Because of that fact I am ready to support the Amendment. If it be asserted that the Amendment really limits the powers of the House of Commons over the Viceroy, I say that it certainly defines them. I have never known, during the years that I have been a Member of Parliament, any opportunity which the House of Commons had for free criticism of the Viceroy. I see such an opportunity provided in this Amendment, and I am prepared to support it for that reason.

6.20 p.m.

[Mr. Balfour.]
ing under some confusion of thought. This Amendment has nothing to do with the resignation, but only with the dismissal of the Governor-General, and the object of the Amendment, however poorly expressed it may be, is to prevent just that peculiar kind of circumstance which might arise if the hon. Gentleman who spoke earlier from the Front Opposition Bench really gave effect to the views which he expressed. I am sure that when he reads his statement to-morrow he will find not only that he said that Labour would have its own way—and we could be under no apprehension as to what he meant—but that for the first time in the House of Commons we had a declaration that in these matters party politics were to predominate. [HON. MEMBERS: "Oh!"] I am within the recollection of the Committee when I say that his declaration could only mean one thing. It meant in effect "When Labour rules, Labour will make all these appointments at the beck and call of political agitators on the Labour side."

If we have arrived at that position, surely it is not too much to ask that these great servants of the State, labouring under grave disabilities and with all these heavy burdens upon them, at least when they are discharging the duty which has been imposed upon them by Parliament of representing the authority of His Majesty in India, shall not be liable to be dismissed ignominiously without first having an opportunity of testing the views of both Houses of Parliament. It has been said that the Secretary of State would put up a defence for them in the House of Commons, and it is right and proper that that should be so but on such occasions we would require more than that. We want to be sure that by no sudden change of Government, whatever the colour or complexion of the new Government may be, shall policy be suddenly changed, and resignations demanded and dismissals effected. Some sort of machinery in this Measure for that end is desperately and urgently required.

In the discussion on the Amendment [illegible]ved by my right hon. Friend the [illegible]r for Hillhead (Sir R. Horne) the [illegible] of State suggested that these [illegible] too delicate to be woven [illegible]nd that we must leave them there. We have 450 Clauses which are apparently to be inflexible, and the vital things for our protection in reference to these Clauses are, we are told, too delicate and subtle to be framed in Amendments to the Bill. This Bill in order to succeed ought to have consisted of a long Preamble and five or six wide and sweeping Clauses capable of wide interpretation. However, if I pursued that line of thought I should exceed the limits of a discussion on this Amendment, but I trust that, even now, my right hon. Friend the Secretary of State will give some indication to relieve the serious apprehensions which exist in the minds of a small body of hon. and right hon. Gentlemen in the Committee who feel very deeply on this question.

6.24 p.m.

Sir STAFFORD CRIPPS: The hon. Member for Hampstead (Mr. G. Balfour) has made an extraordinary speech. This suggestion that the Conservative party have never dealt with these subjects, such as the appointment of judges and other matters, by party methods is complete nonsense. The system of party government in this country has been adopted in order that the party which is in power may control the policy of this country in all its aspects. That is the function of party government, and the reason why the right hon. Gentleman opposite quite properly controls the Viceroy as to the policy which he considers the Viceroy ought to follow, is because that is the principle of democracy in this country. The right hon. Gentleman the Member for Epping (Mr. Churchill) and his friends are really mistaken. They ought to have put down an Amendment by which the Secretary of State would always be appointed by the Conservative party. Then they would get the safeguards which they really desire.

Mr. CHURCHILL: A very inadequate assurance.

Sir S. CRIPPS: Instead of that they are putting forward a lot of ingenious arguments which are designed to do nothing really except to make out a case that when there is a change of Government, the new Government is to have no power to impose its policy upon India. But such a Government has as much right to impose its policy on India as any other Government, and as much right to

appoint a person in India who will carry out that policy as any other Government, and I devoutly hope that if a Labour Government comes into power in this country, it will see that all officials in other countries carrying out the Government's policy are people who carry out that policy loyally, and, if necessary, who sympathise with that policy.

Sir H. CROFT: Now we know.

Sir S. CRIPPS: The noble Lord opposite spoke of judges. May I point out that the greatest scandals in this country in the appointment of judges have been in connection with appointments by the Conservative party? It is perfectly well known to many lawyers that in the past there have been some most scandalous appointments made on the political basis by the Conservative party in this country.

Viscount WOLMER: If the right hon. and learned Gentleman thinks so, why did he not support the Amendment which I proposed earlier to take these appointments out of the hands of the politicians?

Sir S. CRIPPS: Because I believe that in this country politicians to-day do not do the things which they used to do in the not very distant past. [HON. MEMBERS: "Oh!"] I agree that hon. Members opposite know better than I do, because they are in touch with the Conservative office, and they know whether any pressure has recently been brought to bear as regards the appointment of judges in this country—matters of which I have no knowledge whatever.

Mr. CHURCHILL: On a point of Order. I would draw your attention, Sir Dennis, to the fact that the right hon. and learned Gentleman has suggested in a very pointed manner that there has been some disreputable transaction in regard to recent appointments of His Majesty's judges, and I would ask you whether, in the event of his having such a matter to bring forward, he ought not to bring it forward at another time by putting a Motion on the Paper, so that the matter can be considered, with the gravity which is proper to it?

The CHAIRMAN: I do not think that the reference to the recent appointment of a judge, is, I think, going somewhere very near raising the question of discussion in regard to a judge at present on the bench, and that, I am sure, he does not wish to do.

Sir S. CRIPPS: I specifically stated that in my view there was no longer, among politicians, a desire to make appointments of that sort. I pointed out that it was something which admittedly took place. [HON. MEMBERS: "Recently?"] If hon. Gentlemen will be a little less warm I will explain exactly what I meant. Many hon. Members opposite jeered when I stated that it was no longer the practice, and I naturally retaliated and, I think, rightly retaliated, by saying that they know better than I do what the practice is to-day. I am not connected with the party that is in power to-day. [HON. MEMBERS: "What party?"] I said that they know better what has happened as regards recent appointments than I do—and so they do.

The CHAIRMAN: Am I right in understanding that the hon. and learned Member wishes the Committee to understand that he had no intention of suggesting that there had been any misbehaviour recently with regard to the appointment of judges?

Sir S. CRIPPS: I never made such a suggestion.

The CHAIRMAN: Then I consider that that explanation disposes of that matter sufficiently, and there is no reason to continue that discussion.

Mr. BUCHANAN: On a point of Order. The issue, as I see it, is that the Amendment before us is with regard to the appointment of a Viceroy, and the implication is that certain party politicians could use it for party purposes. The broader issue concerning His Majesty's judges has been raised, and is it not, therefore, in order now to make the general statement that judges are now appointed on a party basis, without regard either to capacity or ability?

[Sir S. Cripps.]
(Viscount Wolmer), his argument was that the Viceroy should be put in the same position as regards criticism in this House as a judge.

Viscount WOLMER: Not as regards criticism, but as regards security.

Sir S. CRIPPS: I understood the Noble Lord to say that as he was to be given the same right of tenure as a judge, he was only to be removed by the exceptional procedure which is applied to a judge. And there is some question as to whether or not that now applies to the head of the Unemployment Assistance Board. Therefore, that would signify—and I think the Secretary of State took this view—that this House, in dealing with him, must deal with him as with other people who are dealt with by that special procedure; that is to say, it would put him into the category of those who could only be dealt with by special Resolution in this House.

Viscount WOLMER: He could only be dismissed by special Resolution.

Sir S. CRIPPS: And therefore he would be in the category of people who could only be criticised by a Resolution brought forward in both Houses especially for that purpose. Certainly that is how I should have thought it would have been interpreted in the procedure of this House, and I do not know why the Noble Lord and his friends have suddenly awakened to the idea that party politics are likely to be introduced into the question of dealing with India. I imagine that the reason is that they see the likelihood of the party to which they belong being shortly defeated in the country, and they are therefore hoping to get the appointment of the next Viceroy, when this Bill comes into operation, and to be able to keep him there while the Labour Government is in power, and they hope to find him there if they ever get back to power again afterwards, which, of course, is extremely problematical. If one believes in democracy — [HON. MEMBERS: "Do you?"] Certainly, I profoundly believe in democracy, and I always thought the right hon. Member for Epping believed in democracy. Surely it is clear and obvious that if you rely on the party system each party, when it is in power has a right to control policy and to have officers who are prepared to carry out that policy.

6.35 p.m.

Mr. BUCHANAN: I feel that the supporters of the Amendment are doing the Labour party a serious injustice in this matter. Those who have criticised the Government say that the appointment of a Viceroy is one of the most important things you can do and that therefore Parliament ought to have the right to say that, before the Viceroy can be removed, both Houses of Parliament should be consulted and an affirmative vote take place. Hitherto the practice has been that if a Viceroy did not do what the Executive of the day thought fit, that Executive has had the power to dismiss him. The hon. and gallant Member for Bournemouth (Sir H. Croft) said that would not have been bad in the past, because he accepted all that the right hon. Member for Sparkbrook (Mr. Amery) had said, but that it was not right now, because it has been announced that in the future the Labour party will only appoint people of somewhat similar views to their own. Therefore, he says that what was right before, what was fine before, what was grand before, is no longer grand, because in the future the Conservatives might not always be in a majority. Therefore, the people of this country have not now to exercise majority rule.

What was good enough in the past is to be changed, but if democracy means anything, it means not merely altering unemployment benefit, but altering a wide range of policies. Therefore, the hon. and gallant Member for Bournemouth says, "Oh, this has to be stopped, because the Labour party may make appointments in the future." What is the case against the Labour party? Nobody can say that one of their appointments has ever been a bad appointment, whether in the field of Viceroys or elsewhere. Indeed, the real criticism against the Labour party, if there be one, has been that they have packed these appointments with folk who took an antagonistic view to their own.

The CHAIRMAN: I hope the hon. Member will avoid leading other Members into temptation.

Mr. BUCHANAN: Surely I am entitled to say this, because the Labour party is impugned and is told that it cannot make good appointments.

The CHAIRMAN: In dealing with that, the hon. Member is coming to an issue which must not be discussed on this Amendment.

Mr. BUCHANAN: The Labour party has made certain appointments, and nobody has ever impugned those appointments. I say further that I welcome the very proper statement that there is a tendency to assume something which is not true. I must take sides with my Labour colleagues in this, because it is fundamental to my principles that the working people are in no way inferior to the Conservative party.

Viscount WOLMER: This Amendment has nothing to do with the question of appointment, but only with the question of dismissal.

Mr. BUCHANAN: But it was stated clearly by the hon. and gallant Member here that he accepted the sentiments of the right hon. Member for Sparkbrook in full, but the statement of the Labour party that they were going to make their appointments in their own way altered the position fundamentally, and the need for the Amendment was not the need for an Amendment by the Conservative party if they remained in office, but only a need if the Government altered. If they think that the Labour party or the working people are inferior and cannot send to be Viceroy a person who comes from the working class, that he cannot be trusted with the duties of that high office, while I would normally have accepted the idea of safeguarding the rights of Parliament in these matters, I cannot on this occasion accept it, for this reason, that it would mean the acceptance of an inferiority complex on the part of the working people.

6.40 p.m.

Sir WILLIAM DAVISON: The hon. Member for Gorbals (Mr. Buchanan) is obviously under an entire misapprehension. Assuming that a satisfactory Viceroy was appointed by the Labour party, he, I presume, would desire that that gentleman should be kept in office and should not be turned out by a following Tory Government. The whole object ment with regard to our judges, because we consider that their office is a matter of vital importance to the country and that it should be independent of the ebb and flow of party politics. If the dismissal of a single judge is a matter of vital importance to this country, surely the dismissal of a Viceroy, holding all the judicial power that the right hon. Member for Hillhead (Sir R. Horne) indicated earlier in the Debate, is of importance in a far greater degree.

This Amendment is no reflection on the Labour party or on any other party. [HON. MEMBERS: "Oh!"] Of course it is not. That only shows that hon. Members opposite have an inferiority complex, and people who have an inferiority complex are beyond argument. Their argument has so far gone to show, what many of us rather feared, that this is going to be in their view a political office, only to be used for furthering Socialist principles and ideas. We were told on the Joint Select Committee that this was to be the end of constitutional reform in India except for the long time during which they would look forward to Dominion Status, but we hear to-day that every Labour Government that comes in will appoint a Viceroy and any other person whom it can control in order to enunciate and put forward Socialist principles. [HON. MEMBERS: "Hear, hear!"] —Now the House and the country know. The Socialist party cheer that statement, that in the future this Measure will be worked in order to enunciate Socialist principles in India. There can be no doubt in the future as to how this Bill will be worked. It is going to be a pawn in party politics in this country and used for the advancement of Socialism, with all the evils connected with it, in India. It was necessary for me to point that out, but is it not plain to everyone how essential it is for the person holding the high and important office of Viceroy not to be subjected to the ebb and flow of party politics, and only to be dismissed, as in the case of our own Judges, on a Resolution approved by both Houses of Parliament?

6.45 p.m.

[Mr. Wise.]

ment before us, which is that the Viceroy should not under this Bill be removed from office save by a vote of both Houses of Parliament. The hon. and learned Member who rallied to the support of the Government—I should imagine to their extreme discomfort—used every form of forensic skill to justify the rejection of the Amendment, even to the extent of making a venomous misrepresentation of party appointments in the past. We feel that there is a distinct danger that if a Government of which the hon. and learned Member is a shining light comes into power, the office of Viceroy will be subject to the real ebb and flow of party politics. It has been laid down in a book to which the hon. and learned Member wrote the preface, called "The First Workers' Government"—an admirable, if rather heavy time—that appointments were to be made by Socialist Governments to various offices, irrespective of ability, but with the one essential that the holder of the office should be a good Socialist. It is probable that a Viceroy who did his duty under the Government of India Bill—and, goodness knows, it will be a very arduous duty—might well find that he failed to fulfil the qualification that he was a good Socialist. In fact, I think it would be almost impossible to find a good Socialist who was competent to be a good Viceroy. It would, indeed, be impossible to find a good Socialist who would be a good debt collector.

Under this Bill the position of Viceroy will be one of peculiar difficulty. He will, in fact, be the ultimate safeguard, other than the armoured car, the tank and the machine gun, which the Federal Government of India will have. The only safeguard which it will have is the strength, integrity and fearlessness of the Viceroy. If the Viceroy who is delegated to carry out that important post is constantly to be subject to the fear of recall to Great Britain, the situation will be almost impossibly difficult for him. He will probably be faced with considerable opposition in India, and even those who support the Bill do not anticipate that everything will be plain it, the same proportion of parties will be re-elected. The only power he has for the preservation of good order and good government is the final drastic power of suspending the Constitution and taking it over himself. It is almost impossible to believe that any man subject to constant recall to this country from a Government which was possibly out of sympathy with the ideals of good government and good administration and upheld Socialist government and administration—two very different things—would be able to function unless he had the security of tenure which would be established by this Amendment. We are not asking anything unreasonable. We have endeavoured to make our judges immune from the flow of party feeling or of personal advantage by establishing them in their position so that they cannot be removed except by a Vote of both Houses. Our object is that the Viceroy of India, a more important officer than that of any judge, should be put in the same position.

6.50 p.m.

Mr. HOLFORD KNIGHT *rose*——

HON. MEMBERS: Divide!

Mr. KNIGHT: I have sat through the whole of this Debate, and perhaps the Committee will allow me to say two or three sentences. I am not going to continue the controversy which has been carried on during the last half-hour, but I want to bring the Committee back to the central point of this Amendment, which goes to the very foundation of Parliament. The situation contemplated in the Amendment is the position in office of a Viceroy who has lost the confidence of His Majesty's Government. The Amendment proposes that, although he has lost that confidence, he shall continue in office. I cannot understand how anybody who is familiar with the history of this House and the desirability of strengthening its foundations can contemplate a situation in which a high officer of State like the Viceroy should continue in office when he has lost the confidence of His Majesty's Government. This is an Amendment which, in the interests of Parliament itself, should not be supported. What sort of confidence

the Government, and yet remains in office and can only be removed by an Address to the Crown from both Houses?

Mr. G. BALFOUR: If the Viceroy has lost the confidence of the Government, he will have lost the confidence of Parliament.

Mr. KNIGHT: I am afraid the hon. Member is a little confused about the meaning of the Amendment. It is contrary to public policy that the principle in this Amendment should be embodied in the law. I look at it from the point of view of the people of India, and I ask what confidence will it give to them when then are brought into this system to have a Viceroy who has lost the confidence of His Majesty's Government and yet remains in office?

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

The Committee divided: Ayes, 49; Noes, 324.

Division No. 50.] **AYES.** **[6.55 p.m.**

Acland-Troyte, Lieut.-Colonel	Dixey, Arthur C. N.	Rawson, Sir Cooper
Alexander, Sir William	Emmott, Charles E. G. C.	Reid, David D. (County Down)
Atholl, Duchess of	Erskine-Bolst, Capt. C. C. (Blackpool)	Remer, John R.
Bailey, Eric Alfred George	Everard, W. Lindsay	Sanderson, Sir Frank Barnard
Balfour, George (Hampstead)	Ford, Sir Patrick J.	Somerville, Annesley A (Windsor)
Blaker, Sir Reginald	Goodman, Colonel Albert W.	Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Bracken, Brendan	Greene, William P. C.	Thorp, Linton Theodore
Broadbent, Colonel John	Gretton, Colonel Rt. Hon. John	Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Brown, Brig.-Gen. H.C. (Berks., Newb'y)	Gritten, W. G. Howard	Touche, Gordon Cosmo
Burgin, Dr. Edward Leslie	Hunter, Capt. M. J. (Brigg)	Wayland, Sir William A.
Burnett, John George	Jones, Sir G. W. H. (Stoke New'gton)	Wells, Sydney Richard
Burton, Colonel Henry Walter	Kimball, Lawrence	Williams, Herbert G. (Croydon, S.)
Churchill, Rt. Hon. Winston Spencer	Knox, Sir Alfred	Wise, Alfred R.
Courtauld, Major John Sewell	Lennox-Boyd, A. T.	Wolmer, Rt. Hon. Viscount
Craddock, Sir Reginald Henry	Levy, Thomas	
Croft, Brigadier-General Sir H.	Nicholson, Rt. Hn. W. G. (Petersf'ld)	TELLERS FOR THE AYES.—
Davison, Sir William Henry	Nunn, William	Mr. Raikes and Mr. Donner.
Dawson, Sir Philip	Oman, Sir Charles William C.	

NOES.

Adams, Samuel Vyvyan T. (Leeds, W.)	Cautley, Sir Henry S.	Edwards, Charles
Addison, Rt. Hon. Dr. Christopher	Cayzer, Sir Charles (Chester, City)	Elliot, Rt. Hon. Walter
Agnew, Lieut.-Com. P. G.	Cayzer, Maj. Sir H. R. (Prtsmth., S.)	Elmley, Viscount
Ainsworth, Lieut.-Colonel Charles	Cazalet, Thelma (Islington, E.)	Emrys-Evans, P. V.
Albery, Irving James	Cazalet, Capt. V. A. (Chippenham)	Entwistle, Cyril Fullard
Allen, Sir J. Sandeman (Liverp'l, W.)	Chapman, Col. R. (Houghton-le-Spring)	Essenhigh, Reginald Clare
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Chapman, Sir Samuel (Edinburgh, S.)	Evans, Capt. Ernest (Welsh Univ.)
Allen, William (Stoke-on-Trent)	Cleary, J. J.	Fielden, Edward Brocklehurst
Amery, Rt. Hon. Leopold C. M. S.	Cocks, Frederick Seymour	Foot, Dingle (Dundee)
Anstruther-Gray, W. J.	Colfox, Major William Philip	Foot, Isaac (Cornwall, Bodmin)
Apsley, Lord	Collins, Rt. Hon. Sir Godfrey	Fox, Sir Gifford
Aske, Sir Robert William	Colville, Lieut.-Colonel J.	Fuller, Captain A. G.
Assheton, Ralph	Conant, R. J. E.	Galbraith, James Francis Wallace
Baldwin, Rt. Hon. Stanley	Cook, Thomas A.	Ganzoni, Sir John
Balfour, Capt. Harold (I. of Thanet)	Cooke, Douglas	Gardner, Benjamin Walter
Banfield, John William	Cooper, A. Duff	Gault, Lieut.-Col. A. Hamilton
Barclay-Harvey, C. M.	Copeland, Ida	Gibson, Charles Granville
Barrie, Sir Charles Coupar	Courthope, Colonel Sir George L.	Gillett, Sir George Masterman
Beaumont, Hon. R. E. B. (Portsm'th, C.)	Cranborne, Viscount	Gledhill, Gilbert
Benn, Sir Arthur Shirley	Cripps, Sir Stafford	Gluckstein, Louis Halle
Bennett, Capt. Sir Ernest Nathaniel	Crooke, J. Smedley	Glyn, Major Sir Ralph G. C.
Bernays, Robert	Crookshank, Capt. H. C. (Gainsb'ro)	Goff, Sir Park
Blindell, James	Croom-Johnson, R. P.	Goldie, Noel B.
Bossom, A. C.	Cross, R. H.	Gower, Sir Robert
Bower, Commander Robert Tatton	Crossley, A. C.	Grattan-Doyle, Sir Nicholas
Bowyer, Capt. Sir George E. W.	Cruddas, Lieut.-Colonel Bernard	Greenwood, Rt. Hon. Arthur
Boyce, H. Leslie	Culverwell, Cyril Tom	Grenfell, David Rees (Glamorgan)
Braithwaite, J. G. (Hillsborough)	Curry, A. C.	Grenfell, E. C. (City of London)
Brass, Captain Sir William	Daggar, George	Griffith, F. Kingsley (Middlesbro', W.)
Briscoe, Capt. Richard George	Dalkeith, Earl of	Griffiths, T. (Monmouth, Pontypool)
Brocklebank, C. E. R.	Davidson, Rt. Hon. J. C. C.	Grigg, Sir Edward
Brown, C. W. E. (Notts., Mansfield)	Davies, Edward C. (Montgomery)	Grimston, R. V.
Brown, Ernest (Leith)	Davies, David L. (Pontypridd)	Groves, Thomas E.
Buchan, John	Denville, Alfred	Grundy, Thomas W.
Buchan-Hepburn, P. G. T.	Dickie, John P.	Guest, Capt. Rt. Hon. F. E.
Bullock, Captain Malcolm	Doran, Edward	Gunston, Captain D. W.
Burghley, Lord	Drewe, Cedric	Guy, J. C. Morrison

Harris, Sir Percy
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hore-Belisha, Leslie
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing-Com. A. W. H.
Jenkins, Sir William
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
John, William
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Jones, Morgan (Caerphilly)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Knight, Holford
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Lansbury, Rt. Hon. George
Law, Sir Alfred
Lawson, John James
Leckie, J. A.
Leech, Dr. J. W.
Lees-Jones, John
Leighton, Major B. E. P.
Leonard, William
Liddall, Walter S.
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Lloyd, Geoffrey
Locker-Lampson, Rt. Hn. G. (Wd. G'n)
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Loftus, Pierce C.
Logan, David Gilbert
Lumley, Captain Lawrence R.
Lunn, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
Macdonald, Gordon (Ince)
MacDonald, Rt. Hon. J. R. (Seaham)
Macdonald, Capt. P. D. (I. of W.)
McEntee, Valentine L.
McKie, John Hamilton
McLean, Major Sir Alan
Maclean, Neil (Glasgow, Govan)
McLean, Dr. W. H. (Tradeston)
Macpherson, Rt. Hon. Sir Ian
Magnay, Thomas
Mainwaring, William Henry
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milner, Major James
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Mitchell, Sir W. Lane (Streatham)
Moison, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shepherd
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nathan, Major H. L.
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Paling, Wilfred
Patrick, Colin M.
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Peters, Dr. Sidney John
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilst'n)
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pownall, Sir Assheton
Radford, E. A.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Ratcliffe, Arthur
Rathbone, Eleanor
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, William Allan (Derby)
Rickards, George William
Robinson, John Roland
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Simmonds, Oliver Edwin
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Skelton, Archibald Noel
Smith, Tom (Normanton)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spears, Brigadier-General Edward L.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strauss, G. R. (Lambeth, North)
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Thorne, William James
Tinker, John Joseph
Train, John
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Wedgwood, Rt. Hon. Josiah
Weymouth, Viscount
White, Henry Graham
Whiteside, Borras Noel H.
Williams, Charles (Devon, Torquay)
Williams, Edward John (Ogmore)
Wills, Wilfrid D.
Wilmot, John
Wilson, Clyde T. (West Toxteth)
Womersley, Sir Walter
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Young, Rt. Hon. Sir Hilton (S'v'noaks)
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE NOES.—Major George Davies and Dr. Morris-Jones.

Mr. ANNESLEY SOMERVILLE: I beg to move, in page 2, line 23, to leave out Sub-section (3).

This Amendment is largely covered by one which stands in the name of the right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood), but I am so impressed with the com-[illegible]ity of the duties imposed on the [illegible]nor-General that I feel I must take [illegible]rtunity of impressing on the [illegible]e necessity for affording the Governor-General every possible assistance in carrying out these duties. The staff provided for the Viceroy seems to me to be very inadequate. The right hon. Member for Hillhead (Sir R. Horne) put very clearly before the Committee the enormous range of duties and the responsibility of the Governor-General. May I remind the Committee what will be the duties of the Viceroy as representative of the King-Emperor and through his paramountcy. His duty as

representative of the King-Emperor is likely to result in his being very much in demand in the future. Probably representatives of British India in the twentieth century will also bring as much pressure to bear as possible on the Governor to exercise through his paramountcy his authority to make the Princes accept the wishes of British India. It is very significant that the hon. Member for Caerphilly (Mr. Morgan Jones) in his speech a few days ago showed that there was a good deal of jealousy on the part of the Princes. That speech also showed that Congress, with help coming from the Socialist party, may probably bring pressure on the Governor-General to exercise his paramountcy in accordance with their wishes. There are 297 Clauses in this Bill that refer to India. Of these 297 Clauses, 116 lay upon *the Governor-General heavy and specific* duties. I would ask hon. Members to read Clauses 11, 12 and 45. In Clause 12 eight specific large duties are laid upon the Governor-General. He is enjoined in that Clause to exercise his individual judgment. In addition, he has at the Centre to exercise a diarchy which is to be the cure for the failure of dyarchy in the Provinces. Anyone who realises the large part that religion plays in the life of India, especially in the North-West, will realise the greatness of the responsibility of the Governor-General in that matter, and he has only three counsellors to assist him on such questions.

As Viceroy he has to deal with between 500 and 600 Princes who control one-third of India, involving journeys to various parts of India for social and military functions, durbars and other events, and including his keeping in touch with all those States dealing with the Princes. That is in itself work for one man. Meanwhile, he is subject to continual pressure from the Central Legislature. That pressure will almost certainly be exerted in the matter of Army expenditure, and it will be difficult for him to resist it. We have in this Bill three matters of legislation—Federal subjects, Provincial subjects and concurrent subjects. Concurrent subjects in my view will undoubtedly lead to continual friction between the Federal and Provincial Governments in such matters as criminal law, trade unions, and marriage and divorce matters. It will be seen how important these matters are. When I think of the Secretary of State discussing with a prospective Viceroy his various duties, I recall a little story of the employer engaging a house boy and telling him that his hours would be from six o'clock to six o'clock. The boy asked, "Is that all?" and the employer replied "Yes." The boy then asked "Well, do you think you can let me have some bricks and mortar." The employer said, "What for?" and the boy replied, "I should like to build you a house in my spare time." To imagine that the Governor-General can carry out all the duties placed upon him by this Bill is like asking him to build a new Taj Mahal. I merely add that it is absolutely necessary *to strengthen the hands of the man* appointed to this post. The omission of this Sub-section would, I think, clear the way towards meeting the difficulty.

7.13 p.m.

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): I sympathise with the motive of the hon. Member in moving this Amendment, but I should like to give the House a few reasons why the Government think it impossible to accept it. May I repeat that whenever I take part in the Debates I hope to be as commendably brief as the hon. Member was. The difficulty in accepting this Amendment is that we think that it would in fact make the duties of the Governor-General much more onerous in the future. He would not be asking for bricks and mortar to build a house: he would spend most of his time writing letters to the opposite number, the Crown Representative for the States, and his duties would become all the more complicated. We feel it would be inadvisable to change the present arrangement. There is at present one man who fulfils the two duties suggested to be filled by the Governor-General and the Representative for relations with Indian States. We feel it would be very much more desirable to continue the present arrangement. I would remind the Committee that all three ex-Viceroys and

[Mr. Butler.]
reasons we think it would be advisable to continue on the basis of the present system and on the lines suggested by the present Bill.

Viscount WOLMER: I apologise for interrupting, but a phrase used by the hon. Gentleman emboldens me to ask a question which we have not been able to raise before because an Amendment dealing with it was not called. Why do they refer to the Viceroy as "the representative?" Why is he not called "the Viceroy?"

Mr. BUTLER: It is very difficult to get exactly the right phrase. I was attempting to define what, in fact, will be the functions which the Viceroy will perform when dealing in the realm of paramountcy outside the federal sphere, and I think the phrase "Representative of the Crown" in relation to the Indian States is a suitable phrase in which to refer to the Viceroy.

Viscount WOLMER: But why does the Bill not use the word "Viceroy"?

Mr. BUTLER: I think the Bill is attempting to make clear the very difficult issues raised by this point. Those who read the Bill will see that while representing His Majesty his functions in relation to the States are best described in the words I have used, "Representative of the Crown."

Lieut.-Commander AGNEW: Are we to understand that the term "King's Representative" will be the official description of the Viceroy in his dealings with the States?

Mr. BUTLER: No, I do not think my hon. Friend need draw any general conclusion from this statement, because I am dealing with a specific Amendment, and I do not think he should take any words of mine as indicating any alteration of the title. If I were to pursue further the difficulties likely to arise from having two gentlemen to perform these functions the Committee would see how delicate the situation might be. For instance, the Representative of the Crown in relation to the States might desire, if order arose in a particular State, that my might come to his assistance. roposal that there should be two lfilling these functions, the Army would be under the control of the Governor-General, and there would, therefore, have to be a certain interaction between those two officials and an exchange of messages which would deprive the Army of the advantage of that lightning rapidity of action to which my right hon. Friends who have criticised us attach so much importance. It would be possible for me to develop the subject further, but when I tell the Committee that we consider this proposal would lead to great confusion, I think I have done enough to show that we prefer the arrangement which is in the Bill.

Mr. ISAAC FOOT: The question having been raised by my hon. and gallant Friend the Member for Camborne (Lieut.-Commander Agnew) and the Noble Lord the Member for Aldershot (Viscount Wolmer), can some guidance be given to us on this point of the title of the Viceroy? Upon page 89 of the Joint Select Committee's Report we find the words:

> "We assume that the two offices will continue to be held by the same person, and this being so we think that the title of 'Viceroy' should attach to him in his governing capacity."

It would be of some help to us if we could understand whether the term "Viceroy" is no longer to appear in our Statutes and legal documents, and if a term which is fully understood by the people of this country and which has gathered round itself very honourable associations is to be discontinued.

7.20 p.m.

Duchess of ATHOLL: I can understand that the Government would not wish to make any hasty departure from what has been the practice, namely, that the Governor-General and the Viceroy should be one person, but before we pass to the next Amendment it is important that the Committee should try to visualise not only the immense range of the Governor-General's functions, which have been so admirably described by the right hon. Member for Hillhead (Sir R. Horne), but some of the frictions referred to in a previous Amendment and the unceasing anxieties which are most likely to beset the Governor-General in the reserved departments and in the discharge of his special responsibilities. What could be greater than the anxiety of a Viceroy responsible for the defence of that vast

Empire, with its very vulnerable frontier, and very warlike populations on the other side of the frontier, and with its vast problem of internal order while he is controlling an army whose means of communication are out of his hands and in a country where there are influences at work which have great and exceptional opportunities of demoralising, at any rate, the lower ranks of the Government service. I wonder whether the Government realise some of the influences which were brought to bear on the police and revenue officers during the disobedience movement.

The DEPUTY- CHAIRMAN (Captain Bourne): I have very great difficulty in connecting the arguments of the Noble Lady with the Amendment.

Duchess of ATHOLL: Surely a Governor-General weighed down with great anxieties would have extraordinary difficulty in knowing all that is happening in the communications department, on which the efficiency of the army must depend, and that must add greatly to the responsibilities of his office. He is made responsible for the internal order and security of India and does not control all the means necessary for handling the situation. He has no means of assuring himself of conditions in the department of communications, which is so vital to defence, yet which he does not control. He has no means of ascertaining what is the morale——

The DEPUTY-CHAIRMAN: Will the Noble Lady explain how there would be any better means of ascertaining that information supposing there were two officers instead of one?

Duchess of ATHOLL: He would have more time in which to refresh himself for carrying these very heavy anxieties. He has the dual burden of responsibility for relations with the 500 or 600 States and the discharge of his special responsibilities in British India. I think, therefore, the Committee may well agree that it is necessary to separate the two offices. I quite understand that there may be no desire to do this hastily, but the day may come when it may be necessary to separate these two functions, or to separate the social functions of the Viceroy, which play so large a part in his life, from the actual discharge of his duties to the Federation and to the Indian States, and we have moved this Amendment in an endeavour to focus the attention of the Committee for a little longer on a point which seems to us of tremendous importance.

7.24 p.m.

Viscount WOLMER: I think this discussion is very useful. There is the point raised by my hon. Friend the Member for Bodmin (Mr. Isaac Foot), which I am sorry the Parliamentary Secretary did not answer there and then, because it is a point we ought to clear up at an early stage.

Mr. BUTLER: I am ready to give the answer at once. "Viceroy" is a term which has never been used in a Statute or in the Warrant of Appointment; it is a term of courtesy and not of law, but it is intended, following the recommendation of the Joint Select Committee, that it shall continue.

Viscount WOLMER: I am very glad the hon. Gentleman has made that admission, because the expression in the Bill is a very clumsy one, though no doubt the appropriate one. I am glad to know that it is not intended to make any alteration in the title. From that point of view, this discussion has been useful. My Noble Friend the Member for Perth and Kinross (Duchess of Atholl) is perfectly right. We ought to pause on the threshold of this great Measure to realise the enormous and appalling burden which we are putting on the shoulders of one man. For that reason I am particularly sorry that the Government were unable to meet us on earlier Amendments moved this afternoon. When we are putting a burden on the shoulders of one man which is, as the hon. Member for Bridgeton (Mr. Maxton) pointed out, greater than any Viceroy has previously borne, being, in fact, the greatest and most responsible of any position in the British Empire, do not let us delude ourselves with the idea that because we put it in an Act of Parliament therefore one individual can necessarily carry it out. I believe the truth to be that we are giving the Viceroy of India a humanly impossible task, a task which no man, even though he had the knowledge and experience, could have the physique to carry out. To start with, he has to be an individual of the most extraordinary authority and

[Viscount Wolmer.]

experience. He has to be a trained parliamentarian, a man who knows how to handle legislative assemblies, a man who knows all the ways round the division lobby, if I may put it that way, a man who knows what effect an argument or statement will produce in debate; and at the same time has to be a man of action. That is a very rare combination. He has to be an administrator and, above all things, a man whose nerves will not fail him in a crisis.

Mr. ISAAC FOOT: Will the Noble Lord indicate what added burden is now contemplated which has not been borne before?

Viscount WOLMER: *The added difficulty* can, I think, best be described in this way. In the first place, there will be a state of great friction in every Province, a state of very great friction which may at any time boil up into a state of danger. Secondly, there is the impossible condition of dyarchy brought about in the Federated Assembly. We shall be putting the Viceroy in the position in which Provincial Governors have been in the past of having all the disadvantages of parliamentary government without any of its advantage; but that is a point which we can discuss better on a subsequent Amendment. I am surprised that my hon. Friend the Member for Bodmin raised this point, because I thought it was the view of the Joint Select Committee that the position of the Viceroy would be more difficult under the new Constitution. Certainly it is the view of a great many members of the Joint Select Committee. I recall a famous letter which Lord Zetland wrote to the "Times" when the Committee were appointed in which he detailed the almost superhuman task the Viceroy would be called upon to fulfil. The amendments to the scheme made by the Joint Select Committee which have placed so many more safeguards and weapons in the hands of the Viceroy have not tended to lighten his burden. Not only has he the duties of his immense dual capacity to discharge within British India, but he has also the supervision of all the Provincial Governors and, as well, all the dealings with the Indian States, all the frontier problems, and Baluchistan. Therefore, it is a burden which is immensely greater than anything we have previously known. It is a burden that all previous Viceroys of India have had to bear, and added to that he will have to face discontent in a dozen Provinces and an impossible Parliamentary situation at the Centre.

That is the burden which the Government are putting upon the shoulders of one man who at one moment will have to be a Parliamentary leader and the next moment an autocrat. We shall have to find somebody who will be a mixture of Charles I and Horatio Bottomley to carry it through successfully. That is one of the reasons why I believe that the whole of this scheme will end in a terrific and tragic disaster, although I hope not, from the bottom of my heart. It is putting so much on the Viceroy that no ordinary human being could possibly fulfil it. The situation is well described in Gilbert's description of the heavy dragoon:

"The pluck of Lord Nelson on board of the Victory,
Genius of Bismarck devising a plan,
The humour of Fielding (which sounds contradictory),
Coolness of Paget about to trepan,
The science of Jullien, the eminent musico,
Wit of Macaulay, who wrote of Queen Anne,
The *pathos* of Paddy, as rendered by Boucicault,
Style of the Bishop of Sodor and Man,
The dash of a D'Orsay, divested of quackery,
Narrative powers of Dickens and Thackeray,
Victor Emmanuel — peak - haunting Peveril,
Thomas Aquinas, and Doctor Sacheverell,
Tupper and Tennyson—Daniel Defoe,
Anthony Trollope and Mr. Guizot!"

That is what the Viceroy of India is to be in future. Let us realise that such individuals are extremely rare.

7.33 p.m.

Colonel WEDGWOOD: I hope that my hon. Friends will not press this Amendment to a Division. I do not think it will help the Government of India to have two parallel Viceroys instead of one. It seems to be almost universally agreed that under the new Constitution the Viceroy will have more work than under the old, but as he will have the Assembly, his councillors and such an infinity of patronage to keep everything sweet I contemplate that his life will be perfectly even.

Amendment negatived.

Motion made, and Question, "That the Clause stand part of the Bill," put, and agreed to.

Clause 4 (*The Commander-in-Chief in India*), ordered to stand part of the Bill.

CLAUSES 5 (*Proclamation of Federation of India*) AND 6 (*Accession of Indian States*).

7.34 p.m.

Mr. CHURCHILL: I should like to move, "That the consideration of Clause 5 be postponed." If that be assented to, I shall also move, "That the consideration of Clause 6 be postponed."

The DEPUTY-CHAIRMAN: Perhaps it would be for the convenience of the Committee if the right hon. Gentleman moved that both Clauses be postponed.

Mr. CHURCHILL: I beg to move, "That the consideration of Clauses 5 and 6 be postponed."

I am very much obliged to you Sir, for bringing to my knowledge the fact that it is in order for me to do so.

I ask the Secretary of State if he will agree to their postponement, because it would be a very right and proper thing to do, and it would not in any way delay our proceedings. Part II is one of the most important features of the Bill, because it raises the great issue of the Federal system and the conditions under which the States will accede to it. I always understood that this matter would not be raised this week. There are a great many reasons why it should not be raised. To begin with the text of the Bill has only just gone out to India—about a fortnight ago—and the Princes and others will be studying it in detail. They will have very little time in which to take decisions which are so important and to decide what Amendments, if any, are required. I understand that the view of the India Office is that any Amendments of that kind can be inserted on the Report stage, but the consideration of this matter on Report will be very much abbreviated, and there will be very little time to do anything. It seems most undesirable that we should have to decide Clauses 5 and 6 before the discussions which are taking place among the Princes in India have reached a conclusion. I understand that a meeting is to be held on the 27th, and, if this Bill had taken the course which I was led to expect, namely, that it would not be brought on until next week, we should not have to debate these very important Clauses without knowing what the main view of the Princes in India was going to be.

If the Princes decide not to come in at this stage, it will not be necessary to move various Amendments to a Clause to which I will presently refer. If, on the other hand, they are coming in, and we are faced with the question of the institution of the federal system, it is absolutely necessary that Amendments should be moved to make that system a reality; for instance, the question of the anomalies of Princes voting in and out on Income Tax, and so forth, must be settled, as must the various questions, which one would not wish to press until they are necessary, as to their becoming naturalised British subjects if they accede to the Federation. All sorts of questions arise as to what kind of Instrument of Accession and terms of accession the Crown will accept. Suppose that a Prince accedes with such limitations as to make him a partner and a participator in the Assembly and yet, at the same time, withhold any very large derogation from his own internal powers. Those matters will all have to be looked into and studied, and will have to be the subject of Debate and Amendment in this House, and the House will decide upon them as it sees fit.

It is, in my opinion, very improper to bring on the Committee stage of the Bill so close to the Second Reading, to hustle the House and other people who are concerned, and to force them to the gravest decisions and discussion of the gravest matters in the Bill within such a very short time of the Second Reading being disposed of. The Bill, which is of enormous complexity, has been printed under a month, and the task of putting down Amendments and relating one set of Amendments to another is one of very great difficulty to a person not possessing the organisation of the great Departments of State. These two Clauses would far better be discussed at a later stage when we shall know much more of the position in India, and when still more mature consideration can be given to the various aspects of the Bill, and to the Amendments which are appropriate to it. I hope that the Secretary of State will agree to this postponement.

Mr. MORGAN JONES: No, he will not.

Mr. CHURCHILL: Ah, I suppose you have arranged it. There is too much of that. That is one of the things which have been commented on outdoors, the way in which the Socialists on the Front Opposition Bench and the Socialists on the Government Bench are doing their deals behind the backs of the Conservative party. I did not expect to hear this subterranean process so nakedly exposed by the hon. Gentleman, who already knows beforehand exactly what the Secretary of State will do. I expect it is all pretty well laid out and drawn up from start to finish. I dare say the hon. and learned Member for East Bristol (Sir S. Cripps), who has re-entered, is to be put up to make one of those firework speeches to give a sort of sham opposition to the Bill to cover his eager scuttling into the Government Lobby.

I regret very much that this interruption from the Front Opposition Bench led me from the more calm and temperate manner in which I had hoped to couch my appeal. I hope that the right hon. Gentleman will consent to these Clauses being postponed. He will, by so doing, enable a better discussion to take place, and will not be taking an unfair advantage of the House, and he will clear himself altogether of any desire to force a decision from the House on these Clauses before the Princes' decision in regard to their coming in or not has taken place. I will not say any more at the moment because, as we are in Committee, I can easily return to the topic. I will merely content myself by asking the right hon. Gentleman whether he will agree to the Motion I make.

7.42 p.m.

Sir S. HOARE: Let me first call attention to the curious way in which the right hon. Gentleman makes an appeal of this nature. He indirectly accuses me of wishing to take an unfair advantage of the House, and of conspiracy with hon. Gentlemen opposite. There is no reason for postponing these Clauses, first of all because everybody has been in possession of the substance of them ever since the Joint Select Committee reported. The two Clauses follow almost exactly the Recommendations of the Joint Select Committee, and they do not come as new proposals to the House about which hon. Members have only heard in the last few weeks. Every hon. Member who has followed the details of the discussion has known all about them since last November; so also has everybody in India. The Clauses follow the Recommendations of the Joint Select Committee's Report, which has been in the possession of everybody, here and in India, who is interested in the question, since last November.

Mr. CHURCHILL: Is it not a fact that the most important part of the discussion now taking place among the Princes in India is upon the differences which exist in the text of the Bill from what is to be found either in the White Paper or in the report of the Joint Select Committee, and that upon those differences important decisions turn? How can it be said that all those matters have been known all that time? It is those very differences which will determine the Princes' decision.

Sir S. HOARE: There is no substantial difference in these Clauses. The only difference is in small details which undoubtedly make the present proposals more desirable than the proposals in the report.

Mr. DONNER: If I may interrupt the right hon. Gentleman, I should like to point out that on this question I have on the Paper an Amendment to Clause 6, which shows a very substantial difference to exist between the Bill and the Majority Report as it affects the Princes.

Sir S. HOARE: I am afraid I cannot now discuss a future Amendment, but, if any change has been made in the drafting of the Clause as compared with the recommendations of the Joint Select Committee, that change is likely to make the proposal more, and not less, agreeable to the Princes. My right hon. Friend, so far as I know, is under a misapprehension as to what is likely to happen at the meeting of the Princes which I believe is to be held in a week's time. The information that I have goes to show that the Princes are interested in details of drafting, and it is most unlikely that any new issue will be raised on the particular questions of this Chapter. If it is only a matter of drafting, we can certainly adjust the drafting at some future stage of the Bill, and that seems to me to be no reason whatever for holding up the discussion of these two Clauses. More-

over, let me remind my right hon. Friend that, at the meeting of the various groups which was held upstairs, one or both of his hon. Friends put the question as to when the discussion of the Bill was going to start. There was no secret about it at all. I think it was I who said that there would be two days this week, namely, Tuesday and Wednesday, and subsequent discussion proceeded on the lines that Chapter I would undoubtedly be the Chapter to be discussed. No suggestion of any kind was made as to postponement.

7.47 p.m.

Mr. CHURCHILL: In my opinion, it would have been entirely out of order in such a committee if any suggestion had been made about postponement. Such power as that informal committee had was entirely in regard to the general allocation of time. The fixing of the date on which particular subjects should be raised was not a matter for the committee, but for the Government. The Government are not obliged to have any agreement on that matter, but we are perfectly free to criticise the action of the Government in fixing the date. Nor has the right hon. Gentleman the slightest right to shelter himself behind a committee which dealt with matters to which the question of the date on which subjects should be discussed was wholly irrelevant.

Sir S. HOARE: My right hon. Friend totally misunderstands my argument. I am not suggesting that the committee had the power to settle the time-table or to impose its will upon the House. I am meeting my right hon. Friend's charge that I was taking an unfair advantage of the Committee in pressing these two Clauses. I can only tell him that he was represented, as I understood, by two of his hon. Friends at this committee meeting upstairs, and I am speaking within the memory of several hon. Members who were present when I say that there was no question whatever about the Bill being taken on Tuesday and Wednesday of this week.

Mr. CHURCHILL: How do you mean, there was no question?

Sir S. HOARE: It was assumed, and the discussion——

Mr. CHURCHILL: It was irrelevant to the business of the committee.

Sir S. HOARE: Really, my right hon. Friend is misrepresenting what I am trying to say. I am meeting his charge that I am taking an unfair advantage of this Committee. I am doing nothing of the kind. It was well understood in the committee upstairs that the discussion would take place this week, and the whole basis of our subsequent discussion upstairs was on the lines that Chapter I was going to be discussed. In view of these facts, I urge the Committee to decide against any postponement. If the Princes or any other section in India have points of detail to urge, either on this part or on any later part of the Bill, we shall have an opportunity of dealing with those Amendments when the time comes, but nothing that my right hon. Friend has said in any way shakes my view that it is altogether unnecessary to postpone these two Clauses.

7.51 p.m.

Major MILNER: On a point of Order. May I ask you, Captain Bourne, whether this discussion is in order? I am not aware that there is any Motion before the Committee—[HON. MEMBERS: "Yes."] If there is a Motion before the Committee, it does not appear on the Order Paper, and I desire to ask you whether in these circumstances a Motion to postpone the discussion of Clauses is in order?

The DEPUTY-CHAIRMAN: A Motion to postpone a Clause can be made by any Member at any time, and does not require notice; but discussion upon it must be strictly limited to the advisability of postponing the Clause, and must not go into the question of merits.

7.53 p.m.

Viscount WOLMER: I hope there will not be a long debate on this question, because I think it would be very undesirable. I do not wish to accuse the Government of doing anything unfair, but I am very sorry that they have not made a better response to the appeal of my right hon. Friend. I think there would be a great gain if this discussion were taken after the Princes had met, but, since the right hon. Gentleman is unable to meet us, I am afraid the only thing we can do is to divide against him on the subject, and I hope we shall do so as quickly as possible.

7.54 p.m.

Mr. MORGAN JONES: I think the argument of the right hon. Gentleman the Member for Epping (Mr. Churchill) fails in one particular. He argues that these Clauses ought to be postponed because, he says, there is a prospect of a meeting of the Princes some week or so hence. But surely he knew that last night, and, if so, why did he not put down a Motion to postpone these Clauses, so that we should have known exactly what was happening? He could have done that last night, or even last week. He has suggested that we are conducting a sham fight, but it seems to me that he is laying himself open to a charge of deliberate obstruction.

7.55 p.m.

Mr. ISAAC FOOT: I only want to deal with the question which has been raised as to what was done upstairs. The arrangement come to upstairs was undoubtedly that the first six days should be given to Part I and Part II of the Bill. It was set out in typewriting for us before we came to the meeting, and I had the advantage, with the Noble Lord, of considering the typed suggestion. Ultimately, after it had been adjusted, it was agreed that the first six days should be devoted to Parts I and II of the Bill. The question was then raised as to when the Bill would come before the House, and we were told that Tuesday and Wednesday of the following week would be proposed. To postpone any part of the Bill now would be to eat up time that is needed for very important matters. Let it not be thought that the subjects which have been before the House to-day are the really important matters. There are other and vital questions which will arise in the discussions on the Bill, and the opponents of the Government must realise that those who want these other matters raised must have their fair share of the time as well, particularly when we come to deal later on with the Schedules, where there are matters which vitally affect the day-to-day conditions of the people in India.

I do not want to continue the Debate, but simply to suggest that it may be an advantage rather than a disadvantage to have this Debate now, before the Princes meet. In India they still attach some importance to what is said in the House of Commons. It is not as if the right hon. Gentleman and his friends had been deprived of the opportunity of putting down their Amendments; they are on the Paper; and, if they can be discussed and the opinion of the House on them ascertained, I should have thought that, instead of hindering things in India, that expression of opinion would help things in India, and might induce the Princes to come to some conclusion, knowing what the House of Commons had done in Committee. It would not bind them, because there will still be the Report stage and the Third Reading. If the Princes should take some unexpected action, undoubtedly our course on Report and Third Reading would be influenced accordingly, but there is an advantage, surely, in Parts I and II being fully discussed now, so that the Princes may know what is the position and the outlook of the British House of Commons.

7.57 p.m.

Sir WILLIAM DAVISON: This is not a question of what was done in a Committee, or of the *bonâ fides* of the Government, but simply a question of common sense. We as a House of Commons have to decide, in dealing with this matter, whether it is common sense to deal with it before the people concerned have made up their own minds. If it were any ordinary business matter coming before a board of directors, they would say it was farcical to discuss what certain people were going to do if they became members of the board, before it was known whether they were going on to the board or not. Similarly, it is farcical in the case of this Bill to have for the first time in history a Federation before the constituent parts have been formed. There is a still greater anomaly when it is proposed to deal with the coming in of the Indian Princes, and the whole matter is to be discussed on these two Clauses before they have signified whether they are coming in or not. This is no Committee point, but a question of common sense, and I submit that the suggestion that these two Clauses should be postponed is a very reasonable one. We shall have 30 days in which to deal with this matter. Why should we not postpone these Clauses until we know where we are? Considering the House of Commons as, I hope, a body of common-sense people, I should think it would be agreed that this is a proper proposal, and

that we should delay consideration of these Clauses until we know what the Princes are going to do.

7.58 p.m.

Mr. CHURCHILL: As I have been subjected to severe criticism from the Front Opposition Bench, I think it right to point out to the Committee how very reasonable is the proposal which I am making. If normal constitutional practice and the reasonable orderly custom of Parliament had been followed, and at least a fortnight had been allowed to intervene between the Second Reading and the Committee stage of a Bill of this magnitude, the difficulty would not have arisen. That is the course which I understood was to have been taken. Then the Government decided to bring the matter forward a week earlier, and get these two very decisive Clauses dealt with at this stage, which happens to be before the discussions which are proceeding in India will mature. That is a limitation of proper and regular constitutional procedure and custom, and, in addition, it is an alteration of the original course which we were led to believe would be taken. I make no charge of any kind against the Government in this matter. I have been assured that the ante-dating of the Committee stage to this week had no ulterior motive, and I accept that assurance completely, but nevertheless the inconvenience remains, even if the purpose does not exist, and, if the proper normal course had been taken, that inconvenience would not have existed at all. The inconvenience is patent to every one. Hon. Gentlemen opposite would like, naturally, as it were, to force the Princes' hand by getting a decision in this House beforehand, but I think it is a very great pity that the Princes cannot be allowed to decide this matter before we have been subjected to the necessity of taking our decision. I certainly shall press my Motion to a Division.

7.59 p.m.

Mr. A. SOMERVILLE: We know now that, if the Princes do not come in, Part II of the Bill, at any rate, will fall to the ground. If that happens, we shall have wasted our time and placed ourselves in a most undignified position. I wish to protest against the possibility of our being placed in such a position.

8.0 p.m.

Sir ARTHUR STEEL-MAITLAND: May I add one word on behalf of common sense? As a great deal may depend on what the Princes in India decide a week hence, and as we have been told that the quite slight difference between the Select Committee's Report and the terms of the Bill may weigh, is it not just as well that the Princes should know to what decision this House has come, and whether there is to be a Federation or a Council of Greater India, before they have their meeting?

8.0 p.m.

Mr. BALFOUR: I cannot understand the course of reasoning which induced my right hon. Friend the Secretary of State to make the statement that he has just made. I rise to protest against the charge made by the Opposition Front Bench that my right hon. Friend the Member for Epping (Mr. Churchill) is guilty of obstruction in this matter. I should have thought that, whatever our views on this Measure may be, as we belong to the same party as the right hon. Gentleman the Secretary of State, he would at least have risen in his place to protect us from such an accusation. I am sure that my right hon. Friend the Secretary of State clearly realises that there is no intention or desire to adopt any obstructive tactics by a small body of his fellow Conservative Members in this Committee. I felt it only fair to say that for my right hon. Friend the Member for Epping, who perhaps had some diffidence, when expressing his strong feeling on this matter, in making a protest. Should another accusation of a similar kind be levelled against my right hon. Friend, I hope that the Secretary of State will take the opportunity of supporting his fellow Members on this side of the Committee.

8.2 p.m.

Mr. LANSBURY: I do not intend to join in this discussion except to say that the right hon. Member for Epping (Mr. Churchill) is not really so thin-skinned as to be upset because someone says a kind word to him in a back-handed way. Reproofs are continually hurled against us, and we are told that we are acting subterraneously with the Government, and so on. Why should the right hon. Gentleman be hurt if someone suggests that he has done something merely for

[Mr. Lansbury.]

obstruction? It is not worthy of him, and I hope he will not do it again.

8.3 p.m.

Mr. BRACKEN: I would make an appeal to the Secretary of State. He has had a lot of support from the Front Opposition Bench, and he has been supported in a long speech by the hon. Member for Bodmin (Mr. Isaac Foot). Does not my right hon. Friend realise how dangerous it is to get his support from every side of the House except the Conservative side? It is true that he had some support, for what was called the common-sense point of view, from the right hon. Member for Tamworth (Sir A. Steel-Maitland). But is it a wise thing for him to depend on the Radical party and on the Socialist party, and not to make a concession of any sort to his friends? There could have been nothing more reasonable in this House than the speech of my right hon. Friend the Member for Epping (Mr. Churchill). We are very anxious indeed to conduct this Debate with fairness, and the suggestion my right hon. Friend made was a perfectly fair one. Suppose that the Princes decide to turn down the Secretary of State. Would the House of Commons, which the Prime Minister says is a business House of Commons, then spend a long time in discussing something which is quite academic?

The Secretary of State really ought to be more reasonable. Is it not much wiser for him to meet us on this very small point? I doubt whether at any time in these Debates we shall again put forward such a request. I hope that the stony heart of my right hon. Friend will relent. We have to read this immense Bill. We did not draw it up. The Secretary of State drew it up, and we want a little more time to study it. We shall make ourselves absolutely fantastic in the eyes of the public if we now discuss something which next week may be blown to particles. I would appeal to the manly and robust common sense of the learned Attorney-General. I beg him to plead with the Secretary of State, and to recognise that if in the course of the next few years the Socialist party once more return to power, aided very largely by some of those who now support this Bill, we and the Secretary of State will have to work together to turn the Socialists out. Why then refuse to give way to a most modest request? There is nothing obstructive in it. It is what the right hon. Member for Tamworth calls real common sense. I know that the Secretary of State is tired and requires a little refreshment, and I ask him to make this first evening of our Debates pleasant by granting a little concession to his friends.

Question put, "That consideration of Clauses 5 and 6 be postponed."

The Committee divided: Ayes, 41; Noes, 290.

Division No. 51.] AYES. [8.8 p.m.

Alexander, Sir William	Greene, William P. C.	Somerville, Annesley A. (Windsor)
Atholl, Duchess of	Gretton, Colonel Rt. Hon. John	Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Balfour, George (Hampstead)	Gritten, W. G. Howard	Templeton, William P.
Bracken, Brendan	Jones, Sir G. W. H. (Stoke New'gton)	Thorp, Linton Theodore
Broadbent, Colonel John	Kimball, Lawrence	Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Churchill, Rt. Hon. Winston Spencer	Knox, Sir Alfred	Touche, Gordon Cosmo
Courtauld, Major John Sewell	Lennox-Boyd, A. T.	Wayland, Sir William A.
Craddock, Sir Reginald Henry	Levy, Thomas	Wells, Sydney Richard
Croft, Brigadier-General Sir H	Macquisten, Frederick Alexander	Williams, Herbert G. (Croydon, S.)
Davison, Sir William Henry	Nunn, William	Wise, Alfred R.
Dawson, Sir Philip	Oman, Sir Charles William C.	Wolmer, Rt. Hon. Viscount
Erskine-Bolst, Capt. C. C. (Blackpool)	Raikes, Henry V. A. M.	
Everard, W. Lindsay	Rawson, Sir Cooper	TELLERS FOR THE AYES.—
Fuller, Captain A. G.	Remer, John R.	Mr. Donner and Mr. Bailey.
Goodman, Colonel Albert W.	Sanderson, Sir Frank Barnard	

NOES.

Acland-Troyte, Lieut.-Colonel	Balfour, Capt. Harold (I. of Thanet)	Brass, Captain Sir William
Adams, Samuel Vyvyan T. (Leeds, W.)	Banfield, John William	Briscoe, Capt. Richard George
Addison, Rt. Hon. Dr. Christopher	Barclay-Harvey, C. M.	Brown, C. W. E. (Notts., Mansfield)
Agnew, Lieut.-Com. P. G.	Batey, Joseph	Brown, Col. D. C. (N'th'l'd., Hexham)
Ainsworth, Lieut.-Colonel Charles	Beaumont, Hon. R.E.B. (Portsm'th, C.)	Brown, Ernest (Leith)
Albery, Irving James	Benn, Sir Arthur Shirley	Buchan-Hepburn, P. G. T.
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Bennett, Capt. Sir Ernest Nathaniel	Burghley, Lord
Amery, Rt. Hon. Leopold C. M. S.	Blindell, James	Butler, Richard Austen
Anstruther-Gray, W. J.	Bossom, A. C.	Butt, Sir Alfred
Apsley, Lord	Bower, Commander Robert Tatton	Cadogan, Hon. Edward
Aske, Sir Robert William	Bowyer, Capt. Sir George E. W.	Campbell, Vice-Admiral G. (Burnley)
Assheton, Ralph	Boyce, H. Leslie	Campbell-Johnston, Malcolm
Baldwin, Rt. Hon. Stanley	Braithwaite, J. G. (Hillsborough)	Caporn, Arthur Cecil

Cautley, Sir Henry S.
Cayzer, Sir Charles (Chester, City)
Cayzer, Maj. Sir H. R. (Prtsmth., S.)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chapman, Col. R.(Houghton-le-Spring)
Chapman, Sir Samuel (Edinburgh, S.)
Clarry, Reginald George
Cleary, J. J.
Cocks, Frederick Seymour
Colfox, Major William Philip
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cranborne, Viscount
Cripps, Sir Stafford
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Crossley, A. C.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Curry, A. C.
Daggar, George
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, David L. (Pontypridd)
Davies, Edward C. (Montgomery)
Denville, Alfred
Dickie, John P.
Doran, Edward
Dugdale, Captain Thomas Lionel
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eady, George H.
Eden, Rt. Hon. Anthony
Edwards, Charles
Elliot, Rt. Hon. Walter
Elmley, Viscount
Entwistle, Cyril Fullard
Essenhigh, Reginald Clare
Foot, Isaac (Cornwall, Bodmin)
Fox, Sir Gifford
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gardner, Benjamin Walter
Gault, Lieut.-Col. A. Hamilton
George, Major G. Lloyd (Pembroke)
Gibson, Charles Granville
Gillett, Sir George Masterman
Gledhill, Gilbert
Glossop, C. W. H.
Gluckstein, Louis Halle
Glyn, Major Sir Ralph G. C.
Goff, Sir Park
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffith, F. Kingsley (Middlesbro', W.)
Griffiths, George A. (Yorks, W. Riding)
Griffiths, T. (Monmouth, Pontypool)
Grigg, Sir Edward
Grimston, R. V.
Groves, Thomas E.
Grundy, Thomas W.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hall, George H. (Merthyr Tydvil)
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W.(Orkney & Zetl'nd)
Hannon, Patrick Joseph Henry
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hore-Belisha, Leslie
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
Janner, Barnett
Jenkins, Sir William
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
John, William
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Jones, Morgan (Caerphilly)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Lansbury, Rt. Hon. George
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Lawson, John James
Leckie, J. A.
Leech, Dr. J. W.
Lees-Jones, John
Liddall, Walter S.
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Llewellyn-Jones, Frederick
Lloyd, Geoffrey
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Loftus, Pierce C.
Logan, David Gilbert
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G.(Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
Macdonald, Gordon (Ince)
MacDonald, Rt. Hon. J. R. (Seaham)
Macdonald, Capt. P. D. (I. of W.)
McEntee, Valentine L.
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
Maclean, Neil (Glasgow, Govan)
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mainwaring, William Henry
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Maxton, James
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Major J. D. (New Forest)
Milner, Major James
Mitchell, Harold P.(Br'tf'd & Chisw'k)
Mitchell, Sir W. Lane (Streatham)
Mitcheson, G. G.
Monsell, Rt. Hon. Sir B. Eyres
Morgan, Robert H.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shepherd
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nathan, Major H. L.
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Connor, Terence James
O'Donovan, Dr. William James
O'Neill, Rt. Hon. Sir Hugh
Orr Ewing, I. L.
Pairing, Wilfred
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Peat, Charles U.
Percy, Lord Eustace
Peters, Dr. Sidney John
Petherick, M.
Peto, Geoffrey K.(W'verh'pt'n, Bilston)
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Radford, E. A.
Ramsay, Alexander (W. Bromwich)
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Ratcliffe, Arthur
Rathbone, Eleanor
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney).
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Simmonds, Oliver Edwin
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thomson, Sir Frederick Charles
Thorne, William James
Tinker, John Joseph
Titchfield, Major the Marquess of
Train, John
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Watt, Captain George Steven H.
Weymouth, Viscount
White, Henry Graham
Whiteside, Borras Noel H.
Williams, Charles (Devon, Torquay)
Williams, Edward John (Ogmore)
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Womersley, Sir Walter
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE NOES.—
Sir George Penny and Major George Davies.

CLAUSE 5.—(*Proclamation of Federation of India.*)

8.17 p.m.

Viscount WOLMER: I beg to move, in page 2, line 33, to leave out from "Majesty," to the end of the Sub-section, and to insert:

"to declare by proclamation that as and from the day therein appointed there shall be established an advisory council styled the Council of Greater India, constituted in accordance with the provisions of the Fourth Schedule to this Act."

This is the point in the Bill at which we are advised it is appropriate to raise the whole question as to whether it is right and wise at this moment to commit ourselves to the Federation plan proposed in the Bill. The form that the Amendment takes is to put forward an alternative Schedule which embodies the recommendations made in the Conservative Minority Report of the Joint Select Committee. The Schedule that we have put down is only what can properly be described as a skeleton Schedule. I make no complaint against the Government, because I realise the difficulties with which they are faced, but I ask them to recognise that private Members are faced with very great difficulties indeed in drafting Amendments without all the resources at the disposal of the Government. They have rushed on the Committee stage, for reasons which no doubt seem to them perfectly proper but which enormously increase the difficulties that confront private Members. I wish to make this *caveat* at the beginning of the discussion, that it will be no answer to us to point out any gaps in the proposed Fourth Schedule. If the Amendment were accepted, it would be perfectly easy for us to confer with the Government and other interested parties and substitute a new form of Schedule which works out much more fully the scheme that we have in mind. The Schedule is merely put down to bring the Amendment into order and to indicate generally the type of advisory council that we have in mind. I hope it will be clear that we do not stand in the least by the letter of the proposed Schedule. We want to raise on the Amendment the fundamental question whether it is right and wise, when we are proposing this great extension of democratic government to India, to combine it at the same time with Federation. Even at this eleventh hour I want to make an appeal, not only to the Government but to all Members of the Committee, to think once and twice before we commit ourselves to this plan. The more I consider it the more certain it seems to me that it will land India and the Empire in disaster.

I want, in the first place, to review quite fairly the argument that led so many of my hon. Friends to believe that Federation is necessary at the same time that you are extending Provincial Autonomy. We have been told that it is impossible to combine Provincial Autonomy with an autocratic Centre. That, I think, is not an unfair summary of the argument. My hon. Friends contend that, in order to get harmony and consistency and coherence, you must have democracy at the Centre when you are establishing democracy in the Provinces, and they have affirmed that the present Government of India at the Centre is much too weak to work well with autonomous Provincial government. If that was the only argument, there would be a very simple answer to it. It would be perfectly simple to strengthen the present Government at the Centre. I am no lover at all of the Montagu-Chelmsford reforms. I think in many respects they were very ill-conceived and over-hasty, and I am not in the least wedded to maintaining the Centre in its present form. It would be quite easy to strengthen the powers of the Viceroy in regard to the Centre without following the plan proposed in the Bill. But my hon. Freinds and the Government go a great deal further than that. They say not only is the present Government of India not strong enough to fit in properly with autonomous Provinces but it is also not democratic enough, and they go on to say that you cannot get efficient working of Provincial Autonomy unless you combine the autonomous Provinces in one vast Federation with responsible government.

This matter was debated to a certain extent in the general discussion that we had before, and I remember that this led to a very interesting speech from my Noble Friend the Member for Hastings (Lord E. Percy). I do not think I am misrepresenting him when I say that the main argument that he stressed was that the legislation of the Provinces was so intimately bound up with all-India questions, especially in regard to taxation, finance and trade, that it was perfectly

impossible for any Province to have a healthy political life unless it had a fair voice in the Government of India at the Centre, and that by no other means could you get contented Provinces and harmony in the working. He gave it as his opinion that if the central finances of India and the general central legislation of India were dictated by an autocratic, or, as he insists upon calling it, but which to me it is not, an irresponsible Government, then, at the very start this scheme will have no prospect of success. I hope that I am not misrepresenting his argument. If we accept that argument at the commencement, our first reply to-day is that the Government have not in the least got out of that dilemma by adopting the Federation which they are proposing in this Bill, for this reason. The powers of the Central Legislature are not self-governing powers. They are called responsible, but they are, in fact, a very crude and very bad form of dyarchy. No one who has studied this question can fail to be impressed by the Report of the Simon Commission on the breakdown of dyarchy in all the Provinces and the reasons which they gave, which showed that dyarchy inevitably must break down wherever it is tried.

Take the question of finance, and this is really fundamental. Of the central budget of 1933-34 of £58,000,000, no less than £49,000,000 would be non-votable under this Bill. The cost of the Army was £34,000,000, pensions £2,500,000, and debt £12,000,000, which gives a total of £49,000,000 out of £58,000,000. What sort of responsible Government is it that has two-thirds or three-quarters of the budget outside the choice, scope and authority of the popular assembly? What should we think in this House of Commons if in our Budget of £800,000,000 or £1,000,000,000, £600,000,000 or £700,000,000 was beyond our control? These items are far more beyond the control of the Indian Assembly than anything like the National Debt is beyond the control of the House of Commons. I know quite well that Chancellors of the Exchequer in the past have been at pains to show that a very high proportion of our own Budget is settled by matters largely beyond their control, but that is only true in a certain limited sense. For instance, it used to be argued that the Debt services, which form such a large part of our Budget, were quite beyond the control of the Chancellor of the Exchequer, but that was never really proved. The present Chancellor of the Exchequer has shown that it was not true, because by his wise administration and sound policy he has reduced the rate of interest at which the Government can borrow and has so enormously reduced the Debt services.

But when you come to an item like £34,000,000 for the Army in the Indian Budget, it is a matter which is absolutely beyond the control of the Indian Legislature. I ask hon. Members, and especially hon. Members opposite, who believe in democracy a great deal more than I do, especially democracy in the East, how they think that any such legislative assembly could be set up as being democratic, which claims to be democratic, and which has the title "Democratic" conferred upon it. If hon. Members when they talk about responsible government do not mean democratic government, I do not know what they do mean. [AN HON. MEMBER: "They are the same."] Certainly in modern politics they are the same. What does responsibility mean? It means responsibility to the electors. If that be the case, you have no right to call the Viceroy irresponsible as you have done. That is a point on which I ventured to make a protest before Christmas. You have absolutely no right to call the present Government of India irresponsible unless you can confine responsibility to democracy.

Mr. AMERY: This is rather an important point. I do not think that any of us has described the position of the Viceroy as being irresponsible. We have pointed out that a legislature, in which the elected majority is not, and cannot be, responsible for the carrying out of any of the policy it has advanced, is an irresponsible legislature.

Viscount WOLMER: That is exactly the legislature you are putting up by this Bill. You have an elected majority, and it cannot control one farthing of the Army expenditure, which is more than half the budget by itself. Therefore, by the showing of my right hon. Friend you are putting up an irresponsible legislature and calling it a responsible legislature, and that will land us into far greater difficulty that admitting the fact that you cannot have a properly responsible legislature in the Centre of

[Viscount Wolmer.]
India at the present moment and telling the Indians so candidly and fairly. In my short political experience I have never known politicians get out of their difficulties permanently by telling lies. I have known a great many politicians tell a great many lies thinking that they could thereby get out of difficulties. Very often they get out of their difficulty for a moment, but inevitably the lie comes home to roost, and that is exactly what is going to happen. [HON. MEMBERS: "Hear, hear!"] Hon. Members opposite have had bitter experience of that fact, and they know the truth of what I am saying. That is exactly the sort of difficulty into which you are going to land yourself at the present moment. The Constitution, which you are forming and calling responsible, containing a legislature which you are trying, as the accredited representatives of the people, to invest with all the panoply and jargon of democratic politics—that is a body which will at once find itself unable, in the phrase of the right hon. Gentleman, to have any decisive influence on the greater part of its budget, which every hon. Members knows to be the core and kernel of one's internal policy. It is for that reason that we feel that this experiment of Federation is bound to end in disaster. That is the argument which is urged in the Conservative Minority Report of the Joint Select Committee, and the argument which we tried to advance before Christmas and on the Second Reading of the Bill. I should like to ask my hon. Friends opposite to review the course of events since then and to say whether there is any glimmer of hope that what we then foretold will not come true. We told the Government quite clearly that what they are now proposing will in no wise satisfy Indian political aspirations. Do they deny that now? Have they got a single responsible Indian politician who will bless this Bill?

Colonel WEDGWOOD: Sapru.

Sir H. CROFT: The lonely Sapru.

Viscount WOLMER: He did not bless it in the Minority Report which he wrote and signed himself. Certainly the Government can find no important section of Indian political opinion that will take the slightest responsibility for this Bill, or will even say "thank you," for it. On the contrary, they spit it back in your face; they reject it with scorn, and with all the expletives that the Indian can muster, and that is saying a good deal. Exactly what we foretold has happened. The Congress is going to enter into the electoral machinery in order to try and smash it, and in doing so they will have the support of so-called Moderate Liberal opinion in India, because Moderate Liberals will never have the courage to stand up to the popular cries that Congress use. Moderate Liberals in India, as far as I can make out, are very much like Moderate Liberals in England. They use a great many phrases which go a great deal further than they mean, and when they are confronted with those phrases by more logical, resolute people, whether it be the Congress party in India or the Independent Labour party, the Clydeside Group, in this House, they find themselves in a very difficult position.

We have seen happening exactly what we foretold. We have seen the whole popular democratic movement in India fighting this Constitution line by line and at every point they can. What prospect does that open out when you get your Federation going? How are you going to get the harmony which my Noble Friend the Member for Hastings speaks of between the Centre and the autonomous Provinces? How are you going to get that strong government which is going to bind the autonomous Provinces of India together? You are going to get nothing of the sort. You are going to get a bear garden, with Governor baiting, Viceroy baiting as the chief occupation of the Federal Assembly at Delhi.

Sir H. CROFT: As in Ceylon.

Viscount WOLMER: My hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) says, "As in Ceylon." Certainly, and as we have seen in all the Provinces under diarchy, especially in the more difficult Provinces like Bengal. The Central Assembly is going to be the focus for all the political forwards of India. It is going to be the great arena, the great battleground of the most ardent spirits, the most extreme leaders, who are going to the Centre in pursuit of the biggest game, the Viceroy. Therefore, it seems to us to be flying in the face of all the facts that are emerging about India, flying in the face of the

teachings of history and flying in the face of all our own experience in India during the last 15 years, to think that you can get this contentment or efficiency by setting up a Legislative Assembly based on a democratic franchise, claiming it to be democratic but withholding from it the power of really being able to take a responsible share in the government of the country which it is supposed to represent.

That is the dilemma which has been before us all the time. The only people who really faced this dilemma were the Simon Commission, before they were squared. I do not wish to use a bad expression, and I say, before they were converted. I do not wish to attribute any unworthy motive to any of my hon. or right hon. Friends who disagree with us on this subject. The question is far too serious and difficult for us to bandy charges of that sort about. We all realise the difficulties with which we are faced, from whatever angle we approach this question. In their original report the Simon Commission faced this problem and said that you cannot have responsible government at the centre in India at the present time, that it was no use thinking of a democratic assembly, and that if you do you will only get exactly the same evils of dyarchy as they were then exposing in the Provinces. If we had only been allowed to proceed on the lines originally suggested by the Simon Commission we should have avoided this great fraud, because that is what it is, nothing more and nothing less, of a pretended democratic federal centre, from which we have necessarily to withhold vital power.

Mr. COCKS: The Noble Lord keeps on talking about a democratic assembly at the centre. We repudiate the idea that it is a democratic assembly. It is a reactionary assembly; an oligarchy.

Captain CAZALET: The Noble Lord says that politicians in India dislike the proposals of the Government. Does he suggest that they would like any better the proposals that he is advocating?

Viscount WOLMER: I do not think my hon. and gallant Friend puts us in any dilemma by that question.

Captain CAZALET: I was only asking for information.

Viscount WOLMER: If my hon. and gallant Friend can point out to me a single policy on which the Indian politicians are agreed which would have any chance of acceptance by public opinion in this country, there would be some point in his interruption, but he and I know perfectly well that anything which this House can propose is totally unacceptable to the Indian politicians. Therefore, if we are going to do anything which would be acceptable to this House and would commend itself to public opinion, we have to do something for which we shall not get thanks but for which we shall get abuse from the Indian politicians. That being the case, is it not better to be perfectly honest with them and not give them cause to say that we have acted ingenuously and have proposed something which is different from what it pretends to be? Is it not much better for us to say, quite clearly, how far we are prepared to go in Indian self-government, and to give them something which has a chance of being honestly worked.

I have always felt that there is a strong case for making a bold experiment in regard to Provincial self-government. It would be far wiser for us to say: "We are prepared to give you these great powers which will enable you to show how far you are sufficiently experienced to use even greater powers. It is true that there must be some questions which affect all-India which also affect your Provincial legislation which we are not prepared to put into the hands of Indian politicians at the present moment." The Government are not prepared to put these matters in the hands of Indian politicians. If this House and the Government would only have the courage and straightforwardness to tell the Indians so we should have far less trouble in the end. But by erecting a legislature, which is supposed to have power to pass laws, and call it responsible government, and to dangle prospects in the future of Dominion status, as if India was in any description comparable to Australia or Canada, is simply asking for trouble in the future. It is the sort of make-believe attitude which has gained Englishmen the reputation of being hypocrites. The English people like to talk about aspirations which they do not regard as practical at the moment, just as we have been discussing a Scot-

[Viscount Wolmer.]

tish Temperance Bill, and in dealing with other nations we have to be careful about not pretending to give, or do, or say, more than we really mean. We shall never satisfy the Indians with this Federal machinery. We shall merely incite their contempt, lead them to think that we are dishonest and that with a little more pressure, obstruction and agitation, they can get what they want.

The whole of this machinery is going to be used as the thin edge of the wedge by which the controlling powers of the Viceroy are to be whittled away until complete swaraj has been obtained. I do not mean to say that these powers of the Viceroy should be permanent, but I say that not in the lifetime of any one present can we divorce ourselves from responsibility for the Indian Army, the defence of India, the debt services and pensions, and matters of that sort. As far as this generation is concerned the thing is not practical politics. By erecting a Federal Assembly, which is not allowed to deal with these matters, is like putting a boy in a bun shop and tying him up so that he cannot reach the buns, he can only smell them. You do not satisfy the boy by doing that, you only excite his anger and wrath. That is precisely what we are afraid is going to happen by the plan of the Government. We suggest, following the recommendation of the Conservative minority report, that it would be much better to have an advisory council to make the Viceroy aware of the feelings in the various Provinces and States in regard to all-India questions, but to leave the settlement of these questions in the hands of the Viceroy and his advisers.

I know that Indians will not accept such a proposal, but their objection to it cannot be more violent than their objection to the present scheme. You are not going to lose anything in that way. On the other hand, Indians who reject it would never be able to obstruct such a machinery or prevent its smooth working in the same way as they can obstruct and wreck your Federal Legislature. If you have this central assembly on an advisory basis you will know where they stand, and the Viceroy need not take their advice. The only protest they could make would be a boycott and a decision not to tender advice, but it would not mean the breakdown which would inevitably occur in the working of the federal assembly proposed by the Government. In spite of all the adverse criticism which we should undoubtedly get from Indians and hon. Members opposite it would be far better, for a generation at least, to allow Provincial Autonomy to be tried before attempting to confer central responsibility on the people of India. You cannot, it passes the wit of man, it was beyond the brains of the Labour party even, to devise a plan by which this central responsibility can wisely and rightly be entrusted to Indians at the moment, and, therefore, it is far better to put the whole of your central machinery on an advisory basis, to allow experience to be accumulated in the ordinary day to day working of the Parliamentary machinery and ministerial responsibility in the Provinces before going on with this much greater and more difficult experiment.

It has been said that there is no finality in such a position because the Labour party would not accept it, and that if they came into power they would repudiate it. The Labour party do not accept the Bill. They have divided on every occasion they dare; we have no sort of political unity in England on this question. The Labour party are perfectly free to do everything they can to introduce their idea of the way in which India should be governed, they are not bound by the Bill in the slightest extent. Therefore, we have nothing to gain in the conciliation of Indian opinion or in the conciliation of Socialist opnion by following the plan of the Government. On the contrary, we shall be landing India with a Constitution which is absolutely without parallel in the history of Constitutions throughout the world; a country which is three times as great as the United States of America and far more complicated than the whole of Europe put together, and you are making this vast experiment at a time when the greatest political unrest exists and in a form which will lay yourselves open to the just reproach that the whole of your grant of so called responsible government is a fraud and a sham. We feel that a Constitution based on these lines can only end in disaster, and we can have no part or lot in such a business.

8.55 p.m.

Mr. CADOGAN: I shall not detain the Committee long because I intend to confine myself to the narrower issue which is embodied in the Amendment and to which the noble Lord did not make much allusion. I am sure he will agree that it is not of much avail to criticise the Government's proposals unless you have an alternative set to put in their place. The proposal of the noble Lord is not original. I will not deceive the Committee. I and my colleagues on the Indian Statutory Commission were originally responsible for it. The report of the Commission is a remarkable document because it appears to be used as a foundation for all the various conflicting proposals which are brought forward from all sides on this question. I remember that when we first returned from India it might have been thought that we had brought back the plague instead of a very acceptable set of recommendations. I would refer the noble Lord to two passages in our report. The first occurs on page 9 of Volume II and in it we say:

"In the course of our enquiries we became more and more convinced of the impossibility of continuing to look at one-half of India to the exclusion of the other."

The trouble was that although we were able to look at the other, we were expressly debarred by our terms of reference from making any recommendations as to the interests and concerns of the States. However, early in our deliberations we came to the conclusion that a Federation of all India was the only ultimate possible solution. For that reason we made a very tentative recommendation in the paragraph in which we recommend this proposal of the noble Lord. I would point out that it is very tentative indeed. We made that recommendation because although we felt that it was not possible for us to make any recommendation with regard to the Princes we wanted to open the door by which eventually they might enter. The second passage in the report to which I want to draw attention is this:

"The whole scheme for the Council (for greater India) as we conceive it, is designed to make a beginning in the process which may one day lead to Indian Federation. What we are proposing is merely a throwing across the gap of the first strands which may in time mark the line of a solid and enduring bridge."

Had we known how expeditiously that bridge would be constructed by the Princes themselves we would not have thrown strands, whatever that may mean, across the gap.

Vice-Admiral TAYLOR: The hon. Gentleman has said that the Simon Commission dealt with this question and recommended All-India Federation.

Mr. CADOGAN: No, it was not within our terms of reference to recommend All-India Federation, but we did the best possible with a Federation of British-India and also made recommendations with a view to bridging the gap, if I may use that phrase.

Vice-Admiral TAYLOR: Yes, I understand the point as to Federation and bridging the gap, but can the hon. Member tell the Committee when it was proposed by the Simon Commission that Federation should be brought into being, which is quite another point.

Mr. CADOGAN: Does the hon. and gallant Member mean the Federation of All-India?

Vice-Admiral TAYLOR: Yes.

Mr. CADOGAN: Of course, that was not possible for us. Within the terms of reference on which we were working we were not able to concern ourselves with the accession of the States. It was not possible for us to make any recommendation at the time before there was even the possibility of All-India Federation. But perhaps I may return to the point which I was making in answer to the Noble Lord. As I have said, our proposal was a very tentative one, but the proposal which the Princes made at the Round Table Conference rendered it entirely obsolete.

There is just one other point to which I would refer. It is true that in the Statutory Commission's Report there is an unequivocal statement with regard to dyarchy. I do not think that it is a statement which even the right hon. Gentleman the Member for Epping (Mr. Churchill) would be able to explain away. I remember warning some of my colleagues that that statement was a rash one. It was too categorical, and I now say frankly that the Noble Lord is right that we recommended against dyarchy in any shape or form at the Centre. The

[Mr. Cadogan.]
reason why we did so—rather rashly as I think—was because we thought we had discovered a means by which it could be circumvented. I need not go into that question now, because it is not relevant to this Debate, but I wish to say that when the proposals were examined by the Joint Select Committee that Committee came to the conclusion that, although our proposal was not dyarchy in form, it certainly was so in fact. I admit that we were wrong and that dyarchy at the Centre was inevitable.

9.3 p.m.

Colonel WEDGWOOD: I support the Amendment, and I think the Committee ought to appreciate the fact that it has two great advantages. It is honest, and it leaves India some hope. We are apt to under-estimate the harm that is done, not so much abroad as in India itself, by the pretence that we are giving them something which they want. I believe that at the present time they have more tender feelings for the right hon. Gentleman the Member for Epping (Mr. Churchill) than for the Secretary of State. That is simply because they know what the right hon. Gentleman the Member for Epping is after, while on the other hand they resent this perpetual habit of saying that we are giving them something and of treating them as though they were children. It is undignified to go on pretending that by this Constitution we are providing something for the benefit of India. We may be producing something —and I am sure hon. and right hon. Gentlemen opposite think they are producing something—which will be of permanent advantage to India, but, as far as India is concerned, what we are proposing is obviously worse at the Centre than the present situation. It is because of that fact, that we have got such a bad name in India, and the Amendment, therefore, has the enormous advantage of being honest. The other advantage is that it leaves to every Indian hope for the future. If this Bill becomes an Act, as it is, being a treaty between the British Crown and 800 Princes in India——

Duchess of ATHOLL: No, 560.

Colonel WEDGWOOD: There used to be 800, but in any case it is a treaty between the British Crown and a large number of Princes who are going into the Federation on the strength of this Bill and, in exchange for a share in the Government of India, they are sacrificing certain rights under the Bill. The drawback is that never can we alter it. It is futile and useless to talk about putting in a Clause about Dominion status in the future, because we know, as they know, that the Bill cannot be altered once it is passed. Once this Bill goes through in its present state, there is no chance of any further step towards freedom, towards Dominion status, towards a democratic franchise. All those things are barred out for all time. Even if you had a Labour Government in office consisting solely of the hon. and learned Member for East Bristol (Sir S. Cripps), no change could be made. This Committee does not know that, but everyone in India knows it, and it is because of that that they are so desperately against the Bill.

It must have come as a surprise to most people that even the Mahommedans, the special darlings of this Bill, have turned it down in the Assembly, that the Congress party, which is so anxious to be united with the Mahommedans, is also against it unanimously. That is not mere cussedness. It is not the desire to get more, either. It is the fear that here is the end for all time of the aspirations for a united India, of the aspirations for freedom, the fear that the Constitution is cast-iron, like the laws of the Medes and Persians, and can never be altered. The Instructions can be altered if the Indian Assembly asks for an alteration and both Houses of Parliament here agree, but, if you look through those Instructions, you will see that they carefully avoid touching on all the fundamental objections that the Indians have to the Bill. It is true that under the Instructions you can, I think, extend the franchise, but you cannot touch the principal vice, which is the communal system of elections, and it is to that more than to anything else that the Hindus object.

If this Amendment is carried, it is true that the Indians will object to the Constitution and will vote against it as unanimously as against the present Bill, but at any rate it will be a more honest declaration of what England is prepared to do. It is true that every single scheme for the next step forward in Indian self-government will be objected to by the Indian people, by the politicians in

India. That is bound to be so, but that does not alter the fact that it is our duty to put forward what we believe to be the best scheme for India, and then let them take it or not, as they like and when they like. That would be meeting all our promises and doing our duty by this country and by India. But here, in this scheme, we know and they know that we are putting forward a scheme which we do not think to be the best for India. We are putting forward this horrible system of "Divide and rule," of division between Mahommedans and Hindus, a system which would not be tolerated in this country, which we, with all our 900 years of experience, would not dream of imposing upon any civilised country. We are imposing it on them, not because we think it is right, but because we believe that, by imposing this scheme on India, we can continue to rule India behind the shelter of those people who stand to benefit by the scheme. That is not honest, and I prefer this Amendment. I prefer autocratic rule at the Centre by a Governor and his Advisory Council rather than a permanent, eternal settlement on an unjust basis, on an un-English basis, which no man can alter and which no man in this country can honestly support.

9.10 p.m.

Mr. AMERY: I agree with one thing which the right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood) has just said. It is our duty to frame the best Bill we can for India, and in doing so we are also bound to give some consideration not to what is said about our Bill, but to whether, when it is on the Statute Book, it is likely to work. From that point of view, I believe the scheme at present before the Committee is the one which is most likely to be effectively worked.

Colonel WEDGWOOD: Does the right hon. Gentleman really mean to tell the Committee that he approves of communal representation?

Mr. AMERY: Yes, certainly. It is the only form under which you can have democratic elections without a complete breakdown, but I do not wish to touch on that point now. I wish to point out that the right hon. and gallant Gentleman has supported this Amendment from a point of view entirely different from that from which it has been moved. He objects on principle to the Indian States and their rulers coming into any form of Indian Federation, because he dislikes their type of rule and believes their influence will be bad for the future government of India. My Noble Friend the Member for Aldershot (Viscount Wolmer), who moved this Amendment, moved it from an entirely different point of view. He wants to keep the Indian States out of the picture, not because he believes at bottom that Federation for All-India is a bad thing, but because he believes that bringing in the Princes at this stage will involve responsible government at the Centre, and he is himself violently opposed to that responsible government. Indeed, his speech in moving an Amendment whose object is to exclude the Princes from Federation and only give them a position on an advisory council, was from first to last devoted, not to the desirability of excluding the Indian States, but wholly to a condemnation of the new Constitution that has been set up. Of that condemnation, every word was an even stronger condemnation of the Government of British India as it exists to-day and as it presumably would continue to exist if his Amendment were carried.

The Noble Lord raised the issue that under the proposed Federal scheme there would still be a large field in which the members of the Central Legislature would not be responsible. That is perfectly true. They would not be responsible for the control of defence or of foreign policy. They are not so to-day, but they would at any rate have some responsibility and exercise it in respect of an enormously large area of duties where the Centre is in constant contact and possibly at variance with the Provinces. My Noble Friend described the position of an irresponsible Legislature as comparable with that of a boy shut up in a bun shop and not allowed to touch a bun, allowed to scream and jump about, but not to touch a bun. Well, at any rate, under the Bill now before the Committee the boy will have a reasonable chance of touching a bun or two, will have something to keep him occupied, will have something that involves training and responsibility.

It is true that that does mean in some sense a system of dyarchy, but the trouble is that, do what you will, you must have

[Mr. Amery.]

dyarchy somewhere in India to-day. Dyarchy only means a division of functions, a division of responsibilities, and so long as any responsibilities are exercised by this Parliament and controlled from here, and other responsibilities are exercised by Ministers responsible to an electorate in India, you will have a dyarchy. But the worst form of dyarchy, as experience has shown in every part of our Empire, as well as in America, is when you have a dyarchy between an irremovable executive on the one side and an irresponsible, vociferous majority in the Legislature on the other. There you have the kind of Government that creates the maximum of friction and produces irresponsibility on the one side and alternatively creates violence and cupidity on the other. It is a system that has never worked in this country or anywhere in the British Empire. It is far better, if we are to have dyarchy anywhere, to make your point of contact or line of division between two great functions like defence and foreign policy which, after all, touch the daily life of India very little, and then to give to Indian responsibility the whole field of their internal social, domestic and economic affairs.

That is, at any rate, the keenest cut you can get, and from that point of view I venture to say the system which is contemplated in this Measure is infinitely superior to the present system. Surely our experience of the last 15 years has been that the present system breeds irresponsibility, and how things are to work once you set up effective autonomy in the Provinces and you have the Legislatures with nothing else in mind and no opportunity to do anything, I find it very difficult to perceive. It is a fundamental mistake on the part of my Noble Friend to assume that if you keep the Indian States out and leave the situation as it is to-day, you can for long prevent such a state of affairs arising in the Central Legislature as will force responsibility on the Centre in the most undesirable forms. It will mean responsibility which will seriously prejudice the whole relations of British India to the States. It is in the interests of the States and in the interests of the Viceroy's moral responsibility to the whole of India, that the affairs of India should be dealt with by all who are affected by them.

At present, owing to the purely accidental arbitrary division between British India and the Indian States, the States are more and more affected by the legislation of British India. It was that consideration, not any sudden wave of emotion, which led the Princes at the Round Table Conference to declare that they wished to come into the Federation. It was because by that means alone they could effectively protect their interests. It seems to me that from the constitutional point of view my Noble Friend and those who support him are really failing to realise that by keeping the Indian States out they are in no way helping the cause which they want to promote. I do not want to lay excessive stress on the argument which is the main ground of the opposition of my hon. Friend opposite, that the Princes may be a very conservative and reactionary element. I do not want to overstress the fact that their position, their history and their interests bind them to the British Empire and the Crown; but I want to stress the fact that we have there an indigenous tradition of government and responsibility.

There are among the Princes men who made their mark at the Round Table Conference as practical statesmen and who will make their mark in any Central Indian Legislature. Therefore, from the point of view of responsibility, from the Conservative point of view, I should have thought he would have welcomed the accession of the Princes, as well as from the point of view of the good Government of India as a unit, which is fundamental for the defence purposes, tariff purposes, railway purposes and all purposes that are covered by the Central Government. India is a unit, and to break it up would be as absurd as to take a dozen counties of this country out of England and leave them under a separate administration. The only objection to the Princes coming in is the entirely mistaken idea that by keeping them out you will prevent responsibility arising at the Centre. You cannot do it. The only difference is that in the one case you will get a system suited to India and more effectively responsible, and in the other case you will get agitation by an irresponsible Legislature leading to conditions under

which this Parliament, whatever Government is in power, will be forced to make a change. The result of that change would be far less satisfactory than the Measure which is now before us.

9.21 p.m.

Major-General Sir ALFRED KNOX: In listening to the right hon. Gentleman the Member for Sparkbrook (Mr. Amery), I often wonder why he was not selected for the Joint Select Committee. I always think that his type of mind would have come to its natural fruition in those 18 months of extended study of this subject. He has certainly given a lot of time to it since. Why, I may ask him, is there any objection to hon. Members—the Noble Lord the Member for Aldershot (Viscount Wolmer), who moved the Amendment, and the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood)—supporting the Amendment from different points of view? Surely there is nothing criminal in that. Every point of view can be supported from different sides. Personally, I am inclined as a Conservative to the point of view of the Noble Lord who proposed the Amendment. I was very much interested in a speech of the hon. Member for Finchley (Mr. Cadogan). He has told us—it is not the first time we have heard it, not from him but from other members of the Statutory Commission, who spent such a long time in India and furnished such a valuable report—how they arrived at their conclusions when they were in India, and how they came home and spent a year and a-half in the hot air and stuffy atmosphere of a Committee Room upstairs and changed the opinion to which they had come when they were in contact with the facts in India. They told us that the reason was that they had listened to the arguments of the other side.

Then, of course, there is a declaration of the Maharaja Bikanir at the First Round Table Conference; that is all important. But surely, since then he has heard of other declarations by other Princes which are not on the same lines at all as that of Bikanir. Surely he forgets when he quotes, as he often does, and as his leader on that commission does, from the report of the Simon Commission some of the phrases we have so frequently heard that even if the Princes were to come into a system of Federation there are other pre-requisites to Federation. It is necessary that the Provinces of India should become self-governing entities. Have we got any nearer to that? In this wonderful Federation which we are going to propose for India we are going to have 11 Provinces. Two of them do not exist to-day. Has such a thing ever been proposed in the history of the world? When the States of America were joined together in Federation, Virginia had been self-governing for years, and they were people of our own blood and not like the Indians, new to the forms of Western government. We are at one stroke to force these people into a Federation before the Provinces have shown themselves able to govern themselves. After all, what degree of provincial government there is now is merely there under the careful nursing of British officials.

Then suddenly this is proposed. Do the Princes like this scheme? Princes of importance such as Dholpur, Bahawalpur and Patiala have spoken of the proposal very doubtfully. From the point of view of the British Government it would be most advantageous if the Princes came in, for it is hoped they would preserve the principle of conservatism necessary for a policy of continuity in India. Is it in keeping with the best traditions of this country that we should give to these people this responsibility untrained as they are? We have so far forgotten our traditions that in the Province of Punjab, which was created by the British, we should only have a single representative in the legislature. The difference between the section of the Conservative party who agree with this Amendment and the Government is that we believe, like some of our Socialist friends, in the inevitability of gradualness, while the Government believe in immediate chaos. We propose that you should have this joint Council to let the Princes get into their stride, while Provincial Autonomy is being worked out.

Has this proposal even been put directly in front of the Princes who have been exposed to all kinds of pressure to bring them into this scheme? When we are told that the Viceroy has advised them in their own interests to come into the Federation we know what that means. We know the whole history of the outburst of the Maharajah of Bikaner. The Princes went to the Viceroy to ask him

[Sir A. Knox.]
what was going to happen, and whether the British were going to leave India. Did he not advise them to make friends with the politicians of British India and that it would be better to put up a scheme pleasing to the politicians? The Princes want us to remain in India to protect their rights and to save the country. I would like to say what I can in support of this proposal, because it is one of the most important, involving as it does the whole question of the immediate Federation or a gradual scheme by which these people can become accustomed to their work. I should ask the Government to think twice, for the scheme put forward has not been received with any degree of favour by politicians in India. I allow that no scheme would be accepted with favour in India. They will work any scheme as long as they know that the Government will not give them any more, but they will bluff to the extreme to get more from this Government. In the interests of the people of this country, of the 350,000,000 of people in India who have no idea of politics, but want to get on with their job in peace and quietness, I would urge that you see how Provincial Autonomy works before giving Federal Autonomy at the Centre.

9.30 p.m.

Mr. COCKS: The short answer to the hon. Member who has just sat down is that the Princes have let it be known that they would not come into any scheme at all unless it gave responsible Government.

Sir A. KNOX: Which Princes?

Mr. COCKS: All Princes.

Duchess of ATHOLL: Has the hon. Member read the full report of the speech of the Maharaja of Patiala which made it clear that they have by no means made up their minds, and are not enamoured of Federation?

Mr. COCKS: I was simply saying, not that they were enamoured of Federation, but that they refused to come into any scheme that did not give responsible government. They cannot, therefore, come into any scheme with an advisory council of the kind proposed in the Amendment. The Noble Lord who moved the Amendment spoke a great deal about democratic government, about democracy in the Provinces and at the Centre. We on this side of the Committee do not agree with that. We do not think that even in the Provinces democratic government is being given. We do agree that a step towards it is being made, but at the Centre we do not think there is any domocratic government at all. There is nationalism, oligarchy and wealth, but not democratic government. We on this side of the Committee are not enamoured at all of the scheme for the federation of all India. I think I am right in saying that the Labour party would prefer a federation of British India which left the Princes out. I believe that is the general view in my party, an atmosphere I feel within the party. I am saying that because I have no definite resolution of the party in my mind at the moment, but I believe that that is the opinion of most of those with whom I am associated.

I recognise that sometimes the spirit of nationalism must be placated in order eventually that democracy may be attained. I think that is the teaching of a good deal of the history I have read. Looking at the scheme in a practical way, I think it is a cautious, creeping movement towards the better government of the millions of people in India, and a move towards the goal of Dominion status which the Indian people want. I think it is a scheme of that kind, but that all the safeguards and machinery can be enshrined in that deathless phrase "Safety first." It is a "safety first" scheme for India. I do not understand the motives or the reasons which have caused the Noble Lord and his friends to take the line they do on this question of federation. I can understand them thinking that in the Provinces the Government are going too far and too fast. I can understand them wanting to go back to the time before the Montagu-Chelmsford reforms, to the old form of Indian Government which existed then, but I cannot understand them approving of the principle of allowing the Provinces to go forward to wider schemes of activity and power and democratic government and leaving the Centre unsupported by the Princes and unsupported by a representative assembly —not a democratic assembly, but an assembly representing various interests of India and the Provinces—leaving that

Centre absolutely unsupported by an assembly of that kind, and bobbing about like a cork upon the waters of the unknown future.

9.36 p.m.

Mr. DONNER: I had not intended to intervene in this Debate, but I should like to give an answer to some of the arguments raised this afternoon, and in rising to my feet I would claim the indulgence of the Committee, because, without long Parliamentary experience, it is not easy to rise to one's feet and make a speech after sitting here for several hours without even having had something to eat round about 8 o'clock. I have no set speech to deliver, but I should like to take some of the arguments and to answer them if I can. The right hon. Member for Sparkbrook (Mr. Amery) supported the idea of federation on the ground that matters affecting the whole of India should be dealt with by all those people who were affected. I hope I am not misrepresenting him in that describing his point of view in a sentence. Surely that is a very remarkable argument in favour of Federation as it is proposed to-day. It has been made perfectly clear by the Princes of India that they will not allow laws emanating from Delhi, federal laws, to be applied in their own States except at their own discretion, and even then by their own machinery. Therefore, I do not think that argument stands. Then we had a speech from my right hon. Friend the Member for Finchley (Mr. Cadogan) in which he dealt with the same subject of federation in relation to the Simon Commission. He will forgive me if I say that he omitted to mention that the Simon Report specifically referred to Federation as an " ultimate " goal, not as a proposal of to-day or to-morrow. Then I think he went on to describe dyarchy at the Centre as being a suggestion which the Simon Commission rejected, and as he said " rashly " turned down. The Simon Commission may have produced a report with many faults—personally I think it was a most remarkable, indeed a monumental, document—but whatever the demerits of the report I fancy the word " rashly " as an adequate description would scarcely receive the support of many Members of this Committee. Therefore, I think that that part of his speech, if he will forgive me for saying so, lacked conviction.

The Mover of this Amendment, the Noble Lord the Member for Aldershot (Viscount Wolmer), spoke of responsible and irresponsible government, and much has been said on that subject. The right hon. Member for Sparkbrook said that Indian politicians would have certain powers at the Centre; that there were " certain buns " to be eaten. I agree that there are a certain number of buns to be eaten, but they are only to be eaten by the rich boys, by the Brahmins, by the foreign educated Babu. The masses do not get a bite, let alone a bun; the peasants do not come in, the inarticulate folk, the untouchables, do not come into the picture. It is the rich boys only who get the buns. [*Interruption.*] Yes, I know that special seats are to be allotted to the Depressed Classes, but it does not follow that their lot is to be improved. It is both curious and remarkable that in all the Debates and arguments we have had those who support the proposals of the Government expect virtues in the Indian politicians which are conspicuously lacking in our own. We are told that the whole trouble in India at the present time arises from the fact that the politicians there have not got responsibility, that it is because of their irresponsibility that they behave in this irresponsible manner, as, for instance, turning down these proposals at the present time. It has been pointed out that we are to have dyarchy at the Centre, which has been turned down by the Simon Commission. Surely nothing is plainer than that if these proposals go through, whatever we do, the elected members of the Central Legislature will learn to regard Great Britain as an obstacle to their onward march towards a home-made Utopia, and will therefore learn to hate us.

So much has been said to-day about responsible and irresponsible government that, with the permission of the Committee, I would like to analyse the question of responsible government in the East, particularly as members of the Labour-Socialist party have expressed faith in a democratic form of government in India. As I understand it, responsible government means that the masses who are in a majority are ruled by a minority. The welfare of the masses ruled by a minority depends entirely on that minority carrying out the prejudices and the fanaticism of the majority which put

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them into power. That means that responsible government can only work, as it has only worked in this country, if it is worked with a spirit of consideration and toleration and, possibly, of kindness. That is why, if it has not been a success in the United Kingdom, at any rate it has worked; but if we attempt to transfer this system to India, a sub-continent of Asia, where there is no spirit of tolerance, where there is no spirit of kindness, and where the people are not homogeneous, as in this country, how can we hope that it will work? It is not common sense to expect it. Not only are the essentials and ingredients of this system lacking, not only is there no toleration and no consideration, but there is the greatest hostility, the greatest hatred, between various sects, both religious and racial.

We have seen various attempts made at giving democracy to the East, and know that in every case the system has gone down in a turmoil of misery and bloodshed. The hon. and gallant Member for Hitchin (Sir A. Wilson), who spoke on the Second Reading of the Bill, drew attention to the fact that in Mesopotamia the attempt at democracy had ended in oligarchy. We know what has happened in Egypt, in Persia and in Turkey, and in China we have seen the retreat of civilisation from Hankow and Wei-hai-wei. We are always told that we are to gain something by giving up some British interest, but at the end of it all we have witnessed the misery of the people. The hon. Member for Chertsey (Sir A. Boyd-Carpenter) made an eloquent and moving speech the other day in which he drew attention to the position in Egypt. I, too, have been in Egypt; I went there after we had relinquished power in that country, and I know that what he said was perfectly true. The peasant will come to you at night and say, "Where are the English? Why are they here no longer? When so-and-so was here we could at least get water, but now, unless we can bribe the Mudir and the Omda, we can get nothing." Now we are going to do the same thing in India on a far greater scale, repeat the same disastrous error and more terrible disasters will come.

We were told by the Attorney-General in the Second Reading Debate that we need not fear for the Untouchables, because they would be given the vote and would be able to take care of themselves. Those illiterate people are to be given the vote and told by His Majesty's Government to take care of themselves: What will they be but demagogue fodder, to be exploited by every subversive politician and revolutionary who comes along? What of the Bramins? Will they fail to look after their own interests? What of the Mahommedans? Will they keep the peace with the Sikhs? What of the Hindu moneylenders? Will they not oppress the Untouchables if they get an opportunity? This is the underlying philosophy of the whole proposal that if you have different sets of people with conflicting interests striving for power at each other's expense, then you will bring peace and well-being to the peoples of India. I must apologise if I have spoken too long or with too great feeling, or have expressed myself in a manner which I should not, but some of us who have opposed these proposals, and who have done so even before the White Paper was published have not done it for fun, but because we are sincerely opposed, and wish to save the British Empire if we can from terrible ruin, suffering and disaster which we fear are impending.

I would like to say a word in support of the Amendment. The Noble Lord the Member for Aldershot has put forward this constructive suggestion. Whatever may be said for it, the hon. Member for Finchley admitted that the Simon Commission were responsible for it. Whatever may be the demerits of the proposal, it is at any rate a form of government which is understood in the East. It is an oriental form of government, and we are dealing with the East and not with the West. It is a form of government which has been worked in the East for many thousands of years. Therefore, I shall vote for the Amendment, which I hope will be pressed to a Division. The Noble Lord the Member for Aldershot dealt with the Centre and Finance, and pointed out that the largest part of the Budget will not be in the hands of Indian politicians. Therefore, he said, we are setting up irresponsible government but calling it responsible. We are nevertheless giving to the professional Hindu politician certain powers over finance. That is common ground, and not disputed.

May I draw the attention of His Majesty's Government to one very startling fact, and if the Secretary of State would explain the principle underlying it, I should be very much obliged to him. For years, people of our own stock, of British race and British blood, have been refused any kind of control over finance in the Legislative Assembly at Nairobi. We are assured that Englishmen in Kenya are not capable of dealing with finance, but we are told that your Hindu, your nominee of the Princes, your moneylender, your priest or your Brahmin, elected to the Central Legislature at Delhi, are to have powers which are refused to Englishmen in Kenya. What is the principle of that policy? If we are told that, regardless of all human experience, democracy is the best form of government in the East, what about democracy in Africa? Are Englishmen alone in the British Empire to be given no consideration? Is it always to be the Boer in South Africa, the Turkish aristocrat in Egypt, the nationalist in China and now the Brahmin in India? Where do we come in? I should really be obliged if I can have an answer to these questions. I hope I am not misrepresenting Members of the Socialist party when I draw attention to their assertion that the Tory party sometimes thinks in terms of a colour bar. If there has been any question of a colour bar as regards policy in India, prejudice has been against the white man.

9.52 p.m.

Sir EDWARD GRIGG: The hon. Member for West Islington (Mr. Donner) has manifested great spiritual force and conviction, and he almost won me to his side when he passed from India to East Africa, and argued very properly that you cannot proceed on certain principles in some parts of the Empire and deny them elsewhere. It is on that basis that I would appeal to him to consider the position of India. Running right through his speech, and right through most of the speeches, not only supporting this Amendment but in support of the whole opposition to the Bill, is the feeling that we are going to allow the character and quality of government to deteriorate unduly in India, that we are abandoning people to whom we are most definitely responsible, the masses of India who cannot speak for themselves, and that this represents a dereliction and an abdication of our duty in the Indian Empire. It is from that point of view that I would ask those who are supporting this Amendment to consider what they are doing. They would agree that the welfare of the masses in India must, to a large extent, during the experiment which we are now introducing, depend upon the morale and the spirit of the great Services. Here is a new type being put in charge of a delicate and complicated machine, or a series of complicated machines, and during that period there must be some system of dual control, so that we shall be able to resume control if by any chance the pilots whom we are putting there find themselves unable to steer the machine properly.

I agree that one of the fundamental considerations which ought to guide our decision in this matter is the morale of the Services. From that standpoint I would ask hon. Members to consider this Amendment. It is generally agreed, in spite of the arguments which, in point of fact, are destructive, not merely of the Federal Clauses of the Bill but of the Bill as a whole, that we are committed to Provincial self-government throughout British India. There is no dispute upon that.

Duchess of ATHOLL: It is on the question of the preservation of law and order.

Sir E. GRIGG: I do not think that the question of the preservation of law and order affects this argument. Every Member of the House is committed to trying the experiment of Provincial self-government in India on a very large scale, but I would suggest to my hon. Friends who support this Amendment that Provincial self-government in itself does not answer the main question which is disturbing the Services. The Services are, I believe, prepared to work that experiment loyally. They have shown immense powers of adaptation during the last few years. They have responded loyally to the great strain which has been put upon them, and they are quite prepared to make any further response which may be called for. But they ask, and I think they are entitled to ask, where are we going, and what is the aim in view of this great experiment? Is it, they ask, true, as is said in so many quarters, that the British are going to leave India; and,

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if not, what is to be our role in India? Provincial self-government alone provides no answer to that question. Obviously, it commits India to a line of development which makes control at the Centre more difficult. That means that, if you are going to develop one of those things which have always given rise to difficulty in all Federations, namely, the claims associated with State rights, you are going to make a greater difference between British India and the Indian States. We are for the time being setting India upon a different line of government, and I think the Services are entitled to ask how these two processes are to be reconciled. If there is not going to be established a firm control at the Centre, what of Indian unity, and what of our role as the unifying central authority? That is the question which the Services are asking.

What answer do they get from this Amendment? The only answer that they get is the answer once given by a great statesman in this House: "Wait and see." They are left in greater obscurity than ever before. They cannot tell what the future is going to be in India. I suggest that the right course is to tell India definitely here and now the broad lines upon which we intend to proceed in regard to the central authority in India—to tell the Princes in India, even before they meet next week, and to tell the Services, the broad lines on which we intend to proceed. After all, this Federation is novel in character. It establishes a triple partnership between Provinces, Princes and the Crown, and the great Services, directly appointed by and responsible to the Crown as the unifying impartial authority, hold executive power at the Centre. I believe that the assurance given to the Services by the main principles of this Bill will do much more to restore and to steady their morale and sense of security about the future than leaving the whole question as hon. Members who support this Amendment wish to do. I would appeal to them in particular on the basis of an example which has some relevance to our argument this evening. In Ireland I think we made one vital mistake in that we failed to settle Ireland while a settlement in Ireland was still compatible with Irish unity. We failed to make a settlement in Ireland which would prevent division between the North and the South——

Mr. CHURCHILL: At what moment in English history was such a settlement possible?

Sir E. GRIGG: I am astonished to hear that question from the right hon. Gentleman, for I can remember him moving strongly, just before the War, in favour of a settlement intended to preserve the unity of Ireland. I remember the arguments which he used in that behalf, and I am surprised that he does not remember them himself.

Mr. D. D. REID: Does the hon. and gallant Gentleman think that at any time a settlement in Ireland was possible on the basis which he suggests? Does he not realise that, when Mr. Gladstone's Home Rule Bill was brought in, Lord Salisbury, Mr. Chamberlain and Lord Hartington all realised that, if that Bill were passed, power would fall into the hands of the extremists, as it has done to-day? They were right. Unity of self-government in Ireland in those circumstances was impossible.

Sir E. GRIGG: If I were to pursue that argument, I am afraid I should take the Committee a very long way from the subject which is now before it. I will only say that I am absolutely convinced that there was such a time. [HON. MEMBERS: "When?"] I would remind hon. Members that that view was held by a Liberal Unionist who gave great strength to the Conservative party——

Mr. REMER: You were then a Liberal.

Sir E. GRIGG: I do not want to pursue the argument about Ireland, because obviously it would not be in Order, but let me, before I sit down, repeat the statement which caused these interjections. I am convinced that there was a time when the unity of Ireland could have been preserved, and I hope we shall not make the same mistake in India.

10.2 p.m.

Duchess of ATHOLL: I hope my right hon. Friend the Member for Sparkbrook (Mr. Amery) will not mind my saying that I do not think I ever heard so many surprising statements from him in the course of one speech as in that which he has just delivered. It seemed to me

that he did not make clear the distinction between dyarchy in the sense of a division of powers between a Government and the Legislature, and dyarchy or division within a government. He said that dyarchy was unavoidable in India, by which he seemed to convey the idea of dyarchy in Government. But at present India has a unitary government. There are differences between the powers of the Government and of the Legislature in India which are not in existence here, but the Government is a unitary government, and there is all the difference in the world as regards strength and efficiency between a unitary government and a dyarchical one. I would also remind my right hon. Friend that there are very few Governments—I think only those of France and the Dominions besides this country—in which all the members of the Government are responsible to and members of a Legislature, and are therefore liable to be put out of office by the Legislature.

I was also very surprised to hear my right hon. Friend speak as if he thought there was as much unity in India as there is between the counties in England. He said that you might as well refuse to unite India as refuse to keep the English counties united. That statement leaves out of account all the tremendous differences of race, language and religion in India, and the fact, which perhaps is even more striking, of the great differences between the Provinces, which are governed to-day on a more or less democratic system, which it is proposed shall be completely democratic, and the States, which are under autocratic rule.

The only other statement of my right hon. Friend which I feel I must challenge is that in which he told us that the Princes feel that through Federation alone they can protect their interests. I will read to the Committee what was said by the Maharaja of Patiala in the Chamber of Princes about a month ago, as reported in the "Hindustan Times." He said:

"We are not enamoured of a Federal Constitution as such. We have never approached His Majesty's Government, and requested them to devise the Federation to safeguard our future."

He went on to say:

"The circumstances under which some of us agreed to consider a federal proposal, as providing a suitable scheme of co-operation between British India and the States, are indeed well known. It was not from any desire on our part to hinder British India in the realisation of its legitimate aspirations but rather to help India in her constitutional progress and political development, without sacrificing our own sovereignty and internal autonomy. But to-day responsible men in British India, men who I know bear no ill-will towards the States, have not hesitated to say frankly that in the present scheme of things Indian States have become a positive hindrance rather than help to British India. I would not have taken such an expression of views from however eminent a quarter seriously but for the fact that it seems to be widely held in all sections of political opinion in British India. And if that is the view of men of moderation in the country it is a matter for Your Highnesses seriously to consider whether we should put ourselves in the position in which practically every important body of opinion in British India considers us unwelcome partners, and looks upon our entry into Federation with suspicion."

Sir A. STEEL-MAITLAND: Would the Noble Lady speak a little louder so that we can hear?

Duchess of ATHOLL: I am sorry. This is the most important point. He went on to say:

"The benefits of a Federal scheme to the Indian States are in any case not so overwhelming that whatever the opinion of British India, it would be in our interests to go in."

I therefore would ask my right hon. Friend when and where it was that the Indian Princes made clear that they could only serve their interests by coming into a Federation. It is quite clear from that speech that the Maharaja was feeling anxiety about this question, anxiety which had been clearly expressed by two of his colleagues, the Maharaja of Dholpur and the Maharaja of Jhalawar, about a month or so earlier. Their anxiety may very well be greater now. Since then the Indian Assembly has rejected a proposal for All-India Federation, and we have had the declaration of His Majesty's Government on Dominion Status as the goal of India's development.

There is a very interesting letter in the Press to-day from Sir Michael O'Dwyer, who during his long service in India served in many of the States and is still in close connection with many of the rulers. He writes that many of the Princes regard this goal of Dominion Status as incompatible with the proposed Federation and the discharge of our

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treaty obligations to the States, and that these Princes regard it with considerable apprehension. Therefore the statement made by my right hon. Friend, and, of course, made most explicitly in the Report of the Joint Select Committee, that the Princes are willing now to enter an All-India Federation, but only if the Federal Government is a responsible one, does not hold water. I think most of us must deplore the fact that this Debate should take place and that this Committee should be asked to come to a decision on this very important question of Federation before the Princes have met.

It seems quite obvious that the proposal we have put forward offers an opportunity to the States and their representatives of consultation with the Government of India in regard to Customs, railways, posts and telegraphs, and all matters of common concern, and what would be of great benefit to the people of India, namely, a common policy in regard to diseases of men, animals and plants, without exposing them to the influences which they fear from entry into a Legislature with politicians from British India, and without exposing British India as a whole and the interests of this country in India to the dangers which we see from the proposed transfer of powers. I have already said something about the insecurity of defence that seems to be inevitable from the separation from the control of the Viceroy of all the communications on which the efficiency of the Army so largely depends. On another Amendment I hope to say something about the financial burden the proposals will put on the masses of the people.

Let me now say a few words about the transfer of control of commerce, a transfer which I am sure, if the thousands of people in this country who depend for their livelihood on trade with India understood, they would not hear of for one moment. Of course I shall be told that the Viceroy has a special responsibility to prevent any tariff being imposed which is intended to penalise Britain more than it could be expected to help India. It seems to me obvious that if the Viceroy is to be able to read the mind of his Ministers and know what their aim is in proposing a particular tariff, he will have very often to be gifted with second sight, in which case perhaps the Highlands of Scotland will have to be searched for a Viceroy with suitable qualifications. But the question might well be put to-day whether the present tariffs on textiles going into India are imposed in India's interest or with a desire to penalise this country. Any Member who has taken the trouble to read the last Budget speech of the Finance Member of the Government of India must have observed that between the financial years 1932-33 and 1933-34 there was actually a drop of three crores, that is about £2,000,000, in the revenue from tariffs on textiles going into India.

The DEPUTY-CHAIRMAN: I hope that the Noble Lady is not anticipating a Clause which is to be discussed subsequently.

Duchess of ATHOLL: I am most anxious not to do so, but I do not know what other opportunities there may be of discussing that particular point. The transfer of the control of commerce is a matter of tremendous moment to many commercial and manufacturing interests in this country, and I do not suppose that any proposal so vitally affecting the livelihood of thousands of our working people in the industrial districts has ever been proposed in this House, or is ever likely to go through this House, with so little knowledge on the part of the people concerned of what is being enacted.

Then I come to another danger inherent in this Federal proposal, of which even less has been heard. I refer to the danger caused by what I am told is the largely unexpressed but nevertheless very really felt dread of a great majority of Moslems in India at having to enter a Federation in which they see that Hindus must largely predominate, as Hindus predominate in the States even more than in British India. Knowing what one does of the antagonism that exists to-day between Hindus and Moslems, it seems to me that that inevitably must be the attitude of many Moslems if they realise what is being proposed. The Moslem delegates to the Joint Select Committee and the Round Table Conferences, I think, were induced to acquiesce in this proposal on account of the communal award, which gives them a majority in three Provinces and the largest block of votes in a fourth, and by the fact

that Provincial Autonomy is to be so exclusive, so removed from any supervision by the Federal Government that they will be able to have things their own way in the Provinces in which they are in a majority. But if hon. Members doubt the existence of these apprehensions, I would remind them that they have had two memorials from Moslems who are actually thinking of setting up an independent Moslem federation of the five areas in the North-West of India, in which Moslems predominate. This proposed federation is known as Pakistan, a name which represents the initials or other letters in the names of the areas concerned. And it should be noted that the "a" in the first syllable is said to stand for "Afghanistan." Hon. Members may have read in the Press a recent letter from Subar Chandra Bose, a Hindu Congress leader now in Rome, in which he spoke of Afghanistan as being the Piedmont of India's independence. When a prominent Hindu speaks thus of Afghanistan, a great Moslem country, as the Piedmont from which might come the inspiration for India's complete independence, one realises what a very dangerous situation might very easily arise if the Moslems in the North-West of India came to feel that they were not getting a fair deal under the Indian Federation. They very naturally might begin to look on an Afghan Kabul as their spiritual home rather than on a Hindu Delhi. It is only 120 years since an Afghan ruler was King of all North-West India as far as Delhi, and therefore anything that makes for disaffection among the Moslems of North-West India might easily lead to most serious trouble on the frontier, even to attempts to carve out a greater Afghanistan in North-West India.

When we remember how many of these Moslems of the North West fought for us loyally and gallantly in the late War, it seems to me tragic that they should be forced into a position in which many of them may find it difficult to remain faithful to their loyalty and may be tempted to begin intriguing with their fellow Moslems across the frontier. I believe, therefore, that the dangers of this Federation are infinitely greater than most of us have realised. Men with long experience of maintaining order in India have assured many Members of the House that the dangers involved in these proposals are far greater than the difficulties and troubles that we may have to face if we do not go further than I and my hon. Friends propose. I believe myself that it is impossible to exaggerate the danger to which we expose India, and our rule in India, if so much power is given at a time when there is such bitter antagonism between these rival communities and when much the strongest political party in India is the Hindu Congress party.

May I say a final word in reply to the hon. Member for Chippenham (Captain Cazalet), who asked my Noble Friend the Member for Aldershot (Viscount Wolmer) whether politicians in India desired anything more than what the Government were offering. Only a few days ago I saw an extract from a letter written by a responsible person in India in which a comment was made on the number of men there were who in public were calling out for Dominion status and independence, but who in private were expressing grave apprehensions in regard to it. There is considerable other evidence to show that many Indians find themselves in a position in which it is much more difficult for them to say in public what they really feel than it is for us here. I think that all hon. Members who are honest with themselves must realise what a tremendous test of moral courage public life makes. We here are tested every day in this matter. But in India there are fetters of community, of caste, of tremendously strong family ties, and all these things mean pressure on men in public life, so that we should not blame Indian politicians, or blame them too much, if sometimes they find it difficult to come into the open as we should certainly think it was our duty to do.

Finally, many men who have served long and recently in India say that the East, above all things, desires security and will accept the ruler who will give her security. The masses there have suffered so much in the past through lack of it that they now most greatly desire security and impartial justice. Both these benefits have been brought to India in full measure in the past 70 years, and both, I believe, will be greatly imperilled if the proposals of the Bill go through. And because I fear so greatly the dangers involved in

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the Bill and feel that this Council of Greater India is a practical measure of meeting the desire of the Princes in these matters of common interest without exposing India to the dangers I have mentioned, that I have much pleasure in supporting the Amendment.

10.23 p.m.

Miss RATHBONE: In the course of this discussion there is one aspect of the subject upon which we have not heard a single word, and that is the effect of this Clause upon Indian India, not on the Princes but on the people of the Indian States. Many speakers have speculated as to whether the Princes will or will not come in, and several speakers have offered their opinion as to whether it is or is not to the advantage of the Princes to come in, but I have not yet heard any speaker discuss the question of how coming in will affect the people of the Indian States. As I see it, in the past the Indian States, that is the Princes of the Indian States, have been buttressed upon the British Raj. In the future the British Raj will be buttressed upon the Princes. The relation between the two will be like the two sides of a corn sack, each leaning upon the other.

The extent to which the smooth working of the whole proposal is dependent upon the Princes has been made clear throughout the discussions. Supporters of the Bill have laid stress upon the loyalty of the Princes and argued that the known conservatism of the Princes is a guarantee of stability and order and resistance to subversive and revolutionary forces, but it is not equally clear how that new relationship and intimacy is to affect the Princes' own subjects. I know that it can be argued that it is going to make no difference. Already the dependency of the Princes upon the paramount power has been quite clearly defined. It is defined in Treaties and Sanads. In the words of the Harcourt Butler Report:

> "It also depends upon usage and the promise of the King-Emperor to maintain unimpaired the privileges, rights and dignities of the Princes."

Elsewhere it is stated that:

> "The promise of the King-Emperor to maintain unimpaired the privileges, rights and dignities of the Princes carries with it a duty to protect the Prince against attempts to eliminate him and to substitute another form of Government."

That has always seemed to me a strange kind of dependency; the dependence of autocratic Princes upon the greatest and most successful democracy in the world.

When on the Second Reading of the Bill the right hon. Member for Darwen (Sir H. Samuel) told us that the ideas which maintain a democracy at home will not maintain any form of tyranny abroad, and that a free Britain and a coerced India cannot go together, he was talking in terms of British India. I wonder whether he remembered that in fact our democracy at home is pledged to defend several hundred little coerced Indias, in the States. It is true that, by general consent, that some Indian States are as progressively governed and as contented and happy as any part of British India. Some who have visited both tell us that the States are happier than British India, but how many of those States, and what about the rest?

I do not pretend to know the answer, but I am increasingly uneasy at the mist that hangs over this great subject and at the small knowledge that a great majority of Members of this Parliament and of the British public have of the conditions of life of these people towards whom we are taking such great responsibilities. From that point of view it may be said that the responsibility is not changed, that we have done it already, that we have set our names to these Treaties and Sanads, but it appears to me that a new situation is being created in two ways, first, that a new relationship is being set up which is, in effect, a reinitialling of Treaties many of which were made generations ago, Treaties of which the effect has been, as the Harcourt Butler Report has pointed out,

> "that many States owe their continued existence to the solicitude of the Paramount Power."

That has been so in the past. Under the new arrangement is it still to be more so in the future? It appears to me that the danger is of two kinds, first that by this new arrangement the Princes may feel that we have given a kind of guarantee that we are in the future, as in the past, going to hold them up on their gadis, and, secondly, shall we not almost be obliged to maintain the power of the Princes by the very fact that the smooth working of the machine is going to be so dependent upon their good will?

That is an aspect of the question that has been increasingly oppressing my mind.

There is another aspect of the question, and that is how far the introduction of the Princes is going to affect the subjects in British India. We know that in the Lower Chamber alone the representatives of the Princes, who are to be their nominees and not the choice of their people, are to be three times as numerous as the representatives of Labour, women, and the depressed classes put together. That is in the Lower Chamber.

Mr. CHURCHILL: What about the British?

Miss RATHBONE: If the right hon. Gentleman means the British British I think that they can feel safe. An Indian writer said only last week that we are taking away the white bureaucrats and putting brown autocrats in their place. As far as British interests are concerned I think that the Princes will take care they are protected, because if we are swept away they would meet with something far worse from their own people. Consider the kind of powers which are being given to the Princes in this central government. They are to include power to legislate on such questions as marriage—a very suitable question on which to invite the opinion of the Princes—divorce, the custodianship and guardianship of children, factory legislation, and a number of other questions which vitally affect the interests of the poorest and least protected classes of the community in India. Suppose the majority in the Council of State, in which there is not to be a single representative of women, the depressed classes or the Labour party, joined with a minority or majority in the lower chamber of the Federal Government, they would be able, absolutely and for all time, to block any progressive legislation however much desired by the Provincial Government, and where the views of the Central Government on any of these subjects, conflict with the Provincial Government, the former has priority.

We shall have an opportunity of discussing the details of this relationship on future Amendments and I merely allude to it now to make this point. Are hon. Members right in assuming, as many of them do, that if Indian politicians are so roundly condemning these proposals as they say, then it is mere factiousness on their part to do, they do so because they are not getting enough and want more. It is difficult from the kind of information which is leaking through to know what is really working in the minds of most of the statesmen in India whose opinion one respects. It seems as if many of them really mean that they would rather have no Bill than this Bill, and if that is the case it is a consideration which should make us pause. To my mind there is all the difference in the world between offering to India a measure which falls short of her national hopes and aspirations, which she yet recognises as a small step in advance, and in forcing upon India a measure which she regards not as a step in advance but as a definite step backwards on a path leading to a morass. It is a doubt of that nature which led me to vote against the Second reading of the Bill.

I confess I am not certain even yet as to whether I was right or not. I feel at present that it is extremely difficult to judge. When the report of the Committee was discussed a month ago my own opinion was that these proposals represented an advance, certainly for those whose interests I have studied most closely, namely the women. I believed that they represented a considerable advance in the Provinces generally, but the two stops in my mind, to use a Quaker expression, are these. Do those Indians whose judgments we most respect, such people as the members of the Servants of India Society and Mr. Shastri and Mr. Gandhi himself who, whatever faults he may have, really and truly cares for the interests of the poor and oppressed, regard it as an advance? Is it their solemn and considered judgment that this Bill is a step in advance or do they consider that they would rather have no Bill than this Bill? I feel that on that question the evidence as yet is inconclusive.

The second thing which causes a stop in my mind is the question of the effect of the proposals regarding the Princes. Are we solemnly reaffirming a former alliance which is in the long run, an unnatural alliance an unreal alliance, an alliance to which a democracy ought never to consent if it means that we are pledging ourselves

[Miss Rathbone.]
once again to maintain autocracy in its place where there should be freedom, and to resist the aspirations of people "rightly struggling to be free." As I understand our obligations at present, however justified the people of the Indian States may be in objecting to autocratic rule, however much they may desire democratic institutions, we are pledged to resist that desire. We ought not be so pledged. Our treaties with the Indian States should be subject to reconsideration and adaptation to changed conditions. The fear that sticks in my mind is: Are we, instead of making that change more possible, making it less possible by this Measure?

10.38 p.m.

Mr. GODFREY NICHOLSON: The hon. Lady who has just spoken touched on two very important subjects in her interesting speech. She referred first to the position of the Princes. I think she fails to realise that the passage of this Bill will not make any more binding the obligations already existing between us and the Indian Princes. What she is quarrelling with is what has been done in the far distant past, but, unless she is prepared to tear up our treaties and other engagements with the Indian Princes, she cannot get out of recognising our obligations towards the States in India.

Colonel WEDGWOOD: Does the hon. Member realise that they are supported by British troops.

Mr. NICHOLSON: The right hon. and gallant Gentleman asks me do I realise that these Princes are supported by British troops. They are supported by the British word given in our treaties and engagements. When my great grandfather made the agreement which gave Kashmir to the present dynasty the British word was good and it remains good. The hon. Lady also raised the question of the welcome which the present reforms might be expected to get from Indian politicians. I think the days have long gone by when we can consider the welcome which these proposals will receive or have received from any politician. That is due to the delay which has been forced upon us, very largely by the present opposition in this House to these proposals. Thanks to the years wasted in discussion and inquiry we have missed our chance of securing co-operation and agreement. I think that in the end we have to do what we think right, regardless of the reception it may have in India. I do not know if I shall be out of order if I endeavour to bring the discussion back to the Amendment before the Committee, but the Amendment is one that substitutes for the Federation set out in the Bill an Advisory Council. It was moved by the Noble Lord the Member for Aldershot (Viscount Wolmer). I was sorry to hear him use the word "Hindu" as a term of abuse, and I was sorry to hear the hon. Member for Islington use the words "Brahmin" and "Babu" as terms of abuse, or at any rate not as complimentary terms.

Sir H. CROFT: In the absence of the Noble Lord the Member for Aldershot (Viscount Wolmer), may I say that I was present when he was speaking, and he did not use the word "Hindu" as a term of abuse.

Mr. NICHOLSON: I am very glad to hear that, but he referred to Hindus as being masters of epithet, adjective, and disingenuousness.

Colonel GOODMAN: The hon. Member referred to the Member for Islington. Did he mean me?

Mr. NICHOLSON: I was not aware the hon. and gallant Member had spoken, but I meant the hon. Member for West Islington (Mr. Donner). I ask the Committee to consider the reasons that were adduced by the Noble Lord in support of his Amendment. I think that as a master of disingenuousness the Noble Lord has few rivals. We were asked, first, to reject the present scheme embodied in the Bill because it had not received the welcome of the Indian politicians. We have never claimed that it has. We were asked to reject the Bill because the Federation at the Centre was not democratic. We have never claimed that it was. We were asked to reject the Bill because it gave no power to the elected representatives of the Indian people, and a few sentences later we were asked to reject it because it gave too much power to the elected representatives of the Indian people. Finally, he accused us of deceiving the Indian people, and his suggested Amendment, he said, was better. He did not claim that it

was welcome, he did not claim that it was democratic. His final proof that it was better was that it was a purely Advisory Council, and that the Viceroy would be under no obligation to accept its advice. I wonder who is deceiving the Indian people there. I think this Amendment may have formed a very convenient foundation for a most interesting Debate, but as a serious proposal I cannot consider the arguments adduced in its support as being worthy of our serious consideration.

On the main question of Federation with British India, I want to say why I think it is essential. It is essential because there is no halfway house possible between responsibility and irresponsibility. We have heard a lot about responsibility to-day, but it seems to me that hon. Members have used the word in a mistaken sense. They consider that responsible government is responsible because the elected member is responsible to those who elect him. The Government is responsible or not according as the members of the Legislature are responsible for the consequences of their own actions. It is responsible in so far as their criticism is responsible criticism. We have got to make up our minds which way we are going. Either we must have no responsibility, or else we must say that critics must try to acquire a sense of responsibility by having to answer for the carrying into effect of their criticism. To return to the Amendment for a moment, nobody has claimed that it has been accepted by a single person in India or that it has been suggested to a single person in India. The Noble Lady blames us because we claim that the Princes are in favour of Federation. We may well blame her when she announces that the Princes are all against Federation.

Duchess of ATHOLL: The hon. Member must not misquote me. I read out a passage from a speech of the Maharajah of Patiala which showed that people were not justified in saying that the Princes were insisting on Federation.

Mr. NICHOLSON: I am not going to argue with the Noble Lady, or we shall have a serial addition to her speech. [HON. MEMBERS: "Withdraw!"] I apologise if I said anything I should not say. This scheme has not been suggested or accepted by anybody in India as the scheme embodied in the Bill has.

10.47 p.m.

Sir CHARLES OMAN: I would ask those who sympathise with the Noble Lord the Member for Aldershot (Viscount Wolmer) to vote with him on this Amendment for the simple reason that, although I think that it has many doubtful points in it, it is 4,000 times letter than the deplorable scheme of Federation which the right hon. Gentleman in charge of the Bill has brought forward. I do not know whether the right hon. Gentleman when he was at New College took up the Indian special period—which I do not think he could have done—but he has forgotten a great deal since then of the origin of the Indian and semi-independent Indian States. For many years people who were instructed in the history of these States were taught to treat them as a homogeneous whole. How they could be regarded as if one State were the same as another, I cannot imagine, for the Indian States are a most astonishing collection of anomalies. Like most matters in India, they are coloured yellow, while the British Dominions are coloured red. In other respects they have no similarity whatever. In the Himalayas human sacrifice is hardly forgotten and sometimes occurs. There are States like Orissa which are about the size of an English manor and with a very exiguous population. On the other hand, there are States as large as France, which contrast with little States not much larger than your back garden. To regard these States as a homogeneous whole seems to me to be preposterous.

In every respect they differ from each other and represent a state of things which came into being in a critical period of the English conquest of India, when Lord Cornwallis, or Wellesley, or Hastings were tidying things up, and there were certain Princes who made pacts with them. These pacts made by the Princes represented the most extraordinary arrangements. In some cases the Prince was a kind of viceroy who was saving himself from obvious destruction by doing homage to the British power and hiring a mercenary army. In another State the newly-appointed Governor, when the rest of the States attacked the British, made a pact with them, and to this day has transmitted

[Sir C. Oman.]
the State to his descendants. Some of these Indian States are things one venerates, ancient States that have weathered a thousand storms of the Moguls and similar peoples. On the other hand, other States are things of yesterday, a hundred years younger than the British Raj. There is no similarity, and you cannot treat them altogether.

Look at their anomalies. In one case you may have a large and discontented Mahommedan population ruled by very nearly the only non-Mahommedan—that is an exaggeration—the representative of a small non-Mahommedan population. In another State you may get a Mahommedan ruler of a State in which nine-tenths of the inhabitants are Hindus. The Bill treats all these as the same sort of thing, not seeing that the dissimilarity is extraordinary. We are bound to individual treaties, and we cannot ask those Princes to throw away privileges and merge them—commit what I can only call constitutional suicide in the body of a figurative India. Can you believe that certain Indian Princes—and some of them are very odd people—desire to be federated? There are certain Princes whom the Government have desired to absent themselves from their State; I do not know whether these desire to be federated. There is a very great Prince, the fifth greatest in India, and we do not know whether he desires to be federated. He reverted to primitive methods and sent his Adjutant-General to assassinate in the streets of Bombay a barrister who had run away with his favourite. That Prince was removed by the British Government—quite rightly. The right hon. Gentleman in charge of the Bill and the Government believe that a Viceroy, who will be either a superman or a dummy, will be able to deal with these people. Looking at the absolute anomaly of the whole thing, that no one State is like another, I should prefer a Central Government dealing directly with individual States, rather than handing over the whole of India, federated more or less, to a body in which there will be people, not in sympathy with the Viceroy, who will really be the supreme authority.

10.55 p.m.

Mr. HERBERT WILLIAMS: The Amendment we are now discussing is similar in principle to another standing in the names of myself and four other hon. Members, or rather there is a series of Amendments to Clauses 18 and 23, together with a new Clause which, somewhat crudely, I admit, explains exactly the lines on which it is proposed to work. The difference between my Amendment and the one we are discussing is that mine is within the framework of the Bill. I accept the electoral machinery which the Bill provides, but propose that that electoral machinery shall, for the time being at any rate, produce not a Legislative Assembly but a Federal Advisory Council. This is the first time I have taken any part in the Debates on this problem, though I have endeavoured for a long time to study the problem. I have taken very little part in the controversy outside, but I have always felt that if we are going to make an experiment we ought to make it on the condition that if we have made a mistake we can retrace our steps. That seems a practical proposition and a business-like way of approach. Therefore, I accept the general conception of Provincial Autonomy, subject to qualifications which will come up later on, but so far as the Centre is concerned I have always taken the view that it was a mistake to set up any measure of responsibility there in the first place. I cannot understand logically why, as dyarchy has failed in the Provinces, it should be desirable to introduce it in the Centre.

At the moment we have at the Centre what I think is a bad system. We have what I call the presidential system; not a system of democracy but the system which exists in the United States of America; not the system of responsible representative government as we understand it, but the presidential system of an executive, on the one hand, and a legislative authority on the other, the one having no effective control over the other. That I call the presidential system, and it is a bad one, so bad that every country that has copied it except the United States of America has had ceaseless revolutions as a consequence. If we examine the constitutional forms which exist in South America it will be found that to a very large extent the revolutions which have taken place there arose out of the fact that there is an irremovable executive and an independent legislature. That has always

seemed to me fundamentally wrong, and therefore I have never applied the words "democratic government," in the sense in which we use them, to the system of government in the United States.

India to-day, apart from what changes may be made by this Bill, has a system of government which is substantially the same as that of the United States of America, with the one difference that instead of India having the very expensive process of a presidential election, we provide something which is just as efficient and probably more efficient. They have their States in the United States, each with a Governor and with a legislature, and the one irremovable by the other, exactly as we have at this moment in the Indian Provinces.

It being Eleven of the Clock, The CHAIRMAN *left the Chair to make his Report to the House.*

Committee report Progress; to sit again To-morrow.

CATTLE INDUSTRY (EMERGENCY PROVISIONS) [MONEY].

Resolution reported,

"That it is expedient—

(1) to provide for extending, by not more than six months, the period during which cattle or carcases of cattle must have been sold in order that payments in respect thereof may be made out of the Cattle Fund under section two of the Cattle Industry (Emergency Provisions) Act, 1934;

(2) to authorise the Treasury to make, during the months of April, May, and June, nineteen hundred and thirty-five, advances to the said fund, not exceeding in the aggregate one million and fifty thousand pounds, out of the Consolidated Fund of the United Kingdom, and to provide for requiring that any such advances shall be repaid from the Cattle Fund to the Exchequer of the United Kingdom before the fifteenth day of August, nineteen hundred and thirty-five; and

(3) to provide for other matters connected with the matters aforesaid."

Resolution agreed to.

Bill ordered to be brought in upon the said Resolution by Sir John Gilmour, Sir Godfrey Collins, Mr. Elliot, and Mr. Duff Cooper.

CATTLE INDUSTRY (EMERGENCY PROVISIONS) BILL.

"to provide for extending by not more than six months, the period during which cattle or carcases of cattle must have been sold in order that payments in respect thereof may be made out of the Cattle Fund; for the making of further advances to the said fund out of the Consolidated Fund of the United Kingdom, and for purposes connected with the matters aforesaid"; presented, and read the First time; to be read a Second time to-morrow, and to be printed.—[Bill 35.]

The remaining Orders were read, and postponed.

ADJOURNMENT.

Resolved, "That this House do now adjourn."—[*Captain Margesson.*]

Adjourned accordingly at Two Minutes after Eleven o'Clock.

HOUSE OF COMMONS.

Wednesday, 20th February, 1935.

[**OFFICIAL REPORT.**]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

Harrogate Corporation Bill (by Order),

Read a Second time, and committed.

Southern Railway Bill (by Order),

Second Reading deferred till Wednesday next.

ORAL ANSWERS TO QUESTIONS.

LEAGUE OF NATIONS.

ARMS TRAFFIC.

1. **Mr. MANDER** asked the Secretary of State for Foreign Affairs whether the Chaco Committee of the Assembly of the League of Nations has obtained, or will obtain, information from the South American Governments who are not prepared to interfere with the transit of arms to Bolivia and Paraguay, while other Governments fail to keep arms from being exported, as to the quantity of arms allowed through in this way?

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir John Simon): So far as I am aware the Chaco Committee has not recommended that this information should be asked for, but the whole question will no doubt be further considered when the Advisory Committee next meets.

Mr. MANDER: Will my right hon. Friend be good enough to see that this suggestion is brought to the notice of the Chaco Committee?

Sir J. SIMON: I will consider that. But I do not think, as a matter of fact, that it is yet known what is the answer of the South American Governments to which the hon. Gentleman refers.

League of Nations to study the question of prohibiting, under the provisions of the Covenant, the supply of war materials to belligerents has yet met; who has been nominated by His Majesty's Government to sit on the committee; and whether he can make any report on its work?

Sir J. SIMON: The committee in question has not yet met, and I am, therefore, not in a position to make any statement in regard to its work. Sir William Malkin, legal adviser to the Foreign Office, has been appointed by His Majesty's Government to serve on the committee.

Mr. WILMOT: Can the right hon. Gentleman say when he expects that the first meeting will take place?

Sir J. SIMON: I cannot give the date, but the first meeting will be convened by the Rapporteur of the Council after consultation with the Secretary-General of the League of Nations.

6. **Mr. MANDER** asked the Secretary of State for Foreign Affairs the reasons why the Government is opposing inspection of armament factories at the traffic in arms commission meeting now proceeding at Geneva?

Sir J. SIMON: The Committee on the Regulation and Control of the Private and State Manufacture of, and Trade in, Arms has met, in accordance with the decision of the Bureau of the Disarmament Conference on the 20th November, to pursue a limited objective and is not discussing proposals for the limitation of armaments, either qualitative or quantitative. His Majesty's Government consider that an elaborate system of permanent and automatic supervision, with local inspection, is not suitable for such a limited objective, but that, in order to achieve results, the machinery of supervision can and should be simplified without lessening its effectiveness as regards the immediate object in view. The United Kingdom Delegation at Geneva will submit in due course proposals in this respect. As regards the attitude of His Majesty's Government to a system of permanent and automatic supervision in connection with a convention for the reduction and limitation of armaments, I would refer the hon.

Mr. MANDER: Is it not the fact that the American, French and other Governments are in favour of local inspection even for this limited purpose?

Sir J. SIMON: I do not think that that is an entirely accurate statement. There is a general agreement as to the general scheme. The matter is now being considered in all its details. As far as I know, many Governments have got some suggestions to make, and it is even possible that the British Government may be able to improve on the American suggestion.

Mr. GRAHAM WHITE: Are we to assume from the reply of the right hon. Gentleman that the Government are in favour of the proposal for inspection?

Sir J. SIMON: I think that Lord Stanhope has already stated at Geneva the general support that we give to the general scheme of the American proposals.

ABYSSINIA.

7. **Mr. WILMOT** asked the Secretary of State for Foreign Affairs whether an agreement or understanding between the Governments of the United Kingdom, Italy and France, or between the administrations of British Somaliland, French and Italian Somaliland, and the Italian colony of Eritrea, concerning police action to be taken in case of necessity for maintaining law and order in the portions of Abyssinian territory adjacent to these colonial administrations, has been registered with the League of Nations; and will he state its terms?

Sir J. SIMON: There is no agreement or understanding between the Governments or the Colonial administrations mentioned for any action of the kind suggested for the maintenance of law and order in those portions of Abyssinian territory adjacent to French, Italian or British Colonial possessions.

Mr. MORGAN JONES: Are we to take it that the report in the public Press that the British Minister at Addis Ababa is engaged in pressing advice upon the Abyssinian authorities in the direction of conceding the Italian demands is not justified?

Sir J. SIMON: I have seen no such report.

JAPAN (BRITISH SUBJECT'S ARREST).

5. **Mr. WILMOT** asked the Secretary of State for Foreign Affairs whether he can now make a statement regarding the compensation to be paid to Mr. William Maxwell Bickerton in respect to his ill-treatment by the Japanese Government; and whether any assurances have been given that British subjects will not be so treated in Japan in future?

Sir J. SIMON: I have considered the reply by the Japanese Government to the representations made by His Majesty's Ambassador at Tokyo. The reply contains satisfactory assurances regarding the future treatment of British subjects arrested in Japan. There is, unfortunately, a conflict of fact between the Japanese Government and Mr. Bickerton as to the latter's allegation of ill-treatment and I do not consider that in the circumstances a claim for compensation could be usefully made.

Mr. WILMOT: While thanking the right hon. Gentleman for his reply and for the trouble which he has taken in this matter, may I ask him whether he feels that nothing more can be done, having regard to the fact that this British subject was arrested, thrown into prison for no other crime than that of harbouring dangerous thoughts, and that there is little doubt that he suffered much indignity and some ill-treatment?

Sir J. SIMON: I am not sure that the hon. Gentleman is well advised in putting these matters of detail, but, if he puts them, of course, I must answer them. In the first place, to be quite fair to everybody, it is not the case that this gentleman was merely arrested on the ground suggested. He was arrested on a charge of a breach of the Japanese law. Whether it was right or wrong, I have not the least idea, but no one can complain because he was arrested. As regards his treatment, that, of course, is a different matter. Unfortunately, as I have said, there is a difference as to the facts, and I am sure that the hon. Gentleman will see what a difficult thing it would be, therefore, to carry the claim for compensation further.

Mr. WILMOT: Will the right hon. Gentleman bear in mind the fact th

this British subject was arrested, detained, and, after a long period, released——

Mr. SPEAKER: This matter cannot be discussed at Question Time.

ROYAL NAVY: HIS MAJESTY'S SHIPS "HOOD" AND "RENOWN" (COLLISION).

8. **Captain PETER MACDONALD** asked the First Lord of the Admiralty whether he is now in a position to make any further statement with regard to the extent of the damage done to His Majesty's Ship "Hood" in the recent collision; and what will be the approximate cost of repairing this damage?

The FIRST LORD of the ADMIRALTY (Sir Bolton Eyres Monsell): The extent of the damage to His Majesty's Ship "Hood," as revealed by examination in dock, is as given in my reply to my hon. Friend the Member for East Dorset (Mr. Hall-Caine) on the 30th January, except that in addition the starboard wing tail shaft is slightly bent and requires straightening, and that it will be necessary to replace the starboard wing propeller by a new one. The approximate cost of making good the damage is £8,000.

Captain MACDONALD: Can my right hon. Friend say when the repairs will be completed?

Sir B. EYRES MONSELL: Fairly soon. I cannot say exactly, but it will not be long.

PALESTINE (JERUSALEM MUNICIPAL COUNCIL).

9. **Colonel WEDGWOOD** asked the Secretary of State for the Colonies whether he will obtain from the High Commissioner for Palestine a report on the division of functions between the Arab Mayor and the Jewish Vice-Mayor in the Jerusalem municipality; and further, whether he will secure that any additional councillor appointed shall be of English birth, so that English standards may be initiated in Jerusalem?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): I understand that the first part of the question relates to the arrangements proposed for the conduct of the business of the Jerusalem Municipal Council in the absence of the Mayor. The position is that the High Commissioner has decided to appoint two Deputy-Mayors, one a Jew and the other a Christian, and has decided that the Jewish Deputy-Mayor shall invariably take the place of the Mayor and act for him whenever he is absent through sickness or any other cause. The Mayor has not been absent from duty since the date of his appointment. With reference to the second part of the question, I have already informed the right hon. Gentleman on two occasions that I am not prepared to interfere with the High Commissioner's discretion in the matter of the nomination of additional Councillors. Sir Arthur Wauchope has recently informed me that he does not propose to make any nominations until he has watched the working of the Councils in Jerusalem and Haifa. He will then consider whether he should exercise his power of nomination or not.

Colonel WEDGWOOD: May I ask the right hon. Gentleman whether he is not aware that we hold him responsible and not the High Commissioner?

Sir P. CUNLIFFE-LISTER: Yes, Sir, but it seems to me that it is rather a question of whether the discretion for appointing the additional members of the Council should rest with the High Commissioner as vested by law, or with the right hon. and gallant Gentleman.

Colonel WEDGWOOD: That is absolutely insulting. Is it in order to insult a fellow Member of this House? Does the right hon. Gentleman recollect that the Secretary of State is responsible for the administration of the law in Palestine, and that there is in Jerusalem a majority of Jews, and that the High Commissioner or himself has appointed an undue preponderance of Arabs?

Sir P. CUNLIFFE-LISTER: No, Sir, I cannot take that for a moment. The right hon. and gallant Gentleman has raised that question over and over again.

Colonel WEDGWOOD: I shall do so in future.

Sir P. CUNLIFFE-LISTER: The law lays down that the High Commissioner shall have the discretion to make or not to make appointments as he thinks fit, and I propose to rely completely in this

[Sir P. Cunliffe-Lister.]
matter upon the discretion of the High Commissioner, who, I am sure, has the complete confidence of this House.

Colonel WEDGWOOD: That is not the question. [HON. GENTLEMEN: "Order!"] On a point of Order. Is it in order for a right hon. Gentleman on that bench to pretend that this House must not look to him for responsibility instead of looking to other officials?

Mr. SPEAKER: No point of Order arises in the answer the right hon. Gentleman has given.

KENYA (TAXATION).

10. **Mr. BANFIELD** asked the Secretary of State for the Colonies whether, in view of the failure of the alternative schemes to raise sufficient revenue from the non-native population in Kenya, it is now intended to introduce a graduated income tax?

Sir P. CUNLIFFE-LISTER: The Budget for the current year is estimated to balance on the basis of existing taxation; and there is no present intention to change that basis.

INTERNATIONAL LOCUST CONFERENCE.

11. **Lieut.-Colonel Sir ARNOLD WILSON** asked the Secretary of State for the Colonies whether he is satisfied that the Governments which attended the third international locust conference in 1933 are actively giving effect to the programme of work elaborated by the conference; and whether, in view of the expansion of cultivated zones in Africa, he is satisfied that no further steps are at present necessary?

Sir P. CUNLIFFE-LISTER: The conference in question (which took place in September, 1934) was one of research workers, and I have no reason to suppose that the other Governments represented are not, like His Majesty's Government in the United Kingdom, taking action to implement the research programme which was then drawn up. As regards locust control measures, to which the second part of the question refers, I am satisfied that the Governments concerned are, having regard to the conditions in the various territories, doing all in their power to deal effectively with the locust menace, particularly as regards the protection of cultivation. The Inter-State Locust Conference held at Pretoria last August recorded that the states and territories concerned were dealing with the locust menace with appreciable success and that as regards the protection of crops the efforts made have been generally successful.

COLONIAL SERVICE (LEAVE AND PASSAGE CONDITIONS).

12. **Mr. HALL-CAINE** asked the Secretary of State for the Colonies whether he can now make any further statement with regard to the views of the various Colonies upon the recommendations contained in the recent report on leave and passage conditions in the colonial service; and whether he can indicate what reforms are to be introduced to implement such report?

13. **Captain P. MACDONALD** asked the Secretary of State for the Colonies whether decisions have yet been reached by any Colonial Government on the report of the committee on leave conditions in the Colonial service; if so, of what nature; and whether he can, in particular, make any statement with regard to the specific recommendation of the committee that Colonial officials should be enabled to use air transport wherever possible?

Sir P. CUNLIFFE-LISTER: I have not yet received the definite views of any Colonial Government on the report and am therefore not in a position to make an announcement. Nor, in view of the variety and importance of the issues involved, do I anticipate that I shall be able to do so for some considerable time. As regards air transport, I may say, in order to remove any possible misapprehension, that the principle that Colonial officers should be at liberty to travel by air, when proceeding on leave, is already accepted, where facilities exist.

ROYAL AIR FORCE.

14. **Dr. LEECH** asked the Under-Secretary of State for Air whether it is proposed to form an auxiliary Air Force

squadron in Northumberland and, if so, at what date; and whether applications for service will be invited?

The UNDER-SECRETARY of STATE for AIR (Sir Philip Sassoon): It is not proposed to form such a squadron, for the present at all events.

TRANSPORT.

LOWER THAMES TUNNEL SCHEME.

15. **Rear-Admiral Sir MURRAY SUETER** asked the Minister of Transport when he will be able to make an announcement in connection with resuming work on the Lower Thames Tunnel as approved by Parliament?

The MINISTER of TRANSPORT (Mr. Hore-Belisha): I will inform my hon. and gallant Friend.

HIGHWAY CODE (PEDESTRIANS).

17. **Mr. SMEDLEY CROOKE** asked the Minister of Transport whether, in order to save loss of life and prevent accidents, he will consider the advisability of issuing an order compelling pedestrians to keep to the left on all footpaths and to keep to the right of the road, meeting the on-coming traffic, where there are no footpaths?

Mr. HORE-BELISHA: I propose, with the concurrence of Parliament, to insert in the Highway Code provisions in the sense indicated by my hon. Friend, namely, advising pedestrians not to proceed alongside the kerb of the pavement in the same direction as the nearer stream of traffic. Pedestrians will be further advised to walk on the right of the carriageway where there are no footpaths so as to face the incoming traffic.

Mr. HERBERT WILLIAMS: When the hon. Member came to his decision had he before him the report of an experiment which was carried out in London some 12 years ago, at great expense, which showed that the scheme had completely failed?

Sir NICHOLAS GRATTAN-DOYLE: Is it not desirable to issue instructions to pedestrians either to go to the right or the left, and not have the confusion that exists at present?

Mr. HORE-BELISHA: In answer to the first supplementary question, it seems to me that we have to determine what is right and not to be deterred by previous failures. On this occasion, it will have the full force of the Highway Code and Parliament behind it.

Sir WILFRID SUGDEN: Is the Minister aware that there are made in this country, by first-class engineers, road studs which are useful and helpful and not detrimental to those who use the road, and will he not try to use them?

Dr. ADDISON: Does the hon. Gentleman propose that the unfortunate pedestrian is to be punished if he walks on the wrong side of the road?

Mr. HORE-BELISHA: No, Sir. This is a question of sound advice.

Captain Sir WILLIAM BRASS: Is the hon. Member aware that the only place where this rule is enforced at the present time is in Rome by the Fascists?

ROAD LIGHTING.

18. **Mr. GLOSSOP** asked the Minister of Transport whether, with a view to encouraging the provision of overhead central lighting for roads in built-up areas, he will consider giving local authorities a grant from the Road Fund towards the capital cost involved?

Mr. HORE-BELISHA: I have no power to make grants from the Road Fund towards the cost of street lighting.

Mr. GLOSSOP: What steps is the Minister taking to encourage the provision of central lighting in built-up areas?

Mr. HORE-BELISHA: I have no power in the matter at all.

Mr. GLOSSOP: Has my hon. Friend a little persuasion?

SILENCE ZONES.

19. **Sir W. BRASS** asked the Minister of Transport whether he has consulted any motoring organisations as to the advisability or not of experimenting with silence zones over the whole 24 hours before he came to his decision to give favourable consideration to applications from local authorities on this matter?

Mr. HORE-BELISHA: It is not my practice to consult motoring organisations before answering questions in the House of Commons although I am always glad to have their suggestions and observa-

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tions. I would point out that of the 250,000 persons killed and injured on the roads in the course of a year only a very small percentage of the victims are motor drivers. There is therefore a very large volume of other opinion to be considered. I can only repeat that if any responsible local authority makes an application on behalf of its citizens as a whole for an experimental extension of the silence zone or for the trial of any other experimental safety measure it cannot but receive my favourable consideration.

Sir W. BRASS: Is it a fact not only that the Minister did not ask any motoring organisation but that he did not ask the Road Traffic Advisory Committee or the committee which was set up to advise him, and that he has acted entirely on his own?

Mr. HORE-BELISHA: I do not understand the position in which my hon. and gallant Friend is desirous of placing me. I was asked a question by an hon. Friend of mine in this House, and given two days' notice, whether I would favourably consider an application by a local authority. I fail to see why I should consult anybody before saying that I will favourably consider it.

Lieut.-Colonel SANDEMAN ALLEN: Before considering this matter, will the Minister consider the fact that at night time the silence zone is all right because there are lamps which indicate the coming of the car, but in daylight they do not give any indication at all?

Mr. HORE-BELISHA: I will certainly consider that, and I am obliged for the suggestion. I may perhaps recall to the House that on the institution of the original silence zone I was advised against it by every motoring organisation in the country, except one, but they now unanimously approve it.

20. **Sir W. BRASS** asked the Minister of Transport whether, in view of his intention to give favourable consideration to applications from local authorities for silence zones over the whole 24 hours, he will inform the House what form of sign he proposes to have placed on the roads in the silence zone areas, and at what intervals they will be erected in order to make quite certain that drivers when in the areas shall know that the sounding of a horn is forbidden?

Mr. HORE-BELISHA: I do not propose to authorise the use of any signs for this purpose.

Sir W. BRASS: How does the hon. Member think that any driver going through one of these zones will understand that he is not allowed to blow his horn when somebody steps off the pavement? Will he give an assurance that he will not bring in these regulations, as he has brought others in, under the Rules Publication Act, 1893, where he stresses urgency?

Mr. HORE-BELISHA: With regard to the first part of the question perhaps my hon. and gallant Friend will recall that when the silence zone was originally instituted it was instituted within a radius of five miles of Charing Cross. No signs were considered necessary because the motorist understood that if he was in any doubt on the matter he could give the benefit of the doubt to the public and not sound his horn. Here, we are only dealing with the hypothetical case of a particular locality of a well-defined town, asking for the silence zone to be extended within its borders, for an experimental period. I do not consider that the authorisation of signs is necessary for this particular purpose. In regard to the second part of the question, I never make orders or regulations except within the terms of the powers conferred upon me by Parliament, and upon the advice of the council placed at my disposal.

Sir W. BRASS: Does my hon. Friend realise that there is a great deal of difference between a silence zone at night and a silence zone in the day time?

26. **Sir W. BRASS** asked the Minister of Transport whether, in view of his intention to give favourable consideration to applications from local authorities for silence zones over the whole 24 hours, he proposes to alter or revoke Regulation No. 72 of the Motor Vehicles (Construction and Use) Regulations, 1931, by which the driver of every motor vehicle is required to give audible and sufficient warning of the approach or position of his vehicle?

Mr. HORE-BELISHA: If it be decided to extend the period of the prohibition

of hooting either generally or in particular areas, it will obviously be necessary to amend the regulation referred to by my hon. and gallant Friend.

Mr. H. WILLIAMS: Is the Minister of Transport aware that if these regulations come into operation a motorist may be fined in one area for hooting and in another for not hooting?

Sir W. BRASS: Is my hon. Friend aware that the first qeustion asked by any insurance company is whether the driver blew his horn before the accident occurred?

Mr. HORE-BELISHA: I am aware of that. But I would ask the hon. and gallant Member to realise that we are faced with a very grave problem in the number of road accidents, and, if by any experiment whatever, we can diminish them, it is our duty to do so.

Sir W. BRASS *rose*——

Mr. SPEAKER: I think I am becoming in favour of silence zones.

GREAT WEST ROAD.

21. **Mr. HALL-CAINE** asked the Minister of Transport whether he will ascertain from the Middlesex County Council what approximate proportion of the grants made by his Department in respect of the maintenance of the Great West Road has been spent in rendering the grass margins thereto ornamental and therefore unavailable for pedestrians and riders; and whether in future he will not allow Road Fund grants to be used for such purposes without his specific approval in each case?

Mr. HORE-BELISHA: The Middlesex County Council, who are the responsible highway authority, estimate that during the current financial year they will spend on the maintenance of the Great West Road approximately £15,400 including £2,100 in respect of the grass margin. The rate of Road Fund grant applicable to the approved expenditure is 60 per cent. The Roads Improvement Act, 1925, empowers a highway authority to provide, maintain and protect trees, shrubs and grass margins, so long as they do not thereby hinder the reasonable use of the highway by any person entitled to its use. The same Act enables me to make grants out of the Road Fund towards expenditure on such purposes.

SMALL TRADERS (RECORDS).

22. **Sir COOPER RAWSON** asked the Minister of Transport whether he can give any information regarding the proposed amendment of the regulations relating to the keeping of records by small traders?

Mr. HORE-BELISHA: I gave notice in yesterday's Gazette of my intention to make amending regulations, and I have sent my hon. and gallant Friend a copy of these.

Sir COOPER RAWSON: May I thank my hon. Friend for the copy which I have already received and for the concession he has very kindly made?

WESTERN AVENUE.

24. **Mr. DUNCAN** asked the Minister of Transport whether, in considering the extension eastward of Western Avenue, he will consult the local authorities as to what measures can be taken to ensure the safety of people, especially children, using the present quiet streets in North Kensington through which the increased traffic making for Western Avenue will pass?

Mr. HORE-BELISHA: Yes, Sir.

DOCK AREAS (LIGHTS ON VEHICLES).

27. **Lieut.-Colonel SANDEMAN ALLEN** asked the Minister of Transport whether his attention has been drawn to road accidents which have happened at night in the neighbourhood of the Mersey Docks by collisions with unlighted horse-drawn goods vehicles; whether such vehicles are exempted from the obligation to carry lights by regulations made by the Ministry of Transport under the Road Transport Lighting Act, 1927, even when not carrying inflammable goods; and whether, inasmuch as inexpensive safety lamps are now obtainable, he is prepared to withdraw these exemptions so that it may be compulsory for all horse-drawn vehicles in the dock areas to carry lights as required on other vehicles, with the object of minimising the risk of this type of road accident?

Mr. HORE-BELISHA: In certain special dock areas where inflammable or explosive goods are handled vehicles whether horse-drawn or otherwise are exempt from the obligation to carry lights. My attention was recently drawn to a fatal accident in Bootle in which an

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unlighted horse-drawn vehicle was involved, and I am in communication with the Bootle Corporation on the matter.

PARKING REGULATIONS.

50. **Mr. BURNETT** asked the Secretary of State for the Home Department whether he is aware that the Metropolitan Police take action when danger or actual obstruction is caused by vehicles standing in the highways; and will he request the police to see that this policy is more closely followed in the central parts of London, as the present use of the highways as parking places has been declared by the Minister of Transport to be a source of danger to human life?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): The Commissioner of Police of the Metropolis informs me that the police in central London are fully alive to the desirability of taking action in cases of the kind referred to, and no fresh instructions on the subject are considered necessary.

Mr. BURNETT: Will my right hon. Friend bear in mind that Quebec Street, near the Marble Arch, is almost completely blocked by cars?

TOLL RIGHTS, BOROUGHBRIDGE, SOMERSET.

23. **Mr. T. SMITH** (*for* **Mr. THORNE**) asked the Minister of Transport whether he is aware that a 17-years-old farmer's son has purchased the toll rights of Boroughbridge, Somerset, for £1,430; in what manner the auction was conducted; what are the toll charges for pedestrians, cars, cycles, etc.; and whether he has any intention of making an inquiry with a view to abolishing this toll?

Mr. HORE-BELISHA: I am aware that the toll rights for the year 1935-36 for the bridge on the Taunton-Glastonbury Road, Somerset, were purchased at a recent public auction, the accepted bid being the highest obtained during three consecutive operations of a sand glass. The tolls vary from ¼d. per head for cattle to 1s. 6d. for locomotives of 11 tons or more, cars and motor cycles under two tons pay 3d. and those over two tons, 6d. No charge is made for pedestrians. The bridge is owned by the Boroughbridge Commissioners and no proposal for abolishing the tolls has been submitted to me; but I am prepared to consider an application to that effect from the responsible highway authority.

LEVEL CROSSING, WARRINGTON.

25. **Mr. T. SMITH** (*for* **Mr. THORNE**) asked the Minister of Transport whether he has been in communication with the Warrington Town Council in connection with removing the Wilderspool level crossing, which is situated in the centre of Warrington, and creates a dangerous bottle-neck; what the approximate cost will be for the removal of the level crossing; and whether the Warrington Council will receive a grant of 75 per cent. of the cost from the Ministry of Transport?

Mr. HORE-BELISHA: My divisional road engineer has been in communication with the county borough council regarding the removal of Wilderspool level crossing, but the council have not yet submitted details of their scheme. I am prepared to entertain applications for grants up to 75 per cent. of the net cost falling upon highway authorities in respect of approved schemes for the construction of bridges in lieu of level crossings.

HIS MAJESTY'S SILVER JUBILEE (CELEBRATIONS).

31. **Mr. MANDER** asked the Financial Secretary to the War Office whether arrangements will be made for those British troops which formed part of the international force in the Saar to take a prominent part in the military review on the occasion of the celebration of the Jubilee of the King's accession, in view of the service which these troops have rendered to the cause of peace?

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Douglas Hacking): The only special arrangements with regard to these troops are those already announced for the 22nd and 28th of this month when two battalions will march across London. The troops will take part in the Jubilee celebrations which may be arranged at their stations, but will not be specially brought to Aldershot for the review of the troops of that Command.

Mr. MANDER: In view of the unanimity of feeling in this country as to the great service rendered by these troops, will not the Financial Secretary give further consideration to this point?

Mr. HACKING: The review at Aldershot is not a review of the Army as a whole, but a review of the troops under the Aldershot Command, and in any event I would remind the hon. Member that, while we all must appreciate the great success of this unique experience in the Saar, it has always been the main desire and endeavour of His Majesty's troops to maintain peace and never to create friction.

Lieut.-Colonel MOORE: Does not the Financial Secretary think that any other British troops would have done equally well?

Mr. HACKING: That is the gist of the answer I have given.

SCOTLAND.

LICENSED PREMISES, GLASGOW.

32. **Mr. McGOVERN** asked the Secretary of State for Scotland whether his attention has been drawn to the proposed cutting down of the number of licensed premises in Glasgow; and, if it is to be carried out, whether he will take steps to see that the decisions of the premises that are to be eliminated should be placed in the hands of the sheriffs?

The SECRETARY of STATE for SCOTLAND (Sir Godfrey Collins): I am aware from the newspapers that the Glasgow licensing court recently decided to review the number of licensed premises in the city with a view to reducing the number in wards which are considered to be overlicensed. It is outwith my power to take any action in this matter. Under the Licensing (Scotland) Acts the responsibility for the elimination of any licenses is vested in the licensing court and the Court of Appeal.

Mr. McGOVERN: In view of the feeling that the vast cutting down of licences has not been on a basis of justice but that there were people who were able to give most money to the magistrate concerned will the right hon. Gentleman consider amending the law with a view to seeing that justice is not administered on a basis of palm oil?

Sir G. COLLINS: I have had no representations that there has been any such practice as that indicated by the hon. Member, and, if anyone knows of any such practice, it is his duty in the public interest to make representations to the procurator-fiscal.

Mr. SPEAKER: The hon. Member for Shettleston (Mr. McGovern) must not make such improper observations. In a supplementary question it is most improper to make such insinuations against magistrates.

HOUSING (COMPENSATION FOR DISTURBANCE).

34. **Mr. BURNETT** asked the Secretary of State for Scotland how many and which of the local authorities in the larger cities have put into operation Section 30 of the Housing (Scotland) Act, 1930, with regard to loss sustained by reason of disturbance of trade consequent upon removal?

The UNDER-SECRETARY of STATE for SCOTLAND (Mr. Skelton): I am informed that only one city (Glasgow) has made payments to shopkeepers under Section 30 of the Housing (Scotland) Act, 1930. In Edinburgh one application is under consideration by the local authority, and in Dundee the only application received was met by an offer of tenancy of a new shop to be erected on the site. In Aberdeen no application has been received. Of other large towns no applications have been received in Greenock, Perth, Paisley, Motherwell and Inverness.

Mr. BURNETT: Is the Under-Secretary aware that a shopkeeper who paid £60 for fittings and goodwill made an application in Aberdeen and was informed that there was no such scheme?

Mr. SKELTON: I have given the hon. Member the information in my possession. If he has any further information, I shall be glad to have it looked into.

MILK MARKETING SCHEME.

35. **Captain McEWEN** asked the Secretary of State for Scotland whether the committee of investigation for Scotland have reported on the complaints by the Association of Certified and Grade A (T.T.) Milk Producers with regard to the Scottish milk marketing scheme; if so, what are the committee's findings; and what action he proposes to take in the matter?

Sir G. COLLINS: The committee's report has been received. They find that the provisions of the scheme relating to the contributions payable by producers of certified milk are contrary to the interests of such producers, and are not in the public interest, and they recommend that the scheme should be amended to provide for the fixing of the contribution payable as from 1st May, 1934, in respect of certified milk sold as such, at the rate of one halfpenny a gallon, or an equivalent rate per cow. They do not find that the provisions of the scheme are contrary to the interests of the producers of Grade A (T.T.) milk. I hope to intimate a decision on the committee's findings at an early date.

HOUSING.

STEEL WINDOW FRAMES.

36. **Mr. BANFIELD** asked the Minister of Health whether he has issued to any and, if so, which local authorities in North Wales or elsewhere in the United Kingdom instructions that a fixed proportion of steel windows must be used in the building of municipal houses under the new housing schemes; and under what statutory authority he acts in making the use of a proportion of such windows compulsory upon the authorities concerned?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): No instructions of the kind indicated have been issued. The second part of the question does not therefore arise.

WATER SUPPLY, CHWILOG (INQUIRY).

37. **Major OWEN** asked the Minister of Health whether he will state the reasons why it has not been possible to comply with the request of the Lleyn Rural District Council that an inspector conversant with the Welsh language should be appointed to conduct the public local inquiry into the council's scheme for a water supply for the village of Chwilog?

Mr. SHAKESPEARE: My right hon. Friend is always prepared to arrange for the presence of a Welsh-speaking inspector where this is really necessary. My right hon. Friend has not received information that difficulties will arise in this case.

Major OWEN: Has the Parliamentary Secretary forgotten that, in replying to the hon. Member for Flint (Mr. Llewellyn-Jones), he said that there were five inspectors available for holding these inquiries who were conversant with the Welsh language and that where an application was made a Welsh speaking inspector would be sent? Why, in the case of the Lleyn Rural Council who made such an application, has it been refused—in a purely Welsh speaking district?

Mr. SHAKESPEARE: It has not been found necessary in the past, but, if the hon. and gallant Member will see me about this case and convinces me that it is necessary, I will see that a Welsh speaking inspector is sent.

Major OWEN: Is it not the fact that in many inquiries in the past the Department has had to engage another official to act as interpreter to the inspector? Has it not occurred in this particular county? Why should public money be wasted in this way?

Mr. RHYS DAVIES: May I ask who decides what is necessary in cases of this kind?

Mr. SHAKESPEARE: The usual consultations take place with the local authority, but there are parts of Wales where the preference is for an English inspector.

Major OWEN: Is it not the case that the local authority in this instance specifically asked for a Welsh speaking inspector, and that the Department in London, pursuing its usual policy of ignoring everything Welsh, refused the request?

SOUTHERN RHODESIA INDUSTRIAL CONCILIATION ACT.

39. **Mr. GEORGE HALL** asked the Secretary of State for Dominion Affairs whether, in view of the fact that under the constitution of Southern Rhodesia he may withhold his assent to any legislation which enforces disability or discrimination on the ground of race, he can give any information upon the position as regards the Rhodesian Industrial Conciliation Act; and whether the Act

is yet in operation or whether, on the ground that natives are excluded from the scope of the Act, any advice has been tendered to His Majesty as to the exercise of His Majesty's power of disallowance?

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): The Southern Rhodesia Industrial Conciliation Act, 1934, contained provision that it should not come into operation unless and until the Governor had declared by Proclamation in the Gazette that it was His Majesty's pleasure not to disallow the Act. After careful consideration of the terms of the Act, as passed by the Legislature of Southern Rhodesia, I informed the Governor on the 12th June last that His Majesty would not be advised to exercise his power of disallowance. A Proclamation was accordingly issued by the Acting Governor bringing the Act into operation as from the 20th July, 1934?

TRADE AND COMMERCE.

HOSIERY AND UNDERWEAR.

40. **Mr. CAPORN** asked the President of the Board of Trade whether he is aware that over 3,500,000 dozens of hosiery and underwear were imported into this country during 1934; and whether he can give any estimate of the number of persons who could have been employed if these articles had been manufactured in this country?

The PARLIAMENTARY SECRETARY to the BOARD of TRADE (Dr. Burgin): The answer to the first part of the question is in the affirmative. As the imports of these commodities are of a varied character the second part of the question could only be answered on the basis of arbitrary assumptions.

HERRING EXPORTS (GERMANY).

41. **Mr. HENDERSON STEWART** asked the President of the Board of Trade whether he is aware that exporters of herring at Anstruther are experiencing great difficulty in obtaining currency transfers from Germany; that there is a danger that the whole export trade may be held up on this account; and whether he can make any statement on the subject?

Dr. BURGIN: A complaint has been received from one herring exporting firm of the alleged failure of the German Government to grant facilities for the import of United Kingdom herring into Germany. The firm have been asked to produce evidence in support of their complaint and my right hon. Friend will be happy to consider this when it is received, together with any further information which my hon. Friend can supply.

Mr. STEWART: Is my hon. Friend satisfied that, with that exception, there are no difficulties at the present time in the way of the transfer of currency from Germany?

Dr. BURGIN: The matters upon which the German Government agreed to provide currency in recently concluded agreements are in normal practice proceeding satisfactorily. I was surprised to learn that a herring exporting firm had found a difficulty, because herring is one of the special commodities to which these exchange facilities were directed. It is only a matter of clearing up what is possibly a misunderstanding.

NAVAL AND MILITARY PENSIONS AND GRANTS.

42. **Mr. SMEDLEY CROOKE** asked the Minister of Pensions whether his attention has been drawn to the case of Mary McLahaney, of 13, Lyon Street, Hebburn-on-Tyne, whose father, the late A/Corporal, No. 21,270, Durham Light Infantry, was killed in the Great War and whose mother is also dead, who was receiving a weekly allowance of 12s. from the Ministry which was withdrawn when the rating authorities in county Durham made a supplementary allowance of 8s. weekly on the ground that the Ministry is not responsible for making the grant if public provision is otherwise available or in issue; and whether he will, under the circumstances, restore the grant or at least make an allowance of 4s. weekly to bring the blind orphan's income up to the original amount of 12s.?

Sir VICTOR WARRENDER (Vice-Chamberlain of the Household): I have been asked to reply. My right hon. Friend is making inquiries into the facts of this case and when they are completed he will communicate with my hon. Friend.

POST OFFICE.

SUB-POSTMASTERS (REMUNERATION).

43. **Mr. H. STEWART** asked the Postmaster-General whether he proposes to use any part of the increasing surplus of the Post Office to provide better pay and improved conditions of service to sub-postmasters, especially to those in rural areas?

The ASSISTANT POSTMASTER-GENERAL (Sir Ernest Bennett): Sub-postmasters benefited from July last to the extent of about £50,000 per annum by the pay consolidation scheme which was then put in operation, and this amount will be increased to £100,000 per annum if and when the emergency reductions of 1931 are fully restored. The question of further improvement of the pay of sub-postmasters is at present under examination in relation to claims by the Sub-Postmasters' Federation.

Mr. STEWART: In addition to the pay, will my hon. Friend consider the conditions under which these men have to work, especially in view of their quite heavy responsibilities?

Sir E. BENNETT: Obviously, those matters will be dealt with in the examination that is taking place.

LOTTERIES (TELEGRAMS).

45. **Mr. RHYS DAVIES** asked the Postmaster-General whether he can state the number of telegrams referring to lotteries that have been held up during the past 12 months?

Sir E. BENNETT: It would, I think, be contrary to the public interest to give the information for which the hon. Gentleman asks.

HON. MEMBERS: Why?

Sir WILLIAM DAVISON: Why should it be contrary to the public interest? The question does not ask for any particular telegrams. Surely the House ought to know how many telegrams have been held up.

Mr. DAVIES: Will the hon. Gentleman go into this matter again and see whether we cannot have this information, because it does not appear clear to the House that it is wrong to give the information?

Sir W. BRASS: Is it not a fact that the Post Office has lost on telegrams for many years?

VICKERS-ARMSTRONGS, LIMITED (SIR CHARLES CRAVEN).

46. **Mr. MORGAN JONES** asked the Solicitor-General whether he has now caused an investigation to be made into the relationships between Sir Charles Craven, of Vickers-Armstrongs, Limited, and Mr. Spear, of the Electric Boat Company of America; and, if so, what was the result of such investigation?

The ATTORNEY-GENERAL (Sir Thomas Inskip): Neither I nor my hon. and learned Friend have any power to cause such an investigation to be made, but I am informed by my right hon. Friend the First Lord that, as he informed the House on the 17th December in answer to a question by the hon. Member, the Electric Boat Company, of which Mr. Spear is an official, are licensors for the construction of submarines by Messrs. Vickers-Armstrongs, of which Sir Charles Craven is managing director.

ANTHRAX (IMPORTED GOATS' HAIR).

47. **Mr. RHYS DAVIES** asked the Home Secretary whether he will consider, with a view to the prevention of anthrax in this country, making it compulsory to disinfect all imported goats' hair at the Government station in Liverpool?

51. **Sir FRANCIS FREMANTLE** asked the Home Secretary whether, having regard to the danger of infection with anthrax from imported goats' hair, he will take the necessary steps to ensure that all goats' hair imported into this country, including existing stocks, is thoroughly disinfected?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): I have now given full consideration to all the representations submitted to me, and, after careful inquiries, I have reached the conclusion that the present arrangements for the compulsory disinfection of goat hair at the Government station should be extended to imported goat hair generally. It is proposed that the necessary Order should be made at the Privy Council meeting to-morrow and take effect two months hence.

Mr. RHYS DAVIES: While thanking the right hon. Gentleman for the

excellent work that has been done, may I ask him to bear in mind the very large amount of goats' hair in stock already and alleged to be full of disease?

Mr. EADY: Is my right hon. Friend aware that this is going to have a very serious effect on the use of goats' hair in manufacture? Can he state the number of cases of anthrax that have occurred during the last year?

Sir J. GILMOUR: I have considered the matter very carefully and have come to the conclusion that the proposal would not be an undue burden on industry, and, in view of the evil which arises, I think the proposed action is right.

Sir F. FREMANTLE: *Will my right* hon. Friend have the existing stocks disinfected?

Sir J. GILMOUR: What has been proposed will only come into operation two months hence.

Sir F. FREMANTLE: Does my right hon. Friend realise that there are stocks which will possibly last two years, and that they will spread infection right and left if he does not deal with them?

Mr. EADY: Will my right hon. Friend take into consideration the fact that these stocks are already partly in machinery, partly in manufactured cloth?

INDICTABLE OFFENCES ACT.

49. **Sir A. WILSON** asked the Home Secretary whether he is aware that the existing procedure under the Indictable Offences Act has not been modified since 1848, at which time illiteracy was common, and that it tends to add to the cost of and delay in criminal proceedings; and whether he will consider the possibility of introducing proposals to amend the Act in order to improve, simplify, and cheapen the administration of justice?

Sir J. GILMOUR: My hon. and gallant Friend is mistaken in thinking that the procedure has not been modified since 1848. The Indictable Offences Act has been considered and amended from time to time and I do not see my way at the present time to initiate any legislation on the subject.

UNEMPLOYMENT.

MARRIED MEN (DEPENDANTS' ALLOWANCES).

52. **Mr. RHYS DAVIES** asked the Minister of Labour whether he will consider amending the regulations, issued under the Unemployment Acts, to provide that a married man separated from his wife and family, with an order of the court for their maintenance made against him, shall not be deprived of dependants' allowances?

The PARLIAMENTARY SECRETARY to the MINISTRY of LABOUR (Mr. R. S. Hudson): This matter is one of those which are at present under consideration.

Mr. DAVIES: *Would the hon. Gentle*man be good enough to make representations to his chief, as it is indeed anomalous that a court of law should decide that a man is responsible for his wife's maintenance, but that his Department, on the other hand, should regard a man as not responsible for her maintenance at all?

Mr. HUDSON: It is a question whether or not such an alteration in the regulations can be made within the terms of the Act.

EXCHANGE ACCOMMODATION, STOCKSBRIDGE.

53. **Mr. GLOSSOP** asked the Minister of Labour whether he has considered the representations from the Stocksbridge Urban District Council regarding the provision of a shelter outside the Employment Exchange; and whether he is now in a position to make a statement?

Mr. HUDSON: It is not usually necessary for applicants to have to wait outside Employment Exchanges for any length of time, if they attend at the time previously indicated, and no provision of the kind mentioned is normally made. The Stocksbridge branch employment office has been converted into an employment office and arrangements are in hand for increased and improved accommodation.

ASSISTANCE BOARD (PROVISION OF INFORMATION).

54. **Mr. BURNETT** asked the Minister of Labour whether he will communicate with the Unemployment Assistance Board with a view to *arranging that*

[Mr. Burnett.]

Members of Parliament may obtain from their local office any information on the local working of the regulations which they may require for the discharge of their duties, instead of having to rely for their information upon complaints which may be made to them by constituents as to reductions of allowances?

Mr. HUDSON: The information provided to the officers of the board by applicants is obviously of a confidential nature and the board's officers could not disclose this information even to the local Member of Parliament, without the applicant's consent.

Mr. BURNETT: Will my hon. Friend bear in mind that at the Employment Exchanges and public assistance committee offices information can be obtained as to general working, but that the instructions are that such information must not be given by the Unemployment Assistance Board?

Mr. HUDSON: The information available at the Unemployment Assistance Board offices is not of the same nature as that available at the Exchanges. The information available at the Unemployment Assistance Board offices deals with the intimate family circumstances of an applicant, and is not, I think, the sort of information that ought to be given to anyone without the applicant's consent.

Mr. BURNETT: The information asked for is not confidential information about cases, but general information about increases or reductions in allowances.

Mr. LAWSON: Is the hon. Gentleman aware that the offices of the board in the districts are much more remote from Members than the ordinary Employment Exchange offices?

Mr. HUDSON: Yes, Sir, but they are dealing with a totally different type of applicant. The information at the Employment Exchanges is as to whether or not a man complies with certain statutory rules and orders. The information at the board's office is information about intimate details which ought to be regarded as confidential.

Mr. LAWSON: Are they not both dealing with the unemployed, and should there not be just as much information available to Members at the board's offices as at the Employment Exchanges?

Mr. HUDSON: If an hon. Member goes to one of the board's offices at the request and with the consent of an applicant, no doubt the board will give him the information that he desires. What I want to avoid is Members being able to go in and get any sort of information without the consent of the applicant.

Hosiery and Shirt Trade.

55. **Mr. CAPORN** asked the Minister of Labour the number of persons registered for employment in the hosiery and underwear trades who were, respectively, wholly and partially unemployed at the end of January, 1935; and the corresponding figures for each of the last four years?

Mr. HUDSON: As the reply includes a table of figures, I will, if I may, circulate a statement in the Official Report.

Mr. CAPORN: Can the hon. Gentleman say whether the present unemployment is higher than that of last year or lower.

Mr. HUDSON: Perhaps the hon. and learned Gentleman will await the answer.

Following is the reply:

Insured persons, aged 16 to 64, in the hosiery, and shirts, collars, underclothing, etc., industry classifications recorded as unemployed in Great Britain at the undermentioned dates.

Date.	Hosiery.			Shirts, collars, underclothing, etc.		
	Wholly unemployed.	Temporarily Stopped.	Total.	Wholly unemployed.	Temporarily Stopped.	Total.
20th January, 1931 ...	8,399	13,084	21,483	4,472	3,291	7,763
25th January, 1932 ...	7,495	6,338	13,833	4,470	2,644	7,114
23rd January, 1933 ...	6,597	10,462	17,059	4,802	3,997	8,799
22nd January, 1934 ...	4,054	6,336	10,390	2,913	1,843	4,756
28th January, 1935 ...	5,812	14,217	20,029	3,807	3,519	7,326

PERSIA (OFFICIAL NAME).

3. **Mr. HALL-CAINE** asked the Secretary of State for Foreign Affairs whether any steps and, if so, of what nature, have been taken by his Department to give effect to the desire of the Persian authorities that Persia should henceforward be known officially as Iran?

Sir J. SIMON: On the 25th December last the Persian Ministery for Foreign Affairs addressed a circular memorandum to the Foreign Diplomatic Missions in Tehran requesting that the terms "Iran" and "Iranian" might be used in official correspondence and conversation as from the 21st March next instead of the words "Persia" and "Persian" hitherto in current use. His Majesty's Minister in Tehran has been instructed to accede to this request.

SUTTON-IN-ASHFIELD (SEWERAGE).

38. **Mr. BANFIELD** (*for* **Mr. CHARLES BROWN**) asked the Minister of Health why he refuses to allow the Sutton-in-Ashfield Urban District Council, Nottinghamshire, to carry out a closet-conversion scheme?

Mr. SHAKESPEARE: Applications for sanction to loans for closet conversion have been refused because the provision for sewerage and sewage disposal is inadequate. My right hon. Friend is now informed that the council hope shortly to submit a scheme for improved provision. If and when a satisfactory scheme is undertaken, my right hon. Friend will be prepared to reconsider the council's application.

SELECTION (STANDING COMMITTEES).

STANDING COMMITTEE B.

Mr. William Nicholson reported from the Committee of Selection; That they had discharged the following Member from Standing Committee B: Lieut.-Colonel Sandeman Allen; and had appointed in substitution: Captain Briscoe.

Report to lie upon the Table.

WRITTEN ANSWERS.

AGRICULTURE.

BARLEY (BREWING).

Mr. LEWIS asked the Minister of Agriculture what quantity of home-grown barley was purchased by brewers for the manufacture of British beer in the years June, 1932, to June, 1933, and June, 1933, to June, 1934, respectively?

Mr. ELLIOT: I regret I am unable to give the information asked for, as I have no statistics of the purchases of home-grown barley by brewers.

BULBS.

Mr. de ROTHSCHILD asked the Minister of Agriculture whether he will arrange for publication in the annual Agricultural Returns of the total number of acres in this country devoted to bulb-growing and the total quantity of bulbs produced, in order to give satisfication to those bulb-growers who wish to extend their acreage and who have asked him for this information?

Mr. ELLIOT: The items to be included in the Agricultural Returns Schedule for 1935 are now under review and the hon. Member's suggestion for the inclusion of the acreage devoted to bulbs will receive my careful consideration. The provisions of the Agricultural Returns Act, 1925, preclude me from requiring occupiers to state in their annual 4th June return the quantity of bulbs produced.

MARKETING BOARDS (LOANS).

Mr. DINGLE FOOT asked the Minister of Agriculture the Boards to which long-term loans have been advanced in pursuance of Section 14 of the Agricultural Marketing Act, 1931, and the amounts so advanced; and whether any part and, if so, how much of the sums so advanced has been repaid?

Mr. ELLIOT: No loans have yet been made under Section 14 of the Agricultural Marketing Act, 1931.

Mr. FOOT asked the Minister of Agriculture the boards to which loans have been advanced in pursuance of Section 13 of the Agricultural Marketing Act, 1931, and the amount of such loans; which of these loans have been renewed; which

were made free of interest; and how much in each case has been repaid?

Mr. ELLIOT: The following table gives the information required:

Name of Board.	Date when loan was made.	Amount of Loan.	Interest free period.	Loan Repaid on.	Amount Repaid.	
					Principal	Interest.
		£			£	£ s. d.
Hops Marketing Board.	6.8.32	550	Free of interest to 5.9.32.	29.11.32	550	5 10 0
Pigs Marketing Board.	21.7.33	4,500	Free of interest to 8.9.33.	31.12.34	5,000	213 12 6
	15.9.33	500	Interest payable from date of loan.			23 7 8
do.	22.11.33	3,870	Interest payable from date of loan.	31.12.34	4,300	155 13 3
	31.10.33	430	do.			18 4 2
Milk Marketing Board.	5.9.33	8,500	Free of interest to 31.12.33.	10.11.33	8,500	—
do.	7.9.33	13,750	do.	10.11.33	13,750	—
Bacon Marketing Board.	26.6.34	144,000	Interest payable from date of loan.	30.1.35	160,000	1,613 10 1
	28.6.34	16,000	do.			166 11 3
Scottish Raspberry Marketing Board.	7.7.33	200	—	— (1)	—	—
do.	15.2.34	205	—	— (1)	—	—
Scottish Milk Marketing Board.	2.6.33	500	Free of interest to 19.10.33.	29.12.33	1,500	10 8 7
	27.7.33	500				
	4.10.33	500				
Aberdeen and District Milk Marketing Board.	21.6.34	500	Free of interest to 26.7.34.	— (2)	—	8 15 0
North of Scotland Milk Marketing Board.	17.10.34	500	Interest payable from date of loan.	— (2)	—	—

None of the loans has been renewed.

Notes.—(1) Loans to the Scottish Raspberry Marketing Board have been written off as irrecoverable in pursuance of Sections 11 (5) and 13 (2) of the Agricultural Marketing Act, 1931, the Scheme having lapsed following an adverse vote on the initial poll.

(2) Loans to the Aberdeen and District and North of Scotland Milk Marketing Boards become due for repayment on 21st June, 1936, and 17th October, 1936, respectively.

MILK AND BREAD (CONSUMPTION).

Dr. SALTER asked the Minister of Agriculture the estimated quantities of milk, consumed as liquid milk, and bread consumed in England and Wales and Scotland, respectively, during the year 1934 or latest year for which figures are available?

Mr. ELLIOT: The total quantity of milk sold for liquid use during the year ending 30th September, 1934, through the Milk Marketing Board was approximately 630 million gallons. This figure does not include the considerable quantity of milk consumed in farm households or sold for liquid use by producers exempted from the Milk Marketing Scheme. I would refer the hon. Member to my right hon. Friend the Secretary of State for Scotland as to the consumption of liquid milk in Scotland. The latest information as to the consumption of bread relates to the year 1930 when it was estimated that the total consumption of bakers' bread in Great Britain was approximately 1,650 million 4 lb. loaves. No separate estimate of consumption in England and Wales and Scotland, respectively, is available.

TRANSPORT.

PEDESTRIAN CROSSING PLACES (FRENCH STEEL STUDS).

Mr. PIKE asked the Minister of Transport whether he has yet received a report upon the value of steel road-studs purchased from France for experimental purposes; and whether he will make a statement?

Mr. HORE-BELISHA: In pursuance of requests and suggestions made to me I ordered a consignment of round steel studs from Paris. These were laid down for marking pedestrian crossing-places in Westminster and Hammersmith, and have been under the observations of my technical advisers, who report that they are in no way superior to steel studs at present in general use on crossing-places in London, and that under certain conditions at night they are definitely inferior. The round French stud, owing to its slightly higher camber, is, however, more visible than some of the round studs of lower camber used by certain of the highway authorities in London.

WESTERN AVENUE (EXTENSION).

Mr. CHORLTON asked the Minister of Transport whether he will consider favourably the project of extending the existing Western Avenue to form a new trunk road to the West and Wales, in the construction of which the water mains for the provision of the future supply to the London area from Central Wales could be incorporated; and, if so, whether a grant can be made for the early carrying out of this project for road transport, water supply, and employment?

Mr. HORE-BELISHA: I am prepared to consider a proposal for such a road if it be submitted to me by the responsible highway authorities; but I would remind my hon. Friend that I have no power to make grants from the Road Fund for works of water supply.

OMNIBUS SERVICES, FULHAM AND CHELSEA.

Mr. WILMOT asked the Minister of Transport whether he is aware that in recent months there has been much irregularity in the service of omnibuses between Fulham, Chelsea, and Central London; and, in view of the inconvenience and loss thereby occasioned to workpeople and others, he will make representations to the London Passenger Transport Board on the matter?

Mr. HORE-BELISHA: Complaints as to the omnibus services to and from Fulham and Chelsea have been brought to my notice, and I have been in consultation with the London Passenger Transport Board on the matter. I am informed by the board that they are enlarging a garage at Putney to take larger omnibuses which, when brought into use, should improve the service.

PUBLIC HEALTH.

SCARLET FEVER.

Mr. GROVES asked the Minister of Health whether his attention has been called to the death of Audrey Garnett, the 18-months-old child of Henry Major Garnett, of 18, The Holt, Carr Lane, Windhill, Bradford, who died in the Bradford Children's Hospital on 18th January in consequence of the administration of anti-toxin as a precautionary measure against scarlet fever; whether he is aware of a similar death at Bramhope Children's Orphanage in October, 1934; and whether, in view of the facts that scarlet fever is rarely fatal, that no guarantee can be given that the inoculation will protect from scarlet fever, and that the injection may cause fatal results, he will advise local authorities that administer fever and other hospitals to cease the prophylactic inoculation of children admitted into those hospitals.

Sir H. YOUNG: The answer to the first part of the question is in the negative, and the answer to the second part is in the affirmative. The death referred to in the second part occurred in August, 1934. As regards the third part, this is a matter within the discretion of local authorities acting on the advice of their medical officers, and I should not be justified in taking the course suggested by the hon. Member.

DIPHTHERIA.

Mr. GROVES asked the Minister of Health whether he receives information from medical officers of health regarding fatal cases of diphtheria in immunised children?

Sir H. YOUNG: No, Sir.

Mr. GROVES asked the Minister of Health the method by which fever hospital doctors compile their records respecting cases of diphtheria in immunised and unimmunised children, seeing that there are no marks on the arm to indicate whether a child has been immunised or not?

Sir H. YOUNG: No, Sir. The method in each area is a matter for determination by the local authority concerned.

Mr. GROVES asked the Minister of Health the number of cases of diphtheria notified, and the deaths registered, in Leeds and Bradford (Yorkshire), respectively, in each of the years 1913 to 1934?

Sir H. YOUNG: The figures are as follow:

Diphtheria.

—	Leeds C.B.		Bradford C.B.	
	Cases.*	Deaths.	Cases.*	Deaths.
1913 ...	882*	88	445*	55
1914 ...	698	60	314	34
1915 ...	396	51	424	57
1916 ...	420	39	516	48
1917 ...	545	60	272	41
1918 ...	540	46	278	42
1919 ...	825*	43	369*	28
1920 ...	883	63	490	28
1921 ...	665	38	368	27
1922 ...	469	29	327	11
1923 ...	367	20	265	18
1924 ...	290*	27	240*	9
1925 ...	419	39	349	17
1926 ...	376	26	330	19
1927 ...	437	28	340	35
1928 ...	633	21	281	19
1929 ...	528	25	402	49
1930 ...	1,014*	54	354*	19
1931 ...	989	87	247	9
1932 ...	885	48	313	14
1933 ...	1,050	87	380	15
1934 ... (provisional).	2,212	154	845	40

Note.—From 1913–1920 the figures relate to Diphtheria and Croup, and from 1915–1930 they relate to Civilians only.

* The Cases are derived from Weekly Returns and relate in general to 52 weeks except where an asterisk appears, when the figures are for 53 weeks.

ROYAL AIR FORCE (INSTRUCTION, JAPANESE OFFICERS).

Mr. WILMOT asked the Under-Secretary of State for Air how many Japanese officers or members of the Japanese military air service have been trained in the Royal Air Force since 1919; how many are attached to the Royal Air Force at the present time; where they are stationed; and for what period of training?

Sir P. SASSOON: Nine Japanese officers have undergone instruction in Royal Air Force establishments since 1928. Precise information for earlier years is not readily available, but only a slight addition to the above figure would be involved. At the present time one officer is undergoing a course of instruction, of two months' duration, at the Home Aircraft Depot, Henlow.

TRADE AND COMMERCE.

Foreign Bricks.

Mr. L. SMITH asked the President of the Board of Trade whether he has any information as to the extent to which foreign bricks are still imported into this country; and, if so, whether he will give the names of the countries from which such supplies mainly come?

Dr. BURGIN: Imports of bricks into this country come almost entirely from foreign countries. During the year 1934, the total number of bricks of brick earth or clay imported into the United Kingdom and consigned from foreign countries amounted to 338,253,000, of which 312,682,000 were consigned from Belgium and 24,589,000 from the Netherlands.

Imports and Exports, Welsh Ports.

Mr. R. T. EVANS asked the President of the Board of Trade the total value and tonnage of imports and of exports dealt with at the Welsh ports in 1921 and in each of the years 1929 to 1934, inclusive?

Dr. BURGIN: The total value of imports and exports at individual ports is published in Volume I, and also in Volume IV of the Annual Statement of the Trade of the United Kingdom. Particulars of the total tonnage of the trade at individual ports are not compiled, but particulars in regard to the weight of certain commodities are available and are published in Volume IV of the Annual Statement. Volume IV for 1933 will be published shortly; the other volumes for 1933 have already been published. The Annual Statement for 1934 will not be

available until towards the end of this year. Each volume of the Annual Statement contains comparable particulars for a period of five years.

HIS MAJESTY'S JUBILEE (CELEBRATIONS, SCHOOLS).

Captain A. EVANS asked the Parliamentary Secretary to the Board of Education whether it is proposed to grant any general school holidays in connection with the celebration of Their Majesties' jubilee?

Mr. RAMSBOTHAM: Yes, Sr. The King has been pleased to express a desire that all schools should in some appropriate manner share in the celebrations in connection with his Silver Jubilee. His Majesty wishes the particular form in which this should be done to be left to the discretion of the responsible school authorities, but in many cases it will probably be found that the most convenient way of associating the schools with the Jubilee celebrations would be by the grant of some extra holiday. In the case of day schools, Monday, 6th May, will generally be found the most suitable date; in the case of boarding schools, special arrangements will no doubt be made to suit each particular case.

COAL INDUSTRY (EXPORTS, GOOLE).

Mr. T. SMITH asked the Secretary for Mines the total quantity of coal exported from Goole during each of the last six years; and the average f.o.b. price per ton?

Mr. E. BROWN: The information is as follows:

Year.	Exports of Coal from Goole.	
	Quantity.	Average Value per ton f.o.b.
	Tons.	s. d.
1929 ...	1,489,721	14 0
1930 ...	1,495,195	14 1
1931 ...	1,062,525	13 3
1932 ...	729,211	13 10
1933 ...	697,177	14 3
1934 ...	715,943	14 9

ITALY AND ABYSSINIA.

Mr. LEWIS asked the Secretary of State for Foreign Affairs whether he has any further statement to make regarding the dispute between Italy and Abyssinia?

Sir J. SIMON: Negotiations are continuing in Addis Ababa, but I am not in a position to add to the answer I gave to my hon. and gallant Friend the Member for the Isle of Wight (Captain P. Macdonald) on Monday.

TELEGRAPH SERVICE (LOSS).

Mr. LEWIS asked the Postmaster-General the total loss to the Post Office on all telegrams for the last 12 months for which figures are available?

Sir E. BENNETT: The loss on the Telegraph Service Account for the year ended 31st March, 1934, computed on a commercial account basis, amounted to £653,591.

BETTING AND LOTTERIES ACT, 1934 (PROSECUTIONS).

Mr. PIKE asked the Home Secretary whether the numbers of persons prosecuted this year under the Betting and Lotteries Act, 1934, to the latest available date, is above or below the number of prosecutions for similar offences during the six weeks ended 14th February, 1934, 1933 and 1932; and whether he will give the figures for each period?

Sir J. GILMOUR: The volumes of the criminal statistics which are published annually include figures relating to prosecutions for betting and gaming, but no figures are available showing separately the number of prosecutions under a particular Act or for a particular part of the year. I regret, therefore, that it is not practicable to give the information for which my hon. Friend asks.

HOUSING (SCOTLAND).

Sir A. SINCLAIR asked the Secretary of State for Scotland in respect of how many houses in Scotland in each of the last five years, including an estimate for the current year, have Exchequer grants been paid under the Housing (Rural Workers) Acts; and how much the charge

in respect of these grants has amounted to in each year?

Sir G. COLLINS: The following statement contains the information desired:

	Year ended 15th May.					
	1930.	1931.	1932.	1933.	1934.	1935.
						Estimate.
Number of houses in respect of which Exchequer contribution paid.	976	2,832	5,621	9,272	12,249	14,970
Exchequer contributions	£3,316	£9,551	£18,923	£31,780	£40,745	£49,000

ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee [SECOND DAY].

[Captain BOURNE in the Chair.]

CLAUSE 5.—(*Proclamation of Federation of India.*)

Amendment proposed, in page 2, line 33, to leave out from "Majesty," to the end of the Sub-section, and to insert:

"to declare by proclamation that as and from the day therein appointed there shall be established an advisory council styled the Council of Greater India, constituted in accordance with the provisions of the Fourth Schedule to this Act."—(*Viscount Wolmer.*)

Question again proposed, "That the words proposed to be left out, to the word 'if,' in line 35, stand part of the Clause."

3.40 p.m.

Mr. HERBERT WILLIAMS: Last night when the discussion on this Amendment was interrupted I had only just begun my speech. I shall endeavour to carry out, both in the spirit and the letter, the request made by the Chairman yesterday that we should be brief. I take the view that it is better that one's speeches should be frequent and brief rather than infrequent and long. I was endeavouring last night to establish the fact that there is a measure of analogy between the existing Constitution in India and that form which prevails in the United States of America and to show that the form which exists in the United States of America has certain grave defects. I have always held that it is a great mistake to have the executive and the legislative authorities separate. It is true that in India, ministers speak in the Assembly whereas in the United States they do not. Nevertheless, the one branch is independent of the other. The executive is not responsible to the Assembly and that, I think, is a bad system. It is also bad if the executive is responsible for some things to the Assembly or Parliament, and not responsible in other matters because then conflict is bound to arise.

The system which prevails in the Indian Provinces at the moment and which we call dyarchy—an irremovable legislature and an irresponsible executive—seems bad. An executive which is only partially responsible also seems bad. Therefore we are driven to the conclusion—at least I am driven to it—that there are only two workable schemes, either one involving complete responsibility or one in which the Assembly is consultative or advisory, or perhaps both consultative and advisory. I do not think that anyone at this moment is prepared to urge the possibility of setting up at the Centre in India a Government entirely and completely responsible to the legislature or, in other words, reproducing at the Centre in India the system which at present prevails in this country. It is because we are forced from all those possible schemes to the only remaining alternative that I am supporting the Amendment which is on the same lines as, though different in form from certain Amendments put down by me to Clauses 18 and 23. In order to save printing expense I have taken those Amendments off the Paper as I anticipated that they would not be called having regard to the discussion on the present Amendment.

I gather that some members of the Joint Select Committee who, while acting on that body underwent a certain process of conversion, were much impressed with the Parliamentary abilities of the delegates, if that is the right term to apply to them, who came over from India and sat as assessors with the committee. They are said to have exhibited great parliamentary talent in the sense of facility of speech. Indeed it has been said that their facility of speech was such that extraordinary measures had to be taken to restrain it, but that is only what rumour says, and whether it is true or not I cannot say. It has been the case, however, that a number of the members of the committee were influenced by the ingenuity of mind displayed by these Indian politicians. Although this institution of which we here are all Members is called Parliament because it is a place where we speak, it is not merely the capacity to speak with some degree of success which constitutes ability to govern. The sense of responsibility, the moral quality, is in the long run much more important than the mere ability to express one's ideas with facility. It seems to me that there exists profound doubt as to whether any substantial proportion of the inhabitants of the Indian Empire possess those qualities of responsibility which it is our good fortune to

[Mr. Williams.]
find existing to such a large extent among the inhabitants of this country—those qualities without which representative and responsible government is in fact impossible and bound to break down. The experiment that has been conducted since 1919 in the Provinces does not seem to indicate that there has grown up that sense of responsibility which is vital, and it is obvious that the Government do not believe that that sense of responsibility has grown up, because if they did, there would be no safeguards. The bare existence of Safeguards——

The DEPUTY-CHAIRMAN (Captain Bourne): I must remind the hon. Member that the point we are discussing is Federation. The Debate has been given a great deal of latitude, but I hope the hon. Member will confine his remarks a little more closely to the Amendment.

Mr. WILLIAMS: The Amendment, as I interpret it, proposes to displace responsibility at the centre within the Federation by something involving a central council, in which there would be no responsibility, and it is because the whole question of responsibility arises that I was dealing with that issue. I am never one of those who seek to go beyond the limits of debate allowed, and I will do my best, but it seems to turn so largely on the question as to whether the people concerned have the sense of responsibility. If this Amendment is carried, we shall be setting up responsibility in the Provinces without any form of responsibility at the centre. It does not rule out a measure of federation, because the Bill would still definitely link the Government at the centre in the way the Bill lays down with the Government in the Provinces. There would still be a federation, but a federation in which the executive had no responsibility whatsoever to an elected assembly and where the elected assembly would not have, as I interpret the Amendment, any legislative powers.

It is because this Amendment would lead to that, that I support it, because if the system failed, it would be easy to restore effective control throughout India without the bloodshed which otherwise might be necessary, whereas if responsibility at the centre is transferred to a substantial extent, to the setting up of a legislative assembly with ministers partly responsible to that assembly, it would not be as easy to deal with the matter as under the provisions of the Amendment. The views I am now expressing are not views which I have acquired from other people. The Secretary of State may possibly remember my writing to him on this matter as long ago as July, 1931, before he held his present exalted office, and I gave arguments to him in a personal capacity—I will not read them out, but the right hon. Gentleman may remember them—in which I indicated that it is vital that we should not lose that effective control without which we cannot restore stability, if stability breaks down through the fact that the Indian politicians do not possess that essential sense of responsibility without which, as I have said, Parliamentary institutions cannot work.

3.44 p.m.

Sir ARTHUR STEEL-MAITLAND: I too will try to follow the rule, both in the spirit and the letter, of being quite brief, and I wish to address myself simply to the Amendment and to do so from the ordinary, matter of fact standpoint of asking what would actually happen if such a Council of Greater India were brought into existence as is mentioned in the Amendment. From that point of view, I think it would be wise to contrast it with what would have occurred under the Simon Report, the report from which the idea of a Council of Greater India is apparently drawn. Under the Simon Report we should have, of course, as indeed we have under the Fourth Schedule to this Bill, an assemblage of princes or their representatives from the great Indian States, and we should have also representatives from the Provinces. When they met together at the centre it is to be supposed that they would discuss matters of common concern, just as is suggested in the Simon Report, and such as indeed the Assembly very largely does discuss at the present time. Certainly they are the matters which it is contemplated it should discuss in the future—Customs, tariffs, the salt tax, central taxation for the Indian States, railway policy, air communications, trunk roads, posts and telegraphs, currency, and coinage, together with the rest of the list that is set out in the Simon Report.

The Simon Report envisages, as a result of those discussions, that they should have debates on these subjects, that they

should on occasion bring forward concrete proposals on the subjects, that the council should itself be able to appoint committees, and that either the reports of those committees or the resolutions that might emerge from their debates and their proposals should be in turn returned to the Central Legislature, which under the Simon Report would continue to be in existence. I hope that every Member of this Committee will mark what a vital difference that makes. The Central Legislature at this moment is not a responsible body in the technical meaning of the term, but at any rate it does exert a very great deal of influence, and it does as a matter of fact do a great deal of work. Its powers are considerable. In the years from 1921 to 1928—and again I quote from the Simon Report—it passed very nearly 200 laws, five of which were rejected and four the Viceroy had to certify, including the Budgets in 1923 and 1924, but even when the Viceroy and the Legislature were in conflict, it is clear, and is now a matter of common knowledge, that the influence that the expressions of opinion in the passage of these measures, even those which were rejected, and the criticism of Votes with which they disagreed, had upon the action of the Viceroy was very considerable indeed. It was by that means, of course, that the Council of Greater India, as envisaged by the Simon Report, might indeed have been a body with influence. Its resolutions, its proposals, would have been passed on to the Central Legislature, and they, no doubt, would have taken these into very serious consideration as containing the opinions of the Princes as well as of the representatives from British India. From that point of view it is easy to recognise how, under the conditions envisaged by the Simon Report, the creation of the Council of Greater India, coupled with the continuing existence of the Central Legislature, might indeed be a bridge towards ultimate Federation.

But I ask the Committee to contrast that with what would be the case if this Amendment were passed. The Central Legislature, when this Bill is passed, will no longer be in existence, and if it is no longer in existence, the Council of Greater India, if this amendment is passed, will be a pure debating society and nothing else. It might pass its resolutions, and they might be taken into consideration by the Viceroy, but they would not have anything like the same effect as an actual Act being passed, and I can conceive in these circumstances of two results which seem to me to be inevitable. There could be nothing which would more create discontent and annoyance among the representatives of British India than a falling back to a condition of this kind. They would no longer have the same influence on affairs at the Centre as they have at the present time. It would create an amount of discontent and continued agitation which would only have extraordinarily harmful results. It seems to me that if the Princes of British India or their representatives were to come to a body of this kind, where it was made clear from the outset that the result of their deliberations would not have even the weight that has attached to the deliberations of the representatives of British India under previous conditions, one could no longer count on their support and good will in the future to the same extent as in the past.

That being so, I cannot imagine, if these ordinary plain facts are considered by hon. Members that they will really continue to believe that the institution of a council of Greater India under the conditions of this Bill would be likely to be anything but a perfectly disastrous experiment if it were ever carried out. Nobody, however, really envisages that it will be. It seems to be very much like one of those proposals which are brought forward by certain Indian members and which are very much criticised in this House and in India. Some of the proposals brought forward in the provincial councils by Indian members are criticised here as being proposals which are likely to cause embarrassment to those in authority, but those who bring them forward do not really wish to see them passed. I cannot imagine that, especially as the princes themselves have stated that they would never wish to enter Federation unless they had a responsible share in government, any one would really wish to see the Amendment passed.

3.52 p.m.

Mr. ISAAC FOOT: I wish to follow the point that has been deal with by the right hon. Gentleman the Member for Tamworth (Sir A. Steel-Maitland), because yesterday an important statement was made—important not only because it was

[Mr. Foot.]

said in this House, but because it has been so often repeated outside. It was said by the Noble Lady the Member for Perth and Kinross (Duchess of Atholl) that, whatever might have been done and whatever may have been thought in the earlier stages of this discussion, we could not now reply upon the assistance of the princes in this matter. I was astonished by the interruption that was made when my hon. Friend the Member for Broxstowe (Mr. Cocks) was speaking. He stated what I think was recognised as a truism. At the beginning of his speech he said:

"The short answer to the hon. Member who has just sat down"—

he was referring to the hon. and gallant Member for Wycombe (Sir A. Knox)—

"is that the princes have let it be known that they would not come into any scheme at all unless it gave responsible government."

The hon. and gallant Member interrupted to say, "which princes?" and my hon. Friend said "All princes." Then the Noble Lady said:

"Has the hon. Member read the full report of the speech of the Maharaja of Patiala"?—[OFFICIAL REPORT, 19th February, 1935, col. 295, Vol. 298.]

The issue that was then raised, and which was dealt with later in the Noble Lady's speech, was that the basis upon which we have hitherto proceeded during the last four years, namely, that the Princes would not come in except to a Centre that was self-governing and responsible, no longer exists. That was certainly put before the Committee yesterday. I have perhaps in this matter an experience that is not shared by all hon. Members. I remember the very definite declaration in the first instance. I had the honour of serving upon the First Round Table Conference, and I heard the historic declaration that was made by the Maharaja of Bikaner. I had the opportunity of hearing at that time the right hon. Gentleman speaking in the early stages of the conference, and I would like to remind the House of the categorical statements made upon this matter. This was said by His Highness the Nawab of Bhopal:

"We have made it clear that we can only federate with a self-governing British India, and that if British India is not self-governed any federation will be to our own disadvantage."

That was the first clear declaration, whatever may have been his views since——

Mr. CHURCHILL: Or the history behind it.

Mr. FOOT: Or the history behind it. I assume that when this colleague of ours came from India at great inconvenience to put his views before the Round Table Conference, he was stating his own mind. The Maharaja of Bikaner on the same occasion said:

"The Princes have made it clear that they cannot federate with the present Government of India, and we are not going to make any sacrifices and delegate any of our sovereign powers unless and until we can share them honourably and fully with British India in the Federal Executive and Legislature."

The concluding speech at the Round Table Conference was made by a Prince whose name has been frequently quoted in these Debates, and who was quoted by the Noble Lady yesterday. The Maharaja of Patiala, speaking at the last plenary session on the 19th January, 1931, said:

"However that may be, the main principle of Federation stands accepted: and I echo the confident hope expressed the other day by His Highness the Maharaja of Bikaner, that by far the larger proportion of the States will come into the federal structure at once, and that the remainder will soon follow. We have all made it clear, however, that we consider certain things to be essential. We can only federate with a British India which is self-governing, and not with a British India governed as it is at present."

I have quoted three statements that were made at that time by those who were, I suppose, qualified in many respects to speak for their fellows as well as for themselves. It may be suggested that the position has been changed by what has happened. So far is that from the truth, that when we had the sitting of the Joint Select Committee and evidence was given by Sir Michael O'Dwyer, Sir Akbar Hydari, representing the greatest of all the States, reaffirmed the position which had been taken up in January, 1931, and put to him specifically the difficulty that Federation could not be brought within the ambit of consideration unless they were able to federate with a self-governing India. If that be denied, let us know the authority on which it is denied. If it be the fact, it is the Gibraltar of the situation, and nothing that has been said

by the Maharaja of Patiala in the speech that was quoted yesterday in the slightest derogates from that main position.

I have read very carefully the words which the Noble Lady quoted. All that the Maharaja of Patiala had to say, according to the quotation which was given from the " Hindustan Times," was —I am paraphrasing his words—" We offered to come in with them in a system of federation. We understand that some of our Indian friends think that that might be to the disadvantage of India. We have no wish to force federation upon them, and if we come in we must come in in an honourable partnership." For him to have said that is quite consistent with the attitude they have taken all along if there is to be a federation, and all this talk about a council of State, a little debating society, and the formation of academic bodies to discuss matters outside the government of India itself, are entirely irrelevant.

The Noble Lady yesterday put another argument before the Committee which is having some influence outside. She said that the statement made by the right hon. Gentleman about Dominion status had caused alarm among the Princes, that whatever might have been their position before, now that that statement had been made by the right hon. Gentleman, it put them in difficulties. I do not want to take up the time of the Committee, but if there is any challenge upon it, I can go through the speeches. I spent some time this morning in going through the speeches made at the Round Table Conference in which every one of the Princes urged the claim of India to take its equal share with the other Dominions in the Commonwealth. One of the final speeches made at the Conference was that of Sir Akbar Hydari, who, speaking with great authority, said:

" I hope that in two or three months' time the work of this conference will secure such measure of support in India that it will be possible for the various expert committees to get to work and draft a detailed constitution on sound lines. Let us all resolve "—

and the word " all " is printed in italics—

" to convince our countrymen in India that we are on the road to Dominion Status, and let us put the weight of individual effort to achieve success and reach the goal which we have set before us."

He used the words " Dominion Status." Sometimes that phrase was not used by other princes, but we have the words of the Maharaja of Patiala, who spoke of the

" anxiety of the Indian States that India shall rise to her full stature within the British Commonwealth of Nations."

The Maharaja of Nawanagar said:

" I feel sure that only by federation can those aspirations for the dignity and status of India, which we all of us entertain, in due time be achieved, namely, the equality of status with the sister Dominions within the Empire."

So far from the words of the right hon. Gentleman being likely to cause apprehension among the princes, he is only carrying out what they urged upon him or his predecessors in the Government three or four years ago.

There is only one other criticism to which I wish to reply. It was, I thought, a very effective criticism that was made by the hon. Lady the Member for the Combined English Universities (Miss Rathbone). She raised a matter which is very much in the minds of people in this country, namely, the position of the Indian Indians as distinct from the British Indians. She said she had voted against the Second Reading of this Bill, and I gathered from what she said last night that she had a little nervousness in talking about it. I wonder whether, if this Bill rested entirely upon her decision, she would kill it. It is one thing, of course, to vote for an Amendment to express one's disapproval of some parts of the Bill, but if the lever were in her hands, if the decision rested solely with her, would she destroy this Measure, with very little prospect of any other agreed Measure being brought before this House?

Mr. CHURCHILL: Agreed? Who agreed? The hon. Member used the expression " any other agreed Measure." I venture to ask who agreed here or in India?

Miss RATHBONE: If I had a lever in my hand I would kill this Bill if I believed the majority of Indian people would rather have no Bill than this Bill. It is only on that part I feel very grave doubt; I cannot feel certainty in any way.

Mr. FOOT: When I said " agreed," I did not intend to suggest agreed in India. What I meant was on the lines

[Mr. Foot.]

I have previously spoken in this House, that while there were many among my friends who disagreed with parts of this Bill, we thought that a common body of agreement had been arrived at between representatives of India and ourselves. It was not in any sense a wholly satisfactory measure, but was a bridge between politically-minded India and politically-minded Britain.

Mr. CHURCHILL: What the hon. Member meant when he said " an agreed measure " was a measure which carried the agreement of the Liberal party.

Mr. FOOT: I do not know that the Liberal party would be agreed in whole support of this measure. As I understand, when we were called into consultation in 1930, no one contemplated that you could, after four years' discussion, get a Conservative, or Liberal, or Socialist measure. Surely the purpose was to see if there could be some measure of agreement, despite our political differences upon it, which could gain the co-operation of India. The hon. Lady took an attitude which I fully approve. She said that if politically-minded India would rather have no Bill than this Bill, it should be rejected. I will accept that myself. If politically-minded India, if those upon whom we have to depend for the working of this measure, will not have the Bill, all that they have to do is to reject it. *[Interruption.]* It is my good fortune in this House to attract a good deal of interruption, but it is all very good-natured. If, as a matter of fact, when this Bill has passed through all its stages, and is then submitted to India, and the politically-minded Indians would rather have no Bill than this Bill, they have the remedy in their own hands. They need not work it, and, if they need not work it, there is no power in this country which could force the Bill upon a universally unwilling people, because we depend upon consent. We have not the people to send over——

The DEPUTY-CHAIRMAN: I think that the hon. Member is getting perilously near a Second Reading speech.

Mr. FOOT: I was referring to the criticism yesterday as to the reception of the Bill in India. Objection has been raised on the ground of Dominion Status, secondly, because of indirect election, and, thirdly, on the ground of the Safeguards. I want to deal with the question raised by the Noble Lady as to the subjects in the States. She asked whether we were, by this Measure, going to confirm the disabilities of those people. Is anyone in this House expected by the passing of this Bill to say that we approve of the conditions in the Indian States? I do not know very much about them. I suffer from a disability because I have nere been in India. Some hon. Members have been in the Indian States, and are able to speak from personal experience. But I have read something about the conditions in the Indian States, and I protest against the suggestion that because we pass this Bill we are anxious to perpetuate the conditions now obtaining in some of the States. As I understand it, the difference is very great between one State and another. I think we have to accept the fact that the Princes are there. They have been there a long time. The right hon. Member for Epping (Mr. Churchill) the other night mentioned the lady who began her treatise with the words " I accept the Universe," and Carlyle commented, " Gad, she'd better." We have to accept India, and we have to accept the Princes. They have been there a long time, and nothing we can do can alter the thing. Our whole trouble in this problem is dealing with the material we have. Perhaps I might venture to remind the hon. Lady the Member for the Combined English Universities of Browning's lines:

> " The common problem, yours, mine, everyone's,
> Is not to fancy what were fair in life
> Provided it could be—but finding first
> What may be, strive to make it fair,
> Up to our means—a very different thing."

That is our problem. We have the Princes and the States there, and, so far from this Bill making things worse, I believe that upon the passing of this Bill two things are likely to happen in the States, namely, in those States where the conditions are worse, that as a result of meeting together in the Federation, as a result of the comparison that will then be established in the Central Parliament, those who are in the worst States will be brought up inevitably towards the standard of the better State. At present you have no such collaboration except in the Chamber of Princes.

You will have members coming from the several States sitting side by side with representatives of the Provinces, and with criticism being brought to bear upon ill conditions, it will inevitably tend to raise the worse conditions to the standard of the better. I think that that will be the first result, and I think, further, the result will be that the healthy rivalry which exists at present between some of the Provinces and some of the States will be for the better of the States concerned. I have heard some of the States claim that education and literacy are better than in the Provinces. It is a very proud boast that they make.

Does not the Committee think that when you have a federation in which the representatives of the States will be sitting side by side with the representatives of the Provinces, there will be every effort on the part of the representatives of the States to justify their presence there, to justify the work of their own Princes and leaders, and that, instead of conditions being worse in those States as a result of Federation, it will be better? I think it is not an unfair suggestion to make that the probable result will be that the States will be desirous of being on terms of comparison with the provinces, and I further suggest that when you have established a federation where the representatives of the Princes sit side by side with the elected representatives of the Provinces, you will have established in that self-government and in the desire for self-government, a leaven which is bound to work irrespective of political boundaries. In some time that I cannot contemplate the desire for self-government will grow up in every part of India, and if that self-government does not express itself in the forms we have in the provinces it will express itself in a desire by the people of the States for a fuller share in the management of their States, and when that desire is expressed the princes are wise enough men to see that that desire will somehow have to be met. It is for that reason that I would like the hon. Lady to know that we—[HON. MEMBERS: "Order!"] I am sorry if I have offended against the Rules of the House. I turned towards the hon. Lady, as I was addressing my remarks to her. While we appreciate the enthusiasm which she has in this matter, and know that she has taken a leading part in it, I hope we are not less concerned as to the men and women who live in the States of India, and I am a supporter of this Bill because I do not think it will make their conditions in days to come worse, nor even that it will stabilise present conditions, but that it offers the only hope for those improved circumstances which we trust will come about.

4.16 p.m.

Mr. RAIKES: The hon. Member for Bodmin (Mr. Isaac Foot) takes the view that this Amendment is impossible because the princes have laid it down in the past that they would not come into a council of Greater India. He assumed that that must dispose of the whole matter. It is rather curious that my hon. Friend advances that assumption, but is not prepared to accept also the correlative fact that the Indian politicians have already rejected this Bill. They have already passed an Amendment in the Legislative Assembly in which they have denounced the principles of this Bill, and if my hon. Friend were logical he would say that we must go no further with this Bill now.

Mr. FOOT: Can the hon. Member inform me of any responsible body in India, or any responsible politicians in India, who have said they will not work the Bill?

The DEPUTY-CHAIRMAN: I think the Debate is now getting to the point of a Second Reading Debate, against which I warned the hon. Member for Bodmin (Mr. Isaac Foot).

Mr. RAIKES: In the circumstances I shall, of course, proceed no further in dealing with the hon. Member for Bodmin, although I could deal with him most adequately did opportunity offer. I would like to pass to the general criticisms advanced by hon. Members who are opposed to this Measure, and by so doing I think I can keep in order. It is not our wish to be obstructive in any way whatever. Those who are opposed to Federation are anxious to tackle the problem, and we very much welcome the observations made by the Secretary of State himself to show how he welcomed the fact that we were sincere in the line we are taking. The right hon. Member for Tamworth (Sir A. Steel-Maitland) said a few moments ago that if we set

[Mr. Raikes.]

up this Council of Greater India, we should, in effect, be setting up a mere barren debating society, possessed of no power at all, and that as the present existing Central Legislature would go out of existence the Indians at the Centre would have considerably less power than they now have, and that very considerable friction would result. As a matter of fact, the object behind the setting up of a Council of Greater India is not at the moment to dissolve the Central Legislative Assembly as such. Undoubtedly its powers will be diminished, because at the same time powers will be transferred from the present Central Legislature to the Provinces—though it is not possible for me at the moment to go into that side of the question—and we shall be giving more power to Indians in the Provinces than they enjoy at the Centre; and it is going a long way for my right hon. Friend to suggest that if such a council could be set up, a council which comprised representatives of the Indian States, leading politicians in India, and so on, even though they were then in an advisory capacity, it would be nothing more than a mere empty debating society. It is obvious that a body of that character, airing opinions far more widely than it would be possible for them to do in the proposed Central Legislature, because there would be no bounds to the things that might be discussed, would be able to exercise an influence which would be very potent.

Various other points were raised last night by hon. Members who were criticising this proposal and I would like to touch shortly on one or two of them. The right hon. Member for Sparkbrook (Mr. Amery) tackled the whole question of dyarchy, and said that, after all, dyarchy will matter less under the existing scheme than under any other scheme which is possible to consider, because the line of division will simply be defence and foreign affairs, will, in fact, be a very easy division between those things for which Ministers are responsible and those for which they are not. But the right hon. Gentleman knows as well as I do that defence touches the whole question of finance in India. In the present budget of the Central Legislature the army estimates, leaving out debt and pensions, amount to somewhere about £34,000,000 out of the £58,000,000 which makes up the central budget, and if we add pensions and debts it will be found that in the new legislature somewhere about three-quarters or more of the money raised under the budget will be outside their scrutiny. I cannot imagine ministers will say that this is a pleasant form of dyarchy under which they are allowed to play about with £9,000,000 or £10,000,000 and cannot touch the remaining £50,000,000. Whatever may be the merits of this scheme it is dyarchy at its worst, because it is dyarchy under which a considerable degree of paper power is given to ministers in the Central Legislature, but a power which is found to be of comparatively little value when we come down to the "brass tacks" of money. That is why I was very much surprised when I heard a new voice uplifted last night. The hon. Member for Morpeth (Mr. G. Nicholson) leapt to his feet to tell us, after a very short visit of discovery to India, that he had found a very remarkable thing. He discovered in the course of those few weeks that the new scheme is the best we could have because there ought to be no half-way house between responsibility and irresponsibility. I wish the hon. Member were now in his seat, because if he were I should suggest to him that he is the only person either in India or in this country, who really believes that this scheme means no half-way but complete responsibility for Indians and India. Indeed, if he became unique by going out to India for a few weeks he might have been wiser if he had stayed at home and saved his fare, because whatever the scheme may do it does not pretend to give complete responsibility. It is dyarchy and it must be accepted as dyarchy.

The hon. Member for Finchley (Mr. Cadogan) very fairly faced the question of dyarchy last night. He said the Simon Commission had protested against dyarchy, but that he and other Members had since decided that it was impossible to avoid having dyarchy, and dyarchy we were faced with. It is easy enough for the hon. Member to say that, but the fact remains that every single argument that the Simon Commission raised against the perpetuation of dyarchy remains as when laid down in their report. There is a further point which I do not think has been touched on very much recently. It was assumed by the hon. Member for Finchley, and, indeed, it has been

assumed throughout, that if the Princes had shown any real sign of coming-in in the days of the Simon Commission the commission would not have played about with this idea of a Council of Greater India, but would have jumped the whole chasm at once and would have recommended All-India Federation. That may be so, but, nevertheless, as I recollect it, the Simon Commission did lay down among certain other things in regard to British India that one of the difficulties was that the individual units in British India had not yet in many instances achieved political consciousness, and until there was political consciousness among the various units in a sub-continent like British India it was very difficult to envisage a Federation. The Princes may or may not become politically conscious, nobody knows that, but there is no evidence that political consciousness in India has developed among the Indians themselves, outside the political class, to any great extent, since 1928, when the Simon Commission went out.

The difficulty which many of us find who are opposed to this scheme of Federation is that we can understand a scheme for handing over complete control to India, though we should disagree with it, but the scheme brought forward to-day does not pretend to do that. It does undoubtedly give political power to a certain class in the Central Legislature. It gives them power, if they wish to do so, to tax the poor more than they are taxed at the present time, but it gives little in the way of complete responsibility. If the safeguards are successful there will be continual bitterness in India. Indians will be saying time and time again, "People have talked about Dominion status, but the safeguards are operating and we have not got Home Rule at all." On the other hand, if the safeguards do not work a Bill will have passed through this House which will have the very effect which we have been told in every Government speech it would not have, and in the view of many of us there will be complete chaos. The object of this Amendment is to try to be rather more practical with India as it stands at the present time. It is perfectly obvious that any scheme put up will be denounced in India, is being denounced by the Indian politicians—no one denies that—and that being so it is just as well to give India a scheme at the centre which we think is the best scheme for her, rather than to try to please people by putting forward schemes which they do not like and which a very great number of Members of this House dislike equally. By establishing a council of British India you would avoid considerable difficulties. You would avoid the vexed question of unequal power between the Provinces and the Central Government; you would avoid the difficulty as to the uncertainty regarding the character and the position of the Central Government in relation to the princes; you would avoid the break in continuity which there is at the present time when the Viceroy's various councils are being altered and changed under the Bill, and you would avoid that morass of difficulty in regard to direct versus indirect election in which question the hon. Member for Bodmin is so greatly interested. If you have direct election, which I know my hon. Friend would desire, it will be based mainly on ignorance; if you have indirect election the position will be still more corrupt. We believe that the Amendment is reasonable. We ought to put forward what we consider the best for India and to anticipate the dangers of a scheme under which, even if the safeguards are active, they will result in considerable danger from the Indian politicians.

4.32 p.m.

Mr. MAXTON: I remember a statement made by the hon. Member for Bodmin (*Mr. Isaac Foot*), at an earlier stage of these discussions, in which he said that in all these matters we were faced by the alternatives of abdication, domination or co-operation. We are told that this is the co-operative way. Having listened to the discussion on this Amendment, I am afraid that most of us want to say, "Why could we not have abdication or domination, one or the other, rather than this totally unsatisfactory attempt at co-operation between things that do not naturally co-operate?" I and my hon. Friends have stood consistently for a number of years for the abdication policy, but that has never been the popular view in Great Britain. There is an overwhelming mass of opinion in favour of the view that our power in India should be maintained, and that view is held by all sections in the House, excepting, of course, the small minority who sit here.

[Mr. Maxton.]

One of the anomalies in the talk about co-operation is revealed by the speech of the hon. Member for Bodmin, who is the great disciple of Cromwell in this country, the chief spokesman on behalf of the parliamentary system and of constitutional, limited monarchy. He comes here and makes a defence for the granting of exceptional powers to absolute monarchs, survivors of times infinitely farther back than the Cromwellian struggle in this country. All the time he was defending the princes to-day and quoting the utterances of the prince of this and the Maharaja of So-and-so and the something else of somewhere else, I thought that he was not as effective as usual. Why should I listen to the utterances of any Maharaja or Prince or some absolute Potentate of an Indian State?

It was one of the most interesting and amusing things to listen to the speech of the hon. Member for Oxford University (Sir C. Oman) last night when he told us how these princes had cheeked, bought and betrayed their way into their positions. Our colleague from Oxford University, and from the chair of history, told us that the Princes of India had got their princely rank in exactly the way that princes have always got their princely rank, by treachery, graft and frame-ups of one kind or another. That was the honoured voice of Oxford University. I know that the hon. Member for Oxford University does not command such a hearing in this House as others who are more parliamentary and less academic sometimes do, but I listened carefully to everything he said and that was the story he told me on history, and I am prepared to accept him as an expert. Now the hon. Member for Bodmin defends the princes and says we have to give them a greater status than they have had before.

Mr. FOOT: I have never defended in this House or elsewhere injustices that may take place in an Indian State. I only said that I believed they would not be worse and that I hoped they would be better.

Mr. MAXTON: We are taking the princes into a partnership and giving them a status in all-Indian affairs and, indeed in the affairs of the British Empire. I take this simple view about the British Empire, that once these men are admitted into a share of self government they get the same status as the hon. Member for Bodmin or myself. I do not want to have any monarch, wielding absolute power of tyranny in his own territory unchecked and able to do what he likes in that territory, to have also some say in what I am doing here. That is going rather farther than I care to go.

The alternative proposed by the Noble Lord who moved this Amendment offers me no way out and that is why I am completely lost in regard to these attempts at co-operation. If the proposal made here said: "Look here, we have only been playing at ruling in India for a couple of hundred years; let us go in and rule it, and if the people will not come up to date let us make them up to date," it would not be one which would appeal to me, but it would be an intelligent proposition which could be pushed to a logical conclusion. On the other hand, if the proposal were, "We have been there a couple of hundred years and have made no impression on the situation; we are coming out, to let the Indian people work out their own Constitution, and if that can only be done by slaughter, well, human history has been full of it, and it seems to be a necessary thing in human progress," that too would be understandable. Those are the two alternative propositions, but the proposal that comes before us to-day is for a bastard hybrid assembly. I do not see that the proposals in the Bill or in the Amendment carry us one step forward towards a solution. The absolute monarchy of these men has remained during all the time British control has existed in India and for more absolute time than has been contemplated by this House. What are the possibilities of these monarchs ruling better or worse? I can see not the faintest tittle of difference between the one proposal and the other. The mass of the people in the Indian States will have to fight for their freedom just as any other workers have had to do. I cannot see the Bill making it easier for the people of the Indian States to secure their freedom, just as I cannot see that the old position made it easy for them to maintain their freedom.

As between the Bill and the Amendment, I can see nothing of such vast importance as to justify the argument between the two sides. The hon. Member

for Bodmin says, "Give us the Bill," and the hon. Member for South-East Essex (Mr. Raikes) says, "Reject the Bill and give us the Amendment because it is rather more frank with the people of India than is the Bill." Is that the way to govern? One is a little less disingenuous than the other. This Federal Council will have no effective power. All the real power is withheld from them; it gives an appearance of a central Indian council representing the Indian people. What is the Amendment? Again, an appearance. That is not Government at all; that is playing with the whole problem of Government. Either you are going to rule or you are not going to rule, and there is no half way out.

4.44 p.m.

Mr. LENNOX-BOYD: The hon. Member for Bridgeton (Mr. Maxton) made some reference to the very vigorous speech yesterday by my hon. Friend the Member for Oxford University (Sir C. Oman). I do not intend to tread beyond the terms of the Amendment, but I must, in justice to the University of Oxford, dissociate the university from some of the observations of the hon. Member for Oxford University. The hon. Member for Bridgeton knows perfectly well that the hon. Member for Oxford University, though a professor of history, is a professor of military history and is in no sense a professor of the history of the Indian Empire. I feel it necessary to say quite emphatically that a good many of the suggestions of the hon. Member for Bridgeton that the Princes of India acquired their power by bribery, corruption and subterfuge are entirely without foundation. The Princes of India, in addition to giving loyal service to this country in some difficult hours of our history did a very great deal to make possible, by their support in the War, the orderly and peaceful conduct of our deliberations here, because the victory of our armed forces enabled the British Constitution to flourish and to work smoothly and in peace.

The hon. Member also made some reference to the situation in regard to the citizens of the Indian States. I would ask him to look at last year's figures of migration from British India into Indian India. If the hon. Member will do me the courtesy of looking at the figures, I am sure he will realise that there has actually been a drift of population from British India into Indian India in the course of the last few years, so that those on whose behalf he claims to speak have thought it worth their while to move from the democracy of British India into territories which are under the benevolent autocracy of Indian Princes.

Mr. MAXTON: I must point out to the hon. Gentleman that I did not mean to show any want of courtesy. I was looking at the speech which the hon. Member for Oxford University (Sir C. Oman) made last night, to see if I had misquoted him. I hope the hon. Gentleman does not think that I was defending the condition of the people in the Indian Provinces as against the condition of the people in the States. They are both wrong.

Mr. LENNOX-BOYD: The hon. Member for Bodmin (Mr. Isaac Foot) declared emphatically that, if politically minded India was not prepared to work these reforms, there was little use in proceeding with them. I do not think he will accuse me of twisting his observations. Later on this afternoon we shall have an Amendment in the name of the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood), which will give my hon. Friend an opportunity of implementing those observations, and I very much hope he will lend the powerful support of the party on whose behalf he speaks to an Amendment to provide that these proposals shall not be implemented unless the Legislative Assembly in India expressly asks that they shall be implemented.

There were one or two thoughts underlying the speech of my hon. Friend to which I should like to make a brief reference. Apart from his assumption that this is an agreed Measure in India, he also seemed to believe that it was an agreed Measure in the United Kingdom; but nothing emerged more clearly from the discussion in the Committee yesterday afternoon than the complete unreadiness of His Majesty's Opposition to accept this federal proposal as a permanent settlement of the Indian constitutional problem, and I feel that many of those in the Conservative party who are being prevailed upon to vote for the federal system, in the belief that it will be a final settlement of India's

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constitutional agonies, will, after listening to the observations of hon. Members opposite, be inclined to pause in their acceptance of that view. The hon. Member for Bodmin also suggested—I think he will agree with me that it was implicit in his observations—that the Amendment standing in the name of my Noble Friend the Member for Aldershot (Viscount Wolmer) rather implied a belief that the Princes of India might be prepared to associate themselves with the existing Government at the Centre. It is not, however, the case that we had any such idea in mind. We recognise quite fully that you cannot expect the Princes of India to associate themselves with the present Central Government in India——

Mr. ISAAC FOOT: Not only did they say that they were not prepared to associate themselves with the Government as at present constituted, but they said that they would not come into a Federation where there was not a self-governing India at the Centre.

Mr. LENNOX-BOYD: I do not think there is very much is dispute between my hon. Friend and myself on that point. I think he will agree that those on whose behalf I am now speaking fully appreciate the immense value of the collaboration of the Indian Princes in the Central Government of India. We fully recognise that the situation will be changed if they are fully and freely prepared to associate themselves with the Central Government. We recognise what the Chancellor of the Duchy of Lancaster described in such graphic terms, namely, the stability and confidence which the collaboration of the Indian Princes would bring; but we urge emphatically that a far safer opportunity of securing this collaboration for the benefit of the Indian people would be found if, in the initial stages, constitutional development at the centre takes the form of an advisory council.

I am not going at length into the arguments advanced yesterday, but the hon. Member for Bodmin and the hon. Member for Bridgeton dismissed the advisory council as an academic debating society. One of my hon. friends dealt very fully with the position under the proposed reforms at the Centre, whereby some 80 per cent. of the revenue to be dealt with will be outside the direct control of the Indian Ministry. I hold strongly that it is far better frankly and freely to recognise that what we expect, both from the Indian politician and from the Indian Princes, is advice and collaboration, rather than a share in the direct executive authority at the Centre. My right hon. Friend the Member for Sparkbrook (Mr. Amery) made some suggestions yesterday which might give the impression that my Noble Friend and myself are anxious to keep the Indian States out of India. We have no such ambition at all. I repeat once more how anxious we all are that the interests of Indian and British India should be regarded as so closely interlaced that they cannot be considered apart; but we would ask whoever replies to this Amendment to give stronger reasons than have hitherto been advanced why an advisory council will not at this stage meet Indian and British needs.

My hon. Friend the Member for Finchley (Mr. Cadogan), in the course of a very able defence of his change of attitude, made very little reference to certain statements in the Simon Report which we claim are in no way altered by the possibility of the Princes coming into the Government at the Centre. The Simon Report said that:

> "Constitutional progress should be the outcome of practical experience."

We hold very strongly to the view that a central advisory council will provide full and free opportunities for practical political experience. It will demonstrate quite conclusively, and we are prepared to recognise the lesson if the lesson is shown, their capacity to work in the spirit of partners institutions which have never before been attempted at the Centre. The "Times" newspaper, before it had lost all sense of proportion on the subject of Indian Constitutional reform, at a time when my Noble Friend the Member for Horsham (Earl Winterton) was describing it as the oracle of mugwumpery—that was a little before his intervention on the Government side of the Indian dispute—the "Times" newspaper, on the occasion of the report of the Simon Commission, dealt with one of the commission's recommendations, that there should be an all-India advisory council. There was no suggestion made then that this idea of an advisory council was derogatory to the Indian people, or that it would not afford full and free

opportunities of bringing both princes and British India together to collaborate on matters of common Imperial concern. The "Times" newspaper urged Indian politicians, to quote its own words:

"to ponder on this report, and to find in the following passage the most complete refutation of the theory that the change of direction suggested by the report tends away from Dominion precedents."

This brings me in conclusion to some observations made by my hon. and gallant Friend the Member for Altrincham (Sir E. Grigg), who said last night that you cannot do with one part of the Empire what you are not fully prepared to do also in every other part. The Simon Report—and it was to this passage that the "Times" called the attention of Indian politicians—said quite clearly

"that in Australia and South Africa unity at a common centre was only brought about a substantial time after each of the constituent units, or at any rate most of them, had achieved self-government. The same thing is in substance true of the Dominion of Canada."

I have long and earnestly pondered on this question of responsibility at the Centre and a Federation of all India. It is in no desire to find fault with every detail of the Government's programme that I would urge the Secretary of State to deal in more detail than has hitherto been done with the terms of the Amendment, which proposes that an All-India advisory council should be set up. I hold very strongly to the view that Indian politicians, if they carry out that proposal in the proper spirit, will show their aptitude for Western institutions, and the Indian States, if they can bring their great influence to bear, will have deserved the tributes which in all quarters of the House we are fully prepared to pay them.

4.55 p.m.

Mr. MOLSON: The hon. Member for Mid-Bedford (Mr. Lennox-Boyd) has asked for some reasons why at the present time we who support the Bill do not regard the proposal of an advisory council as adequate. I will try, before I sit down, to give some reasons as to why, in the first place, the Indian States expressed their willingness to enter into Federation. I could not help being struck by the strange agreement between the hon. Member for South-East Essex (Mr. Raikes) and the hon. Member for Bridgeton (Mr. Maxton), two hon. Members who do not generally find themselves in agreement, when they both came to the conclusion that there were only two logical paths for this country—either to rule India or to get out. That appears to me to be an unintentional confirmation of the line of argument of the right hon. Gentleman the Member for Sparkbrook (Mr. Amery) last night, when he pointed out that some kind of dyarchy is necessary and inevitable if India is to make steady progress towards self-government in the way laid down in the Preamble to the Act of 1919. Without some kind of dyarchy it would be necessary to make a complete and sudden transition from a state of affairs in which responsibility for the government of India rests upon this House to one where it is entirely transferred. That was logical enough, coming from the hon. Member for South-East Essex, who on a previous occasion went much further than those hon. Members with whom he is associated, and said that he was not in favour of any increase in self-government for India.

The idea of Federation as the ultimate goal in India goes right back to the time of the Montagu-Chelmsford Report. When the Simon Commission came out to India, two bodies with which I was then connected—the Associated Chambers of Commerce and the European Association—both put forward proposals with regard to Federation. I mention that fact because it has been suggested that the idea of Federation only developed at the time of the Round Table Conference. In the original evidence which they put before the Simon Commission, the Associated Chambers of Commerce said that any Constitution which did not include the Indian States would have to be regarded as merely provisional, and the European Association went so far as to put forward definite proposals to the effect that the Viceroy should have two councils, the Viceroy in Council of British India and the Viceroy in Council of Indian India.

The Simon Commission, after devoting two whole chapters to emphasising the importance of Federation, said that, as it was not within their terms of reference to receive any evidence from the Indian States, they wrote to the Prime

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Minister and recommended that some sort of conference should be called together in order that representatives of British India and of the States should meet representatives of the Government in this country with a view to arriving at the greatest possible measure of agreement in regard to the new Constitution, and making adequate provision for the voice of the Indian States to be heard. At the Indian Round Table Conference the Princes came forward with a proposal for Federation. That fact has been denied so often that I had prepared a few quotations regarding it, but the hon. Member for Bodmin (Mr. Isaac Foot) has already dealt with the matter, and I do not wish to repeat what he said. It has been so often suggested that there must have been some sinister motive, some secret influence brought to bear upon the Indian Princes, that I would like to suggest some reasons why the Indian Princes did independently think at that time that it was desirable in their own interests that they should enter into a Federation. A book has been written recently by Mr. Panikkar, an adviser to the Indian States, who has pointed out that in fact there does exist at the present time in India something that is very much in the nature of federation, but it is a federation in which all control is in the hands of the Government of India and the Indian States have no voice and no control in it. He writes:

"In legal theory the States are independent, isolated units, in actual fact they have ceased to be so long ago. . . . The Central Government has exclusive authority by treaty in all matters of defence and international relations and by practice exercises jurisdiction in matters affecting all-India currency, posts, telegraphs, trunk telephones, Excise and maritime Customs, etc. Thus the central authority in India has gradually become an all-India authority in many matters and the legal isolation of the States remains purely theoretical."

The position, then, has been that the present Government of India exercises control in at least three most important subjects which are in most federations subject to the control of the Federal Government. You have the customs, the railways and salt, and all these subjects being administered by the Government of India in the interest in many cases of British India. When, for example, it was decided to stabilise the rupee at 1s. 6d. instead of 1s. 4d., that was a matter which vitally affected the Budget of every Indian State, and yet there was no constitutional means by which the Indian Princes were able to express their views on the subject. Take the case, again, of salt, because salt is a Government monopoly and an important source of revenue to British India. It has been necessary for the Government of India to enter into agreements with each individual Indian State in order to prevent the manufacture of salt in that State and its export across the frontier and sale, to the injury of the revenues of British India.

Take perhaps the most striking example of all, and one of the causes of the great and growing dissatisfaction of the Indian Princes with the present Constitution. Thirty years ago only about 5 crores of revenue were raised by customs duties. Since that time the policy of discriminating protection has been adopted by British India, and the customs revenue is 50 crores. The vast majority of the Indian States have no seaboard and, as the result of that, the subjects of the Indian States are compelled to pay enhanced prices for whatever imported goods they need to buy. The proceeds of those customs go into the revenues of British India and, where a protected policy has been adopted, it is in the interest of industry located in British India in almost every instance and not in the Indian States. That is the principal reason that I would adduce why an advisory council is not adequate for the purpose. It is of the utmost importance that the Indian Princes, who at present so often suffer from the policies that are adopted by the Government of British India, should be in a position to influence the fiscal policy of that Government.

Let me give another and, as I think, a very cogent reason why the Indian Princes at that time decided to enter into Federation. The opponents of this Bill have after some hesitation admitted that, owing to expectations which have been aroused, it is necessary to be prepared to hand over to Indian politicians the administration of the British Indian Provinces. They have never concealed the fact that they feel much doubt as to how the administration of the British Indian Provinces will be carried on by Indian politicians. They have indicated their fears that there may be a decline

in law and order and respect for authority in British India, and yet they are prepared for a policy of that kind to be followed. What must be the attitude of an Indian Prince who shares their fears and sees the prospect of British India becoming more and more democratic? Surely he would feel that it is impossible to stop ideas at any political frontier and that the Indian Princes and their States might very well be in the position of a number of small and scattered autocracies surrounded by the swirl of democratic ideas in British India. It would, therefore, only be a matter of time, if British India to some extent fell into chaos, before the ideas that were prevalent in British India began to penetrate into the Princes' States. I believe that is one of the things that weigh very much with the Indian Princes, that they thought it was more prudent in the interests of themselves and their descendants rather to take a share in the government of the whole of the sub-Continent and to add a conservative and authoritative element to the Government of India in order to make certain that there should not be the unrestricted development of democratic ideas and, at the same time, a deterioration in the standard of administration and rule in British India.

One of the greatest hopes for British trade in the future is that the Indian States should have a greater influence upon tariffs than they have had in the past. Under the existing Constitution the wealthy millowners of Bombay have found it extraordinarily easy to influence Congress and Indian politicians. There has been a great increase in the duties on imported piece goods. As I mentioned in conection with the question of customs, that has meant that the subjects of the agricultural Indian States have been compelled to pay an enhanced price for the piece goods that they needed, because the Indian mills desired a high protective tariff. It is of the utmost importance, in order to obtain a fair and reasonable tariff policy in India, that the agricultural districts in the Indian States should be more fairly and adequately represented.

I should like to express my great regret at the speech made last night by the hon. Lady for the English Universities (Miss Rathbone) and, not greatly to my surprise, she was supported to-day by the hon. Member for Bridgeton. I should be sorry if no protest was made against the attitude those two hon. Members have taken up that there is something wrong in the attitude of His Majesty's Government that certain treaties entered into 100 or 130 years ago to maintain the integrity of the Indian States are a pledge that is binding upon us to-day in law and in honour. In the Harcourt-Butler Committee Report, to which the hon. Lady referred with criticism, a proclamation made by the present King is quoted that those treaties are inviolate and inviolable. Those treaties were entered into at a time when British rule in India was not as firmly established as it is at present, when we stood in great need of faithful friends, without whose assistance there might now be no British rule in India. It is strange to me that the hon. Lady, who is so apt to draw attention to pledges such as that made in 1917 to British India by which we undertook to introduce self-governing institutions into India, should regard pledges given to native India to maintain their existing constitutional system as being less sacred and less binding.

Miss RATHBONE: Has the hon. Member also considered the explanation given by the Harcourt-Butler Committee itself, that the relationship of the paramount power and the States is not merely a structural relationship resting on treaties made more than a century ago. It is a living, growing relationship shaped by circumstances and policy which is, as Professor Westlake has said, a mixture of history, theory and modern fact. If that be the correct interpretation, is it not justifiable to consider whether the modern fact which we are creating in this Bill is the kind of fact which will shape this living, growing relationship in a right direction or a wrong one?

Mr. MOLSON: Without accepting the Harcourt-Butler Committee's Report as being in all matters binding, I would draw the hon. Member's attention to the circumstances in which the committee was appointed. It was appointed because the Indian States were dissatisfied with what they believed to be the encroachments and the increased intervention by the paramount power in the administration of the Indian States. That has been because, as circumstances have changed, the British Government has considered

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itself entitled to an increasing extent to intervene in the Indian States in order to safeguard the interests and the welfare of the subjects of the princes. That is a point which I thought should not be allowed to pass unreferred to.

It has been alleged—and there is no information on the subject—that, when this Bill has been passed, and the exact conditions upon which the Indian Princes may come into the Federation are known, they will refuse to do so. The Conservatives opposite seem to think that they will refuse. The Government on the other hand, whose information I suppose is at any rate as trustworthy as theirs, think the Indian Princes will be prepared to come in. But, whether they do or do not, that is no argument against this Bill, because it provides that, if the Indian Princes are not prepared to come in, if we are not going to have that conservative and stabilising element at the centre, the whole question of responsibility at the cenre will have to be reconsidered.

5.14 p.m.

Mr. CHURCHILL: I do not rise for the purpose of continuing the Debate so much as to ask when we are to have some reply from the Government to the prolonged discussion that has taken place. Since dinner time last night debate has been in progress upon an Amendment of consequence, and so far we have had no information from the Government whether they will accept it or not. We have had no attempt to meet any of the arguments that have been employed in favour of the Amendment and against the policy of the Government. This is a very far-reaching and weighty Amendment and you, Sir, following the convention that is ruling us, that our arrangements give more and not less liberty to the House of Commons of discussion, have allowed us a full discussion of this super-imposition of the federal Constitution upon the broad foundation of the Statutory Commission's Report. That really is the issue. It is not the only time the issue will be raised. It comes up on a great many Amendments. There are a score of Amendments any one of which, if carried, would be fatal to the federal scheme, but this is the first major time at which the matter comes before us. There has been this Debate and there have been all these arguments. We have had no answer whatever from the Government. I suppose the Secretary of State is going to make sure that he has the last word in the Debate.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare) *indicated dissent.*

5.15 p.m.

Mr. CHURCHILL: Then, may I suggest that really on this occasion he might run a little risk and give some guidance as to what his purposes are? For my part, I am prepared to discuss the matter and support the Amendment, and show, as far as I can, the many vicious Clauses which render the Government policy of Federation at the centre injudicious and most pregnant with evil consequences. We have had already two long Debates in which this topic has been greatly raised, and many arguments have been used against the policy of Federation at the centre and no Minister has given any answer of any sort or kind to any of those arguments. Statements have been made in previous Debates on this matter by the Lord President of the Council which have not dealt at all with the arguments used in the Debate, not in the least. They have dealt with questions in connection with groupings of party votes and so forth. No attempt has been made to answer all these arguments. I really consider there is a great volume of argument against the introduction of this federal scheme to which my right hon. Friend might find it worth while to address himself. I am sure that, if he did so, he would strengthen the volume and current of the Debate in the Committee and put us in a position to know the mind of the Government. So far many arguments have been used against Federation, and all that has happened is that Ministers and supporters of the Government who have spoken have confined themselves to saying, " You must have Federation because the princes made an offer and said that their offer only held if there was responsible government. Consequently, there is nothing for it but to put the Bill through." We ought to have something better than that, and I ask my right hon. Friend: Will he reply now to the Debate?

5.18 p.m.

Sir S. HOARE: I really cannot understand the attitude of my right hon. Friend. He has taken part in these De-

bates several times during the last 24 hours, and he has never failed to make a personal attack of some kind upon me. I should have thought that this was not the best way to start a Debate which everyone in all quarters of the House wished carried on in a most friendly atmosphere. We wish to hear each other's points of view with as little heat as possible, and I appeal to hon. Members in every part of the Committee in claiming that I have never avoided, in all the discussions of the last three or four years, any issues that have been raised. I have never failed to deal with any questions which any hon. Member in any part of the House has put. The only reason—and it is a very simple one—why I have not hitherto taken part in this Debate is that I regarded it as a general Second Reading Debate, or something very like it, on the main issue of the Bill, and an issue upon which I have spoken, I do not know how many times. It is a question upon which, time after time, I have endeavoured to give every conceivable detail, and I was under the impression that what, at any rate, most Members of the Committee desired was to put their own views and not to have the whole time taken up with long speeches from this bench. As however my right hon. Friend has thought fit to make these charges against me——

Mr. CHURCHILL: I have not made any charges.

Sir S. HOARE: No, but it is the whole underlying tone.

Mr. CHURCHILL: Really, I think it is rather childish to talk about charges, when all I said was that after six hours debate we should have some answer from the Government. If you call that a charge, you will have plenty of them.

Sir S. HOARE: I take it that the Committee will decide between my right hon. Friend and myself. Anyhow, so far as this Committee is concerned, as my right hon. Friend seems to wish me to give my answer now, I am perfectly ready to give it. [An HON. MEMBER: "Hear, hear."] I must not be drawn aside further, but I thought that my right hon. Friend was quite capable of looking after himself. Anyhow, be that as it may, let me get back to the Amendment. The purpose of the Amendment is to substitute for the federal proposals in the Bill, a proposal for an advisory council of Greater India. I have observed that the Noble Lord who moved the Amendment and my hon. Friends who have supported him have for the most part based their contention upon the recommendations of the Statutory Commission. [HON. MEMBERS: "Hear, hear."] I notice that one or two of them by saying "Hear, hear" imply that I rightly interpret their attitude towards this Amendment. Let the Committee observe the great difference of spirit with which, at any rate, some of my hon. Friends advocate this proposal, compared with the spirit underlying the recommendations of the Statutory Commission. The Statutory Commission recommended a council of Greater India as a very tentative and a very temporary proposal. Let me remind the Committee of the words the Commission actually used:

> "The council of Greater India was designed to make a beginning in the process which may one day lead to Indian Federation."

How different is that attitude from the attitude taken up by more than one of my hon. and right hon. Friends, from which it is quite clear that they regard this, not as a tentative proposal, but as a definite substitute for a long period of time. I think that the Noble Lord who moved the Amendment said 30 years.

Viscount WOLMER: No, a generation.

Sir S. HOARE: He now says a generation. It is longer still. If he will look, he will see that he said 30 years.

Mr. CHURCHILL: Twenty-five years is a generation.

Sir S. HOARE: Anyhow, for a long period of time, as a definite substitute for anything in the nature of a responsible federal centre. Moreover, my Noble Friend and the hon. Friends who support him have ignored a number of other recommendations which the Statutory Commission also made for dealing with the Centre. For instance, the Statutory Commission recommended that the number of the elected members in the British India Legislature should be increased. They recommended further that the official block should be diminished. In other words, my Noble Friend and his hon. Friends select from the Statutory Commission those recommendations that suit them.

Viscount WOLMER: That is exactly what you have done.

Sir S. HOARE: They ignore, on the other hand, those that do not.

Viscount WOLMER: Which you have done, also.

Sir S. HOARE: No, I do not accept that. Instead of a tentative and very definite interim arrangement, they make what is really a permanent proposal of irresponsibility at the centre for an indefinite period of time. The whole essence of the recommendations in the report of the Joint Select Committee is that, over as wide a field as we can safely do it, we should give more responsibility both in the Provinces and in the centre. This proposal, so far from giving more responsibility at the centre, would sterotype irresponsibility for an indefinite time. If it is bad enough to have one irresponsible body at the centre in the shape of a legislature for British India, how much worse it is when you add to it another equally irresponsible body in the shape of the council of Greater India. The council of Greater India will be an advisory body. The whole history of advisory bodies in India has several lessons to teach us. Deprived of any power, they very much tend in some cases to drift into inanition and uselessness.

My own view is that, since the Princes made their offer to come into a federation, it would be the gravest possible mistake to go back to a proposal that was only made by the Statutory Commission upon the assumption that the Princes were not likely to come into a federation for a considerable length of time. Moreover, as far as the Princes are concerned, I feel pretty confident that that the Princes on no account would co-operate in a body of this kind. They made their offer four years ago. They stated then quite definitely that they were only prepared to take a part in the central government of India provided that the central government was not a government under Whitehall, but was a responsible government. Time after time they have made that statement, and from all that has happened since the statement was originally made, I have no reason to suppose that they have withdrawn in any way from that attitude. And, surely, what attitude could be more reasonable? The Princes are not in the least interested in academic discussions about all-India questions. The Princes are directly interested in certain specific features of the modern government of India, and particularly interested in the question of Customs. I would remind the Committee that indirect taxation, including, that is to say, Customs, amounts to about four-fifths of the revenues of India, and in that part of the revenues of India the Princes take a very large share. They pay a very large share of the customs without having control over Customs policy at all. I am convinced that one of the main reasons which have prompted the Indian Princes to insist upon responsibility for an all-India centre is the need that they have felt for having an effective control, not simply an academic voice in a debating society, but an effective control in a policy which so directly concerns them at every turn. In view of that statement and in view, further, of the statements that over and over again have been made on that assumption, I feel convinced that they would not be prepared to co-operate in a Council of this kind.

I have said a word or two about the actual form of the Amendment to set up an advisory council. Let me, before I sit down, say something about what I believe to be the feeling behind the Amendment. I have been very conscious throughout all these years that a great many people, at any rate when they first came to consider this question, have taken the view that the wiser and the safer course is to proceed stage by stage, to make your advance in the Provinces and not to make your advance or to prepare your advance in regard to the Centre simultaneously with the movement that you are making in the Provinces. I daresay that almost every hon. Member has at one time or another been influenced by a feeling of that kind. Certainly, I myself have more than once been influenced by that feeling, and certainly many hon. Members who were on the Joint Select Committee at one time or another were influenced by a similar feeling. But the significant fact is that, with so many of us, the further we have considered these problems, the more we have gone into the details, the more closely we have studied Indian conditions, the more we have been inevitably driven to the view that that course so

far from being the safer and the wiser course is really the more foolish and more dangerous course.

I will not delay the Committee with a detailed discussion of all the reasons that have driven us along that road. Let me rather summarise them in a few sentences. First of all, I think the reason that has weighed with a great many of us, and it is a reason which we ought not to ignore, is the present position of Indian feeling on the subject. There is no doubt whatever but that Indian feeling—when I speak of Indian feeling I mean Indian feeling both in the States and in British India; I mean feeling among all sections, the right, the centre as well as the left wing, is very strong upon the need of dealing with the Centre simultaneously with the Provinces, particularly for the reason that they feel that without action at the Centre, Indian status will still remain inferior in the eyes of the world and in the British Empire as a whole. That feeling is very deep and very universal, and if it is deep and if it is universal it means that it is a mistake to ignore it. If you ignore it you will run the risk of making your Provincial autonomy experiment, an experiment which most Members of this House are willing to make, in the worst possible atmosphere. You are more likely to get non-co-operation in the Provinces if you flout Indian opinion and take no action at the Centre.

It is no answer to urge that there is a wave of criticism going on in India against the Government's proposals. Least of all is it a good argument to say that a very confused debate and a number of more or less contradictory Amendments passed in the Indian Assembly are a reason why this House should eliminate a great chapter from this comprehensive scheme. It might be supposed from some arguments we have heard in the course of the Debate that members of the Assembly in passing the Amendments that they passed the other day were in agreement with the right hon. Member for Epping (Mr. Churchill) and those who sit around him. I observed that my right hon. Friend, I think for the first time, cheered enthusiastically the mention of Mr. Gandhi's name.

Mr. CHURCHILL: Mr. Gandhi is not a member of the Legislative Assembly.

Sir S. HOARE: No, but he is a typical personality in the various sections that oppose the Government's proposals.

Mr. ISAAC FOOT: He was mentioned last night.

Sir S. HOARE: Why has there been this opposition in the Assembly? The opposition in the Assembly comes from two sections, first of all from Congress, who are prepared to take no proposals from this House at all, and who are prepared to accept no safeguards of any kind, and, secondly, from other parties who prefer responsibility in British India to responsibility in an All-India Federation; surely a very different attitude from the attitude taken up by my right hon. Friend and hon. Members who wish not to go further in advance than the Government are proposing but to have a more restricted advance. Be that as it may, the first reason that has driven us along the road for including in this Bill the chapter dealing with federation, is the almost unanimous feeling of political India upon the subject.

Secondly, we have been gravely impressed with the danger of starting these great autonomous provinces without a federal link at the centre, with a body of popular opinion behind it, without which there would be the imminent danger of India breaking up into fragments. I go so far as to say that if we started on the road of provincial autonomy, and did not at the same time make the framework of an All-India Federation, the result would almost inevitably be that we should never have an All-India Federation at all. The provinces would grow up with a very strong provincial feeling behind them, and with every kind of centrifugal force at work. We should have the provinces, with popular support behind them, and we should have a centre weak enough now in many respects but immensely weaker with provincial autonomy once started. We should have these great autonomous provinces, many of them with divergent interests one from the other, but united upon one objective and one objective alone, namely, to extort from the British India centre, a centre without any popular support behind it, the largest amount of money that it could possibly succeed in extorting.

[Sir S. Hoare.]

That state of affairs would be bad enough for India and scarcely less bad for Great Britain. Great Britain has very important interests in the Centre. Take, for instance, the financial interest that we have at the Centre, the interest that depends upon the large sums that are due for meeting the obligations of India to this country, the obligations of the debt, the cost of Indian defence, the cost of pensions for pensioners in this country. I think from the British point of view it would be extremely dangerous to leave the Centre unreformed and at the mercy of these great autonomous Provinces, whose chief objective would be to extort more revenues from the unreformed Centre. That is the second reason why we think it necessary to include the Federal proposals in the Bill.

There is a third reason, which is connected with the position of the Princes. It might be assumed from some criticisms to which we have listened that our sole object in hoping that the Princes will enter the Federation is, to use the words of my Noble Friend the Member for Aldershot (Viscount Wolmer), that they should pull the chestnuts out of the fire for us. That is not in the least the real state of affairs. Obviously, we should all of us welcome the entry into the Central Government of India of a great force of stability and Imperial feeling such as is represented by the Princes. That, in my view, would be a great gain to the Central Government of India, but I am thinking rather of the Princes' position and their own interests in the matter. If I were an Indian Prince I should be extremely nervous in seeing these great Provincial autonomous Governments growing up around me, with popular support behind them, and with the Centre remaining in its present unreformed position. I should feel extremely nervous of the constant pressure that the Provinces would be putting on the Centre for provincial revenue. After all, the Indian States are interested in keeping indirect taxation low, and not high. They pay a great part of the indirect taxation of India, but they have no say in the Customs policy. With these great autonomous Provinces constantly pressing the Centre more and more, it would put the Princes in a most dangerous position so far as their future is concerned.

For these reasons—I have purposely gone into them in greater detail than I intended in order to meet my right hon. Friend's request—the more I think of the problem the more sure I am that the wise and the safe course is to deal with the whole question at once both in the Centre and the Provinces. Any course which eliminates the proposals for the Centre and substitutes for responsible Federal Government the kind of advisory body that is suggested in the Amendment, and does nothing to remove the weaknesses now inherent in the Central Government, so far from being the wise and safe course would be a really dangerous course, that would plunge not only ourselves in great difficulties in the future, but make the position of the Indian Princes much more precarious than it would be if they entered the Federal Government.

Vice-Admiral TAYLOR: Before the right hon. Gentleman concludes his speech, may I ask if he will inform the Committee how it is that the Government are putting forward the proposition of federation at this time when it is an undisputed fact that the federating units in the provinces are not ready for federation for the many reasons so clearly set out in the Simon Commission Report. All his arguments assume that the units in the provinces are ready for federation, but there is not the slightest question that these provincial units are not ready for federation.

Sir S. HOARE: I do not know upon what the hon. and gallant Member bases his conclusion. I take a directly opposite view, I think they are ready.

5.46 p.m.

Mr. CHURCHILL: The Committee will feel indebted to the Secretary of State for the clear and full exposition he has given of the views and position of His Majesty's Government on this serious issue. If I found it necessary to apply a blister in order to procure from the right hon. Gentleman this highly agreeable exertion, I can only feel that it has been attended with success, and, if he is satisfied with his efforts, we are entirely grateful to have received from the Government some guidance as to their views on this subject. The Secretary of State has re-

affirmed the Government's case without attempting in any way—naturally he could hardly do so in so short a time—to deal with the arguments which have been advanced. He has restated the Government's main position. The Princes made their offer to come into a federal system; the Princes said that if they came into a federal system they must be responsible and, therefore, it is necessary for the Government to set up this federal system now. That, in short, is the main position of the Government. The right hon. Gentleman also said that if we were to proceed only with provincial home rule, a centrifugal tendency would be developed in the povinces, and the united focus and harmonious action of India would be destroyed. That is a clear statement of the position taken up by the Government, and also by the Joint Select Committee.

When it is given out, as it has been to-night, with an air of expert authority which the Government quite rightly are entitled to assume, one is entitled to be allowed to point to the fact that other expert bodies, who have given great consideration to this matter, have taken an entirely different view of the philosophical and fundamental basis on which this issue turns. My hon. and gallant Friend, in asking his question was really leading up to a quotation I am about to make from the report of the Statutory Commission. [*Interruption.*] I do not know why hon. Members opposite should laugh; I am surprised at such irreverence. This was a body which contained eminent Liberals, the most pre-eminent Liberal was at its head, and hon. Members laugh because I venture to quote him. I have always noticed that the hon. Member for Bodmin (Mr. Isaac Foot) mocks at every authority which does not suit his argument at the moment, but I will admit that he is not the only man in the House who does that. This is what the Statutory Commission said:

"Even if we were to ignore the Indian States and were to rest content with the provinces as at present constituted, the necessary conditions for bringing a full federal constitution into being are not yet present. The provinces must first become political entities."

I should have thought there was some importance in that. Before we can become political entities, before we can join ourselves together in political parties, we must first be born into this world of sin and woe. The commission go on:

"Even when our proposals for the constitution of the Governors provinces have been embodied in a Statute, the process is not completed. The provincial constitution only begins to exist as a living thing when the forces which operate it are at work and provincial opinion gives it inspiration and direction. Every federal union means the coming together of constituent elements which, while preserving their identities, look to the Centre to deal with matters common to all. Thus the nature of the constituents themselves has a great influence on the form which the federation takes. It is a difficult task."

These are not my words; they are not the words of Tory diehards. This is the Statutory Commission, with the Foreign Secretary at its head, surrounded by Liberals and Labour representatives.

"It is a difficult task to combine the process of devolution with that of integration on a new basis."

These are solid propositions and arguments provided for us in the House of Commons and Lords by our own Statutory Commission, which was sent out and worked in India for two years. They gave us these solid bases of argument and, therefore, I am not so hopelessly divested of authority when I am confronted with the statements of the Secretary of State, which are absolutely contradictory to these main basic propositions. It is by no means the only time that we shall raise this federal issue in its different aspects, but it is the prime occasion. Having listened to many able speeches made by the supporters of the Government from time to time—there are some of them, certainly, who are very able in their statement of their views—I must say that I remain bewildered as to the initial motive power and impulse which lead the Government to insist on bringing a federal system into operation now, and forces us to take this position on the Bill. I have searched to find some adequate and satisfactory reason for it. Nobody wants it in India. With great difficulty the Princes are being brought up to scratch or not, as the case may be. We do not know. The Government have a great advantage over us in this respect, because the Debate is taking place without our knowing the decision of the Princes. With the greatest difficulty the Secretary of State set himself out to have three-quarters of the Princes as the test, but very quickly he had to write it down to one-half——

Sir S. HOARE *indicated dissent.*

Mr. CHURCHILL: A larger number than the present number was originally put forward by the Secretary of State.

Sir S. HOARE: I do not think so.

Mr. CHURCHILL: It is not a question of thinking; it is a question of fact.

Sir S. HOARE: If the right hon. Gentleman doubts my word, I will say "No."

Mr. CHURCHILL: I do not doubt my right hon. Friend's honesty and good faith in the matter, and I hope that such things are not going to be suggested. In this controversy many things have happened during the last four years and I certainly was under the impression, just as honestly or almost as honestly as the right hon. Gentleman, that a higher number of Princes was chosen in the first instance, and, in fact when we put down our Amendment about the three-quarters we understood that we were basing ourselves on the original view. However, the Princes are to be represented, they made this offer and demanded responsible government at the Centre. It reminds me of a saying of the Duke of Wellington to a man who accosted him with, "I believe you are Mr. Smith?" The Duke said, "If you believe that you will believe anything." Why these autocratic Princes should demand responsible government at the Centre I cannot conceive. What happened, as far as we have heard—names have been mentioned, but I will not repeat them—was that some of the Princes, believing that under the Secretary of Stateship of Mr. Wedgwood Benn England was really determined to move out, lock, stock and barrel, met representatives of Congress and did what in ordinary English language is called a deal. The Princes were to be left to run their territories as despotic and hereditary rulers and to help Congress to get responsible government at the Centre. That was the situation which preceeded the so-called offer of the Princes, and that is the explanation, and the only explanation, of their enthusiasm for responsible government.

What will be the plight of the Princes in this new Assembly? Anything more lamentable can hardly be conceived. They will be expected to uphold stability, the Conservative point of view, to sustain the Imperial authority, and be as it were behind the Viceroy. The Chancellor of the Duchy made a most interesting and revealing speech a few days ago, in which he spoke of the advantages of having the Princes in. He made a confession of faith on the matter, very characteristic, very natural and very sincere, in one who has been a party manager. He said: "Here is this large block of votes, one-third of the Assembly, they will put things straight and counteract the evil of democratic and revolutionary tendencies which are manifested in the Congress of India." That is the position. The Secretary of State has shown how much hope he is putting upon this. What is to be the position of the Princes under this ordeal? Congress are not going to be idle in the new Assembly, and any Prince who makes himself prominent in defending Imperial interests and in acting in accordance with his sentiments of loyal allegiance, will be a marked man. He will be the subject of a double attack. Agitation will be raised in his dominions behind him, disorders will occur, comments and criticisms will be made, and there will be pressure at the centre, to show how he is a reactionary, is neglecting his State and how much happier they are in the States of those Princes who have conformed to the views of Congress. I say they will be in a dreadful position. If you imagine that they are going to be an element of stability, I believe that you make a profound mistake. There will be no element of stability there. Once the British power has definitely disinterested itself in this aspect of our affairs in India the Princes of India have no choice whatever but to throw in their lot with their own fellow-countrymen, and that is what they will do under the remorseless pressure of political events.

Mr. MACQUISTEN: Safety first.

Mr. CHURCHILL: As my hon. and learned Friend says, "Safety first" will not necessarily be a motto confined to the Treasury Bench. In regard to this new register, by going forward in this matter and enforcing a federal system on top of this very large measure of provincial home rule you create, and set Parliament to authorise, a strucure of constitutional polity, a legislative assemby more curiously constituted, more illogically

framed and based than any which has ever been seen in the whole history of constitution-mongering. Here is this body, and you say that it is responsible. I thought that the demand of the Princes for responsible government at the centre was a sham. But the response is also a sham. This is not responsibility at the centre; it is a pretence of responsibility. Almost every conceivable function in which responsible government resides, has been reserved. The protection of minorities, defence, the foreign situation; finance, except 20 per cent. of it—the whole basis is reserved.

What you are giving at the centre is not responsibility. What you are giving is the power to extort responsibility. What you are giving is, by Parliamentary method and by Parliamentary arguments, you having conceded all the argumentative positions, the power to extort inch by inch, and month by month, the full responsibility. But you are not giving it now. In the meantime a constitution is being created, infinitely laborious, infinitely complicated, people voting in and out according to instructions, people voting as representatives of the ancient monarchies, and as newly-elected representatives in the new Assembly, an Assembly which cannot be rectified by any dissolution, just the Princes, representatives and others elected by indirect election—[HON. MEMBERS: "No!"] Yes, it is so! It is an extraordinary situation, a piece of work most laborious but most lamentable when completed. The industry and labour and good will put into it do not remove the fact that the result is wholly undesirable and one which is resented and disliked and repudiated everywhere. You cannot get the Princes, or you will very doubtfully get the Princes, to come forward.

I am not going at this moment into all the methods that have been used. I may have something to say about them later on. But as for the Indian Assembly, an hon. Lady who spoke last night—an independent Member, an independent lady Member—made it quite clear that the dominating opinion in India now is that, rather than have this Bill, they would have the matter reconsidered from the beginning. And that would be a very good thing. You would get a better result, because after all the fighting and nagging and general badgering that have been going on we are getting to a fairly proper comprehension of the situation.

Would it not be wise of the Government, therefore, not to drive the scheme through this Parliament just because they have a very large number of gentlemen here who are ready during the closing months of this Parliament, to walk through the lobbies behind them? The scheme cannot come into operation for four or five years. Why not look a little further ahead? I know the lust of power, the sense of having such a very large majority in both branches of the Legislature, so that what you put on paper with your initial is settled. It is very affecting to the mind. I am bound to say that when I continue my search for any reason which the Government could possibly have had for assenting to the federal system at such great cost to themselves, at such great cost to their party, at such great cost to the people of India, and forcing the system through, I find that a handful of individuals of reputation and strong conviction were engaged at the beginning of this matter, and that these men have had their hands on the lever of power and can pull the great machine of party and Government. I find that to be the principal explanation of the situation in which we find ourselves to-day. It would be perfectly simple for the Government to proceed with the provincial, and to say that the federal system would come into being if the provincial aspect is found satisfactory, if it has made good in the provinces; and that the Government of that day in another Parliament—not this Parliament, but another Parliament—must face the responsibility and the burden of passing the detailed Clauses, instead of bringing the scheme into operation by an Address to the Crown from both Houses, and ramming it through after a single Division.

It is a very grievous thing. I do hope that we are not going to drag the House of Lords into this fight. We are told to attach great importance to an Address from both Houses. As far as I have been able to inform myself, the passing of an Address is not a matter governed by the Parliament Act. So that here you have not the dilatory veto of the House of Lords as affirmed by the Parliament Act. Here you have the absolute veto of the House of Lords, without any reference to the Parliament Act. But this

[Mr. Churchill.]

is a very serious thing. If you suppose that the House of Lords is going to be put into the position of standing against the House of Commons on a matter of this kind, when no doubt there will be a situation of great excitement in India at the same time, I think you are resting absolutely upon an unsure and insecure foundation.

We consider that the plan which is put forward in this Amendment, which may be called the Salisbury Plan—it is not a bad name, for, after all, Lord Salisbury took a great deal of trouble in studying the matter—is really what the Statutory Commission advised, with certain modifications. In principle it is what the Statutory Commission advised. that there should be provincial government, provincial home rule, that integral control should be maintained at the centre and that a consultative body should be provided. That is, in substance, the Salisbury Plan. That is the issue. Imagine what would happen if we heard next week that the Princes were not coming in. There would be a sigh of relief from all over India. But that would be nothing like the sigh of relief which would go up all over the Tory party, and indeed far outside the bounds of party—a feeling of great relief that this wedge which is being driven in to split a great political organisation had ceased to operate and that there would be unity. Not only would there be relief in India, but a greater measure of unity at home, and we should have freed ourselves, we should have prevented the writing of one of the most melancholy, one of the most perverse, one of the most unnecessary chapters in the whole history of the British people.

6.11 p.m.

Mr. MACQUISTEN: I would like to concur in what has been said in support of the Amendment. I have studied the question very carefully, and my view is that to force on an Oriental people a system of Western government is just as foolish as to put British clothes on tropical African negroes. It has very frequently been done in the past, to the damage of their health. The Bill is an absurd proposal.

Question put, "That the words proposed to be left out to the word 'if,' in line 35, stand part of the Clause."

The Committee divided: Ayes, 308; Noes, 50.

Division No. 52.] AYES. [6.12 p.m.

Addison, Rt. Hon. Dr. Christopher	Cazalet, Thelma (Islington, E.)	Eales, John Frederick
Agnew, Lieut.-Com. P. G.	Cazalet, Capt. V. A. (Chippenham)	Eden, Rt. Hon. Anthony
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Chamberlain, Rt.Hn.Sir J. A.(Birm.,W)	Edwards, Charles
Allen, William (Stoke-on-Trent)	Chamberlain, Rt. Hon. N.(Edgbaston)	Elliot, Rt. Hon. Walter
Amery, Rt. Hon. Leopold C. M. S.	Chapman, Sir Samuel (Edinburgh, S.)	Ellis, Sir R. Geoffrey
Apsley, Lord	Clarry, Reginald George	Elliston, Captain George Sampson
Aske, Sir Robert William	Cleary, J. J.	Elmley, Viscount
Assheton, Ralph	Cochrane, Commander Hon. A. D.	Emrys-Evans, P. V.
Baldwin, Rt. Hon. Stanley	Cocks, Frederick Seymour	Essenhigh, Reginald Clare
Balniel, Lord	Colfox, Major William Philip	Evans, Capt. Ernest (Welsh Univ.)
Banfield, John William	Collins, Rt. Hon. Sir Godfrey	Evans, R. T. (Carmarthen)
Barclay-Harvey, C. M.	Colman, N. C. D.	Fielden, Edward Brocklehurst
Beaumont, Hon. R.E.B. (Portsm'th,C.)	Cook, Thomas A.	Foot, Dingle (Dundee)
Benn, Sir Arthur Shirley	Cooke, Douglas	Foot, Isaac (Cornwall, Bodmin)
Bennett, Capt. Sir Ernest Nathaniel	Cooper, A. Duff	Fox, Sir Gifford
Bernays, Robert	Copeland, Ida	Fraser, Captain Sir Ian
Birchall, Major Sir John Dearman	Cripps, Sir Stafford	Fremantle, Sir Francis
Blindell, James	Crooke, J. Smedley	Galbraith, James Francis Wallace
Borodale, Viscount	Crookshank, Capt. H. C. (Gainsb'ro)	Ganzoni, Sir John
Bossom, A. C.	Croom-Johnson, R. P.	Gardner, Benjamin Walter
Boulton, W. W.	Cross, R. H.	Gault, Lieut.-Col. A. Hamilton
Bower, Commander Robert Tatton	Crossley, A. C.	Gillett, Sir George Masterman
Braithwaite, J. G. (Hillsborough)	Cruddas, Lieut.-Colonel Bernard	Gilmour, Lt.-Col. Rt. Hon. Sir John
Brass, Captain Sir William	Culverwell, Cyril Tom	Gledhill, Gilbert
Briscoe, Capt. Richard George	Curry, A. C.	Glossop, C. W. H.
Brocklebank, C. E. R.	Daggar, George	Gluckstein, Louis Halle
Brown, C. W. E. (Notts., Mansfield)	Dalkeith, Earl of	Glyn, Major Sir Ralph G. C.
Brown, Col. D. C. (N'th'l'd., Hexham)	Davidson, Rt. Hon. J. C. C.	Goff, Sir Park
Buchan-Hepburn, P. G. T.	Davies, David L. (Pontypridd)	Goldie, Noel B.
Bullock, Captain Malcolm	Davies, Maj. Geo. F.(Somerset,Yeovil)	Graham, Sir F. Fergus (C'mb'rl'd, N.)
Butler, Richard Austen	Davies, Rhys John (Westhoughton)	Grattan-Doyle, Sir Nicholas
Butt, Sir Alfred	Dickie, John P.	Graves, Marjorie
Cadogan, Hon. Edward	Drewe, Cedric	Greenwood, Rt. Hon. Arthur
Campbell, Vice-Admiral G. (Burnley)	Duckworth, George A. V.	Grenfell, David Rees (Glamorgan)
Cape, Thomas	Dugdale, Captain Thomas Lionel	Grenfell, E. C. (City of London)
Cautley, Sir Henry S.	Duggan, Hubert John	Griffith, F. Kingsley (Middlesbro', W.)
Cayzer, Sir Charles (Chester, City)	Dunglass, Lord	Griffiths, George A. (Yorks, W. Riding)

Griffiths, T. (Monmouth, Pontypool)
Grigg, Sir Edward
Grimston, R. V.
Groves, Thomas E.
Grundy, Thomas W.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hall, George H. (Merthyr Tydvil)
Hamilton, Sir George (Ilford)
Hannon, Patrick Joseph Henry
Harris, Sir Percy
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Hicks, Ernest George
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing-Com. A. W. H.
Jamieson, Douglas
Janner, Barnett
Jenkins, Sir William
Jennings, Roland
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
John, William
Johnstone, Harcourt (S. Shields)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Jones, Morgan (Caerphilly)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Kirkwood, David
Knight, Holford
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Law, Sir Alfred
Lawson, John James
Leech, Dr. J. W.
Leighton, Major B. E. P.
Leonard, William
Lindsay, Noel Ker
Locker-Lampson, Rt. Hn. G. (Wd. G'n)
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Loftus, Pierce C.
Logan, David Gilbert
Lumley, Captain Lawrence R.
Lunn, William
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
Macdonald, Gordon (Ince)
MacDonald, Rt. Hon. J. R. (Seaham)
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEntee, Valentine L.
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
Maclean, Neil (Glasgow, Govan)
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mainwaring, William Henry
Makins, Brigadier-General Ernest
Mallalieu, Edward Lancelot
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Milner, Major James
Mitchell, Sir W. Lane (Streatham)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shepherd
Moss, Captain H. J.
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Paling, Wilfred
Parkinson, John Allen
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pownall, Sir Assheton
Pybus, Sir John
Radford, E. A.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herswald
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, Capt. A. Cunningham-
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Runge, Norah Cecil
Russell, Albert (Kirkcaldy)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney).
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Simon, Rt. Hon. Sir John
Skelton, Archibald Noel
Smith, Bracewell (Dulwich)
Smith, Tom (Normanton)
Smithers, Sir Waldron
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'moriand)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Storey, Samuel
Strauss, Edward A.
Strauss, G. R. (Lambeth, North)
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sugden, Sir Wilfrid Hart
Tate, Mavis Constance
Thomas, Rt. Hon. J. H. (Derby)
Thomas, James P. L. (Hereford)
Thomson, Sir Frederick Charles
Thorne, William James
Tinker, John Joseph
Titchfield, Major the Marquess of
Train, John
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Watt, Captain George Steven H.
West, F. R.
Weymouth, Viscount
White, Henry Graham
Williams, Edward John (Ogmore)
Wills, Wilfrid D.
Wilmot, John
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Womersley, Sir Walter
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE AYES.—Captain Sir George Bowyer and Dr. Morris-Jones.

NOES.

Acland-Troyte, Lieut.-Colonel
Alexander, Sir William
Applin, Lieut.-Col. Reginald V. K.
Atholl, Duchess of
Balfour, George (Hampstead)
Bowater, Col. Sir T. Vansittart
Bracken, Brendan
Broadbent, Colonel John
Burnett, John George
Carver, Major William H.
Churchill, Rt. Hon. Winston Spencer
Cobb, Sir Cyril
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cranborne, Viscount
Critchley, Brig.-General A. C.
Croft, Brigadier-General Sir H.
Davison, Sir William Henry
Dawson, Sir Philip
Dixon, Captain Rt. Hon. Herbert
Donner, P. W.
Emmott, Charles E. G. C.
Erskine-Bolst, Capt. C. C. (Blk'pool)
Fuller, Captain A. G.
Goodman, Colonel Albert W.
Gretton, Colonel Rt. Hon. John
Lees-Jones, John
Levy, Thomas
Lockwood, Capt. J. H. (Shipley)
McGovern, John
Macquisten, Frederick Alexander
Marsden, Commander Arthur
Maxton, James
Nicholson, Rt. Hn. W. G. (Peterst'ld)
Nunn, William
Oman, Sir Charles William C
Raikes, Henry V. A. M.
Rawson, Sir Cooper
Reid, David D. (County Down)
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Somerville, Annesley A (Windsor)
Taylor, Vice-Admiral E. A. (Pd'gt'n, S.)
Templeton, William P.
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)

Wayland, Sir William A.
Wedgwood, Rt. Hon. Josiah
Wells, Sydney Richard
Williams, Herbert G. (Croydon, S.)
Wolmer, Rt. Hon. Viscount

TELLERS FOR THE NOES.—Mr. Lennox-Boyd and Mr. Kimball.

6.26 p.m.

Brigadier-General Sir HENRY CROFT: I beg to move, in page 2, line 35, after "and," to insert:

"by a majority of the elected representatives of each Chamber of the Indian Legislature, and."

In the scheme which is down for the consideration of the Committee, I think it will be agreed that we are abandoning all the precedents which might otherwise guide us. There is nothing in the history of the world, as far as I know, comparable with the federal form of government which we propose to set up in India. All previous federations have been federations of countries, colonies, provinces or states which have come together after having had long experience of self-government, and have joined as willing partners in a federal system or federation. In other words, if I may use the term broadly—I think it covers the ground although in other countries and in the Dominions this has not always been the case—provincial self-government has first been tried and proved and the various provinces have then graduated by consent into a federal union.

In India all those conditions are absent. So far from the provinces in India having had the opportunity of proving themselves capable of the responsibility of government, I think it has been the contention from the Front Bench that they have had very little experience of responsibility at all. We might go even further in regard to municipal government in India and say that the municipalities there are still suffering the pains of birth, and have shown clearly that they are not yet capable of interpreting the democratic conditions and ideals of the Western world. Again, we have in India, and I shall only refer to it very briefly, the great clash of religious rivalries which are more intense, I think, than religious differences in any other part of the world and we have also the permanent segregation of the communal populations of India as a result of that condition. However necessary that may be, clearly it presents difficulties which are perhaps only appreciated fully in India and which make democratic institutions as we understand them in this country practically impossible there.

I may add that the divisions of caste make federal union still more difficult. Anyone who has made a real study of the question will agree that the differences of caste in India are such that we here can hardly conceive them. If we were to attempt to apply a strict interpretation of the caste system we would require to have a large number of different libraries, smoke-rooms, and dining-rooms and even toilet tables, with the result that there would be great confusion. Here in the House of Commons it is possible for me to sit on this bench next to my hon. Friend the Member for Bridgeton (Mr. Maxton). But if he were a Brahmin and I were an Untouchable, it would be essential for him, repeatedly, to go away not only to wash his hands but to have a complete bath and change of raiment. There is no doubt whatever that after going through the Lobby the greatest difficulties would arise among the various gentlemen of these different religious distinctions.

The CHAIRMAN (Sir Dennis Herbert): I hope the hon. and gallant Member will avoid discussing federation generally. We have dealt with that, and I think the Committee must be very careful on this Amendment to keep to the point raised by the Amendment.

Sir H. CROFT: I will endeavour to conform to your ruling, Sir Dennis, but I was trying to convey to the Committee the necessity for Indians having some say in their own questions, because they alone can understand these fundamental differences and difficulties, of which we here know nothing. Under this Bill, after an address from both Houses of Parliament, we find that these reforms will operate, and we are asking that the people of India, who have for all time to live under the reforms which we are passing through this House, should, through their elected representatives, also give their assent. I know that unless there are very grave reasons to the contrary, men of every party in this House must assent to that principle. There would be no question about that on any other issue whatsoever, and if you persist in declaring that India wants this reform and that it is a form of government which is not being imposed upon them against their will, then I say to the Government, "Prove your case,

prove you have no fears, prove that you really believe this is representing the views of India."

I would remind the Secretary of State that he has no other machinery at the present time to which he can refer for endorsement than the machinery set up under the Montagu-Chelmsford reforms, which this House, in its wisdom or in its folly, decided should be the form of government in India. The whole contention of the Government is that these very electors and leaders of political thought whom we are now considering are ripe for these democratic, self-governing institutions embodied in the Bill. If there is a shred of sincerity in the case which is presented, we are bound to consult these people, these elected representatives who are in contact with their electors in India. I realise that the legislative assembly may not be the same one then as it is now, but surely we are not going to depart from the principle of every single federal union we have ever heard of by saying that in this case of India alone the people who are really concerned shall not be consulted.

His Majesty's Ministers again and again have denied that these people to whom we are looking to work this reform are irresponsible. They have always said that their actions are irresponsible because we are only asking them to vote without any executive power; but they would never suggest that the people concerned, the political-minded people in India, are not responsible persons. I say then, Give them that responsibility, give them this opportunity of a sober, wise, executive decision, by saying that they assent to these reforms which you are proposing. To persist without their sanction—indeed, in direct opposition to their will as expressed at the recent elections—would be to violate the traditions of British constitutional history, as far as we know it, from all time. I think it is a mockery of our standards of progress. It is forcing the true spirit of constitutional evolution upon which we have all been brought up in this country.

I want to remind the Committee of how large sections of the Press in this country, when a certain form of government was imposed upon Germany, took it upon themselves to lecture the Government of Germany and to say that what they were doing was very wrong, that the establishment of the Hitler *régime* was only carried out under duress. Was all that nobility of thought mere eye-wash? I cannot believe it. I believe it was sincere. But if we declaim against the establishment of a form of government that apparently has not got the assent of the people of Germany, or which certain newspapers think has not got their assent, surely we ought not to impose a form of government upon citizens of the British Empire unless we are quite convinced and certain that they desire that particular form of government themselves. Without ever consulting the people of this country, we went through, first, the Montagu-Chelmsford reform, the Simon Commission, and then the federal scheme, and ultimately we have threatened Dominion status, and the British people have not been consulted. We have been slithering along this course from surrender to surrender, but at least it is our duty to consult the people of India.

My concluding word is this: The right hon. Gentleman, as everybody knows, believes in this policy. He would not have driven it along this tortuous path, with all its dire consequences, unless he had a very profound belief in the thing, but he believes that under his scheme, or he did believe at the commencement, he was going to bring peace, contentment, and settlement to this Indian constitutional question. All organised political opinion in India has declared that it will not bring peace, that it will not bring contentment, that it will bring far greater agitation than we have known in the past; and if that is a fact, surely it is our bounden duty to consult India before the country is plunged into that agitation which all their political-minded people tell us is inevitable. I, therefore, urge the Government to accept the Amendment, because I think it is really in consonance with the whole idea of British constitutional government. It would be regarded as intolerable in any other country in the world if you were to force this particular reform upon a people where there was any indication from the elected representatives that it was not such a reform as they believed would bring about the contentment which we and they desired.

6.39 p.m.

Sir S. HOARE: I am astonished——

Colonel WEDGWOOD: On a point of Order. Would it not be possible to have some debate on this Amendment before the right hon. Gentleman commits himself?

Sir S. HOARE: May I point out that it was only five minutes ago that my Noble Friend the Member for Aldershot (Viscount Wolmer) asked me to speak?

The CHAIRMAN: May I remind the right hon. and gallant Gentleman and the Committee that at the beginning of these proceedings it was suggested, and I think it was suggested by the Committee upstairs, that it might be convenient for the Government to give its views on an Amendment early? That does not for a moment mean that the Debate is closed or anything of that kind, but it may shorten the Debate considerably if those who propose to take part in the discussion on the Amendment later know what the Government's views are.

Colonel WEDGWOOD: That is my point of Order, and I want to ask whether the only case is to be stated by the extreme Conservative wing, or whether we may not put forward the point of view of plain, ordinary, common sense people.

The CHAIRMAN: The right hon. and gallant Gentleman has already been called on numerous Amendments, and I have every intention and expectation that it will be my duty to call him a good many times in future. It is my duty and I intend to try to see that every section of opinion in the Committee is heard in the Debate.

Sir S. HOARE: I would like to hear the right hon. and gallant Gentleman's views.

Colonel WEDGWOOD: No, you speak.

Mr. EMMOTT: On a point of Order. Who is in possession?

Colonel WEDGWOOD: I cannot believe that the Government are going, at this early hour, to refuse to sanction an Amendment which no Government in this country ever before would have refused to accept. There never has been in all history a case of England giving a constitution to any country in the teeth of the opposition of their country. There is plenty of opportunity of questioning whether the Indians are against this or not. The right hon. Gentleman may say that this is a Bill which will be acceptable to India, which will be good for India, but he is not, as a Minister of the Crown, entitled to say that we will give this constitution to India whether India likes it or not. There are plenty of precedents. Take the case of Ceylon. We passed a constitution for Ceylon only three years ago—Ceylon, a small country. That constitution, which had the backing of the Labour Government and of the Conservative Government, was not forced upon Ceylon against their wishes. The Ceylon people were told that they might accept it or not, that they might go on with the *status quo* or accept that constitution. Are you really going to refuse to India what you conceded to Ceylon, and on what ground?

Who are the people who are to enjoy or suffer this constitution? The Indian people. This Bill has hitherto been put forward as being a Bill for the good of India. If you refuse this Amendment, you must obviously abandon for all time any idea that it is for the good of India that you are acting, or any plea that this is wanted in India. You must fall back upon the argument, which I do not believe the right hon. Gentleman would use, that we are putting this Bill through in order to help England control India. There are certain advantages in this Bill which we know of, from the point of view of England. We get established in India a constitution which nothing could ever upset, because it is based on treaty rights between the Indian Princes and the British Government and the British Crown, and, therefore, this thing cannot be upset. That may be of advantage to England. We may be able to continue to control India in spite of the unanimous opposition of the Indian people. We may be able, by getting under cover of the Indian Princes and millionaires, to find it easier to rule India in the future than in the past. All those arguments in favour of this Bill will have to be used, and you will have to confine yourself to them, if you refuse an Amendment allowing the people of India to decide for themselves the simple question of whether they prefer——

Mr. COCKS: The people of India?

Colonel WEDGWOOD: Certainly—whether they prefer the *status quo* or this Bill. I say "the people of India," because the assembly is the nearest approach to the people of India that you

can get. There is no system by which you can consult them all. The Committee will see an amendment in my name which will allow the provinces to contract out, and to say whether they prefer the *status quo* to their position under this Bill. The Assembly is the proper body to consult. Are we going to assert that the Indian people have not the right to say, "We would rather go on as we are than take this step," and of saying whether they want this Constitution or not? The view has received great support in the Committee and the Press of the country that the people of India are not really opposed to this Bill, and that they are only objecting to it because they want more. When the Bill is through and when they know that they cannot get more, perhaps they may be in favour of it, but for goodness sake let them say so.

I am perfectly certain that no party in India, no body of electors in India, will support this Measure or would not prefer the *status quo* to the new scheme. Here we are passing a constitution for a country which permanently divides it into castes and sects. I do not altogether agree at any time with the hon. and gallant Member for Bournemouth (Sir H. Croft). I do not believe that Indian democracy cannot work because of castes, for I am certain that the best and only way to break down caste in India is through democracy. In legislative councils in India I have seen Brahmins sitting beside the scheduled castes. They are mixing together. We had an admirable speech by the hon. Member for Preston (Mr. Kirkpatrick) the other day in which he pointed out that in his big jute companies in Calcutta they had Indians as well as Englishmen on the boards, and they got along and understood each other, and were friends in consequence. Ten years ago they did not get on. The jute companies in Calcutta were almost purely Scottish, and they would hardly admit an Englishman. Then the Montagu-Chelmsford reforms got through against the wishes and ideas of the hon. Member for Preston, giving the beginnings of democracy to India. Then you got Indians coming on to the boards of companies and Englishmen and Indians of all creeds sitting together at the green benches at Delhi and Madras.

Mr. BRACKEN: One of the reasons why the Indians were on the boards of these companies is that they bought the shares, not that they were convinced by the Montagu-Chelmsford reforms.

Colonel WEDGWOOD: How little the hon. Member knows about these jute companies. Indians had the shares before, but when the Montagu-Chelmsford reforms went through they got on the boards. Now those companies are all the stronger and all the better because they have mixed communities on the boards. The most remarkable change is in the various legislative councils in India. There you are getting people who would not sit and kneel together before sitting and kneeling together now. Caste is breaking down under the influence of democracy, and probably the greatest contribution which we have made to India is that start in the breaking down of caste. It is possible there are a great many people in this House who prefer caste and do not want to break it down. All people who love the Indians and all the administrators out there who are deadly in earnest in their desire to help the Indian people, know that caste is the one barrier to progress. They look forward to representation together as being the best chance of breaking it down. To put through this constitution will make it impossible for all time for a Mahommedan to ask a Hindu for a loaf, or for a Hindu to ask a Mahommedan. The consecration of caste is embodied in this Bill.

The CHAIRMAN: I have already ruled that the Committee must not discuss the question of federation as such on this Amendment.

Colonel WEDGWOOD: My remarks do not arise out of federation, and I was not alluding to it. I am anxious to point out that the people of India are against the Bill, not because they want more, but because they do not want the Bill. If they do not want the Bill and prefer the existing system, we really ought to let them say so. Has it not struck hon. Members as extraordinary how those wretched Indians in Tangasseri are so desperately anxious not to lose their British citizenship and go into an Indian State? The tragedy of that small community can be seen also in Bangalore, but more markedly in Berar. The question

[Colonel Wedgwood.]

of handing Berar over to the Nizam has been discussed for many years. The people of Berar are vocally and enthusiastically anxious to remain inside the British Empire instead of being handed back to the Nizam. Under this Bill you expect Indians as a whole to welcome the scheme which deprives them of their rights as British subjects and puts them under new masters worse than us. I admit we have not governed India always wisely, but at least the people of India know the value of being under Britain, under this House, rather than under the Princes.

The CHAIRMAN: I must ask the right hon. and gallant Gentleman not to discuss the merits of the Federation proposal, but to confine himself to the question of the scheme being adopted by a majority of the elected representatives.

Colonel WEDGWOOD: I have stated the case from the point of view of the Indians; it is their right to be consulted and to decide whether this scheme shall come into operation, or whether they shall stand pat where they are. From our point of view, does not the Committee think it is rather scandalous that we should deliberately hand people over to a different rule against their wishes? What about our traditions? Is it not a little cowardly to run away from our responsibilities for the people whom we are deserting and who do not want us to desert them? If we do not give them this opportunity, if we really pass this Clause without giving them a chance of expressing their wishes, we are betraying the people of India and, still worse, betraying all the decent traditions of Englishmen. We should not do this for any Crown colony. We should not allow America to take over the West Indies or allow the native inhabitants of Tanganyika to be handed back to Germany, but when it comes to 350,000,000 people, we take a different line. If they want it, by all means do it, but if they do not want it, what right have we to commit the crime of forcing them out of the status in which they are at present, and putting them in the miserable position of being serfs for all time of the Indian Princes and millionaires, a position which perpetuates caste and makes it impossible for India ever to be free?

6.56 p.m.

Sir S. HOARE: I do not propose to follow the right hon. and gallant Gentleman who has just addressed the Committee in the wide field that was really covered by the Second Reading Debate. It seemed to me he covered much wider considerations which had very little to do with this Amendment. I propose rather to address myself to the Amendment only. I am astonished that of all hon. Members my hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) should have made this proposal. I was under the impression that he had the lowest possible opinion of Indian politicians, and particularly of Indian politicians in the central States. Now my hon. and gallant Friend is throwing over all his old true Tory traditions and constituting those Indian politicians, and in particular the Indian Central Assembly, into being virtually a constituent assembly to undertake what is really the duty of the Imperial Parliament. From the very start of these discussions, now ranging over more than four years, every British representative, so far as I know, who has taken part in the discussions, has made it clear that the responsibility, for better or worse, is the responsibility of the Imperial Parliament, and that the decisions must be taken here.

Further than that, my hon. and gallant Friend has so far abandoned his Conservative traditions as to draw a distinction between elected and non-elected members. Does that mean that he regards another place as of less account in the constitution than this distinguished assembly? Moreover, he and the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) seemed to think that the Central Legislature is India and that India is the Central Legislature. I demur entirely from that contention. I wish to say nothing in disparagement of either the council of State or the Central Assembly, but I do wish to urge the strongest possible protest against this House surrendering its responsibility as to what it thinks is the best government for India into the hands of anybody in either of those two bodies. Let the Committee note this. Why should we surrender this responsibility in this particular instance? The present Legislature, supposing the Bill goes on to the Statute Book, is the last of its kind. Its

place is to be taken by a totally different kind of legislature, namely, the Federal Legislature. To what worse body could you refer for an opinion of this kind than the body whose place is to be taken by a different kind of assembly, and which would obviously be firmly and resolutely opposed to its own extinction?

What would be the action of this House if at the next General Election a totally different kind of assembly were going to take our place? Should we not see in every quarter of the House considerable dissent from a proposal of that description? The future constitution of India being federal, why should we accept a body of opinion which is non-federal? If we are going to consult any legislature, we should consult the provincial legislatures, but I am not prepared to surrender our responsibility. The proper bodies to consult, if we did so, would be those who are going to take part in the federal system of the future. For all these reasons I say that this Amendment ought certainly to be resisted, for it would mean the surrender of the Imperial Parliament in a matter of vital importance, and make this a reference to the one body which is extremely biased on this question.

7.2 p.m.

Mr. MORGAN JONES: The situation confronting us is intriguing if not amusing. The hon. and gallant Member for Bournemouth (Sir H. Croft) seems to have discovered some political light at last. The hon. and gallant Member has steadily argued throughout these discussions that the people who constituted the Central Legislature in India were of the unfortunate tribe designated by him as Indian politicians. I gather from that term of opprobrium that there is some essential difference between Indian politicians and the hon. and gallant Member for Bournemouth. I want to welcome the hon. and gallant Gentleman's early conversion. There has been talk about conversions recently, and I would like to hear the hon. and gallant Member tell us how he came to be converted to this principle of representative government for the Central Legislature in India. We are going to support this Amendment, and I have not the faintest doubt that the hon. and gallant Gentleman will be glad to be associated with us for once in the Lobby, because he has disclosed that he is no longer prepared to leave the matter of the decision when the proclamation of federation should be made simply to the British Parliament. He wants the Indian people to be associated with this matter.

Sir H. CROFT: I would much prefer the opinion of the British electorate: this is only as an alternative to that.

Mr. JONES: I thought that British opinion had been taken at Wavertree. At least we got as near a view as we could, though he did not appear to get much satisfaction out of it. He takes the view that in a matter of this prime importance the Indian people should have a voice, and not only the Indian people but their directly elected representatives. Here, again, is an even greater advance than I anticipated from the hon. and gallant Member. Let me say that I entirely dissent—and I am sure my hon. Friends do—from the proposition that the Secretary of State laid down, that the only people who should be consulted are those assembled in the British Parliament. I hold an entirely contrary view, and indeed the right hon. Gentleman himself does not take that view in practice, for we have elaborate machinery whereby one section of Indian opinion is being consulted—the least representative opinion—that of the Princes. I ventured to say on the Second Rading that one of the most striking features of the Government's attitude to this problem was the difference of their approach to the Princes and to British India. The Government always takes meticulous care to find out in advance whether the Princes will accept a plan or not. As an example, there is a provision that if this constitution is altered one jot, then all or each Prince is entitled to withdraw from the federation. When it comes to British India, the right hon. Gentleman who, as Secretary of State, ought to reflect their opinion in this House, takes the view that the people he represents here ought not to be consulted at all, that the whole decision rests with the House of Commons alone. We cannot accept that philosophy. We advanced the contrary point of view in the Statutory Committee steadily and without any faltering. So far as I can see, this may be the only occasion when we shall have occasion to second the hon. and gallant Gentleman in vindicating the electoral rights of the Indian people in the Lobby.

7.8 p.m.

Colonel GRETTON: I have not intervened much in this discussion, but perhaps the Committee will bear with me one moment while I say why I am supporting this Amendment. It was a strange and extraordinary argument which was advanced by the Secretary of State. Really there seems to be very little weight in it, and he did not meet that part of the case referring to Ceylon. It is nearly as popular an assembly as that which has been set up in India. I cannot understand the argument why it should not be referred to a body of that kind, because it is referring the matter to a body that is to be destroyed. This measure we are now discussing, if it means anything at all, means an extension of that body on a more liberal basis. Surely this House, when it has reformed itself, has never hesitated on such occasions as the extension of the franchise to replace itself by another House, not perhaps by revolutionary stages, but step by step it has changed its character very materially. Why should the Secretary of State appeal to this House to impose on the people of India measures that he has laid before us, whether the people of India want them or not? It is a strange position which needs more justification. If you are going to set up democratic institutions, set them up in a democratic way, and do not impose them by a dictatorship.

7.12 p.m.

Sir EDWARD GRIGG: I do not want to make a speech, but to offer two observations and to ask a question. To my mind it is the right and duty of this Parliament to give India a constitution without consultation. This Parliament will remain for a long time responsible for the peace and unity of India. That being the case, I can see no reason for giving the power of veto to an assembly representing only one part of India. I listened with immense interest to the eloquence of my hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) on the duty democratically of consulting India about the future constitution. If he is prepared to apply that argument to the constitution in India, why is he not prepared to apply it to tariffs?

7.13 p.m.

Mr. ISAAC FOOT: This matter was discussed in some way by the Joint Select Committee. It had the advantage of the evidence of the right hon. Member for Epping (Mr. Churchill). That right hon. Gentleman in the course of his evidence suggested his own scheme as against the proposals in the White Paper. He was then examined by the Agha Khan, who put to him the question why he did not accept the White Paper, which was generally supported, rather than his own scheme. The right hon. Gentleman replied that he was not prepared to surrender the rights of Parliament in this matter, and that the decision rested with Parliament. There was then a very interesting conversation between the right hon. Gentleman and Mr. Jayakar, who was one of the foremost representatives to come over from India. Mr. Jayakar asked the right hon. Gentleman how he proposed to test the question of whether India should be governed by Britain or by the Indians themselves. In the end Mr. Jayakar suggested that a plebiscite might be taken of the masses of the people of India to whom the right hon. Gentleman referred so frequently. What was the right hon. Gentleman's answer? That Parliament in this matter had its responsibilities which it could not delegate. I am not suggesting that I agree with the right hon. Gentleman, but I was a little astonished to find that this Amendment was down, and perhaps it is not surprising that the right hon. Gentleman, having taken so definite a position about the Imperial responsibility when he was giving evidence as a witness, is not in his place to support an Amendment on the opposite lines. I am sorry the hon. and gallant Member has not the support of the right hon. Gentleman for this Amendment, unless, indeed, he has changed his opinions. I understand from the hon. and gallant Gentleman that the right hon. Gentleman is having a cup of tea, and I must say I think he selected a most opportune moment for his refreshment.

The hon. and gallant Member asked why the Indians should not have some say in these matters. I think they must have a say in these matters, but surely the history of the last seven years is that they have had a great deal of say in these matters. When the Statutory Commission was set up, perhaps a mistake was made. When history comes to be written it will recognise, perhaps, that

a mistake was made then in not doing in 1929 what was more wisely done later; but whether that was so or not, the Statutory Commission when in India made every effort to get in touch with Indian opinion. What has been done since? When the First Round Table Conference was called ample opportunity was given to Indian representatives to have their say. I think there were 13 or 14 members of the First Round Table Conference representing the British Parliament—at any rate under 20—and the membership of that Conference was over 100.

Colonel WEDGWOOD: They were nominated by India, not elected.

Mr. FOOT: I never suggested they were elected. There was no machinery under which they could have elected representatives for that purpose. What was done was to take the opinion of those in India who were best qualified to advise. Those sent over here were, as far as could be seen, representative of every class of Indian opinion. Does the right hon. Gentleman suggest that Dr. Ambedkar was not a representative of the opinion of the depressed classes?

Colonel WEDGWOOD: Most certainly not.

Mr. FOOT: I understand that Dr. Ambedkar and I think Mr. Srinivasa Sastri are not entitled to speak for the depressed classes of India, but that the right hon. and gallant Member is? [*Interruption.*] That may be so, but his claims may not be recognised so easily.

Colonel WEDGWOOD: Oh, yes, they are.

Mr. FOOT: At any rate, we had every section of Indian opinion represented.

Colonel WEDGWOOD: Represented?

Mr. LANSBURY: Except Congress.

Mr. FOOT: Even Congress was represented. When the First Round Table Conference met, out of more than 100 members less than 20 represented the British House of Commons, and the rest were representative of every class of opinion in India. That Conference took a long time. Its work extended over many years, and if any Members of the House have any doubt as to whether Indians had an opportunity to have a say in these matters let them go into the Library and take down from the shelves—though some of the books are not on the shelves; there are so many of them that they are in the cellar—the full records of evidence taken at that time, and they will show that men like Mr. Joshi, representing Labour——

Colonel WEDGWOOD: You say that Mr. Joshi represented Indian Labour. Have you overlooked the fact that for 10 years he was picked out by the Government to sit at Delhi to pretend to represent Labour?

Mr. FOOT: I would like to know whether that view is shared by the other Members on the Labour benches. I should be very reluctant to express such condemnatory opinions upon those who, at much sacrifice to themselves, and at great risk, because of the high state of emotion prevailing in India, risked their political future to come over and take part in those deliberations.

Miss RATHBONE: Did the Joint Select Committee take their advice?

Mr. FOOT: I am not speaking of the Joint Select Committee, but of the First Round Table Conference. Afterwards, there was the Second Round Table Conference, when Gandhi and others associated with him came, and I suppose they are recognised as being representative. After that there was the Third Round Table Conference. Other steps were also taken. A Franchise Committee was set up to deal not merely with the question of the franchise but with the constitution of the Central Chambers. The report of the Franchise Committee, which was under the chairmanship of Lord Lothian, shows that when he and his colleagues went out to India not only did they travel many thousands of miles, not only did they call into their committee a larger number of Indians than they were themselves, but in every Province a committee was set up for the express purpose of dealing with this question. The report of the Franchise Committee is not the work of British politicians. It was, to a very large extent, to the extent probably of nine-tenths of its activity, because of the provincial committees and the assistance they gave, an expression of Indian opinion.

[Mr. Foot.]

When we come to the Joint Select Committee it may be true, as is suggested by the question which was put to me, that many of the recommendations made by the delegates were not accepted. I admit that the term " delegates " is not strictly true, but it is difficult to find a term which would accurately describe their position. These gentlemen and one lady who came from India to take part in the Joint Select Committee were highly qualified by their experience to do so, and I do not know what other machinery could have been adopted. I would be prepared to take their advice quite as readily as the opinion of the present Assembly. It is not a new Assembly. It is the old upper chamber, or, rather, the present upper chamber and the present Assembly, which had not actually before them when elected the terms of this Bill or the report of the Joint Select Committee. Some of the elections took place before the report of the Joint Select Committee was available. It is altogether preposterous to submit that we ought to take the opinion of those two chambers, elected on a narrow franchise, and certainly not fully representative of Indian opinion, when those chambers had no mandate in respect of this Measure and are therefore in no sense qualified to express an opinion.

I would go with the Mover of this Amendment to this extent, that we cannot force this scheme on the people of India. No one suggests that we can force upon people a scheme which they will refuse to work. The consent of the Indian people, in so far as we can obtain that consent, the consent of right and left and central opinion in India, will be expressed in their willingness to work it. If they do not work it all our debates count for nothing. Who is to work it if Indians do not? If it were boycotted by every section of opinion in India it means that we have been condemned to futility in the work we are doing. Therefore, the test comes with the number of people who are prepared to work this scheme, and when we find people to work this scheme we have that measure of approval which will make it possible. I should be very much surprised if those who had spent most time on the Bill—those like the Secretary of State for India—thought that because a Bill were passed in this House and had the consent of the House of Lords and of His Majesty it must be forced upon people who do not wish to touch it or work it. If it ever comes into operation it will be because of that measure of consent that consents to work it, and I should look upon that consent as being much more effective than the chance majority that one might get from two Chambers not qualified to speak for the whole of India and elected upon almost entirely other issues.

Sir H. CROFT: Does not the hon. Member, as a Member of the Liberal party, think it desirable to ascertain whether India wants this reform; and, if so, is there any other machinery by which it is possible for the Indian people to give expression to their views?

Mr. FOOT: The hon. and gallant Member asks, first, whether I think we ought to ascertain whether India wants this reform. The answer is, " Certainly," and we shall ascertain it not by an express question, but from those who will show themselves willing to work it. [An HON. MEMBER: " What do you mean by working it? "] Showing they are willing to stand as candidates under the scheme. It may be that a great many who are at present opposing the scheme will, when they see others prepared to stand, themselves come forward. Next I was asked what machinery there was for ascertaining opinion. I do not believe there is any machinery at present under which we could ascertain the minds of the people of India. The only suggestion is a plebescite and a plebescite was definitely turned down by the right hon. Member for Epping when the suggestion was put to him as a witness before the Joint Select Committee.

7.28 p.m.

Viscount WOLMER: The hon. Member for Bodmin (Mr. Isaac Foot) is the only Member who has attempted a reasoned argument against this Amendment. I apologise to my right hon. and gallant Friend the Member for Newcastle-under-Lyme (Colonel Wedgwood) for having suggested that the Secretary of State should speak early in the Debate, but my hon. Friends and I were genuinely anxious to know the grounds on which the Government proposed to resist the Amendment. I am bound to say, with all respect to my right hon. and gallant Friend, that all we heard in his speech was hairsplitting and persiflage. If the

Government had ever been able to deal candidly with the Indian question they would have made the suggestion we are now putting forward an integral part of their scheme. It does not seem to me to be madness to think that any Constitution is going to work defectively in which the Indian people refuse to take any sort of responsibility. It is like directors saying they will join the board after allotment. We want to make them responsible for the prospectus.

The right hon. Gentleman said this House must not divest itself of its responsibility. A phrase like that comes ill from a Government which is throwing the Indian police to Congress, and the Untouchables to the Brahmins. I wish the Government took a higher view of their responsibilities in this matter. But it is not a question of this House shirking its responsibility. We are not proposing that. We propose that we should frame a Bill, and then take the elementary common sense step of asking elected Indians whether they are prepared to work it. They will then have the chance of either accepting or rejecting it, and the only reason why the Government and the Liberal party are not prepared to take that elementary step is that they know that the Constitution will be rejected.

We hear a good deal of what we have done in connection with Canada, Australia and South Africa, and about General Smuts and others; but have we ever treated any one of the Dominions in this way? Have we ever attempted to bring about the federation of South Africa or Australia without getting the votes of the Legislatures? I would say to the Secretary of State, "You have before you at this moment a signal example of the immense difficulties which attend these great geographical federations, in the case of Western Australia." The right hon. Gentleman spoke to-day about centrifugal autonomy if you did not have Federation; how are you going to strengthen this Federation by trying to force it upon the people of India without their elected representatives taking the slightest responsibility for it? If you try to create centripetal forces to prevent the break up of the Federation, is it not an elementary precaution to ask the representatives of India in the Legislative Assembly, which this Parliament has created and which the Montagu-Chelmsford reforms brought into existence, if they are prepared to take some responsibility for the Constitution which we propose?

What moral authority will this Constitution have in the eyes of Indian politicians if their opinion has never been asked? As the hon. Member for Caerphilly (Mr. M. Jones) has so cogently pointed out, we are asking the opinion of the States and of the princes. What right have the princes and the States to be consulted—moral right I mean; I am not talking about legal right—upon this issue which the Provinces have not? There are two parties to the Federation, and you have to frame the terms of your Bill in such a way that these will be acceptable to the princes and to the States. By doing that you have admitted your obligation to consult the representatives of British India.

Therefore, in refusing this Amendment the Government are doing two things: first, they are divesting this Constitution of the moral authority it would otherwise have, and, secondly, they are allowing the elected representatives of British India to have it both ways. These are to be presented with a Constitution for which they have no responsibility. They can abuse it and decry it as much as they like. They have had no responsibility for it in any degree. The hon. Member for Bodmin spoke about the representatives at the Round Table Conference. Why were those people brought in? They were brought in in order that we should ascertain Indian opinion; but this is surely the final and obvious stage of ascertaining Indian opinion. It is all very well for us to consult the gentlemen whom we nominate, but why should we not consult the gentlemen who have been elected by the only Indians who have the franchise? How hollow that sounded when we were told that an assembly which is going to be superseded could not give a candid or honest opinion. If that motive obtains among Indians how very different they must be from English politicians. No considerable Reform Bill would ever have passed this House if considerations like that had prevailed. Does the hon. Member for Bodmin suggest that there are fewer Indians capable of taking a broad-minded and progressive point of view than there were in English Parliaments which have passed Reform Bills?

Mr. ISAAC FOOT: Would the Noble Lord accept any recommendation that is deliberately adopted as to the Government of India by the two bodies which he now wishes to consult? Would he accept their declaration upon the whole of this matter?

Viscount WOLMER: I would not accept anything until I had seen it. What I am asking for is their right to be consulted. There are two parties in this matter. I am not denying the responsibility of this Parliament, but I say that we can consult, and that it would be a sensible thing to consult, Indian elected representatives without in any way abrogating our responsibility. We have the responsibility of framing the Bill; it is madness and it is not candid to try to pass it into law or bring it into force without consulting Indian representatives as to their taking the slightest responsibility for its well-being. That is part and parcel of the way in which the Government have treated this problem from beginning to end. They have tried to trick English public opinion, and they have tried to trick Indian public opinion, and then they expect their scheme to work. It has not the slightest chance of working when it is based on considerations of that sort.

7.38 p.m.

Miss RATHBONE: I wish to explain why I am not supporting this Amendment, though I hold strongly the view, as I said last night, that the crucial test is: Would India rather have this Bill or no Bill? I refuse to accept this proposal, and I appeal to my right hon. and gallant Friend the Member for Newcastle-under-Lyme (Colonel Wedgwood) and the Labour Opposition and ask them whether they are prepared to say that the test they are going to set up is a good test. They are going to make the rejection or adoption of the present Constitution depend upon the present Council of State and Legislative Assembly. What are those bodies? The Secretary of State has pointed out that one reason why they would not represent the true voice of India is that they would be biased because they are bodies which would be swept away under the new Constitution. I think he was under estimating the strength of his own case when he rested it all on that. Is not this the stronger reason?—Whom do they represent? I am speaking from memory; am I right in saying that the present Legislative Assembly is elected by something like 1,000,000 voters.

Sir S. HOARE *indicated assent.*

Miss RATHBONE: About 1,000,000 of the population of India. Can you say, if you want to listen to the voice of India, that you are going to do it by listening to people who were not elected on this particular issue and who, even if they were, represent the votes of an excessively narrow franchise containing hardly any representation of the women, the depressed classes or labour, and who are naturally prejudiced as everybody in similar circumstances is likely to be, against an enormous enlargement of the electorate which will abolish the privileges of the class which elected them?

I did not rise only to say that, because other Members have said incidentally that this is a narrow electorate and that it is biased. I want to make the further point that it is essential that we should know what the voice of India really is though the Amendment will not show it. It is not true that there is no way. A plebiscite is probably impossible for administrative reasons. Who is going to take a plebiscite of 350,000,000 people? But we are under this Bill proposing to set up provincial legislative bodies all over India by a fairly wide franchise—not so wide as I and many of us would like to see, but reasonably wide so far as the men are concerned and not too bad so far as the women are concerned. Why should this not be our way of testing the opinion of India? Why should it not be incorporated in this Bill that immediately the Provincial Legislatures are called into existence the question should be put to them whether they accept the Measure or not?

The CHAIRMAN: I think the hon. Lady is going beyond the terms of the Amendment when she discusses alternative forms. One particular method is proposed in the Amendment, and I think we must keep to that in the discussion.

Miss RATHBONE: I yield to your Ruling, and I do not wish to discuss the matter at length. I merely wish to put forward the point that we need not think, if we reject this Amendment—I shall feel obliged to vote against it myself—that

there is necessarily no way of making sure whether India wants this Bill or does not want it.

7.42 p.m.

Mr. AMERY: I only want to put two questions very briefly to the Committee. First, do the Committee realise into what an unfair position the passage of this Amendment would put the Indian States? They are already prejudiced by not being represented in the Assembly which is in the position to pass tariffs which have affected them very definitely. If the Amendment is passed, there will be a position in which the assembly in British India can exercise a veto upon the Princes entry, and can continue to impose upon the princes policies which are against their interests. It would be a very unfair use of the power or authority of this House if we were to put an Indian assembly into such a position of unfair advantage over the States. Secondly, is the criticism of my hon. Friends because Parliament has abdicated too much of its powers or because it has not abdicated enough? For four years I have thought that the criticism was that we were surrendering. I remember that my right hon. Friend the Member for Epping (Mr. Churchill) objected to the whole round table procedure. He resented that Indians should even be asked to talk about their future constitution. Yet in the last 24 hours we have been asked successively to abdicate the powers of Parliament in favour of a Statutory Committee to appoint the Viceroy, in favour of an irremovable Viceroy, and now we are asked to abdicate them in a speech made by my Noble Friend the Member for Aldershot (Viscount Wolmer) which, if it means anything, means that the only body which would be competent to frame the future Constitution of India is either a majority of the elected representatives of the present Assembly or an all-Indian constituency. All I ask is, where are we?

7.45 p.m.

Major-General Sir ALFRED KNOX: May I try to reply to the right hon. Gentleman the Member for Sparkbrook (Mr. Amery), who asks if our argument for the past four years has not been that Parliament has abrogated its rights. Most certainly it is. Here you have the Secretary of State and his supporters refusing to submit to the vote of the Legislative Assembly and the Council of State proposals which, if they are not framed with the object of placating the politicians in India, heaven knows why they are framed. As the hon. Lady has just said, it is impossible to get a plebiscite in India, but is it not well known that, anyhow, the cultivators in India would not vote for any scheme like this? What they want is to have British officials near them, and a sense of justice in all their dealings. The hon. Lady says that this would be giving the decision as to the whole future of India to a small assembly elected by some 1,000,000 people. But even if it is small, is it not well known that the politicians of India, who have been agitating for these reforms all along are far less than 1,000,000 in number? Is not the whole object of the reforms to try to placate the politicians; and, if the politicians cannot calculate on the acceptance of the reforms by a majority in the Legislative Assembly, what hope is there of their being of any use?

Several HON. MEMBERS *rose—*

The CHAIRMAN: I hope the Committee will allow me to remind them that there are on the Order Paper many Amendments of very much more importance than this one——

Mr. CHURCHILL: No.

The CHAIRMAN: If the right hon. Gentleman regards it as being of so much importance, that is another matter, but, as far as I can gather from the Debate, there is beginning to get into it a condition of repetition. I am sure we are all anxious to try to do our best to get through the Amendments, so that as many of them may be taken as possible.

7.47 p.m.

Mr. TINKER: I rather resent what you have just said, because there has only been one speech from the Labour benches on the Amendment, and we should like it to be known that the Indian debates in the House of Commons do not depend only upon two parties—the Conservative opposition and what is called the Government; and, whatever may be the wishes of the Chair as to getting through the Bill, we want it to have a proper show.

When I saw this Amendment on the Order Paper, I felt that it was one

[Mr. Tinker.]

which ought to have been moved from these benches, because the mention of elected representatives to any democrat at once arouses his attention, and we always consider that they ought to have our sympathy. On going through the Clause, I found that it provides that this matter shall depend on the two Houses of Parliament, and I asked myself whether either House has any right to say what the Indian Constitution ought to be, as against the elected representatives of India. I admit that I do not know very much about India, but I am a Member of one of the two Houses of Parliament, and am one who will have to say what India is to have; and I think that, if I have that right, the elected representatives of India are entitled to it also.

The Amendment is on the right lines. I do not like to think that we, as English people, ought to dictate to the people of India as to what constitution they should have, without at least giving them some opportunity of saying what they want. The hon. Member for the English Universities (Miss Rathbone) said that the present elected bodies are not representative of India, and, therefore, ought not to have a voice in this matter, but I do not think it would be fair on that ground, seeing that they have some kind of elected representatives, to debar them altogether from having a voice in regard to what their constitution is going to be. On the broad facts of the case I support the Amendment. My only objection to it is in regard to the names attached to it. I am inclined to believe that the hon. Members who have put it down are hardly sincere in what they are proposing; I think it has been put down from some ulterior motive to prevent the passage of the Bill; but, on the broad issue that it would give to the elected representatives a voice in what is desired, I shall, whether that be true or not, accept the letter of it, and therefore shall vote for it in the Lobby.

7.51 p.m.

Mr. MACQUISTEN: I am sorry to speak so late, but it is not my fault, and I hope I shall not be guilty of repetition. Who has made it difficult to govern India in the last few years? The Congress party. And they will be able to make it difficult afterwards. If an amendment of this kind is not passed, they will be able to say: "We did not want these reforms; we never asked for them." It is no use saying that the elected representatives are few in number and do not represent India. They are the best we can get. Members of this House were not elected to support this policy. If we could first get the elected representatives, such as they are, to say that they wanted the reforms, it would be an immense advantage. I recollect, in connection with the South African War, near the end, an instance of the wisdom of securing concurrence. The great Marquess of Salisbury, or some other leading Conservative politician, said that we must dictate terms to the Dutch Boers, but that wise politician, Lord Rosebery, who was once a Prime Minister, said, "No; you must not dictate, for there is no moral weight behind it. You must have a treaty behind it. You must get something signed, to which you can in honour hold them." The Treaty of Vereeniging followed. It was made with General Botha, General Smuts, and others, and we know how loyally they have kept that treaty. There is no man more honoured to-day than General Smuts in this country as well as Africa. He gave us some advice on India the other day when he was here. I hope he will not resent my retaliating with the suggestion that he give equal votes to our black fellow-subjects in South Africa, who are good citizens. One piece of good advice deserves another.

In the case of Ireland, too, we looked around for representative men with whom to make a treaty. Michael Collins and Arthur Griffiths lost their lives through signing that treaty, but we carried them with us. In that case the treaty has not worked out quite as we wanted, but we at least tried to take the Irish with us. We must try something of that kind in India also. It is all very well to have these nominated committees, but, if we do not get something representative, all moral weight will be absent, and then how terribly foolish we should look in the face of a refusal to work the reforms which the hon. Member for Bodmin says is necessary if the Bill is to be any good. He is prepared to gamble and speculate, and we might be placed in an intolerably foolish position as a result of such a gamble. If, however, we got the men who have been making the trouble—the politicians, such as they are,

such representatives as the existing machinery has enabled India to give us—if we got them, because they are representatives, to agree, we should be in a strong moral and political position. At present we do not know where we are, but are going through the motions of making a constitution which may never get into real, practical life.

7.57 p.m.

Sir WILLIAM DAVISON: The hon. Member for Bodmin (Mr. Isaac Foot) and those who support him have been holding up to ridicule those who are associated with this Amendment, because they say that recently we have not been attaching much importance to the opinion of politically-minded Indians. But that is not the point. The point is that the whole object of these reforms is to meet the aspirations of politically-minded India, and, if they do not meet the aspirations of politically-minded India, what is the good of proceeding with them? The other point to which I desire to direct the attention of the Government and the Secretary of State is that the Government should accept this Amendment because it is only a paraphrase of their own words in the introduction to the White Paper, which, on their recommendation, has received the approval of the House. I have referred to the point before, but have had no reply from the Secretary of State. In that introduction, a certain basic assumption is definitely laid down. A basic assumption is something upon which the whole proposal put forward rests. The White Paper lays down in the following words the basic assumption on which all these reforms rest:

> "The present proposals in general necessarily proceed on the basic assumption that every endeavour will be made by those responsible for working the constitution to approach the administrative problems which present themselves in a spirit of partnership in a common enterprise."

I have already given instances to show that every class of political opinion—Mr. Sastri and the Liberals, the Friends of India, the Chambers of Commerce of India, and the Depressed Classes—decline to accept this proposed constitution, and most of them have said that they vastly prefer the present situation. I say to the Government, "As that is your basic assumption, surely you have to ascertain whether the politically minded classes of India are going to accept your proposals. Otherwise they are a sham and a futility." What is the good of scrapping this wonderful organisation to which India owes so much, of which we are all so proud, of which Indians are so proud, and which, as everyone knows and as every Indian will admit, has rendered enormous services to India in the past, before ascertaining that the politically minded classes of India, for whom these reforms are specially devised, are going to accept and work them in a spirit of partnership in a common enterprise?

I ask the Government to reply to that perfectly simple point. I have asked them to do so before, but throughout this Debate they have merely reported what has taken place at some Round Table Conference, and have entirely evaded the points put before them in the House against this Measure. I ask the Secretary of State, what does he mean by saying that all this rests on the basic assumption of partnership in a common enterprise if it is not the intention to ascertain that the people of Inda ask for it and are going to work it in that spirit? I have quoted every class of the community in India, who say they will have nothing to do with these reforms. If that is not sufficient evidence, and if the proposal of the Amendment is not the right way of ascertaining it, let the Government put before the House some means of showing that the politically minded people, and the people of India as a whole, are prepared to work the reforms in a spirit of partnership in a common enterprise.

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

The Committee divided: Ayes, 77; Noes, 230.

Division No. 53.] **AYES.** **[7.58 p.m.**

Acland-Troyte, Lieut.-Colonel	Broadbent, Colonel John	Courtauld, Major John Sewell
Addison, Rt. Hon. Dr. Christopher	Brown, C. W. E. (Notts., Mansfield)	Craddock, Sir Reginald Henry
Alexander, Sir William	Burnett, John George	Cripps, Sir Stafford
Atholl, Duchess of	Cape, Thomas	Critchley, Brig.-General A. C.
Balfour, George (Hampstead)	Carver, Major William H.	Croft, Brigadier-General Sir H.
Banfield, John William	Churchill, Rt. Hon. Winston Spencer	Daggar, George
Bevan, Aneurin (Ebbw Vale)	Cleary, J. J.	Davies, David L. (Pontypridd)
Bracken, Brendan	Cobb, Sir Cyril	Davies, Rhys John (Westhoughton)

Davison, Sir William Henry
Dixon, Captain Rt. Hon. Herbert
Edwards, Charles
Elliston, Captain George Sampson
Emmott, Charles E. G. C.
Erskine-Bolst, Capt. C. C. (Blackpool)
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Gretton, Colonel Rt. Hon. John
Griffiths, George A. (Yorks, W. Riding)
Griffiths, T. (Monmouth, Pontypool)
Groves, Thomas E.
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Hicks, Ernest George
Jenkins, Sir William
John, William
Jones, Morgan (Caerphilly)
Kirkwood, David
Knox, Sir Alfred
Lansbury, Rt. Hon. George
Lawson, John James
Lees-Jones, John
Lennox-Boyd, A. T.
Leonard, William
Levy, Thomas
Lockwood, Capt. J. H. (Shipley)
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Macquisten, Frederick Alexander
Mainwaring, William Henry
Marsden, Commander Arthur
Milner, Major James
Oman, Sir Charles William C.
Paling, Wilfred
Parkinson, John Allen
Sandeman, Sir A. N. Stewart
Smith, Tom (Normanton)
Somerville, Annesley A. (Windsor)
Templeton, William P.
Thorne, William James
Thorp, Linton Theodore
Tinker, John Joseph
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Wedgwood, Rt. Hon. Josiah
Wells, Sydney Richard
Williams, Edward John (Ogmore)
Williams, Herbert G. (Croydon, S.)
Wilmot, John
Wolmer, Rt. Hon. Viscount

TELLERS FOR THE AYES.—
Mr. Donner and Mr. Raikes.

NOES.

Agnew, Lieut.-Com. P. G.
Allen, Sir J. Sandeman (L'pool, W.)
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Allen, William (Stoke-on-Trent)
Amery, Rt. Hon. Leopold C. M. S.
Aske, Sir Robert William
Assheton, Ralph
Balfour, Capt. Harold (I. of Thanet)
Balniel, Lord
Barclay-Harvey, C. M.
Beauchamp, Sir Brograve Campbell
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Birchall, Major Sir John Dearman
Blindell, James
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brown, Col. D. C. (N'th'l'd., Hexham)
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Cautley, Sir Henry S.
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chapman, Sir Samuel (Edinburgh, S.)
Clarke, Frank
Clydesdale, Marquess of
Cochrane, Commander Hon. A. D.
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Cranborne, Viscount
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Crossley, A. C.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Davidson, Rt. Hon. J. C. C.
Davies, Edward C. (Montgomery)
Drewe, Cedric
Duckworth, George A. V.
Duncan, James A. L. (Kensington, N.)
Eales, John Frederick
Eden, Rt. Hon. Anthony
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Elmley, Viscount
Emrys-Evans, P. V.
Essenhigh, Reginald Clare
Evans, R. T. (Carmarthen)
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Galbraith, James Francis Wallace
Ganzoni, Sir John
George, Major G. Lloyd (Pembroke)
Gillett, Sir George Masterman
Glossop, C. W. H.
Goff, Sir Park
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Griffith, F. Kingsley (Middlesbro', W.)
Grigg, Sir Edward
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hannon, Patrick Joseph Henry
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hurst, Sir Gerald B.
Hutchison, W. D. (Essex, Romford)
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
James, Wing.-Com. A. W. H.
Janner, Barnett
Jesson, Major Thomas E.
Johnstone, Harcourt (S. Shields)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Hamilton W.
Kirkpatrick, William M.
Lamb, Sir Joseph Quinton
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lindsay, Noel Ker
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Loftus, Pierce C.
Lumley, Captain Lawrence R.
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Maxton, James.
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Mitchell, Sir W. Lane (Streatham)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shepherd
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Donovan, Dr. William James
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Owen, Major Goronwy
Patrick, Colin M.
Pearson, William G.
Peat, Charles U.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pybus, Sir John
Radford, E. A.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Ratcliffe, Arthur
Rathbone, Eleanor
Reed, Arthur C. (Exeter)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Russell, Albert (Kirkcaldy)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Sanderson, Sir Frank Barnard
Sassoon, Rt. Hon. Sir Philip A. G. D.
Shaw, Helen B. (Lanark, Bothwell)

Shaw, Captain William T. (Forfar)	**Stuart, Lord C. Crichton-**	**Ward, Irene Mary Bewick (Wallsend)**
Shute, Colonel Sir John	**Sueter, Rear-Admiral Sir Murray F.**	**Ward, Sarah Adelaide (Cannock)**
Simon, Rt. Hon. Sir John	***Summersby, Charles H.***	***Warrender, Sir Victor A. G.***
Skelton, Archibald Noel	**Sutcliffe, Harold**	**Watt, Captain George Steven H.**
Smith, Sir J. Walker- (Barrow-in-F.)	**Tate, Mavis Constance**	**White, Henry Graham**
Smithers, Sir Waldron	**Thomas, James P. L. (Hereford)**	**Whiteside, Borras Noel H.**
Somerville, D. G. (Willesden, East)	**Thomson, Sir Frederick Charles**	**Wills, Wilfrid D.**
Soper, Richard	**Titchfield, Major the Marquess of**	**Wilson, Lt.-Col. Sir Arnold (Hertf'd)**
Sotheron-Estcourt, Captain T. E.	**Todd, A. L. S. (Kingswinford)**	**Wilson, Clyde T. (West Toxteth)**
Spender-Clay, Rt. Hon. Herbert H.	**Train, John**	**Womersley, Sir Walter**
Spens, William Patrick	**Tree, Ronald**	**Worthington, Dr. John V.**
Stanley, Rt. Hon. Oliver (W'morland)	**Tryon, Rt. Hon. George Clement**	**Young, Ernest J. (Middlesbrough, E.)**
Steel-Maitland, Rt. Hon. Sir Arthur	**Tufnell, Lieut.-Commander R. L.**	
Stevenson, James	**Wallace, Captain D. E. (Hornsey)**	TELLERS FOR THE NOES.—
Strauss, Edward A.	**Wallace, Sir John (Dunfermline)**	*Sir George Penny and Major George*
Strickland, Captain W. F.	**Ward, Lt.-Col. Sir A. L. (Hull)**	*Davies.*

8.8 p.m.

Duchess of ATHOLL: I beg to move, in page 2, line 35, after "if," to insert:

"a commission appointed in accordance with the provisions of this Act has reported that the financial position of India justifies the establishment of a federation and if."

I do not wish to use exaggerated language, but I regard the omission of any financial conditions for bringing Federation into operation as staggering. I could hardly believe my eyes when I read the Bill and saw that it ignored altogether the financial question in regard to the inauguration of Federation, and later on it equally ignores finance. It is all the more strange because two years ago, when the Government published their White Paper, they did not shirk this question. In paragraph 60, they said:

"His Majesty's Government attach the highest importance to securing to the Federation adequate resources, without which the Federal Government cannot ensure the due fulfilment of liabilities upon which must depend the credit of India as a whole. A possibility which cannot be dismissed from consideration is that economic and financial conditions might on the eve of the inauguration of the new Constitution be such as to render it impracticable to supply the new Federal and Provincial Governments at the outset of their careers with the necessary resources to ensure their solvency. If, after the reviews contemplated above, the probability of such a situation should be disclosed, it would obviously be necessary to reconsider the position and it might, *inter alia*, be necessary to revise the federal finance scheme contemplated in these proposals. Attention may be drawn in this connection to the observations already made at the end of paragraph 32."

If we turn to paragraph 32, we find that another addition is attached to the inauguration of the Federation. The paragraph runs as follows:

"The proposals relating to responsibility for the finance of the Federation are based on the assumption that, before the first Federal Ministry comes into being, a Reserve Bank free from political influence will have been set up by Indian legislation and be already successfully operating. The bank would be entrusted with the management of currency and exchange."

The paragraph concludes:

"If a situation should arise in which, all other requirements for the inauguration of the Federation having been satisfied, it had so far proved impossible successfully to start the Reserve Bank, or if financial, economic or political conditions were such as to render it impracticable to start the new Federal and Provincial Governments on a stable basis, it would inevitably be necessary to reconsider the position and determine in the light of the then circumstances what course should be pursued. If, unfortunately, such reconsideration became necessary, His Majesty's Government are pledged to call into conference representatives of Indian opinion."

We, therefore, have in the White Paper the Government laying down as two essential conditions of the inauguration of Federation and of Provincial Autonomy that India's finances should be in a position which will enable her to fulfil the liabilities which the new Constitution will inevitably bring upon it, and also that there should be already in existence a successfully operating federal reserve bank free from political influences. When the White Paper was published, I do not think that either this House or the country had had any indication given to it of what the cost of the new Constitution was expected to be or what would be the additional burden which would be placed upon the centre as the result of having made good deficits already existing in the proposed new Provinces. But since then the Joint Select Committee has had presented to it very full and extremely serious figures by Sir Malcolm Hailey, who has placed at the disposal of the Government and the committee his great knowledge and experience of Indian finance. Paragraph 6 of that memorandum, presented in July, 1933, sets out three objectives which he conceives it will be necessary for the Gov-

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ernment to pursue, objectives each of which will require financial provision. The first is described as follows:

"To provide the centre with (*a*) a secure means of meeting the normal demands on account of services for which it is responsible, together with adequate reserve power to raise from its own resources the additional funds which those services may in an emergency require, and (*b*) some additional reserve to meet necessary developments in its own sphere of work, of which civil aviation may be taken as an example."

The second objective he described as follows:

"To secure to the Provinces, as a minimum, the amounts now available to them, together with the sums required to meet the ascertained deficits of certain Provinces and to establish the newly-created Provinces."

And the third objective he describes as follows:

"To secure that, when (1) and (2) are satisfied, the main benefits of any improvement in Central finances will inure to the benefit of the Provinces."

Then in paragraph 19 we read:

"Before the first principle put forward in paragraph 6"—

that is to provide the Centre with a secure means of meeting normal demands and so on—

"could be regarded as satisfied it might be necessary to stipulate at least that the pay-cuts should be remitted"—

that is cuts in the salaries of Government servants—

"(involving the provision of about 1¼ crore) and that the emergency surcharges should be withdrawn. The latter postulates that the amount of over 13 crores at present attributable to the surcharges,"—

those are surcharges on taxation put on in the economic crisis of 1931—

"should, owing to economic recovery, be produced by taxes at unsurcharged rates. It may be assumed roughly that other prospective debit and credit items at the Centre will strike a balance. Thereafter the question of creating new Provinces, including the separation of Burma has to be considered. For this purpose further improvement of the Central position would be necessary up to a point at which sums, the range of which may be placed roughly at 6 to 8 crores"—

or from £4,500,000 to £6,000,000—

"could safely be spared. It must be realised that, even with this provision"—

The CHAIRMAN: I am afraid that the Noble Lady now is anticipating the whole of one chapter of Part VII of the Bill, and we cannot discuss the whole system of finance or the form of financial arrangements for the future. We must confine ourselves on this particular Amendment to the question which is set out there of a commission in order to ascertain whether "the financial position of India justifies."

Viscount WOLMER Surely, my Noble Friend is entitled to discuss the financial conditions which have to be fulfilled on the Government's own policy before the Federation can be inaugurated. Surely she can describe them.

The CHAIRMAN: I think that if the Noble Lady will consider for a moment her first words, the whole of that point should arise on the first chapter of Part VII. I think it is obvious that having a whole chapter of some eight Clauses—Clauses 134 to 142—we cannot have a discussion here on an Amendment which would come more appropriately on them.

Duchess of ATHOLL: I am not going to suggest any reform of the financial system of the Government of India, or of the Provinces, as you, Sir Dennis, seemed to think I was going to do. I was merely trying to set forward the evidence presented to the Joint Committee showing the serious financial position in India at the present time and the further obligations which are to be imposed on Indian revenues by the proposed Constitution, and asking that in the Bill there should be inserted a measure leading to the inquiry which the Government themselves said in their White Paper would be necessary, and would even lead to the whole reconsideration of the measure if the financial position of India was found not to be good enough to stand the whole strain.

The CHAIRMAN: If the Noble Lady will confine herself to those limits, I shall certainly not interfere. She has given a most admirable definition of the limits of this Debate.

Duchess of ATHOLL: It was not my intention at all to trespass beyond those limits, but to do my best to keep within them.

The CHAIRMAN: I would suggest that possibly the Noble Lady might expurgate some of the long extracts which she is reading.

Duchess of ATHOLL: I thought that the Committee would be more ready to listen if I quoted the exact statement made to the Joint Committee by the expert whom they called in to advise them; otherwise I have no wish to inflict long extracts upon the Committee. Sir Malcolm Hailey went on to say:

"Whatever the precise value of these figures"—

Those are the figures I have quoted, showing how much of India's revenue at the present time is due to these emergency surcharges of nearly £10,000,000 that were imposed in that financial crisis, that is, about 16 per cent. of the present revenues of the Government of India, and how much also it has been necessary to pay Government servants another £1,250,000, and how this would have to be made good before any new expenditure was undertaken. I might say that a most solemn statement to that effect was made by the chief finance member of the Government of India in 1931 when the surcharges and salary cuts were carried through. That means that before Provincial Autonomy can be brought into operation. He goes on to say:

"Whatever the precise value of these figures, it is in any case clear that some considerable betterment of Central finances, and on an assured basis, must take place before the Centre can make the surrenders necessary to establish the Provinces as independent units on such terms as will allow them to rest securely on their own resources."

I estimate that the cost of what would have to be found for the Provinces is something between 7 and 10 per cent. of the existing central revenue. My right hon. Friend the Secretary of State the other night said that the central revenues would have to find some £4,000,000 for the Provinces. He assured us that that was quite irrespective of any cost of the new Constitution itself. You have to give to the Provinces £4,000,000 of a revenue of about £58,000,000, which is about 7 per cent. If Sir Malcolm Hailey's higher figure of £6,000,000 be taken, it is something like 10 per cent. That, plus the replacement of these surcharges imposed in 1931 and the abolition of the reductions in pay means that something like 16 per cent., plus 1½ per cent., plus 7 per cent., in all about 25 per cent., improvement has to take place in the central revenues if Provincial Autonomy can be brought into operation. In view of that fact, it was not surprising that Sir Malcolm Hailey reminded the Joint Committee that the States had asked for the assurance of the solvency of the Federation before they entered it, when we remember that if and when they should enter there was to be a gradual remission of the contributions which they now pay to the Government of India, and the States' tributes which gradually rise to £750,000 a year. Then, the establishment of the reserve bank means a loss of currency receipts of about the same amount in the first few years of its inauguration. Therefore, it is justifiable to add something like 2 per cent. more to the cost. If to that £750,000 of the contribution is added £560,000, the cost of setting up the proposed federal constitution that means something like 2 per cent. more to the 25 per cent. I have already mentioned, making a total improvement of something like 27 per cent. in the central revenues which is necessary before you can inaugurate both Provincial Autonomy and Federation. Sir Malcolm Hailey goes on to say that:

"It may be felt necessary to examine the fundamental questions whether financial conditions are such as to affect any assumption we may make as to the date on which provincial autonomy can be introduced; and further, whether we can assume such further general recovery as will enable us now to plan out the lines of a Federation on terms which will satisfy the States on the one hand that their financial future under Federation is secure, and British Indian units on the other that under Federation they can hope to obtain the funds to which they look for development."

The question of looking for funds for development purposes brings me to this point, that this increased revenue of 27 per cent. which is necessary to inaugurate Provincial Autonomy and Federation makes no allowance for the increased cost of Government departments at present administered by officials responsible to the Viceroy or to the Governors and which under the Government proposals will be administered by Indian Ministers responsible to an elected Legislature. I think it is common ground between us that when a Minister is responsible to an elected Legislature he necessarily has many demands made on him for increased expenditure. The cost of government in India has very greatly increased since the introduction of the

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Montagu-Chelmsford reforms. The cost of government in the Provinces has gone up in many cases. The report of the Statutory Commission shows how enormously the expenditure upon education has increased, even in the year 1928. Other services also have been treated generously. I think the Governors in all the Provinces have wished to give the utmost help they could to Ministers in administering the new departments placed under their care.

If we look at central expenditure we find that army expenditure has gone up. The cost of administering the civil services has also increased by about 20 per cent., no doubt in order to meet the demands made upon the Indian Legislative Assembly. Therefore, we are faced with the prospect of further demands being made on the central revenues and the Provincial revenues from the departments which will pass into the hands of Ministers who will, no doubt, have great pressure brought to bear upon them for one purpose or another, which will involve increased expenditure. We have to realise that the army has been cut down to the bone in recent years. To-day, army expenditure is £7,500,000 below what it was in 1929-30. The late Finance Member, in one of his budget speeches, stated that in 1927-28 it had been agreed that on account of the economies carried out on the recommendation of the Inchcape Committee army expenditure on equipment had been so much cut down that £7,500,000 more would have to be spent in making good army equipment in the next few years. The financial slump followed shortly after that statement and it has not been possible to make up for that shortage, or for a greater part of it.

Therefore, we are faced with the fact that the Joint Select Committee had put before them in the gravest possible terms the abnormal position of the finances of the Central Government at the present time, and the solemn pledge of the Government of India to restore the abnormalities before any new expenditure was undertaken and to consider the cost of the new expenditure to the central revenue. Further, we are faced with the inevitability of greater expenditure in the transfer departments and a greater liability to increased expenditure upon the army. Yet we find that the Bill says not one single word as to financial solvency being necessary before Federation and Provincial Autonomy are inaugurated. Still less does it state that the reserves must be new reserves from which the means for new expenditure can be found.

It is obvious that the position of the Government has weakened very much on this matter from the position they took up in the White Paper. They made most specific statements in the White Paper that it might be found impossible to inaugurate this experiment through lack of finance. But the Joint Committee said no more than that the Government would undoubtedly assure Parliament that India's financial position was all right before Federation was inaugurated. Provincial Autonomy was apparently dropped out of sight. It is most essential that the commission proposed in the Amendment should be put in the Bill, for the reason that if nothing is said on the point there will be unceasing pressure from many politicians in India to ignore the financial position. Indians are not always very good at facing up to realities. They are full of ideas which they can often express very effectively, but they are not equally good in getting down to brass tacks and standing on solid ground.

Mr. MOLSON: Did I understand the Noble Lady to say that this pressure will be brought to bear to get the Constitution introduced before the necessary finance is available? I was under the impression that in the Debate this afternoon there had been an attempt on the part of those opposed to the Bill to say that there is no chance at all of the Constitution being welcomed or worked.

Duchess of ATHOLL: I do not think that that affects my argument in the least. We have every reason to believe that there are many Indian politicians, a majority, at any rate, who do not want this Constitution, but if the Government insist on bringing it into effect there may well be men who will say: "Then let us have whatever is provided, at the earliest possible moment." There may well be great pressure on the Government to ignore the difficulties of finance and to bring on Provincial Autonomy first and then Federation, quite irrespective of the financial position. I feel bound to say that that pressure may be all the more

likely because, quite contrary to the position in this country, those who will be chiefly vocal in this matter do not represent the section of the people of India who chiefly provide the social revenue. There are only 500,000 people assessed to income tax in India and only about 167,000 persons, including officials, and excluding Burma, who have incomes of over £225 a year.

Therefore, unlike the position in this country, where income tax contributes so very greatly to the revenue, income tax contributes only a minority of the revenues of the Government of India. The great mass of the revenue, some £37,000,000 out of £58,000,000, is contributed by the Customs, by import duties on various commodities, duties which I think we all agree are bound to be paid by the mass of the people. [HON. MEMBERS: "Hear, hear."] Yes, they are paid by the mass of the people in India because India's industries are in such a very infant stage, and India is not able to make all the things that she imports and on which high duties have to be paid. The position in this country is totally different. I am sure than hon. Members opposite cannot deny the capacity of the workers of this country and of the directing brains of this country to ensure that there is practically nothing that we cannot make in an unlimited degree, provided that it is made worth our while to do so.

The result is that you may get something which will add enormously to the financial burdens of India, burdens which will fall largely on the peasants. In a debate on the trade agreement in the Indian Assembly the other day opinions were expressed which no one would think of expressing in this House. It was said that it did not matter what the burden was it would fall on the peasants. There is this further point, that revenue from customs is dwindling, and is dwindling also from income tax. All sources of taxation have been tapped, and it is impossible to see what other sources are available for the additional revenue which will be necessary to finance this new Constitution. Nothing is said as to the operation of a reserve bank, which is to be free from political influences and is to have control of currency and exchange, very controversial matters on which Congress politicians have for some years been advocating drastic measures.

We are really up against the primary responsibility of Government, to see that no burden is put on the shoulders of the people which they cannot reasonably be expected to bear. This is going back on what the Government themselves have pointed out as absolutely a precedent necessary to Federation and Provincial Autonomy. It is raising hopes which, if we have any regard for financial considerations, we cannot hope to fulfil in full at any date which we can now foresee, unless we are ready to plunge India straight into bankruptcy. It is, therefore, essential that there should be a thorough inquiry into this matter before Provincial Autonomy or Federation is brought into operation. It is desirable that such an inquiry should be made by an impartial commission free from political influences, which are not always easy to escape at home and from which it is difficult to escape in India. I hope that the Government will consider most carefully the Amendment, which we regard as one of the most important we shall have to bring forward.

8.38 p.m.

Sir S. HOARE: I think I had better intervene at once in the Debate if for no other reason than to disabuse my Noble Friend of a great many anxieties which seem to me to be without foundation. If she will allow me to say without offence, her speech was founded on one misunderstanding after another. First, she seemed to think that in the Bill we have gone back on the Report of the Joint Select Committee, and that the Joint Select Committee had gone back on the White Paper, so far as financial security is concerned. That is not the case. The Joint Select Committee considered these complicated questions in great detail and in no way went back from the position set out in the White Paper. In the Bill the Government are following exactly the recommendations of the Joint Select Committee.

Duchess of ATHOLL: I am sorry to interrupt, but this is most important. Are we to understand that if the finances of India are not sufficient to enable them to bear the expenses of this new Constitution for Provincial Autonomy or

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Federation, the Government will be ready to reconsider the whole proposal, as they said they would in the White Paper?

Sir S. HOARE: The Noble Lady must allow me to make my speech in my own way. Of course I am going to deal with a question like that, but I must be allowed to deal with it in my own way. In the next place, my Noble Friend was under a series of misapprehensions with reference to the figures and the relevancy of the figures so far as Federation is concerned and so far as Provincial Autonomy is concerned. I gave the figures during the Second Reading Debate, and I based them on what I assumed to be the likely course of both Provincial Autonomy and Federation. Speaking in round figures, I assumed that the cost so far as the centre is concerned will be from £4,000,000 to £4,500,000.

Colonel GRETTON: Is that in addition to the present expenditure of the Central Government?

Sir S. HOARE: The right hon. and gallant Member will, I am sure, allow me to deal with the matter in my own way.

Colonel GRETTON: I beg the right hon. Gentleman's pardon, but this is extremely important.

Sir S. HOARE: Certainly, and I am going to deal with it. The total expenditure likely to fall on central funds will be something in the nature of from £4,000,000 to £4,500,000 per year. It should be noted that this is not new expenditure. It is expenditure as between the Central and Provincial Governments, and the whole of it is due, first, to a reallocation as between the centre and the provinces which are in deficit, and, secondly, to make up what extra expenditure will fall on the centre as a result of the separation of Burma. The Committee will see that this sum is not due to the institution of Federation at all, but to a reallocation as between the Centre and the Provinces; and it is a reallocation which, in the opinion of most financial experts in India, should be made in any case, whether there is Provincial Autonomy, Provincial Autonomy and Federation or whether there is neither. Secondly, the Committee will note the fact that, assuming that this expenditure is involved in setting up Provincial Autonomy it means that a very small sum is involved in setting up Federation. As far as the setting up of Federation is concerned, the additional amount is something in the nature of £500,000 a year. If, therefore, there is to be an inquiry, it should be an inquiry into the provincial position rather than into the federal position, the larger sum of money being necessitated not by the institution of Federation but by the institution of Provincial Autonomy.

The Joint Select Committee considered this question in great detail and took the view, I think unanimously, that there should be an inquiry, presumably as soon as the Bill passes on to the Statute Book, into the provincial position. That inquiry would be carried out by a small body of impartial experts, working no doubt with representatives of the various provinces, province by province, in the capacity of assessors. That would be the nature of the inquiry. Thus, so far as Federation is concerned, the position is much simpler owing to the fact that the sum of money for setting up Federation is only comparatively small. It means that if there is sufficient money for setting up the provinces the test that will have to be applied is two-fold: First of all, is the federal budget in a satisfactory position? That is a test that can very easily be applied. Suppose that the economic position has improved. India reacts very favourably to improvement, and almost without any inquiry at all it will be seen whether there is sufficient money at the centre. If, on the other hand the budget is not in a satisfactory condition, then obviously the Government of the day could not contemplate recommending this House and another place to address the Crown to issue a proclamation that would bring Federation into operation.

The Noble Lady will see that neither the process for testing the provincial position nor the process for testing the federal position needs anything in the nature of a statutory inquiry. I would have thought that everyone who had followed these questions in any detail in recent years would have come to the conclusion that the fewer statutory inquiries we have the better from every point of view, and that the time has come when all the material is at our disposal. The decision as to when and whether Provincial Autonomy is to start, and as to

whether and when Federation is to be set up, must be the decision of the Government of the day, supported by a resolution of both Houses. The check against irresponsible action and against the bringing into operation of Federation when the funds of the Federation are in an unsatisfactory state, is the test of the resolution of both Houses, in my view a very effective test.

A statutory commission would do, first of all, what is not needed, and would do what is essentially the duty of the Government of the day. It is a proposition which I could not possibly accept. This is one of many cases that we have had in the last two days of proposals being made under which Parliament is asked to divest itself of all its inherent responsibilities, and to place those responsibilities upon the shoulders of irresponsible bodies of a different kind. Let me say with all the emphasis that I can command that I think proposals of that kind ought to receive little or no support in this Committee. The data will be made available, first of all, by inquiry into the provincial finances, and, secondly, by the test that we shall apply to the federal system before we submit a motion to the Crown to issue a proclamation. The decision must then rest with the Government and both Houses, as to whether or not Federation should come into operation, and the responsibility should not be pushed off upon some statutory body such as that suggested.

Duchess of ATHOLL: I think that what my right hon. Friend has said is really in the direction of objecting to the method of inquiry proposed in the Amendment. He has let us see that he recognises that an inquiry of some kind will be necessary. If, therefore, he attaches importance to this matter and regards it as essential that there should be an inquiry, will he not bring forward his own proposals in such a way as to make it perfectly clear in India that the finances of that country will have to be in a suitable condition before this Constitution can be brought in? Otherwise, there will be a great deal of misunderstanding and false hopes.

Sir S. HOARE: I do not think that that is in the least likely. The Joint Select Committee report will bear out my statement that time and again this matter has been discussed with Indians. There never has been any secrecy about it at all. I cannot do better than read the relevant passages of the Joint Select Committee's report on the subject. That will give full publicity to the position. Paragraph 273 of the report says:

"It has been argued in some quarters that constitutional change should be postponed until the financial horizon was clearer, but the additional difficulties attributable to the change (and such as they are they relate mainly to Provincial Autonomy and not to Federation) are but a small part of a financial problem which has in any event to be faced, and is, we hope and believe, in process of solution. No doubt before the new Constitution actually comes into operation His Majesty's Government will review the financial position and inform Parliament how the matter stands."

I undertake to carry out that pledge.

"It is suggested in the White Paper that at the last possible date there should be a financial inquiry. This seems to us a suitable procedure, but we do not conceive, nor do we understand that it is intended, that any expert body could be charged with the duty of deciding whether the position was such that the new Constitution could be inaugurated without thereby aggravating the financial difficulties to a dangerous extent. On this point, as we have said, Parliament must at the appropriate time receive a direct assurance from His Majesty's Government."

I give my Noble Friend an undertaking that it is the intention of the Government, in the spirit and in the letter, to carry out that paragraph.

8.53 p.m.

Mr. LENNOX-BOYD: Particularly after the assurance of the Secretary of State, and in view of his very courteous observations, I hope he will not think me offensive if I say that he has failed entirely to clear the air of one or two doubts. I shall be grateful if he will say some words in regard to the emergency surcharges and the pay cuts. The former would cost about £10,000,000, and the restoration of the pay cuts would involve some £1,000,000. Is it intended that the Federation should be implemented before the emergency surcharges have been withdrawn and the pay cuts restored? Does the right hon. Gentleman seriously contend that revenue based mainly on import duties can be reconciled to the role of economic nationalism which the advent of power to Indian government at the centre will obviously inaugurate? We are the last people in this Committee who wish to see innumerable commissions

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sent out to India or elsewhere. Indeed, speaking personally, one of my chief complaints against the Government, not in the Indian sphere but in other spheres, has been the multiplicity of commissions behind which, on great issue of State, the Government have been fully prepared to shelter themselves.

I feel strongly that, on a question of this kind, to ask for a commission of this nature is not an unwarrantable request. We whole-heartedly accept the assurance of the right hon. Gentleman that Federation will not be implemented unless the financial conditions justify it, but we feel that there ought to be inserted at this point in the Bill some wording to show conclusively to the Indian politicians that that is in fact the case. As long as His Majesty's present Government are governing this country—and I hope it will last for a considerable time—there is no fear of Federation being implemented unless financial stability is secured. We have some hesitation, however, as to what is likely to happen should the wheel of political fortune unhappily translate the present Opposition into the seats of political power. We feel that hon. Members opposite are likely to be persuaded, even against their own better judgment, to create by comfortable words an appearance of financial security in India. We feel that they might be hesitant and possibly quite unequal to withstanding the mass pressure of the Indian politicians whose ambition they have so recklessly aroused. Therefore we should insert some words here which will give certainty on this vital matter.

One of our charges—and it has been by no means confined to those who support this Amendment and who criticise the Government on this question—is that we have in the last few years developed an unhappy tendency to speak on these matters in two languages, using one in England and the other in India. We cannot believe that the many references to our past Imperial history, which the right hon. Gentleman is prepared to enlist in support of his views, can seriously be enlisted in support of a policy, by which the House of Commons is asked to give its approval to a system of saying here what we feel will reassure our own people, and saying in India what we hope the Indian politician will accept willingly.

8.59 p.m.

Sir H. CROFT: It seems to me that the Committee is in great danger of being carried away by the optimism of the Secretary of State. One of his main arguments in reply to my Noble Friend is that if things get better in India and if economic circumstances improve there will be a wonderful change in the situation. There are several people in gaol who would never have gone there but for the fact that they honestly thought that things were going to improve in commercial circles in this country and banked on that belief. We cannot run the risk of being dependent upon an improvement in economic conditions when we are dealing with a matter of this kind. I would ask the right hon. Gentleman whether he is satisfied that the figure which he has given of the cost of bringing about Federation covers all the possibilities. I am sure he is aware of the fact that the figure which he has given is much less than the estimates made by some of the great authorities who have observed with distinction in connection with financial matters in India. I presume that the right hon. Gentleman is at the moment being advised or that he has been advised on this subject by Sir George Schuster. I imagine that Sir George Schuster must have had a great deal to say on the budgetary position in India and I think I am entitled to quote to the Committee what he said in 1933 on this subject. I may say that he expressed a feeling which is rather like my own feeling to-day in this Committee. Sir George Schuster in 1933 said:

> "I feel that in this discussion and in all discussions which are going on to-day, finance is being considered in an atmosphere of unreality."

He went on to say:

> "Then we have the constitutional changes impending which show a vast amount of additional burdens."

That is very different from the way in which the Secretary of State brushes all this aside by saying that it is only a small amount. After all, however small, it is going to be a great burden on the ryots in India. Sir George Schuster also said:

> "Let us take a few of the main items: Separation of Burma which means a loss of 3 crores to the central budget; surrender of half the tax on jute to Bengal—a loss of about 2 crores to the central budget; subventions to the deficit provinces; 80 lakhs in Sind, 25 lakhs for Orissa and money for

Assam and Behar—altogether, say another 2 crores; setting up a reserve bank—a loss of direct receipts to the Government from currency by something like 2 crores."

I should imagine it to be likely that some of these figures have since been increased. Sir George Schuster proceeded to say:

"All these items together—I have not got them in my head—but the total of these and other charges will come to about 11 crores."

That is something like the sort of figure which the right hon. Gentleman gave but Sir George Schuster then says:

"On the top of that the Central Government are supposed to hand over more than half the Income Tax."

If that estimate is correct the figures at that time would have come to something like £15,000,000 sterling. I realise that Sir George Schuster may have been a little out in his figures but there seems to be a great variation between his estimate and that of the right hon. Gentleman. Anyhow this is a question involving very serious consequences to India. The consequences might be such as to bring the whole scheme to complete disaster should there be any serious mistake and I think that the right hon. Gentleman ought to accept the assistance suggested in this Amendment, by having a committee to advise him as to when it was safe to take this very grave step.

9.2 p.m.

Sir S. HOARE: I wish, if I can, to remove some of the doubts which appear to be in the mind of my hon. and gallant Friend. I would again point out that in the first place there is, definitely, going to be an inquiry into the question of the provincial finances, and secondly that there must also be an inquiry before Federation is brought into being. The point at issue between us, if there is one at all, is as to what kind of inquiries these ought to be and what ought to be the terms of reference. I have followed the recommendations of the Joint Select Committee in both those respects, namely, as regards the character of the two inquiries and also as regards the terms of reference. The executive decision must remain in the hands of the Government of the day. Whether I am too optimistic or my hon. and gallant Friend is too pessimistic is a question for the future, but the check, as I have said, is the check of Parliament, namely that there must be a report to Parliament on these matters and that Parliament will have the power to delay or to refuse the passing of the Address asking for the Proclamation, if Parliament is not satisfied that the financial position is satisfactory. Further than that I will not go into details at the moment. My hon. and gallant Friend has quoted certain figures and if I had time and if he wished me to do so, I could clear up the apparent differences between Sir George Schuster's estimates and mine. There is in fact no real difference. Indeed, the conclusion of the speech of Sir George Schuster from which my hon. and gallant Friend read certain extracts, was that Sir George Schuster saw no reason why the financial position, assuming that finance went on normally, should hold up the inauguration of the Constitution.

9.4 p.m.

Colonel GRETTON: I have listened carefully to the remarks of the right hon. Gentleman and I am not going to challenge his statement as to the figures. I am going to ask him to turn to another matter raised by this Amendment. Supposing that a Commission is set up to examine the financial position of the provinces and the central government before it is finally determined to issue the proclamation and put the provisions of this measure into operation. The Secretary of State suggests that the Government should appoint an inquiry by experts, who should report to this House, which, by a vote, would approve or disapprove. The experts appointed by the Government, however, would be Government servants, not anxious to disoblige the Government, and unless there was some very drastic and dangerous situation which could not be ignored, they might be expected to give a reply favourable to passing this measure into operation. It is a perfectly sound idea that nothing should be done to set up the new Government and establish a new order of things in India unless and until the financial position to be handed over to the new authorities there is sound. Is there not something to be said in favour of sending out a commission, so that the Government and Parliament can, at any rate, rely upon it to give an impartial report, or as impartial a report as is possible in the circumstances, on the situation? That is what is intended by the Amendment now before the Committee, and I must say that I

[Colonel Gretton.]

think it has great merits. It would prevent the Government from being placed in an impossible position and ensure for Parliament an impartial inquiry, and we should, at any rate, in this matter be dealing more fairly and more justly with the people of India than we can under the Bill as it is at present drawn. I therefore support the Amendment.

Several HON. MEMBERS *rose*——

The DEPUTY-CHAIRMAN (Captain Bourne): I would remind the Committee that we are working under a voluntary time-table and that if we take so much time on every amendment, we cannot possibly keep to it.

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

The Committee divided: Ayes, 31; Noes, 230.

Division No. 54.] **AYES.** **[9.8 p.m.**

Acland-Troyte, Lieut.-Colonel
Apsley, Lord
Atholl, Duchess of
Balfour, George (Hampstead)
Broadbent, Colonel John
Burnett, John George
Craddock, Sir Reginald Henry
Croft, Brigadier-General Sir H.
Davison, Sir William Henry
Dawson, Sir Philip
Dixon, Captain Rt. Hon. Herbert
Donner, P. W.
Erskine-Bolst, Capt. C. C. (Blackpool)
Gretton, Colonel Rt. Hon. John
Hunter, Capt. M. J. (Brigg)
Knox, Sir Alfred
Levy, Thomas
Lockwood, Capt. J. H. (Shipley)
Macquisten, Frederick Alexander
Raikes, Henry V. A. M.
Reid, David D. (County Down)
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Somerville, Annesley A. (Windsor)
Taylor, Vice-Admiral E. A. (P'dd'gt'n, S.)
Thorp, Linton Theodore
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Wayland, Sir William A.
Wells, Sydney Richard
Williams, Herbert G. (Croydon, S.)
Wolmer, Rt. Hon. Viscount

TELLERS FOR THE AYES.— Major Courtauld and Mr. Lennox-Boyd.

NOES.

Addison, Rt. Hon. Dr. Christopher
Agnew, Lieut.-Com. P. G.
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Aske, Sir Robert William
Assheton, Ralph
Balfour, Capt. Harold (I. of Thanet)
Balniel, Lord
Banfield, John William
Barclay-Harvey, C. M.
Batey, Joseph
Beauchamp, Sir Brograve Campbell
Beaumont, Hon. R.E.B. (Portsm'th, C.)
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Bevan, Aneurin (Ebbw Vale)
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brown, C. W. E. (Notts., Mansfield)
Brown, Col. D. C. (N'th'l'd., Hexham)
Buchan-Hepburn, P. G. T.
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Cautley, Sir Henry S.
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Cleary, J. J.
Clydesdale, Marquess of
Cochrane, Commander Hon. A. D.
Cocks, Frederick Seymour
Colville, Lieut.-Colonel J.
Cooke, Douglas
Copeland, Ida
Cranborne, Viscount
Cripps, Sir Stafford
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cruddas, Lieut-Colonel Bernard
Culverwell, Cyril Tom
Daggar, George
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, David L. (Pontypridd)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davies, Rhys John (Westhoughton)
Duncan, James A. L. (Kensington, N.)
Eales, John Frederick
Edwards, Charles
Elliston, Captain George Sampson
Elmley, Viscount
Emrys-Evans, P. V.
Essenhigh, Reginald Clare
Evans, Capt. Ernest (Welsh Univ.)
Evans, R. T. (Carmarthen)
Fielden, Edward Brocklehurst
Foot, Dingle (Dundee)
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gardner, Benjamin Walter
George, Major G. Lloyd (Pembroke)
Gillett, Sir George Masterman
Glossop, C. W. H.
Goff, Sir Park
Goldie, Noel B.
Grattan-Doyle, Sir Nicholas
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffith, F. Kingsley (Middlesbro', W.)
Griffiths, George A. (Yorks, W. Riding)
Grimston, R. V.
Grundy, Thomas W.
Guest, Capt. Rt. Hon. F. E.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hall, George H. (Merthyr Tydvil)
Hamilton, Sir George (Ilford)
Hamilton, Sir R.W. (Orkney & Z'tl'nd)
Hannon, Patrick Joseph Henry
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Hicks, Ernest George
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hurst, Sir Gerald B.
Hutchison, W. D. (Essex, Romf'd)
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing-Com. A. W. H.
Jenkins, Sir William
Jesson, Major Thomas E.
John, William
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Jones, Morgan (Caerphilly)
Ker, J. Campbell
Kerr, Hamilton W.
Kirkpatrick, William M.
Lamb, Sir Joseph Quinton
Lansbury, Rt. Hon. George
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Lawson, John James
Leech, Dr. J. W.
Leonard, William
Lindsay, Noel Ker
Loftus, Pierce C.
Logan, David Gilbert
Lumley, Captain Lawrence R.
Lunn, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
Macdonald, Gordon (Ince)
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEntee, Valentine L.
McEwen, Captain J. H. F.
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mainwaring, William Henry
Makins, Brigadier-General Ernest
Mallalieu, Edward Lancelot
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, David M. (Edinburgh, E.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Milne, Charles
Milner, Major James
Mitchell, Sir W. Lane (Streatham)

Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Owen, Major Goronwy
Paling, Wilfred
Parkinson, John Allen
Pearson, William G.
Penny, Sir George
Petherick, M.
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pybus, Sir John
Radford, E. A.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Ratcliffe, Arthur
Rathbone, Eleanor
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Skelton, Archibald Noel
Smith, Sir J. Walker- (Barrow-in-F.)
Smith, Tom (Normanton)
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thomson, Sir Frederick Charles
Thorne, William James
Tinker, John Joseph
Titchfield, Major the Marquess of
Todd, A. L. S. (Kingswinford)
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Sir John (Dunfermline)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Watt, Captain George Steven H.
Wedgwood, Rt. Hon. Josiah
White, Henry Graham
Whiteside, Borras Noel H.
Williams, Edward John (Ogmore)
Wills, Wilfrid D.
Wilmot, John
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Womersley, Sir Walter
Worthington, Dr. John V.

TELLERS FOR THE NOES.—
Lieut.-Colonel Sir A. Lambert Ward and Mr. Blindell.

9.17 p.m.

Colonel WEDGWOOD: I beg to move, in page 2, line 41, after "Provinces," to insert, "which have acceded or may thereafter accede to the Federation."

This will make this part of the Clause read:

"there shall be united in a Federation under the Crown, by the name of the Federation of India—

(*a*) the Provinces hereinafter called Governors' Provinces which have acceded or may thereafter accede to the Federation."

That makes the accession of the Provinces exactly similiar in wording to the accession of the Indian States in paragraph (*b*). It puts them absolutely on a par with the States so far as joining the Federation is concerned. I have deliberately left it open as to how the Provinces should show their accession. The difficulties that arise in the case of the present Assembly at Delhi voting on this question apply equally, but not so strongly, as I shall show, to the Provincial Legislatures. Obviously, with the smaller number of electors in a province it is much more practicable and possible to take a plebiscite of the actual voters in the province as to whether they should come in or not. The first thing to note is that, in this case at any rate, there is a much wider electorate than there is for the Assembly; and, moreover, there is a much greater incentive upon the population to vote themselves into this Bill, because, whatever we may say about the bad part of Federation and the bad nature of the Central Government set up, it is undoubted that there are advantages to the Provinces in securing Provincial Autonomy, for their powers are wider and greater and the electorate is still further widened. Most of the Provinces of India, if they were consulted as to whether this Bill should become law, would vote for it, because the advantages to them are obvious and the disadvantages in the centre would not bulk so largely in the minds of the electors in the Provinces.

While we can say with certainty that the Government would not slip up and lose the accession of most of the States, yet it is certain that we should not get a vote from Bengal or from the Punjab in favour of this Measure. Anyone who listened the other day to the noble speech by C. F. Andrews on the wireless must have realised that feelings on this Bill are much more strongly held in Bengal and the Punjab than anywhere else in India, and feelings on the question of communal representation are certainly much more stirred in those two Provinces. The question is what special advantage does it give to the people of those Provinces not to have the chance of voting themselves out of this Bill for all time, but of delaying their accession to the Federation. That is the power which I want to give them—the power, not of shutting themselves out for all time, but of delaying in order to bargain a better system of representation in those Provinces.

It must be made clear why there is a special case in Bengal and the Punjab.

[Colonel Wedgwood.]

In Bengal the representation at the present time is that 60 per cent. of the seats are Hindu and 40 per cent. Mahommedan. Under the Bill the Hindu seats are 78, plus two for women, making 80, and the Mahommedan seats are 117, plus two women, making 119, so that the whole balance of power between Mahommedans and Hindus is changed by the Bill. Therefore, the Hindus oppose this Bill mainly because of the fear that the Bengal Hindus will be subjected to the tyranny of the Mahommedans for all time. If you give these people the chance of delaying their entry into the Federation, you will give them the chance of bargaining with the Mahommedans, and if the Mahommedans want to come in and want this Bill, they will be more reasonable than they have been up to now. This representation, or, as I would call it, misrepresentation in Bengal so strongly struck Lord Zetland that he tried to get an amendment on the Joint Select Committee. He had been Governor of Bengal and he was so impressed by these proportions that he tried to get a fairer representation, but he was voted down by a majority. I want to preserve the chance of all the people of Bengal, not merely the Hindus, to get better terms for coming into the Federation—not better terms as against the British Government, but juster terms as regards the actual representation of the people. The population of Bengal is 45,000,000, and the majority are Hindus.

Mr. GODFREY NICHOLSON: Is it not a fact that there is a six per cent. majority of Mahommedans?

Colonel WEDGWOOD: I do not think so.

Sir A. STEEL-MAITLAND: Is it not generally considered without question that the majority in Bengal is Moslem?

Colonel WEDGWOOD: If that be so, then they would vote for the Bill. There are enough Hindus, Untouchables and Anglo-Indians to demand a juster basis of representation. They would be able to secure juster terms in accordance with the wishes of Lord Zetland, and also prevent the coming into existence in Bengal of a statutory majority which cannot be shaken. A statutory majority means that a minority need have no vote at all. It is to stop the establishment of a system of Hitlerite dictatorship, as well as to secure justice of representation, that I ask the Committee to accept this Amendment to give this elementary right to human beings to decide for themselves by a majority vote whether they will or will not stand out of this decision. Exactly the same argument applies with even greater force to the Punjab, for there Sikhs as well as Hindus are protesting against the domination of the Mahommedans. These Sikhs are an extremely warlike race, and the Mahommedans are also warlike. It would be a domination of one particular creed. I do ask the Government to give this to the Provinces, to give them a chance to stand out to get fairer terms from the present majority. It is possible that the Government in reply may say that when we get to the Schedules they will alter the appalling schedule for Bengal and the Punjab. That might be a way out on ordinary grounds of decent humanity, of British justice. You might give the Provinces of India, not merely Bengal and the Punjab, through a plebiscite of the inhabitants the right to say whether they will come in or stop out.

9.29 p.m.

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): The Committee have already considered the principle upon which this Amendment was based, that is, the consultation with Indian opinion before the introduction of this Bill. In this case we are concerned with consultation with the provinces, in order to enable them to decide whether they are going to enter the Federation or not. This seems to imply a radical misunderstanding of the intentions of the Government in the Bill. We stand by the terms of the Preamble of the 1919 Act, that Parliament is the sole judge of future constitutional development in India. I base myself on that. I think that this Amendment implies a further misunderstanding of the relationship of the provinces and the States in the future federation. The States, on the one hand, are sovereign states with sovereign powers, who have, as described in this Bill, acceded to the federation by treaties being treated in a correct manner. With regard to the provinces, in the Government of India Act, 1919, this House decided the question and pre-

scribed the future position of the provinces. The Government proposed to follow the principles followed in the 1919 Act in dealing with the future of the Indian provinces. In regard to some of the details, the right hon. and gallant Gentleman went on to deal with the taking of a plebiscite of voters in Indian Provinces. To my mind that would be a totally impossible administrative operation. We have had to restrict the figure of the franchise for the reason that the administration would be overwhelmed. That would not be all the difficulties of a ballot. I believe it would be impossible to have a plebiscite in the Indian provinces on a question such as this.

I am afraid that I fail to see any improvement in the communal award by the adoption of the principle of a plebiscite in the Indian provinces. I fail to see why a majority could be split on this question, and why delay in the coming into operation of the scheme in any particular province should achieve the aim desired. The confusion that would arise if this Amendment were adopted would be extraordinary. There would be a federation where certain provinces had voted themselves in, and certain States by treaties of accession had acceded to the federation, with one or two States that had not acceded for certain reasons. Presumably there would also be certain provinces which had not voted themselves into the federation. There would, therefore, have to be a transitional government at the centre to control those provinces which had not voted themselves into the federation, and which would be in an entirely different relationship to the federation. For these reasons, I regret to say that the Government are unable to accept the Amendment.

Sir H. CROFT: The right hon. and gallant Gentleman who moved the Amendment was not laying down any particular suggestion as to how the vote should be taken, but rather left that to His Majesty's Government, because it is the Government's Bill. I want to make this very brief protest. The right hon. and gallant Gentleman referred to my hon. Friend's strange company in favour of this democratic vote. We say that if you believe that the Government have a right to say what the constitution should be, and believe that these people are competent to vote, you should prove your sincerity by going to the people and asking them whether this is the scheme they want. It is not fair to us to say that we are eating our words and to accuse us of being inconsistent. We are trying to make the Bill a better Bill. If the Government are right and we are wrong, if India has progressed so far in the last four or five years, if the "unchanging East" has in a few months moved so far towards the democratic possibilities of the West, all we say is, "Prove your case." In an earlier Amendment the right hon. Gentleman has said, "If you really believe this policy is required and demanded by India, if it is really going to bring contentment and not more agitation, as the Indian Congress and Indian Liberals say, put it to the test and let the Indian people themselves say whether they want it or not."

9.36 p.m.

Mr. MORGAN JONES: I am very sorry that it will not be possible for us to support the right hon. and gallant Gentleman in his Amendment. I appreciate some of the difficulties which he anticipates in regard to the Federation, and some of those misgivings I certainly share; but a few minutes ago we supported a proposal from the other side in which the whole of the elected representatives of the whole of British India would be involved, acting as one body. It is also within the knowledge of those who were with us on the Joint Select Committee that we steadily took the view that we were in a favour of a federation —not this federation, but a federation —and consequently we held that once a Province or a State was in the federation it could not have the right to withdraw. Similarly, I take the view that it is no use attempting to have a federation at all unless the Provinces all go in at the same time. It would be a futile business to have two or three Provinces electing to go in and the others just marking time until it pleased them to go in. If there is to be a federation at all we must enable all to join at the same time. The conditions under which they join may not be agreeable to us and we shall move Amendments at the proper time to deal with that question, but for the present I desire to say that we are in favour of all the Provinces going into the federation.

[Mr. Jones.]

We rather deprecate any intention to let matters rest upon the *ipse dixit* of any individual Province at any given time.

9.39 p.m.

Colonel WEDGWOOD: I am awfully sorry to hear that speech. It is so unpleasant for me to differ from my colleagues. Really, this is a matter of great principle. If it is a federation which is compulsory we shall be storing up difficulties for the future. It is much more important to have a few people voluntarily coming together than the Socialistic proposal of compelling everybody to come in. It is a shocking example of Bolshevic collectivism. I shall vote in favour of this Amendment and against the principle of coercion, and I hope there will be others whose voices will be raised against the coercion of any Province that considers itself unjustly treated by the Federation.

9.40 p.m.

Miss RATHBONE: I agree with what the Under-Secretary has said as to the impossibility of the contracting out principle of my right hon. and gallant Friend, but I wish to make a point in reply to the Under-Secretary when he seemed to press a good deal too far the argument, drawn from the Preamble I think, that the final decision must rest with this Parliament. That is perfectly true, but it does not at all involve the conclusion that Parliament may not desire to take the opinion of the people for whom this Constitution is destined before they finally go into it. I suggest that none of his arguments against my right hon. and gallant Friend's proposal apply to the proposal that the provincial legislatures elected under the new franchise should be allowed to express their opinion before the Federation should come into being.

Amendment negatived.

The DEPUTY-CHAIRMAN: The next Amendment I select is that standing in the name af the hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood)—In

page 3, to leave out "lines 3 to 5."

I think it would be convenient if at the same time we discussed the Amendment standing in the name of the hon. Member for Ince (Mr. G. Macdonald) and the hon. Member for Broxtowe (Mr. Cocks)—

In page 3, line 5, at the end, to insert:

"Provided that it shall be lawful for His Majesty on an address presented to him at any time after the expiration of five years from the passing of this Act by the Federal Legislature to issue a proclamation conferring an a Chief Commissioner's Province the status of a Governor's Province as from the date to be mentioned in such proclamation."

Reserving to those hon. Members the right to take a Division on their Amendment if they so desire.

Colonel WEDGWOOD: I hope this time I may have support. This Amendment would allow the inclusion in the Federation of only those States which have representative institutions, in order that the States represented should have the opportunity of being represented by representative people instead of by the nominees of the Princes.

The DEPUTY-CHAIRMAN: The right hon. and gallant Member is moving an Amendment which I have not selected.

Colonel WEDGWOOD: The Amendment I wish to move is one to leave out the words "the Indian States" and to insert "those Indian States which enjoy representative institutions and."

The DEPUTY-CHAIRMAN: That Amendment has not been selected.

Colonel WEDGWOOD: It was selected——

The DEPUTY-CHAIRMAN: It is not an Amendment which I have selected, and that is the end of it.

Colonel WEDGWOOD: I beg to move, in page 3, to leave out lines 3 to 5.

I will read the lines it is proposed to omit so that the Committee may be cognisant of their meaning:

"And in the Federation so established there shall be included the Provinces hereinafter called Chief Commissioners' Provinces."

I do not want the Chief Commissioner's Provinces included in the Federation.

Amendment negatived.

9.43 p.m.

Mr. COCKS: I beg to move, in page 3, line 5, at the end to insert:

"Provided that it shall be lawful for His Majesty on an address presented to him at any time after the expiration of five years from the passing of this Act by the Federal Legislature to issue a proclamation confer-

ring on a Chief Commissioner's Province the status of a Governor's Province as from the date to be mentioned in such proclamation."

I formally move this Amendment, the effect of which is to allow the Chief Commissioners' Provinces, after the expiration of five years, to be raised to the status of Governors' Provinces, after the Federal Legislature has passed an address to His Majesty asking for that to be done.

9.44 p.m.

Mr. BUTLER: If I tell the hon. Member that when Clause 272 of the Bill is submitted to the Committee he will find that it actually achieves the purpose which he desires he may not find it necessary to press his Amendment. Under the procedure provided in that Clause a Chief Commissioner's Province could be converted into a Governor's Province. I do not think the actual procedure of his Amendment is in that Clause, but it could be converted into a Governor's Province.

I will read the words:

"Subject to the provisions of this Section, His Majesty may by Order in Council alter the boundary of any Province if, with a view to the creation of a new province or on other grounds, he deems it expedient so to do."

The Clause continues to give, under Subsection (2), an opportunity for creating new provinces. I think that will probably meet the wishes of the hon. Member for Broxstowe (Mr. Cocks), and, if so, I hope that he will find it unnecessary to press the Amendment.

9.46 p.m.

Mr. MORGAN JONES: The hon. Gentleman has not given us a very adequate answer to the Amendment. There are, as he knows, certain areas called chief commissioners' districts or areas, which are not subject to anything in the nature of the form of government which will prevail in the Governors' provinces. It is true that Clause 272 provides, after an indefinite period, for the transference of those areas to the status of Governors' provinces, but if after five years the Federal Assembly presents a petition to His Majesty that an area should be raised in status to that of a Governor's province, we feel that His Majesty should be able to accede to that request. The whole point is that it is possible for the people living in Governors' provinces to exercise very considerable control of their destinies, whereas in chief commissioners' provinces there is no such control, because the matter is entirely in the hands of the chief commissioner and those who advise him. This is a matter of some substance. Five years should be ample time limit before the Federal Assembly is able to approach His Majesty by way of petition.

Sir A. STEEL-MAITLAND: May I point out that under Clause 272 that may be done at any time without waiting for the expiry of five years?

9.48 p.m.

Colonel WEDGWOOD: This is rather important. When can a chief commissioner's province become a Governor's province? It is not clear from Clause 22 when they can come in. What will be the actual procedure which will enable a chief commissioner's province to become a Governor's province? It is true that powers are taken in the Bill to issue periodically fresh instruments of instruction; must we wait while those instruments of instruction are passed by both Houses of Parliament before the change is made, or can the change be made by the Government of India without any interference from this House? What powers have the Government in the matter? Further, we want to know——

The DEPUTY-CHAIRMAN: I am quite clear that this discussion ought not to take place on this Amendment, and that it ought to be raised on Clause 272. I must, therefore, declare this Amendment out of order, because I am clear that the matter should be raised on that Clause.

Colonel WEDGWOOD: Yes, I am quite clear on that point, too.

9.49 p.m.

Duchess of ATHOLL: I beg to move, in page 3, line 10, to leave out "fifty-two," and to insert "seventy-eight."

The effect of the Amendment would be to require that Princes representing three-quarters of the seats in the upper chamber should have signified their adherence to the federation before it comes into operation, instead of only half of those seats, as the Bill requires. Whenever a decision has to be taken in this country by a large number of persons upon an issue which affects their economic interests, it will be found that a majority of something like two-thirds is regarded as necessary. Hardly a voluntary associa-

[Duchess of Atholl.]

tion in this country does not require a two-thirds majority for the alteration of its constitution. Take the marketing schemes in which producers in various branches of the agricultural industry have, in the last year or two, had to decide upon schemes which could not come into operation until about 67 per cent. of the producers had voted for it.

We all regard that as just and necessary, because we recognise that the operation of those schemes may vary in regard to various producers, bringing benefit to one set of producers and loss to others. In this tremendous matter of the 562 Indian States deciding whether they will or will not enter a federation with the democratic provinces of British India, States representing not more than a half of the seats in the upper federal chamber will give one of the only two conditions precedent to federation. My hon. Friend the Member for Oxford University (Sir C. Oman) spoke last night, out of his great knowledge, of the enormous variety of character of the Indian States. He spoke of the history of India in another connection with the British Raj. I do not know that he said very much about the geographical position and other factors which we have to take into consideration in regard to this question. The situation of a State upon the sea coast entitles it, in present conditions, to maritime customs, which is a privilege not enjoyed by inland States. The natural resources of some States include salt, and there are States which have privileges in regard to the manufacture and sale of salt. Coming into the federation would mean renunciation of that right of maritime customs, and a loss of the privileges of manufacture and sale of salt. On the other hand, to other States who have for years been paying annual tribute to the British Raj, it will mean gradual remission of that tribute, while to others it will mean that payment which they have had to cede for the last hundred years to the Government of India in return for assurances of protection of their territories or the recognition of a dynasty, or whatever it may be, may be written off. The net result is a total payment of some £750,000 a year which will have to be made by the Federal Government to the Indian States.

The point I stress is that federation will bring advantages to some States and disadvantages to others. The incidence of federation upon this enormous mass of Indian States will be extremely unequal. I feel, therefore, obliged to say that the barest idea of justice requirs the Government to ensure that no federation should come into operation until a very large majority of the States, both those who would benefit and those who would not benefit, have signified their adherence to the proposals. The States vary enormously in their size, and the larger States, very naturally and properly, should have more seats in the Upper Chamber than the smaller States. Out of a total of 104 seats in the Upper Chamber, it actually comes about that not more than 27 large States will provide the necessary number of 52 seats which gives the first condition precedent to federation.

As we know, important negotiations are in progress with the Nizam of Hyderabad with regard to the Berars. We do not know what the nature of those negotiations is. We have been assured that the Government do not intend to transfer the administration of the Berars to His Exalted Highness, and we hope very much that the agreement which is being negotiated does not mean any going back upon that undertaking. We know, again, that the population of the civil station of Bangalore, European, Anglo-Indian and Moslem, numbering some 40,000 people, have protested against the suggestion that they are going to be transferred to the State of Mysore. I earnestly hope that the Government will arrive at no decision on that matter. It seems to be a terrible thing that any people should be forced to renounce their British citizenship and become citizens of another State.

Again, there has been a proposal to transfer to Travancore the inhabitants, mainly Christian and partly European, of Tangasseri, who have always been under European rule. There again the inhabitants are strongly protesting, for the third time, against being transferred to a Hindu State, which, although it has a considerable number of Christian subjects, is nevertheless not satisfying those Christian subjects in its administration on matters relating to their religion. I only mention these cases to show the special inducements that are being given to the three largest States in British

India to get them to regard favourably entry into this Federation; and those three States between them contribute seven of the 52 seats which are necessary as a first condition precedent.

Some three years ago we understood that a much larger number of States would have to accede to the federation than is indicated in the Bill. My right hon. Friend's memory on this matter seems to have betrayed him to-day, because I understood him to say that he did not remember having at any time mentioned a number larger than the number mentioned in the Bill. I have looked up the Debate of 27th June, 1932, in which he referred to this matter. I can never forget the announcement that he made on that day. I listened to it very carefully, and it was an enormous relief to me to hear him make it. He said:

"No one in any part of this House can categorically say that an All-India Federation Bill can be produced until we know in detail and for certain that the Indian States are going to be an effective part of the Federation."—[OFFICIAL REPORT, 27th June, 1932; col. 1495, Vol. 262.]

When I heard my right hon. Friend make that statement, I thought I heard him use the word "all" before the words "the Indian States," and it was that word "all" which I thought I heard, and the general sense of the declaration, that made an enormous impression on my mind. On the following day, when I read the right hon. Gentleman's speech, I found the word "all" in the OFFICIAL REPORT, but it does not appear in the volume. I know that this was brought to my right hon. Friend's notice, and I remember that he gave an assurance that he did not use the word "all." I accept that assurance. I only mention the matter because the whole sense of the passage, even in the final version, seems to me to indicate that the right hon. Gentleman was intending to convey that substantially all the Indian States—the Indian States as a whole—would have to accede to the federation before it could come into being. So far as my recollection goes—of course I may be entirely at fault in this matter—it was not until some six months later, namely, in his speech at the end of the Third Round Table Conference, that my right hon. Friend made a declaration to the effect that States representing not less than 50 per cent. of the total population of the States, and not less than half the seats in the Upper Federal Chamber, would have to signify their adherence. By that time it had begun to be apparent that there were important Princes who were viewing the idea of federation with considerably less favour than those few influential Princes who had supported it at the first Round Table Conference.

I remember that the publication of my right hon. Friend's speech at the Round Table Conference coincided, I think to a day, with a statement made to a Reuter representative by the late Jam Sahib of Nawanagar, who was then Chancellor of the Chamber of Princes. His declaration was to the effect that the Round Table Conferences appeared to have done very little to meet the Princes' demands. He proceeded to state what those demands had been, and clearly expressed very grave disappointment with the attention which they had received. As a matter of fact, that declaration of the Jam Sahib got extremely little publication in the English Press. As a matter of fact, I myself never saw it there, but only in the Scottish Press, as I happened to be in Scotland at the time. I cannot help thinking that, as my right hon. Friend began to see that the idea of federation was losing favour with certain very important Princes, he felt it necessary to tighten up the conditions, and to require the adherence of a very much smaller number of Princes than, apparently, was considered necessary when he made his speech in June, 1932. I must say I deeply regret that the Government of this country should attempt to press into a federation men who have long been rulers of autonomous States—States whose fortunes will, as I have said, be affected in such very varying degrees by entry into the federation; and I most earnestly hope that the Government, even at this hour, will see that it is really unfair that a great paramount Power like this should pay so little consideration to the desires and circumstances of the Princes of India, and yet will not fix the substantially larger figure which I have mentioned in the Amendment.

10.4 p.m.

Sir S. HOARE: I am afraid my Noble Friend still suspects me of some evil design in this matter. I thought I had

[Sir S. Hoare.]

cleared up once and for all the suggestion, which has been made several times in this House, that I have said one thing in a Debate and have subsequently altered it in the OFFICIAL REPORT. I assure my Noble Friend and the Committee once again that I never suggested that all the Princes were to come in. Indeed, it is palpably absurd to think that I should ever have made that suggestion. Who has studied this question has ever imagined that it must be a condition of All-India Federation that all the 600 and more States, some of them with territory about the size of this Chamber, were essential to a federation. The very suggestion is too foolish for anyone in a responsible position ever to dream of making.

Sir A. KNOX: Will the right hon. Gentleman say who altered the OFFICIAL REPORT.

Sir S. HOARE: There is no secret at all. I never said it. I imagine that every hon. Member can make an alteration in the report of his speech and it rests with the Speaker at the table to accept or reject the alteration. When I say to the Committee that I never said "all," I expect the Committee to believe what I say. If they do not believe what I say, I had better not stand in the position in which I am now standing.

Duchess of ATHOLL: I said I accepted the right hon. Gentleman's assurance. I never said I thought the word " all " was necessary, but that his speech as reported in the corrected copy gives the impression that he meant that substantially all the princes would have acceded. If not, will he tell the Committee what he did mean?

Sir S. HOARE: I was referring to the intervention of the hon. and gallant Gentleman the Member for Wycombe (Sir A. Knox), who seemed to doubt what I said. Let the Committee, putting suspicions out of their minds, look dispassionately at this problem. We want the all-India Federation to be an effective Federation. We have no intention of bringing into operation a Federation which is not definitely an all-India Federation. The question then arises, what should be the conditions which make it an effective Federation. Quite obviously, if it is to be an effective Federation it must be generally representative of the Indian Princes. There are, speaking generally, three classes of Indian Princes. First of all, there is the strictly limited number of very big States, headed by the great State of Hyderabad. Secondly, there are a number of less great States of intermediate size, in particular the States which have hitherto taken an active part in the business of the Chamber of Princes. Thirdly, there are a number of quite small States, some of them, as I say, being little more than estates, with very limited revenues. It is our desire that the Federation should be representative of all these groups, not only the very big States, like Hyderabad, not only the intermediate States, like, shall I say, Patiala, and Bikaner, but also we think the lesser States should be represented. The question then arises, assuming that we want all these various classes of States represented, what should be the percentage on which we should insist as a condition for an effective all-India Federation? We might take the test only of population, but in that case it would mean that a mere handful of the greater States would provide a sufficient population as a precedent condition of Federation. It would mean that the Federation might then start with quite a limited number of great States and that none of the other States would be in it at all.

We, therefore, came to the conclusion—I am speaking now not only of the Government but of the Joint Select Committee—that there should be a further test, namely, the test of status in addition to the test of population. The best way to apply the test of status is to take the right of representation in the upper chamber. We came, therefore, to the view that, if these two tests should be applied, the right kind of percentage was a percentage of 50 per cent. of population and a percentage of half the right of entry into the upper house, namely, half the States which have the right of being represented in the upper house. I daresay hon. Members are asking themselves why the test should not be a higher one. I will tell the Committee. The risk of putting the test higher is that we should then put ourselves into the hands of a few States which could virtually dictate their conditions of entry into the Federation, and could by that means hold up the coming into operation of Federation altogether. If we

take a percentage of 90 or 85, or even the percentage of my Noble Friend, 75, it means that a small number of States could stand out and only come in upon their own terms. That means that the operation of Federation is really put into the hands of a very limited number of States. The Government took the view that that course was very unwise. The Joint Select Committee considered the question in great detail, and came to the view that much the safer course was to take the percentage that we have in the Bill, 50 per cent. of population, and 50 per cent. of the States competent to be represented in the Upper Federal House, and that to go further than that would be dangerously to put the Government into the hands of a few States.

Duchess of ATHOLL: Is it not the case that there are about 117 States each of which has separate representation in the Chamber of Princes, and another 100 or so States which are represented by, I think, 12 members in the Chamber of Princes? Is it not also the case that on the basis of population alone the nine largest States provide 50 per cent. of the total population of the States, and that, on the basis of the States represented in the Upper Federal Chamber, not more than 27 States are necessary, so that in either case it is not a case of a minority being left out under the proposed condition, but it is the great majority of the States that would be left out.

Sir S. HOARE: Certainly. There is no question of disclosing them. They are well known to everyone. After all, those 27 or 28 Chamber States are very important States. The great States, from the point of view of Federation, are of immense importance. My own view—and it is supported not only by my advisers in India but, I think, by my colleagues on the Joint Select Committee, and certainly by the Indians who took part in our discussions representing British India and Indian India as well—is that if these States enter the Federation a great many more States will undoubtedly enter. The story does not end, however, where the Noble Lady left it. There are a number of minority States—States now administered by British administration during the minority of the Indian Princes. They cannot come into the Federation owing to the long-standing procedure in India that no decisions of that kind can be taken without the express wish of the ruler. That in itself tightens, to a substantial extent, the condition we are imposing. My advice to the Committee is that they had much better follow the unanimous opinion of the Joint Select Committee, namely, that this percentage is, on the whole, the soundest percentage to take as a test, and that to go further than this percentage will be to put ourselves dangerously into the hands of a few States who will be compelled to hold up the Federation, even though a large number of the States are anxious that the Federation should start. I hope, therefore, that the Committee will reject the Amendment, and will follow the recommendation of the Joint Select Committee.

Duchess of ATHOLL: Would my right hon. Friend kindly tell the Committee exactly how many more States would have to signify their adherence owing to the fact that some are ruled by minors at the present time?

Sir S. HOARE: It is difficult to give the answer in the form which my Noble Friend wishes it, because she will see at once that a State which is under minority administration to-day may not be under minority administration when the Federation comes into being. If the Federation came into being to-morrow, I think it would mean that something like 9 per cent. of the States are now under minority administration.

Duchess of ATHOLL: Nine per cent. of the 562, or of the 117 larger States?

Sir S. HOARE: It is 20 States representing 7,000,000 of the population.

Duchess of ATHOLL: That is on the basis of population, 20 States, and on the basis of State seats, may we know how many?

Sir S. HOARE: I cannot give the Noble Lady that answer at once—I will look it up for her—but she can take it from me that it is a substantial factor in the problem. The single instance of the State of Gwalior, which is at present under minority administration, will show her that some of the more important States are in this position.

Mr. BRACKEN: Will the right hon. Gentleman tell us what happens to a

[Mr. Bracken.]

State like Alwar, whose ruler first used the phrase "United States of India," and has now been exiled by the Government of India? Is his State to be represented in the federation, or does his temporary absence militate against it being represented in the Chamber of the Princes?

10.19 p.m.

Viscount WOLMER: I do not think that the speech of the Secretary of State for India in the least dispoess of the Amendment of my Noble Friend. It really is a most amazing thing that the Government propose to bring this vast federation into being on a bare majority either of the population of the States or of the number of seats that they have. I submit that this matter is far too important to be disposed of in this way. After all, you are not going to make this federation a success on the basis of anything like a snap vote. I cannot help feeling that one of the most fundamental mistakes the Government are making is that they think they can manoeuvre first one party and then another into their scheme. Just as, in our opinion, they have not been candid with the British electorate, and just as in the last Amendment they have not been candid with British India, I do not think they are treating the States properly. This is a vast and fundamental departure in the whole history of the States, something which is going to have an immense influence on the whole of their future careers. Should we in any simpler walk of life think of coming to a decision like that on a bare majority? I do not see either the Minister of Agriculture or the right hon. Member for Swindon (Dr. Addison) here, but if they were here they would bear me out when I remind the Secretary of State that even if the Government want to get a marketing scheme through they have to get a 66 per cent. majority of the acreage farmed by the farmers concerned, and a 66 per cent. majority of the number of farms. Therefore, they have to get a two-thirds majority of the big farmers and a two-thirds majority of the small farmers.

Mr. MOLSON: This is the second time that an analogy has been drawn between the Indian States and the marketing schemes. In the case of the marketing schemes those who are not in favour of the schemes are compelled to come in. It is a case of the majority coercing the minority. If the Indian States do not wish to come in, they need not do so.

Viscount WOLMER: I should like to hear from my hon. Friend what he thinks the position of the Indian States who do not come in will be after the Federation has come into operation. We know perfectly well that once the Federation has been established there will be no alternative but for every State to come in. Otherwise, they will be completely left out in the cold.

Sir S. HOARE: Then what does it matter about the percentage?

Viscount WOLMER: My right hon. Friend asks, what does it matter.

Sir S. HOARE: What does it matter about the percentage if they all come in?

Viscount WOLMER: It matters very much. It matters in this sense, and this is an aspect which I think has never appealed to the right hon. Gentleman that if you are going to apply coercion, as you are applying coercion, you ought not to apply it unless you have an overwhelming majority in your favour. The analogy of the Marketing Acts is a perfectly proper one. The right hon. Member for Swindon quite rightly saw, when we pressed him from the Conservative party to make the percentage even higher when the Bill was in Committee, that you cannot get a successful marketing scheme unless you have a preponderating majority of the big men and the small men voluntarily coming in. If you have that, then he saw that it was legitimate to coerce the small minority but that any attempt to do a thing of that sort by a bare majority would inevitably end in failure. You are here dealing with something which is infinitely and immeasurably greater than a marketing scheme, and the same considerations apply. The whole of this thing will automatically come into force when you have got the required number of States, and their decision is going to settle not only their own destiny but the destiny of every State in India as well. We say that a decision of that sort ought not to be come to on such a small majority.

I am very sorry that my right hon. Friend the Member for Hillhead (Sir R.

Horne) is not here. In a speech that he made on the setting up of the Joint Select Committee he drew special attention to this point, and I think that anyone who considers the question must see that this is one of the fundamental and key points in regard to the whole of the Government's scheme. The right hon. Gentleman says that if you put the percentage too high you put it in the power of a small minority of States to hold up the Government to ransom. That would only be a small number of big States, and if the information which has reached us through the public Press as well as from private sources is correct the Secretary of State has already spared these people. [*Interruption.*] I mean that agreements have been prepared during the last 18 months, since the retrocession of Bangalore.

Sir S. HOARE: There is no agreement.

Viscount WOLMER: It has been revived; and I should be exceedingly surprised if that matter is not settled before Federation takes place. The right hon. Gentleman will have no difficulty in making agreements with the big and important States and therefore the danger that a small number of important States can hold up the whole of this Federation is not very real. If they had real and substantial reasons for holding it up I should say they were right, but you ought not to do a thing of this sort unless you have an overwhelming majority of the States coming in. The Committee must remember that this country is bound to the Princes of India by the most sacred treaties, and a treaty must be honoured in the spirit as well as in the letter. If the Amendment is rejected there is grave danger that while we shall continue to honour the letter of our treaties we shall not be honouring the spirit, because the moment a declaration of Federation is made it will be practically impossible for any State to remain outside federation.

HON. MEMBERS: Why?

Viscount WOLMER: Because you will have an all-India Federation in which their neighbours with rival interests and claims will be represented, and they will feel that they have been left out in the cold. Apparently, the Attorney-General agrees with what I am saying and, therefore, the Government agree that directly you have your required majority the others will be bound to come in. I have never heard anyone with a knowledge of India express a contrary opinion. I say that it is all the more incumbent upon us to see that there is not a snatch vote, a bare majority. If we coerce 45 per cent. or so of the Indian States to come in against their will we shall not be honouring our treaties with them in the spirit, although we may be honouring them in the letter. Surely the way in which we honour the spirit of our treaties is more important than honouring them in the letter. It is because we have honoured our treaties in the spirit as well as in the letter that has given us our position in India to-day. I appeal to the right hon. Gentleman, even if he cannot agree with the suggestion of my Noble Friend, to give us something more than a bare majority. What is suggested in the amendment is 75 per cent. If he will fall back on 66 per cent. the figure in the Government's own Marketing Acts it would give a two to one majority, and that is the sort of figure which may make all the difference between acquiescence on the part of the minority and a sullen resentment and feeling that they have been tricked and betrayed into a system of which they heartily disapprove. I do wish that the Government, pursuing this great constitutional experiment, would not be so eager to snatch the advantage of position by manoeuvring tactics, but would try to get a Constitution which is based on a measure of real consent, even though it might take them longer. Then they would be building on a far firmer foundation.

10.30 p.m.

Mr. AMERY: I confess that I have rarely heard an argument that I have found more difficult to follow than the suggestion that if 51 per cent. of the princes and people of the Indian States accede to the Federation, that involves a coercion of the remaining 49 per cent. The main reasons why any of the Indian States would wish to join the Federation would be to have a say in the framing of the Indian tariff, Indian railway policy and other policies that affect India. In so far as a certain number of the States join the Federation, that is not going to increase the hostile pressure of the remaining States. Indeed, to some extent it may make the position of the remaining States easier, and some States, those

[Mr. Amery.]
which have got seaboards and collect their own Customs, have not got the same pressure upon them, and may not feel the same desire to federate. It seems to me that the analogy of the Marketing Acts, under which a 66 per cent. majority is required to coerce all, has no bearing whatever upon the question of what proportion of those who want to enter the Federation is sufficient for this Parliament to allow them to enter. This is a restrictive veto on the right of those who want to enter until the 50 per cent. has agreed.

What really does surprise me is this: A good many hours last night and this afternoon I have listened to speeches pointing out that the Government were entirely wrong in assuming that the princes wished to join the Federation. If that is so, why do my hon. Friends want to make so high a fence that the princes cannot jump over it even if they want to do so. I really would make an appeal to my hon. Friends who differ from me, I know from motives which are not foreign to any of us. If they object, let them object upon some definite principle, and let us have rather less of Amendments which are impracticable and purely destructive and wrecking.

Viscount WOLMER: My right hon. Friend has appealed to me. Here is a principle for his attention. It is, that there should be a scheme which has some measure of consent behind it.

Mr. AMERY: I should think that if Parliament is to be the deciding factor, then if any scheme has ever had the consent both of Parliament and of administrative authorities of experience, no scheme has had a greater measure of such consent behind it than this. On the other hand, if you are to have a scheme which will have vocally expressed Indian consent the moment it is put into effect, then Parliament ought to do nothing but wait for the Indian Constituent Assembly. If that is the project of my hon. Friends it certainly is not mine.

10.35 p.m.

Mr. CHURCHILL: This matter is really crucial. The essence of the Government's scheme has been based upon the offer of the princes. That was the statement made by the Lord President of the Council—whom I do not see in his place to-night—at the critical meeting of his own party. We were told the princes had come forward with their offer and the suggestion was made "How can you reject these good gifts which are so freely proffered to your hand?" Now we are right down to the bones of the offer. There was the speech of the Secretary of State in which he said that the Indian States would come in. By a misprint in the OFFICIAL REPORT, such as often occurs to us, he was reported to have said that "all" the Indian States would come in. My right hon. Friend the Secretary of State says he did not say "all" and, whether he said it or not that he did not mean to say it, which is quite the same thing. No one is going to hold a Minister in high office and in a great critical position, responsible for the exact terms of the phrases which fall from his lips, but at any rate it was said that the Indian States would come in.

That is a very important point. The whole essence of the matter as presented to us was, "They want to come in." We were told that they had come forward with their offer and that all they said was, "Do let us be responsible. Do let us have democracy. Do let us have the will of the people prevailing." But they were to come in. Here was this great offer, enabling us to build up this vast megalomaniac palace of Indian Federation. This thing was presented to us because of the Indian States. All was put upon their offer. Now we are told it is only to be half. I am not going to argue with my right hon. Friend. He says he did not say "all" or did not mean to say "all" and that is the end of it. But between "all" and 50 per cent. there is a pretty wide margin. He brushed that aside, but the Government are basing their case on the offer of the States. We are told that we ought to give up our views because of this great ugly rush of the Princes of India to get into the Federation—on a purely democratic basis, of course. That is understood all the time. But between "all" and 50 per cent. cannot we come to an agreement with the right hon. Gentleman? Cannot we split the difference and accept this Amendment of 75 per cent.—three-quarters instead of half?

What is all this talk about the blackmail which is to be exerted by the out-

standing of a few States or whatever it may be—that if you ask too many to come in the last lot might make conditions, and that you have to ask a very few to come in so that you can square that lot—and you have got them very well sized up I must say? Add up the big States of India and see the ones that have been dealt with—Travancore, and Bangalore, and so forth. But when you come to the focus of this matter you find that this point diminishes under the criticism of the Committee. Personally I think this is the weakest point in the Government's case. I think they make a great mistake to force it so much. If the great mass of the Indian States were really so sincere in their desire to participate in the newly created Federation of All-India, with responsible government, with the full surge of democratic processes operative at the centre, you would not have had this awful comedown to 50 per cent. and that 50 per cent. just about what can be managed and manipulated.

The right hon. Gentleman will tell me, no doubt, that the Joint Select Committee have considered all this, and settled it all, and examined it all so nicely. My right hon. Friend made a great mistake in not having a better committee of inquiry, people who would really make a searching examination of these problems. [An HON. MEMBER: "Why did not you join it?"] Because the composition of it was so unfair—about four to one, between three and four to one. Let us be quite frank about it. An hon. Member looks at me in a questioning manner. We are fighting this policy, fighting this Bill, and we have to judge whether we shall fight it, on the committee or outside the committee, entirely from the point of view of whether we can make a better fight; but if the committee had been a fair one, if it had been one which gave a fair representation—and we are not fighting it with such ill-effects as you suppose or as your majorities in this House may lead you to imagine—if the committee had been a fair one, it would have been quite possible to go on it. The right hon. Gentleman, however, so managed this committee that, instead of being a committee to inquire into these matters, it was a sort of recruiting agency for supporters of the Bill. But I am not going to discuss the committee. On the contrary, all I say is that if this matter had been properly thrashed out in the committee, the right hon. Gentleman would not be in the position in which he finds himself at the present moment.

Mr. AMERY: Why did not you thrash it out then?

Mr. CHURCHILL: If I am to take up the point which has been flung at me by the right hon. Member for Sparkbrook (Mr. Amery), I may have to put some strain upon your indulgence in presiding, Mr. Chairman, but I will leave it entirely with this observation, that it was not a committee of inquiry; it was a mutual admiration society, with a few increasingly embarrassed spectators. I come back to the point that, in default of fair and searching criticism, this is the first criticism which has come upon these plans. This is the first time they are dragged to the light, I will not say of day, but to the broad light of Parliamentary discussion, and here we have——

Sir S. HOARE: This percentage has been in the White Paper, all through the Indian discussions, and the Round Table Conference, and the Indian Princes themselves have agreed to it throughout.

Duchess of ATHOLL: May I ask the right hon. Gentleman if I was not right in saying that he first publicly mentioned this percentage at the end of the last Round Table Conference?

Sir S. HOARE: I do not know whether that is so or not, but even so, that was how many years ago? [An HON. MEMBER: "Two years."] I should have said much longer.

Mr. CHURCHILL: We know that India is progressing at an enormous rate. We are told that it is progressing at such a rate that any man who came home before the Secretary of State took office has no opinion about it worth considering, so no doubt his own views will change from time to time. But let me put before the Committee the brutal fact that whereas the sort of general idea was that it was to be the offer of the Indian States, that they all wanted to come forward, now it has been cut down to 50 per cent., and those 50 per cent. can be pretty well made up out of the States which we allege, and will increasingly assert and endeavour to prove,

[Mr. Churchill.]

have been in one way or another got at, approached, developed, by the right hon. Gentleman through all the sources that are open to him. What is the use of telling me that there is this talk about pressure and bribery? Let us withdraw all invidious expressions. The facts are quite good enough. Here are these territories which are to be retroceded. Here are these tributes which are to be forgiven. Here are these alterations in the financial arrangements with the Government of India. We heard representatives of the princes appealing that these concessions should be made to them, and they were only to be made if there were Federation. All this only operates on the basis of 50 per cent.

One could have understood if, with all these adventitious aids, the right hon. Gentleman had worked it up to 75 per cent., but 50 per cent. is all he is able to get. With all the pressure of the Government, and all the power and might, majesty and dominion at the disposal of a National Government in the full plenitude of power, they can get only 50 per cent. This is the crux of the whole matter. Here is the basis on which the Conservative party were induced to consent to this measure; they were told that here was this offer of the princes. I must say we thought it was a stream, but it is a pump, and the pump only works to the extent of 50 per cent. The right hon. Gentleman would be well advised to accept the Amendment; there is no reason why he should not. Why should he not accept three-quarters? He says that the odd balance of States would blackmail him. On the 50 per cent. he thinks he has got them pretty well fixed up now. The Committee can judge between those two propositions. If the Government are going to give a foundation to your Indian policy, if the great States of India are to come into a federal system, and if they desire to come in so long as it is democratic, have not the Government the courage to put their convictions to the test of 75 per cent.?

The right hon. Gentleman is here on the weakest point of his case. I should say the weakest point of his case up to the present time. I can only speak as a political friend of the right hon. Gentleman, and even that would be subject to some discount, but if he would accept the Amendment, on which we intend to divide, and take three-quarters as a broad test of the willingness of the States to come in and as a broad guarantee and vindication of the statement of the Lord President of the Council as to the offer being the thing that moved him—this offer which is petering out and shrinking down, and all the available pressure only working it up to 50 per cent.—if he would take this on the basis of three-quarters, even if they do not all come in, even if the decision were adverse to it, would he be so much the worse off? Would the Government be so much the worse off? Would India be so much the worse off? Who would be the sufferers by it? The right hon. Gentleman would be well advised to accept this further definition. If he has faith in his policy, cannot he trust it beyond an even-money chance?

10.50 p.m.

Mr. H. WILLIAMS: Is it your intention, Sir Dennis, to call my Amendment—in page 3, line 14, to leave out "one-half," and to insert "two-thirds"?

The CHAIRMAN: We have not reached that point yet.

Mr. H. WILLIAMS: Then I would like to make a few observations on this Amendment. The Secretary of State, so far as I could judge, based his case on arithmetic. While he was speaking I, also, on the basis of the statistics on pages 269 and 273, have done some arithmetic. I find that in one case a seat represents a population of 50,000, while in another case it represents 1,200,000. Unless the statistics in both cases are made satisfactory, this arrangement will certainly not be satisfactory. It is suggested that the Princes have been squared. The Secretary of State was very indignant at this. I should be surprised if reasonable precautions have not been taken to ensure that if this Bill passes a sufficient number of Princes will accept it. Unless such an arrangement has been arrived at, we are wasting our time. Numerous promises have been made for a further advancement of self-governing interests in India, notably that in the summer of 1931. At that time there was the first offer of the Princes. Up to that time every promise had been made by Ministers here and by official pronouncements here. The promises were made quite out of relation to the question

whether the Princes would come into the Federation or not. It seems to me that these promises were made on the assumption of a federation, whether or not the Princes would come in. Now we have a Bill presented, which, if I understand it aright, must lapse, unless something never contemplated four years ago comes into operation. I do not wish to detain the Committee, but I happen to have taken a very definite view on this point. [*Interruption.*] I have not occupied much time of the House and I see no reason when I want to take part in the Committee stage why I should not. If private Members are to be denied reasonable right of audience, then they are perfectly capable of wrecking any arrangements made by any other Members.

The CHAIRMAN: It would be just as well if the hon. Member kept to the Amendment.

Mr. H. WILLIAMS: I was only saying that if a Member is to be denied the right to speak, if hon. Members deny me the opportunity to exercise my rights——

The CHAIRMAN: The hon. Member has the protection of the Chair.

Question put, "That the word 'fifty-two' stand part of the Clause."

The Committee divided: Ayes, 282; Noes, 36.

Division No. 55.] **AYES.** **[10.57 p.m.**

Adams, Samuel Vyvyan T. (Leeds,W.)
Addison, Rt. Hon. Dr. Christopher
Agnew, Lieut.-Com. P. G.
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Balfour, Capt. Harold (I. of Thanet)
Balniel, Lord
Banfield, John William
Barclay-Harvey, C. M.
Barrie, Sir Charles Coupar
Bateman, A. L.
Batey, Joseph
Beauchamp, Sir Brograve Campbell
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Benn, Sir Arthur Shirley
Bernays, Robert
Bevan, Aneurin (Ebbw Vale)
Blindell, James
Borodale, Viscount
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brown, C. W. E. (Notts., Mansfield)
Brown, Col. D. C. (N'th'l'd., Hexham)
Buchan, John
Buchanan, George
Buchan-Hepburn, P. G. T.
Burghley, Lord
Burgin, Dr. Edward Leslie
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Cautley, Sir Henry S.
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Cleary, J. J.
Cochrane, Commander Hon. A. D.
Cocks, Frederick Seymour
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Courthope, Colonel Sir George L.
Cranborne, Viscount
Cripps, Sir Stafford
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Crossley, A. C.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Daggar, George
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, David L. (Pontypridd)
Davies, Edward C. (Montgomery)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davies, Rhys John (Westhoughton)
Dickie, John P.
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Eales, John Frederick
Eden, Rt. Hon. Anthony
Edwards, Charles
Elliot, Rt. Hon. Walter
Elliston, Captain George Sampson
Elmley, Viscount
Emrys-Evans, P. V.
Evans, Capt. Ernest (Welsh Univ.)
Evans, R. T. (Carmarthen)
Fermoy, Lord
Fielden, Edward Brocklehurst
Foot, Dingle (Dundee)
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Ganzoni, Sir John
Gardner, Benjamin Walter
Gault, Lieut.-Col. A. Hamilton
George, Major G. Lloyd (Pembroke)
Gillett, Sir George Masterman
Glossop, C. W. H.
Gluckstein, Louis Halle
Goff, Sir Park
Goldie, Noel B.
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffith, F. Kingsley (Middlesbro', W.)
Griffiths, George A. (Yorks,W.Riding)
Grigg, Sir Edward
Grimston, R. V.
Groves, Thomas E.
Grundy, Thomas W.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hall, George H. (Merthyr Tydvil)
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hammersley, Samuel S.
Hannon, Patrick Joseph Henry
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Hicks, Ernest George
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hutchison, W. D. (Essex, Romf'd)
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing.-Com. A. W. H.
Janner, Barnett
Jenkins, Sir William
Jennings, Roland
Jesson, Major Thomas E.
John, William
Johnstone, Harcourt (S. Shields)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Jones, Morgan (Caerphilly)
Ker, J. Campbell
Kerr, Hamilton W.
Kirkpatrick, William M.
Lamb, Sir Joseph Quinton
Lansbury, Rt. Hon. George
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Lawson, John James
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Leonard, William
Lindsay, Noel Ker
Llewellin, Major John J.
Locker-Lampson, Rt. Hn.G. (Wd.Gr'n)
Loder, Captain J. de Vere
Loftus, Pierce C.
Logan, David Gilbert
Lumley, Captain Lawrence R.
Lunn, William
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
Macdonald, Gordon (Ince)
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEntee, Valentine L.
McEwen, Captain J. H. F.
McKie, John Hamilton

Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr W. H. (Tradeston)
Macmillan, Maurice Harold
Magnay, Thomas
Mainwaring, William Henry
Makins, Brigadier-General Ernest
Mallalieu, Edward Lancelot
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, David M. (Edinburgh, E.)
Mason, Col. Glyn K. (Croydon, N.)
Maxton, James
Mayhew, Lieut.-Colonel John
Milne, Charles
Milner, Major James
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Donovan, Dr. William James
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Owen, Major Goronwy
Paling, Wilfred
Palmer, Francis Noel
Parkinson, John Allen
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Petherick, M.
Peto, Geoffrey K.(W'verh'pt'n,Bilst'n)
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pybus, Sir John
Radford, E. A.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay T. B. W. (Western Isles)
Ramsden, Sir Eugene
Ratcliffe, Arthur
Rathbone, Eleanor
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Renwick, Major Gustav A.
Rhys, Hon. Charles Arthur U.
Rickards, George William
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Russell, Albert (Kirkcaldy)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, M. R. A. (W'ds'wth, Putney)
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Smith, Bracewell (Dulwich)
Smith, Sir J. Walker- (Barrow-in-F.)
Smith, Tom (Normanton)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spears, Brigadier-General Edward L.
Stanley, Rt. Hon. Oliver (W'moriand)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Storey, Samuel
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thomson, Sir Frederick Charles
Tinker, John Joseph
Titchfield, Major the Marquess of
Todd, A. L. S. (Kingswinford)
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Watt, Captain George Steven H.
White, Henry Graham
Whiteside, Borras Noel H.
Williams, Edward John (Ogmore)
Wills, Wilfrid D.
Wilmot, John
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Worthington, Dr. John V.

TELLERS FOR THE AYES.—Lieut.-Colonel Sir A. Lambert Ward and Sir Walter Womersley.

NOES.

Acland-Troyte, Lieut.-Colonel
Atholl, Duchess of
Bracken, Brendan
Broadbent, Colonel John
Carver, Major William H.
Churchill, Rt. Hon. Winston Spencer
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Croft, Brigadier-General Sir H.
Davison, Sir William Henry
Donner, P. W.
Emmott, Charles E. G. C.
Erskine-Bolst, Capt. C. C. (Blackpool)
Everard, W. Lindsay
Fuller, Captain A. G.
Goodman, Colonel Albert W
Gretton, Colonel Rt. Hon. John
Hunter, Capt. M. J. (Brigg)
Knox, Sir Alfred
Levy, Thomas
Lockwood, Capt. J. H. (Shipley)
Mills, Major J. D. (New Forest)
Reid, David D. (County Down)
Remer, John R.
Rutherford, John (Edmonton)
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Stuart, Hon. J. (Moray and Nairn)
Taylor,Vice-AdmiralE.A.(P'dd'gt'n,S.)
Thorp, Linton Theodore
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Wells, Sidney Richard
Williams, Herbert G. (Croydon, S.)
Wolmer, Rt. Hon. Viscount

TELLERS FOR THE NOES.—Commander Marsden and Mr. Raikes.

It being after Eleven of the Clock, The CHAIRMAN *left the Chair to make his Report to the House.*

Committee report Progress; to sit again To-morrow.

The remaining Orders were read, and postponed.

WAR DISABILITY PENSIONS.

Motion made, and Question proposed, "That this House do now adjourn."—[*Captain Margesson.*]

11.6 p.m.

Mr. GUY: I wish to raise a question in relation to the employment of independent medical specialists in cases where the claimant is in Scotland. The point is a narrow and simple one, but is of considerable importance. I am not in any sense attacking the administration of the Ministry of Pensions, or criticising the use of independent medical specialists in appropriate cases. I am altogether opposed to criticism of the high qualifications, impartiality and skill of those independent medical specialists to whom cases have been remitted for consideration in the past.

The use of the independent medical specialist in pension cases was inaugurated in 1929 by the late Minister of Pensions, Mr. Roberts. He revised the existing system for dealing with late claims, and one item which was in the nature of an innovation was that, in certain late cases which raised difficult

medical questions, there was a remit to an independent medical specialist, who was nominated, not by the Minister, but by the President of the College of Physicians or of the College of Surgeons. It is important to keep in mind that these independent medical specialists are not Ministry officials. On the other hand, they are not so completely independent as in the case of the medical referee in workmen's compensation cases. But I understand that the Minister usually, if not invariably, accepts the advice of the independent medical specialist when it is tendered to him.

In many cases where there has been a remit to an independent medical specialist, an examination of the claimant by the specialist is necessary and advisable. In that case it is important that the examination should be conducted by the independent specialist himself. Where both the claimant and the specialist are in London, no difficulty arises, but where the claimant is in Scotland and the specialist is in London serious difficulties at once arise. There is the question of delay before the examination can take place; there is the question of inconvenience; and there is the question of the expense either of the specialist going to Scotland or of the claimant coming from Scotland to London. There is also the possible consideration of prejudice to the health of the claimant if he had to travel to Scotland for a medical examination. My request to the Minister is that in these cases—they are only a limited number of exceptional cases—where there has been a remit to an independent specialist and where an examination is necessary and the claimant is in Scotland, the specialist should be a Scottish specialist in Scotland who would be nominated not by the Minister but by the President of the Royal College of Physicians or the Royal College of Surgeons.

The Minister may say that it might be considered advisable or necessary to have a consultation between the Minister and the specialist and that there would be difficulties if the specialist were in Scotland. But that would be treading on dangerous ground because, assuming that the specialist is independent of both the Minister and the claimant, it would be inadvisable to have any opportunities for persuasion, however peaceful, by the Ministry, when there were no opportunities for consultation between the claimant and the specialist. The Minister might suggest that the examination might not be conducted by the specialist himself but by a deputy. There would be grave objection to that because where a difficult question arises as to the condition of the claimant, or the cause of his condition, it is important that the examination should be conducted by the specialist himself because if it were conducted by a deputy, the Minister would not have the best evidence available. The Minister might suggest that it is not advisable to have a Scottish specialist in Scottish cases. If that argument were put forward, the converse would apply, that all English cases should be examined by Scottish specialists. I submit that my suggestion would be a very valuable piece of administrative machinery. The question is quite open as far as any statement has been made in Parliament. The question was raised in 1929, and the Minister of Pensions said:

> "It is not, in my judgment, practicable or desirable at this stage to define minutely the procedure on points which experience alone can properly determine."—[OFFICIAL REPORT, 25th November, 1929; col. 966, Vol. 232.]

In the following column of the OFFICIAL REPORT it appears that my hon. and learned Friend the Treasurer of the Household asked whether any arrangements had been made as to how medical experts would be selected for Scotland. Mr. Roberts replied by asking for notice of the question. The question, I understand, as a result of my inquiries, was never put in this House. That was six years ago. I hope that now the question has been raised again, my right hon. and gallant Friend will be able to reply to it in the way I suggest. If he can see his way to do so, I am sure it will give considerable satisfaction to ex-service [illegible] Scotland.

11.16 p.m.

The MINISTER of PENSIONS (Major Tryon): I am very much obliged to my hon. Friend for raising this question, if only because it is really important that it should be cleared up and that there should be no misapprehension whatever about the position of these independent medical specialists. To clear the ground, perhaps, he will allow me to say that there need be no anxiety whatever about the care or treatment of ex-

[Major Tryon.]

service men in our hospitals in Scotland. I have often visited those hospitals, and I have found the best relations there between patients, doctors and nurses, and the staffs of the hospitals are doing all they can for them. If there were the smallest doubt which we wish to resolve about the nature of an illness or the kind of treatment needed for a particular case, we should not hesitate to call in from Scotland specialists of the kind needed, so that the fullest possible treatment is given and specialists from Scotland are fully available already for the Scottish cases.

The point raised goes beyond that. It deals with the question of the independent medical specialist. In the great majority of these cases, there is no doubt whatever about the condition of the patient or the nature of the illness or wounds from which he may be suffering. The only point to be decided is whether the illness from which he is suffering to-day, the nature of which is fully known, can in any way be connected with his War service which ended, perhaps, 16 years ago or even longer. When Mr. Roberts regularised the arrangement which has been used occasionally he made an announcement in the House of Commons part of which my hon. Friend has quoted. Mr. Roberts, who was then Minister of Pensions, said on 18th November, 1929:

"I intend, in addition, to secure the assistance of independent advice by the appointment of medical experts (to be nominated by the presidents of the Colleges of Physicians and Surgeons), who will be associated with the Department in advising on all cases on which there is material conflict of evidence on the claim."—[OFFICIAL REPORT, 18th November, 1929; col. 25, Vol. 232.]

So far as any national question comes into this, we have about 11 of these experts. The number seems large, but the fact is there are so many difficult subjects which arise that we had a number of different experts to deal with the variety of illnesses and troubles from which the ex-service men are suffering in our hospitals or in other hospitals. Of the experts who have been nominated two of the 11 have Scottish qualifications which my hon. Friend recognises is more than a national claim. There is, in addition, another expert who holds the great distinction of being one of the examiners at Glasgow University, so that so far as the Scottish outlook on these cases is concerned it is fully provided for, and we are very fortunate to have this Scottish assistance given to us in dealing with these Scottish cases.

What my hon. Friend has not quite appreciated is that if the patient were seeking advice and he went to a doctor, and, not being satisfied, he saw an expert, the expert would be called in and would advise him on the spot, coming from one of these many sources which are available in Scotland; but in this case it is not a question of the patient seeking advice, it is the Ministry of Pensions seeking advice; and, as Mr. Roberts clearly indicated was done, and as we have invariably done, the expert actually comes to the Ministry of Pensions. My hon. Friend would not go so far as the suggestion that any pressure is put upon him, for of course we should not call him in if we did not want his advice. Could it be said that on a highly technical and difficult medical question he, a great expert, would be influenced in any way by what any officials or any one said?

I have described what happens. The kind of thing that happens is that some case comes up and we are genuinely in doubt about it at the Ministry. We feel that there is an element of doubt and that there is not sufficient evidence to enable us to grant a case. We cannot on the available evidence grant a case for pension, and we must have proper authority behind the case before we can authorise the expenditure of public money upon it. Therefore, sometimes, on the initiative of the Ministry itself, we seek advice, and these men come to us at our headquarters in London, and, through them, we obtain advice. I am not prepared to define now or to illustrate the infinite variety of problems that arise, but anyone can imagine for himself the great difficulty of associating an illness now in existence with any past war record of any post-war record of a particular man. Whatever the poblem may be—the connection between one illness and another, or a present illness or a past illness—we seek the advice of a medical specialist in London, because it is in London that the headquarters of the Ministry are. The hon. Member raised the question of a medical examination. It is not in every case that the expert examines the man; but in every case the expert does come to

our centre in London and give us his valuable advice. The expert comes to give us his advice, but whether there is an examination or not depends on the independent judgment of the expert.

Mr. GUY: Would it not be possible for the specialist to send his advice by post?

Major TRYON: That would not be nearly as satisfactory, although it would be possible for an expert in Scotland to send his opinion, in which case it would receive due consideration. What we want is a personal opportunity of putting our difficulty to the expert and getting his advice. The experts are perfectly free to examine a man, if they wish to do so; or, if they like, we are perfectly willing that the man should be examined by anyone whom the expert wishes should examine him; that is, a man of any position, and we would equally allow a man to be examined in Scotland or anywhere else by some recognised authority independent of us if so desired on the suggestion of the medical expert. The main point is that the experts come to help us in difficult cases. We want to see them and ask their advice on these cases and if we were not to have the advantage of experts coming to us in London and advising us Scottish ex-Service men would be placed in a position where it would be more difficult to decide their case than under the present arrangement.

11.25 p.m.

Mr. BRACKEN: This is the first time for two years that we have had the advantage of listening to a speech from the Minister of Pensions. He is one of the least advertised Ministers and therefore one of the best. Anyone who has had anything to do with the Ministry of Pensions is grateful to him for the great work he is doing for those who were wounded in the War, the attention he gives to their case and the care he takes with those who are still suffering as the result of war wounds. I am sure that every hon. Member will regret that the hon. and gallant Member should only make one speech in two years and sincerely hope that we shall have an opportunity of hearing him oftener, perhaps in a position of greater eminence in the Government.

Question put, and agreed to.

Adjourned accordingly at Twenty-six Minutes after Eleven o'Clock.

HOUSE OF COMMONS.

Tuesday, 26th February, 1935.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

Private Bills (Standing Orders not previously inquired into 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 following Bill, referred on the Second Reading thereof, the Standing Orders not previously inquired into, which are applicable thereto, have been complied with, namely:

Glamorganshire Canal Company Bill.

Bill committed.

ORAL ANSWERS TO QUESTIONS.

BRITISH ARMY.

MARRIED QUARTERS.

1. **Mr. HICKS** asked the Financial Secretary to the War Offic how many married couples in the Army are living in buildings without private water-closet accommodation; whether any attempts are being made to give all married couples lavatory and water-closet accommodation in their dwellings; and whether it is the intention of the War Office to give these sanitary facilities to every family in the Army?

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Douglas Hacking): It is the intention to provide separate water-closet accommodation, and eventually separate bathrooms, for all married couples on the married quarters' roll who live in barracks. This is being done gradually, and these improvements are included in all new constructions. I could not give the precise number of cases which are outstanding without calling for reports; but I am satisfied that good progress is being made.

HUTS.

2. **Mr. HICKS** asked the Financial Secretary to the War Office the number of troops still housed in huts; what progress has been made in replacing huts by permanent buildings; and whether any men are still housed in huts which, in the opinion of the Army experts, are unsuited for habitation?

Mr. HACKING: Apart from hutments which have been specially reconstructed, there are approximately 12,500 men who are housed in huts or hutted buildings in stations at home and overseas, excluding India. It is the policy of the War Office to replace these buildings, and more than £700,000 has been expended in the last five years in this connection; but many years must necessarily elapse before all the hutted accommodation can be replaced. I am not aware of any cases of troops living in hutted accommodation which should be condemned as unsuited for habitation.

WEST KENT REGIMENT (PRIVATE J. W. HUTCHINGS).

3. **Mr. HICKS** asked the Financial Secretary to the War Office whether he is aware of the serious illness of Private J. W. Hutchings, No. 6,343,262, the Queen's Own Royal West Kent Regiment, following the administration of a local anaesthetic in the course of teeth extraction; what was the nature of the substance injected; the number of other soldiers similarly treated; whether any fatalities have occurred in consequence; and whether any disciplinary action is proposed to be taken in the matter?

Mr. HACKING: I am aware of the circumstances of this regrettable case. Owing to a grave mistake, turpentine was injected instead of the proper local anaesthetic. No other soldiers were similarly treated. Suitable disciplinary action in the matter has been taken, and special instructions have been issued designed to exclude the possibility of any similar mistake occurring in future. I am happy to say that the soldier's general health is now reported to be good.

Mr. HICKS: In the event of the anaesthetic or whatever was administered to this soldier causing him bad health afterwards, is is within the power of the War Office to meet any liabilities which may be incurred in that way? I raise

[Mr. Hicks.]
this question, because I understand that there has been some attempt to suggest that the treatment which has been meted out to this man is final and that nothing further will be done.

Mr. HACKING: If any permanent disability results from this unfortunate mistake, undoubtedly compensation will have to be considered. In the meantime, I may say that a sum of, I think, £18 has been expended in the form of compensation to the man's parents in order that they should be able to visit their son.

Mr. GEORGE HALL: Can the right hon. Gentleman say whether the anaesthetic was administered by a qualified man?

Mr. HACKING: Yes, Sir, it was. This was a mistake which would take a great deal of explanation before the House, but, if any hon. Member is interested, I shall be glad to let him know how it occurred.

HIS MAJESTY'S SILVER JUBILEE.

4. **Lieut.-Colonel MOORE** asked the Secretary of State for Scotland whether any special arrangements are being made and, if so, of what nature to enable Scotland to demonstrate its loyalty to the Royal Family during the forthcoming Jubilee celebrations?

The SECRETARY of STATE for SCOTLAND (Sir Godfrey Collins): It has been arranged that His Royal Highness the Duke of York will represent The King at Edinburgh on Saturday, 11th May, and a programme for the visit of His Royal Highness is in course of preparation. As announced in this House on 30th July last, it is His Majesty's desire that the Silver Jubilee celebrations should be on a local basis, and programmes of celebrations are being made locally.

Lieut.-Colonel MOORE: Is it a fact, as reported in the Press to-day, that the day selected to commemorate the accession of His Majesty is already a holiday with pay in Scotland for a considerable number of the people there.

Sir G. COLLINS: It is a bank holiday, but that term has a different meaning in Scotland from what it usually has in England.

52. **Mr. G. HALL** asked the Minister of Labour whether all unemployed persons will be given an additional day's benefit on the occasion of His Majesty's Jubilee in May of this year?

44. **Mr. LOGAN** asked the Minister of Labour whether he is prepared to sanction the increase of 3s. to each adult, and 2s. for each child, in receipt of unemployment benefit during Royal Jubilee week?

The MINISTER of LABOUR (Mr. Oliver Stanley): The rates and conditions of benefit are prescribed by the Unemployment Insurance Acts, and I have no power to vary them.

Mr. HALL: Can no exception be made in the circumstances?

Mr. STANLEY: As the hon. Gentleman knows, the rates are laid down by statute.

Mr. McENTEE: Is it proposed to grant any concession of any kind to unemployed men to celebrate the Jubilee?

Mr. STANLEY: The hon. Member had better put a question down.

68. **Mr. T. SMITH** asked the First Commissioner of Works whether official responsibility is being taken for the Jubilee thanksgiving service in Hyde Park, on Sunday, 12th May, which is being organised by a daily newspaper; and whether he will see that all such religious services, if held, shall be free from all suspicion of exploitation for publicity purposes?

The FIRST COMMISSIONER of WORKS (Mr. Ormsby-Gore): This service is not part of the official Jubilee celebrations, but has been agreed to under the ordinary regulations governing the holding of meetings in Hyde Park. I am told that there will be no external evidence of publicity.

SCOTLAND (FISHING INDUSTRY).

7. **Sir ROBERT HAMILTON** asked the Secretary of State for Scotland whether he can make a statement as to the vessels to be provided for policing northern waters under the Fishery Board for Scotland, and as to the ports on which they will be based?

Sir G. COLLINS: It is not proposed permanently to allocate particular vessels to particular areas when the new vessels are completed, but full consideration will be given to the requirements of northern waters. At present, in addition to the "Norna" and the "Vaila," which usually patrol northern waters, a hired drifter is temporarily stationed in Shetland, and one of His Majesty's ships is usually stationed in Shetland during the summer herring fishing season.

Sir R. HAMILTON: Can the right hon. Gentleman say when he expects the new vessels to be ready for commission, and, when they are ready for commission, is it intended to consider basing them on some place nearer to their scene of operations than the present base?

Sir G. COLLINS: I am afraid I cannot give an answer to the first part of the question. When these vessels are completed the whole matter will come up for final review.

5. **Mr. HENDERSON STEWART** asked the Secretary of State for Scotland whether, in order that first-hand knowledge may be obtained and placed on record, he will ask the sheriff who is now examining the drift-ringnet controversy in the Firth of Forth, to take evidence at the Fife fishing villages during the present fishing season?

Sir G. COLLINS: The procedure to be followed is of course a matter to be decided by the commissioner appointed to hold the inquiry and I understand that he has already initiated meetings for the purpose of arranging it with the interests concerned. I have, however, conveyed my hon. Friend's suggestion to him.

Captain McEWEN: Will the right hon. Gentleman be prepared to amplify the suggestion to the sheriff by reminding him that there are equally important interests existing on the south side of the Firth of Forth?

Sir G. COLLINS: I will see that the interests referred to by my hon. Friend are brought to the notice of the sheriff.

COAL INDUSTRY.

COLLIERY COMPANIES (MERGER).

10, 11 and 12. **Mr. MAINWARING** asked the Secretary for Mines (1) whether he can enumerate the individual colliery companies separately operating during the year 1920 in the area now covered by the newly formed merger, Powell Duffryn Associated Collieries, together with the amount of total capital authorised and issued in each case;

(2) how many pits were in active operation during the year 1920 within the area controlled by the Powell Duffryn Associated Collieries; how many were in production during 1934; and how many closed down or idle;

(3) how many men were employed at the whole of the pits operating in the area of the Powell Duffryn Associated Collieries, together with their output for the year 1920, and the same information in respect to the collieries operating in 1934?

The SECRETARY for MINES (Mr. Ernest Brown): I will circulate in the OFFICIAL REPORT the names of the 27 colliery companies separately operating during the year 1920 in the area now covered by the newly formed merger. These companies were operating 121 pits in that year. Of these 121 pits, 68 were in production in 1934 and 53 were closed down or idle. In addition 8 pits, opened since 1920, were in production in 1934. In 1920, 98,800 men were employed and the total output of coal was 16,403,000 tons, the figures for 1934 being 39,300 men and 11,217,000 tons. My Department has no information with regard to the capital of the original companies.

Following are the names of the colliery companies:

Albion Steam Coal Company, Limited.
Aberdare Graig Coal Company, Limited.
Blaenclydach Colliery Company, Limited.
Britannic Merthyr Coal Company, Limited.
Bwllfa and Merthyr Dare Steam Collieries (1891), Limited.
Cardiff Collieries, Limited.
Cwmamman Coal Company, Limited.
Cambrian Collieries, Limited.
Crawshay Brothers (Cyfartha), Limited.
Crynant Colliery Company, Limited.
D. Davis and Sons, Limited.
Duffryn Aberdare Colliery Company, Limited.
Great Western Colliery Company, Limited.
Glamorgan Coal Company, Limited.

Guest, Keen and Nettlefold, Limited.
Hill's Plymouth Company, Limited.
Imperial Navigation Coal Company, Limited.
Locketts Merthyr Collieries (1893), Limited.
D. R. Llewellyn.
Lewis Merthyr Consolidated Collieries, Limited.
Nixon's Navigation Company, Limited.
Naval Collieries (1897), Limited.
Powell Duffryn Steam Coal Company, Limited.
Rhymney Iron Company, Limited.
Taylors Navigation Steam Coal Company, Limited.
Troedyrhiw Coal Company.
Windsor Steam Coal Company (1901), Limited.

19. **Mr. TINKER** asked the Secretary for Mines how many separate colliery companies in Lancashire have merged into one undertaking since 1926; and can he give the names of those who are at the present time employing 10,000 persons or more?

Mr. BROWN: There are five undertakings in Lancashire which are the result of amalgamations which have taken place since 1926. These amalgamations have involved 21 separate colliery companies. Of the five undertakings, Manchester Collieries Limited and the Wigan Coal Corporation, Limited, are employing at the present time 10,000 persons or more.

SHOT-FIRING.

13. **Mr. GRUNDY** asked the Secretary for Mines whether, in view of the recommendation of the commissioner in the report of the Bilsthorpe inquiry that all men should be withdrawn from the face during shot-firing, he is prepared to issue instructions that this recommendation shall in future to put into operation?

Mr. E. BROWN: This recommendation was to the effect that, so far as practicable, shots in face-rippings should be fired either between shifts or after withdrawing the workmen from the face in question. The inspectors will use their influence to secure that this procedure is followed so far as possible but, as recognised by the author of the report referred to, it is not practicable to adopt or enforce such a procedure universally.

Mr. T. SMITH: Can the hon. Gentleman say whether colliery managers have been circularised on this matter?

Mr. BROWN: Perhaps the hon. Member would put down that question.

14. **Mr. GRUNDY** asked the Secretary for Mines whether he proposes issuing instructions to limit the number of shots to be fired by any one shotsman during one shift, thereby giving ample time for the shotsman to properly carry out the responsibilities imposed upon him by the Mines Act, 1911, and its regulations?

Mr. BROWN: Special investigations by His Majesty's inspectors are in progress as to the numbers of shots which, under different conditions, can properly be fired per shift by deputies and shotfirers, respectively; and I am considering whether it is possible to frame a rule to secure some definite limitations of number which shall be reasonable and effective having regard to the widely varying circumstances.

15. **Mr. GRUNDY** asked the Secretary for Mines whether, in view of the increasing number of shots being fired in the coal mines of the country, particularly shots fired in the coal, he will take steps to ensure that shot-firing shall be reduced to a minimum by utilising other means of bringing down coal?

Mr. BROWN: The total number of shots fired in coal mines has decreased of recent years and there has been some increase in the use of mechanical and other substitutes for shot-firing. It is the practice of the inspectors to encourage the use of suitable alternatives where possible and this practice will be continued.

ACCIDENTS.

17. **Mr. EDWARD WILLIAMS** (*for* **Mr. DAVID DAVIES**) asked the Secretary for Mines the number of accidents that occurred in the coal mines of the country for the year 1934, giving the number of fatal and non-fatal accidents separately?

Mr. E. BROWN: During the year 1934 1,068 persons were killed by accidents at mines under the Coal Mines Act, 1911, and 3,175 persons were seriously injured. Particulars of the total number of persons disabled for more than three days are not yet available.

MOTOR INSURANCE COMPANIES (FAILURES).

22. **Sir CHARLES CAYZER** asked the President of the Board of Trade whether, in view of the failure of four motor insurance companies since the passing of the Road Traffic Act, 1930, and the consequent hardship which has been inflicted upon the policy holders in these companies and members of the general public, he proposes to make more frequent use of the Assurance Companies (Winding-up) Act, 1933, under which he has the power to examine the books of motor insurance companies and apply for compulsory winding-up orders in order to eliminate any remaining unsound companies?

The PRESIDENT of the BOARD of TRADE (Mr. Runciman): As I stated in reply to the hon. Member for Westhoughton (Mr. R. J. Davies) on 19th February, the Board of Trade will not fail to take action whenever, on the information available, there is reason to believe that a company coming within the scope of the Act is insolvent.

Sir C. CAYZER: Does the right hon. Gentleman not think it advisable that his Department should take action before and not after these companies get into difficulties; and does he not think that a campaign on the lines which I have ventured to suggest in this question might do something to eliminate unsound companies?

Mr. GRAHAM WHITE: Is the right hon. Gentleman satisfied that there is machinery available to him for the purposes of any action which he is prepared to take?

Mr. RUNCIMAN: A number of difficulties arise in taking action before insolvency is reached, and I should not like to answer a question on that subject without notice.

TRADE AND COMMERCE.

HOSIERY (JAPANESE COMPETITION).

23. **Mr. LYONS** asked the President of the Board of Trade whether his attention has been drawn to the fact that the imports of cotton stockings and hose from Japan have increased in January, 1935, as compared with January, 1934, by 40,000 dozen pairs, or 36 per cent.; and whether he is prepared to take any new steps to deal with this increasing importation?

Mr. RUNCIMAN: I would refer my hon. and learned Friend to my reply to his question on 13th November last, to which I have nothing to add.

Mr. LYONS: Is it not a fact that unemployment in this industry is now greater than it was in November; and, in view of that unfortunate fact, will the right hon. Gentleman invite the attention of the Import Duties Advisory Committee to the power which they have to act immediately in the interests of trade and employment in the hosiery industry?

Mr. RUNCIMAN: My answer to the previous question covers the points raised by my hon. and learned Friend.

24. **Mr. LYONS** asked the President of the Board of Trade whether his attention has been drawn to the fact that the exports of artificial silk stockings and hose to British countries have declined in January, 1935, as compared with January, 1934, by 21,700 dozen pairs, or 60 per cent.; whether he has any information as to whether this decline is due to increasing competition from Japan; and, if so, whether he is prepared to make representations to British countries for increased protection for the British exporter against this competition?

Mr. RUNCIMAN: I am aware of the fact stated in the first part of the question. Nearly two-thirds of the decline occurred in respect of exports to the Irish Free State as the result of restrictions recently imposed on the imports of this class of hosiery into that country. I have no information as to the causes of the balance of the decline in January, but I would point out that up to the end of 1934 the aggregate exports to British countries other than the Irish Free State have shown successive annual increases in quantity since 1931.

Mr. LYONS: In view of the unfortunate exclusion by the Irish Free State of our industries, does not the right hon. Gentleman think that the time is more than ripe for some action, in order to protect British employment in our home market, and to stop the great flow of imports which is putting thousands of people in this industry into great jeopardy as regards employment.

Mr. RUNCIMAN: Those facts could certainly be laid before the Import Duties Advisory Committee as an argument for further duties.

Mr. LYONS: Is the right hon. Gentleman aware of the fact that the Import Duties Advisory Committee have power on their own initiative to act in the face of these unfortunate circumstances and need not wait for one industry to take its place in the queue after another in order to take action?

Mr. RUNCIMAN: It is open to them to make representations, and I have no doubt they will do so at once.

RUSSIAN TIMBER.

25. **Mr. BOSSOM** asked the President of the Board of Trade whether the temporary commercial agreement with Russia precludes the Government from limiting the amount of Russian timber imported into the United Kingdom, as was done last year, in order to enable Canada to increase her timber sales in this market?

Mr. RUNCIMAN: No, Sir. Article 1 of the Temporary Commercial Agreement with Russia provides that each party will accord most-favoured-nation treatment to the goods of the other, but Article 2 provides that, in certain circumstances, this treatment may be withdrawn in respect of particular classes of commodities.

26. **Mr. BOSSOM** asked the President of the Board of Trade, in view of the fact that the fall clause in the timber contract now being negotiated with Russia frustrates the benefits arranged in the Ottawa Agreements, whether he will reconsider the Agreements?

31. **Sir WILLIAM DAVISON** asked the President of the Board of Trade whether he can now give particulars to the House of the communication which he has received from the Canadian Government with reference to the importation into Great Britain of Russian timber under a fall clause, and at prices with which it is impossible for Canada to compete; and what action is being taken by the British Government, in view of the fact that this is in contravention of Article 21 of the Ottawa Agreement?

33. **Major-General Sir ALFRED KNOX** asked the President of the Board of Trade whether he has yet come to any decision regarding the proposed contract for the import of Russian timber in the current year by Timber Distributors, Limited; whether the quantity imported will be reduced from that imported in 1934; and whether the fall clause will be prohibited as in last year's contract?

Mr. RUNCIMAN: As I have already informed the House, the questions raised by the contract between Timber Distributors, Limited, and the White Sea Timber Trust are at present receiving careful consideration. I will make a statement to the House at the earliest possible moment, but I fear I am not yet in a position to say when that will be.

Sir W. DAVISON: Can my right hon. Friend not say at once that the fall clause makes any preferences given under the Ottawa or any other agreement nugatory, and surely the Government can make up their mind at once and tell the House that the fall clause will not be allowed in contracts of this kind?

Mr. RUNCIMAN: The fall clause, I think, was eliminated from contracts last year. That is one of the points now under discussion.

Sir A. KNOX: In considering this contract, will the right hon. Gentleman take into consideration the fact that the Canadian mills are now working only 50 per cent. of their capacity and that the timber market in this country is considerably overstocked as compared with last year; also that Canada takes £19,500,000 of our exports and Russia only £3,500,000?

Mr. RUNCIMAN: We will take all the facts that are relevant into consideration.

Mr. THORNE: Does the right hon. Gentleman think the Russian soft timber comes into serious conflict with the Canadian soft timber?

FLOUR.

27. **Mr. GLOSSOP** asked the President of the Board of Trade the quantity of flour imported from foreign countries during the last three months for which figures are available; and similar figures for the corresponding periods in 1932 and 1933?

Mr. RUNCIMAN: During the three months ended January, 1935, the imports of wheat meal and flour consigned from foreign countries amounted to 658,000 cwt. The corresponding figure for the

period ended January, 1933, was 461,000 cwt. and for that ended January, 1934, 784,000 cwt.

Mr. GLOSSOP: Is the right hon. Gentleman aware of the considerable concern caused in agricultural circles as a result of the increased importation of flour and meal in the last 12 months, and would it not be desirable to import the wheat into this country and to mill it here so that farmers could have the benefit of the offal?

Mr. RUNCIMAN: It is desirable that there should be as much flour and, may I add, as much offal available for our internal purposes as possible.

Mr. PIKE: Will my right hon. Friend direct his last reply to the activities in this commodity by the co-operative societies?

DISTRIBUTION.

28. **Mr. MABANE** asked the President of the Board of Trade whether he is yet in a position to announce that any form of inquiry is to be set up to examine the problem of distribution; and whether his attention has been drawn to the widespread demand throughout the country that the problem of distribution should receive investigation?

Mr. RUNCIMAN: I fear that I have nothing to add to the answer I gave to a similar question by my hon. Friend on the 6th November last.

Mr. MABANE: Has my right hon. Friend's attention been called to the speech made yesterday by Mr. Martin, who is an authority in the industry, in which he recommends an impartial inquiry as being much preferable to indiscriminate condemnation or indiscriminate interference by a Government department in this business of distribution?

Mr. RUNCIMAN: Yes, I read Mr. Martin's speech with great interest, and I shall certainly take both it and the views of my hon. Friend into account.

Mr. RHYS DAVIES: Is the right hon. Gentleman aware that one of the strongest complaints against the distributive trade in this country is of the very low wages paid to some of the assistants?

GREY TEXTILE GOODS (RE-EXPORTS).

30. **Mr. THORP** asked the President of the Board of Trade whether he is aware that grey textile goods are being imported into this country free of duty for the purpose of being subjected to a slight process in this country and then re-exported as British goods; whether he can state the quantity so admitted during the year 1934; and whether he proposes to take any and, if so, what steps to prevent the continuation of this practice?

Mr. RUNCIMAN: Following the earlier representations made by trade organisations in Lancashire, this question, in its various aspects, was fully discussed with a recent deputation from the Manchester Chamber of Commerce, and the whole matter is now under active consideration. In regard to the second part of the question, the quantity of grey cotton piece goods imported in 1934 and entered for delivery for process and subsequent re-exportation was 5,523,600 square yards, valued at £65,600.

BACON (IMPORT REGULATION).

32. **Mr. LEONARD** asked the President of the Board of Trade whether any new arrangements in connection with the quantitative regulation of imports of bacon, hams, and pork from foreign countries have yet been made after negotiations with the Bacon Marketing Board?

Mr. RUNCIMAN: The arrangement contemplated by paragraph 7 (*b*) of the Bacon (Import Regulation) Order, 1934, has been revised this year in consultation with the Bacon Marketing Board and the representatives of foreign Governments. As from 1st January, imports of bacon (as defined in the Order) from the five main foreign exporting countries are regulated on the basis of fortnightly periods, instead of on the basis of four weekly periods.

TURKEY (NEGOTIATIONS).

34. **Mr. WHITE** asked the President of the Board of Trade whether he is now in a position to report any progress in the negotiations for the settlement of our commercial relations with Turkey?

Mr. RUNCIMAN: The negotiations are proceeding. I regret that for the present I am not in a position to make any more detailed statement.

BULGARIA.

38. **Mr. SUTCLIFFE** asked the President of the Board of Trade whether he is

[Mr. Sutcliffe.]
aware that existing frozen Leva balances belonging to British firms in the National Bank of Bulgaria amount to nearly £200,000; and whether he anticipates that any arrangements will be made in the near future to free these balances?

Mr. RUNCIMAN: I am aware that considerable sums have accumulated in the Bulgarian National Bank to the credit of British firms, and I am informed that these balances are being slowly liquidated. The matter is being carefully watched, and no opportunity will be lost of affording to United Kingdom traders such assistance as may be possible.

39. **Mr. SUTCLIFFE** asked the President of the Board of Trade whether his attention has been called to the difficulties of British merchants trading with Bulgaria, owing to the uncertainty regarding the amount of import quotas which are to be received and to the delay in getting these quotas allotted and confirmed; and whether he will take steps to bring this matter to the notice of the Bulgarian Government with a view to an early remedy?

Mr. RUNCIMAN: Yes, Sir, the matter is under consideration.

Mr. SUTCLIFFE: Will my right hon. Friend consider making representations that in future the quotas should be allotted on a yearly basis instead of quarterly, and allotted to exporters rather than to consignees?

Mr. RUNCIMAN: I shall certainly consider that point.

COMMODITY EXCHANGES.

46. **Major NATHAN** asked the Chancellor of the Exchequer whether he will consider the initiation of an inquiry, by select committee or other appropriate machinery, into the organisation, control, and management of the Metal Exchange, Baltic, and other commodity exchanges with a view to ensuring such organisation, control, and management as may be best designed to serve the public interest?

The CHANCELLOR of the EXCHEQUER (Mr. Chamberlain) I would refer the hon. and gallant Member to the answer which I gave to the hon. Member for West Fulham (Sir C. Cobb) on Tuesday last.

IMPORT DUTIES (EXPORTED PLATES).

50. **Mr. R. T. EVANS** asked the Financial Secretary to the Treasury whether he is aware of the reduction in British exports of tinned, terne, and other coated plates since 1932; and whether, seeing that the Import Duties Advisory Committee have imposed a tariff of 33⅓ per cent. on imported bars, he will now take steps to secure a drawback of duty in respect of exported plates?

The FINANCIAL SECRETARY to the TREASURY (Mr. Duff Cooper): I am aware that there was a decline of about 14 per cent. in the quantity of coated plates and sheets of United Kingdom manufacture exported in 1934, as compared with 1932. The question whether a drawback scheme in this case would be in the national interest is one in the first instance for the Import Duties Advisory Committee under Section 9 of the Finance Act, 1932, and I have no doubt that they will give full consideration to the position disclosed by the trade statistics in the light of the many important interests involved.

Mr. HERBERT WILLIAMS: Have any complaints been received as to the price effect of the duty of 33⅓ per cent.?

Mr. COOPER: Not so far as I am aware.

MESSRS. JAMES AND SHAKESPEARE, LIMITED (INQUIRY).

29 and 40. **Sir CYRIL COBB** asked the President of the Board of Trade (1) whether he is aware that the provision that the name of the real holder of shares in a limited liability company shall appear with his address on the records of Somerset House is now defeated by the device of registering shares in the name of a nominee company; and whether he proposes to take early steps to make good this defect in the operation of the law intended to protect the public against abuse of the facilities provided by limited liability;

(2) whether he is aware that the names and addresses of owners of shares held by nominee companies appear on the books of nominee companies; and will he take the necessary measures to ensure that in future, in the event of the transfer of such shares from or to a nominee company, the names and addresses of the

beneficial or other owners in the possession of the nominees be recorded on the transfer deed for identification of ownership in order that this information may appear upon the share registers at Somerset House?

36. **Mr. JOHN WILMOT** asked the President of the Board of Trade whether his attention has been called to the fact that a large proportion of the shares of James and Shakespeare, Limited, were registered in the name of bank nominees; and whether, in view of the fact that this practice makes it impossible to discover who are beneficial owners, he will take steps for the purpose of ensuring that the returns of company shareholders disclose the names of the beneficial owners?

37. **Mr. DAVID GRENFELL** asked the President of the Board of Trade whether, in view of the concealment of the names of nominees holding shares in Messrs. James and Shakespeare, he has considered the advisability of amending the Companies Act of 1929 to prevent further misuse of the law of limited liability in the promotion of gambling operations in the commodity market?

Mr. RUNCIMAN: There is no legal requirement that the name of the beneficial owner of shares in a limited company shall be entered in the register of members, and indeed Section 101 of the Companies Act, 1929, provides that no notice of any trust, express, implied or constructive, shall be entered on the register or be receivable by the Registrar of Companies registered in England. Any liability or obligation attaching to a share falls to be met by the person in whose name the share is registered. The suggestion that the law should be amended in regard to the registration of shares held by nominee companies has been noted for investigation when the amendment of the Companies Act is under consideration.

Dr. ADDISON: Does that mean that the banks themselves are responsible for any losses that may arise out of these gambles?

Mr. RUNCIMAN: I think my right hon. Friend heard me aright when I said that any liability or obligation attaching to a share falls to be met by the person in whose name the share is registered. That would apply equally to a bank.

35. **Major NATHAN** asked the President of the Board of Trade whether he will state the time that he estimates will elapse before the examination into the affairs of James and Shakespeare, Limited, has advanced sufficiently far to enable the liquidator to present a report adequate to enable His Majesty's Government to decide whether or not to institute a further and public inquiry into any matters disclosed by such report?

Mr. RUNCIMAN: The winding-up order was made yesterday. The official receiver's inquiries must necessarily be searching and full, and I am unable to say at present when they will reach the stage at which he will be able to make a report. The official receiver is, I understand, aware of the desire of His Majesty's Government that his investigations should be conducted with all possible expedition.

Major NATHAN: Does the right hon. Gentleman seriously state that a report to be produced at an indefinite future date and available only to shareholders and admitted creditors as a result of a private inquiry is a satisfactory method of dealing with the anxiety that is felt by the public and with the suspicions and rumours which are gravely affecting public credit?

Mr. RUNCIMAN: In the first place, I do not believe for a moment that the official receiver will be dilatory; I believe he will conduct his investigations with all due speed. With regard to the effect on the minds of the public, I can only say that when the reports are published, for the use primarily of shareholders and creditors, they will also be open to other people to read.

Major NATHAN: Does the right hon. Gentleman recall that in answer to a question from me it was made specifically clear that the report would not be available to other than the shareholders and admitted creditors; and, further, will he say whether, with all his ripe experience, he expects the report of the official receiver to be available within, let us say, 12 months from this date?

Mr. RUNCIMAN: I offer no prophecy whatever as to the speed with which the official receiver will work, but I am sure he will not lose any time. With regard to the other point, I did not say the

[Mr. Runciman.]
reports would be withheld from the public. They must be published, but they must be handed over in the first place to those who can see them on behalf of the shareholders and creditors, and that surely makes them as public as they need be.

Mr. WILMOT: Will it be competent for the official receiver to report who are the beneficial owners of that part of the company's capital registered in the names of bank nominees?

Mr. RUNCIMAN: If the hon. Member will put that question on the Paper, I will endeavour to give him an answer.

Mr. DAVID MASON: Is it not the case that this report could be discussed in this House on the Board of Trade Vote?

FORESTRY (ELM DISEASE).

41. **Colonel ROPNER** asked the hon. Member for Rye, as representing the Forestry Commissioners, in which counties has elm disease now been identified; and in which was the disease diagnosed for the first time in 1934?

Colonel Sir GEORGE COURTHOPE (Forestry Commissioner): Elm disease has been identified in Brecknock, Denbigh, Glamorgan and Merioneth and all the counties of England except Northumberland, Cumberland and Westmorland. It has not been recorded in Scotland. In Cornwall, Merioneth and Lancashire it was recorded for the first time in 1934.

BEET-SUGAR INDUSTRY (CO-OPERATIVE SOCIETIES).

42. **Mr. H. STEWART** asked the Minister of Agriculture what is the attitude of the Government towards the establishment by the co-operative societies of beet-sugar factories; and if the new proposals of the Government for 1935 are in fact likely to raise the price of sugar to the consumer?

The MINISTER of AGRICULTURE (Mr. Elliot): Since 1924, when the beet-sugar industry was first assisted by Exchequer subsidy there has been no limitation on the erection of beet-sugar factories in this country. As regards the 1935-36 season, the further interim measure of assistance which Parliament will be asked to provide will be designed to secure the existing position, pending the consideration by the Government of the report of the Committee of Inquiry under the chairmanship of Mr. Wilfrid Greene, K.C. The answer to the last part of the question is in the negative.

Mr. STEWART: Is my right hon. Friend aware that statements are being made in Scotland to the effect that the Government are deliberately preventing co-operative societies, because they are co-operative societies, from engaging in home beet-sugar production, and that it is the deliberate intention of the Government to raise the price of sugar? Can my right hon. Friend give a direct denial to both these charges?

Mr. ELLIOT: I have given a direct denial to the second. As to the first part of the supplementary question, I am more than delighted to hear that the co-operative societies have changed their attitude and are now in favour of promoting beet-sugar production.

AGRICULTURE.

POTATO INDUSTRY.

43. **Mr. HASLAM** asked the Minister of Agriculture whether he is aware that the order issued by the Potato Marketing Board imposes on Lincolnshire, Norfolk, the Isle of Ely, and the Soke of Peterborough a compulsory minimum riddle of 1¾ inches for King Edward and Red King potatoes instead of 1⅝ inches which previously prevailed; and whether, as this order is viewed with much dissatisfaction in the districts concerned owing to the losses entailed, he will make a representation on the subject to the board?

Mr. ELLIOT: I am informed that the object of the regulation of the Potato Marketing Board, to which my hon. Friend refers, is temporarily to adjust the loadings of certain varieties of potatoes from the districts named in order to conform with market conditions, and that the regulation was made in the interests of growers. The regulation came into force on 29th January, and will expire on 28th February. With regard to the latter part of the question the

matter is one primarily between the board and their constituents and, as my hon. Friend will appreciate, it would be undesirable for me to intervene.

Mr. HASLAM: Is my right hon. Friend aware that it is the discriminatory nature of the order and its application only to these counties that is causing great concern to the growers?

Mr. ELLIOT: There are full arrangements under the scheme whereby grievances can be investigated and, if necessary, redressed.

Mr. de ROTHSCHILD: Will the right hon. Gentleman himself intervene in this matter and see that the growers in these three counties are dealt with in as fair a manner as the growers in other parts of the country?

Mr. ELLIOT: The growers in other parts of the country accepted the scheme and are working it themselves, and it would be out of order for me to intervene.

Mr. de ROTHSCHILD: Is the right hon. Gentleman aware that the growers of these three counties have been very vocal and have complained bitterly to the board, but have had no redress from the board up to the present time?

Mr. ELLIOT: There is, as my right hon. Friend knows, proper machinery for investigating complaints, and, if necessary, they can lay complaints before the Minister.

DAIRY HERDS (VETERINARY INSPECTION).

60. **Mr. GLOSSOP** asked the Minister of Health whether he is aware that under the administration of the Milk and Dairies (Consolidation) Act, 1915, and the Tuberculosis Order, 1925, the West Riding County Council employ nine whole-time veterinary officers, Cheshire six, Derbyshire two, Staffordshire none, and Lancashire none; and whether he can state the reason for such varied administration, in view of the fact that these counties are all adjacent and form the North-West Region of the Milk Marketing Board?

***The* PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare):** Except that a staff of whole-time veterinary officers has, my right hon. Friend is informed, now been appointed by the Staffordshire County Council, the facts stated by my hon. Friend are generally correct so far as they go, but they are misleading because in some counties, for example Derbyshire and Lancashire, part-time veterinary officers are employed either exclusively or in addition to the whole-time staff. As regards the second part of the question, veterinary inspection of cattle is compulsory only in certain cases. Routine inspection is optional and not all county councils undertake it. My hon. Friend will be aware that this is one of the matters dealt with in the report of the Committee on Cattle Diseases which is at present receiving consideration.

Mr. GLOSSOP: Will my hon. Friend tell me when some decision will be reached by the Diseases of Cattle Committee; and may I ask whether he is aware of the very great hardship suffered by farmers in the West Riding owing to the severe operation of the regulations there as compared with other counties?

Sir JOSEPH LAMB: Could the hon. Member who put the question say where he obtained his information that Staffordshire was an exception?

Mr. SHAKESPEARE: I pointed out in the answer that that was incorrect. As regards the supplementary question put by the hon. Member, I agree that the position is not satisfactory, but I cannot promise any date by which a report can be made.

Mr. RHYS DAVIES: Are we to assume that the cattle of Lancashire are healthier than those of Derbyshire and Cheshire?

UNEMPLOYMENT.

UNEMPLOYMENT ASSISTANCE.

45. **Miss WARD** asked the Chancellor of the Exchequer whether he can now inform the House of the additional sum required to reimburse local authorities from 1st October to 28th February for the maintenance of the able-bodied unemployed who will be taken over by the Minister of Labour on the appointed day, the figures to relate, respectively, to the country as a whole, to the north-east coast, and to Northumberland county council and Newcastle-on-Tyne?

Mr. CHAMBERLAIN: I have already stated that I am not prepared to consider any further payment to local autho-

[Mr. Chamberlain.]
rities in respect of the period from 1st October to the end of February; there is therefore no such sum required as is assumed by my hon. Friend.

Miss WARD: Will it be possible to let the local authorities have the information in order that we may know how to press the Government and to obtain a reimbursement?

Brigadier-General NATION: Has any arrangement been arrived at with the local authorities as to the further postponement of the second appointed day?

Mr. CHAMBERLAIN: No, I have not seen them yet.

Mr. THORNE: Does not the right hon. Gentleman recognise that, in consequence of the Government refusing to reimburse the local authorities, it means an additional rate in some cases of 2d. and 3d. in the pound?

Miss WARD: Is my right hon. Friend aware that when I put a similar question to the Minister of Labour some time before Christmas, he said the necessary information was being prepared.

TRANSITIONAL PAYMENTS.

51. **Mr. E. WILLIAMS** (*for* **Mr. D. DAVIES**) asked the Minister of Labour the number of persons in receipt of transitional payments signing at the following Exchanges: Pontypridd, Pontyclun, and Tonyrefail during the last four weeks of 1934?

Mr. STANLEY: As the reply includes a number of figures, I will, if I may, circulate a statement in the OFFICIAL REPORT.

Following is the statement:

The following table shows the number of persons to whom transitional payments were made direct through the undermentioned employment exchanges during December, 1934.

Period.	Pontypridd.	Pontyclun.	Tonyrefail.
Week ended 8th December, 1934	4,888	636	1,086
Week ended 15th December, 1934 ...	4,862	650	1,095
2 weeks ended 29th December, 1934 ...	9,782*	1,240*	2,141*

* This figure represents the total number of payments made in the two weeks, and not the number of separate individuals to whom payments were made.

SALVATION ARMY (STREET COLLECTION).

53. **Mr. THORP** asked the Secretary of State for the Home Department on what grounds permission has been refused to the Salvation Army to hold a street collection in London; and whether, in the light of the good work done by that organisation, he will reconsider his decision?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): The application of the Salvation Army for permission to hold a street collection in London was refused by the Commissioner of Police on the advice of the Street Collections Advisory Committee. I understand that the advisory committee in considering the application had regard amongst other things to the smallness of the sums obtained by the Salvation Army by street collection when compared with the amount collected by other means during their Self Denial Week. The Commissioner and I are both fully aware of the admirable work done by the Salvation Army and I need hardly say that the refusal of this application does not involve the slightest reflection upon them, but I regret that I see no sufficient reason for suggesting reconsideration of the matter.

Mr. THORP: Is my right hon. Friend aware that this organisation is making a particular effort this year, and will he, in these circumstances, reconsider the decision not to allow a collection? Is he also aware that the Salvation Army reach a section of the community that is not touched by any other organisation?

Sir J. GILMOUR: The House, of course, is aware of the necessity for reducing the number of street collections. An advisory committee for that purpose was established after wide representation, and on their advice this collection was refused.

Mr. HANNON: Having regard to the fact that this collection is being made in His Majesty's Jubilee year, could not some consideration be given to this particular case, and will my right hon. Friend refer the matter back to the advisory committee?

Sir IAN MACPHERSON: Is it not a fact that there are other collections which might very well be stopped so that preference could be given to this good cause?

Sir J. GILMOUR: Very careful consideration has been given to this matter. The House must not suppose that collections are not being made by the Salvation Army in London. They have been going on in the last few days in premises outside the actual streets. In the circumstances, I do not think any hardship is involved.

Major Sir ARCHIBALD SINCLAIR: Will the right hon. Gentleman, in view of the representations from all parts of the House, take this matter into fresh consideration and give it his personal consideration?

Sir J. GILMOUR: I am most anxious to be perfectly fair. All I would say to the House is that this matter has been very fully considered, and in the circumstances I do not think there is any real necessity for reconsideration.

SUEZ CANAL COMPANY (CONTRACTS).

56. **Sir W. DAVISON** asked the Secretary to the Overseas Trade Department whether he will make representations to the directors of the Suez Canal Company that, in view of the large holding of the British Government in the shares of the company, British citizens should be invited to tender for any goods or commodities which may be required from time to time by the company; and what proportion of recent orders for Portland cement have gone to British firms?

Lieut.-Colonel J. COLVILLE (Secretary, Department of Overseas Trade): The Suez Canal Company maintain a list of approved manufacturers from whom they invite tenders for their requirements. The names of United Kingdom firms appear on the list. It is open to any British firm to apply to the head office of the company in Paris to have its name added to the list. As regards the last part of the question there have been continuous deliveries of United Kingdom cement to the company since 1931, but I am not in a position to state what proportion they represent of the total cement orders placed. I will endeavour to secure this information.

CHINA AND JAPAN.

57. **Mr. MANDER** asked the Secretary of State for Foreign Affairs the present position with regard to the current negotiations between China and Japan; whether it is proposed to call a conference of the signatories to the Nine Power Pact to discuss the situation in the Far East; and whether the interest and goodwill of this country and Western Powers generally towards her has been made clear to China?

The LORD PRIVY SEAL (Mr. Eden): I have been asked to reply. As regards the first and second parts of the question, I have nothing I can add to the replies which my right hon. Friend gave on the 13th February to similar questions put by my hon. Friend the Member for Whitehaven (Mr. Nunn) and my hon. and gallant Friend the Member for the Isle of Wight (Captain P. Macdonald). As regards the last part of the question, every suitable opportunity is taken of demonstrating the good will of this country towards China, and the interest felt here in her welfare. I have no reason for believing that this is not fully appreciated by the Chinese Government and people.

Mr. MANDER: Can the right hon. Gentleman say whether the Government are co-operating with the United States Government on this subject?

Mr. EDEN: That is a different question.

POLAND AND JAPAN.

58. **Mr. MANDER** asked the Secretary of State for Foreign Affairs whether he has any information with regard to the military pact between Poland any Japan?

Mr. EDEN: I am aware of the newspaper report to which I presume the hon. Member refers regarding the alleged conclusion of a reciprocal defensive agree-

[Mr. Eden.]
ment between Poland and Japan. Such information as we have received indicates that the report is without foundation.

Mr. MANDER: Do I understand my right hon. Friend to say that he is in a position to deny the existence of any such treaty?

Mr. EDEN: The hon. Member must understand that such information as I have shows that the report has no foundation.

ANGLO-FRENCH COMMUNIQUE (GERMAN REPLY).

59. **Mr. MANDER** asked the Secretary of State for Foreign Affairs whether it is proposed that any British Ministers shall, in the near future, pay a visit to Berlin in connection with the negotiations recently instituted with the French Government?

Mr. EDEN: I would refer the hon. Member to the reply given to the right hon. Gentleman, the Leader of the Opposition, in answer to a private notice question yesterday.

Mr. MANDER: Can my right hon. Friend say whether it is intended that any other Minister shall accompany the Foreign Secretary?

Mr. EDEN: I cannot say.

Mr. H. WILLIAMS: Can my right hon. Friend say whether there is any truth in the rumour that the East Wolverhampton Light Horse will provide a guard of honour?

PALESTINE (ILLEGAL IMMIGRANTS).

61. **Colonel WEDGWOOD** asked the Secretary of State for the Colonies how many Jewish refugees are now in prison in Palestine as illegal immigrants, and how many of these are still in prison although their sentence has been served?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): I have obtained a report dated the 23rd of February from the High Commissioner for Palestine, from which I understand that the position is as follows. At the date of the report there were 125 Jews in prison in Palestine as illegal immigrants, including those still awaiting release on bail. Including the 68 mentioned in my reply on the 18th of February, there were 87 detained in prison under the Immigration Ordinance after the expiration of their sentences, but, as will be realised from my previous reply, many of these should be released on bail within the next few days, and 18 have already been so released.

Colonel WEDGWOOD: May I ask whether it is intended to keep these people in prison indefinitely after their sentence has expired, and, if so, whether the Habeas Corpus Act applies?

Sir P. CUNLIFFE-LISTER: I think the position is quite well known to the House. Under the Immigration Ordinance the High Commissioner has power to detain persons who are illegal immigrants until arrangements can be made for their repatriation, and the action which has been taken by the High Commissioner is not only strictly legal, but, I am sure, is necessary in order that immigration into Palestine may be kept to the right people.

Colonel WEDGWOOD: Can the right hon. Gentleman tell me the date of the Ordinance, and whether the imprisonment is indefinite or is there any limit to it whatsoever?

Sir P. CUNLIFFE-LISTER: Speaking from memory, I think the date of the Ordinance is 1933, but, if the right hon. and gallant Gentleman will put down a question, I can answer that precisely. There is no limit provided, because it must depend on how long it takes to make the arrangements referred to; but I told the right hon. and gallant Gentleman last time that the High Commissioner was always prepared to let anybody out on appropriate bail.

Mr. McENTEE: May I ask whether it is proposed to deport all these illegal refugees, or whether exceptions have been made?

Sir P. CUNLIFFE-LISTER: I should require notice of that question.

PEPPER (SPECULATION).

62. **Mr. T. SMITH** asked the Secretary of State for the Colonies when he first received information of the speculative buying of pepper in an attempt to corner

the supplies; whether he gave any warning to His Majesty's representatives in the Colonies likely to be affected; and, if so, what was the nature of this warning?

64 and 65. **Mr. PALING** asked the Secretary of State for the Colonies (1) what is the approximate production of pepper within the British Empire; and what proportion, approximately, this bears to the world production;

(2) whether his attention has been called to the heavy accumulations of stocks of pepper as the result of the recent attempts made to corner that commodity; what effect the accumulation is likely to have on pepper growers within the Empire; and whether he has any proposals for safeguarding the interests of the pepper growers?

Sir P. CUNLIFFE-LISTER: Exact figures of world production of pepper are not available. Figures for export are available, but appear to fluctuate considerably; in 1933 the exports from all producing countries amounted to approximately 54,000 tons. Of these about 3,000 tons came from British India and 3,400 from the Colonial Empire. Of the latter, 3,260 tons came from Sarawak, which is the only important producer in the Colonial Empire. I was not aware of the speculation which was going on in pepper; and I could not therefore give any warning to the Government of Sarawak. The present accumulation of stocks might obviously be expected to have a depressing effect on the price unless those stocks are strongly held. It is reported that arrangements are being made in the trade for the holding and orderly disposal of the stocks, and it does not appear that any Government action to safeguard the interests of Empire producers of pepper is called for.

TIN REGULATION SCHEME.

63. **Mr. T. SMITH** asked the Secretary of State for the Colonies what was the composition of the committee or sub-committee appointed by the world economic conference to inquire into the tin restriction scheme; who were the representatives of His Majesty's Government; and whether the report of the committee was unanimous?

Sir P. CUNLIFFE-LISTER: The sub-committee of the economic commission of the Monetary and Economic Conference which inquired into the tin regulation scheme was composed of representatives of the following producing countries: the United Kingdom (representing also the Colonial Empire), Australia, the Union of South Africa, India, Belgium, Bolivia, China, France, Japan, Mexico, the Netherlands, Portugal and Siam; and the following consuming countries: the United States of America, Germany and Italy. The representatives of His Majesty's Government in the United Kingdom were myself, Sir John Campbell and Mr. G. L. M. Clauson, of the Colonial Office, and an officer of the Mines Department. The report was adopted unanimously by the sub-committee, subject to reservations by the representatives of Australia and the Union of South Africa to the effect that in their view it was for the producers themselves and not the Governments to take the action recommended by the sub-committee, so far as their own countries were concerned. The report was subsequently adopted unanimously by economic sub-commission II, the economic commission, and the Conference itself. Twenty-three countries were represented on sub-commission II, and all countries attending the Conference were represented on the economic commission.

66. **Mr. JOHN** asked the Secretary of State for the Colonies whether he is aware that, while there are ample stocks of tin in the United Kingdom, amounting to over 3,000 tons, owing to pool operations consumers have to pay a premium of about £4 per ton above the quotation for tin deliverable in three months; and whether he will order an investigation in the matter?

Sir P. CUNLIFFE-LISTER: I have made inquiries into this matter and am informed that it is the almost invariable practice of consumers of tin to purchase their requirements three months ahead. In these circumstances I am advised that the premium on spot tin, as compared with tin deliverable in three months, is probably due to a considerable extent to persons, who sold forward tin which they had not got, experiencing difficulty in finding tin to fulfil their contracts. I would point out that a premium of £4

[Sir P. Cunliffe-Lister.]
per ton corresponds to something under 1¾ per cent. on the recent current rate for spot tin.

67. **Mr. JOHN** asked the Secretary of State for the Colonies whether he is aware that a world monopoly in the marketing of tin is developing under cover of the tin restriction scheme; and whether, in order to obviate the dangers to producers and consumers alike, he will take steps to investigate the position and, particularly, whether any individuals forming the monopoly are in any way connected with the shellac and pepper pools?

Sir P. CUNLIFFE-LISTER: For the reasons given in my reply to the hon. Member for Gower (Mr. D. Grenfell) on 19th February, there is in my view no danger of a world monopoly of tin. As I informed the hon. Member for Gower on 19th February, His Majesty's Government watch developments in the tin market but do not consider that any action on their part is called for. As I stated in reply to the hon. Member for North-East Bethnal Green (Major Nathan) yesterday, the only private tin pool of which I am aware has always been ready to give the International Tin Committee information as regards its holdings of tin.

FUEL COSTS.

18. **Mr. E. WILLIAMS** (*for* **Mr. D. DAVIES**) asked the Secretary for Mines whether he can state the relative cost per therm of the following: electricity, gas, fuel oil, and pulverised fuel?

Mr. E. BROWN: I regret that, owing to the varying factors involved in arriving at the relative cost of the different fuels to the many classes of consumers concerned, it is impossible to give any figures of cost which would be of general application. I have seen an estimate made by Mr. J. H. Mahler, and published in the Press, but the figures there given should be read in the light of my answer.

SOUTHERN RHODESIA (CONSTITUTION).

21. **Major MILNER** asked the Secretary of State for Dominion Affairs whether there is any intention to alter the constitution of Southern Rhodesia or to abandon the ultimate responsibility of His Majesty's Government for native policy there?

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): As regards the first part of the question, certain proposed amendments of the Southern Rhodesia Constitution relating to the powers of the High Commissioner are under consideration. The answer to the second part is in the negative.

Major MILNER: May we take it that any proposals will be submitted to the House before they are carried into effect?

Mr. THOMAS: Certainly; there will be an opportunity for the House to discuss them.

Major MILNER: Before they are carried into effect?

Mr. THOMAS: Yes, in the next fortnight.

Major MILNER: I understand that Amendments to the Constitution are under consideration; will those Amendments be submitted to this House before they are carried into effect?

Mr. THOMAS: Amendments to the Constitution are not amendments affecting the native question, as I have already indicated, but are merely amendments affecting the relationship of the High Commissioner to the Secretary of State.

Major MILNER: And there is nothing under consideration affecting the differential treatment of natives?

Mr. THOMAS: Nothing whatever.

CUNARD STEAMSHIP COMPANY (STORES).

47. **Sir W. DAVISON** (*for* **Lieut.-Colonel APPLIN**) asked the Financial Secretary to the Treasury whether he is aware that the Cunard liner "Britannic" purchased 2,000 lbs. of foreign hot-house grapes at Liverpool on or about the 18th January out of bond, and thus avoided paying the duty thereon; and what steps he proposes to take to protect British growers against this practice in view of the subsidy paid by Government to this company?

Mr. COOPER: I am informed that approximately 2,000 lbs. of foreign hothouse grapes were shipped duty free as stores on the "Britannic" on the date in question. The shipment of dutiable goods generally, without payment of duty, for use on the voyage in the case of ships proceeding from this country to foreign parts is a long-standing practice authorised by law. I see no reason for taking any discriminatory action in regard to grapes.

SUBSIDIES.

49. **Mr. JOHN** (*for* **Sir WILLIAM JENKINS**) asked the Financial Secretary to the Treasury particulars of each subsidy and the amount given in each case, separately, for each year 1930, 1931, 1932, 1933 and 1934?

Mr. COOPER: As the answer involves a table of figures I will, with the hon. Member's permission, circulate it in the OFFICIAL REPORT.

Following is the answer:

STATEMENT of the Cost to the Exchequer of subsidies in the financial years, 1930-1934.

——	1930.	1931.	1932	1933.	1934 (est.).
	£000.	£000.	£000.	£000.	£000.
Housing	13,668	14,521	15,215	15,298	16,016
Beet Sugar	6,023	2,135	2,356	3,333	4,450
Western Highlands and Islands Transport.	25	32	31	31	31
Civil Aviation	389	395	398	400	432
Mechanical Transport	33	15	5	2	1
Armour Plate Manufacturers	60	—	—	—	—
Light Horse Breeding	30	25	11	—	5
Milk	—	—	—	—	1,445
Cattle (payments to producers) ...	—	—	—	—	2,100
Herring Industry:					
(*a*) Fitting out expenses of Herring Drifters.	—	—	—	—	15
(*b*) Cost to the Exchequer under the Herring Industry Bill.	—	—	—	—	602
	20,228	17,123	18,016	19,064	25,097

LONDON COUNTY COUNCIL (INDUSTRIAL ART EXHIBITION).

54. **Mr. GARDNER** (*for* **Mr. G. R. STRAUSS**) asked the Parliamentary Secretary to the Board of Education whether his attention has been called to the intention of the London County Council to assemble at the County Hall from 6th to 16th March an exhibition to illustrate the best work which the principal art institutions of the county of London are producing in the sphere of industrial art; and whether the proposal has the support of the Board of Education?

The PARLIAMENTARY SECRETARY to the BOARD of EDUCATION (Mr. Ramsbotham): Yes, Sir. The board have congratulated the London County Council upon their decision to assemble this exhibition and stated that they will watch the results with interest. My Noble Friend and I hope that the exhibition will be widely visited by manufacturers and distributors of artistic goods and their employés, as well as by teachers and students.

GENERAL ELECTION (MINISTER'S REMARK).

Mr. LANSBURY (*by Private Notice*) asked the Prime Minister whether the statement made yesterday by the Secretary of State for the Dominions to the effect that the General Election would not come for some years—perhaps three years from now—is to be regarded as an authoritative declaration that the Government have decided upon an extension of the life of this Parliament in order to postpone the General Election?

The PRIME MINISTER (Mr. Ramsay MacDonald): No, Sir. The remark to which my right hon. Friend is referring was clearly, from its context, not intended

[The Prime Minister.]
to bear so solemn and literal an interpretation, and I am sure that those who heard it will testify to this.

Mr. LANSBURY: In view of the fact that Members of His Majesty's Government are doing their best to terrorise the nation as to what may happen if a Socialist Government comes into power, will he recommend the Minister of Agriculture and the Secretary of State for the Dominions, when they make these silly, stupid statements, to warn their hearers: "This is only a joke"?

Mr. WILMOT: How much longer do the Goverment intend to tolerate in responsible Ministers this type of remark?

NEW MEMBER SWORN.

Kenneth William Murray Pickthorn, esquire, for the University of Cambridge.

NOTICES OF PRESENTATION OF BILLS.

The following Notices of Presentations of Bills stood upon the Order Paper:

National Industrial Council,—Bill to establish a national industrial council; and for other purposes connected therewith.

Industrial Councils,—Bill to encourage the formation of industrial councils and to legalise voluntary agreements when so desired; and for purposes connected therewith.

Works Councils,—Bill to provide for the establishment of consultative works councils in factories and workshops for the consideration of various matters of mutual concern to employers and employed persons; and for other purposes relating thereto.—[*Mr. Mander.*]

Mr. HANNON: On a point of Order. I want to ask you, Mr. Speaker, for the guidance of the House, whether, in view of the fact that the Government have taken the whole of the time of the House for the coming Session, an hon. Member is entitled to introduce into this House a catalogue of private Member's Bills, three at a time, and put the country to the expense of printing those Bills? Will the House concur in having these Bills introduced and printed at the expense of the taxpayers of this country? I want to ask you, Sir, whether any hon. Member of this House is entitled to introduce at the same time three Bills and impose upon the country the cost of printing them?

Mr. SPEAKER: Mr. Mander.

BILLS PRESENTED.

National Industrial Council.

Bill to establish a national industrial council; and for other purposes connected therewith, presented by Mr. Mander; supported by Sir Robert Aske, Mr. Bernays, Mr. R. T. Evans, Mr. Dingle Foot, Sir Percy Harris, Mr. Granville, Mr. Kingsley Griffith, Major Lloyd George, and Major Nathan; to be read a Second time upon Monday next, and to be printed. [Bill 37.]

Industrial Councils.

Bill to encourage the formation of industrial councils and to legalise voluntary agreements when so desired; and for purposes connected therewith, presented by Mr. Mander; supported by Sir Percy Harris, Mr. Granville, Mr. David Grenfell, Mr. Lovat-Fraser, Mr. Macmillan, and Sir Cooper Rawson; to be read a Second time upon Tuesday next, and to be printed. [Bill 38.]

Works Councils Bill,

"to provide for the establishment of consultative works councils in factories and workshops for the consideration of various matters of mutual concern to employers and employed persons; and for other purposes relating thereto," presented by Mr. Mander; supported by Mr. Bernays, Mr. Dingle Foot, Mr. Kingsley Griffith, Sir Percy Harris, Major Nathan, and Mr. Graham White; to be read a Second time upon Wednesday, 6th March, and to be printed. [Bill 39.]

SALMON AND FRESHWATER FISHERIES.

Resolved,

"That leave be given to bring in a Bill to amend sections thirty-seven and thirty-eight of the Salmon and Freshwater Fisheries Act, 1923."—[*Mr. Lyons.*]

Bill ordered to be brought in by Mr. Lyons, Sir Gerald Hurst, Sir John Wallace, Mr. Smedley Crooke, Mr. Gluckstein, Mr. Charles Brown, Mr. Liddall, Mr. Kingsley Griffith and Colonel Broadbent.

Salmon and Freshwater Fisheries Bill,

"to amend sections thirty-seven and thirty-eight of the Salmon and Freshwater Fisheries Act, 1923," presented accordingly, and read the First time; to be read a Second time upon Monday next, and to be printed. [Bill 40.]

METROPOLITAN POLICE (BORROWING POWERS) BILL.

Reported, without amendment, from Standing Committee B.

Report to lie upon the Table, and to be printed.

Minutes of Proceedings to be printed.

Bill, not amended (in the Standing Committee), to be considered To-morrow.

MESSAGE FROM THE LORDS.

WESTERN AUSTRALIA.

That they have appointed a Committee consisting of three Lords to join with a Committee of the Commons to consider the Petition of the State of Western Australia for a Bill to effectuate the withdrawal of the people of Western Australia from the Federal Commonwealth of Australia, and to report whether the same is proper to be received; and request the Commons to appoint an equal number of their Members to be joined with the said Lords.

CIVIL AND REVENUE DEPARTMENTS (ESTIMATES, 1935).

Estimate presented, for Civil and Revenue Departments for the year ending 31st March, 1936, with Memorandum [by Command]; referred to the Committee of Supply, and to be printed. [No. 50.]

WRITTEN ANSWERS.

SCOTLAND.

COLLIERY AMALGAMATIONS.

Mr. McGOVERN asked the Secretary for Mines the present position regarding the proposed merging of the firms of Wilson and Clyde Coal Company, Limited, and Brand and Company, Woodside Colliery; if previous merging took place with these firms; and if any further merging is proposed in Scotland, and is this taking place under the Mines Reorganisation Committee?

Mr. E. BROWN: I have no information on this subject beyond what has appeared in the Press, which is to the effect that negotiations for the acquisition of Messrs. Brand and Company's Woodside Colliery by Messrs. Wilsons and Clyde Coal Company are nearing completion. With regard to the second part of the question, I understand, also from Press reports, that Messrs. Wilsons and Clyde Coal Company have recently acquired the Darngavil Coal Company, Limited, and Messrs. Robert Addie and Sons Collieries, Limited. The mergers referred to have been carried out privately and not under the provisions of the Mining Industry Act, 1926. With regard to the last part of the question, I am informed that the Coal Mines Reorganisation Commission are preparing, for submission to the Railway and Canal Commission, a scheme of amalgamation of collieries in Fifeshire.

BLINKBONNY HOME, FALKIRK.

Mr. McGOVERN asked the Secretary of State for Scotland the reasons for the compulsory retirement of the governor of Blinkbonny Home, Falkirk, Mr. Gordon Paterson; and if he intends to hold a public inquiry into the administration of the institution as requested by the Falkirk Town Council?

Mr. SKELTON: The answer to the first part of the question is in the negative. The appointment and dismissal of governors of poorhouses is entirely a matter for the local authority, and is not one in which the Department have any power to intervene. With regard to the second part, the Department have no information at present before them to indicate the necessity for any inquiry into the administration of the poorhouse. I understand, however, that a report on the matter will be submitted to the Deparment by the Falkirk Town Council at an early date.

BARLINNIE PRISON (DISTURBANCES).

Mr. McGOVERN asked the Secretary of State for Scotland whether any prisoners were punished for alleged offences in the recent trouble at Barlinnie Prison who were not tried before a judicial court; the names of each person punished; whether the prisoners sentenced have been removed to other prisons; and, if so, to what prison?

Sir G. COLLINS: Seventeen prisoners who were not tried in the sheriff court were awarded punishment by forfeiture of marks by the statutory visiting committee of Barlinnie Prison for participating in the recent disturbances at that

prison. In the interests of these prisoners, I do not think it desirable to publish their names. One of them has been removed to Edinburgh Prison.

TRADE AND COMMERCE.

AUSTRALIA (SHEET GLASS IMPORTS).

Mr. SPENCER asked the Secretary of State for Dominion Affairs the present position with respect to the importation of sheet glass of Belgian and British manufacture, respectively, into the Commonwealth of Australia?

Mr. THOMAS: I am sending my hon. Friend a copy of a White Paper recently issued in Australia which gives full information respecting the present position in regard to the importation of sheet glass of Belgian and United Kingdom manufacture, respectively, into the Commonwealth of Australia. A copy has also been placed in the Library of the House.

CENSUS OF PRODUCTION.

Mr. WHITE asked the President of the Board of Trade whether it is his intention to accompany the next census of production with a parallel census of distribution?

Mr. RUNCIMAN: The answer is in the negative.

RUSSIA.

Captain ERSKINE-BOLST asked the President of the Board of Trade whether the Government are considering the question of a permanent trade agreement with the Soviet Government, in view of the fact that as long as the so-called temporary trade agreement is in operation the Soviet Government will not be likely to make any constructive suggestion as to the repayment of debts due to British nationals?

Mr. RUNCIMAN: I cannot at present add anything to the statement which I made in the House of this subject on 1st March, 1934.

VACCINATION.

Mr. GROVES asked the Minister of Health whether the standard of merit formerly fixed as the basis of the awards to public vaccinators, namely, that the scars produced by the vaccinator must be well marked in their foveation, and must have collectively at least a half square inch total area is still in force; and if not, what standard of merit has been substituted?

Sir H. YOUNG: The answer to the first part of the question is in the negative. The present instruction to public vaccinators in this matter is contained in paragraph 7 of the Third Schedule to the Vaccination Order, 1930, of which I am sending the hon. Member a copy.

Mr. GROVES asked the Home Secretary how many persons have been proceeded against under the Vaccination Acts, how many of such persons were fined, and how many of the latter were subsequently imprisoned in default of paying the fines inflicted since and including the year 1915?

Sir J. GILMOUR: The number of persons proceeded against and the number fined are given in the subjoined table:

Year.	No. of Persons proceeded against.	Number fined.
1915	155	94
1916	117	70
1917	64	46
1918	68	57
1919	83	45
1920	118	90
1921	91	69
1922	74	56
1923	149	91
1924	246	155
1925	221	143
1926	176	118
1927	148	114
1928	182	131
1929	129	100
1930	119	85
1931	73	52
1932	87	65
1933	118	100

Corresponding figures for 1934 are not yet complete. I regret that no information is available as to the number of persons included in the table who were imprisoned in default of payment of the fines imposed.

BLIND PERSONS.

Sir W. JENKINS asked the Minister of Health the number of blind persons in each county area for England and Wales; the cost per thousand of the popu-

lation; and whether any special grant is made to any county which is recognised as a necessitous area?

Sir H. YOUNG: I will send the hon. Member a statement showing the number of blind persons registered in each county area in England and Wales on 31st March, 1934, according to particulars supplied by the Counties Associations for the Blind. No complete information is available as to the cost per thousand of the population of the various services rendered for the blind. As regards the last part of the question, there is now no special grant from the Exchequer for this service. The grant formerly paid was merged in the General Exchequer Grant payable to local authorities under the Local Government Act, 1929, which is in part calculated on a formula designed to afford the greatest measure of relief to the poorest areas.

UNEMPLOYMENT (STATISTICS).

Mr. D. DAVIES asked the Minister of Labour the number of totally unemployed persons for the years 1930, 1931, 1932, 1933 and 1934, respectively, signing at the Pontypridd, Pontyclun and Tonyrefail Exchanges?

Mr. STANLEY: The following statement gives the information desired:

Wholly Unemployed persons on the registers of the undermentioned Employment Exchanges; averages of the numbers registered at Quarterly dates (March, June, September, December) during the years 1930-1934.

Date.	Pontypridd.	Pontyclun	Tonyrefail.
1930 ...	3,794	719	953
1931 ...	4,836	1,074	972
1932 ...	5,710	907	1,196
1933 ...	5,950	982	1,406
1934 ...	6,324	900	1,383

AGRICULTURAL CREDITS.

Lieut.-Colonel TODD asked the Financial Secretary to the Treasury what would be the cost of redeeming the Local Loan stock raised to finance the Agricultural Credits Act or to pay the difference between an equitable rate of exchange of say 4 per cent. instead of the present high rate of 5 per cent. exacted from the farmers?

Mr. COOPER: The total amount of advances made under the Agricultural Credits Acts (England and Scotland) and outstanding on 31st March, 1934, was £3,404,613. The loans were made in the years 1923 to 1928 at 5 per cent. interest and the corresponding amount of Local Loans stock issued was presumably about £5,500,000. A reduction of the rate of interest to 4 per cent. would necessitate an annual subsidy from the Exchequer to the Local Loans Fund of £34,046 for, say, 50 years, the present value of which would be approximately £876,000.

FOODSTUFFS (CUSTOMS DUTIES).

Colonel WEDGWOOD asked the Chancellor of the Exchequer what were the total receipts from import duties on foodstuffs for the financial year ended 31st March, 1934?

Mr. CHAMBERLAIN: The approximate amount of customs duties collected on foodstuffs, including feeding stuffs for animals (which cannot be separately distinguished) and tea, coffee and cocoa, during the financial year 1933-34 was £33,263,000.

PALESTINE (HARTIEH LANDS, DISTURBANCE).

Lieut.-Colonel TODD asked the Secretary of State for the Colonies whether he will make a statement as to the circumstances in which certain Zubeidat Arabs have recently been evicted by force from their lands and an Arab was killed; and will he say what were the numbers wounded?

Sir P. CUNLIFFE-LISTER: I have received the following information from the High Commissioner for Palestine:

On 30th January, the execution officer at Haifa proceeded to execute an order of the courts issued in favour of the Palestine Land Development Company, giving the latter possession of lands known as the Hartieh Lands, which were formerly cultivated by the Arab El Zubeidat. In view of threatened opposition by the Arab El Zubeidat, he requested police protection and a strong force of police was detailed to accompany hime, namely:

2 Assistant Superintendent of Police,
1 British Inspector,

3 Palestinian Inspectors,
2 Non-Commissioned Officers.
10 British Foot Constables,
2 Mounted British Constables,
3 Mounted Non-Commissioned Officers,
20 Mounted Palestinian Constables.

The technical procedure of walking round the boundaries was commenced by the execution officer at 10 a.m., but he and his escort had only travelled some 200 yards when they were forced to retreat under a hail of stones flung by hand and from slings by Arabs distributed among the hills. Two Palestinian constables and two horses were injured by stones. The situation was reported by telephone to the district superintendent of police at 11.5 a.m. by the assistant superintendents. The district superintendent issued instructions that in no circumstances must the police resort to fire unless the lives of the escort and the execution officer were in danger, and that no further action should be taken pending the arrival of the district superintendent.

The district superintendent and his deputy arrived at 11.30 a.m. and were quickly convinced that a very serious situation confronted the police. The land to be handed over consisted chiefly of steep hills and deep "wadis." The hillsides were occupied by parties of Arabs, whose numbers it was impossible to estimate, as many were under cover of high scrub and bushes. The execution officer and his escort again advanced, but, on entering a "wadi," they were met with showers of stones. It was found impossible to dislodge the attackers on the left flank of the "wadi," since neither foot nor mounted police could reach them. Stone-throwing was incessant and well-directed and stones were flung by the aid of slings. Having made several vain attempts to clear the Arabs on the left flank, estimated at some 50 or 60 in number, the district superintendent blew his whistle and instructed one of the assistant superintendents to issue a clear warning in Arabic, calling on the attackers to desist and disperse. This warning and whistle-blowing was repeated several times, but without effect. The district superintendent then drew up three British constables armed with rifles and again blew his whistle and directed the assistant superintendent to give the order for dispersal in Arabic and to make the attackers understand that, if they did not, he would be compelled to open fire on them. This warning had no effect whatever and the district superintendent thereupon ordered one of the British constables to load and fire one round at the knees in the prescribed manner. He fired and hit one of the attackers on the right leg. This was the only shot fired. First aid was immediately rendered, and in very difficult circumstances the wounded Arab was carried down the steep hillside to the road. Two mounted constables were despatched for a police tender which arrived promptly, and the wounded man was removed in charge of a British non-commissioned officer qualified in first aid, but unfortunately he died on the way to the hospital. A sling was removed from the right hand of the victim.

The handing over of the land then proceeded without further incident, although it was found necessary to issue repeated warnings to the mobs assembled on the hillsides. Seven British police, five Palestinian police and five horses were injured by stones. In reporting this occurrence, the High Commissioner expresses his regret that the single round which was fired should have resulted in the death of one of the Arabs, but he is satisfied that in the circumstances no other course was open to the district superintendent. He considers that the district superintendent acted with restraint and good judgment and the police with great forbearance, and I have informed him that I concur in that view.

TIN REGULATION SCHEME.

Major NATHAN asked the Secretary of State for the Colonies the names of the members of the Tin Production Regulation Committee at the time of the negotiations for the restriction scheme; the date of approval by the Colonial Office of such scheme; and the names at such date of the members of the Tin Production Regulation Committee?

Sir P. CUNLIFFE-LISTER: No Tin Production Regulation Committee was constituted before the scheme was adopted. The following persons were invited by Lord Passfield to attend the meeting at the Colonial Office on 27th February, 1931, at which the details of the scheme were provisionally agreed:

Sir John Campbell (Chairman).

Senor Antenor Patino and Senor R. Martinez Vargas (representing Bolivia).

Messieurs A. Groothoff, F. Houwert and J. van den Broek (representing the Netherlands East Indies).

Mr. H. W. Thomson (representing the Malay States).

Sir Frank Baddeley (representing Nigeria).

The following were invited to attend in an advisory capacity:

Sir Philip Cunliffe-Lister.

Mr. J. Howeson.

Mr. G. V. Stephens and Mr. H. Waugh (representing the Tin Producers' Association).

Sir Richard Redmayne (Chairman of Advisory Council, Mineral Resources Department, Imperial Institute).

Mr. K. M. Lazarus.

Mr. W. D. Ellis, Mr. J. A. Calder, and Mr. A. L. Ayton (Colonial Office).

The scheme was subsequently approved and adopted by the various Governments, and the International Tin Committee was constituted as follows:

As Governmental representatives, the gentlemen invited to represent Governments at the meeting of 27th February, with the addition of Senor A. R. Ovando to the Bolivian Delegation and Mr. J. A. Calder to the Nigerian Delegation. (Sir John Campbell was appointed a member of both the Malayan and the Nigerian Delegations).

As advisers to the Malayan and Nigerian Delegations, Sir Richard Redmayne, Mr. K. M. Lazarus, and as representatives of the Tin Producers' Association, Messrs. Howeson, Stephens and Waugh.

As adviser to the Bolivian Delegation, Mr. E. V. Pearce.

As adviser to the Netherlands East Indian Delegation, Mr. J. H. van den Ketwich.

FRENCH RAIL-CAR (TESTS).

Mr. THORNE asked the Minister of Transport whether he can give the House any information in regard to the secret tests of a high-speed French rail-car at Tilbury?

Mr. HORE-BELISHA: At the request of an English firm, and in accordance with their practice of keeping themselves informed of the latest developments, the London Midland and Scottish Railway Company have agreed to give the car in question trials to see whether or not there is a field for its operation on the London Midland and Scottish system, and to test out its technical and commercial possibilities. There is, however, no question of secret tests being made, or of special high speed operation.

ELECTRICITY SUPPLY, SLINFOLD.

Brigadier-General CLIFTON-BROWN asked the Minister of Transport whether, in view of the fact that the Mid-Southern Utility Company have failed to supply Slinfold with electricity though they obtained authority to do so in 1929, he will now grant authority to the Horsham Urban District Council to supply electricity to Slinfold, in accordance with a request made to the Electricity Commissioners in October, 1934, by the Slinfold Parish Council?

Mr. HORE-BELISHA: I am aware that there has been delay on the part of the company in providing a supply of electricity to Slinfold. This delay is in part accounted for by the difficulties experienced by the company in settling the route for the proposed high tension line to supply this place, and in obtaining the necessary wayleaves. I understand that the company have already placed a contract for the work, and anticipate that in the absence of unforeseen difficulties the line should be completed in three or four months' time. In all the circumstances, it would hardly be reasonable not to afford the company an opportunity of carrying out the work in accordance with the consents they have now obtained.

ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee [Third Day—*Progress 20th February*].

[Sir DENNIS HERBERT in the Chair.]

3.45 p.m.

Mr. CHURCHILL: I beg to move, "That the Chairman do report Progress, and ask leave to sit again."

The Committee will not, I am sure, be surprised at my venturing to submit this Motion. I do so because of the momentous news which has been received from India, and which we learn from every side in the public Press. I do so for the purpose of commenting upon that news and pointing out the position in which we stand with regard to the Clauses which have now become the immediate subject of debate; and also for the purpose of giving the Secretary of State the opportunity, which no doubt he will desire, of making a statement on the subject. According to the reports which have appeared, and which I do not understand to be in any way challenged as official reports, the Princes of India, at their meeting in Bombay yesterday, passed a resolution which no doubt is present to the minds of hon. Members of this Committee, and the closing paragraphs of which indicate very definite rejection of the Government's scheme for the Federation of India. What strikes me about this resolution, the summarised reports, and the telegrams which, it is said, the Princes have addressed to the Secretary of State, is the variety, the gravity, and the substance of the differences which exist. These are not differences which can be described in any way as matters of drafting, as small points which can be adjusted, minor matters which make for some misunderstanding which can easily be cleared up later on on Report. It is said that these differences touch the following matters:

The form and mode of accession to the Federation.

The provisions for the preservation of treaties and agreements concluded with the States.

The special responsibilities of the Governor-General in respect of the States.

Then there is a most important point, touching the efficacy of the safeguards in the event of grave public disorder supervening in India and its being necessary to suspend the Constitution.

Measures to be taken in the event of its being necessary to suspend the Constitution.

The treatment of privileges and immunities.

Enforcement of the Federal laws and the powers vested in the Governor-General to give directions to the rulers of States.

The extent of the executive authority of the Federation in regard to the States.

There are further differences which have arisen on finance, and also upon what I should have thought was a very essential matter to federation, namely, the working of the statutory railway board in relation to the competition between State railways in the possession of native States and State railways in the possession of the Government of India. I venture to submit that this resolution constitutes a new political situation so far as the future of this Bill is concerned. Certainly I cannot conceive how, in the face of all these Amendments and alterations which are put forward by a body whose concurrence is indispensable to the entire process of the Bill, we can be asked to discuss the remaining general question of Clause 5, and still less Clause 6, which deals with this very topic of accession.

I have pointed out already the inconvenience to which the Committee would be put in embarking upon these discussions before we knew what the Princes' decision was, and, indeed, it seemed quite likely that we should have already disposed of Clause 6 by this time. Happily, it is still in the possession of the Committee, but how is it competent for us to discuss it? Here are Amendments which affect the whole basis, and we do not know what the Amendments are, nor, I suppose, is the right hon. Gentleman in a position to tell us exactly what the Amendments are or to place them on the Paper. If we were able to put them on the Paper in two or three days, we could easily postpone the Clauses until the Amendments were there, but to discuss the Clauses without knowing what are all the alterations in

the structure of the Bill, to discuss the whole question of federation in all the Clauses in the Bill without knowing whether in fact the indispensable condition, namely, the accession of the Princes is going to be achieved, is purely to confront the House with the prospect of discussing a hypothetical matter with the prospect of embarking on a great waste of time, thus condemning us in all probability to a prolonged and dreary farce. This question of the accession of the Princes is, as everyone recognises on both sides, the Government and the Opposition, and those of us who dissent from the proposal of the Government, the foundation of the whole policy. I am not going to burden the House with any more quotations than one which is necessary to establish the case. The Secretary of State in his broadcast speech on 1st January said:

"There cannot be provincial autonomy without federation, and federation must be all-India federation embracing the States and British India. If there is to be federation, there must be responsibility in the central Government if only to satisfy the reuirements of the Princes, who will not enter a federation controlled by Whitehall."

There is the foundation, and it has been the whole story that the Government have told from the beginning of the discussion. It was for this that they made their departure from the more or less solid ground of the Statutory Commission. It was at this point that the landslide at the first Round Table Conference occurred. This was the point where they threw the train of coaches off the line with the disaster that we have suffered from ever since. I could give a dozen instances of the Secretary of State's insistence on this point. On this everything stands. This is the rigmarole that he taught all his followers to proclaim with so much insistence.

I see the Lord President in his place and I am bound to address myself to him amicably but pointedly. The Lord President met his party at Queen's Hall at a meeting to which great importance was attached and around which a great deal of interest hung. What was the crux of his appeal? It was that you must not reject this offer of the Princes. My right hon. Friend would not have thrown all that weight on to that topic at this moment if he had not honestly believed that there was a prospect of a great new situation, and to seize that prospect, to enjoy that opportunity, was what he urged them to do. He quoted first of all the Foreign Secretary's recantation of the Simon Report. He quoted the Foreign Secretary as saying:

"But since we reported there has been a new fact."

There has been another new fact.

"We were commissioners, but we were not prophets, and it was not until after we had reported that the new fact emerged."

He went on to describe the action of some of the Indian Princes which led to the changes in the Government policy in 1931. The Lord President said to his followers—I can see them visibly wilt under the impact of the appeal—

"It would, indeed, be a great responsibility to reject the prospect of a closer union between the Indian Princes and their great territories on the one hand, and the British India, for which we have a special responsibility, on the other."

This is the linch pin of the whole story, and the linch pin has been pulled out. I contend and submit substantially that that is the fact.

I must revert for a moment to the resolution of the Princes. It is not only what they say; it is the tone in which they say it that the House should note. If these were minor difficulties to which a happy outcome was expected, you would not expect a manifesto of this kind containing some very serious things considering the body from which they emanate, considering the relations of those Princes to the Viceroy and to His Majesty's Government.

"This meeting desires to emphasise that in many respects the Bill and the instrument of accession depart from the agreement arrived at during the meetings of the representatives of the States with Members of His Majesty's Government."

Only the other day Lord Halifax was saying:

"My right hon. Friend the Secretary of State is confident that the report of the Committee does, in fact, substantially meet the reasonable apprehensions of the Princes as they were explained to the Joint Select Committee."

Here the Princes have declared that in many respects these proposals depart from the agreement arrived at. There is a direct conflict of testimony between the two parties. It is always very serious when people who are supposed to be in the closest relations say that there is a breach of an agreement arrived at. You may be sure that there is a great deal of

[Mr. Churchill.]

feeling behind the differences. The resolution continues:

"And regrets to note that the Bill and the instrument of accession do not secure those vital interests and fundamental requisites of the States on which they have throughout laid great emphasis."

Surely this matter cannot be dismissed as a mere question of drafting. It is without a knowledge of the Amendments that will be required to meet these vital interests and fundamental requisites that the Committee is going to be urged to proceed with the discussion of Clause 6 and the other federal Clauses. It went on to say:

"This meeting is of the definite opinion that in their present form, and without statutory modification of and alteration to the fundamental points, the Bill and the instrument of accession cannot be regarded as acceptable to the Indian States."

Who are these Princes who made this proposal and committed themselves to this very far-reaching and weighty pronouncement? They were unanimous in the first instance and they are representative of the Princes of India in an overwhelming degree. The little States were there as well as the great, though not by any means all the little States. The States to whom the greatest inducements have been offered to join the Federation, Mysore, Hyderabad and Travencore—all these States concurred in this resolution, and they are the greatest States in India. They are meant to be the main part of the 50 per cent.—the old guard—upon which the right hon. Gentleman is hoping to rely to carry his proposals. He cut it down to 50 per cent., and here are those great States which were an essential part of the 50 per cent. In addition to that, it is not only the Princes who were lukewarm, who had secret misgivings, who have been talking pretty freely of their misgivings and fears about the Bill and some of them declaring their definite hostility, who are represented in this resolution, but the Princes who were most in favour of this policy, the very Princes who made the original offer, the unauthorised offer as we contend and as many of the other Princes have contended, the very Princes who came forward and have always been paraded as the special champions of this policy and deflected the course of events at the Round Table Conference—these are the Princes who are associated with others in this resolution they have presented to us in this form.

The Committee, I think, will see the difficult position in which it is this afternoon in embarking upon the discussion. I must confess that I am not at all surprised at this change of opinion of the active minority of the Princes on whom the Government have hitherto rested as the champions of the Government policy. In fact, I think that this change in their opinion—a very decisive change it is—bears out what some of us have ventured to submit to the House and to the Committee. These were the Princes, these were the minority, who were led to make the so-called offer in 1931 as the result of a bargain with some of the representatives of the Congress, and some of the advanced parties in India. The terms of this bargain—an unholy bargain—were that if the Princes demanded responsible government at the Centre, then the Congress party would leave them to govern their estates as they liked. That was the outline of it.

I want the Committee to see exactly how this matter has worked. These were the Princes most susceptible to the influence of the Indian political classes in British India, and in those days the opinion of those political classes was in favour of a federal system, with responsible government at the Centre. But now that the whole matter has been examined and discussed, those very political classes are in full retreat and in recoil from the proposal. They have carried a resolution against it by an overwhelming majority in the Indian Assembly, and they are undoubtedly bringing their influence to bear upon the Princes with whom they were originally in touch in exactly the contrary sense of four years ago, with the result that those Princes, who are working more or less in close association with those political elements, are moving in the opposite direction just as strongly as they moved in the direction of the Government in 1931.

That is the explanation, and one can see it working. Thus those Princes who were most amenable beforehand to the Government project, are now falling back into the main line of all the rest of the Princes who never liked it, and were only embarrassed by the many influences brought to bear upon them to draw them

into the main body. Hence the unanimity of all these Princes. The names of the States have only to be read out to dispose of any argument that they are not the dominating force with the Indian Princes, and that is the reason of the unanimity among them. There is another thing not less remarkable which should not be overlooked, and that is that the Ministers are in agreement with the Princes. The Ministers of the States are represented as being in agreement with the Princes. That is very remarkable, because one always can see that the Ministers naturally would be very much in favour of Federation. The Princes, with a dynasty going back 1,000 years, might very well be cautious, but the Ministers had everything to gain with regard to their personal position, because once they became the nominees of those States in the Federal Assembly their position would be vastly different, their status would be vastly raised and they would no longer hold their position purely at the pleasure of the Princes they served. The idea that when some great Minister of State was playing a great part in the Federal Assembly he could be recalled owing to the fact that the Sovereign under whom he was serving wished to have another nominee, even if it were entertained would be very difficult to carry out in practice. Any assembly worthy of its salt would rally to such a man who was suddenly recalled by an outside power. The Ministers who were to gain this great accretion to their strength have associated themselves with the Princes in these far-reaching declarations.

Thus all the articulate elements in Indian political life from Congress up to the Princes are arrayed against this Bill, and the reason why I move to report Progress is in order to ascertain what course His Majesty's Government wish to pursue. No doubt the Secretary of State will try to minimise the difficulties. He will promise vaguely further important concessions, while at the same time hurrying on these vital Clauses, getting them through the Committee stage without disclosing the details of the concessions at all to the House or the Princes. If the Committee lends itself to this imposture, and if the Government, by using their enormous majority, enforce it upon the House, all I say is that they will only put off and only aggravate the inevitable day of reckoning. It is quite certain that the attitude of the Princes is now definitely against this kind of federation at this particular time. The safeguards may be whittled down. You may relax some of the precautions in the veto of the Viceroy which you believe indispensable to the discharge of the responsibilities of this House. The power of the Viceroy to deal with an emergency may be crippled by the concessions which you will propose. The coherence of federal India may be impaired by further awkward concessions in regard to railways and finance, and the small benefits which were offered to us as a result of this enormous change in the structural organisation of the Indian polity will be lost.

Although this may be the method which the right hon. Gentleman is about to adopt, and which has been enforced upon the House, and may condemn us to discussion utterly meaningless, which is an affront to Parliament, yet we predict with confidence that nothing will change now the resolve of the Indian Princes to disengage themselves from what they have realised is a dangerous project, and, while so many things are in flux, nothing will lead them, and nothing should lead them, to quit the solid rock of their treaties with the King Emperor. Now that we have reached this point, we see the improvidence and the short-sightedness of the kind of arguments used by the Secretary of State, and by my right hon. Friend the Member for West Birmingham (Sir A. Chamberlain), my right hon. Friend the Member for Sparkbrook (Mr. Amery) and by the Noble Lord the Member for Hastings (Lord E. Percy). These are the arguments of which I warned them when I addressed the House before. [*Interruption.*] I am in the recollection of the House that they were very short-sighted in declaring that nothing in this Bill is worth anything without the federal Clauses, and unless the Princes come in, and that without federation they would rather not go on with it, and that we had better drop it altogether rather than proceed with this provincial home rule, without this super-home rule at the summit. That seemed to me to be a most improvident argument at the time when it was uncertain whether the Princes would come in or not. The right hon. Gentleman kept on assuring us that it

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would be all right. Of course they would come in. Of course there would be minor difficulties, and so on. So have all the Government spokesmen said everywhere, but our opinion has, I think, proved more accurate upon this matter—more accurate, at any rate, than any opinion the right hon. Gentleman has yet given to the House or the Committee.

As I say, it seems to me that my right hon. Friends have placed themselves in a position of great difficulty, and so has the Secretary of State, because now, if the Princes do not come in, they have used arguments which will be used against them, or might be used against them, to vitiate even that provincial extension of home rule which was proposed to us by the solemn, carefully worked-out report of our Statutory Commission four years ago. However, we shall leave the Government and its Ministerial supporters to disentangle themselves from these foolish and unforeseeing arguments which were so freely used thus to get round the momentary corner of a Debate. It is clear that the federal scheme is dead. Every day its decomposition will be more evident, and, as the summer advances, more offensive. But even now His Majesty's Government have a chance—perhaps the most blessed and fortunate chance—to get back to the broad proposals of that Statutory Commission to which nothing useful has been added in the last four years. Although we consider, as I have often said, and I am bound to repeat now, that those proposals are a most hazardous experiment, they do not contain the mortal perils of this federal plan. Let the Government discard the federal plan. Let the right hon. Gentleman put aside pride and obstinacy. Let him imitate the prudence and the wisdom of Sir Robert Walpole on the great Excise Bill when, having seen what the situation was, he told his followers and supporters with the greatest conviction, "This dance can no further go."

4.12 p.m.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): I must not be tempted into the wider field of confident prophecy which has just been traversed by my right hon. Friend. I rise rather—and I welcome the opportunity—to remove a number of misunderstandings that are evidently in the mind of my right hon. Friend. Some other misunderstandings may be connected with a speech I made in the Committee stage of this Bill last week. Thirdly, a number of misunderstandings which certainly seem to me to be in the mind of many of the Princes themselves and many of their ministers. I suppose it is natural in questions of this kind that these misunderstandings should arise. We are attempting to deal with one of the most complex questions that have ever faced any assembly and we are attempting to deal with it with the principals 6,000 miles apart. While, therefore, I regret that misunderstandings do arise and must arise, I cannot say that I am surprised that they do arise. My right hon. Friend has quoted some passages in the Resolution passed yesterday by certain of the Indian Princes. In order that the Committee may have before them the whole position I think I had better read the whole of the Resolution:

"The Princes and representatives of the States present at this meeting have examined the Government of India Bill and the draft Instrument of Accession and read and considered the report made by the Committee of Ministers presided over by Sir Akbar Hydari, which recently dealt with some important provisions of the said Bill and draft Instrument of Accession. They have also considered the opinions of legal advisers and experts, whose views have been obtained thereon. While reserving to themselves the right to offer further observations and criticisms in due course, the Princes and representatives of the States present at this meeting fully endorse the observations and criticisms contained in the report submitted by the Committee of Ministers to the extent that the committee have been able to deal with the matters in question.

This meeting desires to emphasise that in many respects the Bill and the Instrument of Accession depart from agreements arrived at during the meetings of representatives of the States with Members of His Majesty's Government, and regrets to note that the Bill and Instrument of Accession do not secure those vital interests and fundamental requisites of the States on which they have throughout laid great emphasis. This meeting is of the definite opinion that in their present form, and without satisfactory modification of and alteration to fundamental points, the Bill and Instrument of Accession cannot be regarded as acceptable to the Indian States."

When I read that resolution last night it came upon me as a great surprise. Only three or four days ago upon the Committee stage of this Bill, when my right hon. Friend proposed that Clauses

6 and 7 should be postponed, I said what at that time was the case, that I was under the impression that there were only points of detail at issue between the States and ourselves, and there was no reason why those two Clauses should be postponed. I believe that I shall show in the course of my observations this afternoon that that was not only a correct statement of the position a week ago, but that, in spite of the resolution that I have just read, it is equally the correct position to-day.

There is one statement in the resolution to which at the outset of my remarks I should like to draw attention, the statement in which it is alleged that the Government have gone back upon agreements made between ourselves and the representatives of the Princes. Let me say at once to this Committee, and let me say, if my voice travels as far, to my friends among the Indian Princes, that I cannot accept the justice of that charge. So far as I know, we have carried out in every respect the agreements that have been made between us and the representatives of the Princes. If by mischance we have failed in the drafting of the Bill to carry out those undertakings, I will see that they are carried out. I can only explain a statement of that kind on the ground that it may be difficult, without long notice, to follow the exact scope and drafting of a complicated Bill of this kind, but I do here and now say that, in my view and in the view of the Government, in every respect we have carried out the agreements that we said we would carry out, and if the draftsmanship of this Bill fails in any respect to show that that is the case, I will see that the drafting of the Clauses is readjusted and that, beyond a shadow of doubt, the position shall be made clear.

Secondly, the Princes are, so far as I am aware, agreed with us to-day, as they have always been agreed in the past, that if there is to be a federation, it must be an effective federation. I have always made my own position clear, namely, that I would not support any proposals for a sham federation. The Federation must be a real federation exercising effective federal powers over a sufficient field of administration. That is the view we have always taken of a federation, and so far as I know, in all our discussions, that is the view that the Princes themselves have taken of an All-India Federation. I canot believe to-day that they have altered in any respect their view in that regard. If they have altered their veiw—and I do not believe that they have altered it—let them tell us so clearly and categorically. The sooner this House knows the position, and the sooner everybody in India knows the position, the better for all parties concerned. I can, however, say to the Committee that, in spite of this resolution, I have no reason to suppose that the Princes have altered their conception of what an All-India Federation should be.

Assuming that both the Princes and ourselves are still bent upon setting up an effective All-India Federation, I say to the Committee, after a very careful examination of the points that seem to be at issue, that there is no reason at all why these questions should not be adjusted between the Princes and ourselves. I believe myself that many of them are already adjusted in the Bill and that the Princes do not yet realise in detail how far their legitimate desires have effectively been met. Where, as I say, they have not been met I have given the undertaking to meet them. Consequently, I say to the Committee that there is no reason—and I shall substantiate this contention in my later remarks—for the Committee to delay its discussions. Many of the points in which the Princes are chiefly interested come at later stages of the Bill. We shall have ample opportunity of dealing with them when the time arises for their discussion. If, however, in the near future or in the less near future at any time, it appears that there are irreconcilable differences between the Government and the Princes, I will at once inform the Committee of the fact, and I will give the undertaking that we will, in that case, reconsider the whole position. At present—and I am going to substantiate this point in the remarks which I am now going to make—I do not see that there is any irreconcilable difference between us. I do not believe that when I have finished my examination of the points to which the Princes allude in their resolution, that the Committee will come to the view that there are irreconcilable differences between us.

It is clear from the terms of the official report of the meeting that the Princes'

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decision does not indicate any change of their attitude towards federation, and is in no sense a pronouncement against the general scheme of the Bill. The Princes have always made it clear from the start, and no one has ever seriously questioned their claim, that it is their right as sovereign rulers to decide how far they are prepared to bring their respective States under the authority of the Federation. So far as I can see the major part of the difficulties which they now feel arise from doubts as to whether or not this position is made clear beyond doubt by the Bill. Both the States and the Government have, I am sure, the same broad objects in view. We both desire that accession by a ruler to the Federation shall mean effective participation by his State in the federal organism. On the other hand, it has always been the States' intention and we, of course, on our side have always freely admitted, that the application of this Act to any federated State should be governed in effect by the ruler's Instrument of Accession. That is to say, it is for the ruler and the ruler alone to determine, subject, of course, to acceptance of his accession by the Crown, the extent of the field over which the Federal authorities are to operate in his State.

Clause 6 of the Bill was designed to make this position clear. The Amendments standing in my name, which I hope to move in the course of our next discussions, are intended, not indeed to make any substantial change in that Clause as drafted but to make the intentions still clearer, and I am confident after closer examination of the Clause, amended as I propose it should be amended, it will be found by the Princes to go much further than they have supposed towards meeting their difficulties. That fact will become clearer when I actually move these Amendments.

I understand—and I draw the attention of the Committee to this point—that the main difficulty which the Princes feel about this Clause as it stands is the obligation which it imposes upon them to accept the Act as a whole. They feel this difficulty, in spite of the fact that its acceptance is immediately followed in paragraph (*b*) of the first sub-section by a provision for freedom of choice on the part of the ruler as to the subjects for federal legislation which he accepts, or, in other words, describing the field over which the Act shall operate in his State, and further the freedom to make conditions as to his acceptance of any of these subjects. The intention of the Clause was that such conditions should be applicable not only to the legislative powers as regards any particular matter of the Federal Legislature in its relation to the State, but correspondingly to the executive authority of the Federal Government in relation to the same matter. My Amendments to this Clause are, in part, designed to make this intention perfectly clear, and later on I shall move another Amendment to Clause 8 with the same object.

I understand that the form the States would like this Clause to take is a provision whereby they would accept such of the provisions of the Act as they may expressly specify in their Instruments of Accession. There are obvious difficulties in the way of acceptance of a suggestion on these lines, and the result might well be that, in theory at all events, every ruler who acceded to the Federation would select different provisions of the Act as the basis of the constitution in his State with the result that we might have a multiplicity of consitutions operating in different parts of India as a result of this Bill. This, I am quite sure, is not the intention of the Princes. Their fear is—and it is a natural fear—that acceding to the provisions of the Act even subject to the qualifications to which I have referred might have consequences in their States which on present examination they cannot foresee, and which might lead to results in the way of a diminution of their sovereignty which neither they nor the Government could ever contemplate. I wish to remove this fear. On the one hand it is impossible to contemplate a position in which it will be open to every accepting State to select for itself the provisions of the Act to apply to that State, and, on the other hand, I am quite prepared to consider sympathetically and to bring before the Committee any representation which the Princes may think it right to make with reference to any particular one of the later Clauses of the Bill upon which they anticipate disadvantages of the kind to which I have referred.

Let me put what I have said into more concrete form. The Government proposal is that the Princes should accede to the

whole Act and that in the Instrument of Accession the Princes should set out the subjects on which the Act is acceded to, making it clear, firstly, that the Act does not touch any other subject, and, secondly, that the Act does not detract from the Princes' sovereignty in any other respect. The Princes are nervous because they are afraid that at some time in the future a federal Government might, as the unexpected result of some other Clause in the Act and perhaps as a result of a decision in a federal Court, encroach upon a field that the Princes have not actually surrendered. The Princes, therefore, say: "Let us not accede to the whole Act but let us set out in the Instrument of Accession only the points in the Act to which we actually accede." I do not think the Princes have fully considered the implications of a proposal of that kind. The effect of it would be, first of all, to throw open to negotiation the whole field of the Bill instead of throwing open to negotiation between the Government and the Princes certain specific points in the Bill. That in itself would prolong almost indefinitely the period of these negotiations.

But there is a greater danger inherent in a proposal of this kind. If it were accepted, Parliament would not know in the least what kind of federation it was setting up. The question would be left in the air and open to subsequent negotiations over the whole field between the British Government and scores of Indian Princes. I am quite sure that Parliament would never allow a Bill of this kind to pass on to the Statute Book without knowing what kind of federation was going to be set up, nor would it pass an Act of this kind if the result was going to be not one constitution in India but possibly scores of different constitutions in India. I do not believe that the Princes have realised all these implications. They are nervous, and perhaps they are rightly nervous, lest, after having acceded over a definite field, other issues encroaching upon their sovereignty might arise in the future. We are prepared to safeguard their position. I am prepared to give them an undertaking that we will deal sympathetically with any Clause in the Bill other than the Clauses which actually deal with the federal list—that is, the list of federal subjects—which may appear to them to be dangerous in the future. But we must deal with specific Clauses. We cannot throw the whole field open without any limitation upon it at all, and I believe that when the Princes have more leisure to study the Clauses in the Bill and when we have had a further opportunity of discussing these difficulties with them we shall be able most effectively, while retaining the general federal structure of the Bill, to safeguard the Princes' position in every respect.

I pass from the question of the method of accession to the second question which they emphasise in their resolution, namely, the question of the inviolability of their treaties. Here, I am sure that misunderstanding has arisen. They seem to regard it as a breach of faith that we have not in some way dealt with the treaties, either within the four corners of the Bill or in the Instrument of Accession. I was under the impression that in all our discussions, now ranging over many years, there had been a general agreement among ourselves and the representatives of the Princes that questions of paramountcy should be kept out of the Federal Bill altogether, and that it was much safer from the Princes' point of view to keep questions of paramountcy out of an Act of this kind. As soon as questions of paramountcy are included in an Act, inevitably they become the subject of decisions by the Federal Court, and I understood that that was the last thing in the world that the great majority of the Indian Princes desire. So also with regard to the Instrument of Accession. Here, again, I understood that it was the Princes' desire to keep questions connected with treaties out of the Instrument of Accession, and for the same reason, that the Instrument of Accession will be interpreted by the Federal Court. Because we intend to keep questions of this kind outside the scope of the Bill and outside the Instrument of Accession it does not in the least follow that we are not just as determined as we have always been to make it quite clear, in the most solemn manner, that we regard the treaties between the Crown and the Indian States as inviolate, and I give an undertaking that in the most solemn and formal manner, but not within the Bill, we will carry out that undertaking.

There are a number of other questions which arise from their resolution, but I must not deal with them in detail. No

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doubt we shall deal with them in greater detail when we come to the Clauses affecting them. Let me, however, give to the Committee a general idea of what they amount to. First of all, there is a point in Clause 8. That Clause, so they say, even as I propose to amend it, does not make it sufficiently clear that the executive authority of the Federation within the range of any matter accepted by a State as a federal subject can be limited to the same extent as the legislative power can be limited. This I am sure will be found to be a question of drafting. Then, again, Clause 8, so we are told, does not make it sufficiently clear that the executive authority of the Federation extends to placing at the service of the Crown the military means of implementing the Crown's obligation to protect the States. That is a point to which we attach as much importance as the Princes themselves. But if further examination either of Clause 8 or of other Clauses should show that our provisions are not effective I am confident that the Committee would wish that they should be made secure.

Further, the States are inclined to regard the wording of the Governor-General's special responsibility as described in Clause 12 (I. *a*) as enabling him in his capacity as Governor-General to intervene to an extent not hitherto regarded as justifiable in the internal affairs of the Indian States. On this point I would remind the Committee that the special responsibilities of the Governor-General regulate the relations of his Ministers in the exercise of the powers which he possesses but do not themselves regulate the extent of those powers. Obviously, this criticism is founded upon a misunderstanding. Again, the States are not apparently entirely satisfied with the wording of the Governor-General's special responsibility for the safeguarding of the rights of the States. Here I believe there is no difference of intention whatever. It is a question of the manner of expressing what we intend. Other points on which questions have been raised relate to the provision in Clause 45 on the failure of constitutional machinery, the wording of Clause 99 defining the legislative powers, and to Clause 127, which describes the relations between the Federal Government and the States, and certain financial Clauses. I cannot believe that any of the points raised on these Clauses are matters upon which permanent difference will arise.

Mr. ISAAC FOOT: The right hon. Gentleman has quoted certain representations that have been received in respect of certain Clauses, and he has stated how those representations are to be met. They are of course not in the resolution of yesterday. Will he tell us when those representations were made and whether when the Princes met at their meeting they knew of the intended Amendments that would be submitted to this House?

Sir S. HOARE: The first time that I heard of these criticisms was on Sunday when I received a telegram about the meeting of Ministers. At present I have no more than a comparatively brief telegram setting out the points which I have described. What I undertake to do is that as soon as I receive the criticisms in detail I will in some appropriate way put the Committee in possession of them. I think I have said sufficient to-day to the Committee to show that so far as I can judge none of them seem to be questions of principle, but that all of them seem to be questions of detail that can be, at any rate in some cases, easily adjusted.

Let me, in conclusion, give, with great deference, a word of advice to the Committee. I would not venture to give a word of advice were it not for the fact that week in and week out for four years past I have been dealing incessantly with these complicated problems. The Committee is dealing with a question the magnitude of which it is almost impossible to estimate. At every point there are problems of immense complexity; in every chapter of the Bill there are angles from which it can be attacked by an enfilading fire from both sides. There never was a Bill on which there was greater scope for criticism, greater scope for an opposition to exploit vulnerable points in it. It is very easy to exploit vulnerable points; it is very easy to magnify the obstacles in our way, obstacles which are sufficiently great in themselves. I hope the Committee will realise that this is a Bill of a unique character and that while there is no reason on an ordinary Bill why we should not make the most of our points of difference, in this case the House has set itself

a task of immense responsibility. It has instructed the Government to produce a Bill on the lines of the report of the Joint Select Committee. The responsibility, therefore, is the responsibility, not of the Minister, but of the great majority of the House as a whole. That being so, I hope that we shall avoid the temptation of exaggerating difficulties as they arise from time to time and that at all costs we shall attempt to remove rather than magnify them.

There will be many perplexing moments in the course of our discussions and ample opportunities for critics to take advantage of a difficult situation. I hope that we shall avoid that temptation, and that to-day we shall show by our action that we are not going to be rushed by alarmist charges of the character to which we have just listened, that we are going to proceed upon our way realising that the responsibility is on the shoulders of this House. While we are most anxious to listen to Indian opinion at every possible opportunity and most desirous to give the fullest possible weight to that opinion, I hope we shall realise that the responsibility is with us, and that the need is for us to go on our way drafting the Bill in the way that we believe is best for India, for this country and for the Empire. That being so, I hope that when we have disposed of the Motion we shall resume our discussions on the Bill Clause by Clause. I believe that we can meet the difficulties which have been raised by the Princes; if we cannot, then I shall be the first to come to the Committee and give the Committee the information.

4.49 p.m.

Mr. MORGAN JONES: Once again the Committee has been made aware of the measure of interest which some hon. Members take in Indian affairs so far as the point of view of His Majesty's Opposition is concerned. Whatever other people may feel as to the wisdom of the right hon. Member for Epping (Mr. Churchill) in moving the Motion, we on this side cordially agree that he has done the proper thing. I would add this, that if the right hon. Gentleman had not moved the Motion my Friends and I would have taken steps to have raised this matter at the earliest opportunity to-day. There is no use gainsaying the fact that the situation presented to us to-day is fundamentally different from that which was presented to us last week. There has been a substantial change in the position. I entirely understand that the Secretary of State felt the necessity for reassuring the Princes, as far as he can, in his statement this afternoon, but that does not alter the fact that the situation has substantially changed. I would go further and say that the speech of the Secretary of State this afternoon is an additional justification for postponing these discussions.

I do not want hon. Members of the Committee to misunderstand the approach of my friends and myself to this matter. The right hon. Member for Epping is well aware that his approach to this problem and ours are fundamentally different. He takes the most violent opposition to any further development beyond provincial self-government. We do not take that view. From the beginning, and throughout the meetings of the Joint Select Committee, my colleagues and I steadily took the view that some form of federation appeared to be inevitable if you are to enable the Indian people to achieve anything in the nature of unity. That is pretty obvious to everyone. But while I am quite prepared to say that we are in favour of a federation, I want to say most emphatically that the more I study these proposals and the more I hear them explained by the Government the more alarmed do I get as to their implications. It is easy for the Secretary of State to say that whatever form of federation he might propose it would be attended with great complexities and difficulties, that is obvious, and the right hon. Gentleman is entitled to say that some of the complexities, even those which have arisen as a result of yesterday's decision, are complexities which will arise in the course of the progress of a Bill such as this.

I do not propose now to raise in detail the problem of federation; the simple matter before us at the moment is whether the new situation justifies us reporting Progress. I entirely agree with the right hon. Member for Epping that the sooner the present situation is cleared up the better. I am not at all certain, if I may say without any disrespect to the Secretary of State, that even after what he has said I quite grasp the situation now. If my appreciation of the

[Mr. Jones.]
situation is sound and correct then I must confess that I fell more alarmed than ever. What is the position? The whole basis of the speech of the Secretary of State this afternoon seemed to run on this line. He said, "We have made an honest effort to embody what we consider to be the demands of the Princes in this Bill, but if we have failed in any particular to implement any promise we have made I am quite prepared, as soon as possible, to set the matter right."

ROYAL ASSENT.

Message to attend the Lords Commissioners.

The House went;— and, having returned;

Mr. SPEAKER *reported the Royal Assent to*:

1. British Shipping (Assistance) Act, 1935.
2. Unemployment Insurance Act, 1935.

GOVERNMENT OF INDIA BILL.

Again considered in Committee.

[Sir DENNIS HERBERT in the Chair.]

Question again proposed, "That the Chairman do report Progress and ask leave to sit again."

Mr. MORGAN JONES: Before the intervention of Black Rod I was saying that I gathered from the Secretary of State that he was giving an undertaking to the Committee, and through the Committee to the Princes in India, that if in any particular any agreement which might have been arrived at between him and them, or any agreement that was understood to have been arrived at between him and the Princes in various conferences was not fully implemented in the Bill, he was quite prepared to see that those promises were fully implemented hereafter. We really must get to know what is involved in this business. So far as we know officially in this House the only promises that have been made by the Princes or to the Princes in the past are redeemed in the Clauses and Schedules of this Bill.

Yesterday there was the discussion in the Chamber of Princes, and as a result a decision was arrived at that in the view of the Princes the provisions in the Clauses of the Bill do not fully implement what the Princes understood to be agreed between them and the Secretary of State. This afternoon the Secretary of State has been at great pains to try to show that the Princes are labouring under a misconception; but we really must urge, with the right hon. Member for Epping, that there is a case for moving to report progress, because we cannot agree to handing over to the Princes a blank cheque to be filled in anyhow. We must know on what condition the Princes come in. It will not do for one Prince to be allowed to come into the Federation acceding, say, to 10 subjects, another Prince to 20 subjects, another to 50 subjects, another to 30 subjects and another to only one subject.

On the Order Paper to-day my hon. Friend the Member for Westhoughton (Mr. Rhys Davies) will move an Amendment dealing with labour conditions and conditions in relation to the International Labour Office. Is any single Prince to be allowed to determine for himself whether or not to accede in respect of this labour question? Are some Princes to accept it as a federation subject in relation to themselves, and others not? What sort of chaos shall we have in India if that is to be allowed? Surely we ought to know, therefore, what are the terms upon which these gentlemen—I say nothing unkindly about them—are to be permitted to join the Federation. If there is to be a further discussion, if there are to be further negotiations, clearly the case for postponing consideration of Clauses 5 and 6 is all the stronger. If there are no further agreements to be made, no further concessions to be granted, very well, we know where we are. But do we know where we are? There is no one in this Committee at the moment who knows. I see that the right hon. Member for West Birmingham (Sir A. Chamberlain) is somewhat amused by that observation. He and I were on the Joint Select Committee, and I venture to say that unless he has private information to which I have no access, he does not know the terms on which the Princes are acceding to the Federation, that is to say as regards each separate Prince. There is no common standard of accession, even judging by what the

Secretary of State has said this afternoon.

Let me refer to another point. There has been an elaborate effort on the part of the Government to meet the wishes and the tender susceptibilities of the Princes. I understand, and have always understood, that the case of the Government is that in the last resort the British Parliament would have the final word in this matter, that we were the persons to lay down the conditions upon which the future Constitution of India was to be founded. Do we always ask British India with this elaborate care what British India wants? We are almost grovelling on our knees this afternoon to find out what the Princes want. By all means find out what their terms are, but because they state their terms in ever increasing intensity and with ever increasing difficulty for the Government, that is no reason why we should bow the knee to the Princes whenever they choose to raise their terms. I rather suspect that the situation to-day really predicates a position where the Princes are in fact seizing the situation in order to alter the terms, and to make severer bargain terms with the Government than we originally supposed to be the case.

In any case I hope that during these discussions we shall not lose sight of the fact that there are two partners to this Federation, if federation means anything at all—on the one side the Princes and on the other side British India—and I assert that a democratic House of Commons has no right to consider merely the claims and the dictates of autocratic States and Princes, while forgetting altogether the claims and the rights of the more democratic part of India. We are not prepared to accept the view that, as a price to be paid for federation, British India should be subjected for all time to the demands, the opinions, the point of view of autocratic Princes. Therefore, although we do not approach the problem from the same point of view as certain hon. and right hon. Gentlemen opposite; although we do not entertain the same feelings as they do, towards the further development of self-government in India; although we want a much larger measure of self-government than they would be willing to concede, although they obviously wish to arrest development at a certain point much short of that where we would wish to stop—yet all the same we are at one with them in demanding greater clarity in regard to the present situation.

The Secretary of State ought not to ask us this afternoon to allow this development regarding the Princes to proceed further without knowing exactly where we are going to be in relation to it. I suppose that negotiations will take place. The right hon. Gentleman was speaking to the Princes, who are 6,000 miles away from us, and was trying to remove misconceptions, as he called them, and misgivings which the Princes entertained. We too have misgivings and they are very strong and increasing misgivings concerning the implications of this Bill, not merely for the Princes but for the people of British India as well. Every time I read this Bill I am more and more impressed with the fact that we seem to be forging an instrument by which the people of British India are ultimately going to be placed permanently—because there is no provision in the Bill for a change—under the control of the Princes of India. For that reason, and in order that we may have some further clarity introduced into this situation, we support the Motion to report Progress.

5.19 p.m.

Sir AUSTEN CHAMBERLAIN: Anyone knowing these Clauses only by the numbers under which they have been mentioned this afternoon, might be misled by the speech of the hon. Member for Caerphilly (Mr. Morgan Jones). I do not suppose that there is anyone in this Committee who thinks that the Princes are the only people to be considered or who is not aware of the immensely greater responsibilities that we have—because they are more direct and more personal—to the people of British India than to the rulers of the States outside. All these Clauses, the discussion of which we are asked by this Motion to postpone, are Clauses dealing particularly with the interests of the Princes and with the conditions upon which they shall join the Federation and with the surrender of powers which they should make on joining. If, therefore, the discussion this afternoon turns more particularly on the position of the Indian States and less particularly upon British India that is because it is a rule of our discussions that they should be appro-

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priate to the subject which is immediately before us.

I pass from the speech of the hon. Member for Caerphilly—perhaps to return to it—and I desire to say at once that I think the whole Committee, or at any rate the great mass of the Committee must have listened, as I did, with sympathy and with admiration to the speech of my right hon. Friend the Secretary of State for India. I am glad to find that he, with his greater knowledge, has formed the same view of the resolution of the Princes and of such indications as he or we have had as to the particular points in regard to which they feel doubt and hesitation, as I had myself formed on reading the public Press. I cannot trace in any one of these various subjects any point that was not present to the minds of the Joint Select Committee; which was not fully discussed with the representatives of the Princes and the Indian delegates in the course of our discussions with them; discussed again among the members of the Committee before ever the chairman undertook to draft his report, and finally discussed and considered in the drafting and amendment of the report itself.

I agree with my right hon. Friend and indeed it is the contention of the Princes themselves in their resolution, that they have not changed their attitude on federation; that from the first they have stated certain conditions and that on such examination as they have been able at present to give to the Bill, they do not think that those conditions are fully met. I am confident that it was the intention of the Joint Select Committee in their report to meet them, and I thought myself that we had met them. I thought there were points that ought to be met and on which the Princes had a right to be reassured, and I thought we had given them that reassurance. I have interpreted the Bill, as far as a layman can, as being the expression in legal, in statutory language of the intentions of the Joint Select Committee.

Mr. MORGAN JONES: The right hon. Gentleman will forgive me for pointing out that we always understood at the Joint Select Committee that, while the Princes agreed to put forward their proposals to us and we were trying to meet those proposals, they were giving no final judgment until they had seen the complete picture, and this Bill is the complete picture.

Sir A. CHAMBERLAIN: That is perfectly true, and it has a direct bearing upon the Motion. They cannot see the complete picture except in the form of the Bill, and they will not see it until the Bill itself has been completed and has received the approval of both Houses of Parliament. To adjourn its consideration in order that we may obtain further light upon their proceedings is merely to enter upon a circle which has no ending. They cannot tell you whether they approve of the Bill or not until they see the form in which it stands. We must go forward with our work, trying to remove their apprehensions wherever we find those apprehensions well-founded, trying to meet all that is reasonable in their demands, but not, let it be well understood, willing to or meaning to allow this House to be driven from what this House thinks right or to enter into a "Dutch auction" for the support of the Princes for the proposals.

I am glad to see that my right hon. Friend the Member for Epping (Mr. Churchill) has returned to his place. I was greatly struck by his solicitude about what he thought was the uncomfortable position in which I had been placed, and I hope I may relieve his anxiety—the natural anxiety of so old and dear a friend if he will allow me to say so—by telling him that I am not in the least embarrassed by what I said in earlier discussions in the House of Commons on this subject. I think, on the contrary, that this latest development of the situation confirms, if I may say so, the wisdom of the advice which I ventured to tender to my friends. I know that my right hon. Friend does not agree with me, but then he and I approach this question from different points of view. I approach it from the point of view of a man who is sincerely convinced that a National Government formed on the broadest basis possible, is our only hope of safety in these difficult times. My right hon. Friend approaches the consideration of this and all other questions from the point of view of a man who has never been enamoured of the National Government.

Mr. CHURCHILL: My right hon. Friend is really doing me an injustice. I have dealt with this Indian question on its merits, and I would have taken exactly the same line as I have taken this afternoon two years before the National Government was formed.

Sir A. CHAMBERLAIN: My right hon. Friend will not deny, however, that he has no love for the National Government.

Mr. CHURCHILL: I deny the relevance of that to the matter which we are now debating.

Sir A. CHAMBERLAIN: Of its relevance the Committee will judge. They will take note of the fact that my right hon. Friend does not deny that he approaches this question, in its present form, from the point of view of a man who has no love for the National Government, but who, as I understand, desires to resume party politics, and, as a first step towards that most desirable end, is presently going into the Lobby with his Socialist opponents. There is another difference and one which perhaps goes still further to explain our different points of view. My right hon. Friend declined to serve on the Joint Select Committee. I spent the best part of two years in a close study of this question, in conference with Indians of all points of view and in discussion with my colleagues in the House of Commons and the Members of another House. The views which I offer to the Committee are the result of long experience in Government, sharpened and augmented by that two years of intimate association with these matters.

I remain of the opinion, and I desire to affirm it with all earnestness to this Committee, that this experiment, this great development in Indian government, will be much more safely undertaken if it be accompanied by the establishment of a Federation of All-India than if the reforms are confined to British India alone. I believe that the interests of the Princes are intimately associated with the British Empire, just as for the same reason our interests are intimately associated with theirs, and I believe that they and we alike will find safety for ourselves and security for that which we hold most dear by their entry into a great federation which for the first time will consecrate the political unity of all India. What is the alternative? It would be the establishment of provincial autonomy in all the Provinces. Let me say, in passing, that my right hon. Friend is not quite candid in these latter days when he continuously talks of himself as if he has been from the first a whole-hearted approver of the Simon Commission and a whole-hearted acceptor of its report.

Mr. CHURCHILL: I have never said that at any time. The phrase that I have always used was, that I was prepared to act within the ambit of the Statutory Commission's report.

Sir A. CHAMBERLAIN: What a lovely phrase. Ah, if you could govern the world with phrases, the whole world would elect my right hon. Friend as dictator But I think it is important, perhaps less for ourselves than for audiences outside, to state that my right hon. Friend never has accepted the Simon Report and would not accept it to-day if that alternative were put before him. My right hon. Friend has his own scheme, but it is not the scheme of the Simon Report; it is not a scheme approved by any party to the Round Table Conferences; it would not receive the support of more than a small minority of the Joint Select Committee; and it has been rejected by great majorities in this and the other House. What is it? It is the establishment, not of provincial autonomy, as the Simon Commission recommend, but of a more limited provincial autonomy and to leave the Central Government of India untouched. I believe that to be entering on a fatal course, and I beg both the Princes of India, if my voice can reach them, and Members of this Committee to consider where that will lead. You will create 12 powerful organs of public opinion and at the same moment disappoint all the hopes which they can legitimately hold after the past four years of Indian discussion and conference and passing of resolutions. If you establish those bodies and discontent them and render them your enemies the moment that you establish them, can you find any support for your Government from them?

What will be and what must be their purpose? It must be, of course, to overthrow the Central Government at at present established and to substitute a representative system of responsible government at the Centre for British India alone. It is common ground, at any rate,

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to all of us in these days that responsibility at the Centre can only be granted as part of a federal system including the Indian States. If, by your own act, you refuse to make that federation possible, if you refuse the opportunity to the Princes and to British India to join in such a federation, are you certain that sooner or later—yes, and as things move to-day sooner rather than later—you will not be driven to establishing responsible government at the Centre for British India alone; and do you think you will have done a good day's work for the British Empire or for the connection of India with this country if you have reached that result? What will the Princes think? They will have had offered to them such terms as this House is ready to make for them to-day, which secure them in the just retention of their rights and sovereignty.

There is a plausible case for the adjournment, and I do not criticise my right hon. Friend for his Motion. I am glad he has given us the opportunity of something like a Second Reading debate once more on this question, but I beg the Committee not to be led away. I agree with the hon. Member opposite that in the last resort responsibility rests with this House, and I must say on that that my right hon. Friend who denounces us, his colleagues, members of his party, with having abdicated our responsibilities and with running away from our trust, is at one moment begging the Committee to act upon the vote which the Congress party gave the other day in the Legislature, and at another to wait upon the will of the Princes before this Committee comes to any decision. I do not so understand our responsibilities. We have had two years' examination of this problem of the future of Indian government by the Simon Commission, we have had three years of round table conferences, we have had two years of the most minute inquiry by the Joint Select Committee of the two Houses, and I venture to say that the time has now come when this House must shoulder its responsibility, must face the problem, and say here and now, after the fullest consideration of all shades of Indian thought and all shades of opinion here at home, what constitution we are willing to offer and within what limits we are ready to move. It is on us and on us alone that that responsibility rests, and now is the time when we should discharge it.

5.38 p.m.

Mr. ISAAC FOOT: I would like to express the thanks of the Committee to the right hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain) for the very clear statement he has made of what I believe is the position for the majority of the Committee. I do not follow him altogether in the statement that we have to leave everything to the decision of this House, because this is not our constitution that we are dealing with, and we are dealing, not with conditions under which we ourselves are to live, but with a constitution and with conditions that must be very much more intimate and important to Indians than they can be to us. But with that qualification, I will associate myself, if he will allow me to say so, with his statement. If there be any criticism that I would like to make as far as the right hon. Gentleman the Secretary of State is concerned, it is that in the course of his speech just now—I hope I misunderstood him—he said that when further representations were made by the Princes, we should be prepared to meet them in all particulars.

Sir S. HOARE *indicated dissent.*

Mr. FOOT: I have not an exact note of the right hon. Gentleman's words, but he led the Committee to think that when the further representations were made, it was almost for the Princes to ask and for us to give. I do not think that was in his mind, but I am afraid it was in his words.

Sir S. HOARE: I am very much obliged to the hon. Member for giving way. Let me at once clear up the point, if there be any misunderstanding. All that I meant to say, whatever I may have said, was that we would carry out the agreements. And when I said "agreements," I did not mean any secret undertakings; I meant the results of the long period of consideration and examination, and I meant no more than that.

Mr. FOOT: I am much obliged to the right hon. Gentleman for his statement, because it will relieve my mind upon a point of considerable importance; and, as far as those of us on these benches are concerned, we are glad the right hon.

Gentleman has decided that we shall proceed with the discussion on the Bill, because we agree with the right hon. Member for West Birmingham that if any postponement took place now, particularly upon the ground that is suggested by the right hon. Member for Epping (Mr. Churchill), it would be an indefinite postponement. The right hon. Gentleman's proposal was that you, Sir, should now leave the Chair and that the Committee should adjourn. He was not able to suggest when again we should meet. I wonder when he would like us to meet again to discuss this Bill? His concern is not for its postponement. His concern is for the defeat of the Bill, and he would like postponement, not while we are discussing these few outstanding questions. His proposal is not merely a dilatory proposal; it was intended to kill the Bill.

Mr. CHURCHILL: The Secretary of State has told us that it is desirable that we should know where we stand in relation to the Princes as quickly as possible, and he has foreshadowed a very large number of Amendments that are to be put on the Order Paper. I suggest that before these proposals are made, we shall see what the Amendments are.

Mr. FOOT: I know that, as the right hon. Member for West Birmingham has said, all that can be put into the customary phrases of this House, but the right hon. Member for Epping has made it clear from the beginning that he is against the Bill, and, if we met again to discuss this matter, it would not be the desire of the right hon. Gentleman that we should do it. He wants a postponement for the longest possible time. I know very well, and the Committee knows very well, that if the Bill were postponed, it would be postponed in order to take what steps? We are apparently to wait for a communication that may come from the Princes. They are to meet again and to consider what may be put before them by the Viceroy and the Secretary of State. We do not know what may be the arrangements of the States themselves. It is not the simplest thing in the world to call together the Chamber of Princes. They are not able to speak with full authority, because there are many who are not members of the Chamber of Princes at all, and if a decision were made by some of the Princes, it might not be acquiesced in by the others. Before the Committee could proceed with the Bill again upon Clauses 5 and 6 and the Clauses that deal with federation, there would be a postponement that would render impossible, probably, the carrying of the Bill this year.

I know that is the intention of many Members as things are. The programme has been so set out before the House that we know that it will take until Whitsuntide before the Bill is through this House. There will have to be the prolonged debates which will take place in another House before we rise for the vacation. Most of the time will be taken if the Bill is to be secured, and if anyone thinks that its postponement until another year will not create the most serious difficulties, it is because they have not thought about this problem and have not studied Indian conditions. The whole of Indian history in the last 25 years has been a comment on being too late. The delay between the declaration of Mr. Montagu in 1917 and the passing of the Bill in 1919 was a dangerous delay in Indian history. The delay which took place between the first Round Table Conference at the end of 1930 and the introduction of this Measure has given rise to opportunities for mischief-makers in both India and this country. Every delay gives them a full opportunity, just as this particular occasion has arisen for the mischief-makers in this country. I have had to depend on the Press to-day, as other Members have, for their information. The right hon. Gentleman brought his sheaf of newspaper cuttings, but has he seen them all? In this morning's Press there was a demand for the resignation of the Secretary for State on this matter——

Mr. CHURCHILL: "Secretary of State"—not "for State."

Mr. FOOT: I do not suppose the title would matter if the resignation were insisted on. In one of the leading papers of the country there is a suggestion that the right hon. Gentleman the Secretary of State has misled the House and the country. [HON. MEMBERS: "Hear, hear!"] I am sorry to know that that has any support in this House. This newspaper states:

"Resignation seems to be the natural step for him to take, for it is impossible to

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suppose that, in face of the pledges which we have quoted and others of a similar nature which star the pages of Hansard and the Press, he can retain his office and proceed with the Bill."

I am not of the right hon. Gentleman's party, but I have had an opportunity more than most Members of knowing something of the burden that has rested on his shoulders. We have an admiration for the candour with which he has dealt with his case all through. That, I think, may best come from a political opponent and one who does not even support the National Government as the right hon. Gentleman the Member for West Birmingham does. We know that this responsibility has been in his hands and that throughout he has shown candour in dealing with not only the Members of the Joint Select Committee, but with the delegates who came from India. The tribute which they paid was that they had been treated all through with complete candour. The suggestion that is now being made, that the House is being misled, and apparently deliberately misled, by the right hon. Gentleman, is one that should never have appeared in the columns of our English Press. It affords an opportunity for the mischief-maker, and those who have been communicating with the Princes all along are now perhaps seeing the result of their work. [*Interruption.*] I am referring to the right hon. Gentleman the Member for Epping and the hon. and gallant Member for Bournemouth (Sir H. Croft).

Brigadier-General Sir HENRY CROFT: May I ask the hon. Gentleman if he includes the Viceroy of India?

Mr. FOOT: Most people who know the situation in India, or who try to understand it from their morning's newspapers, read the news to-day with somewhat grave apprehensions and sinking of heart. The right hon. Gentleman the Member for Epping read that news with joy, and the news which was received last night with delectation. He has come here to-day with the cry, "I have told you so, and I am right," and he has persisted in making statements for which there is absolutely no foundation. He has repeated the old story that the Princes were coming in as a result of some subterannean arrangement with Congress in which they squared each other. That is a statement which reflects upon the Princes and is in conflict with their public utterances. It gives the lie to their public utterances, and is repeated in the House of Commons to-day without any authority whatever. I always give way to the right hon. Gentleman if he desires to interrupt me. I wanted to intervene when he was speaking to ask him what authority there was for that statement. It is the statement in which the Princes, men holding very high positions who ought to be able to assist us in years to come as friends of this country, are practically held up as men who say one thing in public and hold different views in private, and are making arrangements that are discreditable to themselves and to the States they represent. If there be authority for the right hon. Gentleman's statement will the authority be produced? If it is not produced, will the right hon. Gentleman drop that slander once for all?

Another newspaper comment is the message that has been sent to the Princes to-day. We are informed on the authority of a Member of another House, Lord Rothermere, that a message has been sent. Let the Committee turn to the message that was sent by Lord Rothermere to the Princes following upon their decision. There is no doubt as to his position; he has greeted this news with joy. His message was:

"We congratulate the Princes on their bold and decided action against the India Bill. It is the more salutary because notoriously great pressure has been applied to secure their acceptation of that measure."

The statement that great pressure has been used has been denied by the Secretary of State in this House. It was denied by the Princes themselves at the Round Table Conference when a question was specifically put in the presence of the right hon. Gentleman the Member for Epping. In spite of that denial, the Noble Lord, in sending his congratulations, repeats what is a slander on the Government and on the Princes themselves. He writes further that this message would be read by 7,000,000 people, that they are standing for great principles, and that this is a Bill "which makes a monstrous assault on the treaties securing their rights." Who is the friend of this country in matters of this kind? The message is sent to the Princes at a time of great excitement in India, and

Lord Rothermere says that this Bill, which is, after all, a fair attempt to deal with the different interests that exist in India, is a monstrous attack upon their rights. I suggest that that is a letter containing falsehoods and slanderous attacks on those who are responsible for affairs at this time. It is the letter of a megalomaniac, and one which ought to be condemned by all public opinion. I would like to know whether among those who are associated with the attack upon this Bill there is anyone who will get up and dare to endorse the message which Lord Rothermere told the Princes will be read by 7,000,000 people and endorsed by the people of this country? Who is Lord Rothermere to affect to speak for the people of this country? Let the Princes know that if they are to rely on Lord Rothermere—it is Sir Oswald Mosley one day, and the Princes of India the next—his friendship is a very unsubstantial foundation.

I want an assurance that in this matter the Princes are not able to make this House pay any price that they will. I would like the Princes to realise what the danger is. If the scheme broke down, and if the Rothermeres of this country were the people of the country, what would happen then? The demand for Indian reform cannot be gainsaid. No one can suggest that because of a failure of the Princes to co-operate the demands of the people of India can be set back. They would be entitled to say, if this arrangement could not be made, that their proper rights must be considered. Let the Princes consider what their position would be if there were established, as there would have to be established in order to meet Indian opinion, self-government in the great Provinces side by side with Princes who could not take their share in the development of their country? We do not ask the Princes to come into a federation for our sake in particular, although we should welcome them but as a steadying and substantial factor in Indian life. Nevertheless, there are the people of British India to be considered, and if the Princes stood aside, the people of India would be entitled to come to this House and ask that their proper claims should be met. If that course had to be taken under some Bill other than this Bill, the Princes might look upon the day when they failed to take their share, following upon the declarations they have made, as the worst day in their history.

We have to take India with all its facts. The States are there as an essential part of Indian life, representing one-quarter of its people and a very essential part of its history and philosophy. We must do what we can with the immediate situation, and I believe that, as a result of the policy which is now being adopted, there will be wise co-operation on the part of the Princes. Let their proper rights be met. Let us go so far and no farther. To go any further or to show any weakness on the part of this House in meeting their case would be the most vital mistake. I can imagine nothing worse from that standpoint that that we should suspend the proceedings of the High Court of Parliament because of a resolution that was adopted yesterday at Bombay by the Princes, as the right hon. Gentleman would if he had his will. He said the other day that we should not proceed unless we asked the present Legislative Assembly what they wanted to do, and that we should not proceed until we knew what the provincial assemblies wanted. Where is the authority of the High Court of Parliament——

Mr. CHURCHILL: I did not say anything of the sort. The amendment was that it should not come into operation until the Legislative Assembly had assented.

Mr. FOOT: The right hon. Gentleman makes it worse now. After Parliament has gone through all the procedure on this Bill and the Bill has received the assent of His Majesty, we are to go to the present Legislative Assembly and say, "Before this Bill can pass into law and before the will of Parliament can be implemented, will you tell us whether we can receive your assent?"

Mr. CHURCHILL: That is exactly the proposal which the right hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain) has just made with regard to the Princes—we are to carry the whole Bill through notwithstanding what they say, and in the end they have to say whether they want it.

Mr. FOOT: If the right hon. Gentleman thinks that that is a paraphrase of the remarks of the right hon. Gentleman the Member for West Birmingham, I do

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not think anyone else shares his opinion. I only put this last suggestion to the House. The Princes passed their resolution after what must have been a short discussion on a complicated Measure, unaware of some of the amendments that are before the House, and what would give the Princes more power to determine the conditions of this Bill than the fact that Parliament suspends its proceedings, it may be for weeks, it may be for an indeterminate time, and to say to them, "Before we go on with this Measure, with which we have been charged by the responsibility of past years, please let us know what your wishes are, and when your wishes are known we will proceed with this Measure?" I say nothing would be more calculated to raise the price that may be charged against us by those who may not have a sense of high responsibility. [HON. MEMBERS: "The price?"] Among many Princes do you not think there are some—or are there not some—who are concerned first of all for their own interests rather than the general interest of India? It is that part of that element that you would be encouraging.

Mr. DIXEY: The hon. Member has just referred to a price that is being paid. What does he mean? [*Interruption.*] My right hon. Friend has said what he thinks, but what does the hon. Member think?

Mr. FOOT: The suggestion has been made here to-day that demands are being made by the Princes. If you do not like the word "price," take the word "demand." If "price" gives offence to my hon. Friend, I will substitute the word "demand." I suggest that nothing is more likely to harden the demands of those with whom we are concerned in this matter than the suspension of the proceedings of Parliament. Already we have given a great deal of time to this matter. There are large questions of public policy waiting for discussion in the first six days of the Committee stage, and I ask that the proposal of the Minister may be supported and that we may go on to deal with the merits of this great Measure.

6.2 p.m.

Viscount WOLMER: I venture to submit to my hon. Friend the Member for Bodmin (Mr. Isaac Foot) that he is importing a good deal of prejudice into this Debate. The Committee finds itself in the most extraordinary position, which will not be smoothed away by abuse of the "Daily Mail" and the "Morning Post." I think it is very difficult to exaggerate the significance of the statement we heard from the Secretary of State this afternoon. It is quite clear from what he told the Committee that there is a fundamental cleavage of opinion, a fundamental difference of opinion, between the Government and the Princes on this Bill. The question of whether the act of accession should mean accession to the whole Bill except for subjects reserved or a limited accession merely as to those subjects which are included in the Instrument raises an absolutely fundamental point. It is a point that anyone who has studied any constitution knows to be a fundamental matter. I would ask the Committee to consider what it would mean suppose the Princes gained their point. Suppose their accession is limited in respect to a certain list of subjects for which they stipulate. How is that going to affect the rest of the provisions of the Bill? How is that going to affect the matter we were discussing last, the proportion of States that is necessary before federation can operate? If we are going to be content with a bare 50 per cent. of the Princes, is it going to be 50 per cent. of all the Princes or simply of those subjects on which 50 per cent. have signed Instruments? Where the Instruments overlap we shall clearly get a much lower proportion than 50 per cent. in regard to a great many important subjects. Therefore, if we are content with a bare majority, and every Prince is coming in on different terms, we at once get an accession which represents a great deal less than half the subjects on which the Princes are federated. How will that operate in the Legislative Assembly? Will the Princes be entitled to vote on subjects not covered by their Instruments of Accession?

It can be seen at once that this is an absolutely fundamental point, and it is amazing to me that the Secretary of State for India was unaware of this cleavage of opinion between him and the Princes. If I can have the right hon. Gentleman's attention for one minute, I should like to question him on this subject. He told the Committee, if I understood him cor-

rectly, that the first he knew of this was on Sunday, when he received a telegram. Did I correctly understand him to say that he was unaware until last Sunday that the Princes attached vital importance to this condition of the manner of accession, because that is the case? It appears to me to be a most amazing thing. The matter has been before the Government and the Princes for many months, and if the Secretary of State had been candid with the Princes he surely ought to have given them to understand months ago that the procedure which the Government is quite right, in my view, in insisting on, would be a fundamental part of the Bill.

Sir S. HOARE: The right hon. Member has accused me of want of candour, and I must at once reply to that charge. My view has been known to the Princes not for weeks only and not for months only, but for years. We have never varied from this position at all, and, so far as I know, the representatives of the Princes themselves always accepted it.

Viscount WOLMER: It seems to me the Princes are also accusing the Secretary of State of want of candour. That is the burden of their complaint, and I think the Secretary of State will find in the end that he will not save himself trouble by trying to get people to agree to the same scheme for reasons which are really incompatible. It is because the true implications of federation have never been squarely faced by the Princes until this moment that they are now beginning to find out the immense difficulties with which we are left. The right hon. Gentleman appealed to us in his speech not to raise obstacles. It is not we who are raising obstacles. The obstacles are there, but the right hon. Gentleman is ignoring them, and we shall never solve the problem by ignoring the obstacles. If I may say so, the Government have brought this situation entirely on themselves. They had an opportunity, between the Second Reading of the Bill and the Committee. Every one of these points could have been considered before the Committee stage was entered upon, and the Government could then have indicated by Amendments how far they were prepared to go to meet the Princes' point. The hon. Member for Bodmin and the hon. Member for Caerphilly (Mr. Morgan Jones) used language this afternoon which seemed to indicate that they were not prepared to go beyond a certain point to meet the Princes. I should like to know exactly what they mean. Are they prepared to proceed with federation on a British Indian basis? Is that going to be the next point? Up to now, every authority which has examined the matter has pronounced that to be the worst possible solution of the Indian problem.

Mr. ISAAC FOOT: The present Bill is before the House and I want to see it carried into law. If that be impossible I shall be prepared, with my friends, to consider the new position that arises.

Viscount WOLMER: That is no answer at all. I say to my hon. Friends that the plain fact of the matter is that we cannot bring about a federation of All-India without coming to an agreement with the Princes, and if we find at this juncture that the Princes have understood all along something fundamentally different from what the Government have understood, then surely it is reasonable to ask for an interval of a few days until this extraordinary situation has been cleared up. Where are we? We are right in the middle of the Clauses which deal with federation and the position of the Princes, and we shall be discussing every Amendment which will come before us in the next few days in complete ignorance of whether the Government will not come down to ask us to recommit the Bill so that all our work can be undone, or reverse on Report stage what we are going to do this week and next. It is not as if the Government have not plenty of other things to do. Why cannot they get on with various schemes of social reform for a fortnight or three weeks; why cannot they take some other business for a fortnight or three weeks, until they have settled with the Princes what the Bill really does mean, till they have cleared up these charges of breach of faith and come to an agreement with the Princes? Then the House will know what the terms of the Princes are, and we shall be able to discuss the Bill in Committee with the data in front of us. Is not that the common sense proposal?

If the ancient dignity of this House were respected to-day as it was in former generations, that would have been done as a matter of course. In the nineteenth century—and, after all, we are importing

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nineteenth century principles into India —no one would have thought of asking the House of Commons to proceed with a Bill of this magnitude after a situation of this sort had arisen. More than two or three weeks would have been allowed in which these points could be cleared up. The Government have got into this difficulty, because, in the first place, they attempted what was impossible; they attempted to build a federation when they had not got the materials out of which to build it. In their anxiety to do this they used language—I do not say that it was intentional—which undoubtedly led a large section of the Princes to believe that they could come in on terms which were different from those which were really intended or were really possible. Now they find themselves in this *impasse*. We have been charged with making capital out of the Princes. We have not brought the Princes into this matter. It is the Government who have brought the Princes into this problem, and they are reaping the first of the results that follow from their mistake. I submit that we shall be treating this question sensibly and in the most practical manner if we get this fundamental position cleared up before we go further. To ask the Committee to proceed in the present circumstances is to ask the Committee to play a game of blind man's buff.

6.15 p.m.

Earl WINTERTON: My Noble Friend the Member for Aldershot (Viscount Wolmer) who has just spoken, charged the hon. Member for Bodmin (Mr. Isaac Foot), with introducing prejudice into the Debate. I shall not introduce any prejudice into the Debate, but I shall endeavour to answer the points which the Noble Lord has just raised. My Noble Friend has made a very serious charge against the Secretary of State, and I am sure he would not have made it unless he sincerely meant it; therefore, it is necessary that that charge should be answered. He has followed the lead of the "Daily Mail," which will report his speech. He has accused the Secretary of State of want of candour. [*Interruption.*] I do not know why my Noble Friend has any reason to be ashamed of that. If he does not wish to be on the side of the "Daily Mail," I am very glad to be assured of that. He follows, at any rate, the "Daily Mail" in accusing the Secretary of State of want of candour.

It will be generally agreed, I think, and I will pay a tribute to my right hon. Friend the Member for Epping (Mr. Churchill), that throughout these discussions he and the other Conservative opponents of the Bill have avoided, so far as possible, anything in the nature of personal attack. The Debates have been conducted on a high level and upon the basis of discussing the questions at issue. But quite obviously the charge of want of candour is a very serious one when made not only by one Member against another but *a fortiori* by a colleague in one party against another Member of that party and it is, therefore, necessary to answer the charge. The charge has also been made outside that the Secretary of State has deliberately misled the House. Both charges are wholly unjustifiable. Speaking, so far as I know, with the full authority of the Joint Select Committee and of the House of Commons I say—I do not think they would differ from this —that every facet and aspect of the Princes' contentions was considered by the Joint Select Committee in consultation with their representatives. Every single point that could be brought forward by their representatives was put forward, and we discussed them at great length. The discussions were conducted on a high level, and in no case can it be claimed that their views were either overlooked by our Committee or that any divergence of view was disclosed in the course of the discussion which could be regarded as a kind of unclimbable fence against their participation in federation.

Judging from the charge that the Secretary of State has misled the House, one would think that there has been no discussion of this matter, and that we had heard of the Princes' views for the first time. We have been hearing them for two years. If my Noble Friend wants to bring a charge of want of candour he had better bring it not against the Secretary of State but against the whole of the Joint Select Committee, and incidentally against the whole of the House of Commons for accepting the Committee's report. I claim that this is clearly a case of misunderstanding or of misgivings as to the effect of proposals, and I propose to say a few words as to how those misgivings or misunderstandings

may have arisen. My Noble Friend says that there was a fundamental difference of opinion, but that was disposed of by the speech of the Secretary of State. Speaking, as I think my Noble Friend will be prepared to admit, with rather more technical knowledge of the subject than he possesses, I say that I do not believe that a single one of the questions to which the Secretary of State refers, quoting from the telegram which has been sent, is incapable of being settled by discussion in this House or out of this House. If we have such a discussion it will show if and how the difficulties of reconciling the Princes to federation can be overcome. I say deliberately, "if and how," and I cannot understand the reasonableness of the proposal that because the Princes have said that they are opposed to certain features of the Bill, we should put off any further discussion.

The right hon. Gentleman the Member for Epping, who is one of the most skilful debaters I have heard during the 30 years I have been in this House, was all the time up against the dialectical difficulty that he could not claim that the Princes by their resolution had rejected federation. He knows he cannot; all they have said is that the Bill in its present form is—I think their words are —open to grave objection. That is not a reason for not discussing the Bill.

Mr. CHURCHILL: Not at all, but it is a reason for knowing the basis on which we are to discuss it.

Earl WINTERTON: In that case I will apply the argument which was put forward by my right hon. Friend the Member for West Birmingham (Sir A. Chamberlain) and that is, since when has this House been guided by any outside power as to the way in which it shall carry on its discussion?

Mr. CHURCHILL: The Secretary of State is going to put a series of important Amendments on the Paper. Those Amendments are vital to the structure and shape of this Clause, and I suggest that we know them, before we embark on the discussion of the Clause. [*Interruption.*]

Earl WINTERTON: The curious thing is that, as the Secretary of State has just said, some of those Amendments have been on the Paper for at least a week. My last word on this point is that the Princes, who are determined to stand by certain principles, have never rejected federation, or resiled from their original announcement to enter federation under certain conditions. Let the Committee note how very different their attitude is from that of the Conservative opponents of the Bill. Let it be noted that the Princes' attitude is that in their opinion, rightly or wrongly, the Bill does not satisfy the conditions for entering federation which they regard as essential. That is a very different attitude from that of my right hon. Friend and his friends. They have been anxious throughout to secure the Princes as agents or as allies for destroying the Bill, and to this end there has been vast newspaper propaganda and pompous pontifical messages by proprietors of newspapers, a most extraordinary form of propaganda. Reference was made by the hon. Member for Bodmin to the proud claim of a gentleman whom I might describe as the William Randolph Hearst of Great Britain. Anyone who knows America will know exactly the significance of that. We have had a proud claim from him that he can reach 7,000,000 people in this country. It is unfortunate, if that be true, that he does not choose to tell those 7,000,000 people both sides of the truth. Up till now he has only given his 7,000,000 auditors one speech on the Second Reading in favour of the Bill and 12 speeches against it. We have had deputations, which I must say seem singularly ill-equipped for the purpose, to India accompanied by tendentious appeals in India by Indian journalists representing English journals.

We have had the whole of this propaganda—to what end? Let the Committee realise that it has been in order that the plan of my right hon. Friend the Member for Epping, a perfectly simple one, shall be put into operation, namely, that of destroying the Government of India Bill through the action of the Princes. That is, I am sure, doing no injustice to these gentlemen against whom I would not say a single word, but it is not unreasonable to suppose that some of them may be influenced to a greater extent than the circumstances justify by this propaganda, and may have believed that my Noble Friend and my right hon. Friend the Member for Epping have greater influence in the Conservative party than recent

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events have proved them to have. What is the difference—and this is my last point—between my right hon. Friend the Member for Epping, with my Noble Friend, who are opposing the Bill within the Conservative party, and the great majority of the House? I think I can claim that the difference is that the great majority of the House wish to see the Princes' difficulties resolved and their doubts removed, whereas it is the avowed and perfectly sincere object of the supporters of the Motion, to have them retained. It is only natural in the circumstances that they should want the Clauses postponed so that these cannot be discussed to-day.

Mr. CHURCHILL: What cannot be discussed to-day?

Earl WINTERTON: These Clauses upon which we are about to enter. My right hon. Friend is carrying out a perfectly legitimate rearguard action or delaying campaign. He is perfectly entitled to do it and I cannot complain, but I want the Committee to realise what his real motives are. His motives are not the future government of India through the agency of the Bill; his real motive is to destroy the Bill, and the Committee should not be influenced by that motive. We have by an enormous majority passed the Second Reading of the Bill and adopted the report of our Committee and I believe that with good will we can solve these problems. I believe that in negotiation with the accredited representatives of the Princes and of His Majesty's Government we can get over the difficulties. On the Joint Select Committee I remember that, in the course of its discussions, there were occasions when the negotiations looked like breaking down. I notice a disposition on the part of hon. Members to jeer when reference has been made to negotiation, but how can a great issue of this kind be decided except by negotiation? Just as in the case of our international conferences there must be view-points and counter views put up to them, suggestions that those views can better be met in another way, and all the ebb and flow that is usual in negotiation, so we have had that again and again, and it is arising to-day in the case of the Princes' opposition. It may be resolved by good will.

It certainly will not be resolved by my right hon. Friends; they have no good will towards the future government of India as understood by the great majority of Members of this House. I further say that they have no good will towards the future government of India in a way which would be accepted by any majority of voters in the country. If my hon. Friends broke away from the Tory party to-morrow and formed a party of their own, they would not get one-tenth of the electors to support them. What is the use of delaying the Bill further? Let us try in this Committee to remove the difficulties and doubts. Let us try to meet the Princes' points. Let us, as has been very wisely pointed out, take the responsibility upon our shoulders. We have had years of discussion. What will be thought in the world and in India if we put off this matter further? Let it be resolved once and for all. Let this House pass a Bill which is worthy of its great traditions.

6.29 p.m.

Colonel GRETTON: The Noble Lord the Member for Horsham (Earl Winterton) has committed what is the worst mistake in controversy; he has imputed motives.

Earl WINTERTON: I must take objection to what my hon. and gallant Friend has said. I think it shows some coolness on his part to accuse me of imputing motives when one of his nearest colleagues has just accused the Secretary of State of want of candour.

Colonel GRETTON: What another Member of the House may have done does not excuse the Noble Lord for following his example. The Noble Lord the Member for Aldershot (Viscount Wolmer) undoubtedly imputed motives to my right hon. Friend the Member for Epping (Mr. Churchill) and others in the Committee. That is always a mistake in controversy, and I want to draw attention to the fact. Why is this motive imputed? There have been, as it seems to me, a great many Second Reading speeches, ranging over the whole ground, but what we have to do is to view as practical men the situation with which we are confronted. The Secretary of State, at the commencement of his remarks, said he had received a telegram making an announcement which somewhat surprised him. We have seen the telegram which was published, but we have not had the advantage of seeing

the other telegrams, and surely some further information will be necessary before the whole position is in the possession either of the Government or of the House. We do not know whether the Secretary of State's reading of the situation is a correct one; he may be mistaken. I am not accusing him of having misled the House, but the situation and the resolution took him by surprise. Evidently he is not quite a reliable guide on these matters, and we want further time in order to ascertain the real bearing of the facts and the real meaning of what is being done. It is surely not right to ask Parliament or a Committee of the House of Commons to proceed with a Bill without having these matters of information.

I only rise, as an old Parliamentarian, to put the case against the invasion of what has been the invariable practice in the past. Where an unforeseen situation arises, with regard to which full information is not available, surely we ought not to proceed until we have the facts before us. After all, we have our business to do in the House, but the official Opposition on the Labour benches do not always seem to realise what is an essential party of the duty of an Opposition when the Parliamentary machine is at work. It is their business to criticise, not always in an unfriendly spirit, or in a spirit of determined opposition. The Parliamentary machine cannot work unless criticism and examination are constantly applied, not only to legislation, but to the proceedings and administration of the Government. Because the official Opposition have not applied that principle, is there any reason why other Members of the House should not take up the duties which they have not understood or carried out in the way that the practice of Parliament requires? On that ground alone I consider that we are justified in putting down Amendments and offering criticism. Because we are trying to learn what is behind the Government's proposals, we should not be blamed either for contumacious or unnecessary opposition, for we are carrying out the duties of an official Opposition at a time when the machinery of Parliament requires it.

6.35 p.m.

Sir H. CROFT: I will not follow the Noble Lord the Member for Horsham (Earl Winterton) in the vigorous speech which he recently delivered, but he seemed to me to be saying very much the same things as were said by the Secretary of State and by the right hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain). I would only say that I think perhaps he was hardly accurate in suggesting that the decision of the Princes amounted to nothing that could be called rejection. I would remind him that this unanimous vote of the Princes declared that the Bill as it stands was not acceptable on fundamental points——

Earl WINTERTON: I never denied that; I said it did not reject federation.

Sir H. CROFT: I am glad that my Noble Friend agrees on that very important sentence. He referred also to propaganda, public and private, in India. I hope he will accept from me the assurance that, as far as I know, no attempt whatever was made in any way to make contact with the Princes in India until it became abundantly clear to us that every effort was being made to persuade them to agree to these proposals for federation. I hope my Noble Friend will accept that, and I think that, if he does so, some of the acerbity of his remarks will not recur in any future speeches that he may make on the subject.

The hon. Member for Bodmin (Mr. Isaac Foot) described all those who hold the views which I hold as mischief-makers. I cannot help thinking that his forerunners in the great Liberal party of the old days would not have regarded Unionists as mischief-makers if they attempted to convince the House of Commons that this country was engaged in a perilous undertaking in breaking up the Union, and I cannot think that, on a great and mighty subject like this, it is really helping the cause of reform in India to regard as mischief-makers those who hold these views as strongly as some of us do. The hon. Gentleman particularly wished for information on some questions with regard to what my right hon. Friend the Member for Epping (Mr. Churchill) had said. Had he been here, I would have asked him whether it had not been stated in the "Statesman" newspaper in India, that these conversations had been taking place and that they knew of them for more than a year

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between certain Princes—a very small minority—and members of the Congress party, in order to try to come to some common understanding. I think that perhaps the Noble Lord, Lord Reading, might be able to tell us whether those rumours were correct or not.

I want now to refer to my right hon. Friend the Member for West Birmingham, and the attitude which he took. I am sorry that he is not in the Committee at the moment; I told him I was going to refer to what he said. The right hon. Gentleman the Member for West Birmingham really said this: Pass the whole Bill, and then tell India, "You have got to have it." I do not think that that is a wrong interpretation. Then he said: "As we go along, after we have done that, let us try to meet all the demands of the Princes." But that means the re-introduction of practically a new Bill—recommitting the whole Bill. If you are going to have an immense range of Amendments covering these various points, it really means that the time of the House is going to be grievously wasted. The right hon. Gentleman the Member for West Birmingham suggested that some of the Princes had been brought into this matter simply because we did not all of us like the National Government. I do not know what that has to do with this Motion. He said that the National Government was our only hope.

I am not going to refer to that any more—because it seems to me to be outside the question—than to say that the same right hon. Gentleman said in 1918 that, if the other immortal coalition ever came to a decease, as we hope this coalition will not, in no circumstances would the Conservative party ever again win in the country. I only mention that in order that some people may not be too fearful of the days to come. When the right hon. Gentleman was speaking in this Chamber on a previous occasion, three years ago, he said that the real, proper method is to build up your Government in the towns and villages, without which—I think I am using almost his exact words—no constitutional reforms could hope to succeed. I only wish he were here, in order that I might tell him, since he asked us what our alternative was, that the warning he gave to the Government, in his great and powerful speech on that occasion, not to go ahead until they had established a panchayat system in the villages, was one that he might favourably consider at the present time.

I come now to the Secretary of State, and I want to say at once that from start to finish in these discussions I have always received the greatest courtesy from the right hon. Gentleman. Nobody could have been fairer. We have had some controversy in the newspapers and elsewhere on this very question, but I have always received the greatest courtesy at his hands, and I am grateful for it. I have attempted to say in this Chamber on no fewer than five occasions, I think always in the presence of the right hon. Gentleman, that only a small minority of the Princes desired this federal form of Government. I should not have repeated that again and again unless I had very good reasons for believing it. I do not know if it is considered dishonourable, but I have several friends among the Princes of India, who write and tell me what their views are, and, if I try to give a general idea of what the atmosphere is among the Princes, I think I am only doing my duty as a British citizen and a Member of Parliament, in order that we may not excite in our breasts false hopes as to what the Princes may or may not mean.

We have told the right hon. Gentleman that we thought the Princes were going to take this action; we have told him we thought that every section of opinion in India was going to take this action; and it has happened. No doubt he hoped that it would not happen. I think he has been, perhaps, the finest optimistic example of what Mr. Micawber ought to be throughout these discussions. But the fact unfortunately remains that the popular movements in India have repudiated this reform. The right hon. Gentleman took my right hon. Friend to task for having paid any serious attention to the decision of the Congress, to the decision of the Indian Liberals, to the decision of the Legislative Assembly. I am not quite sure whether, when he is saying that, he is true to the position of the late Mr. Gladstone, who did pay some attention to any popular machinery which might exist in any country. The fact remains that India, through every possible organisation that exists to-day,

has told you emphatically that she did not wish for these particular reforms.

Now we have the Princes, who have passed this unanimous resolution. I think there were 100 Princes present, including, as my right hon. Friend has mentioned, all those great Princes representative of Hyderabad, Mysore, Travancore, Baroda and Bikaner, who up to now have always been understood to be leaning rather in the direction of His Majesty's Government, although the great mass of the Princes lean the other way. I suggest to the Secretary of State that it is fair to say that, when the House of Commons turned right away from the provisions and standpoint of the Simon Commission, the Conservative organisations —and I am entitled to say this since so many Members of the House are members of the Conservative party—were primarily encouraged to support the policy of the Government by the belief that there was really a strong desire on the part of the Princes of India to come in.

This was the point that was made with great eloquence by the Leader of the party at the Queen's Hall, when he quoted a speech of the Secretary of State and when we were told that there was an entirely new fact. It was followed immediately by my right hon. Friend the Member for Sparkbrook (Mr. Amery) telling us that we were wrong to try to fob off this proposal of an advisory council upon the Princes. It was followed by no less a statesman than Lord Derby, who told us that there was this great new fact, and all of them, including the right hon. Gentleman the Member for West Birmingham, emphasised this great point, that we had this new fact. All those speeches were directed to the fact that we should support the Government's plan because we must not thwart the will of the great loyal Princes who stood so nobly by us in the War, and we must not deprive them of what they desire. The vast majority of them have never wanted this policy and there is an entirely new situation to-day. I am convinced that the Secretary of State until recently was not aware how deep-seated the feeling was among the Princes. He will remember the correspondence that I had with him in the "Times" in March last when he took me to task for having warned the country that this was the attitude of the Princes. If he reads that correspondence to-day he will see that I was merely stating what is now known to be a fact, that the vast majority of the Princes are not enthusiastic for these reforms, but regard them with dread.

Mr. ISAAC FOOT: Will the hon. and gallant Gentleman tell us what is his authority for that statement as against the explicit statements made at the three Round Table Conferences?

Sir H. CROFT: I think the hon. Member missed what I said earlier on. I have always known that four or five Princes professing to speak on behalf of the Princes, but with no mandate from the whole of them, made this announcement in the early days. I am aware that the Maharajas of Bikaner and Cashmere came to London without any sanction from the whole of the Princes and that, after hearing them, Lord Reading said that we were now committed to this great reform. If that was not literally correct then, that there was a vast majority against these proposals, surely the indications now show that the Princes are absolutely united against the proposals in the Bill. That being the case, I submit that to proceed with Clauses 5, 6 and 7 when the whole basis of those Clauses may have to be altered is something that has never been known before in Parliament. Could not the right hon. Gentleman delay proceedings for a fortnight and get on with other important business, such as the Dominions Secretary has indicated, duties on foreign meat, and so on, all of which has to be done? We will stand by our pledge as to the total number of days.

May I remind the right hon. Gentleman how the Princes have been treated? Will the House remember the date on which they received the Bill? Will they remember the distance of India? Do they realise that between Second Reading and Committee there were only seven or eight days? How was it possible for the Princes of India, scattered over thousands of miles of territory, to get together and to appreciate the real effect of the Bill? Does the right hon. Gentleman know that the Princes had not received from their legal advisers any opinion on the printed Bill as it came before the House when the Committee stage actually

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started, and is that surprising when everyone knows, who has been trying to study it, that it is taking all of us who are putting our minds to it many hours of every single day in order to master one quarter of the Bill. How could the Princes have known all the effects and implications of this great Measure? You are not dealing with some small point. You are dealing with the whole life and future of these great independent States which have the most solemn pledge of Queen Victoria, repeated by every King Emperor, that their privileges, their rights and their dignities shall remain inviolate and inviolable. We have no right to rush on with the Bill and say to them, "Take it or leave it," or, "Perhaps we may introduce some small amendments on Report." The path of dignity, the path of precedent and the path of tradition demand that we shall not go forward with these federal Clauses until we know from the Princes of India what are the fundamental changes that they demand in the Bill.

6.51 p.m.

Sir JOHN WARDLAW-MILNE: My hon. and gallant Friend has made some, to me, remarkable statements. I hope the Committee will allow me to refer to two of them particularly. The first is that in his view the whole of the Princes of India had now unanimously declared against the principles set out in the Bill. This must mean against the principle of Federation. If I believed that that was the case, I should agree, not only with the proposal now before the Committee, but that the whole position of the Government and those who have supported these reforms would require reconsideration. But I am profoundly convinced that my hon. and gallant Friend is labouring under a complete misapprehension when he makes that statement. First of all, it is clear from statements which have been made by the representatives of the Princes from the time of the first Round Table Conference that they are not opposed to the principle of Federation. I rather hesitate ever to refer to personal experiences in this House but perhaps in the special circumstances of to-day the Committee will allow me to add that it was my good fortune to be a visitor to the Chamber of Princes in Delhi three or four weeks ago, when I heard the Chancellor of the Chamber make a most categorical statement in favour of Federation supported by other leading rulers, speaking not only for themselves but, at any rate, for a large number of the Princes of India. It is, therefore, idle for my hon. and gallant Friend to make the categorical statement that this telegram that has been received shows that all the Princes of India are fundamentally opposed to the system of Federation as set out in the Bill.

A second statement that he made which I question very much is the statement that has been repeated so often before that undue and unfair pressure was brought on the Princes at various dates in the past to induce them to agree to a system of federation and that this pressure was brought upon them in some way or other by the Government. When I have questioned those who made these statements before, we have always been answered in this way, "Oh, yes, but that is not the real point. The pressure really came when the Viceroy was brought in to bring pressure upon the Princes."

Sir H. CROFT: My hon. Friend will not deny that the Viceroy himself, at that very session which my hon. Friend attended, admitted that he had done everything he could to advise the Princes to come in.

Sir J. WARDLAW-MILNE: I am coming to that point. I was saying that this statement has been made over and over again in the last four or five years and categorically and definitely denied by the Princes or their representatives, publicly in letters to the Press, and in front of the Joint Select Committee and on other occasions. In spite of that, when the matter comes up again we are told, "That is true, but we are not really referring to that. We are referring to the steady pressure brought by the Viceroy." My hon. and gallant Friend has helped me very much by giving me a chance to refer once more to this meeting of a few weeks ago. It is probably not within his knowledge that that very question was raised in the Chamber of Princes and speeches were made by prominent Princes stating clearly that there had been no undue pressure by the Viceroy. I had no idea that speeches of that kind were going to be made. They were definitely made by the Princes themselves

acquitting the Viceroy of ever having brought undue pressure to bear upon them. I ask those who continually make the statement that undue pressure has been brought to bear on the Princes to let us know now, finally, once and for all, where their information comes from and what are the grounds for the charge. It has been denied by the Ministers and by the Princes, and their latest statement that it all came from the Viceroy has now been denied by the Princes themselves. It is time that this sort of thing stopped.

Major-General Sir ALFRED KNOX: Can my hon. Friend explain the £750,000 tribute that the Princes are going to be excused if they come into the Federation?

Sir J. WARDLAW-MILNE: No. I should at once be called to order. I am dealing with the question whether we should postpone our discussion. The House is asked to do so on the plea that there has been a fundamental change on the question of federation by reason of this telegram. If I agreed that that was the case, I certainly think we should have to postpone consideration, and probably re-consider the whole position. It is because I am convinced that there is no fundamental change in the position of the Princes that it would be the greatest mistake for a moment to consider postponing the discussion of these Clauses.

The position of the Princes, in my humble opinion, is simply this. They are asked to take a very grave and a very great step; the most momentous step in their history probably; a step the future results of which they may not, like the rest of us, be able completely to see. A move like that must be examined most carefully. Faced with a document such as this Bill, difficult enough, I should think, for lawyers to understand, more difficult for non-legal Members of Parliament and perhaps still more difficult for the Princes of India, it is only natural that they should want to get every bit of legal advice that they can, to go into every detail that affects them, to see that at some future time their successors will not accuse them of having omitted to notice some point which will affect the position of the States in the future—it is natural that they should say the Bill, as it stands, is not exactly acceptable to them.

But I maintain that the statements that have been made so categorically in the last few weeks show that the Princes continue to approve the principle of federation, that they are in favour of federation provided their rights and privileges are properly secured in the manner they have always claimed that they must be secured from the earliest days of the proposed Federation, it will be futile for this Committee to consider postponing further consideration of these Clauses in view of the fact that there will be ample opportunity before the Bill becomes law of dealing with the points brought forward by the Princes, and meeting their legitimate anxieties. In conclusion, I would say that I have marked the statements made to-day by one or two Members regarding the question of giving way. It is not a question of giving way, but a question of this House doing everything possible to meet the legitimate desires of the Princes to the last detail and of honouring every pledge that we have given. Having done that it is the business, the duty, of this House to say what it believes to be in the best interests of India, and in carrying out that duty we cannot be turned aside from the programme to which we have set ourselves after so much labour and inquiry.

7.2 p.m.

Colonel WEDGWOOD: I cannot think why it is that a mere mention of exalted highnesses immediately turns most of the Conservative party and the whole of the Liberal party into a sort of dog-fight. Really it will be rather hard if, in addition to spoiling India, they come over here and spoil our good manners. The hon. Member the pukka sahib in addressing the Committee endeavoured to mislead it. In fact nearly every speech I have heard from those benches has been an endeavour to mislead the Committee.

The DEPUTY-CHAIRMAN (Captain Bourne): The hon. and gallant Member must not attribute motives of that kind to any hon. Member.

Colonel WEDGWOOD: I have no doubt that my speeches are regarded even by pukka sahibs as attempts also to mislead the House. Who in their wildest moments would dare to accuse our only Secretary

[Colonel Wedgwood.]

of State for India of attempting to mislead the House? He cannot do it. The real difficulty is that he is misled. It is no charge to say that a person, ingenuous and candid to a degree unknown elsewhere in this House, should be misled by some extremely clever Orientals, officials and pukka sahibs. I really think that the whole House has missed the real tragedy of this communication from India. The people who have misled the Secretary of State and who have misled the Conservative party as well, are the Princes in India. This bombshell that has come from India is new to the Secretary of State and to everybody in this House. It is a new event. It is because that new event has been sprung upon the House and the Government that we really ought to ask for an adjournment of this Debate. I do not think that even the right hon. Gentleman opposite really understands what has happened. The hon. Member for Bombay——

Sir J. WARDLAW-MILNE: I do not in the least resent that remark, except that the right hon. Member has made the same sort of joke over and over again for the last 10 years.

Colonel WEDGWOOD: The hon. Member, in any case, has made the same sort of speech. The hon. Member only three weeks ago went to Delhi and heard in the Chamber of Princes their views at that date. The really startling thing in the three weeks, or perhaps two months, has been a change of feeling throughout the whole of India as regards the merits of this Measure. The serious thing is that although the position of the Princes is not changed, although in this Bill they are dealt with exactly as the Joint Committee said—there has not been one variation from the agreements come to between the India Office and the Princes, yet suddenly their view has changed. I will go further and say that I do not think it is the view of the Princes that has changed, but that it is the view of the whole of India that has affected the Princes.

Let us go back to 1832. At that time there was a gigantic reform Bill in this country, which turned out of the House of Commons more than half the Members. That House was nearly overwhelmingly opposed to that Measure, for they had a vested interest in retaining the old form of the House of Commons far stronger than Members have to-day in postponing the date of the next General Election. Undoubtedly, that Reform Bill would have had no chance in that House of Commons, except for the fact that the pressure of public opinion was so great that man after man who was to lose his seat by voting for the Bill voted for it. Exactly the same thing is happening in India, the same thing is affecting the Princes, and, above all, Ministers and legal advisers. They are beginning to see the red light: that it will not do to put themselves in opposition to the wishes of all the people of India.

This change of opinion is not an accident. It is not even inspired by the slightest element of bad faith on the part of the Princes. It is a change that has come about gradually in the last month as this Bill has been better and better understood in India. I would ask the Committee to reflect for one moment upon the time we have spent on this question of the Princes' accession to the scheme; on the effect it has had on the public opinion in this country that the Princes should be against it; and on the attitude and speech of the right hon. Member opposite in face of this crisis, compared with that attitude of this House and Government towards the equally startling and even more emphatic rejection of this Bill by the Assembly the other day. We have seen the Press of India lining up against this Measure: we have seen the Assembly lining up against it, the Hindus, the Liberal Congress, all political opinion has suddenly, startlingly discovered that this Bill will be to the grave damage of India. Their opinion has gradually filtered through to this side, though I will not say it has affected opinion in this House. It may do so as time goes on and we realise more what all classes in India are thinking. Will the Committee observe that when the resolution came from the Assembly, the people who protested—not very good representatives of India, but such as they had—were jeered at. People said that of course they would be against the Measure that demolished them—that they did not matter. Compare that attitude with the almost humble and certainly humiliating attitude that the promoters of this Bill have adopted.

One final thing I would beg the Committee to observe, and that is the pressure which has been brought to bear. Whether that pressure really comes from a desire to strengthen their opposition, or, as I think, far more from an increasing revulsion against this scheme, whatever it comes from, do not let us make concessions to these demands. Do not let us make any concession to the changed opinion of one solitary prince at the expense of the 70,000,000 Indians living in the Indian States. There are in this Bill certain safeguards for the ordinary Indian inhabitants of the Indian States. I am not talking about British India, which is not really concerned with these concessions. The people who are concerned are those, who, as the Member for Preston (Mr. Kirkpatrick) said the other day, are the traders and buy every piece of British goods. In addition, the inhabitants of these States have to put up at present with conditions that are humiliating. They are condemned in this Bill to continue thus for ever, but there are certain safeguards—if these concessions are made—that will be made, not at our expense, but at the expense of the 70,000,000 of people. They are kept in that position of inferiority in their own country, in a condition utterly out of date in this 20th century because of the British connection and support of the rulers of these States. In the past we have rescued the Moplahs in the south of India, rescued from their worst trials those in Indore and Alwar. If the concessions of the Secretary of State now make it impossible for the Government of India and this House to protect the rights, the interests, the humane treatment of these people in these Indian States, then there will be no one who will not be able to imagine that in order to get the Princes of India into this scheme, we are sacrificing not merely the people of India but the good will and understanding of the people of India.

7.15 p.m.

The ATTORNEY-GENERAL (Sir Thomas Inskip): I hope that the Committee will allow me to offer a few observations before we proceed to a Division on the Motion which has been proposed. First, may I say a word about the speech which the hon. Gentleman the Member for Caerphilly (Mr. Morgan Jones) made from the opposite benches. As far as the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) is concerned, it is not the first occasion upon which he has ploughed a lonely furrow, and I am bound to say that I could not follow the exact relevance of all his observations to the Motion that we should report Progress and ask leave to sit again. As far as the speech of the hon. Member for Caerphilly was concerned, I think that hon. Members who heard it will have realised that it had very little, or indeed nothing, to do with the particular emergency which is suggested to be the reason for this Motion. The hon. Member indicated the growing dislike of himself and the members of his party to the main proposals of this Bill.

Mr. MORGAN JONES: Hear, hear!

The ATTORNEY-GENERAL: It caused me a little sincere disappointment to hear him make that observation, because, although I think that on the question in general the view of the Labour Opposition is that they would like to see a greater amount of attention given to Indian needs in the framing of the system of government under which they are to live in future, I know that there are many Members of the Labour party opposite who desire to be helpful in advancing this Bill from the contributions which Members of the party make to our debates upon it. But the observation I want to make about the speech of the hon. Member for Caerphilly is that, if one can judge from the illustrations he gave of the dislike which he has for the Bill, it is a dislike which has nothing to do with the difficulties of the Princes at the moment, but a dislike which he has indicated by Motions appearing on the Paper, and which have appeared on the Paper for several days past, as to the terms upon which the Princes shall be required to come into the Federation. I do not propose to discuss that Motion in the name of the hon. Member, for instance, with regard to the International Labour Office, because we shall come to that in due course, but all I want to say is that it has nothing on earth to do with this particular emergency to-day. The Opposition are prepared to enter the Lobby arm-in-arm with the right hon. Gentleman the Member for Epping (Mr.

[The Attorney-General.]

Churchill) though they approach this question from very opposite points of view.

Mr. CHURCHILL: They were arm-in-arm with you last week.

The ATTORNEY-GENERAL: The right hon. Gentleman, I know quite well, keeps strange company sometimes——

Mr. CHURCHILL: So do you.

The ATTORNEY-GENERAL: And perhaps it will be all the better for the right hon. Gentleman if, at any rate, for the moment they mix with him. I hope that evil communications with him on this occasion will not corrupt their former good manners. As far as the position of my right hon. Friend and his friends of the unofficial Opposition are concerned, it occurs to me—and I dare say many hon. Members have felt the same—there are two courses which could have been taken when these important messages came from India. It was possible for anybody who did not quite like the Bill to make it quite plain that he demurred from the policy of the Bill, that he thought there were considerable difficulties and would do his best to debate the differences, remove them, or at any rate, to explore them, and nobody could complain of that course. The other method, which my right hon. Friend the Member for Epping has chosen, is to magnify the difficulties, to disguise, if possible, the note of triumph in the voice with which those difficulties were eloquently offered to the House, but at any rate to make the most of the difficulties and to ask the House to refuse to pass them and deal with them because he declared them to be insurmountable. I do not think that my right hon. Friend could have complained when my right hon. Friend the Member for West Birmingham (Sir A. Chamberlain) told him that he really wanted to kill the Bill. That is not attributing methods to the right hon. Gentleman as he and some of his friends seem to think. It is stating the simple fact. Indeed, the matter was put quite plainly in a perfectly fair and candid speech by my right hon. and gallant Friend the Member for Burton (Colonel Gretton) when he said that he and his friends objected to the Bill, and that it was the duty of an Opposition to expose the defects in the Bill, and so my right hon. Friend the Member for Epping, who objects to the Bill so much that he wants to defeat it, cannot complain if anybody tells him that he wants a discussion in the hope of defeating the Bill. He cannot divide himself into water-tight compartments and one day want to promote discussion of the Bill and the next day repudiate it.

Mr. CHURCHILL: There surely is a difference in Members opposing a Bill or supporting a Bill from discussing as to the proper method by which that Bill should be conducted.

The ATTORNEY-GENERAL: I was saying that my right hon. Friend cannot divide himself into two compartments *and one day be helpful to the Bill and* try to help the Government to arrive at a proper way of promoting the Bill, and the next moment or the next day do his very best to defeat the Bill. He has one intention—and let the Committee make no mistake about it, and do not let the right hon. Gentleman deceive himself either—he has one complaint, one intention at the back of his mind and that is, by all fair and proper means, to defeat this Bill.

Mr. CHURCHILL: Hear, hear!

The ATTORNEY-GENERAL: Let nobody walk into this trap.

"Surely in vain the net is spread in the sight of any bird."

The right hon. Gentleman told us that he wants to defeat this Bill, and I am bound to say that if anybody wanted to defeat this Bill, much the best method of doing it would be to get this Committee to postpone the consideration of the Bill and to wait until all the difficulties have been magnified tenfold, all the misunderstandings increased and all the possibilities of debate on the Floor of this House abandoned. That, indeed, would be to defeat the Bill, and my right hon. Friend would have added one more to his many triumphs. That is an attitude which, I hope, the Committee will not support.

I suggest to the Committee that they must not be dismayed at these difficulties. Is it not a little surprising that the difficulties have been comparatively as few as they are? There are diehards in both countries, not only in this country but in India. To stop the discussion of this Bill is to surrender to the diehards.

Approaching this question from opposite points of view, they both of them want to stop discussion. The advantage of a discussion is that it will explore difficulties and remove misunderstandings, and the diehards who do not like the Bill from very different points of view want to stop the difficulties being explored.

Mr. HOWARD GRITTEN: What about the difficulties on our side?

The ATTORNEY-GENERAL: I will show in a moment how I justify this statement. In the first place, the diehards are undoubtedly a difficulty in both countries. It is not surprising therefore that the Government and the Princes are embarrassed in India from time to time, but let us reflect upon the difficulties that are likely to come from the mere drafting of a complicated measure of this sort. My wonder is that the draftsmen have produced the Bill as we have it, but no draftsman however inspired could possibly have been quite certain that he had caught the full spirit of an agreement between two different interested parties. No Secretary of State—and the whole House will be glad to have heard the statements made that my right hon. Friend the Secretary of State has never sought to deceive and never intended to deceive or mislead the House; let hon. Members put that unworthy charge on one side—no Secretary of State, however candid and familiar with all the byways of this controversy, could possibly be certain that this Bill, as offered to the Committee, was exactly what he intended or what the Princes intended or what the common understanding of the people intended.

There would be many such points likely to arise, and when I read this telegram or series or telegrams from India my wonder was that, instead of the present points of difference, there were not a far larger number of misunderstandings and difficulties. My hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) made use of a word which seemed to me to be as precious as the word "Mesopotamia." He spoke of "fundamental" differences. Fundamental—he repeated it over and over again—differences are always fundamental until they are cleared up. As long as parties are standing at arm's length differences are bound to cause trouble. The real way to remove differences is for people to discuss them with the people who went to get the Bill through. That is the best way to remove differences.

Sir WILLIAM DAVISON: It depends what they are.

The ATTORNEY-GENERAL: My hon. Friends wants to know what they are. One of the most remarkable features of the debate has been the almost total absence of any reference by right hon. and hon. Members who want this Bill to be abandoned to the particular differences. My Noble Friend the Member for Aldershot (Viscount Wolmer) did deal with one. He dealt with the Instrument of Accession, and I think the hon. and gallant Gentleman the Member for Bournemouth did also. Undoubtedly, the Instrument of Accession is one of the most important parts of the Bill. It is a vital question to which we have to come in a few minutes. If the Instrument of Accession is not in the form in which it is intended to be by the agreement already made by the Princes and the Secretary of State on behalf of the Government, is not the Floor of this House the best place to discuss these differences and see whether we cannot arrive at a common understanding? Let us expose the intention of the Government, let us examine the drafting of Clause 6, let us see exactly what it is the Princes want safeguarded and what we all agree ought to be safeguarded. My hon. Friends who insist on open debate in this House apparently would like to have some of these negotiations which they sometimes criticise proceed with the Princes. Of course, they will proceed, but at the same time an open discussion in this Committee of these differences, and the statement of what my right hon. Friend intends, will help as nothing else will help to clear the minds both of the Princes and the Members of the Committee at the present time.

Mr. BRACKEN: Would the right hon. and learned Gentleman tell the House what are the differences, because we do not know? The Princes alone know.

The ATTORNEY-GENERAL: My hon. Friend, if he will allow me to say so, could hardly have listened with attention to the Secretary of State, because he explained the differences in a very clear way which, I think, the whole Com-

[The Attorney-General.]

mittee appreciated. It is said that my right hon. Friend has never faced the difficulties inherent in federation. What is the remedy for that? To face them in Committee. What is the use of saying that he has not faced the difficulties of federation and then be unwilling to have a debate in which they can be faced? Common sense demands that we shall face the difficulties of federation, if we have not faced them. That is what this House exists for.

Mr. CHURCHILL: Without knowing the difficulties of federation.

The ATTORNEY-GENERAL: Does my right hon. Friend not know the difficulties of federation?

Mr. CHURCHILL: What we object to is having to discuss these matters in the absence of complete knowledge as to the plans of the Government.

The ATTORNEY-GENERAL: My right hon. Friend complains that they do not really know the plans of the Government. We are dealing with the Clauses on federation. We are in the middle of Clause 5 and we are going to proceed to Clause 6, and the right hon. Gentleman complains that he does not know the plan of the Government. Will he not let the Government tell him? He cannot have it both ways. Even his adroitness of eloquence cannot avoid that dilemma. If he does not know what the Government's plan is, then instead of speaking he should sit still and listen. The noble Lord the Member for Aldershot (Viscount Wolmer) said: "Let us postpone further debate until the situation is cleared up." I make the reply: "Let us clear it up." Where better could we clear it up than on the Floor of the House of Commons. I think the whole Committee saw through the somewhat ingenuous solicitude of my Noble Friend for the social programme of the Government. I know that my Noble Friend is deeply interested in social reform, but I have never heard him plead for it with so much earnestness. It is his desire that social reform should be at the front and that the India Bill should be at the back.

My hon. and gallant Friend the Member for Bournemouth told us what is no doubt true that the Indian Princes had not before them the full advice of their legal advisers when they deliberated upon this matter a few days ago. I do not know whether my hon. and gallant Friend is aware of the date when that advice was sent. He seems to have some information as to when the advice of the legal advisers was sent to the Princes and when it will be received. Does it not occur to him that if the Princes had not the advantage of the advice of their legal advisers, whom they trust in this country, when they passed their resolution, it may be that when they get that advice some of the difficulties will be cleared up. If that advice had not been received a few days ago, it probably has been received by now. I am speaking with a little knowledge, and I say deliberately that I have no doubt whatever that these matters will be regarded by the Princes' legal advisers as questions of legal clarity, and that no one would be more dismayed than the Princes and their advisers if they heard, after they had had that advice, that we were not going on with the discussion of these important questions.

My hon. and gallant Friend the Member for Bournemouth stated an important fact when he said that the Princes when they arrived at their decision had not had the full legal advice which they expected to get. I have no doubt that the Princes, sincerely interested as they are in coming into the scheme of federation —my hon. Friend opposite spoke the truth on that point, not for the first time, but people need to hear it over and over again before they realise it— when they are fully fortified by the facts and by discussions in this Committee, which will be reported in India before many hours, and by that understanding which is always reached by people who want to arrive at an understanding, will feel, as we feel, that we shall clear up these difficulties and misunderstandings, important and critical though they may be.

Let me refer only to one other matter, the question of treaties. Hon. Members heard my right hon. Friend explain how impossible it is to put the question of the treaties, the sanctity of the treaties in the Instrument of Accession, unless you are going to have an interpretation of the treaties exposed to the hazard of legal discussion in the Federal Court. Nobody more than the Princes would be unwilling to see that course followed.

But my right hon. Friend did not stop there. He went on to declare in the most emphatic way that it is the intention of His Majesty's Government to declare the sanctity of the treaties, when this Bill is through, and the adherence of His Majesty's Government to all the pledges, however solemn, that they and their predecessors have given to the rulers of the States. If the Princes have been a little anxious about their treaties, they will not fail to think that that statement has helped to relieve their difficulties and anxieties. That is an illustration of what we can do in these debates.

Let us be on our guard against people who want to defeat this Bill. Of course, they are quite entitled to do it. Let us listen to them with respect. The right hon. and gallant Member for Burton (Colonel Gretton) said they are perfectly entitled to be in opposition, and nobody complains of their opposition, but let us always understand what the opposition want, and do not let us overrate their arguments. Do not let us give them an importance which they do not merit.

Mr. GRITTEN: You have not answered one of them yet. It is all polemic argument.

The ATTORNEY-GENERAL: My right hon. Friend the Member for Epping and his friends are free to oppose, and we are free to proceed with our Bill. We must not attach more importance to their arguments than we think they deserve. I am accustomed and hon. Members are accustomed in the ordinary affairs of life when we hear somebody criticising to ask, if I may use a colloquialism, what is the game? We know the game.

Mr. CHURCHILL: What do you mean by that? What does the right hon. and learned Member mean by using that expression? [HON. MEMBERS: "Wavertree!"] Cannot hon. Members let him answer for himself? What does he mean by the word "game"? He used the term in an invidious sense. What does he mean by it?

The ATTORNEY-GENERAL: I do not know why my right hon. Friend should always be so indignant when anybody says anything which is a little critical of himself. We have listened to his criticisms, and I think the whole of the Committee understood what I meant. I absolutely decline, even in face of my right hon. Friend's indignation, to be compelled to make anything more than a perfectly fair charge against him. As I have said before, if he wants to play the game, let him do it. His intention is to defeat the Bill. That is his game.

Mr. CHURCHILL: The right hon. and learned Member is perfectly entitled to say that, but a more unworthy description of the action taken by hon. Members in opposing a Bill to which they have conscientious objection never fell from the lips of a law officer.

The ATTORNEY-GENERAL: All I can say is that, if a more unworthy statement never fell from the lips of a law officer, I only hope that a more unworthy statement will never fall from my lips. I have detained the Committee long enough with my observations. I think my right hon. Friend will realise that if we are to have his attacks and if we have to endure his constant thrusts, he must not complain if sometimes someone who wields a very small sword crosses weapons with his flashing blade. In conclusion, I would say that I join with the hon. Member for Caerphilly in one observation when he said that nobody could complain of my right hon. Friend's speech on this Motion. I think it has served to clear the air. I think the air in India will probably be cleared by this Debate, and now that we have had this discussion, let me, in immortal words, say, "Let us pass on."

7.47 p.m.

Mr. LANSBURY: I do not intend to keep the Committee many minutes, but the Attorney-General seemed to me to misunderstand the reason why we are voting for the Motion. I do not know, although I listened to the right hon. Gentleman, what new safeguards, what more money is necessary—I do not mean in the way of bribery or anything of that kind—the Princes may require. I do not know what the concessions are going to cost in giving more power to the Princes in relation to federation. I do not know, and I do not think that anyone else in the House knows, and I do not think that it is a good thing to go on building up a federal structure in this Bill until we know exactly what arrangements have to be made with the Princes. There has been a great discussion in the Press and in this House as to

[Mr. Lansbury.]

what the Princes have or have not agreed to, but we know now that they have put on record certain objections, and the Secretary of State this afternoon has made a statement in connection with them, but until there has been further negotiations and another statement comes from the Princes we shall not know where they stand. For that reason alone, I shall vote for the Motion, and so will my hon. Friends.

But there is another and a much more important reason why I shall vote for the Motion. The time of this House and the propaganda of the Government and of the Opposition within the Government's own camp is devoted exclusively to the position which the Princes are going to occupy in the Federation. We all desire that the Princes should come in on fair and equitable terms, but the masses of the people who are to live under this constitution, reside in British India, and our complaint is that they have never been consulted. The reason that we want the Bill to be rejected is because we know that those people have far stronger objections to the proposals of the Government than have the Princes, but those people are not listened to at all.

A statement was signed by all those representatives of British India who came to be consulted by the Joint Select Committee, but almost every proposition put forward by the Indians has been rejected. There is not one organisation of any worth in British India which has accepted or said one word in support of these proposals. But the Government take not the slightest notice. I will not say that they treat them with contempt, but they treat them as though they were of no consequence. We resent that. We think that they have an equal right with the Princes to be considered. I know it has been said in a jeering sort of way that they disagree among themselves. Yes, but you do not give them the chance, which you have given to the Princes, to formulate their demands and requests. You just brush them on one side, and say, as the Secretary of State said to-day in relation to the Princes, that it is for us in this House to lay down the terms and conditions. We dissent from that altogether.

We do not want there to be any misunderstanding about our position. If there is going to be this kind of federation, we would rather have no federation at all. This kind of federation is the worst that could have been proposed. I do not think that the Attorney-General did my hon. Friend the Member for Caerphilly (Mr. Morgan Jones) justice in his reply to him. For these reasons, I have risen to tell the Committee and everybody concerned that if we had our way and had the power we should throw out the Bill and consult British India in the same manner as the Government are consulting the Princes. We cannot understand the logic of the Government in taking so much trouble about the Princes, whom we want to see in a federation, and at the same time refuse to consider and consult the representatives of British India. However difficult it may be to arrive at a conclusion, we think that any constitution imposed upon the people of India is bound to fail, and that to go on with the Bill at this time, when British India is against it and without knowing exactly the attitude of the Princes, is a sheer waste of public time.

Question put, "That the Chairman do report Progress and ask leave to sit again."

The Committee divided: Ayes, 89; Noes, 283.

Division No. 62.] **AYES.** **[7.48 p.m**

Acland-Troyte, Lieut.-Colonel	Cleary, J. J.	Grenfell, David Rees (Glamorgan)
Addison, Rt. Hon. Dr. Christopher	Cobb, Sir Cyril	Gretton, Colonel Rt. Hon. John
Alexander, Sir William	Courtauld, Major John Sewell	Griffiths, George A. (Yorks,W.Riding)
Allen, Lt.-Col. Sir William (Armagh)	Craddock, Sir Reginald Henry	Gritten, W. G. Howard
Bailey, Eric Alfred George	Cripps, Sir Stafford	Groves, Thomas E.
Balfour, George (Hampstead)	Croft, Brigadier-General Sir H.	Grundy, Thomas W.
Banfield, John William	Daggar, George	Hall, George H. (Merthyr Tydvil)
Batey, Joseph	Davies, David L. (Pontypridd)	Hepworth, Joseph
Blaker, Sir Reginald	Davies, Rhys John (Westhoughton)	Hicks, Ernest George
Bracken, Brendan	Davison, Sir William Henry	Hunter, Capt. M. J. (Brigg)
Braithwaite, Maj. A. N. (Yorks, E.R.)	Dawson, Sir Philip	John, William
Broadbent, Colonel John	Dixey, Arthur C. N.	Jones, Morgan (Caerphilly)
Brown, C. W. E. (Notts., Mansfield)	Dixon, Captain Rt. Hon. Herbert	Keyes, Admiral Sir Roger
Burton, Colonel Henry Walter	Edwards, Charles	Kimball, Lawrence
Cape, Thomas	Everard, W. Lindsay	Knox, Sir Alfred
Churchill, Rt. Hon. Winston Spencer	Gardner, Benjamin Walter	Lansbury, Rt. Hon. George

Lawson, John James
Leonard, William
Levy, Thomas
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Maclean, Neil (Glasgow, Govan)
Maitland, Adam
Marsden, Commander Arthur
Maxton, James.
Milner, Major James
Nall, Sir Joseph
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Nunn, William
Oman, Sir Charles William C.
Paling, Wilfred
Parkinson, John Allen
Raikes, Henry V. A. M.
Reid, David D. (County Down)
Remer, John R.
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Scone, Lord
Sinclair, Col. T. (Queen's Univ., Belfast)
Smith, Tom (Normanton)
Somerville, Annesley A. (Windsor)
Strauss, G. R. (Lambeth, North)
Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Templeton, William P.
Thorne, William James
Thorp, Linton Theodore
Tinker, John Joseph
Touche, Gordon Cosmo
Wayland, Sir William A.
Wedgwood, Rt. Hon. Josiah
Wells, Sidney Richard
Williams, David (Swansea, East)
Williams, Edward John (Ogmore)
Williams, Herbert G. (Croydon, S.)
Wilmot, John
Wise, Alfred R.

TELLERS FOR THE AYES.—
Mr. Donner and Mr. Emmott.

NOES.

Adams, Samuel Vyvyan T. (Leeds, W.)
Ainsworth, Lieut.-Colonel Charles
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Anstruther-Gray, W. J.
Aske, Sir Robert William
Assheton, Ralph
Astor, Maj. Hn. John J. (Kent, Dover)
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Baldwin-Webb, Colonel J.
Balfour, Capt. Harold (I. of Thanet)
Barclay-Harvey, C. M.
Barrie, Sir Charles Coupar
Barton, Capt. Basil Kelsey
Belt, Sir Alfred L.
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Birchall, Major Sir John Dearman
Bossom, A. C.
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Buchan, John
Buchan-Hepburn, P. G. T.
Burghley, Lord
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Caporn, Arthur Cecil
Cassels, James Dale
Cautley, Sir Henry S.
Cayzer, Sir Charles (Chester, City)
Cayzer, Maj. Sir H. R. (Prtsmth., S.)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. *(Chippenham)*
Chamberlain, Rt. Hon. Sir J. A. (Birm., W)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Sir Samuel (Edinburgh, S.)
Clarry, Reginald George
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Colman, N. C. D.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Cranborne, Viscount
Crooke, J. Smedley
Croom-Johnson, R. P.
Crossley, A. C.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Denman, Hon. R. D.
Denville, Alfred
Despencer-Robertson, Major J. A. F.
Dickie, John P.
Doran, Edward
Drewe, Cedric
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eales, John Frederick
Eastwood, John Francis
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Essenhigh, Reginald Clare
Evans, Capt. Arthur (Cardiff, S.)
Evans, David Owen (Cardigan)
Evans, R. T. (Carmarthen)
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fox, Sir Gifford
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Ganzoni, Sir John
George, Megan A. Lloyd (Anglesea)
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Goff, Sir Park
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W.)
Grigg, Sir Edward
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zti'nd)
Hammersley, Samuel S.
Hannon, Patrick Joseph Henry
Harris, Sir Percy
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Jennings, Roland
Johnstone, Harcourt (S. Shields)
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kirkpatrick, William M.
Knight, Holford
Lamb, Sir Joseph Quinton
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Leckie, J. A.
Leech, Dr. J. W.
Lees-Jones, John
Leighton, Major B. E. P.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Llewellin, Major John J
Loder, Captain J. de Vere
Loftus, Pierce C.
Lumley, Captain Lawrence R.
Lyons, Abraham Montagu
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
MacDonald, Rt. Hon. J. R. (Seaham)
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
Magnay, Thomas
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mason, David M. (Edinburgh, E.)
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Mitchell, Sir W. Lane (Streatham)
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shepherd
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Donovan, Dr. William James
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Owen, Major Goronwy
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert

Pearson, William G.
Peat, Charles U.
Percy, Lord Eustace
Peters, Dr. Sidney John
Petherick, M.
Peto, Geoffrey K.(W'verh'pt'n,Bilston)
Powell, Lieut.-Col. Evelyn G. H.
Pownall, Sir Assheton
Pybus, Sir John
Radford, E. A.
Ramsay, Alexander (W. Bromwich)
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ratcliffe, Arthur
Rathbone, Eleanor
Rea, Walter Russell
Reid, James S. C. (Stirling)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Robinson, John Roland
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Runciman, Rt. Hon. Walter
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Shef'ld, B'tside)
Russell, R. J. (Eddisbury)
Rutherford, Sir John Hugo (Liverp'l)
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney).
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Smith, Bracewell (Dulwich)
Smith, Sir J. Walker- (Barrow-in-F.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Soper, Richard
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'moriand)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stewart, J. Henderson (Fife, E.)
Stones, James
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, Rt. Hon. J. H. (Derby)
Thomas, James P. L. (Hereford)
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Todd, A. L. S. (Kingswinford)
Train, John
Tree, Ronald
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
White, Henry Graham
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE NOES.—
Sir George Penny and Mr. Blindell.

CLAUSE 5.—(*Proclamation of Federation of India.*)

Motion made, and Question proposed, "That the Clause stand part of the Bill."

7.59 p.m.

Mr. MORGAN JONES: I hope the Committee will allow me a personal word before I come to deal with Clause 5. I do not desire the Committee to think that I take second place to any one in my admiration of the work done by the Secretary of State for India in regard to this matter. I felt somewhat unhappy when I heard the hon. Member for Bodmin (Mr. Isaac Foot) pay a tribute to the Secretary of State, implying thereby that he and his friends alone appreciate the strenuous and tenacious work which the right hon. Gentleman has put in. I too have been associated with the Secretary of State for many months, and I am sincerely in hearty agreement with those who pay a tribute to his work. None the less, we differ fundamentally on principles on this question.

I propose to say one or two words in relation to the question of federation. I have already addressed the Committee upon the matter on the Motion that the Chairman do report Progress, when I studiously avoided speaking upon the particular proposal of federation itself. I think I made it clear to the Committee earlier that we on this side are quite convinced that a form of federation is the more desirable thing to achieve if you can achieve it. It is obvious that it is desirable to get, in the course of time and as speedily as possible, a united India. It has been said over and over again in this Committee that India as yet is not a nation, that it is a congeries of all kinds of people who speak different languages and have different religions. So it is desirable that this great sub-Continent should sooner or later, and sooner rather than later, be able to speak with a united voice. The only way to secure that is by some method of federation.

We have kept steadily before our minds, therefore, the desirability of achieving as far as possible a form of federation. I do not think that I shall be controverted if I say that even those Conservatives who are so consistently opposing this idea are not so very remote after all from the concept of a federation, for they themselves moved last week in the direction of establishing a Council of Greater India, on the line of the recommendations of the Simon Commission. If hon. Members will look at that concept, which was advanced in some detail, they will find there the terms of a federation. I know that the Federation was not drafted precisely on the terms of this one, nor on the terms which we desire, but there is a desire, even in their Motion, for a federation. So in point of fact I do not think there is a fundamental difference between any of us in this Committee regarding the desirability of a central organisation which can focus the activity of the States and of the Provinces in one common centre.

Our difference with the Government on this matter arises from the nature of the Federation which is here established. My friends and I, who acknowledge that we strive to retain the democratic outlook not only in our own country but in relation to our Dominions overseas, feel that it is incumbent upon us to strive as far as possible to retain the democratic elements in this central Assembly. No one can deny that there are two quite incongruous elements in this Federtion. There is the element of nomination from the States and the element of election from British India, and it is extremely hard to reconcile them in practice. I do not see how these two hitherto irreconcilable elements, autocracy on the one sile and democracy on the other side, are going to work co-terminously or co-existently at the centre. It might be worked, and I do not say that it is beyond possibility, but my great objection is this: If you feel that you must bring in this nominated element from the States, very good. It is bringing an incongruous element into the structure of the centre. But, in order to do it, do not make the price of federation a price that it is impossible to pay. I suggest that the price that is being paid in order to establish this Federation is a price which British India ought not to be called upon to pay.

That is my simple proposition. What is the price in fact? I challenge contradiction upon the point that, once this Federation is established, British India has a yoke thrust upon it that it cannot shake off. If you are going to retain federation you can do it only with the acquiescence of the Princes. The moment you sacrifice the acquiescence of the Princes the Federation falls to pieces. Under Schedule 2 of the Bill the Princes' acquiescence can be immediately removed if the Princes are able to argue that you have so altered constitutional development in British India as to prejudice thereby the Instruments of Accession. To enable the Princes to hold a pistol of that sort at the head of British India is to give them too great a power. I repeat that if you can work the Princes in with British India in any common endeavour to work for the whole of India, very well and good. I am not enthusiastic nor optimistic about it. But if you can, please do not do it at the expense of weighting down, not for a period, not temporarily, but so far as this Bill is concerned for all time—weighting down British India to such a degree that it cannot march forward a single step. That is a terrible price to pay. It is an impossible price.

No one can be surprised if we on this side take the strongest objection to any proposal to prevent utterly—that is not an exaggerated word—if the Princes so desire, any single step forward in constitutional progress. Not only that, but let us look at how the thing works in practice. I said earlier this afternoon that we did not know yet on what terms the Princes will join the Federation. There is no common factor to which all Princes must agree. One Prince presumably may accept acquiescence in respect of 10 subjects and another in respect of a different number. We on our side take the strongest possible objection to the idea of federation unless and until we know precisely on what terms this Federation is to be set up. I would like to show that we are entitled to watch the operation of this Clause, the setting up of this Federation, with a considerable amount of suspicion. I cite in support of my case not a statement made by a Labour man, nor indeed by a representative of British India. Hon. Members will have had sent to them copies of a magazine called "The Twentieth Century." I believe it is an Indian publication. In the January issue there is an article entitled "States and Federation," by Colonel Sir Kailas Haksar, who in a little monograph on the top is declared to be "the brain behind the Princes in India." If this is the brain we understand the nature of the thoughts. This is what the article says:

> "It seems an implicit irony of the situation that certain provisions of the Joint Parliamentary Committee's report which have been most strongly attacked by British-Indian politicians and almost treated as a betrayal of trust reposed in the elder statesman of the United Kingdom, actually provide more effective safeguards of the rights and interests of the States than any provisions for the specific incorporation of which with the coming Act their imaginative caution or intuitive prudence had led them to ask."

In other words, we are told by this representative spokesman that there is more presented to the Princes as the price of their acquiescence in this Federation than the most cautious or the most circumspect amongst them had ever expected to receive.

[Mr. Jones.]

Let me carry this argument a little further. Let us see how this will work in practice. You have your federal centre, and there is a number of nominees of the Princes in the lower House, and a certain number of nominees of the Princes in the upper House, a very considerable body of them, a fairly high proportion of the total membership of either House. What sort of chance has any progressive legislation got of being passed even through such Houses when there is a solid block of purely nominated people in both Houses? Let me not be unfair, however. There are undoubtedly Princes whose States in many respects are in advance, to our shame, of British India itself. There are, for instance, States that have a better system of education than some parts of British India. There are States that have better health services than some parts of British India. So I want to make it clear that there are some splendid exceptions; but exceptions they are, and the exceptions prove the rule.

There is this body of nominees of the Princes who, on the whole, shall we say, are quite reactionary in their outlook. What possible chance is there for any kind of progressive legislation to be carried through a Parliament of that sort? None whatever. So hon. Members must not be surprised if we look with the gravest possible suspicion upon these proposals. That cannot possibly give us satisfaction. We flatter ourselves, rightly or wrongly, that we are for the time being the custodians of the interests of the great mass of working-class people in India. They have no spokesman of their own here. There is no one here who can directly express ideas on their behalf. If there is anything at all in having a Labour party, surely the first function of such a party is to speak for those who are least able to speak for themselves, and we should be failing in our duty if we did not direct attention to the fact that the instrument which this Committee is in the act of constructing is one which will make progress almost impossible in British India in the future. Hon. Members and right hon. Gentlemen opposite need not be unduly alarmed about the Princes. The Princes are amply safeguarded.

Mr. DONNER: Surely we are the custodians of the welfare and safety of the masses in India, regardless of class, whether they are working-class people or Princes.

Mr. JONES: I am very glad to hear that the hon. Member and his friends are concerned about the working classes. They have given no indication of it so far in this discussion to-day.

Mr. DONNER: We have always been.

Mr. JONES: The hon. Gentleman will forgive me if I point out that during practically the whole of the discussions of last week and certainly during the whole of to-day, he and his friends have not once debated the case of the working classes in British India. Their whole argument has been "What about the Princes?"

Mr. DONNER: I made a speech myself last week in which I put forward the case for the masses of the people.

Mr. JONES: Again we have the exception which proves the rule. [HON. MEMBERS: "No."] Yes, that is quite true. The whole burden of the speeches of hon. Gentlemen opposite has been the Princes, the Princes, the Princes, and how the interests of the Princes are being affected, adversely or otherwise. I do not propose to carry that argument any further because I know that others wish to speak. I do not however, want to be misunderstood. I repeat that the configuration of India justifies our anticipating, even if we cannot immediately realise it, a united India. If the States of the Princes were all contiguous to each other it might be better at first to attempt some sort of federated British-India—though there are several arguments against even that proposal. For example, you might create thereby some sort of mutual understanding or federation of the States, and perhaps that might not be desirable either. But the situation is not like that. These States are dotted here and there all over India and problems of customs and inter-communication make it imperative that we should consider some sort of federation. I am very sorry to have to say that it is impossible for us to give the Government our accord in this matter. I say, honestly and candidly, that I would be glad if I could find it possible to co-operate with the Government in something which would give comfort and encouragement to the Indian people. But

there is no comfort and no encouragement to be expected from the instrument which we are now forging. For that reason, my hon. Friends and I will have to vote against the Clause.

8.20 p.m.

Mr. HERBERT WILLIAMS: To-day the bulk of the time has been occupied by those whom I might call the Brahmins in this Committee, that is to say, front benchers, privy councillors and former members of the Joint Select Committee. I rise as a member of the depressed classes to make such contribution as I can to the debate, and I would point out that the depressed classes up to now have only occupied about one-third of the time in these discussions.

Mr. MORGAN JONES: The hon. Member is among the untouchables on the Government side.

Mr. WILLIAMS: I suppose the untouchables are the Parliamentary private secretaries who are not allowed to speak at all. I think the hon. Member for Caerphilly (Mr. M. Jones) was unfair when he said that the debate had been confined to the Princes and that no concern had been shown about the masses of the Indian people. When we are engaged in discussing Clauses, the whole structure of which, from the Government's point of view, depends on whether or not the Princes come in, then obviously for the time being we must discuss the Princes. If we were to discuss the things which the hon. Member wants us to discuss, we should be out of order for most of the time, and I have yet to learn that it is a good thing to be out of order in debate, in order to emphasise one's desire to support and help those who are not in a position to look after themselves.

Some of us have described this Bill as the Indian Moneylenders Enfranchisement Bill, because we believe that it is likely to assist those who are already in an established position, and take away from the masses the protection which they at present enjoy, owing to the fact that India is, in a degree, a benevolent autocracy at this moment. I disliked this conception of responsible federation ever since it was first put forward as a practical proposition in the early summer of 1931. I never liked the idea. I never thought that the conditions existed in India and I do not believe now that they exist, which would enable such a system to work. My belief is that if we establish it in due course, it will break down badly, and therefore I do not want it to be established in the first instance.

I agree with the right hon. Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) that the very structure of the electorate—because the Princes are part of the electorate—is an impossible one. I believe that a communal electorate in itself makes the whole conception of federation almost impossible and causes one to doubt very much whether responsible representative institutions can function, even in the Provinces. We have now reached a most amazing stage in these proceedings. We are discussing the crucial Clause in the first part of the Bill and, as far as we can find, there is not in India to-day any organised body of opinion which supports the Bill. There may be organised bodies who will go into the new Constitution if it becomes law, not because they want to do so but because they have no option. It is a singular failure of statesmanship that a Bill has been produced for which no one expresses any affection but which meets with condemnation from every quarter.

I realise that in this Clause we are not only discussing the question of whether there is to be federation or not, but also the question of whether it is not the case that federation can only exist if the Princes come into it. Therefore, we come back to the Princes, not of our own choice but because the Clause forces us to do so. In 1927 the Statutory Commission was appointed because the Act of Parliament required it to be appointed, though it need not have been appointed quite so soon. The pledge in the Act of 1919 is contained in the Preamble to that Act which together with the operative Clause made it necessary to appoint within a certain number of years—ten I think—the Statutory Commission. The only clear promise, the only binding promise was contained in the Preamble to that Act. The Declaration made at Delhi in 1921 and the reference to India taking its place among the Dominions, the Declaration of the King-Emperor made, I think, through the lips of the Duke of Connaught, really had no reference to Dominion status as

[Mr. Williams.]
we now understand it. [HON. MEMBERS: "Oh."] Certainly. Dominion status was a conception which did not exist until 1926.

Mr. MORGAN JONES: The phrase was used frequently before then.

Mr. WILLIAMS: But it had no meaning in the modern sense until 1926. I happen to know that exceedingly well, because for over two months in 1928 I was travelling through Canada with a delegation of over 50 Members of various Parliaments of the Empire including four members of the Indian Legislature, four members of the Irish Free State Legislature and eight members of the Parliament of the Union of South Africa as well as representatives of other Parliaments, and our main topic of conversation, when we got on to Imperial matters, was Dominion status as defined by the Imperial Conference of 1926. No one who lived with Dominion status, as I did——

The DEPUTY-CHAIRMAN: I have been trying to see to what extent the hon. Member's argument affects the question of federation or otherwise.

Mr. WILLIAMS: I have wandered a little, and it is very difficult, in respect of a Clause of the significance of Clause 5, to keep within the strict and narrow rules of order. I am not one of those who normally endeavour to get outside the rules of order, and it is because of the relationship of the idea of federation to Dominion status that I was led a little far away. All the declarations that were made, the pledges of 1919 and 1921 and the 1929 declaration, were made without reference to the idea of the Princes coming in. Every promise that has been made, whether a promise of a unilateral nature or something going beyond that, has been a promise made on the assumption that you were going to develop Indian self-governing institutions without the Princes. That is an amazing situation. This idea of the Princes coming in, in the sense in which we now understand it, did not exist until the early summer of 1931.

Mr. MOLSON: It was stated very clearly in the report of Mr. Montagu and Lord Chelmsford.

Mr. WILLIAMS: The idea of the Princes coming in to a responsible centre was never mooted as a serious factor in the situation until the early summer of 1931, and every promise that was made to the inhabitants of British India was made irrespective of what part the Princes might play. Now we are told that you cannot have this advance unless the Princes come in. How do the Government propose to redeem the promises, which they say are binding morally, if the Princes do not come in? There is no plan. It is an amazing situation that the Bill is not a Bill in fulfilment of those promises, but a Bill based on an entirely new position, and if, for some perfectly good reason of self-interest, for example, which may guide the Princes they do not come in, we are now to be told that we have to break every promise we have made. It shows the complete bankruptcy of statesmanship. It shows that they have drifted on until the Government are now in a totally impossible position in respect of this matter, because they have no plan to deal with the situation which would arise if the Princes did not come in. What then happens to all those promises?

Here we have this Committee discussing the matter, potentially 615 of us, some 80 who do not like it—I am thinking of the group with which I am associated, and at least we have devoted a good deal of time to trying to understand it—the Members of the Government and those associated with them actively, probably some 40, who have devoted a good deal of time to it and have some understanding of it, the rest knowing nothing about it and frankly saying so, voting blind because, as they say, "I have never been to India, and I do not understand it." As if a particular knowledge of India is of very much importance when you are constructing a constitution. The essential information is all to be found in the first volume of the Statutory Commission. We are constructing a constitution to carry out promises, and we have now created such a situation that if certain other people, who were not in contemplation when the promises were made, will not play their part, the promises have got to be broken. That seems to me to be a situation so amazing that I wonder how it is going to be adjusted.

We are told that if, on the other hand, you do not have federation, you cannot have the development of self-governing institutions in the Provinces, because someone suddenly discovered, only three months ago, that the development of self-governing institutions in the Provinces was impossible without federation. Who made that bright discovery, I do not know. It has not the slightest constitutional significance, and it is not a valid argument, though it appears to have converted several right hon. Members, but why, I do not know. Take the comparable cases that we have in the British Empire. The Dominion of Canada was built up out of a number of self-governing Provinces. They existed—self-government was a success—for many years before, in the year 1867, in a room adjoining the office where I worked, which was the old Westminster Palace Hotel, the delegates of the Provinces met and drew up the constitution of the Dominion of Canada, subsequently incorporated in the British North America Act; yet self-governing institutions had worked in Canada, homogeneous in population, without any federal centre at all.

Take Australia. I think Victoria was the earliest State to get full responsible government, though I am speaking from memory, somewhere about 1840.

Sir CHARLES OMAN: It was New South Wales.

Mr. WILLIAMS: I thank my hon. Friend. They go back nearly 100 years. Self-governing institutions existed in the six States of Australia for varying periods, all of them substantial until, in the year 1900, we passed the Act which created the Commonwealth of Australia. There was no federal centre. The only federal centre was the Secretary of State for the Colonies, as he was then, in Downing Street.

Captain CAZALET: Some of the difficulties which Australia is facing to-day, particularly with the railways, are due to the fact that there was not a federation prior to 1901.

Mr. WILLIAMS: We are being told that it cannot work. The fact that in Australia they have different gauges did not arise out of the fact that there was no federation, but because, when they started those railways, they never contemplated that they would so develop that it would be necessary to go beyond the boundaries of their own States. It was because they failed to visualise the ultimate links that would develop, just as the Great Western Railway was built on a gauge wider than the rest of the railways in this country.

Now let us take South Africa. The history of South Africa is rather different, because we had two more or less independent republics. I say " more or less " because there was the famous word " suzerainty " which came into the great constitutional struggle. We had Cape Colony and the Colony of Natal. After the war Cape Colony and Natal continued as self-governing bodies, the Transvaal got its constitution, and the Orange River Colony also got self-governing institutions. Nobody suggested that they could not function—they functioned quite successfully as self-governing institutions—but it was seen that there were great merits in having a federal Government, and ultimately they built up a federal Government in South Africa, almost unitary, because in the Union of South Africa the federal power is relatively much stronger than it is in Australia and Canada. But no one has suggested that self-government in the Transvaal was impossible without a Union of South Africa. Therefore, this analogy has not the slightest validity from the point of view of past constitutional experience and experiment.

Then, at this moment, in East Africa there are Kenya Colony, a protectorate, the Uganda Protectorate, Tanganyika Territory, and Zanzibar, all in different stages of constitutional development, all of them having certain common interests and quite a good case, as a matter of fact, for federation, though there are very grave difficulties in the way arising out of treaty obligations; but no one suggests that it is necessary to set up a federation in order that in those Colonies there may be gradually developed a constitutional form of government, a gradual building-up of some form of self-governing institutions, representative in the first place and responsible later on, we hope. Who is the federal centre there? My right hon. Friend the Secretary of State for the Colonies.

You can go to West Africa, where you have a scheme of colonies—Gambia,

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Sierra Leone, the Gold Coast, British Togoland, British Cameroons, Nigeria—six separate units of government without any federal centre. It will probably take a long time to develop self-governing institutions, but no one suggests that these colonies cannot exist without a federal centre. In the West Indies the problem of distance is a serious one for the colonies are a long way from one another, but from time to time there have been suggestions of a federation of the West Indian colonies, because there is a community of economic interests and from the point of view of defence also. No one suggests, however, that the very considerable development in self-governing institutions which has taken place in the various colonies in the West Indian islands cannot continue because there is no federal centre. Therefore, those who plead, as they have pleaded, that they are supporting a federal centre because there cannot be provincial development without it are basing themselves on arguments which seem to me thoroughly unsound. I have never liked the idea of federal responsibility until we have tried these people out and they have proved up to the hilt their capability. Until that is decided I shall continue to oppose the conception of a federal centre.

8.36 p.m.

Mr. DAVID MASON: The hon. Member for South Croydon (Mr. H. Williams) said we ought to proceed first by provincial government and then come to federation. Notwithstanding what he said, I think we can assume that the great majority of people are in favour of the federal idea. The hon. Member for Caerphilly (Mr. Morgan Jones) on the Opposition benches paid a handsome tribute to the Secretary of State and said he was an enthusiastic believer in the federal idea. We have spent three and a-half hours discussing the resolution of the Princes, who expressed their distaste of the Bill in its present state, and yet, if the arguments of the hon. Gentleman were carried out we would have to cut down the powers of the Princes still further, and how could he reconcile that with his support of the idea of federation? We were asked by responsible Members to report Progress because of the attitude of the Princes, and yet, if the hon. Gentleman's submissions were carried out, it would still further cut down the power of the Princes. What chance would there be then for this Bill? The hon. Gentleman disclaims being a wrecker, but he must recognise that, in view of the resolution of the Princes, any movement on the part of the House of Commons must be rather towards the Princes than away from them. I yield to no one in my respect for the working-class and for the democratic idea, and in my admiration for India, but I think the Indian is not quite in the same position as the working man in this country.

We can apply democratic principles to the people of this country, which is a country of education, whose working-classes have worked up to a respectable and deservedly respected position in the electorate. The hon. Member, however, says that because he stands for the working-classes here he would take out from this Clause the right to appoint 52 members of the Council of State, for, he says, that right would remove any possibility of democracy ever making its voice heard in India. If his argument were carried out, and if he were to persuade the House to agree to it, he must know that it would wreck the Bill. The hon. Member expressed an admiration for the idea of federation. The task of the Government has been to create a federation which will bring in the Princes and the working-classes of India. It is the highest statesmanship for the Government to try and bring in the Princes. I agree it is difficult to reconcile the Princes who have been accustomed to great authority in India, but we cannot dismiss them and apply all the principles for which we enthusiastically stand in this country when we are dealing with India. We must have regard to the vast mass of illiteracy in India on the one side and to the mass of conservatism in this country on the other. I appreciate conservatism, although I do not agree with it. I recognise it as a fact, and this Measure has to be formed in such a way that it will satisfy the Princes and large sections of Conservative opinion in this country. It has been able to do that, and as an act of statesmanship this Measure is a masterpiece.

The task of the Government was to bring in a Bill to grant self-government for India which would reconcile the Conservative element and the Princes, and yet do justice to the ryot and the peasant in India, and carry with it a vast amount

of Liberal opinion in this country, which it does. I have no doubt that, in their hearts, many Members in the Opposition, although they might wish for a more democratic Measure, will concede as Parliamentary men, as statesmen who have enjoyed high office, that there must be a Clause such as Clause 5 laying down the great principles for which the hon. Gentleman has given his support. We must have a Measure which will satisfy the Princes and recognise the fact that we are not dealing with the same sort of democracy in India as the democracy in this country, and formulate a Measure which will work. We must nominate, otherwise how will the Measure work? I yield to no one in my respect for democracy, but I apply an ordinary Parliamentary mind and common sense to this Measure. I compliment and congratulate the Government on standing firm this evening, and I rejoice in the fact that the High Court of Parliament did not for a moment give way. Now we are discussing the Bill, where are those who have complained for hours of the Government? Why do they not come in and listen to the arguments one one side and another so that we may together formulate a Measure which will do something to advance self-government in India?

8.45 p.m.

Colonel WEDGWOOD: I have not heard an argument in favour of federation. I am very anxious to have arguments in favour of federation. I understood, when I postponed Debate on this question on an earlier Amendment, that we might discuss federation to-night from the point of view of a federation of British India as against a federation including all the Indian States. I am against federation of every sort, but I do not believe that it is impossible to federate British India alone. The Simon Commission did not regard it as impossible that British India should be a federation itself and now the Indians themselves are demanding a British-India Federation and not a federal federation; and the only argument against it which I have heard is from my right hon. Friends on the Opposition Front Bench that the boundaries make it impossible to have a federation of British India alone. I do not think that is so. The Customs issue does not come in. Those who have travelled in India know that one goes through India without knowing whether one is in an Indian State or British India. The Customs issue is only a difficulty in the area where one has a native ruler developing his own port. That difficulty has been present in the Government of India for very long, but I believe that it has been satisfactorily settled, so that the question of the practical impossibility of federating British India does not really arise. The Indian States could remain outside the federation, as they are to-day outside the Government of British India.

What I want to set before the Committee and to get an answer from the Government about are the chief objections to federation. There are two chief objections, and either of them appears to me to be fatal to it. I have opposed the idea of federation ever since it was first proposed at the first Round Table Conference, and I am glad to see that now the same point of view is largely taken in British India itself. First and foremost the objection is that to make it a federation of all India would mean that the Measure we are passing would not be a step in the direction of self-government but the final coping stone of all that we can do for India. It is the finality of this Measure which is the real stumbling block in India to-day. The Montagu-Chelmsford Reforms in 1919 were a step forward. At the time I welcomed them as a step forward. When they were going through the House we did our best to democratise those reforms, and when they came to the Third Reading we urged India to accept them as a stage in a long advance. Now we are asked to pass a Bill which is not a stage anywhere, but is the final end, so far as this House is concerned, and so far as democracy in India is concerned. After we have passed this Bill, involving as it does a treaty with a large number of individual Princes, we cannot change it or introduce a new Bill with a more democratic franchise. That is impossible unless, as I read it, every single one of the Princes who come into the scheme now—is not that so?

Sir S. HOARE: The Under-Secretary will answer.

Colonel WEDGWOOD: I would prefer to have an answer from the Secretary of State, of course, and that with no disrespect to the Under-Secretary. That is the point: How will it be possible to avoid this being the final stage? If the

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Princes say that this Bill when it becomes an Act of Parliament is to be their new treaty, guaranteed at the accession of every new Sovereign in England, how are we ever to go forward any further? In any case it will be impossible, even under the Instrument of Instructions, for this House to modify the scheme unless the Indian Assembly set up by this Bill wishes for the modification. I do not think anyone can gainsay the fact that the Assembly set up under this Bill will be far more conservative than anything we have known in the history of this country. The representatives of the Princes correspond to nothing we have ever had in this country, being nominated by one person, and not even transferable by sale or purchase. One-third of each House is nominated by the Princes. Of the rest of the House, there will be a certain number elected by the provincial legislatures. We all know here that indirect election leads, perhaps, to more conservatism than direct election; but, apart from that, we know perfectly well that in that new Assembly the elected members can never be in a majority, because of the large element of nominated members—nominated by the Government, representing the special classes, and those elected by the chambers of commerce and by the Anglo-Indians and other sections of the community. It is impossible that an Assembly constituted in that way should vote for its own abolition and for the substitution of anything better, even if the Government did have, as I believe, to get the consent of all the Princes, or, perhaps we shall, hear the majority of the Princes. That is the principal objection to the Federation. It is impossible to have federation except on the terms set out by the Princes, and once that federation is established it becomes a treaty.

The next objection is that we are setting up a federation which is, in fact, nothing of the sort. This is not a federation, but a union on dissimilar terms of completely dissimilar units. I do not pose as a constitutional lawyer, but I would like to give the opinion of one who is admittedly the greatest constitutional authority in this country on matters of the Empire at large, and that is Mr. Berriedale Keith:

"I am satisfied that the system of construction of the Federation, under which the nominees of autocratic rulers are to have a powerful voice in both Houses of the Federation, in order to counteract Indian democracy, is quite indefensible. Whether in practice it works out as the Government and the Princes hope may be doubted, but the whole project seems to me to be indefensible. I should have proposed *Federation only for units which were themselves* under responsible government, and have admitted the Princes only on condition that they gave their States constitutions leading up to responsible government, and that their representatives in both Houses of the Central Legislature were elected by the people of the States."

That seems to me to be a position which no British Government in this country, unless seeking something entirely apart from the sort of government we should like to be under ourselves, could possibly tolerate. Do the Committee really understand what this Federation will be when it is created? It will be an anomalous body, consisting partly of people democratically representing British India and partly of people nominated by the Princes. That is not all. When the Assembly has chosen its government the laws it will pass and the administration it carries out will affect British India but will not affect the Indian States at all. Income tax may be imposed and the Princes may vote for the Income Tax, but it will not be levied in their States, they will be immune. I believe that most oppressive tax in India, the salt tax, is to be a federal tax, and from that tax the Indian States are exempt.

The DEPUTY-CHAIRMAN: I hope the right hon. and gallant Gentleman will not go too much into details. Those questions really arise on the next Clause.

Colonel WEDGWOOD: I am dealing with the inequity of a federation which is not a federation, and I think one of the chief objections is that we are setting up a government under this scheme which legislates for a part of India and which is ruled, in part, if not entirely, by people who are not submitting to the laws they pass. I do not think that with this Federation you will get much legislation of any sort in that central body, but I am certain that the constitution of the federal body will exalt in importance, and I hope lead to the development of, the Provincial Governments. The second objection therefore is that it is an inequitable federation.

The third objection is that under the scheme we withdraw our protection from

the 70,000,000 inhabitants of the Indian States. Up till now, whenever there has been trouble, we have been in a position to protect the natives of the Indian States. In Kashmir recently, and in Indore we managed to change the Princes; also in Alwar recently. Whenever there has been exceptionally bad government by any native prince, under our present Constitution we can make the necessary change to secure justice for those 70,000,000 people. The position of those people to-day is that they are not British subjects, and they have not the rights that people have in British India. No one who has the right of being called a subject in British India would voluntarily revert to being a native of an Indian State. Hon. Members may have noticed in the last half-dozen years—it goes back even further than that—the bitter resentment of the people in the Berars at the idea of being handed back to the Nizam of Hyderabad. So far they have successfully resisted being deprived of their British citizenship and put back to the position of subjects of an Indian State, and exactly the same thing happened at Bangalore and Tangasseri. In fact, wherever in the wide world you find a man with the rights and privileges of a British citizen he resents bitterly having those rights taken away from him and being returned to any other form of rule.

Here for all time we are saying that the native States shall remain as they are. We are depriving them in the British Indian Assembly of the right of asking questions as to happenings in the Indian States. The whole protection which has been given—it has been a poor protection but some protection—is being taken away. One of the chief charges against Warren Hastings was that he used the British Army for supporting one Indian rajah against another Indian rajah and here are we putting the British Army into the power of the Princes of India and giving to it the duty of maintaining law and order and things as they are, not only in British India but in native territories. It will be disgraceful to employ British armies in putting down people like those tenants who struck in Alwar or those unfortunate Moslems up in Kashmir. We ought not to be in the position of putting British men and officers under the orders of people who may use them under this Bill for work which we should never force them to do. As long as there is British administration in India the British Army cannot be used for any purpose with which this House disagrees.

You are therefore for all time preventing India from going forward, subjecting British Indians to the rule of the native Princes and preventing any possibility of any development in a democratic direction for all the inhabitants of the native States. It is true, as the hon. Member for Caerphilly (Mr. Morgan Jones) said, that there are some native States, Mysore, Travancore, Cochin and Baroda where education is growing, but in none of those native States is there anything like the same amount of self-government as in British India. There are representative institutions with no responsibility; they are purely advisory bodies. No native inhabitant in any native State in India has the same rights, privileges and opportunities as the native has across the border in British India. We make a great deal of fuss about depriving British subjects of their citizenship in Tanganyika and elsewhere, but we are for all time depriving 70,000,000, many of them educated and particularly the inhabitants of Travancore in the south of ever arriving at a situation where they can call themselves British subjects.

Those are the three arguments against federation which I would like to have met. The case for it, as I understand it, is not quite honest. The case is that if we establish Federation we at any rate secure stability. There is on the Government Benches, and not upon the Government Front Bench only, terror lest the Labour party should come into office and do something for India which no man in his senses would dream of, giving them self-government or an opportunity of breaking away from the British Empire. I have known the Labour party now for a good many years, and I am confident that you will get more continuity from the Labour party than from the Liberal party. I was in the Labour Cabinet when we had these Indian discussions, and we are as convinced as any hon. Member opposite that it is our duty to protect the working class in India, and that by retaining some sort of control here we are in a better position to protect them than if we hand them over to the millionaires and landlords of India. Basing ourselves upon that, there is no sort of

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fear that we shall sell the pass, betray this country or betray the common people of India.

It is the popular thesis and the theory in the India Office, and it is very largely held among English civilians in India, that the real danger is that when you get a Labour party in office they will endow Communism in India and establish Pandit Jawaharlal Nehru as dictator——

The CHAIRMAN: I think the right hon. and gallant Gentleman is getting rather far away from the Clause.

Colonel WEDGWOOD: The secret case in favour of federation is that that way lies safety. I think that all hon. Members realise that there is no safety in this method, and that so far as safety is concerned you cannot have it in this world unless you have consent. Until we get the consent of India, it is no use thinking that this proceeding will make the situation any better.

I pass on to what is the surprising thing at the present day. Six months ago there was no general feeling in India against federation. There were of course individuals, but we may take it that Congress as well as the Moslems, while they differed very strongly on the question of communal representation, agreed with the idea of federation. Whether there was a bargain between Congress and the Princes I do not know, and I do not care; that is a matter of no importance. There was a general opinion that this would mean a step forward. Anyone who has the slightest acquaintance with Indian opinion realises that there has now been a complete revolution of feeling, and that it has come about in the last six months not because the Joint Select Committee's report was otherwise than expected, not because the Government's Bill varies from the Joint Select Committee's report, but because there is a far better understanding of what federation means. The objections to the final step, the objections to being under control, the sealing of the fate of the inhabitants of the native States—all these things have not been realised before. Now that federation has come to be understood, you have the remarkable fact that the real change has been in the opinions of the Mohammedans as regards these reforms. You now have a solid body of 19 Mohammedan members in the assembly, all under the command of a man called Jinnah. Jinnah is one of the finest politicians in India. He is a personal friend of my own, and a man whose opinion I value immensely. Generally speaking, when there is a clash between Mohammedans and Hindus, I come down on the side of the Hindu as against the Mohammedan, but in Jinnah I make an exception. He is what he should be—an Indian first, and everything else second. He has been made anti-English by foolish actions long ago, but recently the situation has been made far worse owing to the fact that the India Office and the officials seem to think that Jinnah does not count.

Sir S. HOARE: Why do you say that?

Colonel WEDGWOOD: He was not allowed on the Round Table Conference, and he was not allowed on the Statutory Committee. He was very anxious to be on the Statutory Committee. He came over here, and was very anxious to help, but was cold-shouldered. The attitude towards him is that he does not matter, that he is not in touch with Mohammedan sentiment, that he does not represent Mohammedans, and therefore he has been ruled out. That opinion may be quite wrong, but it is the opinion that he has, and it should be put right if it is possible to do so. In the "Times" of Saturday a telegram was published, containing all the news that we have on the subject. It was to the effect that the Mohammedans and the Hindus, shedding extremists on both sides, are coming together on this question. If the Mohammedan and the Hindu are coming together on this issue, and if they are, as the "Times" suggests, prepared to drop the question of separate electorates and to have one common electoral roll, that is an extraordinary change in Mohammedan opinion. It is true that the Mohammedans are bargaining for as many offices as they can get, but they are coming together and agreeing to a common electoral roll. That shows, not only a realisation of the advantage to India of the possibilities of democracy, but the possibility of a combination against federation which it will be enormously important for the Government to consider now. It makes the whole outlook on the future working of the assembly entirely different.

For these reasons, I am against federation. It is the feature of the reforms

which, with communal representation, I consider to be the most reactionary and to justify all the opposition that the Indians can offer. It is possible to remedy both, even at this last moment, if you will confine your federation to those Princes who come in from representative institutions and to British India. It is possible also, if you will allow the Indians to agree together to abolish separate representation of Hindus and Mohammedans, and come in on a common basis of Indian citizenship.

9.10 p.m.

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): I had thought that it might be for the convenience of the Committee if I intervened in this Debate after it had run for some little period. The Debate on this Clause has now run for something over an hour, and it is not my faut that I am only able to answer three speeches. I should have liked to refer to some of the other arguments which might have been raised, but it is important that I should answer the arguments that have been raised in those three speeches. I hope that after that it may be possible for the Committee to come to a decision on the Clause standing part, since we have discussed it so many times, but there is no intention on our part to stop any Member expressing himself on this important issue.

The right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) raised some very important points, of which I shall try to answer one or two. He claimed specifically that the Princes were able to block any future Amendment of the franchise scheme under the Bill as we have presented it. I think that that implies a misunderstanding of the provisions of the Bill. Under Clause 285, it is possible for the Indian legislature to present an address, which the Secretary of State is under a statutory obligation to consider and give his opinion on, after a period of 10 years, and I see no reason why the States should block any Amendment of the franchise scheme under the provisions of that Clause. Apart from that, His Majesty's Government, before the period of 10 years, will have the power of amending the franchise scheme if necessary by order-in-council. Therefore, I fail to see why the Princes of India and the Indian States should hold up any Amendment of the franchise.

Colonel WEDGWOOD: Would a lowering of the franchise, or an alteration to a common roll instead of two separate rolls, be within the power of the House of Commons irrespective of a vote of the Indian Assembly?

Mr. BUTLER: It would be possible for His Majesty's Government to alter the franchise by order-in-council. With regard to the communal award, I must refer the right hon. and gallant Gentleman to the terms of the award itself, and I do not think I had better get into a discussion upon it at the present moment. The right hon. and gallant Gentleman also raised the question that we were withdrawing protection from the subjects of the Indian States, and he asked whether in the future, if there were oppression in Indian States, the power of His Majesty's Government would have been completely withdrawn by the provisions of the Bill. He drew rather a sad picture of the possible future of the citizens of an Indian State under the provisions of the Bill. He was, however, suffering under a complete misapprehension of the actual position as it will be under the Bill. The right of the paramountcy exercised at present on such occasions will not be altered by the introduction of the Bill or by its provisions, and therefore I think that his difficulty in relation to the citizens of an Indian State——

Colonel WEDGWOOD: Will it be possible to ask questions in the House of Commons on the subject?

Mr. BUTLER: The position will be exactly the same as it is at present in relation to this subject. I hope that on these two points I have done something to set the doubts and fears of the right hon. and gallant Gentleman at rest. He then proceeded to develop the view that the Federation, and especially the constitution of the central legislature, would be undemocratic. I will take that objection together with the objections of the hon. Member for Caerphilly (Mr. Morgan Jones), who opened this discussion. It has been frequently claimed that in introducing the Bill we are not considering the welfare of the masses of India. I think it is possible to answer that contention in several ways, but I wish to be as brief as possible, and will only remind the Committee that the con-

[Mr. Butler.]
stitution of the central legislature will have in it democratic elements to a much greater extent than at present. I would remind hon. Members opposite that there will be special representatives of labour —an entirely new proposition in the central legislature as we propose it in this Bill. There will also be 19 representatives of the depressed classes, and, since the depressed classes are drawn very largely from the classes who depend upon manual labour, in both town and country, I think it is certain that the representatives of the depressed classes and the representatives of labour will, to a very much larger extent than ever before, voice the opinions of the masses in the central Legislature.

The hon. Member for Caerphilly said that, owing to the fact that we were combing in the central Legislature nominees of the States with democratic representation of British India, there would be no opportunity for real social reform and real development, and that the interests of the masses would be ignored for this reason. I fail to see why, because representatives of the Indian States are introduced into the central Legislature, it necessarily means that the interests of the masses are to be ignored. For instance, one point on which the masses will feel very strongly is the question of Customs. The majority of the Indian States are agricultural and their interest lies in the reduction of the tariffs. If they take part in the proceedings of the Federal Legislature and in deciding the future tariff policy of India, their intervention can only be in the interests of the agricultural masses.

Mr. ISAAC FOOT: The hon. Gentleman will allow us to remember that the reduction of the tariff is in the interests of the masses of the people.

Mr. BUTLER: I am considering the question from the point of view of the citizens of India, and I believe in this case it will be to their advantage. As regards social reform, we believe that the Constitution of the Federal Legislature will help in the discussion of measures for social reform. The Joint Select Committee thought that one of the main reasons for the development of this Constitution was that it would give opportunity for social reform in the future. The hon. Gentleman, I think, referred to the possibility of legislation not only in subjects on the federal list but also in subjects on the concurrent list, and to that extent, especially in regard to the concurrent list, Part 2, which specially affects labour questions, there are special provisions in the Bill which I hope will be fully made use of in the future.

My hon. Friend the Member for South Croydon (Mr. H. Williams) raised the large question as to whether it was just, if it was possible, to develop provincial autonomy without having some nexus in the Federal Government. I think I should be wise to refer him to the powerful arguments in the introduction to the report of the Joint Select Committee. We hold very strongly that we have given to India a great unity which it is essential to preserve and, whether in the matters to which I referred, such as social legislation and the use of the concurrent list, or whether in other ways we feel that it would be much easier to preserve the unity of India by the establishment of federation. Moreover, owing to the inter-action, both economic and political, of the interests of the States and the Provinces of India, which interlock with each other to a surprising degree—not unlike one English county with another—we consider that a federal Government is the most suitable form of nexus that can be devised owing to the approximation of interests between those two parts of India. It is for these reasons that we hope the Committee may come to a decision on the point, and I hope I have done something to answer some of the points that have been raised.

9.20 p.m.

Mr. DONNER: I do not often find myself in agreement with the Secretary of State, but when earlier to-day he said that the Princes of India had not changed their position in relation to federation I could not but concur with him. As far as I understand it, their position has never changed at all. At the first Round Table Conference eight out of the twelve Princes who made a statement in favour of federation were not accredited representatives of the 562 Princes of India. They could only speak for themselves and, as far as I know, they made no attempt to speak for anyone else. I can say without fear of contradiction that the majority of the Princes have never declared in favour of federation

and, if to-day the Government find themselves in a dilemma on account of the fundamental objections which the Princes of India have stated, it is their fault and not ours, because we, at any rate, who have opposed these proposals, have been at great pains for the last two years to point out how unlikely it was that the Princes would ever declare in favour of federation. I have asked again and again, on the Floor of this House, if it is not a fact that additional and essential safeguards were required by the Princes which were not included either in the White Paper or, late on, in the majority report. We were always brushed aside as untouchables. Conservatives who oppose these proposals are, indeed, untouchables in this House. The Attorney-General to-night spoke of us with the greatest contempt as diehards.

Mr. ISAAC FOOT: Not untouchables, only depressed classes.

Mr. DONNER: Scheduled castes, if the hon. Gentleman prefers it. Perhaps I may say something about the speech of the hon. Member as he interrupts me. He said, in relation to federation, that we had not a clean slate to write on, that for many generations people have written on that slate. I understand that he is a keen student of Cromwell. Even Cromwell would have been horrified at the slate in India being scribbled over, or squirted over, with Liberal principles. My Noble Friend the Member for Horsham (Earl Winterton) admitted that, at any rate, those Conservatives who are opposed to the idea of an All-India Federation had at least one-third of the voters in the country behind them. Whatever may be said for Liberal principles, it cannot be claimed that they have any great support in the country. The hon. Member went on to say that those who are opposed to this conception of an All-India Federation are delighted at the news to-day that the Princes had stated that they had fundamental objections. If we believe federation a dangerous and evil thing, are we not entitled to be pleased?

The CHAIRMAN: That is getting into the subject of a Debate which has been finished.

Mr. DONNER: I apologise if I went beyond the bounds of order, but this was raised earlier this afternoon.

The CHAIRMAN: Yes, but in another Debate, I must remind the hon. Member.

Mr. DONNER: I understood that the subject was the same. I will not pursue the subject if I am out of order. On the question of the establishment of an All-India Federation, to which I believe the hon. Member for Bodmin (Mr. Isaac Foot) referred, I think he said Conservative opponents had used pressure on the Princes in order to ensure their opposition to federation. I must say that I was surprised that he used that word, for, after all, the Prime Minister of Hyderabad, Sir Akbar Hydari, said in evidence before the Joint Select Committee that the Secretary of State had "held the States relentlessly to federation."

Mr. ISAAC FOOT: Does the hon. Gentleman remember that a speech was made by the hon. Member for Morpeth (Mr. G. Nicholson) in which he specifically referred to that passage in the speech of the Prime Minister, who requested that if that passage were quoted, it should be taken in its full text, for then it denied the implications?

Mr. DONNER: I have read the evidence carefully and am convinced only one construction can be placed on it. However that may be, I am surprised he should use the word "pressure." I thought that in this House it was quite taboo, and that whenever we talked about it we should use the words "persuasion" or "advice." I do not think, whatever our views may be about the establishment of an All-India Federation, that anyone in this House can deny that an entirely new situation has arisen as a result of the declaration which reached us to-day. I do not believe it is true to say that the whole question of the future of federation is not in the balance. These are not matters of adjustment, but of fundamental objections. I do not think it is a compliment to the Princes of India to state, as I think the Secretary of State did or some other hon. Member—I may be doing him an injustice—that this was a declaration without sufficient consideration and deliberation.

The CHAIRMAN: Really we have had several hours debate on the Motion to report Progress. We really cannot take that subject over again.

Mr. DONNER: I must apologise again. I did not intend to break the rules of Procedure. I will try to keep more closely to the question of federation. The deeper one goes into this question of federation, the more we consult ex-governors and men of administrative experience in India, the uneasier some of us have become in our minds. We do not ask for assertion, or for brilliant Parliamentary repartee or suave statements. We would like to see more arguments and answers to arguments we have put forward against the proposals. The friends with whom I have been associated have put forward many arguments, and we are not satisfied in our minds. Yet I hope we are reasonable people who are open to persuasion. I would like to draw the attention of the Secretary of State to the fact that, although I am a back bencher, and can therefore claim no special indulgence, he has never once answered one argument I have put on the Floor of the House during the last two years. I do not in any way criticise him on that account, but I do say that the fact that the arguments against the establishment of an All-India Federation have not been answered leaves us uneasy in our minds.

The Government say that you cannot extend autonomy to the Provinces in India without the establishment of an all-India Federation. It has been our case all along that such an argument is abject nonsense. The Government case is that provincial autonomy without federation will bring about great centrifugal and powerful movements which will endanger the constitution. Therefore they say the Centre must be changed. But how do you strengthen the Centre or minimise these centrifugal forces by giving away half the powers at the Centre? Do the Government still stick to that theory, still take that view if the objections of the Princes to establishment of a federation hold good, still take the line that provincial autonomy cannot be established without a federation? It has been suggested that if just over 50 or 51 per cent. of the Princes came into an all-India Federation, then the other 49 per cent. would be coerced. When my Noble Friend the Member for Aldershot (Viscount Wolmer) made that statement yesterday, he was answered by the Government supporters, who, like a Roman army without the legions—they were all generals and camp followers—and voted down. The right hon. Member for Sparkbrook (Mr. Amery), one of the generals, and the hon. Member for Doncaster (Mr. Molson), one of the followers, took him to task. On this matter we cannot do better than find out what is counsel's opinion, the legal opinion given to the Princes of India on 17th October of last year and published in the "Madras Mail." Counsel's opinion in regard to the position of the Princes who abstained from federation was that the

> "thumbscrew of political pressure would be tightened on unfederated thumbs."

If you are going to build this great all-India Federation, where are the bricks and the mortar? Surely the basis will consist of three conflicting currents of hostility—the Princes—if they come in—against modern government, Hindus against Moslems, martial races against sheltered races. This will be a blending of fire and water that has never been done before. The Government may come along and say that they have made a miraculous discovery, thanks to the good offices of the Fuel Research Board, of how to blend fire and water. They may come and say that they hope this federation will be a success. I notice that, in his evidence before the Joint Select Committee, the Secretary of State used the words "I hope" more than 200 times. He hoped that the Princes might come in. He hopes their objections can be adjusted. He hopes federation will be a success. He may be right. I suggest that he is living in a permanent condition of optimistic expectancy not at all warranted by the facts. Political arrangements not based on the true proportions of actual power can bring a federation into power, or make it a success once it is established. You cannot establish federation by giving domination in the central legislature and in the provincial governments to the Hindu politicians shielded by British military power, when that domination will never be accepted by the fighting and martial races, by the Mohammedans.

I do not wish to weary the Committee with quotations. I have many statements in my possession of Mohammedan leaders which state quite plainly that they will not accept Hindu domination in an All-India Federation, and will never accept the Hindu Raj. That is the long and short of it, nor is it surprising; if

we look back on Indian history we see six and a-half centuries of Imperial tradition among the Mohammedans. When we read the story of Mohammedan rule in India of over six and a-half centuries, it is surely asking too much from them to expect them to enter a federation and accept Hindu domination which they have never done before in their history.

I believe that one of the inherent weaknesses in this federal scheme is that those who enter it are approaching it from a very different point of view and envisage a very different outcome to it. The Provinces are going to enter this Federation from the point of view of regarding it as a prelude to still greater advance. In fact, many British-India delegations and delegates have said that they consider that the Indian States should have no say in questions relating to the Provinces alone, and should exercise the least possible influence on them, whereas, on the other hand, the Indian States regard this establishment as a final move and desire to see no further departure from the conditions created by this Bill within the realm of practical politics, and for a very long time to come. I have here a quotation from the evidence given by Sir Tej Bahadur Sapru, who, though he admits that he cannot impose his views on the Indian States, says:

"I am strongly of opinion that one result, among others, of the association of British India and Indian States in the field of common activities in the Federal Legislature will be to facilitate the passage of the Indian States from their present form of autocratic government . . . to a constitutional form."

If that is the point of view of some politicians in the British India Provinces, it is exactly contrary to the view which is held by Indian States, and what is more, although this declaration is coupled with the most careful assurances of non-interference and avowals of inability to interfere with the internal affairs of the Indian States, the underlying threat is there, and is plain to see. In conclusion, I submit that a federation which is entered into by such reluctant and mutually suspicious units with such conflicting reservations and such opposite ends in view is a federation which, if it ever comes about, will do so in circumstances of an inauspicious nature. I appeal to the Government, in view of recent happenings, that they will at this eleventh, or even twelfth hour, withdraw the federal Clauses of this Bill and consider whether there is not a way out after all, a way not based upon the form of government to which we are accustomed, a Western democratic form, but a form of government which is understood in the East, an Oriental form and one which unlike these proposals will work.

9.40 p.m.

Lord SCONE: Those of us in the Conservative party who are opposed to the Indian policy of the Government have no desire whatever to take up more of the time of the Committee than is absolutely necessary, but the point of federation with which we are now dealing is so really vital to the whole scheme of Indian self-government that we do not feel called upon to apologise for ventilating this subject for a few minutes longer. We have never yet had a proper explanation as to why it was suddenly decided that one could not have federation in India without the adherence of the Princes. That was a complete *volte face*, and one, I submit, which has never been satisfactorily explained. You, Sir, have ruled that certain recent events have been so sufficiently discussed this afternoon that we cannot do more than pass lightly over them now. I will content myself with saying that there seems at the present time to be little reason to suppose that the Indian Princes are going to show any inclination to enter Federation in the future, and as, as far as we can see, their entry is a *sine qua non* of the policy of the Government, there seems to be little use in passing these Clauses dealing with federation if the whole thing is to be upset by the non-adherence of the Princes.

I should like to say a word of reply to the hon. Member for Caerphilly (Mr. Morgan Jones), who, I regret, is not in his place at the moment, when he complained that no mention was made throughout the debates of the working people of India. It is quite true that, as far as representatives of the Government are concerned, these references are few and far between, but if the hon. Member for Caerphilly and his friends will take the trouble to look at the speeches of the Conservative Opposition they will find that again and again anxious mention is made of the future welfare of the common people of India. My hon. Friend the Member for West Islington

[Lord Scone.]
(Mr. Donner) spoke on that subject a few days ago, the Noble Lord the Member for Aldershot (Viscount Wolmer) and I myself both mentioned it in our speeches on the report of the Joint Select Committee, and the hon. Member for Caerphilly will find that there is a great deal more genuine interest as to the fate of the common people of India on these benches than upon their benches.

The right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood) is very much perturbed because, he said, at the mention of the Princes everyone seemed to become upset. Let me assure him on this point that we have not been talking about the Princes so much because we considered their interests to be more vital than those of anybody else, but simply from the constitutional point of view, that the proposed Federation is impossible without their adherence and therefore we have been obliged to discuss whether they are likely to come into the Federation, and, if so, on what terms. As has already been said, it is the duty of this House to consider the whole of the people of India, Princes and peasants alike, and that is what we in our humble way are endeavouring to do.

I will now say in a few words why we object so strongly to this Federation. Of what is the Federation to consist? A number of Provinces on which we are about to confer the very doubtful advantage of a more or less democratic form of government. Democratic government is practically unknown in the East, and in most places its very significance is either not understood or not appreciated. Surely it is a sufficient risk to set up a large number of autonomous Provinces under a new form of democratic constitution without running the infinitely greater risk of giving a more or less democratic constitution at the Centre as well. Surely it would be wiser to try this new democratic experiment among a few Provinces at first, or even among the whole of the Provinces before you try to set up a central democratic constition at the same time. A collapse in one Province would be serious and a collapse in several Provinces would be very serious, but if you get a simultaneous collapse at the Centre and in the Provinces, the position of India, and more especially of the common people of India, would be very grave indeed.

There is much more that I could say, btu I hope that I have said enough to show that we are not opposing the Federation for any factious reason, but simply because we are convinced that should it take place it will not be in the interests of India and of Indians. Moreover, we regard it as a waste of time to set up a complicated federal system when there is every likelihood that federation will never come into being, because of the non-adherences of the Princes, the probability of which has been shown so clearly to-day.

The CHAIRMAN: If the Committee would allow me, I should like to make an appeal. I notice that one or two hon. Members who have risen are hon. Members who took a considerable part in Debate on the Clause. So far as I have been in the Chair, the Debate has been almost entirely a repetition of what was previously said.

Mr. ISAAC FOOT: May I say that this is the third of the six days allotted to this part of the Bill. We are on Clause 5 and there are a great number of most important matters to be reached within the six days. I hope that that fact will be borne in mind.

Mr. WISE: Further to the point of Order——

The CHAIRMAN: I have not raised the matter as a point of Order. I appealed to the Committee. I have no power to do anything else. If the Committee insists on talking, it is my business to carry on my ordinary duties, but I thought that in the circumstances it might be as well for me to say what I did.

Mr. GODFREY NICHOLSON: On that point of Order——

The CHAIRMAN: It is not a point of Order, and I do not intend that my remarks shall be discussed.

9.48 p.m.

Mr. PETHERICK: I will not delay the House for more than a minute or so. There is a point, mainly of drafting, which is of some substance in Clause 5. It states that His Majesty after receiving an Address from both Houses may declare that the Federation shall come

into being on a certain appointed day, providing that one condition is fulfilled, and that condition is that the Rulers of States, who are entitled to 52 seats, representing an aggregate population equal at least to one-half of the total population of the States, have acceded to the Federation. I do not think the Federation comes into being until the day appointed by His Majesty, and it seems to me that it is not possible for the Rulers of the States to accede to a federation that is not in being. The Secretary of State may say that in Clause 6 there is a provision that a State shall be deemed to have acceded to the Federation if certain conditions are fulfilled, and His Majesty has signified his acceptance of a declaration in due form by the ruler thereof, *but I do not think that you can* accede to a federation which is not in existence until an appointed day any more than you can become a member of a club that is not yet in existence. It seems to me—I hope the Secretary of State will correct me if I am wrong—that the words at the end of Clause 5 should read something like this: "Provided that the States have signified their intention to accede to the Federation." I should be very grateful for an assurance from the Secretary of State on that particular point.

The SOLICITOR-GENERAL (Sir Donald Somervell): We will certainly look into the point again, but if my hon. Friend will look at the opening words of Clause 6 he will see that:

> "The State shall be deemed to have acceded to Federation if His Majesty has signified his acceptance of a declaration made by the Ruler thereof."

We will certainly look into the point.

Mr. PETHERICK: I am not a lawyer, but I do not think that you can accede to a non-existing federation or be taken to accede to a non-existing federation.

9.51 p.m.

Mr. BAILEY: The learned Attorney-General told us that it was through the fullness of discussion that we could elucidate these problems. Therefore on this important question of federation, which affects the future of a whole continent, I am sure the Committee would not mind sitting beyond eleven o'clock. This question of federation goes to the root of the whole matter. I am absolutely in sympathy with my hon. Friend the Member for West Islington (Mr. Donner) when he said that to none of our criticisms can we get a satisfactory answer. We are constantly being met with some cheap jibe, or if we raise a serious point we are told that we are opponents of the National Government. We are not, but we have some very solid and substantial criticism on this question of federation and we think that we are entitled to have an answer.

We have been told for the last three or four years by the Secretary of State that the Government's acceptance of the principle of federation was entirely dependent upon the attitude of the Princes. I make no apology for referring to that point again, for the reason that we have not yet had an answer from the Government as to whether they are going on with this scheme if the Princes refuse to come into it. Seeing that we have the Prime Minister present, who can presumably speak on behalf of the Government, we might have a definite answer to a perfectly specific question. If the Princes within the next few weeks or the next few days while the Bill is before us are not able to come to a satisfactory arrangement with the Government on the question of federation, are the Government going on with their federation proposals? Before we leave the question of federation we have a right to an answer on that question. Otherwise, the whole of the arguments by which the Government have been forcing this matter through on the federation issue fall to the ground.

If we are going on without the Princes coming in and without their acceptance of it, what becomes of the Government's argument that the adhesion of the Princes has changed the whole position? If the Secretary of State would answer that one question I should feel that my observations had not been entirely in vain. I will give way if the right hon. Gentleman will answer that question. I have sat down, but the right hon. Gentleman does not wish to answer the point. I can quite understand why he does not want to answer. It is because he cannot. The Government have completely changed their attitude on this question, as on so many other questions during the last few weeks. They go on calling themselves a National Government but they cannot stand their ground on a single public issue. I call it a National Government but I am rapidly

[Mr. Bailey.]
coming to the conclusion that it is not national and that it is not much of a government at all. I do not want to allow my very natural feelings to overcome me. [HON. MEMBERS: "Hear, hear."] I do not welcome applause from the other side of the House.

The Government must not blame us. We have warned them again and again as to where they were leading the country. We cannot help doing this sort of thing. They are driving us to a crisis and splitting their own party because they will not stand by their own principles. They go from one set of principles to another in order to give concessions to their opponents. Hon. Members can laugh as much as they like, what I am saying is perfectly true. Laughter very often conceals great bitterness of heart. It is high time, when the future of our great Indian Empire is concerned, that the Government, on the question of federation, stood by the principles they have been laying down for years. I again challenge the right hon. Gentleman: Did he or did he not say that the acceptance of the Princes of a scheme of federation was essential? Having said that, does he adhere to it? If the Princes do not come in is he going to drop it while there is yet time? None of our criticisms on the question of federation have been answered, and our attitude has been grossly misrepresented. We are called Diehards. Why should we not call them White Flaggers? That sort of stuff gets you nowhere.

The CHAIRMAN: And I do not think it has to do with the question of Clause 5 standing part of the Bill.

Mr. BAILEY: There is one final point I desire to raise. We are constantly misrepresented on the question of federation. We are told that it is all a question of faith. Our attitude is that we are prepared to go a certain distance with autonomy in the Provinces without federation, not because we like to go that distance and not because we think it is for the good of India, but because we have been pledged and committed by the policy of previous Governments. We are prepared to make that experiment. We object to the federation proposals because we feel that, just as the right hon. Gentleman is being driven from the position he took up a little while ago, we shall also be driven from position after position until we shall have completely lost our hold on India, and shall not be able to recover because we shall have been driven out of the country lock, stock and barrel. For the last time to-night we are in a position to express our protest against a policy which we believe is ultimately going to result in a loss of prosperity to our people and the dismemberment of our great Empire, which has taken centuries to build up; and we are ashamed that the party to which we belong and a Government calling itself a National Government should have constituted itself the vehicle for carrying out such a shameful policy of abdication and surrender of our Imperial trust.

Question put, "That the Clause stand part of the Bill."

The Committee divided: Ayes, 246; Noes, 78.

Division No. 63.] **AYES.** **10.0 p.m**

Adams, Samuel Vyvyan T. (Leeds, W.)	Brown, Col. D. C. (N'th'l'd., Hexham)	Cruddas, Lieut.-Colonel Bernard
Albery, Irving James	Buchan-Hepburn, P. G. T.	Culverwell, Cyril Tom
Allen, Sir J. Sandeman (L'pool, W.)	Burghley, Lord	Dalkeith, Earl of
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Butt, Sir Alfred	Davidson, Rt. Hon. J. C. C.
Amery, Rt. Hon. Leopold C. M. S.	Campbell, Vice-Admiral G. (Burnley)	Davies, Maj. Geo. F. (Somerset, Yeovil)
Anstruther-Gray, W. J.	Caporn, Arthur Cecil	Dickie, John P.
Aske, Sir Robert William	Cautley, Sir Henry S.	Doran, Edward
Assheton, Ralph	Cayzer, Sir Charles (Chester, City)	Dugdale, Captain Thomas Lionel
Baillie, Sir Adrian W. M.	Cayzer, Maj. Sir H. R. (Prtsmth., S.)	Duggan, Hubert John
Baldwin, Rt. Hon. Stanley	Cazalet, Thelma (Islington, E.)	Duncan, James A. L. (Kensington, N.)
Baldwin-Webb, Colonel J.	Cazalet, Capt. V. A. (Chippenham)	Dunglass, Lord
Balfour, Capt. Harold (I. of Thanet)	Chamberlain, Rt. Hon. N. (Edgbaston)	Ellis, Sir R. Geoffrey
Barclay-Harvey, C. M.	Cochrane, Commander Hon. A. D.	Emrys-Evans, P. V.
Barton, Capt. Basil Kelsey	Colfox, Major William Philip	Entwistle, Cyril Fullard
Bennett, Capt. Sir Ernest Nathaniel	Colman, N. C. D.	Essenhigh, Reginald Clare
Boulton, W. W.	Conant, R. J. E.	Evans, Capt. Arthur (Cardiff, S.)
Bowyer, Capt. Sir George E. W.	Cook, Thomas A.	Evans, David Owen (Cardigan)
Boyce, H. Leslie	Cooper, A. Duff	Evans, R. T. (Carmarthen)
Braithwaite, J. G. (Hillsborough)	Cranborne, Viscount	Fielden, Edward Brocklehurst
Brass, Captain Sir William	Crooke, J. Smedley	Foot, Dingle (Dundee)
Briscoe, Capt. Richard George	Croom-Johnson, R. P.	Foot, Isaac (Cornwall, Bodmin)
Brocklebank, C. E. R.	Crossley, A. C.	Fremantle, Sir Francis

Ganzoni, Sir John
Gibson, Charles Granville
Gillett, Sir George Masterman
Glossop, C. W. H.
Glyn, Major Sir Ralph G. C.
Goff, Sir Park
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W.)
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W.(Orkney & Ztl'nd)
Hammersley, Samuel S.
Hanbury, Cecil
Harris, Sir Percy
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing-Com. A. W. H.
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kirkpatrick, William M.
Lamb, Sir Joseph Quinton
Latham, Sir Herbert Paul
Law, Sir Alfred
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Locker-Lampson, Rt. Hn. G. (Wd.Gr'n)
Loftus, Pierce C.
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G.(Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
MacDonald, Rt. Hn. J. R. (Seaham)
MacDonald, Malcolm (Bassetlaw)
McEwen, Captain J. H. F.
McKie, John Hamilton
Magnay, Thomas
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mason, David M. (Edinburgh, E.)
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Harold P.(Br'tf'd & Chisw'k)
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
North, Edward T.
O'Donovan, Dr. William James
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Owen, Major Goronwy
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Peters, Dr. Sidney John
Petherick, M.
Peto, Geoffrey K.(W'verh'pt'n, Bilston)
Pickthorn, K. W. M.
Pike, Cecil F.
Powell, Lieut.-Col. Evelyn G. H.
Pownall, Sir Assheton
Pybus, Sir John
Radford, E. A.
Ramsay, Alexander (W. Bromwich)
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ratcliffe, Arthur
Rea, Walter Russell
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Robinson, John Roland
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel Sir Edward
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Russell, R. J. (Eddisbury)
Rutherford, Sir John Hugo (Liverp'l)
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Smith, Sir J. Walker- (Barrow-in-F.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Soper, Richard
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stewart, J. Henderson (Fife, E.)
Stones, James
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sutcliffe, Harold
Tate, Mavis Constance
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Todd, A. L. S. (Kingswinford)
Train, John
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
White, Henry Graham
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE AYES.—
Lieut.-Colonel Sir A. Lambert Ward and Mr. Blindell.

NOES.

Acland-Troyte, Lieut.-Colonel
Addison, Rt. Hon. Dr. Christopher
Alexander, Sir William
Allen, Lt.-Col. Sir William (Armagh)
Bailey, Eric Alfred George
Balfour, George (Hampstead)
Banfield, John William
Batey, Joseph
Bracken, Brendan
Braithwaite, Maj. A. N. (Yorks, E.R.)
Broadbent, Colonel John
Brown, C. W. E. (Notts., Mansfield)
Churchill, Rt. Hon. Winston Spencer
Cleary, J. J.
Cobb, Sir Cyril
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cripps, Sir Stafford
Croft, Brigadier-General Sir H.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Dawson, Sir Philip
Dixey, Arthur C. N.
Dixon, Captain Rt. Hon. Herbert
Donner, P. W.
Edwards, Charles
Emmott, Charles E. G. C.
Gardner, Benjamin Walter
Greene, William P. C.
Grenfell, David Rees (Glamorgan)
Gretton, Colonel Rt. Hon. John
Griffiths, George A. (Yorks, W. Riding)
Gritten, W. G. Howard
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Hicks, Ernest George
Hunter, Capt. M. J. (Brigg)
Jones, Morgan (Caerphilly)
Keyes, Admiral Sir Roger
Kimball, Lawrence
Knox, Sir Alfred
Lansbury, Rt. Hon. George
Lawson, John James
Leonard, William
Lunn, William
McEntee, Valentine L.
Maclean, Neil (Glasgow, Govan)
Maitland, Adam
Marsden, Commander Arthur
Maxton, James
Milner, Major James
Nall, Sir Joseph
Nathan, Major H. L.
Nunn, William
Oman, Sir Charles William C.
Parkinson, John Allen
Raikes, Henry V. A. M.
Rathbone, Eleanor
Reid, David D. (County Down)
Remer, John R.
Sanderson, Sir Frank Barnard
Scone, Lord

Sinclair, Col. T. (Queen's Univ., Belfast)
Smith, Tom (Normanton)
Somerville, Annesley A. (Windsor)
Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Templeton, William P.
Thorp, Linton Theodore
Tinker, John Joseph
Touche, Gordon Cosmo
Wayland, Sir William A.
Wedgwood, Rt. Hon. Josiah
Wells, Sydney Richard
Williams, David (Swansea, East)
Williams, Edward John (Ogmore)
Williams, Herbert G. (Croydon, S.)
Wise, Alfred R.

TELLERS FOR THE NOES.—
Mr. John and M . Paling.

CLAUSE 6.—(*Accession of Indian States*).

The SOLICITOR-GENERAL: I beg to move, in page 3, line 19, to leave out, "a declaration made," and to insert, "an instrument of accession executed."

This is the first of a series of Amendments to the Clause in the name of my right hon. Friend the Secretary of State, and it might be for the convenience of the Committee if I dealt with them all on this Amendment. They are all drafting Amendments in the sense that they do not alter the intention or the substance of the Clause as drafted. They are designed to make the intention clearer and to simplify the original drafting. Earlier to-day my right hon. Friend the Secretary of State referred to this Clause, gave an analysis of its main outlines and made a reference to these Amendments. Having regard to that very clear statement, I do not think it is necessary for me to repeat the analysis of the Clause in order to make these drafting Amendments intelligible to the Committee. The Amendments in the first place bring up from Sub-section (7) of the Clause as it was drafted the words, "Instrument of Accession" and make it clear that the Instrument of Accession is the operative document in which what were originally referred to as declarations will in fact be made. So it will be found in the six Amendments that where in the original drafting we found the word "declaration" we substitute the words "Instrument of Accession."

Then there is an Amendment which is designed to make clear what was always intended, namely, the obligation of a State to ensure due effect of the Act within its territory. The obligation of the ruler to ensure due effect within the State is limited to provisions which are applicable to the State by virtue of the Instrument of Accession. The Amendments also rearrange the latter part of Sub-section (1, *b*) in that part of the Clause which says that the Instrument of Accession will specify which of the matters mentioned in the federal legislative list he accepts as matters with respect to which the Federal Legislature may make laws for his State and his subjects. As amended Sub-section (1, *b*) will stop there, and what is contained in the three latter lines of the original Clause will come in the proviso, and added words, which are in an Amendment to line 38, will also make it clear that the Instrument of Accession will not only specify the subjects in the federal list, subject to any conditions and limitations with regard to that, but also the Instrument of Accession may qualify the provisions of the Act, but only if there are provisions of the Act which expressly authorise their being qualified in that way.

Mr. CHURCHILL: On a point of Order. Are we to take it that we are now discussing not only the Amendment which is actually before the Committee but also the Amendment on page 345 of the paper to which the Solicitor-General has referred?

The CHAIRMAN: The Solicitor-General proposed, I think with the general assent of the Committee, to discuss on this first Government Amendment all the Government Amendments to this Clause. The right hon. and learned Gentleman has pointed out that these Amendments are all related and that they stand together.

Mr. CHURCHILL: Will that have the effect of cutting out the important Amendments which we seek to make in this Clause?

The CHAIRMAN: No. The ordinary course is that those Amendments which are related one to the other are discussed as a whole on the first of them to be moved and that on the ones later the question should be put on each of them as reached without debate. After the general discussion we shall proceed to take the next Amendment which would be called in the ordinary course. Then when we reach the next Government Amendment that will be put to the Committee without further discussion.

The SOLICITOR-GENERAL: This is a complicated matter but I shall do my best to make the point clear. My right hon. Friend explained this afternoon

that the general scheme of the Clause is that the ruler will accede to the Act as a whole dealing with these powers of the Federal Executive. What the ruler does in the Instrument of Accession is, first, to limit the area within which those powers will be exercised, and then with regard to the subjects in the federal list which he agrees to accede to, he will have power to impose conditions and limitations. For instance, there are treaty rights which no one for a moment suggests should be interfered with and which would come within the area of one of the subjects in the federal list. So far, I think the general lay-out of the Clause is clear. In addition to that, I would ask the Committee to look at Clause 124 which deals with the administration of Federal Acts in Indian States. But for this Clause the administrative powers of the Federal Executive would apply completely in respect of any subject which had been acceded to. This Clause provides:

"Notwithstanding anything in this Act, agreements may, and, if provision has been made in that behalf by the Instrument of Accession of the State, shall, be made between the Governor-General and the Ruler of a Federated State for entrusting to the Ruler or to his officers functions in relation to the administration in his State of any law of the Federal Legislature which applies therein, but any such agreement shall contain provisions enabling the Governor-General in his discretion to satisfy himself, by inspection or otherwise, that the administration of that law is properly carried out."

There is a Clause which says expressly that a particular limitation in regard to the general application of the Act may be made. In the words which it is proposed to add express reference is made to the fact that provision in the Instrument of Accession may be made in matters of that kind, if the Act expressly authorises their insertion in that place.

Mr. MORGAN JONES: Do I understand the Solicitor-General to say that, supposing a Prince accedes in respect of 10 such federal subjects, it is only the Governor-General who can assure himself that the 10 subjects are being properly administered within the State?

The SOLICITOR-GENERAL: I think the hon. Member misunderstood me. In the ordinary case a State, by acceding to 10 subjects, will accede in respect not only of the legislative powers, but of the administrative powers of the Federation. The Clause to which I refer, Clause 124, is intended to meet the special case of some large State with an efficient administration which puts forward the suggestion that it might itself be allowed to administer one or more subjects in respect of which it accedes. Clause 124 says that such an agreement may be made, but if it is made, then the Governor-General is given the special power of inspection to which I have just referred. Then there is another Amendment. The Committee will see in paragraph (*b*) in line 34, the word "condition," where it will be found that in the new Amendment in substitution for that word and in other places where the word "condition" occurs, we have added "and limitations." It was thought that treaty matters, for instance, as to which nobody suggests a State could not properly make reservations, are more properly described as limitations than conditions.

Mr. EMMOTT: Is that on the Order Paper?

The SOLICITOR-GENERAL: That is where the word occurs in the Clause as now drafted. Those words are taken out of that place, and somewhat similar words come in in another place, and where the word "condition" occurred previously by itself in the Clause, we now put in the words "and limitations." That is a general statement, and if I now refer to these Amendments where they come on the Order Paper, I hope I may be able to make clear what is being done. The first one is at the bottom of page 343 of the Order Paper, and that is in the first category to which I referred. It substitutes the words "an Instrument of Accession executed" for "a declaration made." The Committee will see that in the Clause as originally drafted the Secretary of State is deemed to have acceded to the Federation if His Majesty has signified his acceptance of a declaration made by the Ruler. It was intended that that should be the Instrument of Accession, and we now make that clear by bringing those words up to the top of the Clause. The next Amendment is on page 344, the last but one fro mthe bottom, in page 3, line 33, to leave out from "subjects" to "and" in line 36. Those are the words which I told the Committee we were leaving out

[The Solicitor-General.]

and covering by words which occur later in the proviso. The next group will come on page 345, the second lot of Amendments. The first one is in line 38, to leave out "to this Act." Those words come out, and there are inserted in their place:

"to the provisions of this Act so far as they are applicable therein by virtue of his Instrument of Accession."

The Amendment makes clear what was the obvious intention, namely, that the Ruler will only assume

"the obligation of ensuring that due effect is given within his State to the provisions of this Act so far as they are applicable therein by virtue of his Instrument of Accession."

In the original draft the words "to this Act" were unqualified. That is just the kind of point that might give rise to misunderstanding in the position as it is. The next Amendment is a long one and substitutes words for "a declaration may be made" in line 39. They cover the ground covered by the last lines of paragraph (*b*) and make it clear what can be and what cannot be in the Instrument of Accession. It is, perhaps not necessary to read the Amendment as I think I have fairly explained the effect of it. The next Amendment in page 4, line 5, is to effect the substitution of the word "Instrument" for "declaration," and the following one in line 7 is to insert "with or without conditions or limitations" in place of "conditionally or otherwise"; and the others in this group are consequential. In line 19, there is another substitution of the word "Instrument" for "declaration," and in lines 37 and 38 are two more of the same kind. The last one is in page 5, line 1, to leave out Sub-section (7). As the words "Instruments of Accession" have now been brought up to the front of the Clause it is unnecessary for these provisions to remain in Sub-section (7). They have been covered by bringing the words up to the beginning of the Clause and also by the added words in line 38 on page 3.

10.28 p.m.

Mr. CHURCHILL: We are all indebted to the learned Solicitor-General for the cogency and the compression of his statement on this series of Amendments, which play an important part in the Government's alterations to the Bill. I feel, after what my hon. and learned Friend has said, that the Committee is now in full possession of all the points at issue. As we are anxious to get on as rapidly as possible, I shall not find it necessary to delay the Committee by exploring this matter further, but there are one or two questions I wanted to ask. As far as I am able to throw myself into the full stream of the right hon. and learned Gentleman's discourse, I gather that this series of Amendments is designed to placate the Princes, a very legitimate and a very necessary task, designed to placate them upon the varying and complicated type of their Instruments of Accession. The rather vulgar commonplace word "declaration" has been put into a suitable background, and the expression "Instrument of Accession" is given due prominence. That is the specific Amendment, and it inaugurates a series of Amendments all designed, as I take it, to enable the Secretary of State to go round to these Princes one by one. Perhaps the right hon. Gentleman will give me his attention. Perhaps he was telling the learned Solicitor-General of something which the latter had forgotten to say. They are all designed to enable my right hon. Friend to go round to these Princes one by one—not having them in a great bunch of 100, as we saw the other day in Bombay—but one by one and take from each according to what he can give—from each according to his power, to each according to his need. It will be a case of an indefinite succession of individual dealings. After all, some will contribute a good deal to the Federation, others may only be able to give very little, but he needs them all, and this Amendment gives him the power to arrange anything that he likes with any Prince in order to gather his force together.

I take it that is the object of the extremely powerful technical exposition from the Solicitor-General. We can quite understand the purpose; although some of us, not having a legal training, may not be able to follow every one of those refinements, yet, nevertheless, the purpose is nakedly clear. It is to enable the right hon. Gentleman to gather his party together among the Princes. But there are one or two questions I must really ask. There must be some limit, some minimum test, before he can say he has got a

Prince. Of course, the larger the party the more generous are the conditions of association, but this is rather a small party, on the narrow verge between the 50 per cent. who we thought were associated with the whole party and the 75 per cent. where a lot of vulgar blackmailing considerations might intrude upon the course of the Imperial Government. Therefore, the right hon. Gentleman must have a more or less precise test. I hope he will tell us what is the least concession of individual State rights which he will accept as suitable for the Crown to concur with. I gather we shall have all kinds of Instruments of Accession. Some will come in for a lot, and some for less, and some for hardly anything—some will hardly pay the green fees. At any rate, however they are in there must be some test, and I hope the Secretary of State will tell us quite shortly what it is. I would not wish him to go over all the legal points again. We have got them. Quite shortly, what exactly is the least that will qualify a Prince to be told, on the authority of the Crown, that he has executed an acceptable Instrument of Accession—I think I have got that right?

Another question which arises is a little more complex, but I think I can put it without any legal complication. All these Instruments of Accession will be of varying types and varying values. Some will be whole-timers, some half-timers, others will only just chip in for a bit and go away again. All these Instruments of Accession are of varying values. There may be four, five or six different types, or many more. How do those varying values affect the principle of 50 per cent. of the Princes coming in in order to constitute the basis of the federal system? It is obvious that these react upon one another. You cannot count the half-timers as whole-timers. For the purpose of 50 per cent. you cannot count a man who only comes in for one thing or another, and who says, "I come into Federation on this limited liability principle; I quite agree with it as far as that is concerned." You cannot count him as a 100 per cent. factor of the 50 per cent. necessary quota.

These react upon each other, and we are getting into an extremely complicated notation in this matter. I hope the right hon. Gentleman will tell us quite plainly whether, when he says there must be a 50 per cent. minimum of the Princes by population and territory, as set out in the Bill, he means 50 per cent. *bona fide* Instruments of Accession and not merely a number of Princes who may have paid a certain lip-service to the principle, although they may have a certain population and territory. Are these obligations to be reciprocal? Is everyone—including those who come in for a very little—also to be excluded from voting in the Debates of the Federal Assembly in respect of matters which they have not, as it were, put into the pool? If you are to carry out this immensely complicated scheme, the like of which was never seen on earth, in Heaven or in the waters under the earth, and will never be seen again after we have finished with it, at least you should lay down the broad principle that no one shall take out of the federal pool more than he puts in, and that no Prince shall take out of the federal pool more than he puts in. I hope I shall be able to have an assurance that that is definitely embodied in the law.

I am sure my right hon. Friend will clear up these points of difficulty which remain over; he really owes it to us to do so. He said earlier in the day that the House had instructed him to produce this Bill, but I think responsibility does not rest entirely upon the House. He forgot to mention that before the House instructed the Government to produce this Bill, the Government instructed the Whips to instruct the House to instruct him to produce exactly the Bill that he requires.

10.38 p.m.

Mr. MORGAN JONES: I am very glad that the right hon. Gentleman added the last point, which in substance is the same as that which we have repeatedly put before the Committee. Earlier in the evening I tried to show some reasons why we objected to federation, and among the arguments which I advanced was the last argument of the right hon. Gentleman the Member for Epping (Mr. Churchill) to which I have just referred. It is possible for a Prince to accede to this federation on the basis of one item in the list. It is, of course, possible that the Secretary of State has in his mind some common factor, some common

[Mr. Jones.]

measure, to which all the Princes must accede. He may have in his mind that a Prince must accept 10 items or 20 items, as the case may be. If hon. Members look at the list they will see what the items are. I look casually at page 293, and among the subjects is No. 46, State lotteries. If a Prince is prepared to accept, in the federal list, the item of the governance of State lotteries, as a federal subject, does that entitle him, on that basis alone, to become a member of the Federation, and to exercise all the powers that membership of the Federation involves, even to the extent of withstanding any measure of democratic advance in other parts of British India? It is a most important point, which ought to be cleared up, and I hope the right hon. Gentleman will be able to tell us to-night that it is in his mind and in the mind of the Government of India that all the Princes must accede in common to some common list—that there must be a common standard for them all——

Mr. CHURCHILL: A common minimum.

Mr. JONES: Yes, a common minimum. Otherwise, I think that federation is simply a sham. The right hon. Gentleman said this afternoon that he is not going to have a sham federation, but, unless he has a fuller explanation to give to us than he has been able to give so far, it will be a sham federation, because there will be no common standard to which all the Princes must subscribe. My second point is one that I tried to put to the Solicitor-General earlier in an interruption. Supposing that a Prince has acceded in respect, say, of 10 subjects, what is the effect of Clause 124 in relation to this point? If that Prince demands, as the price of his accession, that the administration of the 10 subjects within his State shall be in the hands of State officials, acting, so to speak, in the capacity of agents on behalf of the Federation, do I gather that, once the State officials have become the administrators of the federal laws inside the State on behalf of the Federation, the Central Legislature will have no power itself to supervise the administration of those 10 subjects, but that that supervision is in the hands of the Governor-General, and not of the Central Legislature? The point is an important one, because the Central Legislature will supervise the administration inside British India, but may delegate its authority in respect of administration to State officials inside a State, and will then have no direct power itself to see that its federal laws are being properly administered inside those areas, except in so far as the Governor-General satisfies himself that that is the case.

My third point is a rather difficult one. It is in regard to Sub-section (2), where there is a reference to a supplementary declaration. Supposing that a Prince has in the first instance acceded in respect of 10 subjects, and that later, as the Federation seems to progress or begins to be operative, the ruler thinks he would like to hand over the administration of two or three other subjects, does the supplementary declaration include the supplementary subjects which he may want to accept from the federal list? I am afraid I have put the point rather clumsily, but I hope it will be clear to the right hon. Gentleman. There is yet a further question which I should like to put to you, Sir Dennis. I take it that, in discussing these subjects now *en masse*, as it were, we are taking an all-round discussion on them, but that you will be calling in the proper place the Amendment which stands in the name of my hon. Friend the Member for Westhoughton (Mr. Rhys Davies) at the bottom of page 344—In page 3, line 36, after "subject," to insert:

"(*c*) declares that he accepts as matters with respect to which the Federal Legislature may make laws for his State and his subjects the matters numbered twenty-six, twenty-seven, and twenty-eight in the Concurrent Legislative List, namely:

(i) Factories; regulation of the working of mines, but not including mineral development;

(ii) Welfare of labour; provident funds, employers' liability, and workmen's compensation;

(iii) Trade unions; industrial and labour disputes."

The CHAIRMAN: That is so. Perhaps I may repeat what I said just now. Having disposed of this Amendment, we shall take the other Government Amendments when we come to them in their order without discussion. Sandwiched between those various Government Amendments will come, in their due place, whatever other Amendments on the Order Paper are selected by the Chair.

Sir C. OMAN: Would it be permissible for a Sovereign who has been requested by His Majesty's Government to reside outside his own territories for a time to accede on behalf of himself and his successors and, secondly, is it possible for a regency acting for a minor, who may be 20 years ahead of coming of age, to accede in his name and, if so, will the power of acceding on behalf of these two classes of people be in the hands of the Government?

10.47 p.m.

Lord EUSTACE PERCY: May I ask the Secretary of State to make one thing clear in his reply. There is an Amendment in his name, in Clause 6, page 3, line 39, to leave out "a declaration may be made," and to insert:

"an Instrument of Accession may declare that the Ruler accepts this Act subject to such provisions, if any, as may be specified in the Instrument, being provisions which are by this Act expressly authorised to be included in an Instrument of Accession, and that his acceptance of any matter as a matter with respect to which the Federal Legislature may make laws is subject to such conditions and limitations, if any, as may be so specified.

(2) An Instrument of Accession may be executed."

I read this originally in a sense in which I think anyone else might read it, including any Indian Prince, namely, that not only were the permissible provisions all to be specifically authorised in the Act but also that any conditions or limitations which a Prince desired to insert into the Instrument of Accession should also be expressly authorised in the Act. I understand that that is not intended to be the case and that there is no intention to say that the conditions ad limitations of the Instrument of Accession which a Prince may insert are limited to such conditions as are expressly authorised in the Act.

10.48 p.m.

Sir W. DAVISON: There is one very interesting matter that has just emerged. Do I understand that one of the items to which these Princes are to be invited to subscribe is that of State lotteries? If so, this is a most extraordinary thing——

The CHAIRMAN: I think that question will arise when we come to it.

Sir W. DAVISON: As it is one of the items which we are now discussing, which it is necessary for a Prince to subscribe to in order to come into the Federation, surely I am entitled to refer to it and ask the Government whether they really intend that State lotteries should be one of the items to which a Prince shall be invited to subscribe.

The CHAIRMAN: The hon. Gentleman is not entitled to do that here. Later on, if all goes well, we shall come to where that appears, and then will be his opportunity.

Sir W. DAVISON: I was only anxious at the moment to draw attention to it.

10.50 p.m.

The SOLICITOR-GENERAL: I will first deal with the point raised by the Noble Lord the Member for Hastings (Lord E. Percy), namely, the position with regard to subjects when a State comes up for consideration. They can give their list of federal subjects and can accompany that with conditions or limitations as they desire.

Lord E. PERCY: Whether mentioned in the Act or not?

The SOLICITOR-GENERAL: That is so, whether mentioned in the Act or not. So far as a State is concerned where subjects are qualified by conditions or limitations; with reference to these subjects, that is one thing it can do. It can, in addition, ask for limitations in respect of others, but can only ask for such limitations or provisions as are expressly authorised by the Act.

Mr. D. D. REID: May I ask whether the Instrument of Accession is not a final document? It must be, definitely.

The SOLICITOR - GENERAL: The Instrument of Accession is a final form, the result, as everybody will agree, of negotiations. When I was speaking just now I mean to refer, if I did not make myself clear, to the first stage of negotiations, when the State said, "We will accede, we would like this condition or limitation to be made if the negotiations go on." My hon. Friend is right in that when the thing comes to be an Instrument of Accession it is a final and complete document.

Sir ARTHUR STEEL-MAITLAND: I should like to ask one simple question—whether these limitations and conditions

[Sir A. Steel-Maitland.]
that may be asked for apply simply to subjects in List 1 or also to List 3, the concurrent list?

Major NATHAN: I should like to ask what is the machinery for the signing of the Instrument of Accession in the circumstances which seem to me to be contemplated in Sub-section (3), where it is prescribed that a declaration shall not be valid unless it is the declaration of the ruler himself?

The CHAIRMAN: I do not think that arises on this Clause.

Major NATHAN: It is raised in one of the Amendments. There is reference to the acceptance of an Instrument of Accession made by the ruler thereof. The question I am attempting to put to the Secretary of State is, how does the ruler sign or execute the instrument to which reference is made under Sub-section (1)?

The CHAIRMAN: We are not discussing that at all; the Amendment on which that question could have been raised is quite limited in scope. It is quite wrongly raised on the Clause.

Sir H. CROFT: In view of the vital importance of the question, could not the Secretary of State answer first thing to-morrow?

Sir S. HOARE *assented.*

Mr. THORP: Is it the view of the Government that the words in Sub-section (1, *b*) would allow a time limit to be placed on the application of the condition?

The CHAIRMAN: That question cannot be taken on this Clause.

Ordered, "That the Chairman do report Progress and ask leave to sit again."—[*Captain Margesson.*]

Committee report Progress; to sit again To-morrow.

The remaining Orders were read, and postponed.

ADJOURNMENT.

Resolved, "That this House do now adjourn."—[*Captain Margesson.*]

Adjourned accordingly at Two Minutes before Eleven o'Clock.

HOUSE OF COMMONS.

Wednesday, 27th February, 1935.

[**OFFICIAL REPORT.**]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

Clacton-on-Sea Pier Bill,

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

Southern Railway Bill (by Order),

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

ORAL ANSWERS TO QUESTIONS.

ITALY AND ABYSSINIA.

1. **Mr. MANDER** asked the Secretary of State for Foreign Affairs whether, in view of the success achieved in the preservation of peace by the presence of an international force in the Saar, he will ask the Council of the League of Nations to consider whether an international force might be organised to occupy temporarily the area in dispute between Italy and Abyssinia in connection with the neutral zone now under discussion?

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir John Simon): There is no similarity between the situation that existed in the Saar and that which exists to-day on the undefined border between Italian Somaliland and Ethiopia.

Mr. MANDER: Can my right hon. Friend say whether the arrangements for the neutral zone have been completed?

Sir J. SIMON: I am afraid they have not been completed, but the matter is constantly engaging attention.

Mr. MANDER: Is it intended that the Belgian and Swedish officers referred to should take any part in the neutral zone?

Sir J. SIMON: This is not very closely connected with the original question. It is, of course, not a matter which primarily concerns His Majesty's Government. I understand that some difficulty has arisen as between the Italian and Abyssinian Governments as to whether the Belgian and Swedish advisers should take part.

Lieut.-Commander BOWER: Would my right hon. Friend be prepared to ask the Council of the League of Nations to consider whether an international force might be organised to occupy temporarily the town of Wolverhampton during the next general election?

4. **Captain PETER MACDONALD** asked the Secretary of State for Foreign Affairs what is the position with regard to the agreement signed in London between Great Britain, France and Italy in 1906 by which it was agreed to maintain the integrity of Abyssinia, and that no Power should intervene in her affairs without the understanding of the other two?

Sir J. SIMON: The agreement between the United Kingdom, France and Italy respecting Abyssinia, signed on the 13th December, 1906, is still in force. Under this agreement, which has been published as Command Paper No. 3298 of 1907, the three Powers agreed to co-operate in maintaining the political and territorial *status quo* in Ethiopia, as determined by the state of affairs then existing, and by a number of earlier agreements cited in the above-mentioned tripartite treaty.

Mr. MANDER: Has the attention of the Italian Government been called recently to the terms of this treaty?

Sir J. SIMON: Oh, yes.

Captain MACDONALD: Are the signatories to the agreement in constant touch at the present time with a view to maintaining the *status quo*?

Sir J. SIMON: Yes, communications, of course, are passing. It is fair to say that the difficulty is that the frontier between Ethiopia and Italian Somaliland has never been delimited.

RUSSIA (BRITISH DEBTS).

5. **Commander OLIVER LOCKER-LAMPSON** asked the Secretary of State for Foreign Affairs whether he will make any visit to the Soviet Government con-

[Commander Locker-Lampson.]
ditional upon its agreement to discuss the debts still due to private British nationals?

Sir J. SIMON: I cannot add to the reply which I gave in answer to a question by the right hon. Gentleman the Leader of the Opposition on the 25th February.

Commander LOCKER-LAMPSON: Can my right hon. Friend say whether he is likely to be able to give an answer in the near future?

Sir J. SIMON: I referred to that matter in the reply to which I have just referred, and to that reply I cannot at present add anything.

Colonel WEDGWOOD: Does the right hon. Gentleman realise that the people of this country would appreciate very much a visit to Moscow by the right hon. Gentleman?

PROPOSED AIR AGREEMENT.

6. **Mr. MANDER** asked the Secretary of State for Foreign Affairs whether it is proposed to negotiate the air pact on the lines of the British Draft Disarmament Convention, permitting 500 aeroplanes to the United Kingdom, France and Italy, and 150 to Belgium; whether 500 would be allocated to Germany; and whether it is intended that this shall be an interim arrangement pending the complete abolition of military aviation under Article 35 of the proposed convention?

Sir J. SIMON: The discussion of the proposed air agreement has not reached a stage at which I can make any statement in regard to it.

Mr. MANDER: Will not the British draft convention be a very relevant document when these discussions take place?

Sir J. SIMON: I am not denying its relevance; I am only saying that I cannot make a statement about it.

ROYAL NAVY.

DOCKS.

8. **Brigadier-General NATION** asked the First Lord of the Admiralty the number and location of graving docks and floating docks, respectively, capable of taking ships of the following classes: Hood, Nelson, Royal Sovereign, Queen Elizabeth, Renown, and Courageous?

The FIRST LORD of the ADMIRALTY (Sir Bolton Eyres Monsell): My answer is confined to docks in the British Empire. The "Hood" can be taken in 11 graving docks and 3 floating docks. The corresponding figures for the "Nelson" are 12 and 2, for the "Royal Sovereign" and the "Queen Elizabeth" 13 and 5, for the "Renown" 12 and 3, and for the "Courageous" 23 and 3. The docks are situated at Devonport, Portsmouth, Rosyth, Tilbury, Avonmouth, Belfast, Birkenhead, Liverpool, Southampton, Malta, Gibraltar, Durban, Esquimalt, Quebec, New Brunswick, Bombay, and Singapore.

Mr. GEORGE HALL: Can the right hon. Gentleman say how many of them come under the direct control of the Admiralty?

Sir B. EYRES MONSELL: I think probably all those docks that I have mentioned.

MALTESE SEAMEN (REPATRIATION).

10. **Mr. G. HALL** asked the First Lord of the Admiralty whether he is aware that on 1st September last four Maltese were signed on at Malta for the R.F.A. "War Diwan"; that upon reaching Devonport on 14th January they were discharged with the remainder of the British crew but were allowed to work by the vessel until 6th February, that they were then offered repatriation to Malta by the R.F.A. "Bacchus," provided they paid their own fares from Devonport to Chatham and also for their food from Chatham to Malta; that, as they were practically destitute, the cost of their fares to Chatham was advanced by the Plymouth representative of the National Union of Seamen; and whether he will have inquiries made into this matter and at the same time make provision for repayment to the National Union of Seamen of the £4 17s. advanced for fares?

The PARLIAMENTARY SECRETARY to the ADMIRALTY (Lord Stanley): I am informed that the statements in the first three parts of the question are correct. These men, who had been signed on to replace English seamen, landed sick, were paid their full wages at National Maritime Board rates, and were signed off at Devonport in accordance with the terms of their engagement, which provided for their discharge in the United Kingdom. No further obligation rested

on the Admiralty, but as an act of grace they were offered passage home in the "Bacchus" from Chatham. They could well afford to pay their railway fare from the full wages received, and the union will no doubt be able to recover from them the sum advanced. Although the Admiralty have no responsibility in the matter, consideration is being given to the possibility of preventing a similar occurrence in future.

HIS MAJESTY'S SILVER JUBILEE (CELEBRATIONS).

9. **Captain P. MACDONALD** asked the First Lord of the Admiralty whether arrangements will be made to enable Members of Parliament and their wives to witness the Naval Review to be held at Spithead in July; and, if so, whether he is yet in a position to indicate what will be the nature of these arrangements?

Sir B. EYRES MONSELL: Arrangements for the accommodation of official guests, who will naturally include Members of Parliament and their wives, at the Naval Review next July are at present under active consideration, but it is not yet possible to make a detailed announcement on the subject.

43. **Lieut.-Colonel MOORE** asked the First Commissioner of Works whether he contemplates making any special arrangements, and, if so, of what nature, in connection with the Royal parks, to mark the celebration of the Royal Jubilee?

The FIRST COMMISSIONER of WORKS (Mr. Ormsby-Gore): I have no doubt that the Royal parks will be largely used during the forthcoming Silver Jubilee for their normal purpose of providing rest and recreation for the public, as well as for certain special purposes in connection with His Majesty's drives, the chain of bonfires and the police review. I have given permission for an unofficial thanksgiving service to be held in Hyde Park on the afternoon of Sunday, 12th May, but beyond this no permission has been given for any arrangements of an exceptional character.

Lieut.-Colonel MOORE: Would the Minister consider flood lighting, as was done on the previous occasion with great success?

Mr. ORMSBY-GORE: Flood lighting is already announced for the lake in St. James's Park.

Mr. THORNE: In consequence of the number of men who are being called upon to work in Hyde Park on Jubilee Day, will the Minister see that those men get an alternative day off later on?

Mr. ORMSBY-GORE: I would like notice of that question.

Sir PERCY HARRIS: Will the Minister floodlight part of the Royal parks as an experiment, because improved lighting is very much needed for the Royal parks?

45. **Mr. GRUNDY** asked the Prime Minister whether steps have yet been taken to recommend to all employers of labour the payment of wages on the national holiday to commemorate the twenty-fifth year of His Majesty's accession; and whether he has received a satisfactory response on the subject?

The LORD PRESIDENT of the COUNCIL (Mr. Baldwin): I would refer the hon. Member to the answer given to him by my right hon. Friend the Prime Minister on 4th February. The Government are confident that employers are fully sympathetic to the desire that wages should be paid as far as circumstances permit, and that they will show every possible consideration for their workpeople.

Mr. THORNE: May I take it that the right hon. Gentleman heard the reply given to my supplementary question just now by the First Commissioner of Works, in regard to the people who will have to work in Hyde Park on Jubilee day; will he be good enough to advise the Government to link these people up with the other Government employés?

Mr. BALDWIN: I think my right hon. Friend the First Commissioner of Works asked the hon. Member to put that question on the paper. The intentions of the Government were made perfectly clear. So far as Government employés are concerned, payment will be made.

Mr. WEST: Will the right hon. Gentleman see that the employers give something more concrete than sympathy?

Mr. BALDWIN: It is only fair to remind hon. Members that there is the

[Mr. Baldwin.]
utmost good will in this matter and that discussions are proceeding between employers and the trade unions concerned. There is, however, very large number of employers in this country who will find it impossible to pay the money that they would be only too glad to pay if they were able.

KENYA.

12. **Captain GUEST** asked the Secretary of State for the Colonies whether he is aware that there has been a large deficit on the budget of Kenya Colony for six successive years, and that the amount of the annual deficits, after showing some decline until 1934, is expected to increase again in respect of that year; whether these deficits have been realised in spite of very heavy taxation and have been accompanied by a progressive decline in the commerce of the Colony and in the acreage of land under European settlement; whether he is aware that these facts have aroused alarm and resentment among taxpayers, who have no executive control over the expenditure or over the revenue of the Colony; and what action he proposes to take in the matter?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): Kenya, in common with other primary producing countries, has suffered a serious decline in prosperity during recent years. But I am not without hope that the development of gold mining and other activities may gradually repair the situation of the colony. The budget for the current year anticipates a surplus; the estimated Customs revenue for last December showed the highest figure since 1930, and the returns for the first month of 1935 afford similar evidence of an expansion of trading activity. In the absence of drought and locusts, there are reasonable grounds for supposing that the anticipated budget surplus may, in fact, be exceeded. As regards the latter parts of the question, this House has very definitely expressed the view that the general recommendations of the Joint Select Committee ought to be accepted.

Captain GUEST: Arising out of that reply, most of which I had not the pleasure of hearing, is the right hon. Gentleman aware that a declaration of rights, supported by the elected members for Kenya, was circularised to all taxpayers demanding the right to control their financial affairs, and that if some step is not taken, this will lead to a grave situation and serious alarm?

Sir P. CUNLIFFE-LISTER: I was not aware of this document, but the House will very well recollect that the whole of this situation was most closely examined by the Joint Select Committee, that the report of that committee, which was unanimous, was very fully debated in this House, and was, I think, unanimously accepted in all quarters of the House.

Mr. WISE: Will not the Secretary of State draw the attention of the taxpayers of Kenya to the fact that the deficits from which they are suffering are largely due to the prolific expenditure, almost entirely on their behalf, in the past?

Captain GUEST: May I draw the right hon. Gentleman's attention to the fact that his dates are not in keeping with the situation, and that the declaration of rights to which I am referring was issued, with the support of the elected members, as late as December of last year?

Sir P. CUNLIFFE-LISTER: I imagined that it was a very recent document, otherwise I should have known of it, but I do not think that in the least alters the importance or relevance of what I said, that the whole of this question of financial control was most carefully examined by the Select Committee, who heard members of the Legislative Council of Kenya and unanimously reported that the situation must be as the committee recommended.

14. **Major MILNER** asked the Secretary of State for the Colonies whether any of the native occupiers of land in the European highlands of Kenya have been removed, or dispossessed, since the receipt of the Morris Carter Report; and, if so, how many have received cash compensation and to what approximate average amount?

Sir P. CUNLIFFE-LISTER: The Governor informs me that no move has taken place except that recommended in paragraph 811 of the Land Commission's Report. The natives in question are a

few scattered Doroba who have now been accommodated in the Northern Frontier Province. They grow no crops and can claim no title to the land from which they have now moved, and no compensation was therefore payable, but their cattle were inoculated prior to the move by Government free of charge. There was no opposition to the move on the part of the natives.

Major MILNER: Am I to understand that the natives move owing to the action of the Government or that they move voluntarily?

Sir P. CUNLIFFE-LISTER: The hon. and gallant Gentleman must understand exactly what the answer says. This was a recommendation of the commission. The Government went into it and found that the natives were perfectly prepared to move. There was no opposition on their part to move, and they moved, I presume, because, as the commission said, it was greatly in their interest.

Major MILNER: How many were in fact so moved?

Sir P. CUNLIFFE-LISTER: I have not got the figure. The Governor says there were a few scattered Doroba. I could write to the Governor if the hon. and gallant Gentleman really wants to know the actual numbers.

Major MILNER: The point is that the Government are proceeding, are they not, to move natives having no authority——

Mr. SPEAKER: That is not a question.

17. **Sir ROBERT HAMILTON** asked the Secretary of State for the Colonies whether it is intended by the proposed order-in-council relating to the highlands of Kenya to debar all non-European British subjects from holding any rights in land in that area in the colony; and whether he is satisfied that such action will be in conformity with the reasons for Lord Elgin's ruling in 1908?

Sir P. CUNLIFFE-LISTER: As I stated in a reply on the 14th February, the proposed order-in-council will merely confirm a policy which has not been challenged by any Government in this country since its inception in 1906.

Sir R. HAMILTON: Is the right hon. Gentleman aware that the ruling of Lord Elgin was based on the undesirability of excluding British subjects from access to any area within a British colony, and that therefore he made an administrative order *vis-a-vis* Indians who were then British subjects, but now that Kenya has become a British colony the natives of the colony are also British subjects?

Sir P. CUNLIFFE-LISTER: I am not sure that I see the relevance of that question. The simple point here is that ever since 1906 the alienation of agricultural land in the European Highlands has been granted only to Europeans. That policy is tantamount to a pledge and it has been followed by every Government since, and I have no intention of changing it.

Sir R. HAMILTON: Does the right hon. Gentleman realise that the position will be changed by an order-in-council which will legalise the position which has hitherto been only by adminstrative order?

Sir P. CUNLIFFE-LISTER: I really do not think an order-in-council makes any effective difference. The hon. Gentleman admits that it has been a matter of policy, and indeed a pledge for 30 years that this policy should be followed. All that an order-in-council would do would be to follow that policy.

Colonel WEDGWOOD: May I ask whether alienation includes leasing as well as transfer for sale?

Sir P. CUNLIFFE-LISTER: I should like notice of that question.

18. **Sir R. HAMILTON** asked the Secretary of State for the Colonies whether it is intended to provide in the order-in-council, which is to be made in connection with the settlement of native lands in Kenya recommended by the Morris Carter Report, that African subjects of the Crown will be prevented from obtaining a judicial decision in respect of any claims which they may desire to submit to the courts of justice?

Sir P. CUNLIFFE-LISTER: The extinction by order-in-council of native rights, other than those held under title, outside the reconstituted and enlarged reserves is an essential part of the general settlement proposed by the commission.

Sir R. HAMILTON: As a result of that will it be impossible for a native British subject to bring a claim in a British court, and will it also be impossible for the land court, acting on behalf, of natives, to subject a claim to the decision of the court?

Sir P. CUNLIFFE-LISTER: I would refer the hon. Gentleman to the Morris Carter Commission and the White Paper issued by His Majesty's Government giving their considered views thereupon. It is an essential part of the whole of the settlement that the Morris Carter Commission has recommended that these claims should be finally disposed of by the carrying out of their recommendations as regards additions to the reserves and compensation.

Sir R. HAMILTON: Does the right hon. Gentleman realise that the settlement recommended by the Morris Carter Commission is not by agreement with the natives, but is imposed on them, so that it makes it rather different from what it would be if there were an agreement?

Sir P. CUNLIFFE-LISTER: Obviously the whole object of the Morris Carter Commission was to get the most considered report as to what was a fair and final settlement of these claims. Of course that is to be carried out by legislation, and if you do not carry it out the whole of the settlement as regards additions to the reserves and everything else goes by the board.

Mr. PALING: Did not the right hon. Gentleman state last week that before these natives would not be removed from the Highlands except by their voluntary agreement, and what voluntary agreement is there if they cannot have a judicial decision on the matter?

Sir P. CUNLIFFE-LISTER: That is a wholly separate and distinct point. I was asked whether, in advance of legislation, a man was going to be removed from a piece of land to which he had a legal title without agreement, and I said "No."

19. **Sir R. HAMILTON** asked the Secretary of State for the Colonies whether it is intended to sanction the granting of agricultural leases in the native reserves in Kenya to non-natives; if so, whether he will state the proposed maximum duration of such leases; whether the lessee at the termination thereof will be entitled to claim compensation from the lessors for unexhausted improvements; and whether the granting of such leases will require the approval of the native lessors and of the Land Trust Board?

Sir P. CUNLIFFE-LISTER: The procedure recommended by the Kenya Land Commission for granting agricultural leases in native reserves is fully described in Part III, Chapter III, of their report. The points raised in the second and third parts of the hon. Member's question will no doubt be dealt with in the ordinance which is now being drafted in Kenya to give effect to the commission's recommendations. As regards the last part, it is proposed by the commission that leases of land under 10 acres shall be arranged by the provincial commissioner after consultation with the local land board; but that leases of land exceeding 10 acres shall be subject to the veto of the Lands Trust Board or of the chief native commissioner if the board shall have delegated its powers of veto to him.

Sir R. HAMILTON: Will the right hon. Gentleman be good enough to have attention drawn to the point about compensation at the end of a lease because the difficulty of obtaining compensation might lead to the lease becoming permanent?

EAST AFRICA (GOVERNORS' CONFERENCE).

13. **Major MILNER** asked the Secretary of State for the Colonies whether he will publish or otherwise make available the conclusions arrived at by the recent East African Governors' Conference?

Sir P. CUNLIFFE-LISTER: I will arrange to place in the Library a copy of a statement of conclusions issued by the East African Governors after their recent conference.

PALESTINE.

ILLEGAL IMMIGRANTS.

15. **Colonel WEDGWOOD** asked the Secretary of State for the Colonies under what law persons are retained in prison

in Palestine after their sentence has expired; and whether any applications under the Habeas Corpus Act have been made from Palestine.

Sir P. CUNLIFFE-LISTER: Section 10 of the Palestine Immigration Ordinance provides that any person against whom an order for deportation has been made, whether consequent upon a sentence of imprisonment or not, may be kept in custody, while awaiting deportation, in such manner as the High Commissioner may direct. I have no knowledge of any applications for a writ of Habeas Corpus.

Colonel WEDGWOOD: Can the right hon. Gentleman give me the date of that ordinance?

Sir P. CUNLIFFE-LISTER: The date of the ordinance is 1933, but that is a consolidating ordinance. The provision relating to illegal immigration is in the ordinance of, I think, 1928 or 1929.

Colonel WEDGWOOD: Can the right hon. Gentleman say whether there are similar ordinances in other colonies?

Sir P. CUNLIFFE-LISTER: I cannot possibly without notice.

Mr. JANNER: Will the right hon. Gentleman recommend that those who are being detained should be allowed out on bail in a similar manner to that which is allowed in this country, the bail being merely sufficient to ensure that the people should be found as and when required?

Sir P. CUNLIFFE-LISTER: I have given several answers on this matter in which I have explained exactly the arrangements about bail which the High Commissioner has enforced. I have complete confidence in the High Commissioner to do whatever is right.

PORT FACILITIES.

21. **Mr. SUMMERSBY** asked the Secretary of State for the Colonies whether he is aware that the facilities provided at the new port of Haifa are already proving inadequate, especially during the season of citrus exports; whether he has received any recommendation from the Government of Palestine that at least six more berths should be constructed at this port; and whether he has been able to approve such construction?

Sir P. CUNLIFFE-LISTER: Yes, Sir. I have recently approved a proposal by the High Commissioner for Palestine to spend a sum of £10,000 on the preparation of detailed plans for the further development of Haifa Harbour, including additional quay berths and storage accommodation, in order that such plans may be in readiness for execution as demand requires. The question of construction of additional facilities will be considered, when the plans are available.

Mr. JANNER: Is the rght hon. Gentleman aware that it will take at least three years to complete these new berths, and, in view of the fact that there is such tremendous pressure on the accommodation for the storage of citrus fruits, will he see that these works are taken in hand at once?

Sir P. CUNLIFFE-LISTER: In answer to the first part of the question, I should very much hesitate to accept that estimate as to the time, without the authority of the engineers. I think I have shown that the whole matter has been taken in hand very promptly, because the consulting engineers, who have done admirable work at Haifa, have already been instructed to prepare plans. The hon. Member will also recall that a considerable work at Jaffa was put in hand some time ago.

29. **Mr. JANNER** asked the Secretary of State for the Colonies whether he is aware that the increased citrus exports of Palestine will necessitate the existence of 7,500 square metres of covered port storage space next winter and an additional 3,500 square metres each following season; whether it is anticipated that it will be possible to provide such facilities at Haifa; and, if not, whether he will now reconsider the advisability of instructing the Palestine Government to permit the construction of an additional port at Jaffa or Tel-Aviv or both?

Sir P. CUNLIFFE-LISTER: The High Commissioner for Palestine is well aware of the need for increasing storage accommodation for citrus exports both at Haifa and Jaffa, and extensive measures of improvement, including the provision of additional sheds, are being carried out at both ports as quickly as circumstances permit. I am quite sure that it is unnecessary for me to issue any instructions in this matter.

Mr. JANNER: Will the right hon. Gentleman consider developing a port at Tel-Aviv?

Sir P. CUNLIFFE-LISTER: No, Sir. I considered it a long time ago, and saw the site when I was out there. I cannot conceive anything that would be more unsound or uneconomic than to create a port there in view of the fact that there is a manginficant port, capable of great development, at Haifa, and that we are developing the port of Jaffa.

JAFFA-HAIFA ROAD.

28. **Mr. JANNER** asked the Secretary of State for the Colonies whether the trunk road through the Palestine maritime plain, which at present leads from Jaffa and Tel-Aviv to the vicinity of Raananah, will be completed as far as Haifa before the coming winter; and whether, in view of its value in relieving the pressure on the railways when weather conditions involve the transference of export goods from Jaffa to Haifa, he can state whether its construction is being proceeded with as expeditiously as possible?

Sir P. CUNLIFFE-LISTER: No decision has yet been taken with regard to the completion of the Jaffa-Haifa road. I am awaiting the considered views of the High Commissioner for Palestine on this project. The hon. Member is no doubt aware that an extensive improvement scheme is being carried out at the Port of Jaffa, and it may be hoped that when these improvements have been completed, the necessity for transferring goods from Jaffa to Haifa in periods of bad weather will be greatly diminished.

Mr. JANNER: Apart from that, does not the right hon. Gentleman know that considerable difficulty has been experienced by the travelling and commercial public along that road; and is he not also aware of the fact that he is cutting off large areas from the ports by not having this road completed? In the circumstances, will he see that the public in Palestine are secured against the possibility of similar happenings to those which occurred last year when the floods were out?

Sir P. CUNLIFFE-LISTER: I am aware that this road is under consideration now by both the advisory committee and the High Commissioner.

Colonel WEDGWOOD: Is the right hon. Gentleman aware that the railways do not want this road and the settlers do?

ZANZIBAR (INDIANS).

16. **Colonel WEDGWOOD** asked the Secretary of State for the Colonies whether the Zanzibar decrees against Indians acquiring land are now in operation; and, if so, was the approval of the India Office obtained before they were enacted?

Sir P. CUNLIFFE-LISTER: I presume that the hon. and gallant Member refers to the Zanzibar Land Alienation Decree. This decree was passed at the end of June, 1934, and was brought into force on the 7th of July last year. The purpose of the decree, which is largely based on Indian legislation, is to provide that Arabs or Africans may not alienate land in perpetuity to others than Arabs or Africans without the consent of the Resident. It does not discriminate against Indians. The legislation was urgently required in order to guard against the danger of eviction on foreclosure, and I approved its immediate enactment without prior consultation with the India Office or the Government of India, though, of course, the India Office was informed of the action taken.

Colonel WEDGWOOD: Has the enactment obtained the approval of the India Office seeing that, although in words it is not discriminatory against Indians, it is so in effect?

Sir P. CUNLIFFE-LISTER: I have had no suggestion of opposition. Indeed, I do not think I could have, because it follows practically word for word the legislation passed in the Punjab in India.

Colonel WEDGWOOD: Surely the right hon. Gentleman is aware that the legislation in the Punjab is contrary to British traditions and is not to be found anywhere else?

Sir P. CUNLIFFE-LISTER: I really do not think it is contrary to British traditions to give reasonable protection to a native against unfair or unreasonable eviction by a mortgagee. In fact, it was Lord Kitchener who created the precedent for such legislation in Egypt.

IMPERIAL DEFENCE (STRAITS SETTLEMENTS GIFT).

20. **Earl WINTERTON** asked the Secretary of State for the Colonies whether he can make any statement with regard to the gift to His Majesty's Government in Great Britain by the Straits Settlements of $500,000 for the cost of the defence of the Empire?

Sir P. CUNLIFFE-LISTER: The Governor has informed me that a resolution was proposed by the unofficial members in the Legislative Council of the Straits Settlements on the 18th of February that a voluntary gift of half a million dollars should be made to the British Government, and that this resolution received the unanimous approval of the Council. I would remind the House that this gift is a further contribution from the Colony towards the general cost of the defence of the Empire, and is additional to the contribution of four million dollars which the Straits Settlements have agreed to pay yearly towards the cost of the defence of the Colony. Moreover, it is a second gift, following upon a similar vote a year ago. The thanks of His Majesty's Government have already been expressed by the Governor to the Council, and I am sure that I shall be voicing the opinion of the whole House when I say that this generous gift is warmly welcomed, not only for its own sake, but as a striking indication of good will and of the spirit of responsibility and co-operation in which the Colony approaches problems of common interest to the Empire as a whole.

TIN REGULATION SCHEME.

24. **Mr. DAVID GRENFELL** asked the Secretary of State for the Colonies whether any discussions have taken place between the Colonial Office and the Malayan and Nigerian Governments in regard to renewing the tin restriction scheme; and whether, in view of the anxiety that has recently been caused among tin producers and consumers, the Government will make it a condition of any prolongation of the scheme that no individual or director of a company who has participated in the pepper or shellac pools shall represent either Malaya or Nigeria on the International Tin Committee or the Buffer Stock Committee?

Sir P. CUNLIFFE-LISTER: No discussions have yet taken place between the Malayan and Nigerian Governments and myself regarding the renewal of the tin control scheme, which, under the international agreement, runs till the end of 1936. As regards the last part of the question, I should certainly regard any person who was proved to have been guilty of any impropriety as unqualified to act as a representative of a Colonial Government. Equally, I am sure, the hon. Member will agree that it would be improper and unfair to assume that any person connected either directly or indirectly with the tin scheme had been guilty of any improper action.

Mr. LIDDALL: Is it not the case that if the scheme is abandoned British Malaya and Nigeria will be gravely injured, and that many workpeople will be thrown out of employment?

Sir P. CUNLIFFE-LISTER: That is perfectly true, and that aspect of the matter was considered by the World Economic Conference, which recommended unanimously that it was vital to the interests of all tin-producing countries that the scheme should go on.

Mr. GRENFELL: While thanking the right hon. Gentleman for his reply, I should like to ask whether, in the event of its being found that there had been improper conduct in connection with these speculations, he will then make a declaration?

Mr. SPEAKER: That is a hypothetical question.

27. **Mr. GRENFELL** asked the Secretary of State for the Colonies whether, in view of the fact that the Nigerian representative on the International Tin Committee is the chairman of the Anglo-Oriental Mining Company, and that this company is a creditor of Messrs. Rolls and Company, now in liquidation arising from speculations in pepper, he will consider the advisability of taking the appropriate steps to dissociate from the administration of the tin restriction scheme anyone connected with the pepper and shellac pools?

Sir P. CUNLIFFE-LISTER: The hon. Member is misinformed. The chairman of the Anglo-Oriental Mining Corporation is not the Nigerian representative on the International Tin Control Committee,

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but one of the persons appointed by the Tin Producers' Association in an advisory capacity. The Nigerian representatives on the International Tin Committee are all Government officials. The hon. Member has probably seen a statement published in the Press this morning by the Anglo-Oriental Corporation to the effect that it has no interest, nor has it at any time had any interest, in any pool dealing in pepper, shellac or other similar produce.

32. **Major NATHAN** asked the Secretary of State for the Colonies whether the British members of the advisory committee to the International Tin Committee are directors or shareholders of any, and, if so, of which, companies dealing in tin in this country?

Sir P. CUNLIFFE-LISTER: The advisers to the International Tin Control Committee are appointed, by reason of the fact that they are interested in tin production or consumption, and I think it probable that all the British subjects concerned, both those that are advisers to the International Committee, and those who are advisers to the British and foreign delegations, are interested as directors or shareholders in various tin companies, but I have no full particulars of their interests.

Major NATHAN: Will the right hon. Gentleman give such particulars as he has?

Sir P. CUNLIFFE-LISTER: I have not any particulars. I should have thought that, in accordance with the ordinary commercial practice, a general disclosure of interest was sufficient. I think I gave the hon. and gallant Member an answer the other day in which I said that the International Tin Committee did know the companies of which these gentlemen were directors.

33. **Major NATHAN** asked the Secretary of State for the Colonies the criteria by which the International Tin Committee is guided in reaching a decision as to altering or maintaining the quota of tin production?

Sir P. CUNLIFFE-LISTER: The hon. and gallant Member will appreciate that it is difficult for me to attempt to state the criteria which an international body, containing representatives of several foreign Governments, adopts in arriving at its decisions. I am, however, informed by the chairman of the International Tin Committee that the committee, in fixing the quotas of tin production, is guided primarily by the statistical position, and by their estimates of future consumption.

Mr. LIDDALL: Are not these questions by Members of the Socialist party likely to prove advantageous to speculators?

34. **Major NATHAN** asked the Secretary of State for the Colonies whether the private tin pool comprises any members of the advisory committee to the International Tin Committee, or any companies of which they, or any of them, are directors or shareholders; and whether the private tin pool is, or has been, engaged in the sale of pooled tin since the meeting of the International Committee at The Hague on or about 20th February?

Sir P. CUNLIFFE-LISTER: I am informed that the answer to the first part of the question is in the affirmative. I am not in a position to answer the second part of the question. Moreover, I am sure the House will appreciate that if private interests disclose to the International Tin Committee (or its chairman) their holdings in tin in order that this information, given in confidence, may be at the disposal of the committee, it would be most improper of me to make that information public even if I possessed it.

Major NATHAN: Is the right hon. Gentleman able to say, and will he say, which members of the advisory committee are also parties to the private pool?

AVIATION.

ACCIDENTS (INSPECTORS' REPORTS).

36. **Captain CUNNINGHAM-REID** asked the Under-Secretary of State for Air whether the Air Ministry have considered the recommendation of the Gorell Committee on Civil Aviation that, in case of accidents to aircraft, the owner and constructor of the aircraft should have the right to be furnished with the report of the inspector of accidents; and whether it is proposed to take the necessary steps to implement this recommendation?

The UNDER-SECRETARY of STATE for AIR (Sir Philip Sassoon): This recommendation has been carefully considered, but there are felt to be serious difficulties in the way of a departure from the present practice, which provides, of course, for the publication of the inspector's conclusions in all important cases.

SHIPPING SERVICES (USE OF AIRCRAFT).

38. **Mr. SIMMONDS** asked the Under-Secretary of State for Air whether the Air Ministry have taken steps to encourage any British shipping lines to use flying boats?

Sir P. SASSOON: The Air Ministry are always ready to advise regarding such proposals and, where this can usefully be done, to take the initiative with the appropriate interests. A number of analogous schemes for the use of aircraft in connection with shipping services have in fact been discussed with different shipping companies.

Mr. WEST: Have any steps been taken to encourage British shipping lines to employ British sailors in place of cheap coloured sailors?

PROPOSED NATIONAL AIRWAYS BOARD.

39. **Mr. SIMMONDS** asked the Under-Secretary of State for Air whether His Majesty's Government have yet considered the proposals placed before them for the appointment of a National Airways Board?

Sir P. SASSOON: These proposals are still under consideration by His Majesty's Government, and I am not yet in a position to make any statement in the matter.

Mr. SIMMONDS: Is the Minister aware that these proposals are very largely supported throughout British aviation and will he therefore give the House his assurance that they will have his most careful consideration?

Sir P. SASSOON: Oh, certainly.

AIR DEFENCE (SCIENTIFIC COMMITTEE).

37. **Captain HAROLD BALFOUR** asked the Under-Secretary of State for Air whether consideration has been given to the advisability of an early investigation of the possibilities of countering air attacks by utilising the recent progress of scientific invention; and, if so, whether it is intended to enlist the assistance of scientists outside the Government service?

Sir P. SASSOON: I must apologise to the House for the unavoidable length of this answer. My Noble Friend decided some months since to appoint a special committee to conduct such an investigation as a matter of urgency, and to obtain for that committee the services of a number of distinguished scientists outside the Government service. This committee is already at work and, with the exception of the Director of Scientific Research at the Air Ministry, its composition is non-official and is as follows:

Mr. H. T. Tizard, Rector of the Imperial College of Science, Chairman;

Professor A. V. Hill, Foulerton Research Professor of the Royal Society;

Professor P. M. S. Blackett, Professor of Physics in the University of London.

I should like to take this opportunity of paying a tribute to the public spirit which has induced these gentlemen to offer their services. While it is considered that a small committee will be best equipped to make rapid progress in this most important matter, it is the intention to invite a number of other distinguished scientists to contribute to the investigation whether by giving evidence or otherwise; and the membership of the committee will be enlarged if, as its investigations proceed, it should appear that its work will thus be facilitated. I may add that it is intended in due course to bring the report of this committee before the Committee of Imperial Defence.

Captain BALFOUR: Will the Minister consider the advisability of inviting Professor Lindemann to serve on this committee in view of the attention which he has given to this subject?

Sir P. SASSOON: I think an invitation was conveyed to this gentleman several weeks ago?

COAL INDUSTRY.

SHOT-FIRING.

44. **Mr. GRUNDY** asked the Secretary for Mines whether he will state his intention in connection with the report recently issued on simultaneous shot-firing in coal mines; and whether he is aware of a large volume of expert opinion against simultaneous shot-firing?

The PARLIAMENTARY SECRETARY to the BOARD of TRADE (Dr. Burgin): I have been asked to reply. There is diversity of opinion on this subject, but there is agreement between the different parties concerned that, in accordance with the recommendations made in the report to which the hon. Member refers, experimental work should be continued on a limited scale with the object of putting the matter to further practical test under working conditions, and arrangements are now being made accordingly.

HUCKNALL COLLIERY (ACCIDENT).

47. **Mr. COCKS** asked the Secretary for Mines whether he can give any information relating to the Hucknall (No. 1) pit, on 11th February, when a collier, named Wiggerton, fell from the cage for 50 feet into the sump; whether the safety gates were in position on this occasion; and, if not, what action he proposes to take?

Dr. BURGIN: I have been asked to reply. I am informed that on 11th February, four rippers, having completed their work on the afternoon shift at Hucknall No. 1 mine, were being raised to the surface, when one of them fell out of the cage into the sump. The onsetter had not put the safety gates in position, and has been dismissed. The management of the mine have also issued a serious warning to all the other onsetters and banksmen that in no circumstances must men be allowed to ride in the cages without gates.

Mr. COCKS: Will the Minister make further inquiries in this matter, particularly as to the reason why the management should have been condoning this practice and why the officials themselves have been travelling in the cage without the safety gates being adjusted, thus conducing to laxity?

Dr. BURGIN: I will convey those observations to the Minister.

Mr. PIKE: Will the hon. Gentleman also convey to the Minister the point that if the practice outlined in the hon. Gentleman's question has been carried on, the trade union movement have been very remiss in not bringing the facts to the notice of the authorities?

BROADCASTING.

50. **Lieut.-Colonel SANDEMAN ALLEN** asked the Postmaster-General whether his attention has been drawn to the series of lectures in the programmes of the British Broadcasting Corporation by Professor Rowe, entitled Men and Markets; and whether he intends to prevent such propaganda aimed at undermining the Ottawa Agreements?

Sir VICTOR WARRENDER (Vice-Chamberlain of the Household): My right hon. Friend will bring to the notice of the governors of the British Broadcasting Corporation the observations of my hon. and gallant Friend.

TRADE AND COMMERCE.

HOSIERY TRADE.

52. **Mr. CAPORN** asked the President of the Board of Trade whether he is aware that on 28th January, 1935, over 20,000 persons registered for employment in the hosiery trade were unemployed, and that during the year 1934 over 3,500,000 dozens of hosiery had been imported into this country; and whether the Government can take any action to prevent persons profiting from the imports and sale of foreign hosiery to the detriment of the unemployed hosiery workers in this country?

Dr. BURGIN: I am aware of the facts mentioned in the first part of the question. With regard to the second part, I would refer my hon. Friend to the reply which my right hon. Friend gave to the hon. and learned Member for East Leicester (Mr. Lyons) yesterday, and on 13th November last.

Mr. CAPORN: Is the Minister aware that the unemployed workers have no means of approaching the Import Duties Advisory Committee and will he request the committee to consider whether it is in the national interest that so many men should be out of employment?

Dr. BURGIN: A responsibility rests on hon. Members who ask questions about imports to familiarise themselves with the facts as to whether or not imports which may seem large are not very much smaller than a number of years ago. For instance, in 1931 the value of the imports of this article was well over £5,500,000, in 1933 it was £1,645,000, and in 1934, £1,560,000, so that instead of being a large import it is a diminishing factor.

Mr. LYONS: Is it not a fact that the number of workers unemployed in the hosiery industry in Leicester is greater than it was in 1931 because of this very large flow of imports, and will some action be taken to put into work the thousands of people who could be employed if the industry were properly safeguarded?

Mr. LEVY: In regard to the reply which the Minister has just given, what consolation are those statistics to the unemployed in the industry?

Mr. CAPORN: Have not the price values of these goods fallen very considerably since 1931, and is not that a fact which anybody giving information to the country should take into account?

Mr. PALING: Are we to understand from the Minister's statement that, in spite of diminishing imports, unemployment in the industry is increasing?

Dr. BURGIN: Those facts are not necessarily related.

Mr. WEST: Will the Board of Trade publish a list of names of the people who are importing these goods, so that we may know who are responsible?

ITALY (IMPORT RESTRICTIONS).

55. **Mr. ISAAC FOOT** asked the President of the Board of Trade what information he can give as to the new restrictions placed by the Italian Government upon the import of pilchards into that country; and whether any representations have been made to the Italian Government with reference to this embargo?

Dr. BURGIN: I understand that the quantity of pilchards to be admitted up to 31st March next has been provisionally fixed by the Italian Government at 10 per cent. of the quantities imported during the corresponding period of last year, but the quantity to be admitted in subsequent periods has not yet been announced. I am taking steps to obtain full information as to the operation of the new restrictions on these and other goods, and in the light of this information will consider what action can usefully be taken.

Mr. FOOT: Will the hon Gentleman confer with the President of the Board of Trade as to the seriousness of a reduction to 10 per cent. in a commodity which has always been sent to Italy; and can anything be done to relieve the loss arising from the practical cancellation of foreign contracts and as regards the goods that are now packed for delivery and in transit, since otherwise a very heavy blow will be struck at a distressed industry?

Dr. BURGIN: The hon. Member will understand that the Italian decree relates to a very wide range of commodities, and that representations have to be considered and made over a very wide area. He will, however, be interested to learn that all goods which had already left the country of origin by the 19th February will be admitted into Italy without any condition—that is, everything that was actually in transit by the 19th February. Information is being sought from Rome at the present moment as to the effect and operation of this decree, and when the Department is in full possession of that information we shall know better what steps can usefully be taken. The matter is being most energetically pursued, and its seriousness is fully appreciated.

Mr. PALING: Does this decree apply to goods exported from this country particularly; and are we to understand that it has been put into operation without any notification to this country whatever?

Dr. BURGIN: I think the decree applies to imports into Italy generally. It is precisely to points of that sort that our authorities in Rome will have their attention directed.

Mr. de ROTHSCHILD: Does it apply to imports of hosiery?

Dr. BURGIN: I could not, without notice, state the terms of the decree, but I should rather imagine that it did. It is a very wide decree, intended to reduce

[Dr. Burgin.]
imports into Italy, and I imagine it will cover every article of which the export to Italy is large.

Mr. LOFTUS: Will the hon. Gentleman consider helping the pilchard industry of Cornwall by restricting the immense imports into this country of tinned pilchards from America?

MESSRS. JAMES AND SHAKESPEARE, LIMITED (INQUIRY).

53. **Mr. CLEARY** asked the President of the Board of Trade whether he will represent to the official receiver appointed to investigate the affairs of James and Shakespeare, Limited, the desirability of inquiring into and reporting upon the reasons for the resignation from the board of Mr. W. S. Cleaver, Mr. A. Barrie, and Mr. Otto F. Zieseness in January?

54. **Mr. MORGAN JONES** asked the President of the Board of Trade whether he will represent to the official receiver appointed to investigate the affairs of James and Shakespeare, Limited, the desirability of reporting upon the names of those who are described as nominees of certain important banks who were allotted amounts of the preferred and ordinary shares of this company on the issue of September last?

Dr. BURGIN: The attention of the Official Receiver will be drawn to the matters referred to by the hon. Members.

LAND DRAINAGE, ISLE OF SHEPPEY (RATES).

56. **Mr. MAITLAND** asked the Minister of Agriculture whether he has now been able further to consider the representations in regard to the heavy land drainage rates now being levied by the Lower Medway Drainage Board in the Isle of Sheppey; and whether there is any way in which his Department will assist in the matter by Government grants or otherwise?

The MINISTER of AGRICULTURE (Mr. Elliot): As I have already informed my hon. Friend, I have no authority to intervene in a dispute between a drainage board and its ratepayers. In November last, I confirmed a differential rating order under the provisions of which a portion of the Isle of Sheppey is now rated at one-third of the rate levied on the remainder of the drainage district. I understand that the drainage board have decided to submit for my confirmation a second differential rating order which will have the effect of relieving the greater part of the town of Sheerness of a portion of the rates for which it is now liable. My Department is making a grant of 33⅓ per cent. towards the capital cost of a scheme of work submitted by the catchment board for the reconditioning of the Upper Medway, which is estimated to cost £144,000. Within the last week an offer of a grant has been made of the same percentage towards a second scheme, estimated to cost £275,000, for the reconditioning of the Lower Medway.

Mr. MAITLAND: Can the Minister say how much of the amount which he last mentioned is to be spent on the Isle of Sheppey, and on Sheerness in particular?

Mr. ELLIOT: I understand that about £30,000 of the cost of the second scheme will be spent on the sea defences of the Isle of Sheppey, and of this about £10,000 will be devoted to sea defences round the town of Sheerness itself.

Mr. PALING: Will the right hon. Gentleman make the same percentage offer to the Doncaster drainage scheme?

FAR EAST (SITUATION).

57. **Mr. MANDER** asked the Secretary of State for Dominion Affairs whether the Dominions have been consulted with regard to the situation in the Far East with a view to ascertaining what action can usefully be taken there to maintain peace and secure international rights under the Nine Power and other existing treaties, especially in view of the fact that the open-door policy in Manchukuo is now being violated in the spirit if not in the letter?

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): I can assure the hon. Member that His Majesty's Governments in the Dominions are kept as fully informed as possible of important developments in the international situation in the Far East, as in other parts of the world. I

must not, of course, be understood as accepting the suggestion in the latter part of the question.

Mr. MANDER: In view of the great importance which some of the Dominions attach to this matter, will advantage be taken of the presence of their Ministers here this summer, for the Jubilee, to discuss the question with them.

Mr. THOMAS: I can assure my hon. Friend that the Dominions who take a great interest in this question will not need to be reminded of their opportunity of discussing it.

BRITISH ARMY (VISITS OF INSPECTION).

58. **Mr. WEST** asked the Financial Secretary to the War Office the object of the visits of General Sir A. Montgomery-Massingberd, Chief of the Imperial General Staff, to Egypt, the Sudan and Palestine, and of Major-General S. W. Barron, Inspector of Fixed Forces, to Singapore, Hong Kong, Colombo and Aden?

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Douglas Hacking): The object of the visits of the Chief of the Imperial General Staff to Egypt, the Sudan and Palestine is to inspect the training of the troops in the discharge of his ordinary duties. The visits of the Inspector of Fixed Defences to Singapore, Hong Kong, Colombo and Aden are similarly incidental to his normal duties of inspection.

EDUCATION.

SCHOOL-LEAVING AGE.

59. **Miss CAZALET** asked the Parliamentary Secretary to the Board of Education when the examination by the Board of Education and other Departments on the question of the school-leaving age will be completed?

The PARLIAMENTARY SECRETARY to the BOARD of EDUCATION (Mr. Ramsbotham): I would refer my hon. Friend to the answer given by the Prime Minister to the hon. Member for Leigh (Mr. Tinker) on Monday last, to which I have nothing to add, except to assure my hon. Friend that both my Department and the Scottish Education Department are concerned to expedite this matter as far as is possible.

Miss CAZALET: Does the hon. Gentleman think that the examination will be completed by Easter; and is the whole question of continuation classes also being examined, as well as the actual question of the school-leaving age?

Mr. RAMSBOTHAM: I can state no definite time, but all relevant factors will be taken into consideration.

DURHAM UNIVERSITY (ROYAL COMMISSION'S REPORT).

61. **Miss WARD** asked the Secretary of State for the Home Department when the report of the Royal Commission on the University of Durham will be available for Members of Parliament?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): The report will be available to Members this afternoon.

Mr. STOREY: Can my right hon. Friend explain the circumstances in which the recommendations of this Royal Commission were disclosed to a North of England newspaper on Monday last?

Sir J. GILMOUR: All that I know is that, while such reports are generally, as I understand, laid in dummy, this one was laid in the original, and had been available in the Library for several days before anything appeared in the newspapers.

ANTHRAX (IMPORTED GOATS' HAIR).

60. **Mr. EADY** asked the Home Secretary the number of cases of anthrax from infection of imported goats' hair for the years ended 1932, 1933, and 1934?

Sir J. GILMOUR: The following cases attributed to goat hair imported for the woollen trade have come to the notice of the Home Office—1932, four cases; 1933, three cases; 1934, four cases. I should add that in five of these cases other material was being handled, and one cannot say with certainty that the worker caught the infection from the goat hair, but the investigations indicated that this was most probably the case.

Mr. EADY: Did the Home Secretary take the smallness of these numbers into consideration when altering the order relating to disinfection against anthrax?

Sir J. GILMOUR: Yes, Sir, it has been taken very carefully into consideration.

LEAGUE OF NATIONS (PARAGUAY).

3. **Colonel BURTON** asked the Secretary of State for Foreign Affairs whether he has any information as to the withdrawal of Paraguay from the League of Nations; and what reason has been assigned for this action?

Sir J. SIMON: The Paraguayan Government notified the League on 24th February of their intention to withdraw. I have not yet seen the full text of the Paraguayan Government's telegram, but I understand that they have based their withdrawal on the claim that the question of responsibility for the Chaco dispute has not been investigated by the League as demanded by Paraguay.

CHINA AND JAPAN.

7. **Mr. JOEL** asked the Secretary of State for Foreign Affairs whether the new agreement between China and Japan affects the economic or other interests of Great Britain; and whether it in any way modifies or reverses the conclusions of the Washington Conference?

Sir J. SIMON: As my right hon. Friend the Lord Privy Seal indicated in reply to a question put yesterday by the hon. Member for Wolverhampton East (Mr. Mander), His Majesty's Government have still no definite information as to the purport of the conversations in Nanking between representatives of the Chinese and Japanese Governments. So far as I am aware no general agreement between the two countries has been concluded.

PARLIAMENTARY FRANCHISE.

62. **Mr. SUMMERSBY** asked the Home Secretary what was the total number of people who did not exercise their vote at the last general election; and, approximately, what proportion of that number were aged or infirm people who by their inability to leave their homes were deprived of their vote?

Sir J. GILMOUR: I can only give my hon. Friend the difference between the number of votes polled in contested constituencies and the number of persons on the register in those constituencies. The figure is 5,473,633. My hon. Friend will realise that this figure does not accurately represent the number who abstained from voting though it is probably a sufficiently close approximation for any practical purposes. I have no material on which to provide the information asked for in the second part of the question.

Mr. SUMMERSBY: Does not the right hon. Gentleman think that the proportion of people who are unable to vote because of physical unfitness is large enough for him to introduce legislation to enable them to vote without visiting the polling stations?

Sir J. GILMOUR: All I can say is that the total electorate in constituencies in which there were contests at the last general election was 27,180,006 and the votes cast in those constituencies were 21,656,373. In those circumstances, I do not think it necessary to take action.

Mr. WEST: Is it a fact that a very large proportion of infirm people at the last election voted national?

Captain CUNNINGHAM-REID: Is it not a fact that in some of the more scattered country constituencies many of the voters are practically disfranchised on account of the fact that the polling booths are so far away?

UNEMPLOYMENT.

STATISTICS.

63. **Mr. GRAHAM WHITE** asked the Minister of Labour whether he will state the number of cases referred to the Umpire under the Unemployment Insurance Acts during 1934, the number still awaiting decision, and the number which have been awaiting a decision for more than a month?

The PARLIAMENTARY SECRETARY to the MINISTRY of LABOUR (Mr. R. S. Hudson): The number of cases referred to the Umpire in 1934 was 14,257. The number of cases awaiting decision at 22nd February was 494 of which 50 were more than a month old.

HOSIERY TRADE.

64. **Mr. CAPORN** asked the Minister of Labour whether he can state the smallest number of persons registered for employment in the hosiery industry recorded as unemployed during any part of 1934, and the average monthly number so recorded during the said year?

Mr. HUDSON: Among insured persons aged 16-64 in the hosiery industry classification in Great Britain the smallest number recorded as unemployed at any of the monthly dates during 1934 for which statistics are available, was 9,754, at 26th November. The average monthly number recorded as unemployed during that year was 12,755. In both cases substantially more than half the total were only temporarily stopped.

65. **Mr. CAPORN** asked the Minister of Labour whether he can state the number of persons registered for employment in the hosiery trade at the beginning of 1935 or the nearest available date, and at the corresponding period for 1932?

Mr. HUDSON: I would refer the hon. Member to the answer which I gave to him on this subject on 20th February.

Mr. LYONS: Am I right in saying that the number unemployed in the hosiery trade is greater than for some years past, and, in view of the apprehension which must be caused to the Minister of Labour, will he make some representations for the better protection of the home market?

Mr. HUDSON: I would refer my hon. Friend to my previous answer.

Viscountess ASTOR: Is it not true that the wise men of all nations realise that the only way to get the unemployed to work is the lowering of tariffs in all countries?

COURTS OF REFEREES (ADVICE TO APPLICANTS).

66. **Mr. GARDNER** asked the Minister of Labour whether he is aware that the chairman of Stratford (West Ham) court of referees on 29th January last suggested to Richard Lancelot Lester, Case No. 2,516, an applicant for unemployment benefit, that in regard to his defective vision he could get suitable spectacles from a Woolworth's store for sixpence; and whether he will circulate chairmen of courts of referees that they should be careful not to give advice that may be misleading and dangerous, but to advise claimants in want requiring skilled help that they should apply for assistance to sources where their needs may be efficiently met?

Mr. HUDSON: I understand that the facts are as stated. The hon. Member's question will, I think, give sufficient publicity to the matter, and my right hon. Friend does not consider it necessary to circularise chairmen as a body.

SCOTLAND (SUGAR-BEET FACTORY, CUPAR).

Mr. HENDERSON STEWART (*by Private Notice*) asked the Secretary of State for Scotland if he can make any statement regarding the sugar-beet factory at Cupar?

The UNDER-SECRETARY of STATE for SCOTLAND (Mr. Skelton): My right hon. Friend is glad to be able to say that Lord Weir, the chairman of the Anglo-Scottish Beet-Sugar Corporation, has now consulted with the National Farmers' Union of Scotland and that the corporation have decided to operate the Cupar factory in the present year in order to maintain the present position in regard to sugar-beet growing in Scotland in the proposed further interim period. My right hon. Friend understands that the acreage offered will be that contracted for last year less a small percentage reduction resulting from the limitation of total beet acreage referred to in the recent Government announcement. He understands further that the contract price will be 36s. per ton free on rail being last year's fixed price less 1s.

BUSINESS OF THE HOUSE.

Mr. LANSBURY: May I ask the Lord President the business for Friday?

Mr. BALDWIN: Committee stage of the outstanding Supplementary Estimates—we shall begin with the Ministry of Labour Vote and consider the other Services not taken on Monday last—and the Army Supplementary Estimate. If there is time, other Orders will be taken, including the Post Office and Telegraph (Money) Bill, Committee stage, National Gallery (Overseas Loans) Bill, Second Reading, and the Report stage of outstanding Supplementary Estimates.

Mr. LANSBURY: The right hon. Gentleman appears to entertain very optimistic hopes in that rather long list of business. I am not quite sure that he will be able to get it.

Mr. BALDWIN: We can always hope for the best.

AIR ESTIMATES, 1935.

Copy presented, of Memorandum by the Secretary of State for Air to accompany the Air Estimates, 1935 [by Command]; to lie upon the Table.

WRITTEN ANSWERS.

SCOTLAND.

DISTURBANCES, DUNDEE.

Mr. McGOVERN asked the Secretary of State for Scotland the number and names of the persons who were arrested at Dundee for alleged rioting in the recent unemployed demonstration; and whether he intends to order an inquiry into the allegations of brutal conduct by the police?

Sir G. COLLINS: Eight men and two women were arrested at Dundee on 13th February, 1935, for offences alleged in connection with open-air demonstrations, and I am sending the hon. Member a list of the names. I have obtained a report on the disturbances which took place on that day, and, after careful consideration, I find no ground for any further action on my part.

LIQUID MILK AND BREAD (CONSUMPTION).

Dr. SALTER asked the Secretary of State for Scotland the estimated quantities of milk consumed as liquid milk and bread consumed in Scotland during the year 1934, or the latest year for which figures are available?

Sir G. COLLINS: The total quantity of milk sold for liquid consumption in Scotland during the year 1934 is estimated at about 75,000,000 gallons. This figure does not include milk consumed in farm households, milk produced by institutions for consumption by inmates and staff, or milk sold for liquid use by small producers exempted from the milk marketing schemes in operation in Scotland. With regard to bread, I would refer to the reply given by my right hon. Friend the Minister of Agriculture on 20th February.

SECOND SCOTTISH NATIONAL HOUSING COMPANY.

Mr. McGOVERN asked the Secretary of State for Scotland the amount of money held by the Second Scottish National Housing Company (Housing Trust, Limited) from the £1 deposit demanded on letting of the houses; and the amount held from each scheme, respectively?

Sir G. COLLINS: The amount at present held by the company is £2,493, spread over the various housing schemes as follow:

	£
Clydebank:	
Whitecrook	100
Dundee:	
Craigiebank	300
Edinburgh:	
Wardie	100
Lochend	250
Glasgow:	
Garngad	86
Shettleston	474
Robroyston	200
Springboig	484
Greenock:	
Carsburn	100
Inverkip	60
Craigieknowes	40
Hamilton:	
Burnbank	49
Mid-Lanark:	
Torbothie	50
Bellshill	100
Cambuslang	100
Total	£2,493

TRADE AND COMMERCE.

CENSUS OF PRODUCTION.

Mr. MORGAN JONES asked the President of the Board of Trade whether he will arrange to take a census of the distributive trades either separate from, or in conjunction with, the census of production which is due to be taken next year?

Dr. BURGIN: The answer is in the negative.

PALESTINE (CITRUS EXPORT).

Sir GEORGE JONES asked the Secretary of State for the Colonies whether he is aware that during the current season more than 6,000,000 boxes of citrus fruit will be exported from Palestine, and that, as a consequence of recent planting, the amount available for export will be no less than 20,000,000 boxes annually at the expiration of seven years; and whether any steps are being contemplated by the

Government which will assist towards the absorption of the increased exports in British and other markets?

Sir P. CUNLIFFE-LISTER: I have seen various estimates of the future expansion of citrus exports from Palestine approximating to that mentioned by my hon. Friend. The Government of Palestine is co-operating, and will continue to co-operate, with representatives of the industry in schemes calculated to improve marketing prospects and increase sales, and my hon. Friend may rest assured that His Majesty's Government will not lose sight of this matter in negotiating trade agreements with foreign countries.

ITALY.

Mr. MANDER asked the President of the Board of Trade the total British imports and exports, respectively, between this country and Italy for the last three years?

Dr. BURGIN: The desired information is shown on pages 183, 187 and 191 of the "Accounts relating to Trade and Navigation of the United Kingdom" for January, 1935.

ANGLIAN INSURANCE COMPANY.

Mr. RHYS DAVIES asked the President of the Board of Trade the number of claims outstanding against the Anglian Insurance Company; the total sum involved in those claims; how many claims have been made which have not yet come to trial; and whether he proposes to make inquiries into the transactions of this company during the last few years?

Sir G. COLLINS: The company referred to is in process of being wound up by order of the Court of Session, and accordingly its affairs are now in the hands of the liquidator appointed by the court. The liquidator is not under my jurisdiction, and information on the points mentioned in the first three parts of the question is not available. As regards the last part of the question, in the present circumstances the matter is not one calling for inquiry on my part.

TIN REGULATION SCHEME.

Mr. RHYS DAVIES asked the Secretary of State for the Colonies whether he will make it a condition of any renewal of the tin restriction scheme that no representative of Malaya or Nigeria on the International Tin Committee or on the Buffer Stock Committee shall have any personal interest in tin; and if he will report to the House whether any such representative or any official or unofficial member of the International Tin Committee has any personal tin interests?

Sir P. CUNLIFFE-LISTER: I will consider the suggestion, but it is premature to lay down conditions for renewal of a scheme which is in force until the end of 1936. The representatives of Malaya and Nigeria on the International Tin Committee are officials with no special financial interests in tin, but the representatives of the Netherlands East Indies and of Bolivia on the committee, who have been appointed by their respective Governments, include business men interested in tin production, while practically all the advisers who attend the committee are persons who are interested in the tin industry.

Mr. WILMOT asked the Secretary of State for the Colonies whether any steps are taken by his Department to prevent representatives of the private tin pool who attend meetings of the International Tin Committee from making improper use of advance information of the decisions of that committee in regard to altering the quotas of production or selling the buffer stock?

Sir P. CUNLIFFE-LISTER: The decisions of the committee regarding alterations of quotas are published immediately after the meeting, so no question of using advance information can arise. As regards the buffer stock, no question of selling has yet arisen.

Mr. WILMOT asked the Secretary of State for the Colonies whether, in view of the fact that the Malayan representatives on the International Tin Committee were ordered by the Colonial Office to support the inauguration of the tin buffer stock scheme in spite of the opposition of the Council of the Federated Malay States Chamber of Mines, the Singapore Chamber of Commerce, the Federated Malay States Chamber of Commerce, the Straits Settlements Association, the Selangor Miners' Association, and the

London Metal Exchange, he will set up an inquiry into the working of the scheme; and whether any private speculative tin pools have been operated in conjunction with the buffer stock?

Sir P. CUNLIFFE-LISTER: The buffer stock has not yet bought or sold any tin; it has merely collected tin from the contributing Governments in accordance with the scheme. There can, therefore, be no question of inquiring into its operation. The answer to the second part of the question is in the negative.

Mr. G. MACDONALD asked the Secretary of State for the Colonies whether he is aware that, as a result of the present level of tin prices brought about by the operations of the tin restriction scheme, the Belgian Congo is producing 425 per cent. of its 1929 output, while Malaya and Nigeria are restricted to 40 per cent. of their output that year; and whether he will have the scheme reconsidered at the earliest opportunity?

Sir P. CUNLIFFE-LISTER: I am aware of the increased production of tin in the Belgian Congo and of the terms on which that territory has been admitted as a participant in the International Tin Control Scheme. The International Tin Committee, after full examination, considered it preferable to admit the Congo on these terms, rather than to contemplate wholly unrestrained production in that region. I have been informed by the chairman of the International Committee that the large increase in the Congo production was planned and arranged for at a time when tin prices were at the lowest levels of recent years. The control scheme expires in December, 1936, and the terms for its renewal will require careful consideration in due course. In order that the hon. Member's figures should be fairly appreciated, I ought to add that if the whole of the Belgian output for 1934 could be completely suppressed it would not justify an increase of more than 2.8 per cent. in the quotas of the four signatory Governments.

BRITISH GUIANA (ELECTIONS).

Mr. ROBINSON asked the Secretary of State for the Colonies what report he has received from the Acting-Governor of British Guiana on corruption in recent elections in the Colony; and what action he proposes to take thereon?

Sir P. CUNLIFFE-LISTER: I have not yet received the Acting-Governor's report.

TRINIDAD (HARBOUR WORKS' CONTRACT).

Mr. CHORLTON asked the Secretary of State for the Colonies whether, in view of the exclusion of the Dominions from the opportunity of tendering for contracts to be financed by loans from the Colonial Development Fund, he can explain how it is that a sub-contract has been approved entailing payment of about one-third of a contract valued at approximately £1,000,000, and financed by a loan from the Colonial Development Fund, which was recently placed by the Crown agents for the Colonies on behalf of the Government of Trinidad and Tobago to a firm registered in this country with a capital of only £2,000 of which £1,800 is held in Holland, although substantial British firms in the Dominions and Great Britain endeavoured to secure the sub-contract in question?

Sir P. CUNLIFFE-LISTER: The contract referred to in my hon. Friend's question is one which has been awarded by the Crown Agents for the Colonies to Messrs. Edmund Nuttall, Sons and Company and John Mowlem and Company (Joint), Limited, of 91, Ebury Bridge Road, London, for harbour works at Port of Spain, Trinidad. For the necessary dredging work the sub-contract has been entered into by the main contractors with the Nash Dredging and Reclamation Company, Limited. The entire project, which will involve an expenditure of approximately £1,000,000 will be assisted by a free grant from the Colonial Development Fund of the net interest on constructional costs during the period of construction, and for one year thereafter. The Nash Company have undertaken to build or purchase in this country such plant as they may require, and the staff which will be employed is to be as far as possible British. I am informed that the company have placed an order with a Clyde firm for a new bucket dredger at a cost of over £31,000, and that they have also purchased from British firms a suction dredger, hopper barges and a tug. These are being reconditioned

in British yards at Southampton and Cowes. In all, I understand, the orders they have placed or expect to place in the United Kingdom total some £90,000. The management of the company remains in this country, and the contract further provides that the company shall pay United Kingdom income tax on all profits made during its currency, wherever earned. Before the contract was awarded, the chairman of the Colonial Development Advisory Committee was consulted in the matter, and with the approval of the committee he took the same view as I did, that the employment of the firm of sub-contractors in question could properly be agreed to. The employment of this particular company of sub-contractors involves a saving of £57,000 to the Trinidad Government.

COAL INDUSTRY (ACCIDENTS).

Mr. MAINWARING asked the Secretary for Mines the rate of accidents in the coal-mining industry of Great Britain, surface and underground, per thousand employed, per million tons raised, and per man-shift worked, respectively, for the year 1913, the year 1923, and for each year from 1930, together with the average number of shifts worked per man employed in each year?

Dr. BURGIN: I have been asked to reply. The information is as follows:

Accidents at Mines under the Coal Mines Act, 1911, in Great Britain.

Year.	Number of Persons killed (below and above ground).			Number of persons injured* (below and above ground).			Average Number of shifts worked per man.
	Per 1,000 persons employed.	Per 1,000,000 tons of mineral raised.	Per 100,000 manshifts worked.	Per 1,000 persons employed.	Per 1,000,000 tons of mineral raised.	Per 100,000 manshifts worked.	
1913	1·55	5·81	Not available.	157·1	587	Not available.	
1923	1·06	4·57	0·41	173·9	747	66·8	266
1930	1·07	4·04	0·43	176·2	663	70·8	248
1931	0·98	3·82	0·41	161·3	629	66·9	241
1932	1·06	4·13	0·45	152·1	590	63·7	238
1933	1·03	3·87	0·43	153·5	578	63·7	241
1934 ... ... (Provisional).	1·34	4·73	0·53		(Not yet available.)		

* Including persons disabled for more than 7 days in 1913 and 1923 and for more than 3 days in 1930 and subsequently.

AIR LINERS (PASSENGERS' SAFETY).

Mr. GOLDIE asked the Under-Secretary of State for Air whether, in order to ensure the safety of persons travelling by air liners, he will take steps to render it compulsory for every such air liner to carry a steward in attendance on such passengers?

Sir P. SASSOON: My Noble Friend does not consider that such a regulation is necessary.

ADMIRALTY INDUSTRIAL EMPLOYÉS (STATISTICS).

Sir R. GOWER asked the Parliamentary Secretary to the Admiralty the names of the departments in naval establishments and the number of persons (established) employed therein who do not receive a reduction in their wage on being placed on the established list in those departments?

Lord STANLEY: The approximate numbers of established industrial employés at present borne in the various departments in grades in which no deduction from wages is made on establishment are as follow:

Captain of Dockyards ...	314
Naval Store	307
Armament Supply	207
Victualling	78
Civil Engineer-in-Chief ...	35
Medical	32
R.N. Colleges	1

NOTE.—The figures given have been confined to workpeople. Salaried officers and office staffs normally suffer no reduction in pay on establishment.

Sir R. GOWER asked the Parliamentary Secretary to the Admiralty what was the total amount disbursed in gratuities during the past financial year to established industrial employés on retirement?

Lord STANLEY: Assuming that the hon. Member has in mind the additional allowances (lump sums) payable under Sections 1 (2) and 3 of the Superannuation Act, 1909, the approximate amount paid during the financial year 1933 was £73,000.

Sir R. GOWER asked the Parliamentary Secretary to the Admiralty what is the present annual amount disbursed by way of pensions to established Admiralty industrial employés?

Lord STANLEY: The annual value of pensions now in issue (including compensation allowances awarded in respect of abolition of office) is approximately £384,500.

Sir R. GOWER asked the Parliamentary Secretary to the Admiralty what is the approximate annual difference between the total amount actually paid to established Admiralty industrial employés and the amount which would be paid if a deduction were not made from their pay on establishment?

Lord STANLEY: The amount is estimated very roughly at £52,000.

MEXICO (POSTAL ADMINISTRATION).

Dr. O'DONOVAN asked the Postmaster-General whether printed matter of a religious nature is accepted in England for transmission to Mexico; and whether such postal matter is delivered by the postal authorities in that country?

Sir K. WOOD: Printed matter of a religious nature is accepted for transmission by post to Mexico and there is nothing in the published restrictions announced by the Mexican postal administration to suggest that such matter is withheld from delivery.

SCIENTIFIC RESEARCH (STATE EXPENDITURE).

Sir H. SAMUEL asked the Financial Secretary to the Treasury the estimated expenditure of the State in the present financial year upon scientific research, including grants through the Department of Scientific and Industrial Research, the Ministry of Agriculture and Fisheries, the Colonial Development Fund, and any other channels?

Mr. COOPER: The expenditure of the State upon scientific research in the current financial year is estimated as follows:

	£
Admiralty	771,100
War Office	321,450
Air Ministry	1,430,000
Colonial Services	7,000
Colonial Development Fund ...	28,500
Dominion Services	31,233
Ministry of Agriculture and Fisheries	327,232
Department of Agriculture for Scotland	47,180
Fishery Board for Scotland ...	15,500
Development Fund (direct grants)	18,091
Forestry Commission	10,915
Mines Department	1,750
Department of Scientific and Industrial Research	559,894
Vote for Scientific Investigation (including Agricultural and Medical Research Councils) ...	199,473
Ministry of Health	3,320
Post Office	68,000*
Office of Works	140,765
	£3,981,403

* Includes £18,000 charged to Post Office loan.

NOTES:

1. The above figures do not include expenditure in respect of salaries, etc., of administrative staff except in the case of the Department of Scientific and Industrial Research.

2. In the case of the Defence Departments (and to some extent of other Departments also) it is impracticable to distinguish between expenditure on pure scientific research and that on technical research and experiment. The figures given include so far as possible the provision for all such expenditure.

3. The normal work of the Government chemist entails a cerain amount of research to which no definite proportion of the annual expenditure can be assigned, and nothing has been included in respect thereof in the above figures.

BOLIVIA (SUPPLY OF ARMS).

Mr. MANDER asked the Secretary of State for Foreign Affairs to what extent the embargo on the export of arms to Bolivia has now been raised?

Sir J. SIMON: His Majesty's Government in the United Kingdom informed the League on 31st January that they were prepared to accept the recommendation contained in the League Advisory Committee's report of 16th January last to the effect that the enforcement of the prohibition of the supply of arms to Bolivia should not be continued. Similar communications have been addressed to the League by the Governments of Sweden, France, Italy, the Union of Soviet Socialist Republics, the Netherlands, Poland, Belgium, India and Southern Rhodesia.

UNEMPLOYMENT.

STATISTICS.

Miss CAZALET asked the Minister of Labour the number of those who have been unemployed for more than two but under three years, more than three but under four years, more than four but under five years, and for over five years, respectively; and the principal age groups in which they are to be found in each case?

Mr. STANLEY: I regret that statistics giving the desired information are not available.

ASSISTANCE BOARD.

Mr. T. MORRIS asked the Minister of Labour when he expects to be in a position to make any announcement as to the selection of the second appointed day in connection with the work of the Unemployment Assistance Board?

Mr. STANLEY: I am not yet in a position to make any statement on this subject.

INSURANCE.

Mr. T. MORRIS asked the Minister of Labour how many people lost their insurance rights in 1934 through the failure of their employers properly to stamp their cards?

Mr. STANLEY: I have no statistics on this point, but I would remind my hon. Friend that failure to stamp an unemployment book does not prejudice a subsequent claim for benefit, provided that the insured contributor can show that he has made every reasonable effort to secure that the contributions were paid.

ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee [FOURTH DAY —*Progress 26th February*].

[Sir DENNIS HERBERT in the Chair.]

CLAUSE 6.—(*Accession of Indian States.*)

Amendment proposed [26th February]: In page 3, line 19, to leave out "a declaration made," and insert "an Instrument of Accession executed."—[*The Solicitor-General.*)

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

3.48 p.m.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): When the Committee adjourned last night I was on the point of answering certain questions that had been put to me in connection with the Amendment moved by the Solicitor-General. Let me, however, before I deal with the specific questions say once again that neither this Amendment nor the Amendments that the Solicitor-General described in this connection last night are hasty decisions intended to placate opposition in a moment of crisis. They are not the forerunners of others which will change the whole structure of the Bill. They have been put down on their merits and, equally on their merits no doubt, similar Amendments will be moved to later Clauses of the Bill. I make that statement at the opening of our proceedings to-day in order to remove any impression that may have been created in the mind of anyone by certain fantastic paragraphs in the public press this morning. When I read my newspapers this morning I rubbed my eyes and said to myself:

"Do I sleep, do I dream, or is visions about."

Taking two instances, I observe in one of the principal organs of the extreme right and in one of the principal organs of the extreme left, both of them singing in curious unison, that I had spent the night before last in a sleepness night preparing a recantation of the federal scheme. I also observed in these journals that I spent a good deal of yesterday in two long-distance talks upon the telephone with the Maharaja of Patiala and that I invited the Indian Princes in this critical emergency to come over at once, and, at a moment's notice, discuss with me the whole basis of the Amendments that we are here considering this afternoon. Let me say to the Committee that there is not a vestige of truth in any of these fantastic rumours. So far as the telephone to India is concerned, I have only once used it and that was two years ago when I opened the service between Bombay and London. Since then I have felt it much better to let the Government of India and the Viceroy manage their own affairs without the constant intervention of the Secretary of State from the India Office in London. Least of all should I engage in these panicky conversations with one of the great Indian Princes presumably behind the back of the Viceroy, realising as I do, and as I hope every Member of this Committee equally does, that the Viceroy is the proper channel between the Crown and the Princes and that nothing would be more improper than for me to intervene in this matter.

Fortunately, however, these things have been put in their proper perspective by a Reuter message from Bombay that was put into my hands as I came into the House this afternoon, and I will quote it now because it affects directly Clause 6 and the Amendments with which we are actually dealing. I will read the substance of it to the Committee:

"The speeches of the Secretary of State and others in the House of Commons have been widely discussed and comment is that much has been made of a storm in a tea-cup. It is felt that the Secretary of State has taken the Princes' resolution in the spirit in which it was meant to be taken, and that the Princes' difficulties in connection with joining in the Federation will be capable of solution eventually by amendments and adjustments during the progress of the Committee stage of the Bill and later at the time of the actual accession, the Instruments of which will vary in the case of each individual State, and will be capable of modification to meet the requirements of particular States.

One not uninfluential section,"—

I will not disguise this fact from the Committee—

"however, still believes that the differences are of a fundamental nature needing urgent attention and capable of being removed only by radical changes in the Bill as well as in the Instruments of Accession."

Mr. CHURCHILL: Who is the authority for that communication?

Sir S. HOARE: Reuter's agency.

Mr. CHURCHILL: Only a communication from a news agency.

Sir S. HOARE: Yes, Sir, and if I had quoted a telegram from the Viceroy to myself my right hon. Friend would have been the first to say that that was biased information. That is why I think it is much better to quote an agency of the public Press upon the subject. Having said these few words of introduction to our discussion, let me proceed to the questions that were asked of me upon these Amendments last night, and let me begin by the series of questions put to me by my right hon. Friend the Member for Epping (Mr. Churchill). My right hon. Friend and I, I am afraid, often disagree in these discussions. Will he, however, let me say—and it is a very sincere observation—with what delight we all listened to his speech late in the evening yesterday. It could not have been a more delightful speech, full of wit and humour. Indeed, if I may say so, I—certainly I myself, and, I think, a great many other people in the House—infinitely preferred his manner in the evening to his melodramatic manner in the afternoon. Be that as it may, he painted in most vivid colours a picture of the kind of federation that he assumed that I was proposing to the Committee. In looking at these Amendments, he said to me, "Is this the kind of federation you are setting up? The Secretary of State will go round the Princes one by one, his pockets filled with the Princes' tributes, doling out a bit to one, doling out a bit to another, and saying to them one by one, 'Come into the Federation. As regards obligations, you can come in on a kind of limited liability basis. But come in and be one of the 52, and then I can set up this Federation.'"

I am sorry to have to obliterate that very picturesque description, so picturesque that it would really be worthy of a cartoon by Low or Strube. In actual fact none of these things is going to happen. Certainly we are not going to have any Princes acceding to the Federation with this kind of limited liability system. Perhaps I cannot do better than read to the House the answer I gave upon this subject in my cross-examination in the Joint Select Committee to one of the 10,000 odd questions that I answered in that Committee. These are my words:

"We contemplate that Items 1 to 45"—those are the items that now appear in the Seventh Schedule and they are the items in the federal list—

"of List 1 will be the normal field over which the States will surrender their powers."

I pause at this point to draw the attention of the Committee to the fact that Items 1 to 45 cover a very wide field of government.

"The actual details of the treaties must be considered each on its own merits, always with this reservation in mind, that if a State attempts to make reservations that would make its entry of no value to the Federation or not of sufficient value to the Federation, then obviously we must have the power of refusing to accept an entry upon those terms . . . There will be variations, no doubt, as to the exact manner in which the States undertake these federal duties. There again it is a question to be considered when the Instruments of Accession are considered, and once again, if a State attempts to make terms which would make its entry of little or no value to the Federation, then there must be power of refusing the entry of that State . . . What we want, and what we shall do our utmost to obtain is a basic list of the important subjects with which the States who enter the Federation would as a whole conform"

I finish the quotation, and I pass to the conclusion that I draw from it. First, the States will be invited to accept the first 45 items as federal subjects. They will, of course, be free to accept other subjects if they so wish. Secondly, there will, and must, be some variation from State to State, either in the number of subjects or in the qualifications which they attach to their acceptance——

Mr. CHURCHILL: Within the 45?

Sir S. HOARE: Within the 45—these variations arising from the different circumstances of the States and the different treaty rights which they may wish to preserve. It will, however—and this is the statement that I emphasise again—rest with the Crown to accept or reject proposals for accession, and the House—here, again, I emphasise this point—will be in due course in full possession of all the facts upon which acceptance or rejection has been based. In order to make it quite clear to hon. Members in this Committee that there is no intention whatever of accepting inadequate condition of accession, I give once again the undertaking to the Committee that the Instruments of Accession will be issued in the form of a White Paper before the

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House is asked to consider a Proclamation bringing in the Federation, and the House, before it pledges itself to Federation, will be in a position to judge whether the accessions have been really effective or not.

Mr. ISAAC FOOT: Would the right hon. Gentleman remind the Committee that the answer to which he has referred to-day which was given before the Joint Select Committee, was immediately published not only in this country but in India, and was made in the presence of the representatives of the Princes themselves?

Sir S. HOARE: Yes, I think that certainly was so. My hon. Friend will correct me if I am wrong, but I think I am right in saying that there has never been any difference of opinion on this point at all. The facts, however, which the Committee should keep in mind, if they have any suspicion left in their mind lest these accessions should be inadequate, is that they will see all these Instruments of Accession before the Proclamation is issued, and if then they think these instruments inadequate, they need not pass the Resolution necessary to bring in Federation.

I pass to the second of my right hon. Friend's questions. It really arises from the answer I have just given, namely, Will the Princes come in upon differing terms? If one Prince, for instance, has made a limited accession, has he only a limited position in the Federation? My answer to my right hon. Friend is, that once an accession has been accepted, all the Princes then will be on the same footing. The safeguard is in the acceptance of the accession. When once the accession is accepted, there will be no difference between one Prince and another.

Mr. CHURCHILL: And everyone has to agree to the first 45 items, subject to certain minor modifications in respect of the circumstances of the particular State? Is that so?

Sir S. HOARE: I would not go so far as to be rigid on a point like that, but the general intention is that 1 to 45 will be the subjects over which the Federation will operate. In as big an area as India, there are bound to be partial variations. The general intention is that 1 to 45 should be the normal field of entry.

Mr. CHURCHILL: Substantially they will all have to subscribe to that?

Sir S. HOARE: I will put it rather in the form in which I have put it that it is the normal field of entry, and exceptions from that field would have to be justified. We should hope that they would be a very limited number.

Let me pass from this question to one or two others that were asked me. The hon. Member for Caerphilly (Mr. Morgan Jones) asked me a question of the same kind, namely, would a State be able to accede in respect of 10 subjects? My answer to him would be that I do not think that we could possibly regard an accession of that kind as an effective accession. I cannot imagine that to pick out two or three items could possibly be regarded as effective accession.

Mr. CHURCHILL: Outside the 45 more or less obligatory?

Sir S. HOARE: No, the answer would be much more definite. Then the hon. Member for Caerphilly asked me a question about the intervention of the Federal Centre.

Mr. MORGAN JONES: The right hon. Gentleman has spoken so far of the Federation. What has he to say in relation to the concurrent list? Do the same remarks apply?

Sir S. HOARE: My remarks apply only to the Federation. I think we ought to deal with the concurrent list when we come to the Amendments on the subject; but the whole basis of our discussion has been on the basis of federation. The concurrent list raises a number of other issues. The hon. Member asked me another question. I think his case was this. Suppose a State, having acceded to the Federation, and having accepted a particular federal subject, is allowed, for special reasons, to administer that subject itself, what power is given to the Federation if that federal subject is not being effectively administered? The answer is two-fold. First of all, the Federal Executive and the Federal Legislature would have the right, and indeed the duty, to follow very closely what is happening with that service. Suppose it appeared that the service was not being

effectively administered and intervention was then necessary. The intervention would come from the Governor-General for this reason. The Joint Select Committee came to the view, not only in this case, but in cases also affecting the Federal Government and the Provinces where intervention was necessary, that intervention had better come from the Governor-General, although acting, of course, in the closest contact with the Federal Government, rather than from the Federal Government itself.

The hon. Member will see the kind of difficulty we wish to avoid. We wish to avoid the difficulty of the Governor-General on the advice of his Federal Ministers instructing a Provincial Governor or the Sovereign of a State to take action against his own ministers. We thought that that kind of situation would be objectionable from various points of view.' That being so, intervention of that kind had better not come from the Governor-General on the advice of his Federal Ministers. But that does not mean that the Governor-General would not be in the closest possible touch with his Federal Ministers and that the Federal Ministers would not be closely following the matter.

Mr. MORGAN JONES: Suppose in State A or State B there is a suspicion of inefficient administration. Would it be possible in the Central Legislature for a discussion to arise concerning that lack of efficient administration?

Sir S. HOARE: I feel sure that the Federal Legislature would be able to discuss matters in connection with any service that the Princes had accepted as a federal service. Quite obviously the Federal Legislature in a matter of that kind would have the duty to discuss it.

Sir STAFFORD CRIPPS: Surely it would be rather similar to the case where this House, for instance, has put the administration in the hands of the Tariff Commission or similar body which is outside the control of this House, and for which no Minister is responsible? Therefore, you cannot raise the question of its administration, because the House has put it outside its control. Would not a similar principle apply as regards the Federal Legislature? There being no responsible Minister for the service in State A, it would not be competent for the House to discuss the administration. If they did so, they would be discussing the discretion of the Governor-General.

Sir S. HOARE: No, Sir, the analogy is not exact between a board such as the hon. Member has mentioned and the position of a State administering services of this kind. There would be an immense responsibility. Let me put it in the form of a concrete case which will make it simpler to the Committee. Take the case of railways. It is quite conceivable that in one or two of the great States it might be advantageous and convenient that railways, while remaining a federal subject, should be administered by this or that particular State in the State. None the less, the Minister of Communications in the Federal Government would be equally responsible for federal railways as a federal subject. I think I am right.

Sir S. CRIPPS: In Clause 124 this question is made in the Instrument of Accession a reservation, and, therefore, it is never submitted to the Federation. The words are:

> "Notwithstanding anything in this Act, agreements may, and, if provision has been made in that behalf by the Instrument of Accession of the State, shall, be made between the Governor-General and the Ruler of a Federated State for entrusting to the Ruler or to his officers functions in relation to the administration in his State of any law of the Federal Legislature which applies therein."

That would be a reservation in the Instrument of Accession and, therefore, the administration being reserved to the ruler, would never come within the Federation at all.

Sir S. HOARE: I will look further into the point, but I think the case is as I have stated, and later, or in some future debate, we can deal with it at greater length. The main point certainly is as I have stated, namely, that if the Federal Government were not satisfied with the adequacy of administration of this kind, then the Governor-General under the Clause would have the power of intervention, and that intervention would be made probably in full contact and full agreement with the Federal Government.

There was a question asked me by my hon. Friend the Member for Oxford University (Sir C. Oman), who spoke the other day with great regret of the

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way I had lapsed since years ago I attended his lectures in Oxford. Perhaps, as an excuse, may I say this? Although I believe he has written one of the best text books of every conceivable period, not alone of English but of world history, I think he has omitted any chapter about India—at any rate, about the Indian Princes. Perhaps that accounts for the gaps in my knowledge to which he drew attention the other evening. Be that as it may, my hon. Friend asked me this question: Can a Ruler accede while he is compulsorily residing outside his State and not exercising his powers in the State or while he is a minor? The answer to both questions is, "No." Sub-section (3) provides for a State which has validly acceded to the Federation remaining in the Federation despite the death of its Ruler and the accession of a minor, subject to a Regency. Actual accession can only be effected by a ruler himself exercising the powers of a ruler in his State.

A question was asked me by my right hon. Friend the Member for Tamworth (Sir A. Steel-Maitland), namely: Do the limitations and conditions that may be asked for apply only to the subjects in List No. 1 or also to the subjects in List No. 3, the concurrent list? The answer is that if, which is not very likely but is possible under the Clause, any ruler of a State accepted as federal in his State a subject included in the concurrent list he could apply conditions in regard to his acceptance of that subject in the same way as he can apply conditions to his acceptance of any subject in List No. 1. I have omitted to deal with a second question put to me by the hon. Member for Caerphilly. It is a rather complicated one, but so far as I understood it it was this: Does the provision in Sub-section (2) of Clause 6 for supplementary declarations mean that a ruler having once declared his acceptance of such and such federal subjects, subject to such and such qualifications, can by a subsequent instrument withdraw his acceptance of any federal subject or add fresh qualifications or limitations to it? The answer is, "No." The intention of Sub-section (2) is to enable a ruler who has accepted, say, 40 subjects, as federal to signify his acceptance of further subjects or, alternatively, having accepted a particular item, subject to qualifications, to restrict those qualifications. I think I have dealt with all the questions that were asked me last night, and I hope that I have given not unsatisfactory answers.

4.18 p.m.

Mr. CHURCHILL: I wish to thank the Secretary of State for the illumination which he has thrown upon a complicated aspect of the Bill and on his Amendments. I couched my remarks in an interrogatory form. I was not drawing a picture, but I was asking a certain number of questions in order to obtain reassurance that the picture when drawn by the Secretary of State would be free from some of the blemishes which might appear in some versions. I think the Secretary of State has made it very plain that the accession of the Princes must be great and substantial accessions. If they come in they are to come in for substantially the whole body of the subjects up to 45. There is no question of their being allowed only to take up two or three, or half-a-dozen, or fifteen. They must come in substantially for the whole of these 45 important elements in the Federal Constitution. That, I think, is very satisfactory. I agree that in a sub-Continent as vast as India certain differences here and there might allow of some mitigation in respect of a particular State, but I gather that that is only to be for a very small proportion of the 45 subjects and is not likely to occur except in a few of the States. That being so, I think that undoubtedly the core of the Federation will be sustained by the Princes who subscribe to this particular list.

I gather that it is optional in regard to the other list to come in with or without reservation. It appears to me, if I understand rightly, that in regard to the first list of 45 subjects—I notice that it stops short of State lotteries, in which my hon. Friend the Member for South Kensington (Sir W. Davison) is interested—some of the services may be handed back, as it were, to the Princes for administration in their own territories, instead of being administered by the Federal Government, if that is found to be satisfactory. That is so, is it not?

Sir S. HOARE: Yes.

Mr. CHURCHILL: But, of course, the discussion of the affairs of those States in the Federal Legislature will range

equally over any branches that have been reassigned to the States and to those which are being administered by the Federal Legislature and which the Princes have surrendered to the Federal Legislature. That is very important, and I am very glad that we are going to see exactly what the consequences of the situation will be. There will be this enormous block of subjects, 45 subjects, which touch the States at so many points, and the whole of them can be made the subject of debate at any time in the Federal Assembly. That is certainly right, because obviously if the services have been surrendered they are amenable to discussion, and if once surrendered and then handed back *a fortiori* the supervision must be maintained. The internal affairs of the States which join the Federation will be continually open to debate and discussion in the Federal Assembly. That is most important to establish, and I am very glad that the Secretary of State did not find himself in agreement with the hon. and learned Member for East Bristol (Sir S. Cripps) who seemed to think that it would be, as it were, outside the purview of the scope of the Federal Legislature to discuss and to have debates on the internal affairs of the different States. It now appears that they will be brought fully and fairly on to the floor of the Federal Assembly. Having regard to the fact that the list is a substantial list and that those States that accede to the Federation will be subject to having the whole of these matters constantly discussed in the Assembly it seems to me that no one can deny the reality and the gravity of the act which each one of the Princes will take when he subscribes irrevocably to the Instrument of Accession.

4.25 p.m.

Mr. MORGAN JONES: I should like to associate myself and my hon. Friends on these benches with the appreciation expressed by the right hon. Gentleman for Epping (Mr. Churchill) with regard to the lucid explanation given by the Secretary of State and the great care he has taken in his replies to the questions addressed to him. I do not pretend on behalf of my hon. Friends to say that we are entirely reassured, though I confess that what has fallen from the right hon. Gentleman this afternoon does go some way towards removing any little misapprehension that we entertain. We must, however, take steps at the appropriate time to express our disapproval of the methods of accession as indicated by the Bill. In order not to consume time unnecessarily may I say that we shall not divide the Committee on this particular Amendment, but later on we shall avail ourselves of the opportunity of dividing the Committee on an Amendment which will be found on page 414 of the Order Paper. I hope the Committee will understand clearly that by allowing this part of the Bill to pass unchallenged we do not indicate our assent to what is done in the Clause.

4.27 p.m.

Sir WILLIAM DAVISON: I am not clear with regard to the list. The list in the Bill is one of 56 items. We are now told that the Princes will only have to signify substantial agreement in regard to the first 45. What is the position with regard to items 46 to 56? Those items contain provision as to State lotteries, taxes on income other than income from agricultural land, taxes on the capital of individuals and companies—all very important matters—the rates of stamp duty in regard to bills of exchange, etc., terminal taxes on goods or passengers carried by railway, water or air, and other subjects. These are all matters of very vital importance. I am not clear why the list has been divided after item 45 and why the items from 46 to 56, which are most important items, should be put in another category. I should be much obliged if the Secretary of State would make it clear why these apparently non-necessary items are to be dealt with in this way.

4.28 p.m.

Sir S. HOARE: The division between items 45 and 46 is the division between subjects that the States have, generally speaking, accepted as federal subjects; subjects which pre-eminently concern British India rather than the States. When we come to a discussion of these items in the list, I shall be able to justify what I have just said, and I can tell my hon. Friend that those later subjects are British India subjects rather than State subjects.

The CHAIRMAN: I am very anxious not to curtail the explanations that may be necessary, but hon. and right hon. Members must remember that we must

[The Chairman.]
not discuss the list except so far as may be necessary to understand this Amendment.

4.29 p.m.

Colonel WEDGWOOD: If we pass this now, are we committed to considering nothing further than the first 45 subjects?

Sir S. HOARE: No.

Colonel WEDGWOOD: When we come later to the Schedule shall we be told then that owing to what we do now in this Clause we have stopped ourselves from going any further?

Sir S. HOARE: No.

4.30 p.m.

Mr. CHARLES WILLIAMS: There is one question I should like to put to the Secretary of State. The Governor-General has to say if he thinks a particular subject which is being administered by the Princes is not being administered in the right way. When he does that I want to know what is the procedure to get the subject properly administered.

Sir S. HOARE: Here again I must not anticipate the Clause which deals with this matter, but in a single sentence let me say that he would give instructions to the ruler of the State to put the affair right.

Duchess of ATHOLL: There is one point in connection with the list of 45 subjects which I should like to mention. In Part II of the concurrent list there are many matters of great interest to British India which many people feel should be federal rather than provincial. There are, for instance, the factory laws——

The CHAIRMAN: That is clearly outside the scope of the Amendment.

Mr. CHURCHILL: With a view to utilising as much time as possible, may I say that we propose to fall in with the views expressed by the hon. Member for Caerphilly (Mr. Morgan Jones) and take a Division on one particular Amendment?

Amendment agreed to.

4.32 p.m.

Brigadier-General Sir HENRY CROFT: I beg to move, in page 3, line 20, at the end, to insert:

"(*a*) declares his willingness that as and from the date of the Proclamation establishing the Federation he and his subjects should become subjects of His Majesty."

The CHAIRMAN: I do not propose to select the next Amendment on the Order Paper in the name of the hon. Member for Islington (Mr. Donner) and the Noble Lord the Member for Perth (Lord Scone), to leave out the words "and to his subjects," because I think the point can, if necessary, be sufficiently raised on the Amendment of the hon. and gallant Member for Bournemouth (Sir H. Croft). If hon. Members, however, think it necessary to ask for a decision on the next Amendment I shall be prepared to call it for the purpose of taking a decision, on the understanding that it is not then further discussed.

Sir H. CROFT: The Amendment which I propose has been tabled more with the object of trying to elucidate a little information from the Secretary of State and in the hope that hon. Members will appreciate the full reactions of the federal scheme we are setting up. The more one examines it the more one finds what great difficulties there are confronting it. Under the Bill it is proposed to federate the Provinces, the natives of which are subjects of His Majesty the King, with the States, the natives of which are not British subjects. Consequently, we have to consider a state of affairs which probably has never existed in any similar attempt to federate in the world. We have to consider how long such a state of affairs can exist, and whether the point has been raised by the Secretary of State with the Princes as to how long such an extraordinary situation is likely to continue. Later, when we consider the Clauses of the Bill relating to federal law and the courts, it will be proved that the anomalies and difficulties arising from this state of affairs are far more apparent. I have been trying to find a precedent for this proposal. In this country our Sovereign was once the Sovereign of Hanover as well, and every one will admit that it would have been extremely difficult to have had Bavarians as members of Parliament working under a federation which was supposed to continue for all time. There is another difficult point in relation to the oath

which has to be taken. A legislator from a native State in taking the oath says:

"saving the faith and allegiance which I owe to ——"

It may be to the Gaekwar of Baroda or the Maharaja of Kashmir—

"saving the faith and the allegiance which I owe to —— I will be faithful and bear true allegiance to His Majesty the King, Emperor of India."

There may be some conflict in the future between a native ruler and the King Emperor. What is this wretched man going to do? He will be torn between two loyalties, but will probably edge towards his local ruler, who has his eye upon him, rather than to the distant King Emperor. I think we shall find extraordinary difficulties arising in connection with this matter. We do not wish to divide the Committee to-day unless the Secretary of State has had an indication from the Princes that they would like to accept the Amendment. I do not know whether this point has ever been raised with them. In any case, the Princes have had little time to consider the suggestion, and we do wish to force the proposal unless the Secretary of State can give us some information. I should like to know whether the consequence of this mixing up of different nationals and subjects has been considered and, if so, whether the Secretary of State can tell us for how long he contemplates it will be possible for such a state of affairs to continue?

Sir EDWARD GRIGG: It is always rash to assert, as the hon. and gallant Member for Bournemouth (Sir H. Croft) has asserted, that there is no precedent in the British Empire. There is a precedent for this anomaly. In the Protectorate which is part of the colony of Kenya the subjects on the coast are not the subjects of His Majesty the King but of the Sultan of Zanzibar. In spite of that, Arab members who are subjects of the Sultan of Zanzibar have sat in the Legislature of Kenya and taken the Oath of allegiance to His Majesty the King. That is an exact precedent for which the hon. and gallant Member asks.

4.39 p.m.

Mr. DONNER: Owing to the rustling of paper I found it difficult to hear your Ruling, Sir Dennis. I am therefore a little uncertain as to the effect of the Ruling you were good enough to give, but, as I understand it, I can discuss on this Amendment the Amendment which stands in my name to take out the words "and to his subjects."

The CHAIRMAN: The hon. Member will perhaps put his point, and, if I find that it goes too far, I will stop him.

Mr. DONNER: I desire to appeal to the Government to reconsider the wording of this particular Sub-section. The words, "and to his subjects," would at first glance appear to be quite innocent, but on a further and closer examination it is clear that some differentiation of treatment is indicated as between a ruler and his subjects. I do not say that there would be any differentiation, but as the Bill stands it would almost appear as if a ruler is under some kind of obligation to consult his subjects. At any rate these words open up the whole question of the relationship of a ruler to his subjects, and from that point of view I ask the Government to reconsider the wording of the Sub-section. If a Prince desires to accede to federation both the State and his subjects, according to the present wording of the Bill, will have to accede. The word "State" alone does not include subjects. If that were the case then the words "and his subjects" would not be included in the Bill. Therefore, it would seem that the subjects of an Indian State become by the wording of the Bill amenable to the decisions of the Federal Legislature. I hope the Government will not brush this aside as a fanciful idea on the part of a private Member, because I have taken the trouble to obtain legal opinion on the subject and the advice I have had is that under the Bill as it stands counsel are of opinion that the subjects of an Indian State are amenable to the decisions of the Federal Legislature.

May I remind the Committee that the position of the Princes, as we understood it, was that they were unwilling to allow federal laws to apply in any State except at their own discretion and even then with their own machinery. I cannot believe that it is the intention of the Government that the Federal Legislature should intervene between a ruler and his subjects. If that were the intention, there would be same machinery for it in the Bill, but I can find no such machinery

[Mr. Donner.]

or proviso in regard to federal agents, and therefore I feel that this is not the intention of the Government. At the same time, that is in my view definitely the effect of the Bill as it stands, and that is why I am asking the Government to reconsider the wording of the subsection. I should like to ask whether the new position has been made plain to the Princes, whether they are aware of the fact that the Central Legislature at Delhi can now come between them and their subjects? The position of the Princes is very different from that which we have hitherto understood, and very different from the position of the Princes under the majority report.

Here then is an entirely new departure which allows the Federal Legislature to intervene between a ruler and his subjects. It might be very awkward if a Hindu majority in the Federal Legislature were to interfere with the subjects of a ruler of an Indian State. How much that would be resented and how much friction it would cause is not difficult to imagine, but surely that resentment would be doubled and that friction trebled if the ruler happened to be a Mohammedan and his subjects, as is so often the case, happened to be Hindus. I can imagine no situation which would be more deeply resented by a Mohammedan Prince than that a Hindu majority on the Federal Legislature should interfere with the Hindu subjects in his State, and intervene between him and his own subjects. Having drawn the attention of the Government to this anomaly, I hope they will favourably reconsider the wording of the Clause. It is not, as I have said, a fanciful idea on the part of a private Member, as I have consulted legal opinion on the matter.

4.45 p.m.

The SOLICITOR-GENERAL (Sir Donald Somervell): I should like to express my appreciation of the way in which the hon. and gallant Member has raised the question of the nationality of the subjects of the States. It is quite clear that no ruler will accept this Amendment. We can say that quite definitely. Indeed it would cut across the whole principle of the Federation, which is that the ruler shall remain ruler of his State and his subjects shall therefore remain his subjects, the ruler undertaking to see that the provisions of the Act are enforced in his State. That is clearly the idea and basis of the whole federal proposal. Whether it is good or bad we will not debate now. The hon. and gallant Member will see that the idea of all the inhabitants of the States becoming British subjects, and, I assume, therefore ceasing to be the subjects of their ruler, is wholly against the basis on which we are proceeding.

On the other hand, of course, the question of nationality perhaps most frequently arises when someone wants to go abroad and to have a passport, or has the misfortune to be the subject-matter of an incident in a foreign country in which he desires the protection of the Government of his own country. Of course, as the Crown controls the foreign relations of the States the Crown performs these services for the subjects of the States, that is to say, they get passports from the Crown, and if there were any case in which communications were necessary with a foreign Government in regard to something that had happened or had been done by a subject of the State, that correspondence would take place between the foreign Government and the Government of India, or, if necessary, His Majesty's Government here. They are known as British protected persons for that purpose when they are outside their own territory. Therefore, that side of the matter is already provided for.

Reference was made to the fact that there was no position exactly like this in the rest of the world, and I fully accept that statement. There is nothing in the rest of the world exactly like the present position with regard to the Indian States. We have to examine the proposals to see that they will work, but not in this matter to be guided by the fact that there is no exact parallel to be found elsewhere. My hon. and gallant Friend suggested that there might be a conflict of allegiance, but I do not see why one should anticipate any conflict of that kind under the new Constitution any more than under the present one. If one sat down and tried to imagine anomalies and difficulties there are plenty that one could imagine with the position as it is now. My hon. and gallant Friend asked a specific question, whether the consequences had been considered, and the answer is yes. He also

asked how long do we anticipate that the position of these people remaining subjects of their rulers would last. I do not think he would expect me to make a promise, but I can give him a fair answer. It will last as long as the Federation, on the broad present principle, remains in existence. The broad present principle is that there shall be a federation with the States, in which the rulers of the States shall be the rulers.

The hon. Member for West Islington (Mr. Donner) raised a different point. Let me say with as much emphasis as I can command that there is no new position and no anomaly. He referred to the words in Sub-section 1 (*b*) "may make laws for his State and his subjects." It must be obvious to everyone that you do not make laws for a mere piece of territory. The bulk of laws applying to agriculture and land have a special relation to the soil, but I think it will be very difficult to find a law which does not apply to persons. It is quite obvious that the State, by joining the Federation and agreeing that it shall make laws as to certain subjects, is to make laws for the State and the people in it. Of course, my hon. Friend realises that under Sub-section 1 (*c*) the ruler assumes the obligation of ensuring that due effect is given to the provisions of the Act within his State.

Mr. DONNER: If there is any clash of legal opinion, would it not be as well to clarify the situation?

The SOLICITOR-GENERAL: So far as I can see it is already perfectly clear and there really never has been any doubt about it. If there is any doubt about it in anyone's mind, and he will bring it to the notice of the Secretary of State, I have no doubt that my right hon. Friend will further consider the matter. For the reasons that I have stated the Government cannot accept the Amendment, and I hope that my answers to the questions have assured my hon. and gallant Friend that it is not necessary to press it.

Mr. GODFREY NICHOLSON: If by any chance the subject of one State got into trouble and committed some crime in another State, would the States be able to appeal to the Federal Government to adjust the difference?

The SOLICITOR-GENERAL: I think that would be a matter which would be dealt with through the Viceroy. Presumably the State in which the incident had occurred would communicate with the Viceroy and it would be dealt with normally under the paramountcy powers.

Sir W. DAVISON: Are such Princes as have agreed to the Federal proposal in agreement that the Federal Legislature should make laws with regard to their States, and are they prepared to ensure that effect shall be given to those laws?

The SOLICITOR-GENERAL: That surely is the whole point of acceding to the Federation. By acceding to the Federation the State is saying, "We agree that the Federal Legislature shall make laws which shall run and be applicable in our States with the subjects of our States." The actual business of enforcing the law within the State will be the business of the ruler.

Sir H. CROFT: In reply to the learned Solicitor-General, I ould say that I do not wish to anticipate conflict, but we are legislating for a long time, and perhaps for all time, and we have to look a long way ahead. Suppose that such a conflict arose it is possible that the State would feel that it could secede. I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

4.48 p.m.

Major MILNER: I beg to move, in page 3, line 33, after "subjects," to insert:

"(being matters which in the opinion of His Majesty are sufficient in number to enable the State to become an effective constituent part of the Federation)."

The object of the Amendment is perfectly clear. It is to ensure that when rulers accede they accede in respect of matters of sufficient number and importance to enable a State to become an effective, constituent part of the Federation. Obviously it is essential that if a State does accede it should accede in sufficient matters and in matters of sufficient importance to enable it to operate effectively as part of the Federation. I understand the Secretary of State has made a suggestion that the first 45 subjects in the federal list would be considered by His Majesty's Government as

[Major Milner.]

sufficient in number and importance to justify acceptance of an Instrument of Accession including those subjects. We feel that we are entitled to ask that there should be something in the Bill with regard to that matter, and the purpose of the Amendment is to obtain some guarantee that rulers shall be required to accede in a minimum number of subjects. The first 45 subjects mentioned by the right hon. Gentleman are not necessarily the most important. I imagine that the subjects which one would require the rulers to accede to are matters which may be considered of common concern to the whole country on the one hand, and on the other hand matters with respect to which complete uniformity is required.

Those criteria apply equally to many subjects other than those included in the first 45. It is a rather curious thing that the first 45 subjects are mostly subjects in respect to which expenditure will be required, but the remaining subjects included in List I refer to matters of taxation. One would have thought that it would have been desirable to have insisted that rulers acceded in respect of matters of taxation. Obviously if some provision is not made in the Bill with regard to the matter, rulers who accede, those whose accession is accepted and who send their nominees to the Federal Legislature, would have power to legislate in regard to those subjects in British India, and the Legislature would not have power to legislate in the rulers' States in regard to subjects not included in the Instrument of Accession. Therefore, it would in one sense be power without responsibility.

5.0 p.m.

Sir S. HOARE: I hope that when I have given a short explanation the hon. and gallant Member will see that his Amendment is unnecessary. The check is that which I have just described, namely, that the Instruments of Accession will be in the possession of Parliament and Parliament will have to satisfy itself that the Instruments of Accession are effective. The actual words of the hon. and gallant Member's proposals would really add nothing to that check. Indeed they would, so far as Parliament is concerned, rather complicate the position. The Amendment would leave the decision in the hands of the Executive. I was very careful to say in my earlier speech that the check would be a Parliamentary check. I can assure the hon. and gallant Member that there is no intention of attempting to bring about a federation which is not effective; and the check is two-fold, first the publication of the Instruments of Accession, and secondly a Parliamentary resolution. That being so, I hope he will not press the Amendment.

Duchess of ATHOLL: Will Parliament have the power to amend the Instruments of Accession or will it be a case of either passing them or rejecting them?

Sir S. HOARE: I do not think that that subject arises upon this Amendment but let me say in a sentence that Parliament certainly would have no power to amend them.

5.2 p.m.

Mr. MORGAN JONES: I think that the criticism which the right hon. Gentleman has offered of the terms of our Amendment is, in some measure, justified. I think it is arguable that the Amendment would leave the matter entirely in the hands of the Executive, without any reference to Parliament. I gather that the right hon. Gentleman proposes to allow us to have a discussion in due course on the terms of the Instruments of Accession. We were anxious to have something specific embodied in the Bill to indicate the intention of the Government but, having had the assurance of the right hon. Gentleman, and reserving to ourselves freedom to discuss the matter fully later on, I do not think that my hon. and gallant Friend need press this Amendment at this stage.

Major MILNER: I had not the advantage of hearing the first portion of the right hon. Gentleman's earlier speech—and I apologise for my absence—but am I to understand that there will be provision in the Bill with regard to these matters being submitted to Parliament?

Sir S. HOARE: Yes, Sir. There will be provision in the Bill for a Resolution from Parliament before the Federation is brought into being. Precedent to that the Instruments of Accession will have been executed, and the Instruments will be laid as a Parliamentary paper.

Amendment, by leave, withdrawn.

Amendment made: In page 3, line 33, leave out from "subjects" to "and," in line 36.—[*Sir S. Hoare.*]

5.4 p.m.

Mr. RHYS DAVIES: I beg to move, in page 3, line 36, after "subject," to insert:

(*c*) declares that he accepts as matters with respect to which the Federal Legislature may make laws for his State and his subjects the matters numbered twenty-six, twenty-seven, and twenty-eight in the Concurrent Legislative List, namely:—

(i) Factories; regulation of the working of mines, but not including mineral development;

(ii) Welfare of labour; provident funds, employers' liability, and workmen's compensation;

(iii) Trade unions; industrial and labour disputes.

We regard this Amendment as of considerable importance because it is the first Amendment which has been moved on this Bill dealing with the economic conditions of the working classes of the Indian States. In fact there is little in this Bill affecting the working classes of India in their capacity as men and women working to earn their livelihood. I think it is a legitimate complaint that a Bill of over 450 Clauses running to 324 pages should deal with all manner of subjects and people, with Princes, Governors and officers and should safeguard the interests of practically everybody in India, except those who earn their livelihood in various occupations and employments. We intend by this Amendment to bring before the Committee the plight of the millions of people ruled by the Princes who will accede to the Federation. Clause 6 lays down the conditions under which States can accede to the Federation. I need hardly remind the Committee, however, that it will not be the people of those States who will accede. The accession will be by the Princes. Whether the people of the States want the accession or not does not matter. According to Clause 6 the ruler of the State must declare on accession that he accepts this Act as applicable to his State, and assumes the obligation of ensuring that due effect will be given to the Act within his State when the accession is implemented.

Let me come to the difference as we see it between the States and the Provinces. There is one thing to be said in favour of British rule in India. We have been able to gather a great deal of information as to the conditions of employment within British India, but, as far as the States are concerned, I have never yet seen anything in print anywhere on that subject. I have searched for information as to the conditions of employment within the States ruled by the Princes but without success. Delegations have gone from this country on behalf of the Trade Union Congress. Individuals interested in the social welfare of the people have gone to India from this country, and have studied on the spot the conditions under which people are employed in British India. I have gone through volumes in the library of the House of Commons dealing with India but I have yet to learn of any information being available as to the conditions of the 80,000,000 who live under and are controlled by the Princes in the States.

Mr. RAIKES: Hear, hear.

Mr. DAVIES: I suppose the hon. Gentleman does not want any information of that kind.

Mr. RAIKES: Yes, I am supporting the hon. Member.

Mr. DAVIES: We get a great deal of support sometimes, in speeches, but on issues of this kind the support is seldom carried into the Division Lobby. We shall be able to test the extent of the hon. Member's support in a few minutes. We shall see whether he and his friends agree with our proposal or not. Let me return to the purport of our Amendment. In connection with this subject of accession there are to be three lists of subjects—the Federal list, the Provincial list, and the Concurrent list. We desire by this Amendment that all legislation that is passed by the Federal Legislature dealing with conditions of employment shall apply equally to British India and to the States. We think that a very reasonable proposition.

Let us see what are the laws which we would like to see applied to the States, and which might become applicable to the Provinces. We say that they should include laws in relation to factories; the regulation of the working of mines but not including mineral development; the welfare of labour; provident funds; employers' liability and workmen's compensation and also trade union legislation and laws relating to industrial and labour disputes. We conceive that the

[Mr. Davies.]
Princes will be represented in the Federal Legislature. They will be entitled apparently to speak and vote on laws dealing with labour conditions in the Provinces, but when those laws have been passed by the Federal Parliament they will not, according to the present provisions in the Bill, necessarily be applicable to the States at all. We consider that arrangement to be grossly unfair. It is as if the Scottish and Welsh Members in the House of Commons could speak and vote on industrial legislation which would be applicable to England alone. Of course the House of Commons would not admit of anything of the kind. The laws passed here on which Scottish and Welsh Members speak and vote are, generally speaking, applicable to the three countries alike. [HON. MEMBERS: "No."] I say, generally speaking, and if a Member for a Scottish constituency speaks in the House of Commons on a Bill which does not apply to his own country, he has more loquacity than he ought to have.

Lord EUSTACE PERCY: Would the hon. Gentleman propose to prevent Scottish Members speaking on English measures?

Mr. DAVIES: We generally allow the Scottish people to do what they like especially in taking our money from us. To return to the subject of the Amendment, however, it may be true that there is little industrial development in some of the States. I do not know—and I would like to get information as to whether there are factories or workshops or coal mines in some States at all. If there are any industries in those States, then we say that it is unfair to British India that conditions of employment should prevail in those States lower than the conditions applying in the same occupations in British India. It may be true that conditions are better in some States than in British India as regards the same classes of work. It may also be true that the reverse is the case. But when we are seeking to establish a united India and bring the Provinces and the States into one great Federation, then all the laws passed by the Federal Legislature on these matters affecting the workpeople should be universally applied.

Let me give an illustration. Unless I am mistaken the Hours Convention passed by the International Labour Organisation which was intended to establish a 48-hour working week, is, so far as British India is concerned, a 60-hour week convention, and not a 48-hour week convention. Even at that, the 60-hour week only applies to British India and not to the States. There is unfairness in that situation. We want to ensure that conventions covering labour industrial problems shall apply equally throughout the whole of India. The point has been raised already as to the possibility of conflict of trading interests between one State and another, and between the Provinces and the States. We have been told that India is not an ordinary country, but a great continent as big as Europe. There are so many nationalities, languages, and religions that when we are dealing with India we are practically dealing with a country as big and as complicated as the Continent of Europe.

I would wish, therefore, that this new Constitution in India should not develop into another Europe. The complaint that we make in this country, legitimately or otherwise, is that the conditions of employment in the textile factories of Belgium, France, Italy and Germany are so very bad that the goods manufactured by trade union labour in this country are not having fair play in the markets of the world. That is a very important complaint, especially as between Japan and ourselves. It seems to me, therefore, that we should take great care that in establishing this new Constitution in India we do not allow a position to arise where the conditions of employment under the Princes shall be so much lower than they are in British India that you will see tariff walls going up between one State and another in India and probably between British India and the States as well. That is an argument that ought to appeal to the Government.

The Parliamentary Secretary last night said the new Constitution about to be set up would provide facilities for social reform in India. Indeed, that is not true of the States, because the subjects in the concurrent list that we want to include are nearly all capable of being regarded as social reform. The Princes can contract out from all these proposals we want to include in the list. Let me see what are the subjects that ought to be dealt with by the Federal Legislature,

affecting not only the workers of British India, but the workers employed in the States as well. They may want trade boards in India. They will certainly want the abolition of fines in textile factories; they may want the abolition of the half-time system there and probably a minimum rate of wages for agricultural workers.

I doubt very much whether the Indians employed on the tea plantations in that great country will be one jot better off by the passing of this Measure, because it is little use granting political emancipation and still keeping your working classes in economic bondage. The working classes of India are being kept in economic bondage, by British and Indian capitalists alike. In these States I suppose there will be foundries, docks, oil refineries, tea plantations and coal mining, and we are anxious that the Princes shall not contract out of any labour legislation that might be carried by the Federal Legislature in respect of conditions in those undertakings. There will be farm workers, I suppose, in large majorities in the States of Mysore and Kashmir, and unless something of the kind I am now proposing is inserted in this Clause, the millions of people who are employed for wages on the land in these States will be entirely oblivious of the passing of this Measure.

As a Labour party, we deem it our duty to do something to give them a higher standard of life. We may satisfy the Princes, we can placate ardent Indian nationalists, we can probably meet the claims of British Indians, we can safeguard the Governors, we can extend the franchise, we can give votes to women in India and we can construct new bridges and railways, but unless the Bill does something to raise the conditions of the working classes of the Provinces and the States all our work will be of no avail.

5.21 p.m.

The CHAIRMAN: May I put it to the Committee that, with the agreement of the Opposition and, I hope, of the Committee generally it is understood that the next Amendment on the Paper—in page 3, line 36, after "subject," to insert:

"(c) declares that he accepts as matters with respect to which the Federal Legislature may make laws for his State and his subjects any conventions or agreements made under the auspices of the International Labour Office of the League of Nations which the Federal Executive may ratify or to which it may become party."

—will be called for the purpose of being put to the Committee and, if necessary, divided upon without any further discussion, the discussion of the Amendment now before the Committee covering the next Amendment also.

5.22 p.m.

Mr. BANFIELD: I think possibly this in one of the most important parts of the Bill. We have heard a very great deal, and we shall hear a great deal more, about the new Constitution in India, but it is obvious that without this Committee being prepared to realise that something must be done for the workers of India, those workers are justified up to the hilt when they declare that this Bill is a sham and a fraud so far as they are concerned. The importance of this matter is already within the knowledge of the Government, or it should be. As late as the 20th December, 1934, a letter was addressed to the Secretary of the Government of India by Mr. H. P. Mody, who is President of the Employers' Federation of India, calling attention to the desirability of early action to place British India and the Indian States on an equal footing with regard to labour legislation. The letter was a reply to a suggestion from the Government of India that, in examining the question of competition between industries in British India and those in Indian States, it would be of assistance to the Government to have particulars of conditions of labour in States in which developments tending to cause a set-back to industry in British India might be apprehended. The secretary of the Employers' Federation wrote:

"My federation, representing as it does a predominant section of employers' interests, has accorded, and it is always willing to accord, its support to labour legislation conceived with due regard to the interests of Indian industries in the present stage of their development, but it is hoped that the Government of India will realise that industries in British India are bound to be placed in great difficulties by the adoption of standards which are not conformed to by the Indian States and which would enable the latter to become formidable competitors in British Indian markets."

I would like to draw the attention of the Committee to the importance of this matter so far as it relates to the textile industry. Hon. Members get up almost day by day, and certainly week by week,

[Mr. Banfield.]

complaining about Indian competition, bad conditions of labour, and the difficulties in the way of Lancashire competing, and I suggest that in this Bill and at this time they have an opportunity at any rate of getting the way prepared for social legislation in India which will do justice not only to the workers of India, but in a very great measure to our own workers in Lancashire. Let me quote again from this letter from the Secretary of the Employers' Federation of India:

"The textile industry in British India, which is the one most seriously affected by the introduction of the 54-hour week, stands to suffer the most because of its rapid rise in the Indian States, where the hours of work are longer."

Now listen to the figures that he gives, which make one think furiously when thinking about Indian competition with our people in Lancashire. He goes on:

"In the year 1919-20 there were in the Indian States only 405,000 spindles and 8,000 looms, as against 6,300,000 spindles and 109,000 looms in British India. In 1932-33, however, the Indian States had 1,100,000 spindles and 21,000 looms, as against 8,500,000 spindles and 168,000 looms in British India."

This Committee will note the general expansion of the textile industries in India and the enormous increase both in the Indian States and in British India. The letter continues:

"It will be seen that the rate of expansion in British India has not been anything like so rapid as in the Indian States. This has been mainly due to the prevalence in the States of a lower scale of wages and taxation and inferior conditions generally. From the information available to the Federation, as yet no State has definitely undertaken to introduce the 54-hour week. Among the major States, in only one State is the matter under consideration; in some it has not yet been considered; and in others it is stated that the change is not likely to be inaugurated at present because of the existing trade depression."

That is so far as textiles are concerned. The writer draws attention to the sugar industry and states:

"The States of Mysore, Travancore, Hyderabad, and Rampur are interested in the development of the sugar industry."

and that there is no attempt whatever to enforce such measures as Factory Acts, Workmen's Compensation Acts, or the social services which, at any rate in some degree, do obtain in British India. Then he calls attention to the position of coal mining. They say that

"attention was called in the course of the letter to the remarks made by the member for industries and labour of the Viceroy's Council during a recent debate in the Indian Legislative Assembly to the effect that any regulation of coal output in British India would be seriously affected by the fact that a certain Indian State was capable of considerable production."

All this means that unless we are prepared to say to the Princes, to the rulers of these States, "If you come into a federal scheme you must be prepared to recognise the social obligations to your workers, at any rate, to the same extent as in British India," confusion must follow and the conditions in the States ruled by the Princes will remain bad and will keep considerably worse the conditions in British India. All this competition tends against our own people in this country to a tremendously unfair extent. This statement of the employers goes on to say:

"Admitting that some of the States adopted labour legislation on the lines of that introduced in British India, the letter continued: 'Considerable delay takes place before the conditions are equalised. As regards the various Factory Acts, and their amendments, it is well known how the States have lagged behind British India. The workmen's compensation legislation of some of these States is still behind that in British India, and it is understood that the amendments already introduced in British India are being only now considered by them. Moreover, some States have only recently introduced such legislation, and others do not even contemplate doing so.'"

The statement goes on to say that one State actually put on a duty of 5 per cent. against the products of British India. At the same time there had been a development of large-scale industries by financial assistance from the State Exchequer. All this shows the importance of the Amendment.

I want to raise a further point with regard to our second Amendment. In 1924-25 I was honoured by being sent to Geneva as labour adviser by His Majesty's Government. There I heard debates on social matters affecting the lives of the workers all over the world. India was represented at that conference. Surely we are not asking anything very unreasonable when we ask that a Prince shall accept

"as matters with respect to which the Federal Legislature may make laws for his

State and his subjects any conventions or agreements made under the auspices of the International Labour Office of the League of Nations which the Federal Executive may ratify or to which it may become party."

When I was in Geneva in 1925 I heard a speech from an Indian delegate which moved me so much that I have never forgotten it. It seems to me a thousand pities that in these Debates we do not hear the actual voice of the Indian worker and of those immediately concerned. If it were possible for the Indian worker to put his view on the floor of this House, he would say, " I would welcome a change in the Government of India if it were shown to me that by that change my conditions of life would be materially bettered." We have no guarantee of any such thing. The mere fact that it is necessary to put down these Amendments and the certainty that the right hon. Gentleman will oppose them and refuse to include them in the Bill will carry the message to the workers of India that this House is more concerned with satisfying the claims of the Princes than with satisfying the aspirations of the millions of our fellow subjects in India. The Indian whom I heard at Geneva in 1925 made the point which the Secretary of State made yesterday, when the right hon. Gentleman said that it was extremely difficult when we were 6,000 miles apart to get into contact with one another. The right hon. Gentleman made that point with regard to the difficulty with the Princes. May I point out that things happen in India about which nobody knows and nobody cares. Millions of people are condemned to an early death and pestilences and famines rage throughout the country. This happens 6,000 miles away, and only three lines appear in British newspapers. Millions of people are dying because nobody knows and nobody cares.

We are always saying that we are trustees for the great British Empire. If that be true, why do we not protect those in India who are least able to protect themselves? It is necessary for somebody to put this point of view before the Committee, and it would be bad for the dignity of this House if a case were not put up for the Indian people. There is the question of health insurance. At Geneva I heard a great debate on social insurance, and everybody who spoke, including those who spoke from India and the Government representatives of India, declared themselves in favour of social insurance and social services. I heard the man who represented the Indian workers say that as an aftermath of the War influenza raged throughout India and 6,000,000 people died of it. What became of the widows and orphans who were left behind? Nobody knows. People die of plague in India, not every now and again, but year after year. In America, if they get a plague among pigs, they send out a commission to inquire into it. In India plague is taken as a matter of course. It is not the will of God, although it is taken as if it were, that millions of people should die from plague. Their deaths might very well be prevented if proper steps were taken.

Take again the question of unemployment. Anybody would think there was no unemployment in India. Thousands of men are discharged, slumps occur, trade is depressed and workers are turned away from the mills and mines. What becomes of them? It was suggested at Geneva that Employment Exchanges should be set up and that some attempt should be made to deal with the problem, but nothing of the sort has been done. India is too far away, and nobody knows and nobody cares. I heard it said at Geneva, and I have reason to believe that it is as true now as it was then, that more than half the children born die within the first 12 months. If we stand in the position of trustees to the people of India, we should be ashamed to allow that sort of thing to go on. I am told that 35,000 people in the city of Bombay sleep out in the streets with nowhere to go, and that you can find 30 people housed in one room not more than 12 feet by 16 feet. If we are to remain, as it seems to be the will of this House that we should remain, in the position of trustees to the people of India, these things call for remedy.

The CHAIRMAN: I ought to point out to the hon. Member that neither of these two Amendments deals with British India. He must confine his remarks to conditions in Indian States.

Mr. BANFIELD: I am sorry if I have transgressed, but I was carried away by the subject. However bad the conditions may be in British India it seems to be generally agreed that they are considerably worse in those States governed by

[Mr. Banfield.]

the Princes. [HON. MEMBERS: "No!"] Some of them, at any rate. If the report which I have quoted is correct—and it appears in "Industrial and Labour Information" published by the International Labour Office—it shows that while employers in British India are compelled to do certain things by law, other people in the Indian States are allowed to carry on precisely as they choose. He alleges, and I think in all probability he is right, that the conditions are worse in the Indian States. I hope that the Government will see their way to accept these Amendments. The cry of the poor and of the widow and children in India is a cry that should appeal to all of us. We must be prepared to say to these rulers that they must bring the conditions of their workers up to more reasonable standards; unless we do that the conditions in India are bound to be considerably worse. I hope the Committee will hear the cry of the poor stricken masses of India and put something in the Bill to give them hope for the future.

5.43 p.m.

Lord SCONE: This is an occasion on which, however unwillingly, we on these benches are obliged to support the Socialist party to some extent. Our support does not extend to the second Amendment because we regard it as highly undesirable that what may be very likely an irresponsible legislature in India should adopt ultra Socialist ideas from Geneva and force them upon the Indian States. We are bound to have considerable sympathy with the first Amendment, not merely because of the arguments which have been advanced so ably, and with much more moderation than usual by the hon. Member for Westhoughton (Mr. Rhys Davies) and the hon. Member for Wednesbury (Mr. Banfield), but because of one or two other considerations which I shall put to the Committee, as briefly as I can. It is certainly not in the interests of the native States themselves that conditions of labour there should be permitted to be, or to become, very much inferior to those existing, or about to exist, in British India. It may well be that there is and will continue to be unemployment of a fairly widespread character in some of the Indian States as well as in British India, and if, as is likely to be the case, unscrupulous Indian manufacturers rush out of British India to set up factories in the Indian States it is obvious that that will enable them to compete on an unfair basis both with this country and with British India. Moreover, if we see arising in the Indian States the uncontrolled industrial development which was such a curse to this country in the nineteenth century, it is certain that sooner or later conditions of great unrest will arise in those States, which would be of the utmost disadvantage to the rulers of them.

The hon. Member for Westhoughton has spoken of the likelihood of tariff walls being erected round each State. Such a position would certainly be disastrous; but other conditions might arise which would be just as bad. For example, there might be a progressive State which had passed social legislation to ameliorate the lot of the people, and next door another State where there were no such provisions, and it is obvious that that would react most unfavourably on the lot of the more progressive State, because while unemployment might be prevalent there an unscrupulous employer in the less advanced State would be employing all the workmen albeit at very low wages and that would be an obvious disadvantage to the progressive Indian State, where there would be more unemployment although better conditions of labour. I do not think that consideration would be favourable to the propagation of more advanced ideas about the treatment of workpeople in States which have the advantage of rulers who are rather in advance of their time. It has always been the effort of the Conservative party to improve the lot of the worker, wherever he may be situated, and if we were to adopt at least the principles contained in the first Amendment, I think we should be doing something which would be of great advantage to this country, to British India and to the Indian States; because it cannot possibly be a good thing that uncontrolled industrialisation should be allowed to develop anywhere in native India. Accordingly though it may be with some reluctance at supporting the Socialists, my friends and I feel bound to give general support, at least, to the principle contained in this Amendment.

5.49 p.m.

Lord E. PERCY: These two Amendments are obviously Amendments with which everyone must feel the utmost sympathy, and I am glad that it has just dawned upon some of my hon. Friends that the idea of an All-India Federation has certain practical advantages in view of the growth of industrialisation. But while, obviously, one would want to see that in any federation all these matters were the subject of uniform legislation, let us consider what this Amendment means to the Princes of India. It means that this House is to say to the Princes, "We will not accept your accession to the Federation unless you will agree that it shall be a closer federation than that in the United States of America." Is that a reasonable proposition to which to ask the assent of the independent Indian States? I think there can be only one answer to that question. Any such proposal would be unreasonable in itself, and would wreck any chance of an All-India Federation. I would remind the Committee that it has always been understood that the concurrent list would only be a subject of federal legislation as a means of confirming, unifying and standardising pre-existing legislation throughout British India, and, possibly, bringing into line one or two Provinces which might be behindhand in such legislation. It has never been contemplated, so far as I know, least of all by any representatives of British India, that this legislation in the concurrent list should be so widely used as has been assumed by the Mover of the Amendment.

Mr. RHYS DAVIES: Does the Noble Lord mean to imply that some of the subjects included in this Amendment are not the subjects of federal legislation in the United States of America?

Lord E. PERCY: Of course they are not. Not one of these subjects is the subject of federal legislation. They are also subjects of State legislation.

Mr. DAVIES: Workmen's compensation?

Lord E. PERCY: Yes. I am interested in that interruption, because it indicates that those who moved the Amendment have not yet realised the full length of the proposition which they would put to the Princes of India. It seems to me to be a proposition which this House could not support.

5.51 p.m.

Colonel WEDGWOOD: The Noble Lord has taken as an example the sole federation which does not include this legislation. Let him look anywhere within the British Empire. We have a union in South Africa, we have a union in Australia and we have Canada, and in all the federations this legislation is central legislation. I should have thought the Noble Lord would have been the last person to bring forward America as an example for us to follow in this matter. The variation of the laws between the different States makes it impossible to get progress. One of the chief obstacles in the way of the President's new deal has been the State legislation in America. But that is not the point. This is a question of concurrent legislation, and, as the Noble Lord rightly says, the chances are that such legislation will not be brought into operation until a great number of Provinces have carried through the reforms. When the majority of the Provinces have carried through the reforms, surely then a native State which has not already legislated in the same direction might be brought up to date, just as much as Assam or the North-West Frontier Province.

The real difficulty here is not the injury to the inhabitants of the native States left out of factory legislation. The real misfortune is that by leaving out the native States we give a lever to all the reactionary forces in British India to say, "We will not do anything in this matter because if we do the factories will go elsewhere." Consequently, all the workers throughout India will suffer by reason of the fact that no such legislation is possible in the native States. I am not very well posted on the subject, but already we have the case of Kolhapur, where a number of mills have been built recently in which the conditions are not the same as they are in Bombay, and competition is going on between Kolhapur and Bombay, and no one could contemplate setting up conditions for the workers in Bombay and leaving it possible for the factories of Kolhapur to put the trade of Bombay in the background. I do not think Kolhapur is the only example; I rather

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fancy that in Nawanagar we have the same thing. Factories are springing up there and Bombay is suffering. There is also a port springing up in Nawanagar, and Bombay is suffering. Trade is going in through Nawanagar, where the Customs are on a different scale. So, in the case of factories, we shall get a development of factories in these native States run by cheap labour on the Japanese lines, and the rest of India held back because it is impossible, under this Bill, to bring other States up to standard.

5.55 p.m.

Mr. MACQUISTEN: I am very doubtful about this Amendment. I believe we are much more likely to get humane and enlightened legislation from the enlightened Indian Princes than through representative government.

Mr. EDWARD WILLIAMS: Then why have we not got it?

Mr. MACQUISTEN: Some of the Princes are very enlightened, and quite a number of them have taken steps to effect improvements in health and education. I have had a good deal of information on that side of the question. The conditions in some of those States are just as good as they are in Bombay, and are likely to be better. I have a great deal more confidence, and the East has, too, in personal government than in elected government. In Oriental countries personal government is the only thing they understand, the only thing they have been taught for thousands of years. They do not know much about this peculiarly British product, representative government, and we are more likely to get fair treatment for the population from a Prince who has got no advantage to gain but the welfare of his people than we are from a lot of politicians. Politicians very often look after their own advantages; the business of a Prince is to look after the benefit and the welfare of his people. In our own history one of the reasons for the deposition of the Stuart dynasty was that the Stuarts tried to keep the "boss owners" from exploiting the common people. Undoubtedly that is so. The King always stood up for the common people. It is a curious thing that in history we always find the king and the poor linked together. James V had to go about as a beggar man in order to find out the truth as to the conditions of his people, because he could not get it from the nobility who were about him. I believe it would be better to leave the people of India with their own Princes, whom they understand.

Of course, it is a terrible thing to go out to the East and to see the swarming myriads of people there. In China alone, in one rebellion, 138,000 Chinese perished—and nobody heard anything about them. In India we have plagues, malaria and all sorts of other diseases ravaging the population. We did a great deal to abate their severity, but immediately we gave self-government to Ceylon we saw all the sanitary measures neglected, because the peoples of the East do not believe in our regulations. But it is possible to convert a Prince and get him to understand that his people ought not to be degraded by industrial conditions such as we saw in the last century, and such as have been experienced to some extent in Bombay and other places where Indian factories are going up. I believe that the workpeople of India have a far better chance of a square deal from the Princes than ever they will have from a lot of elected politicians.

5.59 p.m.

Miss RATHBONE: I have a word to say on an aspect of this Amendment upon which no other speaker has touched. The particular subjects dealt with in the Amendment are merely illustrations of the anomalies created by the whole concurrent list. As the Bill is now proposed, legislation on these three subjects, and everything else on the current list, will not affect the native States, and in that way legislation in British India may be impeded through fear of competition from native States with advanced legislation. From a constitutional point of view——

The CHAIRMAN: That is an aspect of the matter which does not arise on this Amendment at all.

Miss RATHBONE: I am not sure that I understand you, Sir Dennis. I think that the point which I am trying to make cannot fail to arise. The point is that because of a lack of such an Amendment as this, or an Amendment of a similar nature that might apply to the whole of the concurrent list on very much the same grounds, we are placed in the extra-

ordinary position that the Princes have no obligation to observe legislation in their own States on subjects in the concurrent list, but they can vote on such legislation in British India.

The CHAIRMAN: I am sorry, but it is quite obvious that that point is out of order on this Amendment. Perhaps the hon. Lady would read the Amendment.

Miss RATHBONE: I am most anxious to observe your Ruling, and I certainly will not pursue my argument if you hold that it is out of order, but my intention was merely to argue in favour of the Amendment on the ground that this Amendment and others on the same lines result in placing some responsibility upon the Princes in those respects in which they already have power. At present they have power but no responsibility.

The CHAIRMAN: That is just one of the things on which we are constantly being obliged to say that it is legitimate just to refer to them in support of the Amendment, but it is certainly not legitimate to enter into an argument on the subject or a discussion of it at any length.

Miss RATHBONE: I am sorry. I will say no more. I am sorry that I exceeded the limits of the Amendment.

6.2 p.m.

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): This Amendment has raised very considerable interest in the Committee. I think hon. Members will agree as to the sincerity of the speeches of the hon. Member for Westhoughton (Mr. Rhys Davies) and the hon. Member for Wednesbury (Mr. Banfield), and will also agree that this matter must very largely be looked at from the point of view of practical politics. What the Noble Lord the Member for Hastings (Lord E. Percy) said in his contribution to the Debate was perfectly true; the proposal of the Amendment is not a practical possibility in the sort of federation which we are considering. If we are to have a federation of the sort which we contemplate, it will be impossible to lay down conditions such as are suggested in the Amendment, because they would be rendered inoperative and futile.

During the history of the discussion of the concurrent list, and during our discussion of the accession of different States to the Federation we have always laid down, as my right hon. Friend the Secretary of State specified a little earlier in the afternoon, that States should not accede to specified subjects, but that they should have an opportunity of certifying their accession to a general number of federal subjects in the list. Discussion of the Princes has throughout been on the basis of the federal list. The hon. Member for Caerphilly (Mr. Morgan Jones) will testify as to the discussions in the Joint Select Committee. The conclusions of the Committee on the subject of State participation in the concurrent list were as follow:

> "We understand that the States, who are free agents in this respect, are likely in the first instance to take their stand upon the federal list proper and to accept the jurisdiction of the federal legislature in nothing which is outside the boundaries of that list; but we hope that in course of time they may be willing to extend their accessions at least to certain of the items—"

and they mention two subjects in particular, bankruptcy and insolvency. I would be willing to voice an equivalent hope, but I am afraid that it does not mean that we can accept the Amendment, which has been so eloquently moved. There is nothing in the Bill, if that hope is fulfilled, to stop States from acceding to subjects in the concurrent list such as those which are particularly mentioned. Surely we should follow the example—I think we are obliged to follow it—and the precedent of other federations in regard to this question. There is no question of coercing the States to accept these subjects, but if the hope be ever fulfilled, the provisions about consultation which occur in the draft Instrument of Instructions which is before the House, and to which the Joint Select Committee referred in paragraph 234 of their report, would come into operation.

A great deal has been said this afternoon about the conditions of industry and the condition of the people of the States. We cannot try to interfere with the internal administration of sovereign State rulers on such questions. I do not agree with many of the observations made, however sincerely, particularly by the hon. Member for Wednesbury, about the conditions of the subjects of Indian States. We have experience in this matter, and we believe that in many

[Mr. Butler.]

States conditions have been looked after very carefully by the ruler, and that conditions prevailing are such as were referred to by the hon. and learned Member for Argyllshire (Mr. Macquisten), when he paid a tribute to the attention which certain Princes have undoubtedly given to industrial conditions within their own States.

I am obliged to remind the Committee that the scope of the Amendment is not as wide as it might be, that although there is industrial development in the Indian States it is not to be found in every Indian State by any means, and that the majority of Indian States are agricultural and their populations entirely agricultural. It is true that some of the States mentioned this afternoon, such as Baroda, Hyderabad and Mysore, have either industrial development or the potentialities of industrial development, but we should not exaggerate the scope of the Amendment at the present stage.

Having traced the history of this subject in the Joint Select Committee and shown that, so far, the question has not been within the bounds of practical politics, I want to say a word about the other Amendment, which relates to the international convention. The States have always told us that they have been willing to accede on a particular subject so that they shall know exactly where they are. It will be impossible to lay down general conditions that the States should accept this particular subject. In view of the fact that we have Clause 106 in the Bill, enabling but not requiring the States and Provinces to be parties to an international agreement on not strictly federal lines, it will be wiser for the Committee to wait, before coming to a conclusion on the subject, until we discuss the provisions of that Clause.

In conclusion, let me say that I think we should follow out the experience of other federations, and we tell the Committee very regretfully that we cannot accept this Amendment, which would involve coercion of the States to accept what they may not be willing to have. Examples from other parts of the Empire have been given. I notice that there was recently a debate in the Canadian Senate on the question of ratifying the international eight-hour day convention, and one senator, protesting against the ratification, said that they were laying unholy hands on the ark of the Covenant, owing to the fact that the central Senate had attempted to ratify the convention without consulting the various units. It has always been unquestioned that the units should be consulted in matters which affect India, and subjects of this character should be ratified only after the approval of the States and the Provinces has been obtained. For those reasons, I regret very much that we cannot accept the Amendment.

6.10 p.m.

Mr. RAIKES: I feel bound to say a few words on this Amendment, which is one of the most important of those that have been before the Committee. I very much regret that my hon. Friend has not found it possible to go into it more closely. The question of the welfare of the masses of India is one of the most vitally important that we have to face. It is all very well for the Noble Lord the Member for Hastings (Lord E. Percy) to say that in the federation of America there is no way by which States are bound to pass labour legislation; the Noble Lord knows very well that the positions of America and of the Indian States are totally different. He knows that in the States of America the working people have far greater opportunities of making themselves heard than they have in the Indian States. It is all very well for the hon. and learned Member for Argyllshire (Mr. Macquisten) to talk about personal rule; it is not a question of personal rule, because these Indian Princes are often the most anxious to develop their States, and, I imagine, would be most willing to accept the opportunities of putting into force legislation to create better conditions.

I should like to pay my tribute to the speech of the hon. Member for Wednesbury (Mr. Banfield). I very seldom agree with the hon. Member, but he shows a real grasp of the scope of the subject, and a genuine desire to see that the masses in the towns of India, whether in the Indian States or in British India, have a fair deal under the Bill. I was also delighted with the speech of the hon. Member for Westhoughton (Mr. Rhys Davies). It has not always been admitted that extension of the franchise by itself does not neces-

sarily do very much to improve the conditions of the masses. We have to face the question of what are to be the future conditions of labour of the ordinary Indian worker. It is very much more interesting for the worker to know what the conditions of his labour are going to be in the factory than to know whether he is to have a vote, and it is better for him to be under a personal ruler in cases where he has good conditions than in a democratic State where he has not.

The Under-Secretary of State said that we must not exaggerate, and that the Indian States were mostly agricultural. So they may be, but factories are beginning to spring up, and is there any reason why we should not ask for equality for industrial workers whether it be in British India or in the Indian States? We see industries slipping across from British India to the Indian States; surely it is asking very little that the same conditions should prevail whether under conditions of pseudo-democracy or under an Indian Prince? It may be suggested that if an Amendment of this character were passed, it might effect, to some extent, certain of the Indian Princes coming in, but the most enlightened of them would, I am sure, welcome a scheme which led to improved conditions throughout India as a whole. I have never believed that the most progressive or enlightened of the Princes would be opposed to that. I am confident that the Government in their desire to improve conditions and the welfare of the masses of India, a desire which is not often given expression to by them in these discussions, but which they no doubt feel in their hearts, would be only too willing to assist the Indian Princes to realise the importance of a fair deal for the workers, whether in British India or in the Indian States.

6.15 p.m.

Major HILLS: We should have a very great sense of the importance of the decision that we are taking. On the one hand, if we do not pass an Amendment of this sort, we leave India in something like the position of the United States of America. Everybody who has had anything to do with labour legislation, and particularly with the international aspect of labour legislation, knows that in the United States the powers of the States, and the weakness of the Federal Government, form a great obstacle to any sort of international agreement. We have seen that over and over again, and we saw it in the difficulty of preventing the export of arms to the warring countries in South America. If we do not pas sthe first of these Amendments, we do to a large extent prevent India from entering as a unit into international bargains. The only way in which that can be secured is by getting the consent of all the States and all the Provinces. So far the argument is in favour of giving the Federal Government in India more power over legislation. I was much impressed by the speech of the hon. Member for South East Essex (Mr. Raikes), who spoke with a sincere desire to improve labour conditions in India. When I come to that aspect of the matter, I feel a good deal of doubt as to which would be the better for them to be under a unified system, or to be under a system with a good deal of variety? I think the answer must be that, in the case of States ruled by enlightened rulers, they would probably be better off for the time being in the States than under Federation.

Turning to the larger question, my hon. Friend below me is a good deal more of a federalist than I am; he wants a complete, absolute federation—the same sort of federation as prevails in Australia or in Canada. I do not think that that could be obtained now. Quite apart from the fact that I do not think the Princes would accept an Amendment of this sort, and for that reason alone I should be bound to vote against it, I think that on other grounds you would have to work up to it gradually—you would have to bring this vast, heterogeneous mass of States, with all sorts of different conditions, slowly up to a higher level; and I do not believe that that could be done now by forcing them all into acceptance of the federal power. For that reason, therefore, and also because I regard federation as the great thing which this Bill does, and I do not want to do anything that would wreck it, I am, with a good deal of regret, unable to vote for the Amendment.

6.19 p.m.

Mr. T. SMITH: I think it will be agreed that on these two Amendments we have had a fairly good discussion, in which there have been many expressions of view both for and against the Amendments. The Noble Lord the Member for Perth (Lord Scone), in his very interest-

[Mr. Smith.]

ing speech, said he would be prepared to support the first Amendment, but could not go as far as supporting the second. He said that the Tory party had always been the party for giving the workers a better standard of life. [HON. MEMBERS: "Hear, hear!"] I am pleased to hear that cheer; it shows that at least hon. Members are alive to what is taking place; but I must remind them that in the nineteenth century the Tory party, or a big section of it, was opposed to Measures similar to those proposed in the Amendments which we are now discussing. [AN HON. MEMBER: "What about Lord Shaftesbury?"] I think history shows that Lord Shaftesbury secured a good deal of legislation in spite of the Tory party. The right hon. Gentleman the Member for Epping (Mr. Churchill) must also agree that, when women and young children were working underground in the mines, the nation was so shocked at the revelations which were made by a Royal Commission about the year 1840 that the Government were compelled to bring in a good deal of social legislation. I agree that, if these Amendments are carried, the Indian Princes may not come into federation, although personally I am doubtful whether they will come in at all. I do not think the Government ever intended that any of this concurrent legislation should be obligatory upon the Indian Princes. Paragraph 155 of the Joint Select Committee's Report begins with this statement:

> "It is proposed that the Ruler of a State shall signify to the Crown his willingness to accede to the Federation by executing an Instrument of Accession."

It says later:

> "Outside these limits the autonomy of the States and their relations with the Crown will not be affected in any way by the Constitution Act."

We have been told by various speakers this afternoon that the people of the Indian States would get far better social conditions by being left at the mercy of the Indian rulers than if these Amendments were carried. I will be perfectly open with the Committee; I have not any Indian experience so far as visiting the country is concerned; but for a number of years I have taken a close interest in Indian social conditions, and have endeavoured to focus attention upon the conditions at any rate in British India. I notice that, in a discussion this week in the Assembly on a new Mines Bill that is being brought before that body, a statement was made to the effect that the resolutions of the International Labour Office were made for Europe, and ought not to apply to India. I am a little in doubt as to what is going to happen to the people in the Indian States. The late Speaker, Mr. Whitley, in his very excellent report on Indian Labour Conditions, made reference to the conditions in the Indian States on pages 472, 473 and 474 of his report, and I must call the attention of the Committee to this statement, under the heading, "Competition of Indian States":

> "We have referred to the increasing economic unity of India and the need for co-ordination in labour matters. Our inquiry, however, has related only to a part of India, for the Indian States lie outside *our scope. But their presence cannot be* ignored in considering the problems of British India, for they share increasingly its economic unity and its industrial development and are bound to exercise an important influence on its political development. They lie in some cases close to industrial centres in Indian Provinces; but the laws and regulations which protect labour in those centres do not extend across the boundaries of the States. A number of States have copied various Acts of the Indian Legislature; but, except in rare cases, their labour laws are substantially behind those of British India. Industrialists not unnaturally feel the danger involved in making advances in British Indian legislation while their rivals within the boundaries of the States remain unaffected by these advances."

The motive behind these Amendments is to try to ensure that, if the Princes do enter into federation, at least they will be obliged to carry into effect certain social legislation if it is passed by the Federation; and I think the Committee are bound to admit that, whether the conditions in British India are better or worse than those in the Indian States, the conditions generally in India so far as working people are concerned are far worse than they ought to be. Our purpose in moving these Amendments is to try to get some guarantee that, if the Indian Princes do federate, this social legislation must be passed. I am wholly dissatisfied with the statement of the Under-Secretary. The suggestion that these Amendments are not practical politics is as old as the hills; it has come up every time that there has been any suggestion of social reform. I sincerely

trust that the Amendment will be pressed to a Division, and that we shall get general support for it in the Division Lobby.

6.27 p.m.

Mr. G. NICHOLSON: I should like to ask my right hon. Friend three questions: First, will he give the House his word that he will give this matter most careful reconsideration before the Report stage? Secondly, has he good reason for saying that the inclusion of these subjects in the federal list would seriously affect the probability of the accession of large numbers of States? Have the States been consulted? Thirdly, while I am quite happy about the bigger States, I am not very happy about the smaller States. In the smaller States, where there have been industries and mines and where these have been entrusted to the agent of the Governor-General for that group of States, he has been very powerful in securing good labour conditions. Will that or a similar influence exist in the future? • •

6.28 p.m.

Mr. PALING: I do not think I have heard one good argument against the acceptance of these Amendments. Everybody who has spoken, almost without exception, has expressed sympathy with the principle, but has raised some kind of objection, which, in my opinion, was not very sound. The Noble Lord the Member for Hastings (Lord E. Percy) said that we were going farther than the United States itself in its federal assembly, and he gave that as about the only reason why he could not support the Amendments. What he said was disproved by the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood), who pointed out that the Noble Lord had quoted the only exception, and that our federations within the British Empire actually did pass this kind of legislation. The hon. and learned Member for Argyllshire (Mr. Macquisten) went back to the time of the Stuarts, and tried to prove that, if the Stuart Kings had been left to their own devices, things would have been much better in this country. I do not think, however, that we can get back to that time.

The whole argument of the right hon. and gallant Member for Ripon (Major Hills) was in favour of accepting these Amendments; indeed, I think he put forward quite as strong an argument as we could for accepting everything that is laid down here. He even went to the extent of saying that internationally it was necessary that that should be done. But he closed his speech by saying that he was sorry he could not vote for the Amendment. I do not understand that kind of argument. The Under-Secretary says that the Amendments are not practical politics. If he were to look at the Debates on Labour legislation in this country, he would find that on every occasion the same statements have been made. It is never practical politics. We do not accept that argument. He says the Princes will not come in. The right hon. Gentleman the Member for Epping (Mr. Churchill) yesterday pointed out that at a certain meeting certain fundamental objections in his mind to the passing of the Bill had been made manifest. The Secretary of State replied that the objections might be very great, though they were not so great but that they could be negotiated. If we get these people together, I do not believe there is a single objection that could not be got over. If he is clever and able enough to get over the objections that we discussed yesterday, I think he will be clever enough to get over the objections that might be raised by the Princes to these Amendments. If one lot of objections can be got over, why cannot others, particularly in view of the fact that everyone agrees with the principle that is laid down?

I have heard it said time after time that some of the Princes are very enlightened persons, and that they give better conditions to their people than exist in the Provinces. If that be so, I imagine that it would not need much argument to bring such Princes over to accept these Amendments. If they are putting into operation the principles embodied in this, why should they object to their being put into the Bill? The Under-Secretary says the Amendment is not wide enough and it does not embody all that we want, because the largest part of the States is agricultural, and presumably no provision is made for those people. If these particular Princes are not going to be affected by the Amendments, they will not have much objection to them. There are enlightened Princes on the one hand who are already doing

[Mr. Paling.]
better than we are asking; there are others who will not be affected by it, and there are the persuasive powers of the Secretary of State himself and, in view of all that, why on earth should we not accept the Amendment?

6.33 p.m.

Sir S. HOARE: The hon. Member has made so attractive an appeal to me that I cannot ignore it. The Committee are under a good many misapprehensions. They seem to think, first of all, that we should improve matters if we passed this Amendment. Secondly, they seem to think that the federal centre is necessarily going to be more progressive in its outlook on social questions than the federal units. I deny both those conceptions. Taking the second to begin with, it is very probable that the more progressive units are likely to the federated units rather than the centre. They will be much more closely in touch with social questions. They will be on the spot, and if hon. Members will look at the non-federal subjects they will find on the whole that it is the non-federal subjects that principally affect the daily lives of the men and women living in the federal units. Therefore, it is likely that in the future the call for social reform will come much more from the federated units than from the centre, whose main duty, according to our conceptions of the Bill, is of a more technical character.

Secondly, it is suggested that if we pass this Amendment we are going in some way to improve the position of the inhabitants of the Indian States. That is not the case at all. If we pass the Amendment we shall destroy federation altogether. The States have said quite definitely that they will accede to federation only over a certain field of federal subjects. They will not accept subjects in the concurrent list as subjects upon which they are prepared to accede, and the only effect of accepting the Amendment would be, not to improve the condition of the Indian States at all, but simply to make all federation impossible. I should have thought much the wiser course is to get federation started, and by that means to get a much closer contact between British and Indian India, and you are much more likely to get a strong body of opinion growing up on social questions. Then you leave these changes to come from the Indians. But nothing that we are going to do by rejecting the Amendment, as I hope we shall do, will stop the Princes taking action on these lines if they wish to take it. It is much better to leave it on that optional line rather than attempt to impose it by coercion, the only result of which will be to make federation impossible altogether. In view of all these considerations, and admitting that we all wish to see the standard of living raised in British India as well as in the India of the States, it would be unwise to attempt to impose coercion, which would only lead to the failure and disappointment of the hopes that we all have in our own hearts.

Miss RATHBONE: Am I right in thinking that, if legislation on any social subjects within the concurrent list is passed by the Provinces, which the right hon. Gentleman has described as likely to be more progressive, it can be permanently blocked and overridden by legislation passed by the federal centre with the aid of the Princes whose States are not yet affected by the legislation which they pass?

Sir S. HOARE: The answer is No, but we had better discuss the question in detail when we come to the lists. The Provinces could not legislate for federal subjects. The two fields are distinct.

Miss RATHBONE: I specially said any subject within the concurrent list.

The DEPUTY-CHAIRMAN (Captain Bourne): We had better deal with that when we come to it. It does not seem to be appropriate to this Amendment.

6.39 p.m.

Mr. CHURCHILL: The Secretary of State talks about coercing the Princes. There is no question of anyone being coerced. If they wish to come into federation, as we are told they have offered to do, it will be a voluntary act. My right hon. Friend has repeatedly assured us that in no circumstances is pressure to be put upon them to take this step. But, if they take the step, surely we are entitled to press upon them the importance of this class of subject being included in those to which they subscribe. Surely we are entitled to do that. The Imperial power does interest itself in the fortunes of the masses of

India and in their well-being, and now Parliament is asked to leave this on one side. The object is to get federation. Surely if we are going to have federation, if this great design is to be carried to completeness, it should be a federation which has as one of its central points a desire to raise and to unify labour conditions throughout India. In the present circumstances the very greatest difficulties will arise. One very revealing remark fell from my right hon. Friend when he said he thought the Federal Assembly would not be so favourable to progressive social legislation as would be the federal units. Here is a clear admission that he is trying to set up what is thought to be a reactionary——

The DEPUTY-CHAIRMAN: I do not think we can discuss federation again on this Amendment.

Mr. CHURCHILL: I was merely replying to the statement of the Secretary of State. He said that the body at the centre would be less likely to concern itself with the well-being of the masses, with factory legislation and so forth, than the federal units, even than some of these despotically governed Indian States. It is a terrific statement.

Sir S. HOARE: My right hon. Friend is unintentionally misrepresenting what I attempted to say. It is obvious, if he looks at the list, that the subjects concerned with the daily life of the people are provincial subjects, and always have been. That being so, it must be the Provinces which will be most closely connected with questions of social reform, and the movements for social reform are much more likely to come from the Provinces.

Mr. CHURCHILL: The proposal that is put forward is that an effort should be made to clothe the centre also with these functions, and that the Princes who accede to the Central Legislature should place themselves in a great area in which there will be an endeavour to establish uniform labour conditions as far as possible, and it is obvious that if there is not that attempt, all progress is arrested. Here is an opportunity for Parliament to strike this note in favour of not neglecting our duties to the great proletariat of India, and of placing before the Princes the fact that, now that they are coming into this system of federalism, which the Government assure us and them will be so greatly to their advantage, the least the Government can do is to endeavour to negotiate with them and ask them whether they cannot be induced to take on this burden. The most effective way of influencing the Government in that respect is for us to support our opinions by our votes. In all these matters Great Britain is making enormous sacrifices, and if the Princes wish to have this federal system they should, in my opinion, share in those sacrifices too.

6.44 p.m.

Sir S. CRIPPS: The right hon. Gentleman's reply does not seem to be quite satisfactory or quite logical. There must have been a particular reason why these matters were put into the concurrent list, the object being that the Central Legislature might legislate as regards these matters as well as the Provincial Legislatures. They must really have contemplated that there would be occasions on which it would either be necessary or advisable for the Central Legislature to legislate upon these matters. If that be so, surely it applies just as much and perhaps more so, to the position of the States, and where one finds vital matters of this sort, it is not, in our submission, a satisfactory answer to say that this may defeat federation. We do not believe in federation for the sake of federation, unless it is going to produce a desirable result in a federated community. One cannot just say that this or that is undesirable, because it may make it more difficult to get the Princes to come in. That is, in our view, a wholly unsatisfactory way of approaching the position. One has to say, What are we out for as the objective of this federation? Are we out for improving the conditions of the masses in India, or are we out merely for setting up a structure and a constitution which will operate despite the masses, and perhaps even adversely to the masses?

We believe that the three matters which are mentioned in the first Amendment are all absolutely vital as regards the conditions of the people in the Indian States, and that a federation which is brought about upon the basis of neglecting these fundamental rights of the inhabitants of those States cannot be a

[Sir S. Cripps.]

satisfactory form of federation. In fact one can put it in this way, that a Prince who is unwilling to submit these matters to the ultimate decision of the Federal Legislature is not such a person as can be properly, within a federation, entrusted with legislation and supervision on these matters over his subjects uncontrolled by the Federal Legislature. Therefore, we feel that even if it were true—which we do not for a moment accept—in the sense that it was accurate, we do not accept that this would stop the Princes from federating. We do not think that that is any good answer to the argument if one accepts, as I understand the right hon. Gentleman does, the basis of the Amendment in this sense that these are matters which are urgently necessary to be legislated for in India whether federated or unfederated, and it should be an essential part of the basis of federation that matters of this sort should have very early attention. When the right hon. Gentleman says that probably the more progressive units are likely to be federated units, one is entitled to say that that does not hold out a very happy prospect for the progressiveness of the Centre in these circumstances. If those units are likely to be more progressive, I can imagine no more healthy thing for India than that they should be able to utilise their progressive tendencies in the Federal Legislature so that those progressive tendencies would spread over as wide an area as possible, and for these reasons we certainly press this Amendment.

6.50 p.m.

Mr. TINKER: The Secretary of State in his reply put the point that the Princes would not come in to the legislature if this Amendment were passed. One of the things for which we are asking is that regulations for working the mines should be recognised by the legislature and the Princes. I have been getting some figures to-day from the "Colliery Guardian" on the position of mine workers in India, and I find that 12,799 women are employed underground. Let us assume that the legislature decided that women should not be employed underground. Would anyone in this House think it right for the Princes to say that women must be employed because they desired it in their Provinces? I think that the House would say at once that if the legislature decided that women should not be employed, the whole of the Princes should agree to it. The Princes will have a chance in the legislature of putting their point of view. They almost have full power there, and when once such a thing is decided by the legislature they ought to accept it as a body. If not, we should have the intense competition of undercutting each other.

We have always tried to avoid that sort of thing here, and one of the arguments used by all Member of the House is that we are not able to compete with other countries because of the better conditions in this country, and we are trying to get the conditions of other countries made equal to ours. But if you allow the Princes to have the power to undercut each other, you will never raise the status of the Indian workers as it ought to be raised. Whatever may be the fate of this Bill, unless it embodies in it the welfare of the masses as a whole, this House ought to say that we cannot have it for the time being. It is an impossible situation to say "We will get this Bill through because we must do it this way in order to get the assent of the Princes." I do not put so much value upon them. I really put most value on the working class opinion of India—not on the Princes. I hope that the Committee will recognise the matter in that sense, and that the result of the vote will show their true feelings.

6.53 p.m.

Mr. E. WILLIAMS: I have listened to the whole of the Debate, and certainly it is the most interesting we have had, except perhaps that of yesterday, upon the India Bill. I was surprised to find the Minister and his Parliamentary Secretary refusing to accept this Amendment. It seems to me that in rejecting the Amendment the Committee will acquiesce in the conditions that now obtain in the Indian States, and that no other conclusion can be drawn if the vote is cast against the Amendment. We have had reports read to us by my hon. Friend the Member for Wednesbury (Mr. Banfield) and my hon. Friend the Member for Normanton (Mr. T. Smith) from which no other conclusion can be drawn but that the conditions generally in the Indian States are much worse than in the Provinces. It is the only conclusion to be

drawn from the reports which have been read, but one has to assume, of course, that they are accurate. I have heard the Secretary of State on many occasions in this Debate state the importance of making the Federation an effective federation. How is it possible to have an effective federation if you have conditions that are so distinctly variable as between the Provinces and the States themselves. I look upon the Bill as really a superstructure that will rest upon a distinct foundation, and the foundation in all these matters is really the economic foundation which not only prevails in India but also in this country. Unless you can have some kind of economic homogeneity as between Provinces and States, it will inevitably give rise to political difficulties and probably political unrest, and difficulties of major importance from time to time. I am stressing this point because I think that the Minister will have to admit that, if you want effective administration in this matter, you must have conditions relatively equal as between the States and the Provinces.

I was amazed to hear the speech of the Noble Lord the Member for Hastings (Lord E. Percy). We have had evidence during various discussions of the last few weeks that there are some Conservative progressives, and that there are in the House a dozen or probably more hon. Members who designate themselves the Y.M.C.A. They are persons who believe in economic planning, and that there is need within the Government of evidence of progression and things of that kind. I was amazed to find that, in connection with this matter, something which obtains in the United States was thrown in our faces. It is true that it has been refuted by the right hon. Gentleman on the Front Bench on this side, but I am astonished to find that there is evidence of reaction coming from a quarter which boasts of progressiveness on matters that arise from time to time in this House concerning this country. I can still substantiate the statement that those who vote against this Amendment, obviously, will indicate that they are countenancing in India, particularly among the reactionary Princes, conditions of this kind.

I hope that we shall have the support of all persons in the Committee, particularly the Conservatives who in this House state that the Conservative party as such have been responsible for progressive Labour legislation in this country. [HON. MEMBERS: "Hear, hear."] Surely this is the time, if the echoing of those sentiments means that there is agreement, when they ought to cast their votes in favour of the Amendment. I wonder where the Liberals are in this connection. We have not had a single speech from the Liberal benches either for or against these Amendments. There is one Amendment which concerns the International Labour Office. Will not they support us in saying that what is decided by them shall apply to the Indian States equally with the Provinces? Are we not to have a word from the Liberals in this matter, or are they going to sit tight? I hope we shall have the support of the Liberals and of the progressive Conservatives who from time to time pose as being planners of the new philosophy, and that philosophy ought to be permeating the Government at this time.

6.57 p.m.

Mr. ISAAC FOOT: The hon. Member for Ogmore (Mr. E. Williams) stated that anyone who voted for this Amendment would be acquiescing in the present conditions. That I deny. It seems to me to be a preposterous argument that anyone who supports Federation because we are inviting the Princes to join this Federation must be presumed to acquiesce in all the existing conditions in the States. I put it back upon the hon. Member, or upon anyone who supports the principle of federation, if his argument is true that by inviting the States to come into this Federation we are acquiescing in the conditions that obtain throughout those States. I do not acquiesce in any of the conditions obtaining in any of the States. I deplore them where they are below ordinary standards. I had an opportunity of dealing with that matter in earlier Debates in this House. There are in many of the States to-day conditions obtaining, especially if we were immediately concerned, which would be regarded as being intolerable, and I expressed the hope that we might be able to improve those conditions in two ways. If the representatives of the States came into a federation and had to work side by side with the elected representatives of the Provinces there would be a tendency to raise the standard in the States, and when the States were all brought to-

[Mr. Foot.]

gether those that were below the standard of the other States would be brought up to a better level. I think that as a result of federation things will not be worse than they are; I think they will be better as a result of the consultation and debate that must go on.

The position I take up is that on this Amendment no one is better qualified to judge than the Secretary of State. The Secretary of State put in unmistakable language his argument for believing that the carrying of this Amendment would defeat federation. I am quite sure he would not have said that unless convinced by the experience that he possesses more than any other Member of this House. If that be so, then I want federation. I am not going to cast a vote, which, in the opinion of one best qualified to judge, would defeat what is the main object of this Bill. If that be thought to be inconsistent, it is the comment of many with the expressed intention of supporting the Amendment, because they do not want federation at all, because they want to defeat the Bill, and, not being able to do it by the Motion yesterday, are seizing this as another opportunity. Inasmuch as their face is set in one direction and mine in another, I propose to accept the invitation given to vote with the Government. It may be said that we are acquiescing in the present conditions in the States. If that be said, those who say it do not believe it when they say it, because it has been made clear that there are other conditions in the States—besides that in the Amendment—which call for condemnation

Mr. BRACKEN: Would the hon. Member vote for them?

Mr. FOOT: I would not vote for an Amendment which would have the same result as this. I am satisfied that you cannot without a Bill of this kind touch conditions in the States. With this Bill I think there is hope that they may be touched, and I shall support the Government.

Question put, "That the words proposed be there inserted."

The Committee divided: Ayes, 75; Noes, 234.

Division No. 64.] AYES. [7.3 p.m.

Allen, Sir J. Sandeman (L'pool, W.)	Fuller, Captain A. G.	Nunn, William
Atholl, Duchess of	Gardner, Benjamin Walter	Parkinson, John Allen
Bailey, Eric Alfred George	Greenwood, Rt. Hon. Arthur	Raikes, Henry V. A. M.
Banfield, John William	Grenfell, David Rees (Glamorgan)	Rathbone, Eleanor
Bevan, Aneurin (Ebbw Vale)	Gretton, Colonel Rt. Hon. John	Reid, David D. (County Down)
Bracken, Brendan	Gritten, W. G. Howard	Salter, Dr. Alfred
Broadbent, Colonel John	Grundy, Thomas W.	Sandeman, Sir A. N. Stewart
Buchanan, George	Hall, George H. (Merthyr Tydvil)	Sanderson, Sir Frank Barnard
Burnett, John George	Hicks, Ernest George	Scone, Lord
Burton, Colonel Henry Walter	Jenkins, Sir William	Smith, Tom (Normanton)
Churchill, Rt. Hon. Winston Spencer	Jones, Lewis (Swansea, West)	Strauss, G. R. (Lambeth, North)
Cleary, J. J.	Jones, Morgan (Caerphilly)	Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Cobb, Sir Cyril	Keyes, Admiral Sir Roger	Thorne, William James
Cocks, Frederick Seymour	Kimball, Lawrence	Thorp, Linton Theodore
Courtauld, Major John Sewell	Knox, Sir Alfred	Tinker, John Joseph
Cove, William G.	Lansbury, Rt. Hon. George	Wayland, Sir William A.
Craddock, Sir Reginald Henry	Lawson, John James	Wedgwood, Rt. Hon. Josiah
Cripps, Sir Stafford	Lees-Jones, John	West, F. R.
Critchley, Brig.-General A. C.	Lennox-Boyd, A. T.	Williams, David (Swansea, East)
Croft, Brigadier-General Sir H.	Levy, Thomas	Williams, Edward John (Ogmore)
Daggar, George	Logan, David Gilbert	Williams, Herbert G. (Croydon, S.)
Davies, David L. (Pontypridd)	Lunn, William	Wise, Alfred R.
Davies, Rhys John (Westhoughton)	Macdonald, Gordon (Ince)	Wolmer, Rt. Hon. Viscount
Donner, P. W.	Maclean, Neil (Glasgow, Govan)	
Edwards, Charles	Nathan, Major H. L.	TELLERS FOR THE AYES.—
Emmott, Charles E. G. C.	Nicholson, Rt. Hn. W. G. (Petersf'ld)	Mr. John and Mr. Rhys Davies.

NOES.

Acland-Troyte, Lieut.-Colonel	Beaumont, Hon. R.E.B. (Portsm'th, C.)	Briscoe, Capt. Richard George
Allen, Lt.-Col. J. Sandeman (B'k'nh'd.)	Belt, Sir Alfred L.	Brocklebank, C. E. R.
Amery, Rt. Hon. Leopold C. M. S.	Benn, Sir Arthur Shirley	Brown, Col. D. C. (N'th'l'd., Hexham)
Anstruther-Gray, W. J.	Birchall, Major Sir John Dearman	Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Aske, Sir Robert William	Blindell, James	Buchan, John
Assheton, Ralph	Bossom, A. C.	Bullock, Captain Malcolm
Baillie, Sir Adrian W. M.	Boulton, W. W.	Burghley, Lord
Baldwin, Rt. Hon. Stanley	Bower, Commander Robert Tatton	Butler, Richard Austen
Balfour, Capt. Harold (I. of Thanet)	Bowyer, Capt. Sir George E. W.	Cadogan, Hon. Edward
Balniel, Lord	Braithwaite, J. G. (Hillsborough)	Campbell, Vice-Admiral G. (Burnley)
Barton, Capt. Basil Kelsey	Brass, Captain Sir William	Caporn, Arthur Cecil

Cautley, Sir Henry S.
Cayzer, Sir Charles (Chester, City)
Cayzer, Maj. Sir H. R. (Prtsmth., S.)
Chamberlain, Rt. Hn. Sir J. A. (Birm., W)
Chamberlain, Rt. Hon. N. (Edgbaston)
Clarry, Reginald George
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Cranborne, Viscount
Craven-Ellis, William
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Crossley, A. C.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Curry, A. C.
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Dickie, John P.
Doran, Edward
Drewe, Cedric
Duckworth, George A. V.
Duncan, James A. L. (Kensington, N.)
Eady, George H.
Eastwood, John Francis
Edmondson, Major Sir James
Ellis, Sir R. Geoffrey
Elmley, Viscount
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Essenhigh, Reginald Clare
Evans, Capt. Arthur (Cardiff, S.)
Evans, David Owen (Cardigan)
Evans, R. T. (Carmarthen)
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fox, Sir Gifford
Fremantle, Sir Francis
Galbraith, James Francis Wallace
Gibson, Charles Granville
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Gledhill, Gilbert
Gluckstein, Louis Halle
Goff, Sir Park
Gower, Sir Robert
Graham, Sir F. Fergus (C'mb'rl'd, N.)
Grattan-Doyle, Sir Nicholas
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W.)
Grigg, Sir Edward
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zt'nd)
Hannon, Patrick Joseph Henry
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hunter, Dr. Joseph (Dumfries)
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jennings, Roland
Joel, Dudley J. Barnato
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kirkpatrick, William M.
Knight, Holford
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Latham, Sir Herbert Paul
Law, Sir Alfred
Leech, Dr. J. W.
Leighton, Major B. E. P.
Liddall, Walter S.
Llewellin, Major John J.
Llewellyn-Jones, Frederick
Locker-Lampson, Com. O. (H'ndsw'th)
Loder, Captain J. de Vere
Mabane, William
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macpherson, Rt. Hon. Sir Ian
Magnay, Thomas
Maitland, Adam
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Milne, Charles
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Mitchell, Sir W. Lane (Streatham)
Mitcheson, G. G.
Monsell, Rt. Hon. Sir B. Eyres
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shephard
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
North, Edward T.
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Penny, Sir George
Percy, Lord Eustace
Pickthorn, K. W. M.
Powell, Lieut.-Col. Evelyn G. H.
Pybus, Sir John
Radford, E. A.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rickards, George William
Robinson, John Roland
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ruggles-Brise, Colonel Sir Edward
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Skelton, Archibald Noel
Smith, Bracewell (Dulwich)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Soper, Richard
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'moriand)
Stevenson, James
Stewart, J. Henderson (Fife, E.)
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Summersby, Charles H.
Sutcliffe, Harold
Thomas, Rt. Hon. J. H. (Derby)
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Todd, A. L. S. (Kingswinford)
Touche, Gordon Cosmo
Train, John
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wells, Sydney Richard
White, Henry Graham
Williams, Charles (Devon, Torquay)
Wills, Wilfrid D.
Windsor-Clive, Lieut-Colonel George
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE NOES.—Major George Davies and Dr. Morris-Jones.

Amendments made: In page 3, line 38, leave out "to this Act."

In line 38, at the end, insert

"to the provisions of this Act so far as they are applicable therein by virtue of his Instrument of Accession."

In line 39, leave out "a declaration may be made," and insert

"an Instrument of Accession may declare that the Ruler accepts this Act subject to such provisions, if any, as may be specified in the Instrument, being provisions which are by this Act expressly authorised to be included in an Instrument of Accession, and that his acceptance of any matter as a matter with respect to which the Federal Legislature may make laws is subject to such conditions and limitations, if any as may be so specified.

(2) An Instrument of Accession may be executed."

In page 4, line 5, leave out "declaration," and insert "Instrument."

In line 7, leave out "conditionally or otherwise," and insert "with or without conditions or limitations."

In line 11, after "condition," insert "or limitation."

In line 11, leave out "declaration made by him," and insert "Instrument."

In line 13, leave out "A declaration," and insert "An Instrument of Accession or supplementary Instrument."

In line 13, leave out "the declaraiton of," and insert "executed by."—[*Sir S. Hoare.*]

7.15 p.m.

Mr. HERBERT WILLIAMS: I beg to move, in page 4, line 19, to leave out Sub-section (4).

This Sub-section is not very easy to understand. I say definitely that I do not understand all its implications, and I very much doubt whether anybody else does. I remember many years ago, when I was a boy at school, a member of the Austrian Parliament, for the purpose of obstruction, spoke for thirteen hours. If we were obstructing this Bill I could beat that record, because in order to explain the Amendment it would be necessary for me to read the whole of the Bill. If hon. Members will refer to the Second Schedule, which begins on page 275, they will discover that this Sub-section deals with the matters in that Schedule. The Sub-section says:

"The validity of any declaration under this Section shall not be affected by any Amendment of the provisions of this Act mentioned in the Second Schedule to this Act."

When one turns to the Second Schedule one observes that practically the whole of the Act is mentioned, with certain exceptions. The exceptions are very numerous, and they are not expressed in precise terms. They are not expressed in the terms of the Bill which enable one to take out the various Clauses and Sub-sections to which Sub-section (4) applies. To go through the Second Schedule with another copy of the Bill, endeavouring to mark in the other copy of the Bill those features of the Bill to which the Second Schedule does not apply, because they are among the savings therein specified, means a task of many hours. I suggest that when we divide on this Amendment, if we do divide on it, no Member of the Committee will be quite certain what the effect of his vote may be.

We are all agreed that this Bill is a credit to the draftsman, but here is a case—I am not blaming the draftsman—where the circumstances are such that the significance is almost unintelligible. When I read the Second Schedule it looks substantially that if any Amendments are made in respect of the major matters in the Bill, the really big issues, then the declaration which the Princes have made is a declaration made under conditions which are going to be fundamentally changed. In other words, the alterations that can take place without the Princes having any grievance are alterations in respect of a great mass of matters each of which is relatively unimportant. On the other hand, where a matter of major importance is altered it seems to me, from the study that I have given to the "savings" in the Second Schedule, that the position of the Princes is altered. In that case, does it bind them?

I do not know whether I am quite clear in this matter, because it is in itself inherently complicated. A Prince enters into a contract with the Federal Government. Having entered into that contract it is made perfectly clear that minor amendments when the Bill becomes an Act can take place without any particular Prince having a ground of grievance, because those alterations can take place, and it is part of his contract that they may take place. Suppose that later on when this Bill has become an Act, if it does become an Act, Parliament alters it in some major matter. Then the original terms on which the Prince made his accession are fundamentally altered. In other words, one party to the contract has proposed to vary the contract. In those circumstances is the Instrument of Accession still binding on the Prince?

I often have to say that I am not a lawyer but only an engineer, and I find these things rather difficult to understand, even in spite of my association and friendship with the distinguished and learned Member for Bridgwater (Mr. Croom-Johnson), from whom I have learned many things. Can a Prince resign? Let us suppose that 10 years from now, because of our experience, the then Government comes to the conclusion that this constitutional Act, as it then may be, requires amendment in respect of

certain fundamentals which are included in the innumerable savings which appear on pages 275-278. Is every Prince then released from his contract, if he so desires? Clearly, we on our side will have broken our part of the bargain because we shall have altered the Act *fundamentally*. This seems to me to raise issues of very extraordinary importance. If, on the other hand, the legal interpretation is that in fact the resignation —if I may use the phrase—does not properly follow from an amendment among the savings in the Schedule, then the Princes are, in effect, going to be bound by conditions which they did not contemplate. That, in turn, would be a gross breach of contract on our part.

Once we have passed this Bill with Sub-section (4) in it, are we not in honour bound never to amend it in any fundamental direction? That seems to me to raise a very difficult point, unless my interpretation is inaccurate, as it well may be. I am not professing that I am right, for I feel that I am face to face with a problem of great difficulty. This is a Sub-section the reading of which is difficult, and I hope that we shall have some assistance from my hon. and learned Friend the Member for Bridgwater, who is an ardent believer in the Bill. He supports it on all occasions, and therefore I have not the slightest doubt that he understands it. If he does understand, perhaps he will tell me and other Members of the Committee precisely what it does mean. Are we going to have a Sub-section included in this Clause of such a character that in some circumstances it may mean that the whole structure of federation may collapse, because if we make certain Amendments the Princes may withdraw? It is assumed that we cannot have a federation without the Princes. On the other hand, if the Princes are deemed to be bound for all time once they have come in, and it means that we cannot amend whatever faults are found in the structure of the Act, then we are face to face with a Sub-section of extraordinary difficulty which the Committee ought not to agree to until we have had it explained in a manner which makes the situation clear beyond any doubt, and makes it certain that none of the dangers that I visualise are real. I am not saying that they are real. I have tried to understand the Sub-section to the best of my ability, but I cannot understand it properly. It is most complicated, and I hope that we shall have the best legal assistance from the Government and from other quarters in order that our minds may be perfectly clear as to the significance of it.

7.25 p.m.

Sir S. CRIPPS: I want to ask two questions. Under this Sub-section suppose there is an Amendment and a ruler does not accept it, will that mean that there will be two different bases for the Federation—one for the ruler who has not accepted the amended Act, that is, the original Act, and another for the rest of the Federation, the amended Act; one governed by one statute and another governed by another statute, differing in material particulars? Will a Prince be able to contract out of this Sub-section as a condition or limitation in his Instrument of Accession? Can he say, "I will accept, provided that no Amendment is made in the Act" or, "I will not be bound even by the Amendments that are authorised in the second schedule and if any Amendment is made to the Act then, so far as I am concerned, I come out." Will the right hon. Gentleman explain those two points.

7.26 p.m.

Sir S. HOARE: This looks a very complicated question, but it is not half so complicated as it looks, and I hope that even a layman like myself will be able to explain the position in a few sentences. The dilemma with which we are faced is this. Can you make alterations in any part of the Bill without inpinging upon the Princes' Instrument of Accession? If we cannot make alterations, are we not setting up an excessively rigid states of affairs, particularly for British India? That is the dilemma, and the way the Joint Committee dealt with it, and the way we deal with it in the Bill is this, that we put into the second schedule the provisions of the Bill that affect exclusively British India and do not affect the States. If hon. Members will look through that very formidable schedule they will see that it contains all the provisions of the Act, or most of them, that affect only British India. Questions of that kind obviously should be amenable to future Amendment without endangering the basis on which the Princes have made their accession. If anyone looks through that long schedule

[Sir S. Hoare.]
I think they will find that there is no provision in it that could be said to affect the instrument upon which the Princes have acceded.

Mr. H. WILLIAMS: There is the part which relates to the Commander-in-Chief. The Commander-in-Chief is to be appointed by warrant under the Royal Sign Manual. That can be amended. The Commander-in-Chief may be appointed by, let us say, the Prime Minister of India, and that might make a very big difference to the whole situation. As I read it, that is something which can be amended without any of the Princes taking exception.

Sir S. HOARE: And for the reason that the Commander-in-Chief is essentially a British India appointment. The Commander-in-Chief has not that kind of official status in the Indian States that apparently my hon. Friend thinks he has.

Mr. WILLIAMS: If the Commander-in-Chief fails in his duty, the whole show may go up.

Sir S. HOARE: I do not think that a question of that kind arises here. I do not admit the contention of my hon. Friend, but when we come to the Schedule, if he then thinks fit, he might move an Amendment, and that would be the time to discuss a question of that kind. The broad answer is that these are conditions which affect British India, in which the States have no interest arising from their Instrument of Accession, and that the provisions in the Schedule can be amended without endangering the Princes' Instrument of Accession at all. If you amended the parts of the Bill which affect the States, obviously you would be altering the conditions on which they have acceded, and that would certainly create a situation in which the Princes could rightly claim that their Instrument of Accession had been altered. I hope that answer clears up the doubts of the hon. Member.

Mr. WILLIAMS: Not in the least. When you enter into a contract it is not merely the terms of the contract which matter but what is done. If one enters into a contract under certain guarantees which become entirely valueless because you have disturbed the rest of the native States, then matters outside his contract are of the utmost importance.

Sir S. HOARE: That is a general argument and does not apply to this position. If the hon. Member looks into the question in greater detail, he will see that they are British India conditions, and there is no reason why they should come into the Instrument of Accession in the future. If the hon. Member has any further doubts, I would suggest that he raises the matter on the Schedule.

7.33 p.m.

Sir S. CRIPPS: Surely there are a number of matters in Chapter 2 of the Second Schedule as to which Amendments are permitted which are not excepted by the long list of exceptions to that part which may be amended. For instance, there is such a thing as is dealt with by Clause 15—the appointment of a financial adviser. That seems to be a matter which can be amended. It is a matter dealing with federation, and may deal with an important aspect of federation. That is not among the exceptions in the schedule and may, therefore, be amended without having effect on the Instrument of Accession. There are a number of matters of that sort in Part II of the schedule which affect the running of federation, and which have nothing to do with British India.

Sir S. HOARE: Provisions of that kind cannot be amended.

Sir S. CRIPPS: Yes. The heading of the Second Schedule is:

> "Provisions of this Act the amendment whereof is not to affect the validity of the Instrument of Accession of a State"

save with respect to certain matters. Matters which are saved would affect the validity and are excepted; matters which are not saved would not affect validity. I give as an example the appointment of a financial adviser. He is not among the savings. I hear an hon. Member say something about financial stability, but financial stability and credit is dealt with in Clause 12 where the Governor-General has the special responsibility of safeguarding financial stability and credit of the Federal Government. All these matters mentioned in the savings come out of Clause 12, paragraph (*b*). There is the appointment of an advocate-general. It may not be an important matter, but it is clearly a federal matter and can be completely altered. You can repeal Clause 16 and have no advocate-general, and federation may get on just

as well without, but it is clearly a matter which affects federation and has nothing to do with British India. Unless the schedule is meaningless Part II of the Second Schedule ought not to be there at all. It says that the things mentioned in Part II may be amended, except those matters which are detailed.

Mr. ISAAC FOOT: The time to deal with this question is, I think, on the Second Schedule, but hon. Members I imagine are agreed on the main argument put forward by the Secretary of State, that you must differentiate between the things which would justify secession and those things which would not. You have to guard against rigidity in this matter, and try to secure that in relation to British India there is a possibility of change and advance.

Mr. BRACKEN: The hon. Member for Bodmin (Mr. Isaac Foot) forgets one thing. Suppose the Prime Minister of India were to appoint Major Douglas as his financial adviser. The Princes would feel that they were being grossly betrayed.

Mr. FOOT: I think the question of such an appointment comes within the Clause we are now considering.

Mr. THORP: It says any instrument affecting the appointments made.

The DEPUTY-CHAIRMAN: I think the Secretary of State should settle it.

Sir S. HOARE: I am much obliged for the comments which have been made. I was generally correct in my answer to the hon. Member for South Croydon, with this one reservation that there are points of machinery, other than the items set out in the second Schedule, which can be amended without compromising the Instrument of Accession. The case he mentioned would be regarded as a question of machinery. The hon. and learned Member for East Bristol said that if the Princes were able to contract out it would result in there being two different systems of federation.

Sir S. CRIPPS: I was assuming that an Amendment is made, a material Amendment, in the Bill, and that the ruler of a State does not accept it. He need not, and does not accept it. He continues as part of a federation ruled by the original Act as unamended. The rest have accepted, and they continue under the new Act as amended. Therefore, there are two federations, one those who having accepted are under the new Act as amended, and those who have not accepted and remain under the old Act as unamended. They are running concurrently on the two different Acts. As far as I can see by this provision, having inserted the concurrence of the ruler, once you allow it, it does not affect his accession, he remains in, but you still have these differences between States who do not accept the Amendment, who remain under the original Act, and those who do. You may get every State under a different Act: Those under the original Act with one Amendment, those under the original Act with two Amendments, *or with three and four Amendments.* You will get the most extraordinary diversity of federation in India.

Sir W. DAVISON: On a point of Order. If certain States do something which will not justify their secession an Amendment made in the Constitution shall not extend to them. If you refer to the second schedule there are such important things as the constitution and federation of the railway authority. You may have one set of regulations dealing with railway authorities generally, and in two different States you may have different regulations obtaining under the original Act.

The DEPUTY-CHAIRMAN: I allowed the hon. Member to ask a question, but he is now making a speech.

7.42 p.m.

Sir S. HOARE: The hon. Member for South Croydon (Mr. H. Williams) has put to me a very difficult question, but one which I think is very remote, and for this reason. An Amendment will have to be made by this House, and I cannot conceive of an Amendment of the kind he fears being made. Speaking off-hand, the result of such an Amendment, if it were carried, might be different in operation as between one State and another, but it appears to me to be so remote a case that I do not think we need take it into serious consideration.

Mr. H. WILLIAMS: It comes to this that in actual practice if we want to amend the Bill we cannot without the

[Mr. Williams.]
prior consent of the Princes. Is that the condition to which Parliament has been reduced?

Sir S. HOARE: It certainly means that we cannot amend any part of the Bill which affects what is virtually the treaties under which the Princes come in. If we make such a change in the Bill as to strike at the basis of their Instrument of Accession, then, obviously, the agreement has been broken between the Princes and Parliament, and the Princes are free.

Major-General Sir ALFRED KNOX: There is a question I want to ask about the reservations in the second schedule and also the extra reservations set out there. Suppose it did happen that Parliament passed new legislation, would the Princes have the right to secede. If not, has secession been provided for in any part of the Bill?

Sir S. HOARE: The whole object of the Schedule is to set out the part of the Bill which can be amended by Parliament without any question of the Instrument of Accession being compromised. Parliament would be entitled to amend that part of the Bill without any question of secession arising. If, on the other hand, Parliament decides to make a change in the Bill which alters the conditions under which the Princes accede, then, obviously, the contract with the Princes is broken.

7.44 p.m.

Colonel GRETTON: We are in somewhat of a dilemma. It would not be in order to deal with all the arguments on the Schedule, and I do not propose to do so. The Schedule, if it is passed in its present form, sets out a list of subjects to which the Princes are required to agree, and if any of them are altered by Parliament in any way it can do so without there being a breach of the Instrument of Accession. That is a large demand to make. Such a condition implies, as the Secretary of State has admitted, that there are a number of other conditions which would effect a breach of the Instrument of Accession. We are already going to have considerable variation in these Instruments of Accession. If Parliament finds it necessary again to legislate, and by that legislation violates the Instrument of Accession, what is the remedy? What is the remedy of the native States? It appears from the statement of the Secretary of State that if they can be so persuaded by the Secretary of State of the time, or by the Viceroy, they can come under the new arrangement, agree to the alteration in the Act and have the Instruments of Accession altered accordingly. The other remedy is to secede altogether. We are told that the Instruments of Accession are in the nature of treaties, and that if they are broken by one party the other party is free. Therefore the native States will have power to secede from the Federation. It is a point that we want to have made clear, that an alteration in the Instruments of Accession cannot be made by Act of Parliament only but must be agreed to by the rulers of the native States one by one.

7.47 p.m.

Mr. CROOM-JOHNSON: I cannot help thinking that this is a somewhat unreal point. Once the Constitution is working and once the scheme is in operation, the hon. Members who have spoken seem to assume that opportunities will be afforded to this House on frequent occasions of amending the scheme in fundamental points. I cannot conceive this House being invited to amend the Constitution in fundamental points without the Government of the day having taken the opportunity beforehand to consult both with the people who are governing in the Provinces and with the rulers of the native States. That being so, the suggestion that the Government of this country would intervene in order to make a fundamental change without having got the assent beforehand of the other party to the contract seems to me to be something over which we ought not to take a great deal of time.

But there is then this other point of view, which is perhaps worth a little consideration, as to whether we might not provide in the Bill that if an Amendment is needed in the Constitution as affecting the native States, we need not be obliged to get the assent of every one of the rulers of the States. To provide for that in the Bill we might fix a majority of these native States and say that if they assent to some fundamental change—we might make the majority a high one—all the native rulers would be bound by it. I am only suggesting that as a way out of the difficulty if the idea of the Government is that the difficulty is a real one.

But I cannot think that any British Government is going to make a fundamental change without having taken steps beforehand to ascertain the opinion of the other parties to the Treaty.

7.49 p.m.

Mr. ANNESLEY SOMERVILLE: Does my hon. and learned Friend imply that if a majority of the Princes accept an Amendment the minority must accept?

Mr. CROOM-JOHNSON: Yes.

Mr. SOMERVILLE: Would not such a provision in the Bill infringe the Instrument of Accession of those Princes who have not accepted?

Sir S. HOARE: It cannot be a question of majorities and minorities. Each agreement has been entered into by a Prince on the one hand and the Crown on the other. You cannot force any majority decision on a minority.

7.50 p.m.

Mr. ISAAC FOOT: I suggest that the force of the Sub-section is emphasised by the Second Schedule. I know it will not be in order for me to discuss any part of the Second Schedule, but I would put this question to the Government: If we allow Sub-section (4) to pass without amendment and the Second Schedule becomes a part of the Bill, will the Secretary of State look at line 39 of that Second Schedule on page 275. It speaks of

> "the Council of State and the Federal Assembly and the manner in which they are to be chosen."

That is one of the parts of the Act that is saved from the provision here referred to. Do I understand that if we pass Sub-section (4) and later on adopt the Second Schedule, any alteration in the manner of electing the British India representatives to the Assembly would justify some complaint on the part of the Princes that the Instrument of Accession was not being observed? It seems to me that that is the effect of the Clause. I can quite understand that we are not to be at liberty in this House or anywhere else later to come to any conclusion that is to affect those with whom we are entering into a treaty, but I hope that the Second Schedule will not allow the Princes to have any voice whatever in matters which affect purely British India. If we decided later on to adopt the suggestion that was made by some on the Joint Select Committee, that indirect election be changed to direct, we could not make even that change without asking the consent of the Princes. That is my reading of the Bill.

7.53 p.m.

Sir S. HOARE: I can reassure my hon. Friend the Member for Bodmin (Mr. Isaac Foot) at once. We must make the provision in the Schedule clear on the point. It is not our intention to exclude a question like indirect election from Amendments on the line that we have been discussing. What we are anxious to do and must do is to safeguard the position that is guaranteed to the State. When we come to the Schedule we can make that position quite clear.

Mr. A. SOMERVILLE: In this Subsection we seem to have come to serious difficulties that fundamentally affect the Instrument of Accession of the Princes. At any rate, the Princes may very fairly ask to know exactly what they are entering into. I suggest that the best course to pursue would be to withdraw this Subsection, redraft it and deal with it on Report.

7.56 p.m.

Sir W. DAVISON: We are getting into a great dilemma. Either you give the Princes a power of veto on any amendment of this Constitution, or else it is quite clear that you will have two alternative constitutions running in different parts of India. I do not see any way out of that dilemma unless some amendment is made in this Sub-section. My hon. and learned Friend the Member for Bridgwater (Mr. Croom-Johnson) said he could not imagine this Parliament making any fundamental alteration in the Constitution without securing the assent of the Princes. The Secretary of State says you would have to secure the consent of all the assenting Princes, which would be a difficulty. Some would agree and one or more might not agree to the amendment. Either you give a power of veto to the Princes on any amendment of the Constitution, or else you will have two concurrent constitutions in different parts of India.

7.58 p.m.

Mr. THORP: This does seem to me to raise the whole question of the permanence of the Federation that is

[Mr. Thorp.]

being set up. The hon. and learned Member for Bristol East (Sir S. Cripps) envisaged that what might happen would be that certain of the States were bound by certain provisions and that others which had not acceded were not bound by those provisions. That is a state of affairs which obviously will arise in the event of the ruler not assenting to any alteration of what I might call the matters mentioned on the right hand side of the Second Schedule. But there is another contingency. Where two people make a contract or treaty—this Instrument of Accession is a contract or treaty—if any alteration be made by this House in the matters on the right hand page of the Second Schedule, there is immediately a breach of the contract that has been entered into. Another hon. and learned Friend introduced some words of his own. He said, "If it was a fundamental alteration." The word "fundamental" does not arise at all. If it is the slightest alteration of any importance of what appears on the right hand page of the Schedule referred to, a Prince might say, "This is a variation of the contract into which I entered and, therefore, I am coming out of it." That means that he can secede.

Carrying the argument a step further, if the basis upon which the Princes come in is a majority basis and if one or two go out, then it may be said with considerable force and perhaps some degree of accuracy, "If these people are going out then the whole lot are entitled to go out." That means that either the Princes who have come in will be entitled to go out, or else they are entitled to come in on one basis and not upon the other. One of those two things must happen. Otherwise, if ever this Parliament, the only Parliament which can make any amendment at all, alters any one of the matters referred to on the right hand side of the Second Schedule, the whole structure may come down like a house of cards. The Princes would be entitled one after the other to say, "This is an alteration in matters which we deliberately accepted as the basis upon which we came in and therefore we are all entitled to go out."

The Secretary of State referred to this instrument as a treaty and used the expression that if that happened the ruler would be free. I accept that. The ruler would be free if any alteration were effected in these matters on the right hand side of the Second Schedule. In that case the whole thing might disintegrate. My hon. and learned Friend the Member for Bridgwater (Mr. Croom-Johnson) said first that this matter was not of the slightest importance or that it would never arise or words to that effect. Then he went on to suggest that it was of such importance that it ought to be dealt with by some special provision.

Mr. CROOM-JOHNSON: My hon. and learned Friend must have misunderstood me. I did not suggest that it was of no importance but I suggested that it was not a thing which was very likely to arise. With regard to the second point I did not suggest that anything special should be done. I merely mentioned, as a helpful contribution to the Debate, the possibility of it being dealt with in a certain way, and the Secretary of State has since explained that that would be impossible.

Mr. THORP: I am sorry if I misunderstood my hon. and learned Friend, but I suggest that the Committee ought not to pay particular attention to his powers of prophecy. He may, like all of us, make a mistake as to what is likely to happen in the future though as to the present or the past I cannot imagine such an extraordinary thing happening. But with regard to the point which I was making, I think the question put by the hon. and learned Member for East Bristol (Sir S. Cripps) might go a step further. He might ask (a) Are you going to have different rulers in the Federation upon a different basis and subject to different terms, and (b) If they take the view that any variation is of sufficient importance, does it rest with them to say that they will wash their hands of the whole thing, causing the Federation to disintegrate? I suggest that that must follow and that the only alternative is that this Parliament is never to make any alteration in any of those matters.

8.5 p.m.

The SOLICITOR-GENERAL: The hon. and learned Member for East Bristol (Sir S. Cripps) asked a specific question which my right hon. Friend through inadvertence omitted to deal

with, and I shall answer that question at the outset. The hon. and learned Member asked whether a ruler could contract out of Sub-section (4) who put it forward as a condition of his accession that no amendment would be made even of the accepted subjects which might affect his interests. The answer is "No." The only general provisions of the Act which can be qualified in the Instrument of Accession are those which are expressly authorised by the Act to be included in the Instrument.

Sir S. CRIPPS: Can they not make conditions or limitations?

The SOLICITOR-GENERAL: No, Sir. If the hon. and learned Member will refer to the new words which have been inserted he will find that they read as follows:

"an Instrument of Accession may declare that the Ruler accepts this Act subject to such provisions, if any, as may be specified in the Instrument, being provisions which are by this Act expressly authorised to be included in an Instrument of Accession, and that his acceptance of any matter as a matter with respect to which the Federal Legislature may make laws is subject to such conditions and limitations, if any, as may be so specified."

I gave instances last night of matters which are outside that because there is no express authorisation.

Mr. THORP: What about Clause 6 (1, *b*).

The SOLICITOR-GENERAL: That deals now, as amended, simply with matters specified in the list. This is quite a different matter. As the Secretary of State explained the machinery of the Act is accepted and then as regards certain matters there is express authorisation as to qualification. Clause 124 also deals with that matter. I do not want to cover ground which has already been traversed but I would like to reassure the hon. Member for Windsor (Mr. A. A. Somerville) that my right hon. Friend the Secretary of State does not feel in any dilemma in regard to this matter and does not feel that there is the slightest reason for not sticking to the Clause. The problem is one which emerged to my right hon. Friend and to the Joint Select Committee at an early stage in these discussions. It stands out at once. The States will only agree to federate in a structure which, within limits, is definite and certain and obviously we could not completely alter the structure afterwards. The purpose of this Clause is to lay down those matters which can be altered without being regarded as fundamental or as impinging on the Instrument of Accession. We think the Clause is adequately drafted and is in the best terms for that purpose.,

If the structure were to be altered in fundamental respects, of course the States would clearly have the right to say, "This is not the Federation to which we acceded." One can always contemplate possible difficulties especially in constitutional matters. We have been engaged—quite rightly and I make no complaint about it—in what my right hon. and learned Friend the Attorney-General the other evening, quoting from Lord Balfour, described as considering the grounds of divorce before entering upon the problems of matrimony. In regard to all these constitutional questions one can always imagine difficult situations arising, but I think as my hon. and learned Friend the Member for Bridgwater (Mr. Croom-Johnson) said, it is difficult to imagine any Parliament in this country making any fundamental change without thoroughly exploring the matter with the States first, finding out their attitude and arriving at a workable solution having proper regard to the rights of the States under the Instrument of Accession.

8.10 p.m.

Sir S. CRIPPS: Neither the explanation which we have been offered by the Secretary of State or that of the Solicitor-General is satisfactory. Surely it is the maddest thing in the world to go into a federation with a gap in your legislation and to say, "We do not think anything will ever happen." It is precisely that type of thing which wrecks a federation or anything else. The hon. and learned Gentleman, I know, will agree with me that, if it is possible, one ought never to get into a position of that kind. Something quite unexpected may turn up, something that was thought to be most unlikely, and then you find there is no provision by which you can deal with it. That is a fatal position into which to be led, especially when one can see in advance the possibility of difficulty arising as the right hon. Gentleman and the

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hon. and learned Gentleman admittedly do with regard to this Clause.

The right hon. Gentleman said he was trying to do two things here, first to attain a certain flexibility, which we all agree is necessary in a Constitution of this sort and secondly, to attain a certain degree of permanence in the Instrument of Accession. Equally we agree that as much permanency as possible is wanted in that respect if you are to have a Constitution of this kind. But if you say that you are going to attain the maximum of flexibility how can you say that the alterations which are going to be made will not matter? The whole object of flexibility is to make material alterations in the Act. These may be of two classes. They may be such as will affect the Instrument and then a Prince will be able to withdraw if he does not agree. That is not the case dealt with in Sub-section (4). Secondly, they may be alterations in this Act—which is to form the basis of acceptance by the British Crown of these Instruments—expressly stated by this Sub-section (4) not to affect the Instruments. Well and good so far.

If that were the end of the situation there would be no trouble, though some of these matters are of importance. There is, for instance, that dealing with the oath which is to be taken—a matter which has caused difficulty in other places in the British Empire. That is one of the things which can be altered. If that is altered—and the provisions here in Sub-section (4) state that it shall not affect the Instrument of Accession—well and good. Everybody would be governed by it and there would be no trouble. The Act as amended would rule the whole Federation. The trouble arises from the fact that although you say that that is something which is not material enough to alter the basis of the Instrument, yet you also say that the ruler can refuse to accept such an Amendment. That is the illogical part of Sub-section (4). You do not put the matter right outside and say that it is so basic that the Instrument of Accession goes altogether and that there must be a new treaty. You say that it is not fundamental enough to alter the Instrument but you say to those who have come in on that basis and who, we are told by the Solicitor-General, cannot contract out, " We give you power when the Amendment is made to say that you do not accept it."

What will be the position supposing one of these Sections—for example, Section 15—is repealed and one of the Princes, one of these 300 or 400 Princes who, the right hon. Gentleman hopes, will be in by that date, says, " I will not accept that anyway; I have another little ' grouse,' and I will take advantage of it here "? I am just giving an example. Say the financial adviser has been done away with. He has to persist so far as that one State is concerned, he is still a part of the federal institutions as regards the one State which refuses to accept the Amendment, and therefore Section 15 is in full operation, and the Governor-General has to appoint some person to be his financial adviser. It is the duty of the financial adviser to assist with his advice the Governor-General, and he has to advise about that part of the federal structure which affects only one State.

I merely take that as an example. Such a case might arise and might lead to infinite possibilities of making difficulties hereafter, not necessarily real difficulties, but affording an opportunity for someone who has some other matter to complain about to make a difficulty with the Government of India and the Federation. I suggest quite earnestly—I am not trying to put this from any party point of view—that the Secretary of State might consider whether, once a matter has been amended and comes within the permissible Amendments which are the basis of the Instrument of Accession, then it ought to be for the Prince to accept it or not. That is the only way that I can see by which the right hon. Gentleman will make this a workable thing at all and avoid what may be infinite difficulties in the future.

8.17 p.m.

Sir S. HOARE: I will take note of what the hon. and learned Member for East Bristol (Sir S. Cripps) says, and I will take note also of the spirit in which it has been said. The difficulty in my mind in going further is that outside the permissible field of Amendments there may still be questions which none the less impinge upon the Instrument of Accession; but I will keep the point in mind and see whether the words now in the Sub-section meet my difficulty and his.

8.18 p.m.

Mr. H. WILLIAMS: I shall in a moment ask leave to withdraw the Amendment, having regard to the interesting statement of the Secretary of State. I realise that the issue raised by the Amendment is very much bigger than I at first contemplated. It seems possible that, if we passed this, we should create a constitution practically unalterable for all time. This Amendment has raised issues of such fundamental importance that, having regard to the declaration of the Secretary of State and the remarks of the hon. and learned Member for East Bristol (Sir S. Cripps), and having regard to the fact that it is bound to come up again in detail on the Second Schedule, it is desirable that we should not challenge any issue at the moment, but that we should all realise that there is a problem still to be solved. I do not believe the solution exists in the Sub-section as it stands, and, in view of what the Secretary of State has said, I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

8.19 p.m.

Amendments made: In page 4, line 19, leave out "declaration" and insert "Instrument."

In line 37, leave out "declaration" and insert "Instrument."

In line 38, leave out "declaration made" and insert "Instrument executed."

In page 5, line 1, leave out Sub-section (7).—[*Mr. Butler.*]

8.20 p.m.

Mr. H. WILLIAMS: I beg to move, in page 5, line 5, at the end, to insert:

"(8) Notwithstanding anything in this section no Instrument of Accession of a State shall contain any provision by or under which that State is exempted from the operation of any provisions of an Act of the Federal Legislature which impose taxation on the Governors' Provinces."

This again raises, in a rather different way, the whole issue of federation, in which certain parts bear a different relation to the central organisation than other parts bear. This is really the third time to-day that we have discussed this question. We discussed it on the Amendment moved by the hon. Member for Westhoughton (Mr. Rhys Davies), in regard to labour conditions; we have just been discussing it on my previous Amendment whereby some amendment might take place in the Constitution so that the position of one State in relation to the Federation might become different from that of another State; and now we are raising the question whether a State shall be treated differentially in taxation from another State or from a Province. It raises matters of very great issue indeed. It happens to be true that I have not devoted as much time as I should have liked to the problem of the finances of India, and one of the reasons is that I find the problem very difficult because they will put their commas in the wrong place. I do not know who invented the system of lakhs and crores and all the rest of it, but we have learned much from the East in regard to arithmetic and algebra, which we inherited from the Arabs, and geometry, which we got from the Egyptians, but I wish they had got their arithmetic from us, because I am certain that the Secretary of State, who has been brought up on the good but irrational system of pounds, shillings, and pence, is in even greater confusion than was the late Lord Randolph Churchill when a fly walked over the Budget paper and there was a question as to what a certain mark meant. In these circumstances, I shall only raise the issue on the general principle. I have not studied it in detail, but I understand that the Noble Lady the Member for Perth and Kinross (Duchess of Atholl) is anxious to raise the issue, which she has studied more closely than I have, in some detail.

8.24 p.m.

Mr. EMMOTT: I regret that I am not prepared to deal with this subject in the way that I should have liked, but I think I may usefully occupy a very few moments in putting before the Committee certain considerations which arise out of evidence that was given before the Joint Select Committee. It will be remembered that important evidence was given to that committee by the gentlemen who represented the Chamber of Princes. I have studied that evidence with very great interest and attention and I should like to give to the Committee certain passages from it. It was laid down very clearly that the view of the Standing Committee of the Chamber of Princes was that the proposals relating to federal finance which had been before them required further examination than they had re-

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ceived up to that time, and that no direct tax should be imposed by the Federal Government within the States. There was a passage in the memorandum placed before the Joint Select Committee on behalf of the Ruler of Kashmir which I should like to give to the Committee. It is this:

"The Federal Government should, in no circumstances, be authorised to impose a direct tax or levy in Indian States. If, on the occurrence of an emergency, the resources of the Federal Government are so low as to make it impossible for them to meet the situation, it should not be difficult to devise means by which the States could make a contribution to the Federal fisc on an equitable basis without undertaking liability for direct taxation . . . . His Highness' Government are aware that the representatives of some States did, at the Third Round Table Conference, express their willingness to shoulder the burden of the Corporation Tax, or in the alternative, to pay to the Federal Government a sum euivalent to the estimated value of the Corporation Tax. His Highness' Government are opposed to the imposition of a Corporation Tax in any shape or form, direct or indirect."

The four gentlemen who gave evidence to the committee on this subject were examined on this point by various members of the committee. Lord Rankeillour, in question 2312, asked:

"I understand you are prepared to make a contribution to the common expenses of the Federation?"

The answer was, "Undoubtedly." The next questions and answers were:

"But not by way of direct taxation?—Not by way of direct taxation. That is to say, we do not desire that the Federal Government either directly to assess or directly to collect taxes from our subjects.

But if you have to make a contribution and you do not make it by direct taxation, how would you propose to make it?—By the indirect taxes which will be entirely in the control of the Federal Government."

In a later answer, one of these four gentlemen, replying to Mr. Kahn, who asked as to the things that would be done by the States in certain contingencies, said:

"In the third alternative that is in case all other sources have been tried, and indirect taxation has been tried to the utmost, then it becomes not merely a question of normal balancing of the budget but of a financial crisis in which case extraordinary measures not of a general character, but of a special and specific character, will have to be taken. The normal resources of the Federation must come from its normal sources of revenue, and as normal sources of revenue, we are not prepared to consider direct methods of taxation; but in matters arising out of a crisis, or arising out of an extraordinary period of depression or suffering in credit, in such a case it becomes an extraordinary occasion, and, by extraordinary measures."

There appears to be a misprint there, but that is how the answer is given. The reply continues:

"These are to be met either by way of contribution, or otherwise, we have no objection to meet a special situation; but as a normal course of procedure we are not prepared to accept direct taxation."

Then he is asked:

"If for purposes of normally balancing the budget direct taxes have to be levied on British India that must be done on British India alone. The States are not prepared to come in on a proportionate basis?"

The answer was:

"We are not prepared to accept this proposal of direct taxation as a normal procedure."

All I want to say upon that remarkable series of questions and answers is this. It is perfectly plain that indirect taxation is the only kind of taxation that the rulers of the States are prepared to allow to operate within their States. Not one rupee will the rulers of the States allow to be levied by the Federal Legislature upon their subjects by way of direct taxation. Not one rupee will the rulers of the States allow to be collected by agents of the Federal Legislature from any of their subjects by way of direct taxation. Indirect taxation, it is true, rests on another footing. But is this a situation which British India will accept with equanimity? I cannot believe it. Circumstances may very quickly arise that will necessitate the raising of considerable revenue which will not be made available only by indirect taxation; yet here we have this absolute refusal on the part of rulers of the States to consider the application of direct taxation to their subjects. I seriously suggest to the Government that this is a fiscal problem which may very rapidly become one of great importance and difficulty. I am not prepared at the moment to carry the matter further than to ask the Secretary of State to indicate whether this is a situation upon which His Majesty's Government have formed any views which they can give to the Committee. I suggest for his consideration that the im-

plications of the passages from the evidence I have read are of a serious nature; and on the deductions which it is proper to draw from them I rely in supporting this Amendment.

The CHANCELLOR of the DUCHY of LANCASTER (Mr. J. C. Davidson): This Amendment raises a question of great importance, but I must say at the outset, for reasons which I will give in a few sentences, that we are not able to accept it. For one thing, under no circumstances would the Princes enter the Federation if this Amendment were accepted, and that is an object which we all desire to see achieved. The hon. Member for Springburn (Mr. Emmott) quoted from the evidence submitted to the Joint Select Committee, but he did not quote or give the real reasons which have led the Princes to take the view that under no circumstances will they permit direct taxation to be imposed by the Federal Government in normal circumstances. They have expressed their unwillingness to do so on two grounds. The first argument which they used was that part of the expenditure of the federal fisc, to which they contribute by way of indirect taxation, will be solely for British India purposes, namely, to aid the deficit Provinces. They feel that they are making through the taxation which they are paying to the federal fisc a direct contribution to British India and British India alone. They also argued that more than four-fifths of the central revenue will come from indirect taxation which will be paid equally by States' subjects and by British Indian subjects. It can be argued, also, that the salt tax is an All-India tax, and that, subject to certain provisions for immunity in certain States, States' subjects pay that tax as well as the subjects of British India.

I think these arguments must be put before this Committee, because it is the other side of the case, which has not been equally explored. Further, profits, which are earned in considerable volume in the Indian States, are brought to account, and are therefore taxable, to a very large extent in British India. That is an argument which has been used and which, it must be admitted, has some force, by the representatives of the States. A last argument which they have used, and by no means the one which carries the least weight, is the fact that unlike British India they make a direct contribution by the expenditure of their own taxes in their own States, to the defence of India by maintaining, according to their requirements and in differing degrees, State forces which are available in some cases for overseas service, and are available in any case for the defence of India and for the maintenance of internal security. For these reasons, which they believe to be good, and which I do not think have been effectively challenged in any quarter, they have expressed their unwillingness to make themselves amenable to direct taxation, and I therefore have to inform the Committee that the Government cannot accept the Amendment.

8.40 p.m.

Duchess of ATHOLL: I am afraid that I do not feel that I can accept my right hon. Friend's explanation of the Government's refusal of this Amendment as being at all satisfactory. In effect, he told us at the beginning of his speech that the Government want the Princes to come in, and therefore they are ready to accept a financial arrangement as between the States and British India which I believe to be without parallel. He indicated, I think, that the Government did not really approve of the arrangement, but there it was; they had to bring the Princes in, and so they were going to swallow this arrangement. My right hon. Friend has given us the reasons put forward by the Princes' representatives for their refusal, reasons which, to people living in a country where direct taxation plays so big a part in furnishing the revenue, seem very strange. But I do not think he gave us quite all the picture. He did not remind us, for instance, that the Princes had desired an assurance as to the solvency of this Federation before they came in. That was mentioned by Sir Malcolm Hailey in his Memorandum of July, 1933, and it does seem very possible that it was fear of the financial difficulties into which the Federation might drift, owing to extravagant administration, that made them so chary of accepting what seems to us a natural share of the burden of federal defence.

My hon. Friend the Member for Springburn (Mr. Emmott) quoted some very important passages from the evidence in which the Princes' representatives made

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clear their refusal to submit to direct taxation except in an emergency, but he did not remind us of the fact that at one stage in the Committee's proceedings it appeared as if a formula had been arrived at by which this difficulty would be smoothed over. I think that was at the end of the Summer of 1932, when a formula had been found which seemed to satisfy the Princes; but in November, 1933, just before the Indian representatives returned, the Minister of Bikanir revealed the refusal made earlier in the year to the Joint Select Committee. He told the Committee that they would not submit to any form of direct taxation. I think that was a very significant declaration. It seemed to me at the time to indicate an obvious and a growing reluctance on the part of the Princes to enter the Federation, a reluctance which has been very much cleared up in the last day or two.

This is a very big question. We have this reluctance of the Princes on the one hand, fear of the insolvency of the Federation, and fear, upon various grounds, of entering the Federation. To us, accustomed to regard direct taxation as the most natural and fair form of taxation, if it be not excessive, it does seem a very strange refusal, and seems to make a very lopsided arrangement in finance. My right hon. Friend told us of the large share which, in other ways, the States were contributing to federal revenues, and how British India was going to benefit largely from those revenues, but he did not remind us that the States are, of course, going to benefit directly through the remission of tribute, which is recommended in the case of those who enter the Federation. Therefore, while I am sure that hon. Members on all sides of the House wish to see the Princes fairly treated in this Federation, and all their rights respected, this strikes us as being a very anomalous arrangement. It is an arrangement without parallel, I imagine, that one group of parties to a federation should have to submit to direct taxation, and, as at present, to surcharges on their direct taxation, while another group of parties refuse to submit to that form of taxation. To me that seems clearly to illustrate the unwillingness of the Princes to enter the Federation. On the other hand, I cannot agree with my hon. Friend the Member for Springburn that it is likely to cause much ill-feeling among the representatives of British India. I can imagine that this refusal of the Princes may have been one of the factors that led the Indian Assembly the other day to reject the proposal for an All-India Federation. It is likely to cause friction between the two sides of the Federation, and therefore not to offer that promise of smooth working which, if federation is ultimately to come about, we must all desire.

Amendment negatived.

The following Amendment stood upon the Order Paper.

In page 5, line 7, at the end, insert:

"(9) The Secretary of State shall cause every Instrument of Accession which has been accepted by His Majesty to be laid before Parliament."—[*Sir R. Craddock.*]

The CHAIRMAN: I understand that the hon. Member for the Combined English Universities (Sir R. Craddock) wishes to move his Amendment in a slightly different form, and in the form in which he has handed it to me.

8.47 p.m.

Sir REGINALD CRADDOCK: I beg to move, in page 5, line 6, at the beginning, to insert:

"As soon as may be after any Instrument of Accession or supplementary instrument has been accepted by His Majesty under this Section, copies thereof shall be laid before Parliament and."

The Amendment which I have moved in its changed form is very simple, but it has had rather a chequered career. The first version of the proposal was:

"Authenticated copies of every Instrument of Accession shall be lodged by the Governor-General at the offices of the Judicial Court of the Privy Council in London and at the offices of the Federal Court in Delhi and such authenticated copies shall be open to the inspection of any person."

The object of the Amendment as then drafted, and of the one now before the Committee, is the same, namely, to secure that authenticated copies of these Instruments of Accession should be available in the proper place and at the proper time, whether before this House or before the courts. It was suggested to me by an expert that that object would be gained by simply requiring that authenticated copies of the Instruments of Accession should be laid before Parliament. Subsequently a further suggestion was made that, in-

stead of introducing a new Sub-section (9), I should add these words to Sub-section (8), because the Sub-section would then read better and would be more convenient. After considering that suggestion, I readily fell in with it.

I must mention a very small verbal Amendment which will have to be made in line 7 as a consequential Amendment. As amended, the new Sub-section (8) would read as follows:

" (8) As soon as may be after any Instrument of Accession or supplementary instrument has been accepted by His Majesty under this Section, copies thereof shall be laid before Parliament and all courts shall take judicial notice of every such instrument."

The Amendments carry out the purpose which I have in view and emphasise how very necessary it is that authenticated copies of these documents should be available, not only in order that this House may be acquainted with them, but in order that there should be no risk of mistake being made because of an unauthenticated document being produced before a court which has to deal with federal questions. It has to be remembered that, as time goes on, points regarding the meaning and the wording of an Instrument of Accession may come before the courts many years after the original authors are dead, and contentions will be put forward with regard to the interpretation of the Instrument. It must also be remembered that other parts of the Bill provide that details have to be entered on such Instruments of Accession, namely, as to privileges and immunities and their annual cash value, as well as details as to how, if no cash value has been ascertained, that value should be ascertained. All these extra requirements in the Instruments of Accession, which require to be published in the court, makes it very necessary that no mistake should be made about the authenticity of the documents, and that the courts shall only take judicial notice of the document if it is authenticated. I am given to understand that if the document is laid before Parliament it will be a document of which the court can always take judicial notice

8.52 p.m.

The ATTORNEY-GENERAL (Sir Thomas Inskip): My hon. Friend has so fully and clearly explained this Amendment that I need say nothing about it except that we are very glad to accept it.

Sir R. CRADDOCK: I thank the right hon. and learned Gentleman.

Amendment agreed to.

Further Amendment made: In page 5, line 7, leave out " Instrument of Accession " and insert " such Instrument."—[*Sir R. Craddock.*]

Motion made, and Question proposed, " That the Clause, as amended, stand part of the Bill."

8.53 p.m.

Mr. RHYS DAVIES: We do not intend to let this Clause go without saying a word or two about what it contains, and unless we receive more enlightenment from the Government Front Bench upon its provisions and some promise that the Government will fall in with some of our suggestions, I am afraid that we shall have to press our protest to a Division. I have followed the Debates on this Clause from the beginning and I had the honour to move an Amendment to it on behalf of the Parliamentary Labour party. Of course, the Government would not accept our Amendment but I notice that the Amendment of the hon. Member for the English Universities (Sir R. Craddock) was accepted at once.

The ATTORNEY-GENERAL: It was a good one.

Mr. DAVIES: I have the impression that it was accepted not because of its goodness, but because it meant nothing.

Sir H. CROFT: The Government are getting frightened.

Mr. DAVIES: The Government are always ready to accept drafting Amendments, but as soon as we attempt to safeguard the interest of the working class of the Indian States they turn our Amendments down. If the hon. Member for Bodmin (Mr. Isaac Foot) were in his seat I would venture to tell him that I was a little surprised at the language which he employed on our Amendment. He said that the Secretary of State knew better than he did what was the best thing to do. If my mind were affected in that way, I would throw in the towel and join the Government. What is the good of being on this side if we say that those people on the other side know as well as we do? We say that they do

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not, and that we know better than they do. I say honestly and earnestly that we are a little disappointed with the reply of the Under-Secretary of State on our Amendment, and that the Government should have met the case.

I should imagine, in spite of the protests to the contrary, that negotiations must be entered into between representatives of the Princes and the Secretary of State as to the list of subjects to be accepted before the Instrument of Accession is signed. If that be so, and it seems to me that it is bound to be so, would it not be possible for the Government, in response to a very important Amendment which we put forward on this Clause, to argue with the Princes that it would be a good thing if they accepted that Amendment? Surely there would be nothing wrong in trying to do that.

I have often negotiated with employers of labour and other people, and I know that the first thing the employers say is, "We will have none of it." But, when we negotiate and argue, as we can on this side of the House, the employers are very often convinced that they are wrong and come a little nearer to our point of view. If the India Office would undertake to convey to the Princes the feeling of the House of Commons on the Amendment which we moved to-day, I should not be surprised if some headway were made with the Princes. I will quote the best of all arguments in favour of the Amendment which the Government have declined to accept, namely, what was said by the Joint Select Committee themselves. They did not deal exactly with this point, but paragraph 240 of their Report is a splendid prop in favour of the proposal which we put forward. This is what it says:

"It is proposed in the White Paper that such subjects as Health Insurance and Invalid and Old Age Pensions should be subjects of Provincial legislation. We see serious objection to this, and consider that they should be included in the concurrent list."

That is a step forward from the proposals of the White Paper—from the provincial list to the concurrent list. Our Amendment would carry it, not from the provincial list to the concurrent list, but so as to cover the whole of India, both States and Provinces, with one set of labour laws. Let us see the strength of the argument in favour of what we propose. The Joint Select Committee went on to say:

"While it is necessary that the more industrialised Provinces should be able to legislate on these subjects in the interests of the urban workers, and should not have to wait for the concurrence of those which are predominantly rural, it is undesirable to exclude the possibility of All-India legislation, which may well become necessary in order that there should be uniformity of treatment of the workers as between Province and Province, and that industry in one Province should not be burdened with obligations not imposed in another."

The argument against imposing industrial and labour conditions in one Province as against those applying in another Province applies, in our view, exactly in the same way when you compare the States and the Provinces side by side. In spite of the hon. Gentleman's statement, may I ask whether it would not be possible still to try and plead with the Princes that they may do something to secure the end we have in view? The Government must take note of the Division that took place on our Amendment. If the Liberal party had been good enough to vote with us, as I expected they would, we should have had on our Amendment the largest Opposition vote that the Government have experienced on this Bill. I am not going to try to explain the reason why hon. Gentlemen on the other side vote with us; it may be difficult to fathom the secret mind that moves them at times; but, anyway, I will take it for granted that they were genuinely in favour on this occasion of raising the standard of life of the working classes.

Sir H. CROFT: I must ask the hon. Gentleman to withdraw the words "on this occasion." It was the real Conservatives who started the whole of the legislation for social reform in this country, through the various Acts that they carried.

The CHAIRMAN: I must point out that all this is very far from the Question, "That the Clause stand part."

Mr. DAVIES: I am afraid the Rules of Order will not allow me to reply to the hon. and gallant Gentleman. But I want to say very definitely that we on this side regarded that Amendment, the object of which was to bring the whole of the working classes of India, in both States and Provinces, up to a higher level from the point of view of industrial

legislation, as fundamental, and, so far as we are concerned, we shall vote against this Clause because our Amendment has not been accepted. Although we may be defeated the Government have not heard the last of our proposals.

9.2 p.m.

Major COURTAULD: I want to say a word on the last point mentioned by the hon. Member for Westhoughton (Mr. Rhys Davies). I may say that I supported the Amendment for the same reason for which he supported it—a very obvious reason; and also for the further reason that, if we are going to have a federation in India at all, surely it would be better to have a real federation, without any reservations, than a make-believe federation, which, it appears to me, the Government are trying to bring about. We were told this afternoon by the Secretary of State that if the Amendment about which the hon. Member has been speaking were carried it would imperil the chances of an All-India Federation. I fail to respond to that argument in the least, because, if we are going to omit from the Federation things in which we all believe, what on earth is the good of having a federation at all?

The CHAIRMAN: I must call the hon. and gallant Member's attention to the fact that we have passed the question of federation long ago, and that not only does it not arise on the Amendment referred to, but it does not arise on the Clause that is now before the Committee.

Major COURTAULD: I apologise. I will take it, then, that the question of federation as such does not arise on this Clause. I think that what does arise on the Clause is the accession of the Princes to federation, and I will endeavour to confine my brief remarks to that question. The reason why I am not in favour of this Clause standing part of the Bill is that I do not think the Princes wish to accede to federation. I have never thought that the great majority of the Princes wished for federation, and that is confirmed by the events which occurred on Monday last, and by a certain amplification of that news which one has heard to-day. I have never thought that the Princes as a body wished to accede, by these proposed Instruments of Accession, to a federation. If I may give my reasons——

The CHAIRMAN: No. The hon. and gallant Member is now about to deal with a matter which was the subject of a four-hours debate on the Motion to report Progress yesterday, and before and afterwards of several hours debate on Clause 5. That cannot be repeated now.

Sir H. CROFT: It is competent, I presume, for Members to deal with any points raised by the various Amendments on the Clause.

Major COURTAULD: I am sorry that I have been transgressing. As regards the Instrument of Accession, I consider that the Princes will not be ready to accept it as laid down in the various points which they have to accede to before they can enter this Federation. I am convinced that the Clause, if included, will not be eventually of any use to us, because, if the Princes refuse to sign the Instrument of Accession, the Clause will mean nothing at all. If I am debarred from giving my reasons for thinking that the Princes will not agree to the Instrument of Accession, I find it rather hard to argue my point. In view of the events of which we were informed yesterday and in view of certain information which has arrived since, to include this Clause in the Bill would be of no use whatever to us. It will be found at a later date that we have been wasting our time. For that reason, I shall oppose the Clause.

9.7 p.m.

Major NATHAN: I desire to ask a question which you, Sir, indicated last evening would be more properly raised now. The point arises on Sub-section (3) of this Clause, which provides that the Instrument of Accession is to be signed by the ruler himself and that, for every purpose except the signing of making of an Insrtument of Accession, the term "ruler of a State" includes reference to any persons for the time being exercising the powers of the ruler of the State, whether by reason of the ruler's minority or for any other reason. The question I wish to ask is this. What is the position in the case of a State where the ruler is in fact a minor or is otherwise under disability and, therefore, not fully competent to make an Instrument of Accession. Suppose the ruler of a State were an infant of 12 months. Is it to be understood that until he had attained his majority it would

[Major Nathan.]
be impossible, however anxious the State might be, to be the subject of an Instrument of Accession? Perhaps the hon. Gentleman will make some reference to that point, which though technical is not without its importance.

9.9 p.m.

Duchess of ATHOLL: I am quite ready to believe that my hon. Friend who spoke a few moments ago was right in saying that we are wasting our time in discussing this Clause. Still, it is before us, and I should like to say with what concern I heard the Under-Secretary say that the only list which was the subject of negotiation for an Instrument of Accession with the Princes was the federal list. I feel that the concurrent list, especially Part II, contains a subject of very great importance to the welfare and general well-being of India. I did not speak on the Amendment moved from the Front Bench opposite, but I only refrained from doing so in the hope that I might have a better chance of speaking on the Clause and bringing up many other matters which I regard as of great importance in that list, matters to which their Amendment did not refer. But I have full sympathy with that Amendment and I should like to confirm the statement of the right hon. Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) that factories are actually moving from British India into some of the Indian States, I believe partly to get away from possible disturbing political elements, but also partly, as I have heard, because, though none of us think the standard of factory legislation in British India high, still it is higher than it is in the States. I feel very strongly that workers in British India may suffer seriously in employment if there is no provision for any uniformity, in labour legislation or social insurance, which may possibly in future be introduced, for India as a whole. But at least this can be said, that the matters referred to in the Opposition Amendment were matters made by man. The first matter that I would refer to is that of health. Provision 29 in Part II of the concurrent list——

The CHAIRMAN: It is quite obvious that it will be open to discuss that when we come to the Schedule which contains the concurrent list, and obviously it will be a much more convenient place. I do not think I could possibly allow a discussion here.

Duchess of ATHOLL: We spent some time this afternoon discussing other matters in that concurrent list on the Amendment moved by the hon. Member for Westhoughton (Mr. Rhys Davies).

The CHAIRMAN: The Noble Lady will forgive me for saying in the first place that, if I made a mistake once, it does not justify me in doing so again. As a matter of fact, I think I am right in saying that I stopped that discussion once before. There were certain subjects specially dealt with in the Amendment and reference was made, no doubt, to others as bearing thereon, but the discussion of a matter which is included in the concurrent list certainly cannot be properly included in the discussion of this Clause. I think the Noble Lady will understand what I mean when I say, if it is to be discussed here, what are we to do when we come to the Schedule? We cannot discuss it all over again.

Duchess of ATHOLL: I must say, Sir, that I am very much taken aback by your Ruling. We debated the Amendment of the hon. Member for Westhoughton for some hours. I think it was you who selected it. I do not remember that anyone was stopped. If that Amendment could be discussed, I am unable to see why other elements in the same list cannot be discussed.

The CHAIRMAN: For the simple reason that they are other elements not in the Amendment, but in the list, which we have not yet arrived at.

9.15 p.m.

Sir H. CROFT: I rise for a few moments only to call the attention of the Committee to the extraordinary discussion we have had on this Clause. This amazing federal system we are setting up, I think, must be getting more and more interesting to everybody present. We have had Amendments discussing some of the many sides of the question which we are to have before us later on. First of all, we are now all aware of the fact that, here you have this Federation with British subjects as to some three-quarters of the Federation and non-British subjects for the other quarter. We have, therefore, this extraordinary situation of

different subjects under one scheme. My hon. Friend sitting next to me says that does not matter because, after all, there is a precedent. There is a little spot in Kenya where natives of Zanzibar still dwell, but really that is not a precedent for this vast reform where 6,000,000 people in Indian States are to come into federation, where they are not British subjects, and where they have so little in common, and actually will have so little equality of duty within that federation.

We come to the question which was raised by hon. Gentlemen on the benches above the Gangway of the various social matters referred to specifically in their Amendments, and we learn that there is to be one set of social conditions in British India and quite a different set of social conditions in the States. I interrupted the right hon. Gentleman who seemed to think that that matter was one which was solely within the prejudiced scope of the Socialist party. I reminded him that it was the real Conservatives of this country—who will be asserting themselves again in the near future, I hope—who were responsible for all the great social measures which were first brought into this country, while the right hon. Gentleman's predecessors were so busy with *laissez faire* in those days. It is interesting to see that the Liberal party contemplate with equanimity a future under which there is to be the highest possible form of social legislation in what was British India under the Federation, and alongside there are to be allowed conditions which some of them in the past have regarded as quite intolerable. Then there is to be the amazing situation that three-quarters of the inhabitaants are to be subject to Income Tax and the other quarter escape it. What a wonderful country. I think some of the over-burdened taxpayers of some of these Western countries will desire to live in Indian States in future, where they will be free from burdens of the description they have found rather hard to bear in this old world.

We have this extraordinary situation. We have been discussing this Clause at the very moment when this whole question of the Princes' accession has been brought before the Chamber of Princes, where the Princes, over 100 of them, I understand, have in the most emphatic language explained how many difficulties there are in the Instrument of Accession to which they are to be subjected. I think it will be quite clear to Members of the Committee that it is on the very points we are discussing in this Clause that the Secretary of State will have to introduce all these Amendments. Therefore, it may be that we may have to discuss the whole question over again. The Bill may have to be recommitted. I do not want to spoil for Members the news in to-morrow morning's papers, but I think when they read the verbatim speeches of what happened in the Chamber of Princes they are likely to see that these fundamental differences in regard to the Instrument of Accession cannot be swept aside as easily as is suggested and cannot be met in other directions. They are really fundamental points.

For that reason, I think that the Government made a mistake in proceeding with Clause 6 at all this evening. It would have been far wiser to have ascertained from India the real fundamental objections of the Princes, and have seen if they could meet them on the question of the Instrument of Accession. Had those difficulties not been insurmountable, it surely would have been a wise course to put off the discussion at least a fortnight. I think we have a real reason to complain that the Government have insisted on forcing the consideration of the Clause before this Committee under these conditions, and that hon. Gentlemen who sit on the Opposition benches, although they may feel keenly on one side of this question, cannot feel so keenly as we do in the way the Committee has been forced to press on with the question. We really do not know for what we are voting to-day, because we have not the smallest conception of what the Princes are going to demand as a *sine qua non* and as reservations before the Bill can be finally established.

9.21 p.m.

Sir CHARLES OMAN: The idea of federation is a 19th century and a 20th century delusion which has been founded upon an insufficient number of instances. We have heard a great deal about Canada, South Africa, Australia and so forth, but we have not heard about the numerous rolls of confederacies and federations all down history which did not come off and have ceased, and were

[Sir C. Oman.]
incompatible and came to an evil end. The idea that the incompatible can be federated, because you call them federation is really a philosophic conception of the 19th century, and about as out-of-date, now as was the idea of "progress" which was taught us by 19th century economists and philosophers. When I say that I doubt the thing "progress," I ask hon. Gentlemen to look at the ruins of the Maya cities of Yucatan, or the excavations at Ur of the Chaldees, and ask themselves whether that represents progress—and whether in the general world progress is the ruling thing to-day or whether it is not really as dead a slogan as Free Trade. As Gibbon taught in the 18th century, or as Orosius taught in the fifth century, history is a cataclystic thing, where states and confederacies, monarchies and empires go up and go down—"decline and fall."

The events of the last few years have entirely upset the old theories of evolutionary constitutional history, and the theory that all human effort is towards progress. One has only to look round at what might be said to be the general effect of Europe at present. Has it recently advanced towards constitutional progress in due evolution? Can it be said, looking at the inner conditions of most countries, that progress is the main feature to be observed. No, cataclysms are what happen in history. History throws up its Julius Caesars, its Napoleons, its Hitlers and its Mussolinis, and they are quite incompatible with all ideas of proper evolution. I hear much talk that federation has become inevitable. This seems to me one of the most absurd things I have ever heard. Change and upheaval are the things observable. As Herodotus once very wisely observed "Any thing may happen in a long space of time." As to the political prophecies of which we have heard so much in this Debate, Prophecy, as a shrewd thinker once observed, is the most futile employment of the human intellect. To say that a thing is necessary and to prophesy that it is inevitable is to take us back to the days of the Old Testament when Zedekiah, the son of Chenaanah and Micaiah, the son of Imlah, prophesied at each other in optimistic and pessimistic contradiction.

A very great leader promised us in a speech I well remember that within a short period we should lose India if we did not pass this Bill. A very great ex-Governor of the Punjab told me that if we passed this Bill we should lose India within 10 years. Both of them from their experience ought to know something. I regard them, however, as like the prophets who prophesied before Ahab. I merely look at the present and the past. I would like to call the attention of the House to the melancholy record of federations in the past.

The CHAIRMAN: I really was inclined to interfere with the hon. Member during the beginning of his speech, but I lived in hope. I must remind him that we are not on Clause 5, but Clause 6, which deals merely with the question of accession.

Sir C. OMAN: I will not talk then about the Hanseatic League or the ancient leagues of Greece, in deference to your Ruling, but merely say that you really cannot federate the unfederatable. All the cases quoted as justification for federation should be remembered with the fact that they were concerned with different branches of European people, like the French and the English in Canada and the English and the Dutch in South Africa. It is difficult, if not impossible, to federate in India two bodies of people, when one of them believes in the spiritual necessity for the sacrifice of cattle at fixed services in the year, while the other believes that the killing of cattle is a sin against the Diety to be suppressed by the force of lawlessness. Anyone who knows anything about this question knows that the regular start for a communal riot in India is an accusation by Hindus that the usual cattle killing by Moslems is about to begin. When faced with religions, one of which regards as blasphemy what the other regards as a necessary religious service, while both will proceed to bloodshed in defence of their theories, it seems to me extremely difficult even to think they should be federable.

The CHAIRMAN: I am afraid the hon. Member has forgotten the point on which I interrupted him. I said that we were proceeding with questions having reference to Instruments of Accession of the States.

Mr. CHURCHILL: On a point of Order. I gather from your Ruling that

we are confined to the Instruments of Accession, but that, of course, comprises the consequences of accession?

The CHAIRMAN: I have listened to the right hon. Gentleman so often that I would prefer to rule in my own words than adopt his. We must not repeat the Debate we have already had on Clause 5.

Sir C. OMAN: If it is the federating of Princes you want, you shall have them. The most notable of such federations was the Holy Roman Empire.

The CHAIRMAN: I have before me the speech the hon. Member made on that the other night, and he cannot repeat it.

Sir C. OMAN: May I quote then Switzerland? There is the case of the Abbots of St. Gall and the Counts of Neuchatel who were Princes federated among the urban and rural cantons of that Federacy. I do not think what has happened to those rulers makes a happy prospect for any Maharaja to contemplate. The old princely States are now mere cantons—the Princes have vanished. The main thing I wanted to bring forward is that without going too far into ancient history, you find that the incompatible cannot be federated.

The CHAIRMAN: I am afraid that is almost word for word what the hon. Member has said before. I must ask him to resume his seat.

9.31 p.m.

Mr. TINKER: I would like to make a suggestion before the Under-Secretary replies. When the Princes are interviewed on this and other matters would it be possible for them to be asked if they would accept the several points brought forward in our Amendments—mining legislation, for instance, making it general? In this way if a legislature decided on certain conditions in mines, the whole of the Princes might accept them. Another point is that of workmen's compensation. If the legislature decides on that, certain of the rulers could get away from it in their States, and that would be entirely contrary to fair-play for all concerned. Workmen's compensation whenever adopted must be applicable to all. If only part of the people had to pay, one can realise what a burden it would be for those who have to meet it. In questions of workmen's compensation, mining legislation or factory legislation, no headway could be made if certain employers or rulers could get away from it. When the Under-Secretary does meet them he might put it to them that certain social conditions ought to be applicable to all. Cannot he get agreement on these points? If he could, Members on these benches would have great satisfaction in having made some headway for the workers in India.

9.34 p.m.

Mr. BUTLER: I am sure that the Committee was interested to hear repeated some of the arguments which have been heard previously, in view of the great importance of this Clause. I do not propose to traverse exactly the same arguments put to the Committee on an earlier occasion. I shall try to answer one or two points on the Motion "That the Clause stand part." The hon. Member for Oxford University (Sir C. Oman) has a different conception of history from that on which I was brought up. Perhaps that is because I had the proud privilege of belonging to the opposite university to his, mine being Cambridge. At that university we had a history book called "The Idea of Progress," and on that very fine work I was brought up. My hon. Friend has a different conception of history from that which I have been led to believe. I, like my right hon. Friend, have had the privilege of reading his books. I read his Life of Julius Caesar, and the Life of Licurgus, the dictator of Sparta, and the thing that I remember is that he fell and collapsed and like all the great dictators of the world passed away. So is the evanescence of political institutions. Whether they be federations or whether they be——

Mr. CHURCHILL: Anything else.

Mr. BUTLER: Or, as my right hon. Friend says, whether they be anything else, they have all passed away. So, in a phrase which has been quoted often in these Debates, let us pass on with this Bill. The hon. Member for Westhoughton (Mr. Rhys Davies) raised again the very sincere objections which he had to my inability on the last occasion that I spoke on this point to accept the Amendment which he moved, and he asked us to argue once more with the Princes to accept this Amendment. We have had

[Mr. Butler.]

the privilege of sitting with the Princes for over four years since they first took part in the Round Table Conference, and later when their representatives attended our deliberations on the Joint Select Committee, and it was on that account that when I previously addressed the Committee on this subject I gave them the conclusion of the Joint Select Committee on the question of the Princes' accession to questions in the concurrent list. Let me remind the Committee of what the Joint Select Committee said:

" We understand that the States, who are free agents in this respect, are likely in the first instance to take their stand upon the Federal List proper and to accept the jurisdiction of the Federal Legislature in nothing which is outside the boundaries of that list; but we hope that in course of time they may be willing to extend their accessions at least to certain items, such as bankruptcy and insolvency, in the concurrent list."

That is in paragraph 236. The Joint Select Committee had the privilege of discussing this particular matter with the Indian States and it is due to many of those discussions with the Indian States that we have not been able to go further on this subject. There has been a certain amount of criticism of us when we have said that if we accepted this Amendment it would make federation impossible. The fact is that we have considered that the federal form, for reasons which have been given to the House on many occasions, is the best form of nexus to preserve the unity of India, which the British have attempted to give to India. We are trying to make the best form of Federation that we can in the circumstances, but our friends of the Indian States have informed us that they are not willing to the extent required in this Amendment to allow interference with the internal administration of such questions as these in the States.

Mr. CHURCHILL: To what Amendment does the hon. Member refer?

Mr. BUTLER: To the Amendment referred to by my hon. Friends opposite, in regard to which they wished me again to traverse the same ground that we have covered previously. If the Indian States, as the Joint Select Committee expressed the hope that they may be willing to do, extend their accessions to certain subjects in the concurrent list, it would be a case of acceding in the first place to the legislative power, and I do not see any hope of their acceding in relation to these subjects within the borders of their own States.

The hon. and gallant Member for Bethnal Green, North-East (Major Nathan) raised a question arising out of Sub-section (3), to which my right hon. Friend has already answered in the negative, namely, that a minor cannot accede to Federation. My hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) raised various points and repeated some arguments which he had raised earlier. He raised the question of discrepancy in regard to matters of taxation, which were dealt with in an Amendment previously moved on that subject. The hon. Member for Leigh (Mr. Tinker) asked whether we could accept the question of mining, but I am afraid that that is included together with the factories under the same heading in the Concurrent List, and the same consideration, unfortunately, applies to it. The hon. Member for Chichester (Major Courtauld) and the hon. and gallant Member for Bournemouth raised the point as to whether it was worth considering this Clause at all. As I said at the opening of my remarks, I believe in progress. I need not repeat the many arguments that were used by my right hon. Friend yesterday, but I would draw the attention of the Committee to them. Believing in progress and having done my best to deal with some of the points that have been raised, I hope that we may now proceed to a Vote on the Clause.

Major NATHAN: May I point out that the hon. Member did not answer the question which I put to him? The question was not whether a minor could execute an Instrument of Accession. It is clear that he cannot do so, and I understand that the Secretary of State has so advised the Committee. My question was this—What is the position of a State as regards joining the Federation if the Ruler is a minor. Is it necessary for that State to await the time when the Ruler who is a minor attains his majority, however many years may elapse?

Mr. BUTLER: The answer to the hon. and gallant Gentleman's question is " Yes."

9.42 p.m.

Mr. CHURCHILL: We have now reached the conclusion of this Debate on the Question, "That Clause 6 stand part," and I venture to think that there is hardly any other question more momentous than the one with which we have to deal now. Here is the crux of the Debate. We have considered many Amendments, and we have now reached the point where the main issues are clearly before the Committee, and we are entitled to review them, seeing that the Committee have to take a decision of such consequence. This Clause deals with, as the Chairman has pointed out on several occasions, the accession of the Princes. Without the accession of the Princes there can be no All-India Federation, and without an All-India Federation we are assured, though I do not myself adopt that view, that there can be no hope for the present Government of India Bill. Therefore we are absolutely at the cardinal point of our discussion. The Government attitude throughout has been that it would be of the very greatest advantage to the Princes if they accede to the Federation.

The right hon. Member for West Birmingham (Sir A. Chamberlain), and others who have been enlisted in the Government scheme of very effective orators, through their association with the Joint Select Committee, has expressed on his high authority the view that it would be greatly to the advantage of the Princes if they were to sign the Instrument of Accession. That is the position of the Government. The Princes are, by association with an All-India Federation, to gain great facilities and great improvements in their customs arrangements and so forth, and in joining in general matters of interest for the great sub-Continent of India. That is the position of the Government, their official and public position, but when one has a Debate such as we have had to-day one sees how very thin and threadbare that kind of argument is, what a bold bluff it is, what a sinking there is, what a hollow feeling there is behind all the confident asseverations of the advantage to the Princes, the great demand of the Princes, the surging of these princely figures towards the portals of All-India Federation.

In spite of this tremendous tendency to federation, this irresistible demand for federation, on the part of the Princes, the Secretary of State, with his liberal and humanitarian sentiments, has not dared to speak a word for the poor millions of India; he has not dared to say one word on their behalf. So near, so narrow, is the margin that he has not dared to say to any of these Princes, not even to the most enlightened of them whose labour conditions are better than those which prevail in British India, "Surely, in your Instrument of Accession you will agree to uniform laws for labour and social and health conditions." He would not dare to do it. The sense of advantages which the Princes have is not strong enough to bear the weight of that demand, and the Secretary of State, intent upon the political aspects of the great design which he has carried so far and fought for so valiantly and bodly, which he has lost himself in, absorbed himself in, has brushed aside all considerations affecting the well-being of the masses of India, who are regarded as pawns in this great game of empire unbuilding. His Majesty's Government do not dare to ask that any steps shall be taken in the Federation to secure decent conditions for the masses of the Indian people. That is an important point. One of the lines of the attack we make on this Bill, not only now but which we shall make as long as it is in any way presented as an issue in our public life, is that the interests of the masses of the people of India have been totally ignored.

The hon. Member for Bodmin (Mr. Isaac Foot) made a speech which I am bound to say did more credit to his fidelity to the engagements and associations into which he has entered than to the interests of working democracy. It was the sort of speech of a very old Liberal school. As long as they could preach liberty they cared little what were the conditions of the poorer people. But I must not allow myself to be drawn outside the scope of the discussion, and I think I rather caught your eye, Mr. Chairman, as though you were, shall I say, on the pounce. Therefore, I will not press my advantage against the hon. Member for Bodmin any further at the moment. I say clearly that the Government do not believe that this will be to the advantage of the Princes, or that the Princes have that idea, because they dare not ask us to insert the provisions.

[Mr. Churchill.]

Indeed, the position of the Princes will be most poignant. I said so in the Debate on the Second Reading, and to-day we have had full confirmation of the fact. I did not know at the time of the Second Reading Debate that the Instrument of Accession would be interpreted to cover the very wide series of subjects, 45 topics, of which the great majority are obligatory. Then there is the expectancy that the voluntary list shall also be acceded to by the Princes.

I did not know, I was surprised like the hon. and learned Member for East Bristol (Sir S. Cripps), that all matters of the internal government of the States would be debatable on every occasion, on almost every pretext upon which you can hang a Parliamentary Debate. As hon. Members know a discussion may be raised on one point and at almost any distance from that point; but little did I realise that this would be possible by direct debate. I thought that by a side wind they would be able to call the Princes over the coals in regard to questions about internal administration, but only by a side wind. To-day the Secretary of State, speaking with great clearness, explained that in all matters of labour legislation and so on the Ministers will be advising the Viceroy and the Assembly will be influencing Ministers, although there is no direct surrender on the part of the States. It is clear that the whole of the affairs of these independent States will be debatable from day to day on the floor of the Indian Assembly. If we tried to debate the affairs of the Irish Free State in this House, I think we should be pulled up. I thought it would be only a limited debate which would prevail in the Federal Legislature as against the States. Not at all. It is clear that all these matters can be debated. It illustrates the poignant position, the terrible position, of the Indian Princes.

What are they expected to do when they sign the Act of Accession? That is the core of our discussion. They are expected to be the stabilising influence in the Assembly. They are expected to be the conservative and loyal influence. If they move in that direction, and in so far as they do move, they will excite the animosity of those who hate our rule and who hate law and order in every form. They will be attacked first of all in their States, where disorders will be raised by agitators. They will be attacked in the Central Assembly, where the Secretary of State assures us there will be limitless opportunities for calling in question and debating every one of their actions. In the third place, these matters undoubtedly will have their repercussions over here. When a Prince has stood out for the Imperial connection and gained unpopularity in India, has been attacked in his own State where agitation has been fomented against him, he may easily find people who will criticise him again over here. A horrible position for the Princes to be placed in. Is it to their advantage? I do not wonder that the Government dare not put another straw on the camel's back and ask them to agree to decent conditions for the labouring people. The ice is far too thin for that.

But what is their actual view? What has astonished me more than anything else in the course of these discussions, through which we shall arrive at a true conviction of the issues in this enormous Bill, is that the Secretary of State, whose ability is so obvious, whose industry is so praiseworthy, who is so saturated with his subject and whose courage and qualities as administrator and parliamentarian are nowhere more readily admitted than by those who are fighting him in this matter, has not been able, as well as many of those who are acting with him, to understand the simple dynamics of the Indian situation. Why is it that the Princes are now boggling at the Act of Accession? Why are they now rising in such hostility and wrath against it, when you thought you had them all so tame and friendly? Why is it? The right hon. Gentleman said he was surprised. I am not surprised at all, and my friends are not surprised, not because of special information which reached us, but because it is quite clear to anyone who has followed this thing what are the dynamics and the articulations of the Indian situation.

You have a different situation from that of 1930. You are four years removed from then; this is 1935. In 1930 the Indian Princes had an invitation from the advanced political forces of British India to join them in a Federation, which it was believed, in the bad days of the

Irwin-Benn regime of 1930, would have speedily led on to their practically taking over the goodwill of the whole business of British Government in India, lock, stock and barrel. But things have changed since then. They have changed from another cause. They have changed because of the right hon. Gentleman's firm administration, and the much improved administration of Lord Willingdon compared with the previous regime, and also because some other people have put up a fight all the time to keep a strong resisting force operative; and now the Princes are not so willing to adopt this Instrument of Accession. Why? Whereas they were invited by the political forces in British India in 1930 and 1931, there is no invitation to-day. The invitation is withdrawn; the political forces are not saying to the Princes, "Come on and share this Government of Federal India." They say, "No. Stand out of this. Do not you associate yourselves with this scheme, which we have repudiated. If you do, it will not be comradeship we shall give you. On the contrary we shall pay you out by all the means which this Bill will give us the power to pay you."

That is the explanation of the Princes' change. What is the good of pretending to be surprised at it? It is the working of remorseless laws, and I am astounded that the Government have not seen that that would be the reaction which would occur as a result of these four years, and of the continued process of change which has governed their own course during that time. What is the present view of the Princes? My right hon. Friend the Secretary of State read this afternoon a telegram which he had received from Reuter's Agency in Bombay. I must say that if it had been an official telegram I should have given it equal credence—yes, equal credence. But we have now in our possession statements made by the leading personages upon this very question of Clause 6 and the act of accession. What is so remarkable is that it is the very men on whom the right hon. Gentleman has been relying who are now most vehement against the Bill—the Maharaja of Bhopal, the Maharaja of Bikaner, Sir Akbar Hydari and Sir C. P. Ramaswami Ayyar. These are the Ministers and Princes who are most concerned in this matter, who are most in touch with the intelligentsia in British India, the Indian intelligentsia. They are the very ones who have most denounced this Measure. That is a great fact. You may vote them down; you may vote us down; you may call your 200 gentlemen from the Lobbies and the smoking-rooms and Library and vote us down, good and plenty. Yes, that is what happens. You may do that, but nothing can alter the facts or the march of events. There is the point. The Maharaja of Bhopal said:

"The present scheme as put forward before us in the shape of the Government of India Bill and the draft Instrument of Accession, falls far short of many of our vital demands, and in regard to certain matters ignores agreements reached with His Majesty's Government in London."

And then Sir Akbar Hydari, the able Minister, said two days ago:

HON. MEMBERS: It has all been published.

Mr. CHURCHILL: Yes, but there is no reason why the House of Commons should not hear the facts. He said:

"These are matters to which we attach vital importance, and I really, for one, cannot understand why Section 6 (1, *a*) has been allowed to be provided in all its brutal absoluteness."

I do not say whether that is right or wrong. I am not associating myself with the statement. But this is not our man. He is the Government's own man, and he is surprised that the Government have inserted Clause 6 in the Bill "in all its brutal absoluteness." It does not sound very much like mere trouble about drafting Amendments, a little difference here or there or some small matter of adjustment. It is most extraordinary. The quotation goes on:

"We cannot accept the entire Act as it has been enacted by Parliament. We have always protested against any acceptance of that kind. We have always held that we will be parties to a federation with regard to specific things and specific provisions. Here we are first asked to accept the entire Act, and then we are allowed to make reservations, not with regard to sections of it, but with regard to one particular Schedule of it, and in regard to all other matters we are asked to accept the Act. I think we have all unanimously agreed that this is a position which under no circumstances whatever we shall be prepared to accept."

Then Sir C. P. Ramaswami Ayyar said:

"I appeal with all the force at my command that this Clause 6 is a dangerous innovation"—

[Mr. Churchill.]

What a comment on the brutal ease of a majority to violate the decent sequence of Parliamentary procedure when here at this moment you are going to vote on this Clause and carry it, no doubt with the usual 200 gentlemen. I hope they will long be. Here you are, and at this moment you do not know what are the opinions of the people on whose agreement you depend for the existence of your Bill. The right hon. Member for West Birmingham took a very strong line the other day and said: "We will take our path as the British Parliament and not pay any attention to these opinions." What nonsense, when you have said that the accession of the Princes is vital to your scheme. How can you stride off and say that you care nothing for all this? But if you are doing your duty and they do not agree, the result is that all that is done will be ploughing the sands, a wasting of the time of Parliament. Sir P. Ramaswami Ayyar said:

"I appeal with all the force at my command that Clause 6 is a dangerous innovation. It marks the culmination of a process which began in 1930. From then down to 1934 it has been a progressive inclined plane and we are now at the bottom of the plane. This Clause is full of dangers, and I ask Your Highnesses with all the force at my command not only to disclaim Clause 6, but the spirit underlying this Clause."

Ought we not to know that before we vote upon the Clause? Are we not right to tell this to the House? Is it not relevant to the Debate and to the decision that we have to take? The quotation continues:

"It is fraught with the utmost mischief. I am deliberately and firmly of the opinion that those features to which the Committee of Ministers has drawn attention are fundamental and vital, and unless there is a change in the spirit with which the Act is going to be dealt with hereafter, it would be a thousand pities if your Highnesses should join in a compact of which you know not the end."

There are many more opinions of that kind. We are a small minority here, even though, on questions affecting the well-being of the masses of the Indian people, we have associates to whom in other matters we are bitterly opposed. But we are a small minority. You can mock at us because in the Division Lobby we can only produce 50 or 60 Members against hundreds brought up by the Whip and waiting to fall in when the moment comes. We know that. But this is not going to be fought out by numbers. From the very beginning I have been sure that it is not going to be fought out by numbers. It is going to be fought out by the force of events, and by the decisions which are taken in the minds of men outside this House and by the effect which is produced upon the spirit and determination of the Conservative party. There is what we rely upon in our resistance, and never did I feel more hopeful than I do to-night.

The Attorney-General mocked me—mocked us—the other day. He said: "We see your game." Our game! I suppose for Members of Parliament to devote years of time to this subject and to sacrifice many friendships and, in the case of some of the younger men, their political careers, in order to fight for this issue—that we are told is a game. But for the Attorney-General to take any brief which is offered to him—that is professional business. We have done the best in our power, and it seems to me that we are entitled to-night to ask the Committee not to pass this Clause in view of the vital decisions which depend upon it, and in view of the fact that we do not know any of the essential points upon which our decision ought to rest. The right hon. Gentleman has conducted his case so far with the very greatest skill and the very greatest courage. I am bound to say that I admire his performance in everything except its direction—its objective. But I think he would add greatly to his reputation if he said that in view of the facts placed before him now he did not think that it would be fair to ask the Committee to-night to come to the decision of placing this Clause among the approved Clauses of the Bill.

10.9 p.m.

Sir S. HOARE: I am afraid that I must risk my reputation in the mind of my right hon. Friend and refuse to accede to the invitation which he has just addressed to me. Nor do I intend to make once again the speech which I delivered to the Committee yesterday afternoon. Unlike my right hon. Friend, I prefer not to go on saying the same thing time after time. My right hon. Friend has, time after time, arrogated to himself and to those who are working with him, an exclusive interest in the Indian masses. Let me say here and now that I dispute that claim. Our attitude

over this Clause and the Amendment upon which we voted earlier, has no bearing whatever upon charges of the kind which he has hurled at us more than once to-day. We have as much interest in the future of the masses both in British India and in the Indian States as any hon. Members in this House.

Further, my right hon. Friend misrepresented—I am sure quite unintentionally—what I said about the rights of the Indian Legislature to criticise the internal affairs of the Indian States. No doubt he was drawn on by the desire—very natural to him and those who think with him, and who are most anxious by any means to destroy the hope of an All-India Federation—to make an All-India Federation appear as dangerous and as unattractive as he possibly could to any Indian Prince and to the Minister of any Indian State. It was evidently his desire to make it appear that the Princes were incurring the greatest possible danger in entering an All-India Federation and that the Federal Executive and the Federal Legislature would be constantly criticising the internal affairs of the Indian States. That is expressly excluded under Clause 38 of the Bill. Criticisms can only be made upon the actual subjects which the States themselves have voluntarily surrendered to the Federal Legislature. Any question of further criticism of the internal affairs of the Indian States is expressly excluded under this Clause. May I suggest to my right hon. Friend that before he makes again any criticism of that kind he should study in greater detail the provisions of the Bill.

Viscount WOLMER: The right hon. Gentleman says that such criticism is prohibited by Clause 38, but that Clause simply says that the Governor-General shall in his discretion after consultation with the President or Speaker, as the case may be, make rules for prohibiting such discussion. That is a very different thing.

Sir S. HOARE: I do not think it is. Anyhow, it is our definite intention that discussions of that kind should be excluded.

Mr. CHURCHILL: There are the 45 points?

Sir S. HOARE: Exactly what I said. If my right hon. Friend will examine the Bill in regard to the 45 points and the Federal list he will see that that is a very different thing. My right hon. Friend really has not studied the Bill and that is the trouble with so many of his criticisms. When we come to Clause 38 we can discuss these provisions in greater detail. Let me say to the Committee here and now and particularly to the Indian Princes, that they should not assume that criticisms such as that to which we have just listened, have any foundation whatever. Next my right hon. Friend said that changes had taken place since 1931 when the Princes first made their offer. Many changes have taken place and I would say that the greatest change has taken place as the result of the long and meticulous inquiry of the Joint Select Committee. That Committee were carefully into all these questions connected with Federation and acceptance by the Princes, and by an overwhelming majority they came to the decision set out in the provisions of the Bill. That seems to me to be a very significant change since 1931 and it goes to show that after the fullest possible investigation in the last two or three years, subsequent events, so far from having undermined the offer that was made in 1931 have confirmed the wisdom of that offer.

Lastly, my right hon. Friend has read out a number of extracts from speeches that appear to have been made in the last 24 hours in Bombay. I have not seen as yet a detailed description of those Debates, and I note with interest the speed with which my right hon. Friend receives information of this kind.

Mr. CHURCHILL: May I say that it is a criticism against the right hon. Gentlement that he is not equally well informed?

Sir S. HOARE: I cannot help thinking my right hon. Friend and his friends have known a good deal about the kind of pressure of which he often accuses me, the kind of pressure that obviously has been put in many dirctions from here upon some of the Princes who might presumably be critical or sceptical about federation.

Sir H. CROFT: Will the right hon. Gentleman be specific in making that charge?

Sir S. HOARE: I made a general charge, and I am prepared to-night to

[Sir S. Hoare.]

stand in every respect in the position that I took up yesterday. I believe, myself, that the description that I gave yesterday of the present state of affairs as far as the Princes are concerned is an accurate one, and I believe that I shall be proved to be right and that my right hon. Friend's pessimistic prophecies about the future will prove to be wrong. For the moment we must wait and see, he confident that, as a result of the attacks that he and his friends have made upon federation and the influence which they have no doubt brought to bear on the critics of federation in India, his prophecies are going to prove to be true —I, on the other hand, taking the view, and taking it quite definitely, that the differences at issue between us are not differences that need permanently divide us, but diffrences that can definitely be settled. Holding, as I do, the view that there is every possible advantage to this country, to India, to the Empire, and to the Princes themselves in an all-India Federation, I ask the Committee not to be drawn aside by the kind of speech to which we have just listened from the right hon. Gentleman, but to maintain the attitude that it took up yesterday afternoon and to carry this Clause by an overwhelming majority.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided: Ayes, 211; Noes, 74.

Division No. 65.] **AYES.** **[10.17 p.m.**

Adams, Samuel Vyvyan T. (Leeds, W.)
Ainsworth, Lieut.-Colonel Charles
Allen, Lt.-Col. J. Sandeman (B'k'nh'd.)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Assheton, Ralph
Astor, Viscountess (Plymouth, Sutton)
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (I. of Thanet)
Balniel, Lord
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Bateman, A. L.
Beaumont, Hon. R.E.B. (Portsm'th, C.)
Belt, Sir Alfred L.
Benn, Sir Arthur Shirley
Bossom, A. C.
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brown, Col. D. C. (N'th'l'd., Hexham)
Buchan, John
Buchan-Hepburn, P. G. T.
Butler, Richard Austen
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Clarry, Reginald George
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Colman, N. C. D.
Cook, Thomas A.
Cooper, A. Duff
Copeland, Ida
Courthope, Colonel Sir George L.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Crossley, A. C.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Curry, A. C.
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Dickie, John P.
Drummond-Wolff, H. M. C.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Eady, George H.
Edmondson, Major Sir James
Ellis, Sir R. Geoffrey
Elmley, Viscount
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Evans, Capt. Arthur (Cardiff, S.)
Evans, Capt. Ernest (Welsh Univ.)
Foot, Dingle (Dundee)
Foot, Isaac (Cornwall, Bodmin)
Fremantle, Sir Francis
Gibson, Charles Granville
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Gluckstein, Louis Halle
Goff, Sir Park
Gower, Sir Robert
Graham, Sir F. Fergus (C'mb'rl'd, N.)
Grattan-Doyle, Sir Nicholas
Griffith, F. Kingsley (Middlesbro', W.)
Grigg, Sir Edward
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Heligers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hutchison, W. D. (Essex, Romford)
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jennings, Roland
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Lamb, Sir Joseph Quinton
Latham, Sir Herbert Paul
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Loder, Captain J. de Vere
Loftus, Pierce C.
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Monsell, Rt. Hon. Sir B. Eyres
Morris, John Patrick (Salford, N.)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shepherd
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
North, Edward T.
O'Connor, Terence James
O'Donovan, Dr. William James
O'Neill, Rt. Hon. Sir Hugh
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Percy, Lord Eustace
Pickthorn, K. W. M.
Powell, Lieut.-Col. Evelyn G. H.
Procter, Major Henry Adam
Radford, E. A.
Ramsay, Alexander (W. Bromwich)
Ramsay, T. B. W. (Western Isles)
Reed, Arthur C. (Exeter)

Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Rosbotham, Sir Thomas
Rothschild, James A. de
Ruggles-Brise, Colonel Sir Edward
Russell, Hamer Field (Sheffield, B'tside)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Soper, Richard
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'morland)
Stevenson, James
Storey, Samuel
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Tree, Ronald
Tufnell, Lieut.-Commander R. L.
Wallace, Sir John (Dunfermline)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Wills, Wilfrid D.
Windsor-Clive, Lieut.-Colonel George
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—
Sir George Penny and Lieut.-Colonel Sir A. Lambert Ward.

NOES.

Acland-Troyte, Lieut.-Colonel
Allen, Lt.-Col. Sir William (Armagh)
Atholl, Duchess of
Bailey, Eric Alfred George
Balfour, George (Hampstead)
Banfield, John William
Batey, Joseph
Bracken, Brendan
Broadbent, Colonel John
Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Buchanan, George
Burnett, John George
Cape, Thomas
Churchill, Rt. Hon. Winston Spencer
Cleary, J. J.
Cocks, Frederick Seymour
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cripps, Sir Stafford
Croft, Brigadier-General Sir H.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Davison, Sir William Henry
Dixey, Arthur C. N.
Dixon, Captain Rt. Hon. Herbert
Donner, P. W.
Edwards, Charles
Emmott, Charles E. G. C.
Fuller, Captain A. G.
Goodman, Colonel Albert W.
Greene, William P. C.
Grenfell, David Rees (Glamorgan)
Gretton, Colonel Rt. Hon. John
Grundy, Thomas W.
Jenkins, Sir William
Keyes, Admiral Sir Roger
Knox, Sir Alfred
Lansbury, Rt. Hon. George
Lawson, John James
Lees-Jones, John
Lennox-Boyd, A. T.
Levy, Thomas
Logan, David Gilbert
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Marsden, Commander Arthur
Milner, Major James
Nall, Sir Joseph
Nathan, Major H. L.
Nunn, William
Oman, Sir Charles William C.
Parkinson, John Allen
Raikes, Henry V. A. M.
Rathbone, Eleanor
Reid, David D. (County Down)
Salter, Dr. Alfred
Sandeman, Sir A. N. Stewart
Scone, Lord
Somerville, Annesley A. (Windsor)
Stourton, Hon. John J.
Taylor, Vice-Admiral E. A. (P'dd'gt'n, S.)
Thorp, Linton Theodore
Tinker, John Joseph
Touche, Gordon Cosmo
Wayland, Sir William A.
Wells, Sydney Richard
West, F. R.
Williams, Charles (Devon, Torquay)
Williams, David (Swansea, East)
Williams, Edward John (Ogmore)
Williams, Herbert G. (Croydon, S.)
Wise, Alfred R.
Wolmer, Rt. Hon. Viscount

TELLERS FOR THE NOES.—
Mr. John and Mr. Paling.

CLAUSE 7.—(*Functions of Governor-General.*)

Motion made and Question proposed, "That the Clause stand part of the Bill."

10.27 p.m.

Viscount WOLMER: I rise only to ask the Government a question on the first Sub-section, which appears to raise a rather important point. It says:

"Subject to the provisions of this Act, the executive authority of the Federation shall be exercised on behalf of His Majesty by the Governor-General, either directly or through officers subordinate to him, but nothing in this section shall prevent the Federal Legislature from conferring functions upon subordinate authorities."

I should like to know whether those words would empower the Federal Legislature to derogate from the authority or powers conferred upon the Viceroy by this Measure. It is a fundamental point. Ordinarily one would suppose that nothing the Federal Legislature could do could interfere with what was passed by Parliament, but when we see these words,

"nothing in this section shall prevent the Federal Legislature from conferring functions upon subordinate authorities."

I must ask the Government for an assurance that this does not mean that they have power to detract from the Viceroy's power in this respect.

Sir S. HOARE: The answer to my Noble Friend is that there will be no such power.

Question put, and agreed to.

CLAUSE 8.—(*Extent of executive authority of the Federation.*)

10.29 p.m.

The SOLICITOR-GENERAL: I beg to move, in page 6, line 17, to leave out "or," and insert:

"(ii)) the said authority does not, by virtue of this section."

This Amendment and the following one are really drafting Amendments.

In page 6, line 20, at the end, to insert:

"and, where the power of the Federal Legislature to make with respect to any

matter laws which apply in a Federated State is subject to any condition or limitation specified in the Instrument of Accession of that State, the said authority shall in that State be subject to a like condition or limitation."

and I should like, if I may, to deal with them together. The first Amendment divides paragraph (*c*) (i) into two paragraphs. The second Amendment is intended to make quite clear what was the intention of the Bill, that if a State, in its Instrument of Accession, has made certain limitations in the legislative field, those limitations shall consequently apply in the administrative field. The Committee will know that the administrative and executive authority in the Bill are defined by reference to the legislative field.

Amendment agreed to.

Further Amendment made: In page 6, line 20, at the end, insert:

" and, where the power of the Federal Legislature to make with respect to any matter laws which apply in a Federated State is subject to any condition or limitation specified in the Instrument of Accession of that State, the said authority shall in that State be subject to a like condition or limitation."

10.31 p.m.

Captain FULLER: *I beg to move in* page 6, line 21, to leave out paragraph (ii).

This Amendment has been put down to elucidate the meaning of the term " adjacent to India." It seems better to us that that should be left out, and that the present condition should be maintained whereby the Governor-General has power to recruit where he wishes. Does the term to which I have referred include such territories as the Trans-Indus where the King's writ does not run or places in Burma whose subjects are not subjects of His Majesty? If the term includes such places and other places where recruits are obtained at present, the paragraph is rather unnecessary.

10.33 p.m.

Mr. BUTLER: The intention of the Sub-section is to exclude the enlistment of foreigners except as regards subjects of Indian States which are included in the term " native of India," and Gurkhas who are included under the term " territories adjacent to India." The hon. and gallant Member will realise that if the Sub-section were omitted it would leave the whole question of enlistment in this respect open to doubt. I hope that after this explanation he will appreciate that if the paragraph were left out it would be impossible to continue the enlistment of the Gurkhas who have done such valuable service in the Indian Army, and realising that the paragraph is important to the Bill, he will let it stand.

10.34 p.m.

Sir A. KNOX: I do not think the explanation given by the Under-Secretary covers some people who are enlisted in the army in India, for instance the tribe of Hazaras from Afghanistan, which is not a native State. I should like to know how they come under the Clause in regard to enlistment as they are one of the pioneer races. The paragraph of course covers the Gurkhas. The term " adjacent to India " seems rather ambiguous.

Amendment negatived.

Motion made, and Question proposed, " That the Clause, as amended, stand part of the Bill."

10.35 p.m.

Viscount WOLMER: I should like to ask the right hon. Gentleman whether the words——

Mr. CHURCHILL: On a point of Order. Do I understand, Captain Bourne, that you are not calling the Amendment standing in the name of the hon. and gallant Member for Enfield (Lieut.-Colonel Applin)—in page 6, line 31, at the end, to add:

" Provided further that in granting commissions under this section His Majesty or the Governor-General shall be guided by the advice of the Commander-in-Chief of His Majesty's forces in India."

The DEPUTY-CHAIRMAN: That is an Amendment which I have not selected.

Viscount WOLMER: I want to ask a question relating to the proviso to Clause 8, namely, whether the wording of the proviso covers the concurrent list. It seems to me that it would be impossible for the executive authority of the Federation to secure the enforcement in a Province of laws on matters mentioned in the concurrent list which is included in the Seventh Schedule. We had an Amendment down to ensure that that should be the effect. It would not be in order to discuss that Amendment now,

but it was in page 6, line 16, after the word "has," to insert the word "alone," so that the paragraph would read:

"extend in any Province to matters with respect to which the Provincial Legislature has alone power to make laws."

It seems to me that, unless that word is put in, the whole question of the concurrent list is left vague, and I should like to ask the Government why they have not made it plain. Can they defend their drafting in this respect? The point is really rather an important one.

10.37 p.m.

Brigadier-General CLIFTON BROWN: I should like to ask for an explanation on another point, with regard to paragraph (*b*), which states that the executive authority of the Federation extends

"to the raising in British India on behalf of His Majesty of naval, military and air forces and to the governance of His Majesty's forces in India."

What is the meaning of the word "governance"? It is vital to the Bill that the Army should be kept entirely under the Viceroy, and away from any Federal Legislature. If "governance" means that Indian Ministers would have any right to interfere, say in regard to lines of communication, it would be a very serious thing from the point of view of the defence of India and of the whole question of defence, which I hope I shall be allowed to discuss on Clause 11. The right of the Viceroy to move the Army at any time he likes should not be interfered with.

10.38 p.m.

Sir S. HOARE: I can reassure my hon. and gallant Friend. We can deal with that point later, when we come to discuss the whole question of defence. The Department of Defence is reserved, and the Governor-General has the power to take any action in order to prevent anything being done that might directly or indirectly act adversely upon the Army. We can bring out that point more clearly when we come to the actual chapter which deals with defence, but at this stage I can assure my hon. and gallant Friend that his fears are groundless.

With regard to the question put by my Noble Friend the Member for Aldershot (Viscount Wolmer) about the scope of the proviso, the intention of the Clause is not to cover the concurrent field to the extent that he mentions. The concurrent field, so far as the Federation will have power to act in it, is covered in Subsection (2) of Clause 125. The concurrent field, which, of course, we can discuss in greater detail later on, is divided into two categories. One category in which both the Federal Legislature and the Provincial Legislatures have the power of legislation but in which the Federal Legislature has no power of giving direction to the Provincial Governments, and the other category in which the Federal Legislature has the power of giving directions to the Provincial Legislatures. The point is covered in Clause 125.

Viscount WOLMER: Am I right in thinking that this Clause deals with the first category and not with the second?

Sir S. HOARE: It covers the whole of the concurrent field except Clause 125.

Viscount WOLMER: There is a most extraordinary phrase at the beginning of the Clause:

"Subject to the provisions of this Act the executive authority of the Federation shall be exercised."

Surely the executive authority is the executive authority of the King Emperor acting through his Viceroy? What do we mean by the executive authority of the Federation? Is that not a most extraordinary phrase to use in a constitutional document? Has it ever been used before?

The SOLICITOR-GENERAL: The beginning of Clause 7 (1) makes it clear. The authority that we are dealing with is the executive authority of the Crown so far as it is exercisable in India. The terminology is not unusual. The Subsection reads:

"Subject to the provisions of this Act the executive authority of the Federation shall be exercised on behalf of His Majesty by the Governor-General."

When we come to Clause 8, we are dealing with the executive authority of the Federation, which the previous Clause says shall be exercised on behalf of His Majesty by the Governor-General, and you are simply describing the scope of that particular portion of the executive authority which will be exercised by the Governor-General on behalf of His Majesty according to the provisions of the Bill as the executive authority of the Federation.

Viscount WOLMER: I thank my hon. and learned Friend, but I wish he had been able to word it differently.

Mr. EMMOTT: Would not a better phrase be that used at the beginning of Clause 17, "the Federal Government" instead of "the Federation"?

10.44 p.m.

Duchess of ATHOLL: If I have understood my right hon. Friend aright, proviso (i) of this Clause prevents the Central Government giving any direction or guidance to the Provincial Governments in respect of their administration except in so far as there may be any exceptions expressly stated later in the Bill. If I am right in that assumption, then this proviso is one of tremendoum importance to the welfare of the masses of the people of British India, because so much of the efficiency of the Provincial departments may depend upon getting guidance and direction in policy and assistance in grants from the Central Government. To-day the Governor-General has the powers of direction, guidance and control, and though I understand that the policy of the 1919 Government of India Act was to delegate as far as possible his powers to the Provinces, he still has the powers in his hands of direction, guidance and control, if he chooses to exercise them.

As a matter of fact the Simon Commission, as a result of a very exhaustive inquiry into education which was made by their auxiliary committee, reported that more guidance was needed than the Central Government was giving if education was to be lifted out of the morass of inefficiency. The auxiliary committee reported that they wanted the Central Government to resume the power of giving information through the bureau of information which formerly existed, but came to an end. They wanted guidance and powers to make grants in aid of specific purposes for education. The Linlithgow Commission on Agriculture reported in 1928 in just the same sense in regard to the matters affecting agriculture. It is not too much to say that the trend of many of the voluminous recommendations made by that Royal Commission is a desirability in the direction of the Central Governent taking a greater share in the guidance and direction of agricultural policy than it had been doing. In particular they wished for agricultural research of all kinds at the centre, and the Government of India proceeded to take action on their recommendations in that respect.

Sir S. HOARE: If my Noble Friend will forgive me, I suggest it would be for the convenience of the Committee, and it would be much better, to discuss relations between the Centre and the Provinces, such as my Noble Friend is dealing with now, upon the specific chapter dealing with the question, namely, Chapter VII, the relations between the Centre and the Provinces. All this Clause does is to say that there should be a Federal sphere and a Provincial sphere, and the question of relations does not come up on this Clause.

Duchess of ATHOLL: No doubt the right hon. Gentleman knows this tremendous Bill better than I do, but does not proviso (i) expressly prohibit the Federal Government from exercising authority in regard to provincial legislation?

The DEPUTY-CHAIRMAN: If I might interrupt for a moment, the Noble Lady will see the words "save as expressly provided in this Act," and I think that they would safeguard any Amendment she might want to move at a later stage.

Lieut.-Colonel ACLAND TROYTE: My right hon. Friend replied to my hon. and gallant Friend behind in regard to paragraph (*b*), and I am not clear as to the wording of this paragraph. The Clause now reads:

> "The executive authority of the Federation extends . . . . to the governance of His Majesty's Forces in India."

We are not told why those words are put in. If they mean anything will my right hon. Friends tell us what they mean?

10.50 p.m.

Sir S. HOARE: If in a sentence or two I can remove my hon. and gallant Friend's doubts, I will try to do it in this way. Defence is a federal subject. It comes within the ambit of the Federal Government. That does not mean that it is transferred to Ministerial control. It is a Federal subject, but reserved within the Federal field. That is all that is intended by including it in the Clause which deals with the general powers of the federal system.

10.50 p.m.

Mr. CHURCHILL: This is a very serious Clause, and the explanation given, and, indeed, the text in the Bill, are typical of the extraordinary contortionary methods now considered the best way of dealing with the innumerable peoples of the East. In the first place, the King Emperor devolves his authority on the Federal Executive, and that authority is devolved in Clause 8 in regard to the most vital matters which can possibly be concerned. The Federal Executive is given power to raise in British India naval, military and air forces, and the government of all these powers is freely conceded in order to give a feeling of real responsible government. Then, by a later Clause, the whole of this is taken back. First it is given, then taken back. It is perfectly true, and it is no good contradicting it. Here is power given to the Federal Executive to do all this and at the same time it does not mean that the Indian people or Ministers have any power, the whole thing being withdrawn and reserved under the purview of the Viceroy himself by a later provision not in the Bill but in a statement made to cover the Bill.

When Dominion status is given, the whole of these powers are to go to the Federal Legislature, and there will be nothing to prevent them from taking over the whole of these powers under the Statute of Westminster. First they are given, then temporarily withdrawn, but only for a transitional period, for in the ultimate stage they are to be handed over under Dominion status and the Federal Executive is then to have power. This temporary arrangement is, to be quite frank, the best way, in the opinion of the Government. They are to raise and command forces in India, including any forces of British extraction, which may be so unfortunate as to be left in that country at that time. What is the value of paragraph (*c*) in Clause 8 about the enlistment of foreigners? Once the Statute of Westminster is operating in India it will be perfectly possible to tear up the whole of this instrument, to enlist foreign officers, to organise the Indian army, with not one word of security. In view of the expectations held out, I would ask the Committee to consider not only the consequences—we are not in a position to resist this Clause—but to see the frightful elaboration of the process considered necessary to appeal to the Oriental mind. First, they say, "We will give you everything." Then it is taken back, and then—"Ah, but never mind, in the distant future, perhaps not so distant, for the coming of which we will not specify any date—we might say 150 years, you may call it five years or when the next Government comes in—you are to have complete Dominion status, and then you will be able to tear this up and possibly engage Swedes, or Germans, or Japanese to officer your Army if you want to." All this farce is gone through in the hope of pleasing the sentimental feelings of Indians. No, Sir, they are much too clever: one of the reasons why you have lost contact is that you have never been able to deal with them on a dead level.

Sir S. HOARE: My right hon. Friend has a wonderful way of creating prejudice in regard to harmless propositions. This is simply the constitutional method of expressing the position which, so far as I know, has been accepted by everybody who has taken part in any of these discussions during the last four years, namely, that while defence is a federal subject, as indeed it must be, defence under this Statute, directly and indirectly, is reserved to the Crown. My right hon. Friend has given the impression that the effect of a provision of this kind will be to lead up inevitably to a situation in which defence will be surrendered and that the Indian Legislature will have complete control over all these questions of defence. What the future may bring neither he nor I can prophesy, but what I can say to the Committee to-night is that under the provisions of this Bill that cannot happen, and it could only be done by subsequent amendment of this Act. Parliament, being sovereign in these matters and having control, will take what action it thinks fit in future, but for the moment it is creating prejudice and misrepresenting the actual position to give the impression which the right hon. Gentleman has given to the Committee that these kind of things will come along, without anyone knowing of it, under the provisions of this Bill.

10.59 p.m.

Colonel GRETTON: There is a point in regard to paragraph (*b*) which I should like to have cleared up. I do

[Colonel Gretton.]
not understand it. This paragraph apparently hands over to the Federation most important matters concerning defence, with regard to the raising in British India on behalf of His Majesty of naval, military and air forces and the governance of His Majesty's Forces in India. That appears to be a complete contradiction. We have always been assured that defence was to be a reserved service under the control of the Viceroy, but here is a Clause handing it over to the Federal Executive.

Sir S. HOARE: It is all reserved under the Bill.

Colonel GRETTON: Here it is not. It is being handed over to the Federation, and that is a contradiction.

Lord E. PERCY: Read the Bill.

Colonel GRETTON: This is a matter of serious importance.

10.59 p.m.

The SOLICITOR-GENERAL: I think my hon. and gallant Friend is under a misapprehension. He thinks that Clause 8 only deals with matters which are dealt with by the responsible Legislature. Clause 8 deals with the whole of the executive authority, including the necessary authority over the reserved services.

Question, "That the Clause, as amended, stand part of the Bill," put, and agreed to.

Ordered, That the Chairman do report Progress and ask leave to sit again."—[*Captain Margesson.*]

Committee report Progress; to sit again To-morrow.

The remaining Orders were read, and postponed.

ADJOURNMENT.

Resolved, "That this House do now adjourn."—[*Captain Margesson.*]

Adjourned accordingly at One Minute after Eleven o'Clock.

HOUSE OF COMMONS.

Thursday, 28th February, 1935.

[**OFFICIAL REPORT.**]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

ORAL ANSWERS TO QUESTIONS.

UNEMPLOYMENT.

HOURS OF WORK.

1. **Miss WARD** asked the Minister of Labour whether any substantial progress has been made with employers' organisations as to the possibility of reducing hours of work in industry?

The MINISTER of LABOUR (Mr. Oliver Stanley): I would refer my hon. Friend to the reply which I gave to the hon. and gallant Member for King's Norton (Major Thomas) on the 21st February, of which I am sending her a copy.

Miss WARD: Can my right hon. Friend give us any information as to the branches of industries represented by owners which he has consulted so that we may have a little more information of the lines he is taking?

Mr. STANLEY: I am afraid that I cannot for the moment.

Mr. MANDER: Can the right hon. Gentleman say which is the first industry which will be dealt with?

Mr. STANLEY: If my hon. Friend will look at the reply to which I have referred the hon. Lady, he will see that I mentioned certain communications and until I have received answers to them I prefer not to add anything.

JUVENILE INSTRUCTION CENTRES.

2. **Mr. GRAHAM WHITE** asked the Minister of Labour the number of young persons attending juvenile instruction centres on the latest convenient date?

Mr. STANLEY: During the week ended 6th February, 32,704 boys and girls attended junior instruction centres and classes. The average daily attendance was 27,027. In addition during the month ended 23rd January, 1935, there was an average daily attendance of 2,689 boys and girls at authorised courses other than juvenile instruction centres and classes.

Viscountess ASTOR: Will my right hon. Friend do all he can to refute the charge which is being made in certain quarters that the Government are not going ahead very successfully with juvenile centres?

Mr. STANLEY: I am glad to be able to say that we are pressing on with the utmost speed. There are, of course, many technical difficulties in the way, but the figures I have read show a marked increase on a year ago.

Mr. LAWSON: May I ask whether the right hon. Gentleman can protect other people from misrepresentation?

Mr. GODFREY NICHOLSON: Could not the right hon. Gentleman analyse the figures of the numbers of juveniles to show what a high proportion of available juveniles are in instructional centres?

Mr. STANLEY: I will consider that suggestion.

STATISTICS.

3. **Mr. MAINWARING** asked the Minister of Labour the number of unemployed men at each of the Exchanges, Ferndale, Porth, Tonypandy and Treorchy, that have passed out of insurance on attaining the age of 65 years, separately for each year from 1926 to 1934, inclusive; and how many did so after, respectively, one or more years of continuous unemployment?

Mr. STANLEY: I regret that statistics giving the information desired are not available.

GLOVE INDUSTRY.

5. **Mr. CAPORN** asked the Minister of Labour the smallest number of persons registered for employment in the glove industry recorded as unemployed during any part of 1934, and the average monthly number so recorded during the said year?

Mr. STANLEY: I regret that as the glove industry is not separately classified in the statistics of insured persons, I am unable to give the information desired.

BIRMINGHAM COURT OF REFEREES.

6. **Mr. SMEDLEY CROOKE** asked the Minister of Labour whether he is aware that the notices giving the decision of the court of referees in Birmingham are not signed by the chairman, but that a rubber stamp is used; and whether, seeing that this practice is liable to abuse, he will issue instructions that, in future, decisions of the court shall bear the signature of the chairman adjudicating?

Mr. STANLEY: The original record of the proceedings of a court of referees is, or should be, signed or initialled by the chairman and a copy is sent in due course to the claimant. I think, however, that my hon. Friend may be referring to a preliminary notice of the decision which is usually handed to the claimant immediately after the hearing; it is the common practice for these to be stamped with a facsimile signature and I do not think this is open to serious objection.

HOSIERY TRADE.

9. **Mr. CHARLES BROWN** asked the Minister of Labour the numbers of unemployed hosiery workers in Sutton-in-Ashfield and Mansfield in January, 1933, 1934, and 1935, respectively, giving separate figures for men and women?

Mr. STANLEY: As the reply includes a table of figures, I will, if I may, circulate a statement in the OFFICIAL REPORT.

Mr. BROWN: Is the right hon. Gentleman aware of the considerable increase of unemployment in the hosiery industry, and do the Government intend to do anything to prevent the importation into this country of cheap hosiery made by sweated labour?

Mr. STANLEY: My right hon. Friend the President of the Board of Trade will be glad to note a new accession to the ranks of his supporters.

Mr. WISE: Does not the right hon. Gentleman realise that my hon. Friend the Member for Mansfield (Mr. Brown) asks for prohibition, not an increase of tariff?

Mr. STANLEY: I realise now that the accession is an even more important one.

Mr. CAPORN: Can my right hon. Friend induce British ladies to wear English made stockings and so help to find employment for a large number of people?

Mr. STANLEY: The hon. Gentleman might start by persuading the Noble Lady in front of him.

Viscountess ASTOR: May I——

Mr. SPEAKER: Mr. Burnett.

Viscountess ASTOR: My honour is at stake. How does he know?

Following is the statement:

Insured persons, aged 16–64, in the hosiery industry classification recorded as unemployed at Sutton-in-Ashfield and Mansfield Employment Exchanges.

	23rd January, 1933.	22nd January, 1934.	28th January, 1935.
Sutton-in-Ashfield.			
Men aged 18–64	181	107	126
Women aged 18–64	365	164	344
Total (including juveniles aged 16 and 17)	596	289	522
Mansfield.			
Men aged 18–64	31	38	67
Women aged 18–64	71	66	105
Total (including juveniles aged 16 and 17)	119	114	182

The greater part of the increase at 28th January, 1935, as compared with 22nd January, 1934, was among the temporarily stopped.

AGRICULTURAL WORKERS.

8. **Mr. T. SMITH** asked the Minister of Labour whether this House may expect the early introduction of the Bill to extend unemployment insurance to agricultural workers?

Mr. STANLEY: I cannot at present add anything to the answer I gave the hon. Member on this subject on 28th January.

Mr. SMITH: Can we have an assurance, in view of the number of agricul-

tural workers out of employment, that this Bill will be before the House before Easter?

Mr. STANLEY: I can add nothing to my statement at present. The hon. Gentleman will realise that since the 28th January there have been certain events, the reactions of which have to be considered.

Mr. OSWALD LEWIS: Will my right hon. Friend, in introducing any legislation of this kind, consider the advantage of starting operations in the spring rather than in the autumn in order to give the men six months in which they can qualify for benefit?

Mr. STANLEY: I quite agree with that point.

UNEMPLOYMENT ASSISTANCE.

29. **Colonel WEDGWOOD** asked the Minister of Health whether he is aware that the Kidsgrove Public Assistance Committee make a practice of refusing relief to single men and that men in that district who have been struck off unemployment benefit have no recourse except to the Poor Law; and whether he will communicate with the Stafford County Council in order that such persons shall not suffer unduly owing to the postponing of the Unemployment Assistance Act?

The MINISTER of HEALTH (Sir Hilton Young): I am making inquiries and will communicate with the right hon. Member.

31. **Mr. HUTCHISON** asked the Minister of Health whether he will consider placing in the Library of the House the public assistance scales of relief for the able-bodied unemployed which were adopted by the 20 largest towns of the country just prior to the work being taken over by the Unemployment Assistance Board, so that it may be possible to draw comparisons between what is being done now and what was superseded?

Sir H. YOUNG: Though public assistance authorities are not required to report their scales of relief to me, I have of course considerable information available as to actual scales in force. I fear, however, that publication of such scales would be calculated rather to mislead than to inform since, to obtain a correct view of the situation, the method of administration of a scale needs to be ascertained as well as the scale itself.

39. **Mr. THORNE** asked the Chancellor of the Exchequer whether he is now in a position to make a statement as to the supplementary grants that he intends paying to the various local authorities, and as to the amount that each local authority will receive, in consequence of the Unemployment Assistance Board not being able to take over the able-bodied unemployed on 1st March, 1935?

The CHANCELLOR of the EXCHEQUER (Mr. Chamberlain): I am not yet in a position to add to the reply given to a similar question by the hon. Member on the 25th February.

Mr. THORNE: If I put a similar question down for one of the days next week, does the right hon. Gentleman think that he will be in a position to make a definite statement?

Mr. CHAMBERLAIN: Yes, Sir, I should think so.

40. **Miss WARD** asked the Chancellor of the Exchequer whether he is now in a position to inform the House of the estimated cost to local authorities of public assistance from 1st October to 31st March to those persons who will come under Part II of the Unemployment Insurance Act on the appointed day, the figure to relate to the whole country, the North-East coast, and the Northumberland County Council, respectively?

Mr. CHAMBERLAIN: I regret that the information for which my hon. Friend asks is not available.

Miss WARD: May I ask the right hon. Gentleman if it is quite a logical step to——

Mr. SPEAKER: I am afraid the hon. Lady must not discuss logic.

HIS MAJESTY'S SILVER JUBILEE.

4. **Mr. GRUNDY** asked the Minister of Labour whether it is proposed to make provision for the payment of unemployment insurance benefit in the case of part-time workers who will be affected by the cessation of work on Jubilee Day; and whether he is now in a position to state the amount of additional payment to be made to all unemployed persons?

Mr. STANLEY: I would refer the hon. Member to the replies given to the hon.

[Mr. Stanley.]
Member for Chester-le-Street (Mr. Lawson) on the 21st February, to the hon. Member for the Scotland Division (Mr. Logan) and the hon. Member for Aberdare (Mr. G. Hall) on the 26th February.

INTERNATIONAL LABOUR OFFICE (SHORTHAND TYPISTS).

10. **Mr. BURNETT** asked the Minister of Labour whether he will state the number of British shorthand typists employed in a temporary capacity at the International Labour Office, Geneva, and the scale of salary paid.

Mr. STANLEY: I am making inquiries and will communicate with my hon. Friend as soon as possible.

Mr. BURNETT: Does not my right hon. Friend think that £440 a year for a shorthand typist with a speed of 140 words a minute, as advertised in the Press, is a considerable sum?

Mr. STANLEY: The hon. Gentleman seems to be anticipating my inquiry.

TRANSPORT.

MOTORING OFFENCES (PENALTIES).

11. **Mr. WEST** asked the Secretary of State for the Home Department whether his attention has been drawn to the prosecution of Mr. Joseph Cooper at Otley on the 26th of November for driving a motor van without due care, and fatally injuring a cyclist who was using both a reflector and white enamelled mud-guards; whether he is aware that, despite police evidence of negligence and driving without a licence, only fines totalling 30s. 6d. were imposed; and whether, in view of the repeated occurrence of such cases, he will consider the desirability of increasing the penalties for that class of offence?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): My attention had already been drawn to this case and I have obtained particulars. After hearing the evidence the magistrates decided that they would not be justified in recording a conviction against Mr. Cooper for driving without due care and attention and they dismissed this charge on payment by him of the costs of the proceedings. I have no reason to think that the powers of the courts are inadequate to deal with such offences. The manner in which these powers are exercised is a matter for the court concerned, having regard to the circumstances of the individual case before them.

Mr. WEST: Does not the Home Secretary realise that more than 20 cyclists are being killed per week in Great Britain, and that a large number of these deaths are caused by a minority of motor speed merchants who callously drive to the danger of these people; and does the right hon. Gentleman consider that in this case, where speed has been proved, a fine is adequate punishment for killing a cyclist?

Mr. ISAAC FOOT: In view of the fact that there was the imposition of a fine in the form of costs, how could the magistrates have considered there was innocence in this matter? If the matter justified the imposition of a fine, how could such a fine be considered adequate?

Sir J. GILMOUR: The attention of magistrates has been drawn to the necessity of dealing with this kind of case effectively, and we have circularised them on two occasions. I am not prepared at the moment to take further action in that regard, and I think the kind of questions we have had to-day may call their attention to this matter.

Sir WILFRID SUGDEN: Does not the right hon. Gentleman consider that the time is now ripe when lay magistrates should be legally guided and in some way educated to administer the law?

12. **Mr. WEST** asked the Home Secretary whether his attention has been drawn to a case where the Ealing magistrates bound over for two years and disqualified from driving for five years a motorist who had borrowed a car without permission and without a licence, and killed a cyclist; whether he is aware that negligence was proved; and whether, in view of the frequency of such occurrences, he will consider taking steps to ensure that imprisonment follows in all such cases?

Sir J. GILMOUR: I have made enquiries and am informed that the defendant in this case was only 17 years old and that in view of his youth and good character and the fact that he was in custody for 14 days on remand, the

justices thought it inadvisable to pass a sentence of imprisonment. In cases of this kind disqualification is often the most effective penalty and the justices decided to disqualify this defendant from driving for a period of five years. It is of great importance that when serious road traffic offences are proved, adequately deterrent measures shall be taken by the courts, but I could not agree to any amendment of the law which would deprive the courts of their discretion to impose penalties appropriate to the circumstances of individual cases.

Mr. WEST: Does not the right hon. Gentleman consider, in view of the fact that there is case after case of these innocent people being killed owing to the negligence of some other person, that there ought to be, not a fine, but imprisonment in every case?

Commander MARSDEN: Does not my right hon. Friend think that this and similar cases prove that some other offence should be laid down by the law so that where the killing of some person is involved there should be a greater penalty than the law now provides?

STREET OBSTRUCTION.

14. **Mr. BURNETT** asked the Home Secretary whether he is aware that streets near Bryanston Street, Oxford Street, W.1, are blocked by being used as storage places for motor cars and vans, and that motor vehicles are frequently parked on both sides of the one-way street, Old Quebec Street, leading into Oxford Street; the reason why the police authorities allow this area to be thus obstructed; and whether he will request the police to abate this nuisance and restore Old Quebec Street as a public highway for vehicular and pedestrian moving traffic?

Sir J. GILMOUR: I am informed by the Commissioner of Police of the Metropolis that police are specially posted to the streets in question in order to deal with the traffic and to prevent obstruction. During the last six months no less than 490 cases of obstruction were dealt with in Old Quebec Street, Bryanston Street and Great Cumberland Place alone. It is difficult, however, to keep this congested area entirely free from obstruction by standing vehicles, since the buildings in the vicinity include a large stores, a large hotel, and a large block of flats, at all of which vehicles are continually loading and unloading goods, while a number of visitors arrive by car.

OMNIBUS SERVICES (ESSEX).

68. **Mr. HUTCHISON** asked the Minister of Transport whether he will ascertain from the traffic commissioners if they are satisfied that the numbers of motor omnibuses in circulation on sanctioned routes in the rural districts of Essex are adequate; and whether he is aware that on occasions people have to walk many miles home, because the last omnibus of the day is crowded and cannot under the regulations carry any more passengers?

The MINISTER of TRANSPORT (Mr. Hore-Belisha): The Traffic Commissioners are directed in weighing the various matters, to which they are required to have regard, to give particular consideration to the convenience of the travelling public in the rural areas and to the provision of services in those areas where transport facilities are at present wanting or inadequate. I am sure that they would consider any representations made to them. I will send a copy of my hon. Friend's question and this answer to the Traffic Commissioners concerned.

BUILT-UP AREAS (SPEED LIMIT).

69. **Mr. JOEL** asked the Minister of Transport whether, in view of the introduction of the 30 miles per hour speed limit in built-up areas next month, he proposes to issue for the information of motorists a statement as to how this speed limit will be enforced?

Sir J. GILMOUR: I have been asked to reply. The Commissioner of Police of the Metropolis proposes, in good time before the coming into operation of the speed limit, to issue a notice to the public through the Press and the British Broadcasting Corporation explaining the methods of enforcement which the police intend to adopt with a view to securing compliance with the law. I am suggesting to chief officers of police outside London that they should take similar steps to inform the public in their respective police districts. I am, at present in consultation with my hon. Friend the Minister of Transport on the question whether any further measure of publicity is desirable.

EAST LONDON (FACILITIES).

71. **Major NATHAN** asked the Minister of Transport whether he will state the present position as to the improvement of travelling facilities from Liverpool Street, via Bethnal Green, to Romford and beyond?

Mr. HORE-BELISHA: I am informed by the London and North Eastern Railway Company that full particulars of the schemes recently under their consideration have been submitted to the Standing Joint Committee of the London Transport Board and the four main line companies. They have not yet come to any decision. The railway company assure me that in the meantime they are doing all that is in their power to maintain an efficient and punctual service. The stock is being progressively renewed and the new stock provided is of the most modern type.

Sir W. SUGDEN: Will the hon. Gentleman remember that the same position has been taken up by the railway company for the last seven years?

PEDESTRIAN CROSSING PLACES (BEACONS).

72. **Sir GIFFORD FOX** asked the Minister of Transport what arrangements have been made to have the pedestrian crossing beacons painted at regular intervals of time; what is the estimated total cost of maintenance of those beacons now in position; and whether he is aware that many of them already are in such a condition as to be almost invisible to motorists?

Mr. HORE-BELISHA: Local authorities are responsible for maintaining the beacons and have been asked to see that they are kept clean. The posts will be repainted periodically at a cost of a few shillings each per annum.

Sir G. FOX: Is the hon. Gentleman aware that many of these standards have not been cleaned since they were put up?

Mr. HORE-BELISHA: If my hon. Friend requires my assistance in the matter, I shall be only too glad to give it, if he will indicate the particular area which he has in mind.

Captain CUNNINGHAM-REID: When all these beacons and these various signs are in position, will there be sufficient room left for the pedestrians?

MOTOR VEHICLES.

73. **Mr. SUMMERSBY** asked the Minister of Transport whether he has now inquired into the difficulty caused by the fact that particles of mud thrown long distances by the rear wheels of motor cars cause bad visibility and danger to motor cars following by fouling their wind-screens; and will he remove the danger by requiring the use of flaps to rear wings of motor cars to act as mud screens?

Mr. HORE-BELISHA: The manufacturers informed my predecessor that flaps had been tried but found ineffective. I am to-day addressing a further communication to them asking them whether they can report progress in their search for a means to abate this inconvenience and danger.

Captain STRICKLAND: Will that also apply to the editors and proprietors of certain organs of the popular Press.

75. **Mr. PARKINSON** asked the Minister of Transport whether his attention has been drawn to the large number of private cars on the road with various mechanical and other defects; and whether it is proposed to introduce legislation for the inspection of private cars?

Mr. HORE-BELISHA: In 1933 the police dealt with 21,572 offences in connection with the equipment and maintenance of brakes on motor vehicles of all kinds. I am not at the moment proposing to introduce further legislation, but I am endeavouring to devise a scheme under which my present powers may be more effectively exercised.

MOTOR DRIVERS (ALCOHOL).

74. **Mr. ISAAC FOOT** asked the Minister of Transport what stage has been reached in his communications with the British Medical Association as to the connection between the consumption of alcoholic liquor by motor drivers and public safety on the roads; and whether his communications with the association have taken the form of specific questions?

Mr. HORE-BELISHA: I have asked the British Medical Association to let me have any observations that they may be able to make on this subject in the light of the existing knowledge and experience of the medical profession and have had their assurance that the

matter will be dealt with with the least possible delay. In fact a special Sub-Committee of the British Medical Association is holding its first meeting to-day. I am also in communication with the Medical Research Council.

Mr. FOOT: Do I understand that the meeting to which the hon. Gentleman refers is a meeting relating to this matter.

Mr. HORE-BELISHA: Yes, Sir.

LONDON (NORTH TO WEST ROAD TRAFFIC).

76. **Mr. REA** asked the Minister of Transport whether his attention has been drawn to the scheme published some years ago for the provision of a through north-to-west traffic way by the prolongation of Conduit Street to Berkeley Square; and whether the forthcoming opening of the extension of Curzon Street into Berkeley Square provides an opportunity for creating such a thoroughfare at a reasonable cost in anticipation of the erection of new buildings on the site?

Mr. HORE-BELISHA: My attention has not been drawn to the particular scheme to which the hon. Member refers, but I am prepared to give immediate consideration to any such scheme if it be submitted to me by the responsible highway authority.

ACCIDENTS (PEDAL CYCLISTS).

77. **Mr. BANFIELD** asked the Minister of Transport whether he is aware of the resentment felt by the large body of pedal cyclists, numbering some 10 millions, against the restrictions imposed upon their use of the roads by recent regulations; and whether he will give an assurance that there is no intention of making the use of cycle paths compulsory upon pedal cyclists or further restricting the exercises of this law-abiding section of the community?

Mr. HORE-BELISHA: I have to inform the House that nearly a fifth of those killed on the roads are pedal cyclists and a quarter of those injured on the roads are pedal cyclists. I have also to inform the House that the increase in the number of pedal cyclists killed in 1933 as compared with 1928 was 96 per cent., and the increase in the number of pedal cyclists injured 100 per cent., whereas the corresponding figures for pedestrains were only 8 per cent. and 16 per cent. respectively. Indeed, of the total increase in the number of persons killed in the last year as compared with the first, the deaths of pedal cyclists accounted for 62 per cent. and the injuries for 54 per cent. The House will therefore appreciate that pedal cyclists constitute a major part of the problem of road accidents, and I am confident, in view of the facts, that the House will sustain me in taking all measures that may be practicable to circumscribe the present perils, particularly when such measures add to the convenience of the pedal cyclists themselves.

Lieut.-Colonel CHARLES MacANDREW: Does not my hon. Friend think that until it is made compulsory for cyclists to carry rear lights these enormous fatalities must continue, as motorists cannot see the cyclists before they pass them at night?

Mr. WEST: Is the Minister aware that in thousands of cases when cyclists have been killed they have had rear lights, and does not he also consider that it would be far more useful to segregate the speed merchants than the harmless cyclists on the road?

Mr. HORE-BELISHA: This question, of course, has nothing to do with rear lights, but, if cyclists were provided with their own tracks, it would have the effect of segregating motorists also.

Captain CUNNINGHAM-REID: Have not these cycling paths been very satisfactory in many countries, including Denmark, Sweden and Holland?

Mr. HORE-BELISHA *indicated assent.*

Viscountess ASTOR: Will not the Minister point out that it is not a question of speed merchants and that sometimes cars are going quite slowly when they kill these cyclists?

Sir W. SUGDEN: Will my hon. Friend take knowledge of the specialists who have organised the cyclists of this country and have a greater knowledge of the application of the wheel than any Department in his own office or even the Minister himself?

WORKMEN'S COMPENSATION.

13. **Mr. TINKER** asked the Home Secretary how many cases in 1933 and in 1934 were submitted to the medical

[Mr. Tinker.]
referees under Section 19 of the Workmen's Compensation Act; and how many of them belonged to the mining industry?

Sir J. GILMOUR: There were 4,334 such cases altogether for Great Britain in 1933. I regret that the number for 1934 is not yet available, and that no separate figures can be given for the mining industry.

Mr. TINKER: Would it be possible for the right hon. Gentleman, to get separate figures for the mining industry, because I believe they are the largest?

Sir J. GILMOUR: I am prepared to look into it, but I cannot say whether that will be possible.

SUICIDES

15. **Mrs. TATE** asked the Home Secretary whether he will state the number of suicides in Great Britain for the years 1932, 1933 and 1934 respectively?

Sir J. GILMOUR: I would refer my hon. Friend to the reply which I gave to a question by the hon. Member for Westhoughton (Mr. Rhys Davies) on the 4th February.

Mrs. TATE: Will the right hon. Gentleman consider the desirability of taking steps to prevent the publication in the Press of the details of cases of suicide, and last letters left by suicides, except in cases where a coroner thinks it would be in the public interest that such details should be published?

Sir J. GILMOUR: All I can say is that we are having an inquiry into the whole question of coroners' courts, and I think this aspect of the matter might be dealt with then.

Mr. WEST: Is the right hon. Gentleman aware that some increase in the number of suicides is due to the harsh administration of the means test?

CORONERS: LAW AND PRACTICE (COMMITTEE OF INQUIRY).

16. **Mr. TINKER** asked the Home Secretary whether he is now in a position to give the names of the persons who will constitute the committee of inquiry into the subject of coroners' inquests and also the terms of reference?

Sir J. GILMOUR: Yes, Sir. The Right Honourable Lord Wright has consented to act as chairman of the committee and the remaining members are:

Sir Archibald Bodkin, K.C.B.,
Sir E. Farquhar Buzzard, Bt., K.C.V.O.,
Mr. Digby Cotes-Preedy, K.C.,
Sir Arthur Hazlerigg, Bt.,
Mr. George A. Isaacs,
Mr. W. Rutley Mowll, and
Mrs. Margaret Wintringham.

The terms of reference of the committee are:

"to inquire into the law and practice relating to Coroners, and to report what changes, if any, are desirable and practicable."

EDUCATION.

JUNIOR EVENING INSTITUTES.

17. **Mr. WHITE** asked the Parliamentary Secretary to the Board of Education whether he can give the approximate number of those who left school at Christmas who are now attending juvenile education centres?

The PARLIAMENTARY SECRETARY to the BOARD of EDUCATION (Mr. Ramsbotham): I presume that by the phrase "juvenile education centres" the hon. Member means junior evening institutes. I regret that there is no information available which would enable me to answer this question.

SCHOOL-LEAVING AGE.

18. **Mr. WHITE** asked the Parliamentary Secretary to the Board of Education to what extent children who would normally have left school at Christmas on attaining the age of 14 have remained at school?

Mr. RAMSBOTHAM: I regret that the board's statistics are not compiled in a form which would enable me to answer this question.

Mr. WHITE: In the absence of definite figures, could my hon. Friend say whether the tendency for children to remain at school beyond the age of 14 is increasing?

Mr. RAMSBOTHAM: I must have notice of that question.

Sir PERCY HARRIS: Will the hon. Gentleman consider the question of instructing local authorities to send out a circular to the parents of children who reach the school-leaving age pointing out the advantage of allowing them to continue their education and the facilities which are available?

Mr. RAMSBOTHAM: I think it is a fairly common practice for local authorities to do so.

Viscountess ASTOR: Can the hon. Gentleman tell the House the difference made to juvenile unemployment when local authorities have raised the school-leaving age?

20. **Sir FRANK SANDERSON** asked the Parliamentary Secretary to the Board of Education the school-leaving age in the State schools of Germany, France, Belgium, Norway, Sweden and Denmark?

Mr. RAMSBOTHAM: Attendance at school is compulsory until 13 in France, until 14 in Germany, Belgium Sweden and Denmark, and until 15 in Norway.

SUPPLY OF BOOTS (GLAMORGANSHIRE).

19. **Sir WILLIAM JENKINS** asked the Parliamentary Secretary to the Board of Education whether he will give an assurance that money spent by the Glamorgan Education Authority in supplying a pair of boots to every necessitous child in the elementary schools on the King's Jubilee, will rank for grant purposes, or whether the Board will make a grant for any other purpose that would assist necessitous children to join in the celebrations?

Mr. RAMSBOTHAM: If reasonable expenditure of the kind proposed is incurred by local education authorities in connection with the celebrations of the King's Jubiliee and is passed by the district auditor, the board will be prepared to recognise it for grant under Article 2 (*b*) of their Grant Regulations No. 1. It should, however, be understood that such recognition would be given in pursuance of the general sanction of the Minister of Health to expenditure by local authorities on the Jubilee celebrations and would not affect the board's view that the provision of boots for necessitous children is in normal circumstances outside the powers of local education authorities.

RESERVOIRS (RATING).

21. **Mr. GLOSSOP** asked the Minister of Health whether he is aware that the provisions of the Rating and Valuation Act, 1925, as applying to reservoirs, result in financial hardship to urban district councils, and that the Saddleworth Urban District Council, at a meeting on 4th February, have refused to pay the West Riding County Council precept due under Section 9 (2c) of the Rating and Valuation Act; and whether he is prepared to call a conference of all urban district councils who have reservoirs in their areas?

Sir H. YOUNG: As I stated in reply to the hon. Member for Colne Valley (Mr. Mallalieu) on the 14th February, the position could not be altered without legislation, and on this I can make no promise at the present time. I have already been in communication with the Associations of Urban District Councils and Rural District Councils, both of whom are concerned, and who hold different views.

PUBLIC HEALTH.

ICE CREAM.

22. **Mr. HUTCHISON** asked the Minister of Health whether his Department has considered the desirability of establishing a compulsory legal standard for ice cream; and, if so, with what result?

Sir H. YOUNG: This matter could not be dealt with without further legislation. The general question of standards for articles of food has been under consideration in connection with the report of the Departmental Committee on the composition and description of food, but I cannot make any statement at present as to the introduction of legislation.

Viscountess ASTOR: Will the right hon. Gentleman bear in mind that as ice cream is eaten by so many children it really is important, from the State point of view, that it should have a certain degree of purity?

Mr. GLOSSOP: Does not my right hon. Friend think that the introduction of a compulsory legal standard for cream would help to relieve the surplus milk market?

Sir H. YOUNG: That is a matter for the Ministry of Agriculture.

INFANT MORTALITY.

23. **Sir W. JENKINS** asked the Minister of Health what is the rate of infant mortality per 1,000 births in each county in Wales for the years 1931, 1932, 1933, and 1934, giving each county separately; and what is the average for the whole country, England and Wales?

Sir H. YOUNG: As regards the figures for 1933 and previous years, I would refer the hon. Member to Tables 10 and 17 of the Registrar-General's Annual Statistical Review—Tables, Part I. The county figures for 1934 are not as yet available, but the provisional rate for England and Wales in that year is 59 per 1,000 live births.

Mr. WEST: May I ask whether, if there is abnormal infant mortality in any area, it is the practice of the Department to take action in the matter?

Sir H. YOUNG: The hon. Member may be assured that this is so.

MATERNITY AND CHILD WELFARE.

24. **Mr. DENMAN** asked the Minister of Health what arrangements are being made under the Maternity and Child Welfare Act for the supply of free milk in Monmouthshire; and whether it is possible for all necessitous women to obtain milk for themselves during pregnancy or lactation, or for their infants if this is needed on medical grounds?

Sir H. YOUNG: According to my latest information the arrangements made by the county council are such that milk required on medical grounds can be obtained free for all necessitous women during pregnancy and lactation and for their children under five years of age.

DEATH OF MRS. M. TAYLOR, MANCHESTER.

25. **Mr. DENMAN** asked the Minister of Health what action has been taken by the Manchester Corporation on the report of the commissioners on the inquiry into the death of Mrs. Molly Taylor and its surrounding circumstances?

Sir H. YOUNG: I have not yet received this information from the city council. I will inform my hon. Friend of the result of communication with them.

MATERNAL MORTALITY.

26. **Captain LODER** asked the Minister of Health whether the investigators whom he is sending into the areas where the rate of maternal mortality is abnormally high have started their investigations; and how soon some information will be available on the results of the investigations into the death rates in these particular areas?

Sir H. YOUNG: The answer to the first part of the question is in the affirmative. As regards the second part, my hon. and gallant Friend will appreciate that these investigations are concerned with problems that are both difficult and complicated and will of necessity occupy some time. I am unable at present to say when the reports will be available.

VOLUNTARY HOSPITALS.

27. **Mr. MANDER** asked the Minister of Health what powers of oversight he exercises in connection with voluntary hospitals?

Sir H. YOUNG: I have no general statutory power of supervision and inspection in relation to voluntary hospitals.

Mr. MANDER: Is it the practice to make an inquiry when the circumstances seem to require it?

Sir H. YOUNG: The hon. Member will see from my answer that I have no such general powers of inquiry.

MEDICAL PRACTITIONERS' UNION.

30. **Captain CUNNINGHAM-REID** asked the Minister of Health whether he is aware that the Medical Practitioners' Union is circularising local authorities requesting them to consider the recognition of the union and the insertion of advertisements for vacant medical appointments in the official weekly publication of the union; and whether he will circularise local authorities pointing out to them that the Trade Disputes and Trade Unions Act, 1927, forbids any local or public authority to make it a condition of the employment of any person that he shall, or shall not, be a member of a trade union, or to impose any conditions putting employés who are, or who are not, members of a trade union in any respect under any disadvantage as compared with other employés?

Sir H. YOUNG: I have seen statements in the Press to the effect of the first part of the question. As regards the second

part, local authorities are well aware of the statutory provisions to which my hon. and gallant Friend refers and I do not think it is necessary to circularise them specially on this matter.

DRAINAGE AND WATER SUPPLY.

32. **Major HILLS** asked the Minister of Health whether, seeing that a large sum will shortly be spent on drainage and possibly a large sum also on water supply, he is arranging that these two questions should be considered together, since it is possible that some form of water storage will provide the solution of both problems and save a double expenditure?

Sir H. YOUNG: I will consider the matter further with my right hon. Friend the Minister of Agriculture and Fisheries.

NATIONAL HEALTH INSURANCE.

28. **Mr. GUY** asked the Minister of Health the total number of unmarried women over the age of 55 who are insured under the National Insurance Acts as at the last convenient date?

Sir H. YOUNG: I assume that the question refers to spinsters. If so, the number is approximately 175,000.

CONTRIBUTORY PENSIONS ACT.

33. **Miss WARD** asked the Chancellor of the Exchequer whether he has yet received the report of the Government actuary on the financial operations of the Contributory Pensions Act?

Mr. CHAMBERLAIN: The answer is in the negative.

Miss WARD: Can my right hon. Friend tell me when he is likely to receive the report?

Mr. CHAMBERLAIN: I am afraid I am not in a position to make any statement about it.

FISHING INDUSTRY.

35. **Mr. MARCUS SAMUEL** asked the Chancellor of the Exchequer whether, in view of the condition of the herring-fishing industry, he will consider reducing the high rate of duty at present imposed upon cork floats coming into this country which are used in the manufacture of fishing nets, and which is increasing the cost of deep-sea fishing equipment?

Mr. CHAMBERLAIN: The Import Duties Advisory Committee have already considered an application for reducing the duty on these goods, and announced in August last that they had decided not to make any recommendation. It is, of course, open to the industry to make further representations to the committee from the point of view of the fishing industry, if they so desire.

CO-OPERATIVE SOCIETIES.

36. **Mr. SAMUEL** asked the Chancellor of the Exchequer whether he will consider the advisability of taking steps to acquire by compulsory purchase the share capital of the co-operative societies upon which dividends at the rate of 5 per cent. per annum are now allowed to be paid in exchange for bonds bearing a fixed interest of 3½ per cent. per annum, for the purpose of creating a new source of revenue and at the same time controlling profiteering and price levels?

Mr. CHAMBERLAIN: My hon. Friend's proposal would require legislation, which I do not see my way to propose to the House.

Mr. SAMUEL: May I ask whether the Government take that view because the majority of the accounts and balance sheets of trading or commercial services conducted by the Government show losses?

STERLING EXCHANGE.

37. **Mr. DAVID MASON** asked the Chancellor of the Exchequer whether his attention has been drawn to the high price of gold bullion, indicating a continuous fall in the value of the paper pound; and whether His Majesty's Government propose to take any steps to arrest a further fall?

Mr. CHAMBERLAIN: I am aware of recent movements in the external or gold value of sterling, which is, of course, a different thing from its internal purchasing power. In reply to the last part of the question, I cannot undertake to publish such information for reasons of public policy, which I have explained on several occasions.

Mr. MASON: Can the right hon. Gentleman hold out any hope of an early stabilisation of the pound?

Mr. CHAMBERLAIN: No, Sir.

Dr. ADDISON: Can the right hon. Gentleman mention any time when he can give the House of Commons an account of the operations of this fund?

Mr. CHAMBERLAIN: I do not see any prospect of my doing so in the near future.

Dr. ADDISON: Am I to understand from that that the £350,000,000 made available will not be accounted for to Parliament at all?

Mr. CHAMBERLAIN: That is a matter which has already been decided by this House.

Mr. MASON: Is the right hon. Gentleman not aware of the gravity of the movements in the rate of exchange?

INCOME TAX (CHILDREN'S ALLOWANCES).

41. **Major HILLS** asked the Chancellor of the Exchequer whether, without anticipating the Budget statement, he can give an assurance that the reinstatement of children's allowances to the figure at which they stood in 1931 will not be overlooked?

Mr. CHAMBERLAIN: My right hon. Friend may rest assured that the subject of his question will be taken into consideration together with all other relevant matters before the Budget statement is made.

BRAZIL (BRITISH INVESTORS).

38. **Mr. BURNETT** asked the Chancellor of the Exchequer whether he is aware that the Brazilian Government is desirous of obtaining a loan; and will he make it clear to the Brazilian trade delegation now in England that, apart from the embargo upon the public flotation of foreign loans in London, the placing here with loan houses at the present time of Brazilian obligations which could afterwards be negotiated privately among British investors would not be regarded with favour by His Majesty's Government?

Mr. CHAMBERLAIN: I have no reason to suppose that the Brazilian Government are desirous of obtaining a loan in this country. Accordingly the second part of the question does not arise. If my hon. Friend's question has relation to any credit operation which may be agreed to in connection with the liquidation of outstanding trade debts due to the United Kingdom, I would add that discussions in regard to the liquidation of trade debts are still proceeding and I am not therefore in a position to make any statement on that subject.

AGRICULTURE.

BARLEY (BREWERS' PURCHASES).

42. **Mr. OSWALD LEWIS** asked the Chancellor of the Exchequer whether he will cause inquiry to be made from the brewers as to what quantity of home-grown barley was purchased by them for the manufacture of British beer for the years June, 1932, to June, 1933, and June, 1933, to June, 1934, respectively?

Mr. CHAMBERLAIN: I have no power to require the production of the information desired, but I will inquire of the Brewers' Society whether they would be prepared voluntarily to supply me with such statistics as they have of the purchases of British barley by brewers in the years mentioned.

GOVERNMENT POLICY.

45. **Mr. HARCOURT JOHNSTONE** asked the Prime Minister whether it is the intention of the Government to abandon the present system of quotas and restrictions upon imports of foodstuffs into the United Kingdom and to substitute for it a system of tariffs upon agricultural produce with a preference to the Dominions, as foreshadowed in a speech made by the Secretary of State on Monday last in the presence of the High Commissioners for the Dominions?

The LORD PRESIDENT of the COUNCIL (Mr. Baldwin): The Government have often stated that in their view quantitative regulation is not necessarily in all cases the most appropriate method of assisting the home agricultural industry. For example, the method adopted in the case of fruit and horticultural products has from the outset been that of import duties. As the

House has already been informed, the Government would prefer, in the case of meat, to follow broadly the precedent of the Wheat Act, and proceed on the lines indicated by my right hon. Friend the Minister of Agriculture and Fisheries in the House of Commons on 18th February. It is not possible to lay down a general rule, as the circumstances of each case are different.

Mr. JOHNSTONE: Is the right hon. Gentleman aware that the speech of his colleague the Secretary of State for Dominion Affairs did in fact purport to lay down a general rule and a general policy for the protection of agricultural produce, not merely for milk, fruit or butter, but a general line of agricultural policy?

Mr. BALDWIN: I read my right hon. Friend's after-luncheon speech, and I remember very well that he said he was going to get down to brass tacks. Brass tacks, in my view, in this case were meat.

Mr. JOHNSTONE: Is it to be assumed from the right hon. Gentleman's reply that in future no reliance is to be placed upon general statements of policy by the Secretary of State for the Dominions after lunch?

Mr. BALDWIN: I do not think that would be quite a fair inference from what I said.

50. **Colonel ROPNER** asked the Minister of Agriculture whether he will consider the desirability of issuing an explanatory memorandum with regard to the present agricultural policy of the Government as it affects particular products, and setting out as clearly as possible the nature of existing marketing schemes?

Mr. ELLIOT: I shall be happy to bear in mind my hon. and gallant Friend's suggestion. Statements of the Government's policy regarding milk and livestock respectively were made in two White Papers (Cmd. 4519 and 4651) presented to Parliament last year, copies of which I am sending to my hon. and gallant Friend. A comprehensive statement of the nature of the existing marketing schemes will be found in the annual report under Section 10 of the Agricultural Marketing Act, 1931, which my right hon. Friend the Secretary of State for Scotland and I hope to lay before Parliament shortly.

Mr. JOHN WILMOT: Will the Minister, in giving this information to the House, append to it a statement of the financial commitments and the effect on the price of the product?

Mr. ELLIOT: All the requirements which were laid down in the Act of 1931, which was passed by a Government supported by hon. Members on the other side of the House, will be scrupulously fulfilled.

CATTLE DISEASES.

47. **Lieut.-Colonel MOORE** asked the Minister of Agriculture whether he is aware of the anxiety among breeders of Ayrshire cattle with regard to the continued importation into this country of cattle which are not subjected on landing to either the tuberculin test or the agglutination test for contagious abortion, and without any guarantee that they are free from contagious mammitis; and whether he proposes to take any steps to deal with this matter?

The MINISTER of AGRICULTURE (Mr. Elliot): I have received representations, to the effect stated in the first part of the question, from the Ayrshire Cattle Herd Book Society and other Scottish societies, and I understand that the Scottish Agricultural Advisory Committee are now considering the whole matter. As at present advised, however, I doubt whether any useful purpose would be served by requiring the tests or guarantee suggested. Apart from the point that the absence of reaction to a single test would not necessarily indicate freedom from disease, there is no reason to believe that the diseases mentioned are more prevalent among imported cattle than in native stock in this country.

MILK.

49. **Colonel ROPNER** asked the Minister of Agriculture the nature of the steps to be taken by the Milk Marketing Board during the current year to increase the consumption of liquid milk in this country?

Mr. ELLIOT: The main step taken by the Milk Marketing Board to increase the consumption of liquid milk in this country is the milk-in-schools scheme, details of which were laid before the House in September last. A further step

[Mr. Elliot.]
is the initiation of a scientifically controlled experiment in selected schools and approved centres designed to demonstrate the nutritional value of milk. I hope shortly to be in a position to give the House particulars of this interesting development. A third step which the Milk Marketing Board are contemplating is a general publicity campaign in favour of liquid milk consumption, which will take place in the early spring. Particulars of this campaign will also be laid before the House in due course.

Mr. de ROTHSCHILD: As regards milk for schools, is the Minister aware that, instead of Grade A T.T. liquid milk being provided, what is provided at the present time is pasteurised milk, in most cases old milk, manufactured by dairies, and is not the liquid milk which the children are supposed to get?

Mr. ELLIOT: Any milk for schools is supplied under the authority and responsibility of the medical officers of health concerned, and it would be quite wrong for me to cast any aspersions on the competence of those officers.

Mr. de ROTHSCHILD: Is the Minister aware that the circulars which the Ministry of Health and the Board of Education have issued to schools have asked them to use pasteurised milk without inspecting it; and is he aware that pasteurised milk is often milk that has been kept for several months and is not fresh milk, whereas the farmers are prepared to provide fresh milk for these schools?

Mr. ELLIOT: It is clear that such representations should be addressed to the county authorities and the education authorities concerned. It would, as I have said, be quite wrong for me to reflect upon the professional competence of the medical officers in question.

DISTRIBUTION.

51. **Mr. ORR-EWING** asked the Minister of Agriculture what steps he is taking to carry out the recommendations appearing on pages 85 and 86 of the report of the reorganisation commission for fat stock, and page 150 of the report of the reorganisation commission for eggs and poultry, that immediate investigation should be made of the mechanism of distribution, including a scientific analysis of demand for both product and service in selected food trades?

Mr. ELLIOT: In so far as the recommendations referred to by my hon. Friend relate to a census of distribution, I would refer him to the reply given yesterday by my hon. Friend the Parliamentary Secretary to the Board of Trade to the hon. Member for Caerphilly (Mr. Morgan Jones). On the broader question, I would add that the orange books on marketing which are being issued by the Ministry from time to time contain useful data with regard to the mechanism of distribution. The marketing boards are giving close attention to the demand side of their problem, while the field of distribution has been expressly brought within the purview of the recently appointed Milk Reorganisation Commission.

INDUSTRIAL INSURANCE.

43. **Mr. H. JOHNSTONE** asked the Chancellor of the Exchequer whether it is the intention of the Government to introduce legislation to implement the recommendations of the report of the Committee on Industrial Insurance?

Mr. CHAMBERLAIN: There is no possibility of time being found for legislation on this subject in the present Session of Parliament.

Mr. JOHNSTONE: Is the right hon. Gentleman aware that nearly a year ago the Financial Secretary to the Treasury said that legislation on this subject was under the most active consideration of the Government at that time, and does he not consider that the situation revealed by the report shows the urgency of doing something to check it?

Mr. CHAMBERLAIN: Yes, Sir, it is quite true that the subject was under active consideration, but I very much regret that it is not possible, in consideration of the time at our disposal, to deal with the matter in the present Session.

Sir P. HARRIS: Could not this matter be dealt with as a non-controversial issue and sent to a Standing Committee?

Mr. CHAMBERLAIN: I am not sure that the matter would be considered non-controversial.

TRADE AND COMMERCE.

MOTOR CARS (IMPORTS).

44. **Captain STRICKLAND** asked the Chancellor of the Exchequer what has been the percentage increase in the imports of foreign-manufactured private motor cars as between the years 1932, 1933 and 1934; what percentage increase there has been in those cars in the month of January, 1935, over January, 1932 and 1933; and whether he proposes to take any fresh steps to deal with this loss of potential employment to British workers?

Mr. CHAMBERLAIN: The percentage increase in the numbers of private motor cars imported from foreign countries during the year 1933, as compared with the corresponding imports in 1932, was 19 per cent., and the corresponding increase in 1934 as compared with 1933 was 256 per cent. The percentage increases in the imports of these goods during the month of January, 1935, as compared with imports during January, 1932, and January, 1933, were 1,798 per cent. and 463 per cent. respectively. Though these figures appear large when expressed as percentages, it must be remembered that total imports are very small when compared with British production. In the year ended the 30th September, 1934, for instance, the total number of cars imported was 9,145, whereas the number of cars and chassis produced in the United Kingdom was 256,866. As regards the last part of the question, the import duty on motor cars, in common with other Budget duties, will come up for review before the Budget, but I would point out that this duty is already at the rate of 33⅓ per cent. ad valorem.

Captain STRICKLAND: Is the Chancellor satisfied that every step has been taken by the Government to meet this menace to the motor car trade, which is growing month by month and is throwing out of work a lot of people who might be engaged in the industry?

Mr. CHAMBERLAIN: I do not think it can be said that the import of foreign motor cars has yet reached a point where it is a menace to the production of British cars.

Sir HERBERT SAMUEL: Does not the Chancellor of the Exchequer consider that this question and answer are a good illustration of the great danger of the use of percentage figures in this controversy?

Mr. CHAMBERLAIN: My answer is designed to bring out that point.

Mr. GEORGE GRIFFITHS: Is it not a fact that the majority of these 9,000 foreign motor cars were bought by miners?

TRAMP SHIPPING (SUBSIDY).

52. **Lieut.-Colonel MOORE** asked the President of the Board of Trade whether the Tramp Shipping Committee responsible for the distribution of subsidies will have instructions only to give subsidies in respect of those ships on which wages are paid in accordance with the standard of the National Maritime Board and where a reasonable proportion of British officers and men are borne?

The PARLIAMENTARY SECRETARY to the BOARD of TRADE (Dr. Burgin): The duties of the Tramp Shipping Subsidy Committee are defined in the British Shipping (Assistance) Act, 1935. The position as regards the specific matters to which my hon. and gallant Friend refers was fully explained during the debates on the Bill.

Mr. WEST: Does not the hon. Gentleman realise that there are scores of shipowners who, under this Clause, will be given a subsidy although they are employing 20 per cent. and more of cheap coloured sailors?

Commander MARSDEN: Is it not a fact that, in the ships which are particularly interested in this subsidy, the percentage of British officers and men is very high indeed; and would the Parliamentary Secretary now give the figures for the benefit of the House?

Dr. BURGIN: The percentage of British officers and men is certainly very high, but what is much more important than that is that the Chairman of the British Tramp Shipping Subsidy Committee, in the circular of the 31st January, 1935, issued to shipowners in respect of this very matter, has called attention to the fact that a recommendation for the grant of a subsidy would not be forthcoming in the case of an owner who did not pay the National Maritime Board wages where applicable. The actual sentence is that the President of the Board

[Dr. Burgin.]
of Trade had intimated that he had been assured, from such consultations as he had had in conference, that a subsidy would not be granted in those circumstances. The matter has been fully ventilated, and the Tramp Shipping Subsidy Committee know their duty.

Dr. ADDISON: Is it not a fact that the scales of the National Maritime Board are not applicable when the seamen employed are not British seamen?

Dr. BURGIN: That, really, is quite another point.

Dr. ADDISON: No. The hon. Gentleman's answer just now contained the words "where applicable," and I ask him, in respect of those words, whether it is not a fact that the findings of the National Maritime Board are not applicable to the employment of seamen who are not British subjects?

Dr. BURGIN: It is quite clear that the National Maritime Board regulations do not apply to crews signed on outside this country.

Mr. WEST: Does the hon. Gentleman realise that 99 per cent. of these men are not British?

CANADA (WIRE ROPE DUTY).

53, 54 and 55. **Colonel GOODMAN** asked the President of the Board of Trade, (1) whether he is aware of the proposal of the commissioner of tariffs, Ottawa, to amend tariff item 411A of the Canadian tariff by the elimination of wire rope from the provisions of the item, the effect of which will be to remove the rebate on wire rope imported from the United Kingdom and used for certain logging operations in Canada; and, as the importation into Canada of wire rope for logging is almost entirely confined to the United Kingdom, whether he proposes to make representations on the matter;

(2) whether, in view of the great increase in the quantities of lumber exported from British Columbia to the United Kingdom since 1929, he will, in the interests of reciprocal trade, make representations to the Canadian Government against the proposed amendment to the Canadian tariff respecting wire ropes exported from the United Kingdom and used for logging purposes;

(3) whether, when considering the protests of the Canadian Government regarding the Russian timber situation, he will have in mind the proposed amendment to the Canadian tariff, the effect of which will be to remove the rebate on wire ropes imported from the United Kingdom for certain logging purposes?

Lieut.-Colonel J. COLVILLE (Secretary, Overseas Trade Department): I have no official information regarding the proposal in question, but I am making inquiries and will communicate the result to my hon. and gallant Friend.

GLOVES (IMPORTS).

56. **Mr. CAPORN** asked the President of the Board of Trade whether he is aware that the imports of gloves, leather and fabric, increased from 1,100,000 dozen pairs in 1932 to over 1,600,000 dozen pairs in 1934; and whether he can give any estimate of the number of persons who might have been employed if the 1,600,000 dozen gloves, including the fabric in the case of fabric gloves, had been manufactured in this country?

Dr. BURGIN: The figures given by my hon. Friend in the first part of the question are substantially correct. As the imports of these commodities are of a varied character, the second part of the question could only be answered on the basis of arbitrary assumptions.

Mr. RADFORD: Is the Parliamentary Secretary aware that by far the greater part of the yarn from which these fabric gloves are made is made in Lancashire; and will he be very slow to do anything further to hamper Lancashire?

BUILDERS' WOODWORK (IMPORTS).

57. **Mr. CAPORN** asked the President of the Board of Trade whether he can give particulars of the various articles included to the value of £1,164,832 under the heading Builders' Woodwork in the account relating to Trade and Navigation of the United Kingdom for the year 1934?

Dr. BURGIN: Builders' woodwork is classified in the official import and export list under the headings of doors, hardwood flooring blocks, strips and sections, and other builders' woodwork. The last heading includes such goods as window and door frames, mantelpieces, staircases, picture rails, and gates.

Mr. CAPORN: As the use of these articles will be largely increased as a result of the Government's housing policy, will the Board of Trade take such steps as they can to see that they are made by British labour?

SPAIN (BRITISH MOTOR CARS).

58. **Lieut.-Commander TUFNELL** asked the President of the Board of Trade whether his attention has been called to the fact that the Spanish Government have, without notice, suppressed the 35 per cent. rebate of custom duties hitherto given to British motor cars imported into Spain; and whether, in view of the hardship caused by this action to the British motor industry, he will take steps to secure the immediate imposition of a special duty on Spanish oranges, to continue until satisfactory arrangements have been reached with regard to the motor car tariff?

Lieut.-Colonel COLVILLE: I am aware that the Spanish Government has cancelled the decree under which a 35 per cent. rebate of duty was granted to motor cars imported from France and the United Kingdom. No discrimination against this country is involved in this cancellation. The question of the treatment of United Kingdom cars in Spain will be borne in mind in connection with the commercial negotiations which are in contemplation with Spain.

RUSSIAN TIMBER.

60. **Major-General Sir ALFRED KNOX** asked the President of the Board of Trade what steps he proposes to take to check the re-export of Russian timber to the United Kingdom through Finland, in view of the fact that Finnish imports of Russian sawn soft wood in 1934 exceeded by over 100 per cent. those of 1932, and the repeated comments of the Finnish Press on the re-export of this timber to Great Britain?

Dr. BURGIN: I would refer to the reply I gave on the 4th February to the hon. Member for South Kensington (Sir W. Davison).

Sir A. KNOX: In view of the figures I have given, will not the hon. Gentleman reconsider his reply?

Dr. BURGIN: This suggestion that Russian timber is improperly re-exported by Finland has been examined over and over again, and particular inquiries have been made, as the result of which I gave the answer to which I have referred.

Viscountess ASTOR: Is it not true that shipping has improved since we have had a better understanding with Russia?

Dr. BURGIN: That is so.

Viscountess ASTOR: Tell the House, then.

61. **Sir A. KNOX** asked the President of the Board of Trade why the Accounts for Trade and Navigation for 1934 issued by his Department show a total of 381,000 standards of timber shipped from Russia to the United Kingdom in 1934, whereas, in a letter of the 23rd January, 1934, the Canadian Government was informed that the maximum quantity of imported Russian timber would be 350,000 standards?

Dr. BURGIN: The contract between the White Sea Timber Trust and Timber Distributors, Limited, for 1934 provided for the importation of a maximum quantity of 350,000 standards of sawn soft wood. I understand that this quantity was exceeded by 4,595 standards or slightly more than 1 per cent.; the remainder of the 381,000 standards shown in the Trade and Navigation Accounts as "Sawn soft timber other than planed or dressed," consists of miscellaneous timber not covered by the contract.

TRADE UNION FUNDS.

46. **Lieut.-Colonel MOORE** asked the Financial Secretary to the Treasury whether his attention has been called to the fact that many trade unions have recently reported an increase in their funds as a result of successful speculation in stock exchange securities; and whether he will consider the desirability of introducing legislation to control such speculation on the part of trade unions?

The FINANCIAL SECRETARY to the TREASURY (Mr. Duff Cooper): The answer to the first part of the question is in the negative. The second part does not therefore arise.

Lieut.-Colonel MOORE: If I give my hon. Friend actual information on this point, will he be prepared to consider it?

Mr. COOPER *indicated assent.*

GENERAL THEATRE CORPORATION, LIMITED.

59. **Mr. DORAN** asked the President of the Board of Trade whether he has considered the communication sent to him by the hon. Member for North Tottenham (Mr. Doran) relative to the proposed reconstruction of General Theatre Corporation, Limited; and, in view of the consequent losses to the shareholders, whether he has any statement to make?

Dr. BURGIN: My right hon. Friend has received the particulars regarding a scheme of arrangement under Section 153 of the Companies Act, 1929, relating to General Theatre Corporation, Limited, which my hon. Friend has sent to him, but the matter is before the court, and he has no statement to make.

Mr. DORAN: Can the hon. Gentleman tell me on whose authority this company is being wound up?

Dr. BURGIN: I think the hon. Member has misunderstood me. It is not a question of winding up, but of a scheme for reconstruction under Section 153, and the matter is *sub judice*.

COAL INDUSTRY.

FIRE-DAMP IGNITION (EXPERIMENTS).

62. **Mr. DAVID DAVIES** asked the Secretary for Mines what experiments have been conducted by the Safety-in-Mines Research Board in connection with adiabatic compression ignition of fire-damp; whether the results of such experiments have been published; and, if not, is it the intention of the board to publish them in the near future?

The SECRETARY for MINES (Mr. Ernest Brown): Two principal series of experiments on the ignition of fire-damp air mixtures by adiabatic compression are being carried out by the Safety-in-Mines Research Board, the one series dealing with ignition by the sudden and simultaneous compression of a considerable volume of the mixture, and the other series dealing with the possibility of ignition by the rapid passage through the mixture of a compression-wave, such as is produced when an explosive is fired. An account of the first series of experiments was published in a paper read before the Midland Institute of Mining Engineers on 7th February—I will send the hon. Member a copy. The second series of experiments is not yet completed.

Mr. DAVIES: In view of the importance of these experiments, it is not advisable that the public should know about them, possibly through a publication from the Safety-in-Mines Research Department?

Mr. BROWN: I will send the hon. Member a copy of Dr. Wheeler's admirable paper, and perhaps he will consult with me when he has read it.

Mr. LAWSON: For the information of the House, will the hon. Gentleman say whether we can take his reply as indicating that there is now a possibility of shot-firing being carried out without causing a flame?

Mr. BROWN: There is another question on that subject.

EXPLOSION, BILSTHORP.

63. **Mr. D. DAVIES** asked the Secretary for Mines whether his attention has been directed to the report of the Bilsthorp inquiry in which the comissioner concludes that the explosion resulted from an ignition of fire-damp by the firing of a shot; and whether the experts of the Safety-in-Mines Research Department are of the opinion that the explosion was due to adiabatic compression of fire-damp?

Mr. E. BROWN: The answer to the first part of the question is "Yes," and to the second part that it is considered unlikely. So far, in the experimental work, no ignition has been obtained by the passage of compression waves through firedamp-air mixtures, and though ignition can be obtained experimentally by the sudden and simultaneous compression of a considerable volume of mixture, it is considered that the conditions necessary to produce ignition in this way are unlikely to occur in shot-firing practice.

GRESFORD COLLIERY.

64. **Mr. ALED ROBERTS** asked the Secretary for Mines whether he can make a statement as to the progress made in the special training of rescue workers to undertake recovery operations at Gresford Colliery; and when these operations are likely to be commenced?

Mr. E. BROWN: The necessary intensive training has progressed satisfactorily, and yesterday the seal at the top of one of the shafts was removed by a team of men working inside the air-lock and wearing self-contained breathing apparatus. Further work to prepare for the descent of the shaft is now proceeding in a similar way and, though it is impossible to say definitely, it seems likely that a rescue team will make the first descent of the shaft in the course of next week. The work is difficult, and it is most important that it should be done quietly, with the utmost care and deliberation. I make an appeal, therefore, to the public and to the Press not to assemble about the colliery while the work is in progress, and otherwise to save those who are engaged in it from distracting influences. I give an assurance that as the work proceeds full information will be communicated to the Press for publication.

OIL EXTRACTION.

65. **Mr. T. SMITH** asked the Secretary for Mines how many gallons of oil have been produced from coal in the United Kingdom during each of the last three years and the total quantity of coal used thereby?

Mr. E. BROWN: As the answer involves a statistical statement, I propose, with the hon. Member's permission, to circulate it in the OFFICIAL REPORT.

Mr. SMITH: Will the hon. Gentleman say whether he is satisfied with the progress which has been made in this direction?

Mr. BROWN: In regard to oil including benzole there has been a rise from 39,000,000 gallons to between 55,000,000 and 56,000,000 gallons.

Following is the answer:

No official information is available, but the following quantities of oil are estimated to have been produced from coal by various processes in the last three years:

Year.	Crude benzole and other spirit.	Creosote.
	Million Gallons.	
1932	39	55
1933	49	65
1934	55/56	80

The figures for 1934 are provisional and subject to revision.

The tonnage of coal consumed in high and low temperature carbonisation processes from which the above products were obtained were:

1932	30.2 million tons.
1933	30.4 million tons.
1934	(Not yet available).

RAILWAY REQUIREMENTS (ELECTRIFICATION).

66. **Mr. NORTH** asked the Secretary for Mines whether he can give any estimate of the reduction in the quantity of coal required annually by the railway companies of this country if they were to electrify their main lines?

Mr. E. BROWN: The Committee on Main Line Electrification which reported in 1931 estimated that in the event of the electrification of the railways, the amount of coal required for the production of the necessary electricity would be about 3,650,000 tons. On the basis of present coal consumption by railway locomotives, this would represent a net reduction in coal consumption of rather more than 8 million tons.

ROYALTIES.

67. **Mr. NORTH** asked the Secretary for Mines whether he is yet in a position to state when it is proposed to introduce the measure to deal with coal-mining royalties?

Mr. E. BROWN: I have nothing to add to the answer which I gave on 12th February to a similar question by the hon. Member for Bishop Auckland (Mr. Curry), of which I am sending my hon. Friend a copy.

Mr. NORTH: Can the hon. Gentleman say when he will be able to make a further statement on this matter?

Mr. BROWN: Not yet.

KENYA.

79. **Sir ROBERT HAMILTON** asked the Secretary of State for the Colonies whether it has been finally decided where the Kenya Native Land Trust Board will sit; if it is intended that Native lands shall continue to be vested in the board; and whether officers of the Kenya Government service are to be considered eligible for appointment to the board?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): I would refer the hon. Member to the Summary of Conclusions of His Majesty's Government on the Kenya Land Commission's Report (Cmd. 4580) to which I am at present not in a position to add.

Sir R. HAMILTON: The right hon. Gentleman did not reply to the last part of the question as to the appointment of government officers on the board?

Sir P. CUNLIFFE-LISTER: I am afraid that I cannot make a statement yet, but when I am able to make a statement about the future constitution of the board I will do so.

TIN REGULATION SCHEME.

80. **Major NATHAN** asked the Secretary of State for the Colonies who are members of the Tin Producers' Association; and what are the conditions of membership and the machinery of election?

Sir P. CUNLIFFE-LISTER: The Tin Producers' Association Incorporated is registered under the Companies Act. The association is an unofficial body, and I do not think I could properly undertake to answer questions regarding its constitution or membership.

81. **Major NATHAN** asked the Secretary of State for the Colonies on whose nomination and by whose appointment Sir John Campbell, Mr. Lowinger and Mr. Thomson are members of the Malay States delegation to the International Tin Committee, and Sir F. Baddeley, Sir John Campbell and Mr. Calder members of the Nigeria delegation?

Sir P. CUNLIFFE-LISTER: Sir John Campbell, Mr. Thomson, Sir Frank Baddeley and Mr. Calder were appointed in 1931 as delegates of the Malay States and of Nigeria after consultation between Lord Passfield, the High Commissioner for the Malay States and the Governor of Nigeria. Mr. Lowinger was nominated by the High Commissioner for the Malay States to fill a vacancy which occurred in October, 1932.

Major NATHAN: Will the right hon. Gentleman say by whom the appointment was made in the case of the gentlemen first mentioned by him?

Sir P. CUNLIFFE-LISTER: I said that it was made after consultation between Lord Passfield, who was then Secretary of State in the Labour Government, the High Commissioner for the Malay States and the Governor of Nigeria.

Major NATHAN: Will the right hon. Gentleman answer the question and say by whom the appointments were made. I mean from whom the appointments emanated?

Sir P. CUNLIFFE-LISTER: The respective Governments.

Major COLFOX: Can my right hon. Friend give the names of any hon Members of this House who may be speculating in tin at the present time?

Mr. WILMOT: Is the right hon. Gentleman aware that these persons who are supposed to represent British Empire producers voted in favour of the tin buffer stock scheme against the mandate of those whom they are supposed to represent?

Sir P. CUNLIFFE-LISTER: Persons appointed by Governments to act in an official capacity to exercise their best judgment ought to exercise their best judgment.

PALESTINE (FRUIT TRAFFIC).

82. **Mr. JANNER** asked the Secretary of State for the Colonies whether he is aware that, in consequence of the inadequate supply of closed goods wagons on the Palestine railways, exporters of citrus have recently been compelled to load their fruit in open wagons; and what steps are being taken to ensure an adequate supply of covered wagons before the next citrus exporting season, in view of the fact that there will be an increased crop to handle?

Sir P. CUNLIFFE-LISTER: Attention was drawn to the shortage of covered wagons by a committee which was appointed early lasst year by the High Commissioner for Palestine to investigate traffic requirements. The committee recommended the provision of 100 additional covered wagons, inclusive of 40 already authorised for traffic in 1934-35, and the immediate purchase of these vehicles was approved.

STERLING EXCHANGE.

At end of Questions:

Mr. D. MASON: I beg to ask leave to move the adjournment of the House on a definite matter of urgent public importance, namely,

"the continuous fall in the value of the paper pound, and the declared inability of His Majesty's Government to offer any remedy to arrest its further fall."

Mr. SPEAKER: The hon. Member proposes to move the Adjournment of the House on a definite matter of urgent public importance, namely, the continuous fall in the value of the paper pound and the declared inability of His Majesty's Government to offer any remedy to arrest its further fall. I am afraid that that would hardly come under the rule of Standing Order No. 8 which deals with the Adjournment of the House. I do not think the rule was framed to deal with a matter of that kind. It can hardly be described as one of such urgency that it would come under that Standing Order. No doubt, in a certain sense, it may be described as urgent, but the hon. Member says himself that it is continuous. Therefore, I cannot accept it as a matter of urgency under Standing Order No. 8.

Mr. MASON: With all respect, may I ask when in your opinion the urgency will become urgent? When the paper pound is worth five shillings or, like the mark, valueless, should I then be in order in moving the Adjournment as a matter of urgency?

Mr. LANSBURY: I should like you, Mr. Speaker, to reconsider the matter in view of the fact that, although the fall may have been continuous, it may have reached such a point now that it is necessary for Parliament to take action. May I remind you that previous to the last General Election, and since, the right hon. Gentleman opposite and the Government have always maintained that this was a subject which they were called into being to deal with. Seeing that they have an overwhelming majority and can do what they please, is it not time that they did the job that they were elected to do?

Mr. SPEAKER: I am hardly qualified to give the right hon. Gentleman an answer. As regards the question of urgency, I do not dispute that it is urgent, but it is not one of those subjects that come under Standing Order No. 8. It might just as well be dealt with to-morrow as to-day.

Mr. LANSBURY: But we are not sure about to-morrow. We can only deal with it now. May I remind you that so great is the emergency that the Prime Minister has carried round bundles of German marks in order to demonstrate the terrible plight that the country would be in if we got into this position.

Mr. LAMBERT: Could not this question be raised by the Opposition on Monday on the Vote on Account?

Sir H. SAMUEL: May I ask, through you, Mr. Speaker, whether the Chancellor of the Exchequer would consider making some statement on this matter which would be of a reassuring character?

Mr. SPEAKER: Of course, the subject could be raised on Monday on the Vote on Account. That is another reason why it cannot be taken under Standing Order No. 8.

BUSINESS OF THE HOUSE.

Mr. LANSBURY: May I ask the right hon. Gentleman the Lord President of the Council the business for next week, and also, in order to save time, the object of the proposal to suspend the 11 o'clock Rule.

Mr. BALDWIN: If I may answer the latter question first, the answer is a straight one. It is solely for the purpose of making a little more progress with the Government of India Bill. It is not proposed to sit late, but very often an extra half-hour makes a little difference, and we are rather behind the point we had hoped to reach.

The business for next week is as follows:

Monday: 1st allotted Supply day, Civil and Revenue Departments Vote on Account, Committee stage, Debate on Unemployment.

Tuesday and Wednesday: Government of India Bill, Committe stage.

Thursday: 2nd allotted Supply day, Civil and Revenue Departments Vote on Account, Report stage. There will be a Debate on the operations in the commodity markets.

The business for Friday will be announced later. On any day, if there is time, other Orders will be taken.

Mr. LANSBURY: On the question of suspending the Rule to-night, I should like to ask the Lord President whether it is to be a regular sort of proposition, and also to be assured that we are not to be asked to sit late this evening. As far as the official Opposition is concerned, I do not think that there has been any waste of time. The right hon. Gentleman should discipline his friends in this matter and not keep the House sitting late. I am not suggesting at all that they are wasting time, but, if there is any time being wasted, the right hon. Gentleman should deal with those of his own family.

Mr. BALDWIN: Members of our own family usually are very difficult to deal with, but I certainly hope that it will be a rare occurrence to suspend the Eleven o'Clock Rule on this particular business. With regard to the second question, I can only say that it is not our intention to sit late.

Mr. CHURCHILL: Has my right hon. Friend formed any idea of the point it is intended to reach in the discussion to-night?

Viscountess ASTOR: Will it not depend upon the length of the speeches?

Mr. CHURCHILL: It will depend upon the importance of the discussion.

Mr. BALDWIN: I have never attempted to lay down any point. It is impossible to do so. It will be necessary to see if good progress is being made.

Mr. CHURCHILL: May I draw the attention of my right hon. Friend to the fact that on Clause 13 the very important question of the Instrument of Instructions comes under discussion, and it will be very difficult to dispose of that unless we are to sit very late, which, I am very glad to hear, there is no intention of doing.

Mr. BALDWIN: There is no intention of doing that.

Mr. PALING: Was there not some understanding by a Committee which considered the Committee stage, that, in view of the agreement made, it would not be necessary to sit late or to suspend the Eleven o'Clock Rule?

Mr. BALDWIN: I was not at the discussions myself, but I think there will be general agreement that we are a little behind the position at which we ought to have been by now. Therefore, I am afraid that to-night it is necessary to suspend the Eleven o'Clock Rule, and I hope that it will facilitate procedure.

Motion made, and Question put,

"That the Proceedings on Government Business be exempted, at this day's Sitting, from the provisions of the Standing Order (Sittings of the House)."—[*The Prime Minister.*]

The House divided: Ayes, 251; Noes, 34.

Division No. 66.] **AYES.** **[3.55 p.m.**

Acland-Troyte, Lieut.-Colonel	Cayzer, Maj. Sir H. R. (Prtsmth., S.)	Elliot, Rt. Hon. Walter
Albery, Irving James	Chamberlain, Rt.Hn.Sir J.A.(Birm.,W.)	Ellis, Sir R. Geoffrey
Allen, Sir J. Sandeman (Liverp'l, W.)	Chamberlain, Rt. Hon. N.(Edgbaston)	Elmley, Viscount
Allen, Lt.-Col. J. Sandeman (B'k'nh'd.)	Chapman, Sir Samuel (Edinburgh, S.)	Emmott, Charles E. G. C.
Anstruther-Gray, W. J.	Churchill, Rt. Hon. Winston Spencer	Emrys-Evans, P. V.
Apsley, Lord	Cobb, Sir Cyril	Everard, W. Lindsay
Astor, Viscountess (Plymouth, Sutton)	Cochrane, Commander Hon. A. D.	Fielden, Edward Brocklehurst
Atholl, Duchess of	Colfox, Major William Philip	Foot, Dingle (Dundee)
Bailey, Eric Alfred George	Colville, Lieut.-Colonel J.	Foot, Isaac (Cornwall, Bodmin)
Baldwin, Rt. Hon. Stanley	Cooke, Douglas	Fox, Sir Gifford
Barclay-Harvey, C. M.	Cooper, A. Duff	Fraser, Captain Sir Ian
Beauchamp, Sir Brograve Campbell	Courtauld, Major John Sewell	Fuller, Captain A. G.
Belt, Sir Alfred L.	Craddock, Sir Reginald Henry	Ganzoni, Sir John
Benn, Sir Arthur Shirley	Cranborne, Viscount	Gault, Lieut.-Col. A. Hamilton
Bennett, Capt. Sir Ernest Nathaniel	Croft, Brigadier-General Sir H.	Gillett, Sir George Masterman
Blindell, James	Crooke, J. Smedley	Gilmour, Lt.-Col. Rt. Hon. Sir John
Bossom, A. C.	Crookshank, Capt. H. C. (Gainsb'ro)	Gledhill, Gilbert
Bowyer, Capt. Sir George E. W.	Davidson, Rt. Hon. J. C. C.	Glossop, C. W. H.
Broadbent, Colonel John	Davies, Maj. Geo. F.(Somerset, Yeovil)	Gluckstein, Louis Halle
Brocklebank, C. E. R.	Davison, Sir William Henry	Goff, Sir Park
Brown, Ernest (Leith)	Dawson, Sir Philip	Goodman, Colonel Albert W.
Brown, Brig.-Gen. H. C. (Berks., Newb'y)	Denman, Hon. R. D.	Grattan-Doyle, Sir Nicholas
Buchan-Hepburn, P. G. T.	Dickie, John P.	Grigg, Sir Edward
Burgin, Dr. Edward Leslie	Donner, P. W.	Grimston, R. V.
Burnett, John George	Doran, Edward	Guy, J. C. Morrison
Butler, Richard Austen	Duggdale, Captain Thomas Lionel	Hacking, Rt. Hon. Douglas H.
Cadogan, Hon. Edward	Duncan, James A. L. (Kensington, N.)	Hamilton, Sir George (Ilford)
Caporn, Arthur Cecil	Dunglass, Lord	Hamilton, Sir R. W.(Orkney & Zetl'nd)
Castlereagh, Viscount	Eady, George H.	Harris, Sir Percy
Cautley, Sir Henry S.	Eden, Rt. Hon. Anthony	Harvey, Major Sir Samuel (Totnes)

Haslam, Henry (Horncastle)
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hore-Belisha, Leslie
Hornby, Frank
Horobin, Ian M.
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hutchison, W. D. (Essex, Romford)
Inskip, Rt. Hon. Sir Thomas W. H.
James, Wing-Com. A. W. H.
Janner, Barnett
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Johnstone, Harcourt (S. Shields)
Jones, Lewis (Swansea, West)
Kerr, Hamilton W.
Kirkpatrick, William M.
Knox, Sir Alfred
Lambert, Rt. Hon. George
Leckie, J. A.
Leech, Dr. J. W.
Lennox-Boyd, A. T.
Levy, Thomas
Lewis, Oswald
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Lloyd, Geoffrey
Locker-Lampson, Rt. Hn. G. (Wd. Gr'n)
Loder, Captain J. de Vere
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Dr. W. H. (Tradeston)
Macpherson, Rt. Hon. Sir Ian
Magnay, Thomas
Makins, Brigadier-General Ernest
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Mitchell, Sir W. Lane (Streatham)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Moss, Captain H. J.
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Normand, Rt. Hon. Wilfrid
North, Edward T.
Nunn, William
Oman, Sir Charles William C
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Petherick, M.
Pickthorn, K. W. M.
Potter, John
Pownall, Sir Assheton
Procter, Major Henry Adam
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay T. B. W. (Western Isles)
Rankin, Robert
Rathbone, Eleanor
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, Capt. A. Cunningham-
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Roberts, Aled (Wrexham)
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Runciman-Brise, Colonel Sir Edward
Russell, Alexander West (Tynemouth)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Scone, Lord
Shaw, Helen B. (Lanark, Bothwell)
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Skelton, Archibald Noel
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Soper, Richard
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'moriand)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Taylor, Vice-Admiral E. A. (P'dd'gt'n, S.)
Templeton, William P.
Thomas, Rt. Hon. J. H. (Derby)
Thomas, James P. L. (Hereford)
Thorp, Linton Theodore
Titchfield, Major the Marquess of
Todd, A. L. S. (Kingswinford)
Touche, Gordon Cosmo
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wells, Sydney Richard
White, Henry Graham
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Willoughby de Eresby, Lord
Wise, Alfred R.
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE AYES.—Sir Frederick Thomson and Sir George Penny.

NOES.

Addison, Rt. Hon. Dr. Christopher
Banfield, John William
Batey, Joseph
Brown, C. W. E. (Notts., Mansfield)
Cape, Thomas
Cleary, J. J.
Cove, William G.
Cripps, Sir Stafford
Davies, David L. (Pontypridd)
George, Megan A. Lloyd (Anglesea)
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Lawson, John James
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Mainwaring, William Henry
Nathan, Major H. L.
Paling, Wilfred
Parkinson, John Allen
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Thorne, William James
Tinker, John Joseph
Wedgwood, Rt. Hon. Josiah
West, F. R.
Williams, Edward John (Ogmore)
Wilmot, John

TELLERS FOR THE NOES.—Mr. John and Mr. Groves.

SELECTION (STANDING COMMITTEES).

STANDING COMMITTEE B.

Mr. William Nicholson reported from the Committee of Selection; That they had discharged the following Member from Standing Committee B: Lord Burghley; and had appointed in substitution: Mr. Hutchison.

STANDING COMMITTEE C.

Mr. William Nicholson further reported from the Committee; That they had discharged the following Member from Standing Committee C: Mr. Flanagan; and had appointed in substitution: Sir Richard Meller.

Reports to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to make provision as to the disposition of certain regimental charitable funds." [Regimental Charitable Funds Bill [*Lords.*]

WRITTEN ANSWERS.

UNEMPLOYMENT (STATISTICS).

Mr. THORNE asked the Minister of Labour the cause of the delay of the umpire's decision in the case of C. Gorman, Case No. E. 11,723, which was heard on 10th October, 1934, and the decision of the umpire given on 20th February, 1935; if he is aware that there are many cases in which decisions are delayed over a period of months; and whether immediate investigations will be made into the causes of delay?

Mr. STANLEY: The appeal to the umpire in this case was lodged by the claimant's association on 16th November. The subsequent period which elapsed before the umpire gave his decision was due in the main to necessary inquiries. In a small minority of cases some delay is unavoidable, but I am satisfied that there is no unnecessary delay in dealing with cases. It was stated yesterday, in reply to the hon. Member for Birkenhead, East (Mr. White) that out of a total of 494 cases awaiting decision by the umpire on 22nd February, only 50 were more than a month old.

Mr. PEAKE asked the Minister of Labour the number of ex-service clerks in receipt of unemployment or transitional benefit for the Leeds district on 1st February, 1935?

Mr. STANLEY: I regret that the statistics of persons in receipt of unemployment benefit and transitional payments respectively are not compiled on a basis which would enable me to give the information desired.

ROYAL IRISH CONSTABULARY PENSIONERS.

Sir W. ALLEN asked the Chancellor of the Exchequer whether he will furnish a statement of the number of pre-war pensioners of the Royal Irish Constabulary and other classes, and the total amount paid annually under the heading of each class; and will he state also the nature of the means test applicable to such pensions by which these pensions are either reduced or by which some pensioners are entirely deprived of the pensions due to them?

Mr. CHAMBERLAIN: By "pre-war pensioners" I assume that my hon. Friend means pensioners who are eligible, under the Pensions Increase Acts, 1920 and 1924, and the analogous Army Warrants and Admiralty Orders in Council, for the increase of pensions previously granted on the pre-war scale. In the case of the Royal Irish Constabulary the Acts apply in effect to pensions granted before 1st April, 1919. For Royal Irish Constabulary pensioners who retired before that date, the figures which I presume that my hon. Friend desires are as follow:

—	Number of Pensioners.	Annual cost of Original Pensions.	Annual cost of Pensions Increase.	Total annual cost.
		£	£	£
Not in receipt of pension increase	424	25,049	—	25,049
In receipt of pension increase ...	2,599	115,962	64,880	180,842
Total	3,023	141,011	64,880	205,891

Similar information is not available for other classes of pensioners, and could not be obtained without a disproportionate expenditure of time and labour. As regards the last part of the question, it is a statutory condition for the increase of pensions under the Pensions Increase Acts that the pensioner must satisfy the pension authority that his means, including his pension, are less than £150 a year, if unmarried, or £200 a year, if married. This condition does

not affect the original pension, but operates only in regard to increase of pension.

ENTERTAINMENTS DUTY.

Miss CAZALET asked the Chancellor of the Exchequer whether, in view of the improved state of our finances, he will consider the possibility of removing the emergency Entertainments Duty imposed in 1931 on the cheaper seats in cinemas and theatres?

Mr. CHAMBERLAIN: My hon. Friend will not expect me to anticipate the Budget statement.

OLD AGE PENSIONS.

Sir G. JONES asked the Chancellor of the Exchequer the approximate annual cost of granting pensions to all persons on attaining 60 years of age?

Mr. COOPER: The approximate annual cost at the present time of granting pensions at the rate of 10s. a week to all persons aged over 60 years would be £149,000,000, including existing pensions.

PALESTINE.

CITIZENSHIP.

Colonel WEDGWOOD asked the Secretary of State for the Colonies whether other revisionists besides Achi Mayr have been deprived of Palestinian citizenship; and, if so, on what grounds?

Sir P. CUNLIFFE-LISTER: I have no official information on this subject; but I will write and inquire of the High Commissioner.

PORT AND RAILWAY FACILITIES.

Mr. JANNER asked the Secretary of State for the Colonies whether he is aware of the difficulties which face the trade of Palestine, and particularly the export of citrus fruit, as a consequence of the inadequate facilities provided at Jaffa; that this town has neither port nor storage space; that the stores now being built there will be insufficient to deal with the increased citrus exports which are bound to arise within the next few years; and what action is contemplated to remedy this matter?

Sir P. CUNLIFFE-LISTER: The need for the improvement of port facilities at Jaffa was fully appreciated by the Palestine Government, and work was begun over a year ago on an improvement scheme which will greatly increase the capacity and convenience of the port and the amount of storage space. It is hoped that the work will be completed by the middle of January, 1936.

Captain STRICKLAND asked the Secretary of State for the Colonies whether he is aware that, owing to the fact that the loading sheds at the railway stations of Hadera, Rehovot, and Petah Tiqvah were not completed until after the heavy rains which occurred in January, many thousands of boxes of Palestine citrus fruit were spoiled by rain and mud; and whether he can give an assurance that adequate facilities will be provided at the various Palestine stations concerned before next winter?

Sir P. CUNLIFFE-LISTER: This matter was considered last year by a committee which was appointed by the High Commissioner for Palestine for the purpose of investigating traffic requirements. The committee recommended that the Government should construct orange storage sheds at the main centres, charging a storage fee sufficient to reimburse the capital cost and annual charges, and that the larger citrus growers should be encouraged to provide their own sheds and to connect these sheds by private sidings to the railway. Following a recommendation of the committee, approval was given for increasing by 50 per cent. the size of the sheds which had already been built or were to be built at Petah Tiqvah, Rehovot and Hadera, and for the construction of sheds at Jaffa and Tel-Aviv. I have no recent reports on this matter, but I am sure that the Palestine Government will endeavour to provide accommodation to the extent recommended by the committee at the earliest possible date.

ANTIGUA (ADMINISTRATION, COST).

Mr. T. MORRIS asked the Secretary of State for the Colonies whether his attention has been called to the serious position of Antigua, where the local view is that the cost of Government is excessive; and whether he can state the other British Colonies which find them-

selves in a state of financial embarrassment, and in which the same cause is alleged?

Sir P. CUNLIFFE-LISTER: I have received from the Governor of the Leeward Islands a petition from certain unofficial members of the Legislative Council and members of the public in Antigua regarding the cost of administration, and this will receive my consideration. As regards the second part of the question, most of the Colonies have been passing through a period of financial difficulty, and the Governments have shown themselves to be fully alive to the necessity of economising in administration; I think I can say with confidence that this is generally appreciated by responsible public opinion.

RHODESIA (LOCUSTS).

Mr. LEWIS asked the Secretary of State for Dominion Affairs whether he has received any reports as to the result of spraying arsenic dust from aeroplanes for the destruction of locusts in Southern Rhodesia and, in particular, as to whether this experiment has proved harmful to domestic cattle or to wild animals in the area in which it has been tried?

Mr. THOMAS: I understand that experiments designed to destroy locusts in flight by spraying them with finely divided arsenic dust from aeroplanes were carried out in Northern and Southern Rhodesia last summer by the Government of the former territory with the assistance of a grant from the Colonial Development Fund. The report on these experiments is contained in Appendix VIII of the Proceedings of the Third International Locust Conference held in London in September, 1934, which have been presented to Parliament as a Command Paper (Cmd. 4725). As regards the scond part of the question, no report has been received from the Government of Southern Rhodesia that these experiments had any harmful effect on domestic cattle or wild animals, though I understand that in three small areas damage was done to forest vegetation I gather that it is believed that in the light of the experience gained in the course of these experiments it will be possible to develop this method of attacking locusts in such a way as to eliminate risk to domestic or wild animals, provided that it is carried out with due precautions, and under proper control. I am informed that the possibility of devising alternative methods of poisoning locusts is under careful consideration.

BOLIVIA (SUPPLY OF ARMS).

Lord APSLEY asked the Secretary of State for Foreign Affairs whether he has any information as to whether arms have been and are being imported into Bolivia since the raising of the embargo?

Mr. EDEN: I regret that I am not in a position to provide details, but I think that it must be assumed that arms are now being consigned to Bolivia from the countries which have raised the prohibition so far as Bolivia is concerned.

LEAGUE OF NATIONS (ARMS TRAFFIC).

Mr. MANDER asked the Secretary of State for Foreign Affairs what steps have been taken with reference to the recommendation of the Chaco Advisory Committee of the League of Nations that the embargo, in so far as it is still enforced, should supplement the measures already adopted by the prohibition of the re-export or through transit of war material, and should not authorise the export of war material except to governments or properly accredited agents of governments?

Mr. EDEN: The reply which should be returned to the further recommendations of the League Advisory Committee referred to by the hon. Member is still under consideration by His Majesty's Government. I might explain, however, that a prohibition of the re-export of arms is already included in the embargo which is being enforced by His Majesty's Government, and further that it is their normal practice only to issue licences for the export of war material to governments or to the accredited agents thereof.

Mr. MANDER asked the Secretary of State for Foreign Affairs whether it is proposed to maintain, at the Traffic in Arms Commission at Geneva, the British opposition to the American plan for international inspection of armament factories and the setting up of a permanent disarmament commission, in view of the serious effect this may have on the possibilities of agreement?

Mr. EDEN: As regards a system of supervision in connection with the proposed agreement for the regulation of the manufacture of and trade in arms, I would refer the hon. Member to the reply given to him on 20th February, to which I have nothing to add. As regards the constitution of a permanent disarmament commission, His Majesty's Government are not opposed to the United States proposals for this purpose. On the contrary, they have welcomed them and have accepted them as a basis of discussion.

NAVAL AND MILITARY PENSIONS AND GRANTS.

Mr. CLEARY asked the Minister of Pensions whether, in connection with the deputation headed by the Lord Mayor of Liverpool which he interviewed on Friday last regarding the need for granting a gratuity in cases where, when a disabled ex-service man dies as a result of the disability for which he was pensioned, his widow and/or his children would not receive any allowance on the ground that he was married after he was disabled, he will conduct an inquiry into the question with a view to issuing a report on the matter?

Major TRYON: This question has been fully considered on more than one occasion, and it has been consistently held by Governments of all parties that the liability of the State in respect of the deaths of ex-service men should be limited to the men's family obligations as existing at the date of the contraction on service of the fatal disability. This principle, which is embodied in the Royal Pension Warrants approved by Parliament, has been frequently stated in this House, and was in fact defined in the precise terms which I have used by my predecessor on behalf of the late Labour Government in an answer given on 17th April, 1930, of which I am sending the hon. Member a copy. In these circumstances, and having regard also to the substantial provision for widows made by the Contributory Pensions Acts no public interest would, in my judgment, be served by the further inquiry suggested.

Captain STRICKLAND asked the Minister of Pensions, whether his attention has been directed to Case No. 11/N/23,409, Alfred Oscar Smith, Royal Naval Volunteer Reserve, who was injured on His Majesty's Ship "Neptune," in 1917, by having his foot crushed; what was the reason for his treatment at Roehampton Hospital for nine weeks from 14th December, 1934; and why this man has not only been refused a pension, but also refused a surgical boot unless he supplies at his own expense a boot for alteration?

Major TRYON: My hon. and gallant Friend has been misinformed as to the facts of this case. The man, who, after leaving the Service in December, 1918, unfortunately neglected to bring his case to the notice of the Ministry with a view to obtaining necessary treatment until last year, was placed in hospital in order to determine whether operative or other treatment was required to remedy or alleviate the present condition of his foot. A special surgical boot was not found to be necessary, a slight adaptation of one of the man's own boots being all that was required, and this has been satisfactorily carried out. Pension has not been refused in this case: on the contrary, the man has been instructed to supply certain necessary information, on receipt of which any compensation due will be awarded.

POST OFFICE.

PRESS TELEGRAMS (DEFICIT).

Mr. LEWIS asked the Postmaster-General the amount of the loss to the Post Office on Press telegrams for the last 12 months for which figures are available?

Sir E. BENNETT: The loss on Press telegrams for the year ended 31st March, 1934, is estimated at £168,000. This deficit is arrived at after charging against them a proportionate share of the general expenses of the telegraph service. It does not purport to represent the expenditure which would be saved by eliminating Press telegrams which would amount to a much lower figure.

ENGINEERING DEPARTMENT (WAGE INCREASES).

Mr. THORNE asked the Postmaster-General whether there has been any reduction in the allowances to the various sections of workpeople in the Post Office engineering department; what increases

of wages were given and what allowance reductions were made; and if he is aware that in many cases the workpeople are worse off than when the increases were made?

Sir E. BENNETT: I would refer the hon. Member to my reply to the question of the hon. Member for Limehouse (Mr. Attlee) on the 11th instant and the documents placed in the Library giving particulars of the wage settlement with the Post Office Engineering Union. The settlement provided for a general increase in wages and allowances, and in no case will any man be worse off than before.

SCOTLAND.

LENZIE ACADEMY.

Commander COCHRANE asked the Secretary of State for Scotland how many of the children withdrawn from Lenzie Academy by their parents as a protest against the recent transfer of the rector are still absent from school?

Sir G. COLLINS: I am glad to say that all the children resumed attendance at the academy on Monday, the 18th instant.

CORPORATION MILK CONTRACTS.

Mr. LEONARD asked the Under-Secretary of State for Scotland whether he has considered the request sent to him from the Glasgow Corporation to expedite action on the part of the committee of investigation provided for under the milk marketing schemes, to whom a matter affecting corporation milk contracts has been presented?

Sir G. COLLINS: I have received the request referred to, and hope that it may be found possible to arrange for a hearing by the committee of investigation at an early date. I regret the delay, which has been unavoidable, in the disposal of this matter.

FISH (IMPORTS, FOREIGN CATCHES).

Mr. LOFTUS asked the Minister of Agriculture the total weight of trawl fish landed in January, 1935, from countries whose imports of fish into Great Britain are limited by quotas, compared with the total weight from the same countries landed in January, 1934?

Mr. ELLIOT: The quantity of sea fish other than herring imported from foreign countries under licence during the period 1st January to 3rd February, 1935, was 119,000 cwt. as compared with 139,000 cwt. during the period 1st January to 2nd February, 1934.

JUVENILE OFFENCES.

Mr. R. T. EVANS asked the Home Secretary whether he will give separately for England, Scotland and Wales a return showing the numbers of juveniles against whom criminal proceedings were taken in each of the years 1930 to 1934; and the figures for each of the counties of Wales?

Sir J. GILMOUR: The question of the supply of figures for Scotland would be a matter for my right hon. Friend the Secretary of State for Scotland. So far as concerns England and Wales, I regret that figures are not available in the form asked for, but in the Criminal Statistics for 1931 and 1932 tables are published showing the number of juveniles found guilty of indictable offences in each police district.

MATERNITY AND CHILD WELFARE (HAMPSHIRE).

Mr. RHYS DAVIES asked the Minister of Health whether the power given to local authorities under the Maternity and Child Welfare Act, 1918, to provide milk or food to mothers during the last three months of pregnancy and during lactation is yet being used by the Hampshire local authority?

Sir H. YOUNG: According to the latest information in my possession, the Maternity and Child Welfare Act, 1918, is not being used for this purpose by the Hampshire County Council, but extra nourishment (including milk) is provided for expectant and nursing mothers by the public assistance committee of the council. I have represented to the county council that it would be more appropriate to make this provision under the Maternity and Child Welfare Act, but the choice between the two methods is a matter within the discretion of the council.

BACON (IMPORTS).

Lieut.-Colonel MOORE asked the President of the Board of Trade whether he is satisfied with the operation of the quota arrangements for bacon imports up to date, or whether it is intended to review the quotas in the near future with the object of seeing whether a more satisfactory arrangement can be found for protecting the British bacon industry?

Mr. RUNCIMAN: Certain minor modifications in the detailed arrangements for regulating the flow of imports of bacon from foreign countries have been introduced this year, but no immediate alteration of the general system of control is in contemplation. My hon. and gallant Friend may, however, rest assured that the working of the system is kept continuously under review, and that we shall not hesitate to propose any change in the arrangements which experience may suggest as desirable.

INDIA (BURGE MURDER CASE).

Miss RATHBONE asked the Secretary of State for India whether he is aware that one of the accused persons in the Burge murder case, Kamakshya Charan Ghose, was beaten by the police during the course of their investigation into the circumstances of the murder in order to obtain a confession of guilt; whether the investigation promised by the home member in the Bengal Legislative Council on 18th December, 1934, has been completed; and, if so, who were the officers responsible for the beating and what disciplinary action has been taken?

Sir S. HOARE: I have ascertained that the Government of Bengal have not yet received the report of the inquiry.

CINEMATOGRAPH FUND.

Mr. RHYS DAVIES asked the Lord President of the Council the total receipts of the Cinematograph Fund, and the total payments from the fund to the British Film Institute, to the present date; and in respect of what years, calendar or financial or otherwise, the grants of £5,000 and £6,000 were made to the institute from the fund?

Mr. BALDWIN: The total receipts of the Cinematograph Fund amount to £11,542 14s. 3d. The total payments to the British Film Institute which have been approved amount to £11,000, being £5,000 and £6,000 for the calendar years 1934 and 1935 respectively.

POULTRY REORGANISATION COMMISSION (REPORT).

Mr. T. MORRIS asked the Minister of Agriculture the point or points of view of poultry keepers on the report of the Poultry Reorganisation Commission; and what action the Government propose to take on the document?

Mr. ELLIOT: I understand that the national organisations of producers agreed, before the report was published, that they would consult together as soon as the recommendations made by the commission were known, and that those consultations are now proceeding. It is perhaps early to expect the organisations to have framed definite conclusions on the commission's report. As regards the last part of the question, it is for the egg and poultry producing industry, not for the Government, to decide whether steps are to be taken with a view to promoting a marketing scheme.

ROYAL ARTILLERY (OFFICERS, PROMOTION).

Captain CUNNINGHAM-REID asked the Financial Secretary to the War Office whether he can account for the passing over for promotion to lieutenant-colonel by the selection board during the last three years of approximately 30 per cent. of senior majors of the Royal Artillery who had been recommended for promotion by their immediate superiors?

Mr. DOUGLAS HACKING: If officers who have been recommended for promotion by their immediate superiors are passed over, it is because there are others who possess better claims. I am aware that the competition for promotion in the Royal Artillery is very severe, but not more so than in the Infantry.

ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee [FIFTH DAY —*Progress 27th February*].

[Sir DENNIS HERBERT in the Chair.]

CLAUSE 9.—(*Council of ministers.*)

The CHAIRMAN: The first Amendment I select on Clause 9 is that in the name of the hon. Member for South Croydon (Mr. H. Williams)—in page 7, line 3, to leave out Sub-section (3).

Brigadier-General Sir HENRY CROFT: Is the Amendment in my name and that of several of my hon. Friends—in page 6, line 41, to leave out, "required so to do," and to insert, "not debarred from doing so,"—not in order?

The CHAIRMAN: It is not selected.

4.6 p.m.

Mr. HERBERT WILLIAMS: I beg to move, in page 7, line 3, to leave out Sub-section (3).

I take it, Sir Dennis, that you have selected this particular Amendment because it enables us to discuss all the major problems which arise under this Clause—the problems of the relationship of the Governor-General to his ministers. There are in the Sub-section the words "in his discretion," and also the words "his individual judgment." I want to be clear that I have interpreted the significance of these words accurately, and perhaps the Secretary of State will be good enough to contradict me if I am inaccurate. I gather that when the Governor-General acts in his discretion it is a case where he acts without being under the obligation of consulting his ministers at all, and that he acts perfectly freely. On the other hand, when he exercises his individual judgment, that is a case where he consults his ministers but is not obliged to take their advice, and, therefore, his final decision may or may not disagree with the advice tendered to him by his ministers. I hope that I have got the correct interpretation, because it is necessary in discussing this most important constitutional issue that we should be all quite clear as to the meaning of the words we are using. As my interpretation has not been challenged, I assume that I have correctly interpreted the significance of these words.

Quite clearly in this Clause we are setting up a system which is not the same as the system that prevails here. Where there is a relationship between the Sovereign and the Ministers here, the Sovereign acts on the advice of his Ministers, that is to say, the Sovereign does not act in his discretion and does not exercise his individual judgment so far as constitutional issues are concerned. But, under the Constitution we are building up, there are three ways, apparently, in which the Governor-General may act. First of all, there are cases described in the Measure where he makes his own decision, subject only, of course, to the provisions of any Instrument of Instructions issued to the Governor-General as provided in Clause 14, but, subject to that limitation, at least so far as ministers are concerned, it does not matter to them what his relationships may be with the Secretary of State when he is acting in his own discretion. That is the first case where he acts without reference to the ministers at all. The next case is where he asks his ministers for their views, and, having obtained them, he then takes his own decision, again, however, as I understand, subject to the provisions of Clause 14. Finally, there is the case where, presumably, under the Bill the ministers who are appointed, as will be seen in Sub-section (1) of this Clause, not merely to aid him, but to advise him. In those cases they are entitled to tender advice, as ministers here tender advice to the Sovereign, and in that case the Governor-General is bound to take their advice, subject however, of course, to the provisions of Clause 12, where the question of the special responsibilities of the Governor-General arise.

It is right, I think, that we should attempt to explore what is quite frankly a new system of ministerial responsibility. I do not know whether there exists in the world anything quite like this, except to the extent that it may be said to exist partially under the present system of Provincial government, and before we let go this Clause it is very desirable, not only that we should realise, but that those in India who are following our deliberations should realise, precisely what degree of responsibility we

are proposing to confer upon the ministers at the centre in India. The full interpretation of that, of course, means reading the whole of the first 45 Clauses of the Bill at any rate. But at the moment we are not considering all that. We are considering it in principle rather than in detail in this Sub-section.

There is the further point that the person who has to interpret where discretion or individual judgment is to be exercised is to be the Governor-General himself, and there may be cases where the Governor-General may act in his discretion or exericse his individual judgment in a way which, in fact, may be in conflict with the principles of the Act, or, at least, cases where the ministers may think he is acting in conflict with the principles of the Act. That raises curious points and, possibly, difficulties. I see the risk of a very undesirable conflict between the Governor-General and his ministers in respect of a matter which the ministers believe is one where they are entitled to give advice and are entitled to expect the advice to be accepted, and where the Governor-General thinks it is not a case where he is obliged to accept their advice, and can act quite freely. Of course, there is the overriding authority of the Secretary of State, and, clearly, if a Governor-General were taking this course—shall I say stupidly? —there would be the check of the Secretary of State. But if we take a case where both the Governor-General and the Secretary of State are in agreement, and where the ministers take the view that there is, in fact, a constitutional breach, then, I think, certain difficulties might arise with people who, whatever their merits or demerits may be, are peculiarly sensitive.

There are great risks, I think, in dealing with people who are, perhaps, more sensitive in public matters than we are. We have all got a little hardened by our past experience, but we are dealing here with a peculiarly sensitive body of people, and we may be creating a system which is bound to give rise to friction. I am, for the moment, assuming that this Bill will become an Act substantially in the form in which it now appears, though I hope not, but for the purpose of my Amendment I am basing myself on that assumption. I think that we want to have the conceptions underlying this Sub-section very clearly outlined. We want to hear from the Secretary of State a clear interpretation of how this Sub-section is going to be worked, and when we have had that we may come to the conclusion that it is necessary to define with rather greater precision what discretion means, what judgment means, and in what place it is to be applied. One thing which rather perturbs me is the relationship of this Sub-section with Sub-section (2) of Clause 12 which says:

"If and in so far as any special responsibility of the Governor-General is involved, he shall, in the exercise of his functions, exercise his individual judgment as to the action to be taken."

If my earlier interpretation is correct, then the Governor-General has to consult his Ministers, and to consult them conceivably in circumstances where it may be necessary for him to take drastic action against his Ministers and to tell them in advance what he is going to do. I give that by way of example. My object in moving the Amendment is not that there should not be some appropriate Sub-section here, but that the real significance of this Sub-section may be clear to hon. Members in this Committee and to others outside.

4.17 p.m.

Sir STAFFORD CRIPPS: I should like to ask one or two questions on this Sub-section, which does raise some rather important points. In the first place, I should like to ask whether under the Second Schedule this is one of the matters which may be altered by Amendment. As I read the Second Schedule this may be altered by Amendment and would not affect the Instrument of Accession if it were so altered. Suppose the Sub-section were altered to read that the Federal Court shall be empowered to decide this particular matter instead of leaving it to the decision of the Governor-General, then the words in the Second Schedule are:

"Save with respect to the exercise by the Governor-General . . . of the functions of the council of ministers, and the choosing and summoning of ministers and their tenure of office; the functions of the Governor-General with respect to external affairs and defence."

As far as I can see the Second Schedule does not deal, in the savings in Part II, Chapter II, with the question of whether the actions of the Governor-General are to be decided to be within the Act by some other authority than the Governor-

[Sir S. Cripps.]

General himself. That raises an important point, as to whether such alteration can be made. In the second place, I should like to ask whether Clause 203 applies to a situation which may arise under this Sub-section? That is the power of the Governor-General to consult the Federal Court—

"If at any time it appears to the Governor-General that a question of law has arisen, or is likely to arise, which is of such a nature and of such public importance that it is expedient to obtain the opinion of the Federal Court upon it, he may in his discretion refer the question to that court for consideration, and the court may, after such hearing as they think fit, report to the Governor-General thereon."

I can understand that if a discussion arose between Ministers and the Governor-General as to whether a particular matter came within the Governor-General's discretion or within his powers of acting on the advice of his Ministers, it would be a matter of vital public importance. One would assume that the Governor-General has the power, if he wishes, under Clause 203 to refer the matter as to whether it was within his discretion or not to the Federal Court. That may provide a safety valve on matters of dispute between the two. In the third place, I should like to ask a question under Clause 198, Sub-section (2), which says:

"Nothing in this Part of this Act shall be construed as derogating from any prerogative right of His Majesty to grant special leave to appeal in any criminal case."

It only purports to deal with criminal cases, but I should like to ask whether the power of His Majesty to refer any matter to the Privy Council as a consultative body, is still left? If a dispute arises as to the interpretation of this Constitution between the Governor-General and his Ministers will the Crown be able to refer that matter, if it is considered necessary, to the Privy Council for discussion, argument and recommendation? There again it might be a very important safety valve as regards disputes which might arise in India. Lastly, I should like to ask whether if none of these means are available it will be possible to raise in this House the question of the exercise of particular powers by the Governor-General when a dispute has appeared and Ministers claim that he should exercise those powers of consulting them and accepting their advice. Unless one or other of these methods are available the Sub-section means the complete dictatorship of the Governor-General, because he will be able to act in any matter, and, if he says that he did it in his individual judgment, he cannot possibly have it disputed by any one at all. I am anxious to know if any of the methods I have suggested are open for getting the matter decided by someone other than the Governor-General, and, if so, which of these methods are available?

4.24 p.m.

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): It may be for the convenience of the Committee if I indicate the attitude of the Government towards this Amendment. As to the important and rather technical points raised by the hon. and learned Member for East Bristol (Sir S. Cripps), they will be answered in due course by my right hon. and learned Friend the Attorney-General. I regret that the Government are quite unable to accept the Amendment. In fact, the hon. Member for South Croydon (Mr. H. Williams) addressed most of his argument to the general points in connection with the Clause. Let me draw his attention to what would happen if we were to accept the Amendment and omit this Sub-section.

Viscount WOLMER: We are not going to press the Amendment.

Mr. BUTLER: The Amendment having been moved, the Government desire to pay due attention to the views of those who have moved it, and, even if valuable time is taken up, it is in the interests of the Committee that the Government should indicate their attitude.

Viscount WOLMER: The hon. Member is aware that Amendments are frequently moved in order to elucidate points.

Mr. BUTLER: I quite understand the Noble Lord's interjection, but I am trying to give to the Committee the effect of the Amendment if it were carried, and I think that I am quite as much within the Parliamentary rules of order as the Noble Lord was in his interjection. The Sub-section is vital to the scheme on which the powers of the Governor-General and the relation of his Ministers is built up. It enables him to decide

finally whether a particular question falls within his discretionary powers, and prevents questions being raised in the courts or otherwise as to whether he has or has not exercised his discretion and his individual judgment in any case. It is essential in these matters of the relationship of the Governor-General to his Ministers that the discretion in these matters should rest with the Governor-General himself; otherwise, there would be great opportunities for confusion as to whether they fall within a reserved department or within his special responsibilities. For these reasons, we cannot accept the Amendment.

Mr. MORGAN JONES: I hope we shall get a reply from the Attorney-General to the points that have been put.

4.26 p.m.

The ATTORNEY-GENERAL (Sir Thomas Inskip): I was making inquiries on one or two matters which have been raised during the debate. The first question which the hon. and learned Member for East Bristol (Sir S. Cripps) asked was whether the Sub-section could be amended in accordance with the provisions of the second Schedule. The hon. and learned Member referred to certain exceptions in the rather long paragraph with regard to matters an Amendment whereof is not to affect the validity of the Instrument of Accession. He read a few words, but if he will read a little further down he will find these words:

"and the discharge of his functions by or under the Act in his discretion or in the exercise of his individual judgment."

That answers his question as to whether the Sub-section can be amended under the provisions of the Second Schedule. The answer is "No." His next question was whether Clause 203 can be used for the purpose of taking the opinion of the Federal Court. The answer is in the affirmative. The provision in Clause 203 quite plainly leads to that conclusion. As to the powers under Section 4 of the Privy Council Act, with reference to the power of His Majesty to refer any questions to the Privy Council for their advice, the answer is that that provision remains unaltered by anything in this Bill.

Sir S. CRIPPS: Would it cover this case?

The ATTORNEY-GENERAL: The words of the Section are very wide indeed, and I have no doubt, speaking subject to any correction which I may desire to make after looking at the precise words of the Section, that the power of His Majesty is unfettered and that he may refer any question to the Judicial Committee of the Privy Council under Section 4 of the Privy Council Act. The hon. and learned Member also asked whether the action of the Governor-General in relation to his powers under this Sub-section can be called in question in this House. The answer is "Yes." These are matters for which the Governor-General and the Secretary of State are answerable and, therefore, are matters which can be discussed on the Floor of the House.

4.29 p.m.

Sir H. CROFT: May I ask for your guidance as to whether there is any possibility in the near future of raising a question which is not, I understand, in order on this Amendment, namely, that part of the Bill which appears to quarrel with the report of the Joint Select Committee as to what the Governor-General may do.

The CHAIRMAN: I think that the hon. and gallant Member should defer his remarks until I put the Question, "That the Clause stand part of the Bill."

Mr. CHURCHILL: The matter can only be raised, I understand, on the Question, "That the Clause stand part of the Bill?" This particular point of principle could not be raised at any later stage on a specific Amendment to enable the Committee to decide aye or nay, but can only be raised on the Clause. In the proviso to Sub-section (1) there appear the words "Whereby or under this Act he is required so to do." We wish to raise the issue whether he is debarred from doing so. Where could that point be raised?

The CHAIRMAN: The right hon. Gentleman has definitely based his point on an Amendment which was on the Order Paper and has not been selected. Of course it is always possible that the Chair, in exercising the right of non-selection, may have missed a point which hon. Members desire to raise. In the event of his having done so the point can be raised on the Question, "That

[The Chairman.]
the Clause stand part of the Bill." With regard to the right hon. Gentleman's other point, I am afraid that I did not sufficiently understand it to say whether on any subsequent Clause it would be admissible to deal with it. If the right hon. Gentleman wants to raise a particular matter on words in this Clause, he can, of course, do so on the Question, "That the Clause stand part of the Bill."

Amendment negatived.

4.32 p.m.

Mr. BAILEY: I beg to move, in page 7, line 12, at the end, to add:

"(4) (i) In this Act the expression 'in his discretion' when applied to any act of the Governor-General or any exercise of his functions or powers means that such act may be done and such functions and powers may be exercised by the Governor-General without consultation with his Ministers.

(ii) In this Act the expression 'his individual judgment,' when applied to any act of the Governor-General or any exercise of his functions or powers, means that such act may be done and such functions and powers may be exercised by the Governor-General only after consultation with his Ministers but notwithstanding any advice given to him by his Ministers."

I do not want to occupy any length of time in moving this Amendment, the point of which shortly is this: It seeks to clarify the possible distinction between "discretion" and "individual judgment." I should be very grateful if the learned Attorney-General would say what is the view of the Government's legal advisers as to the distinction, if any, between discretion and individual judgment, and whether or not—this is most important of all—the Governor-General may use his individual judgment without consulting his Ministers.

4.33 p.m.

The SOLICITOR-GENERAL (Sir Donald Somervell): In moving this Amendment, my hon. Friend has confined himself to asking two specific questions. He asks what is the distinction between individual judgment and discretion. The Bill has been drafted in this way: The words "individual judgment" are used in relation to actions by the Governor-General on his individual judgment in the ordinary sense of the word within the ambit in which normally he would be acting on the advice of his Ministers. If within that ambit it is sought to give the Governor-General special powers or responsibilities, then the words "individual judgment" are used. They are defined in Clause 12. The words "in his discretion" are used where the Governor-General will be acting on his own judgment but in an area outside that field. For example, in Clause 11 the functions of the Governor-General in respect of defence are to be exercised by him in his discretion. It is a matter of drafting which, once apprehended, I think it will be agreed, is convenient and useful.

My hon. Friend asked one further point, whether when the words "individual judgment" are used the Governor-General can act without consulting his Ministers. The answer is that as quite obviously that action is in the field where normally he would be acting on the advice of his Ministers, no cleavage between them as to right actions can possibly have arisen, except of course as a result of something that has happened and has been discussed; but, of course, once he had decided that within that field action must be taken, he would take it. Take quite an impossible case. Suppose that Ministers simply do not turn up. Then, of course, he must take the action in order to carry out the obligations conferred upon him. I do not think that the sort of test of consultation or non-consultation is really the clue to the meaning. The clue is that the words "individual judgment" are used in respect of powers within the area in which normally in ordinary times he would be acting on the advice of his Ministers. The words "in his discretion" are used in respect of powers and functions outside that area.

Mr. CHURCHILL: It is, of course, a very convenient distinction between the two functions, and, if my memory serves me right, it is fully explained in the report of the Joint Select Committee. Undoubtedly there is great difficulty in describing this action and the rights of a Governor-General under the two specific and separate methods. I am bound to say that I agree with the Solicitor-General that if there is a difference between the Governor-General and his Ministers and he exercises his individual judgment because previous consultation with them has broken down, he will not be under the

need of consulting them any more. All parleys having come to an end he will take the matter into his own hands and act freely. I gather that that is so?

The SOLICITOR-GENERAL: Yes. Of course he can, if he thinks proper and if all friendly relations have broken down, proceed to act on his own responsibility. I do not mean to imply that inside the circumstances he is precluded from consulting his Ministers. At any point he may think it right to consult them.

Mr. CHURCHILL: Even when they differ? I may be in error, but I have not seen any definition of these two convenient terms in the Bill. I do not think that there is any definition. This Amendment is an attempt to give a definition to these two new terms of art which are being introduced into our legal terminology. Are the Government sure that there is no need for definition? In what way will this definition be conveyed after the Report of the Joint Select Committee has been relegated to the Library and this Bill constitutes the only current vehicle for the transaction of business? It may be that there is no need for this definition?

The SOLICITOR-GENERAL: My right hon. Friend will appreciate that I did not deal with that point because the Mover of the Amendment did not do so. I quite appreciate the point. As my right hon. Friend will see, this matter will not be a matter in the ordinary sense of going to the courts. That was dealt with in Sub-section (4). These definitions are all definitions in the ordinary sense of the word. My right hon. Friend asked what would be the decision when the report of the Joint Select Committee has faded from our minds. The method of application and explanation of these words will occur in the Instrument of Instructions. In our view that is the right place for them.

Mr. CHURCHILL: I am much obliged for that explanation.

4.41 p.m.

Duchess of ATHOLL: I do not feel content with the statement that the explanation of these two very important terms is to be only in the Governor-General's Instrument of Instructions. I think they ought to appear in the Constitution Act, not only as a means of distinguishing these two sets of responsibilities, but also in order to put it beyond a shadow of doubt that the Governor-General has the power to act both in his discretion and on his individual judgment. I am confirmed in this view by the fact that the Government of India Act of 1919 gives certain special powers both to the Governor-General and to Governors, powers which in many cases I believe it has been found extremely difficult to exercise. Section 4 (12) of that Act gives the Governors power in regard to transferred departments. It says that the Governor shall be governed by the advice of his Ministers unless he sees sufficient cause to dissent from their opinion, in which case he may require actions to be taken otherwise than in accordance with that advice. That means that to-day the Governor of a Province has unlimited power to dissent from the advice of his Ministers in regard to the departments handed over under the 1919 Act, and yet Governors have found it very difficult to exercise that power.

Let me give one or two instances, Number 12 of the devolution rules made under the 1919 Act gives the Secretary of State in Council power to require the number of officers of the Indian Medical Service which shall be employed by each provincial Government and to say what appointments they shall hold and on what terms and conditions. The Secretary of State in Council has laid down that in each Province at least 25 officers of the Indian Medical Service shall be employement as civil servants. Yet the Inspector-General of Civil Hospitals has told how that number has steadily declined and how already the service has deteriorated in consequence. He told the Joint Select Committee how he had repeatedly gone to the Minister of Health and protested against this reduction, and how he had always been put off. He also told the committee of the many appointments made by the Minister of Health otherwise than on merit, which again has seriously added to the inefficiency of the service; and he stated how he went to the Governor repeatedly on this and other points affecting efficiency of this all-important health service, and could never get the Governor to exercise the powers.

Earl WINTERTON: On a point of Order. Is the Noble Lady entitled to discuss the question of Governors' powers on the Amendment? It deals only with the Governor-General.

The CHAIRMAN: That, of course, is the point. At the same time the Noble Lady would be entitled to refer to them as illustrating her point. I am bound to say I was listening very carefully to try to see how her arguments were applied.

Earl WINTERTON: I raised the point of order, because I do not think she is accurate in her description of what occurs under the existing law. If she is allowed to refer to these matters, it will be open to others to answer her.

Duchess of ATHOLL: It is not a case of argument but of what was stated as a matter of fact to the Joint Select Committee, of which my Noble Friend was a member.

The CHAIRMAN: Obviously that is not a matter that is dealt with by the Amendment.

Duchess of ATHOLL: I was merely using this as an illustration of the difficulty that Lord Reading experienced in exercising a clearly defined power stated in the 1919 Act. I can give my Noble Friend another respect in which the Governor-General has apparently found it——

The CHAIRMAN: That is exactly one of those cases where, as I have tried to explain, it is legitimate to quote a case, but it is not, to my mind, legitimate to go into that case at length. The Noble Lady will see at once what has already arisen as the result of her long description of a particular incident which led another hon. Member to discuss it because he regards it as inaccurate. It is as well when quoting illustrations merely to quote them and not to go into long details of them.

Duchess of ATHOLL: The Governor-General under the same devolution rules has power to suspend or revoke any powers which have been transferred, which have been seriously abused.

The CHAIRMAN: Whether transferred powers have or have not been abused is not a question that arises on this Amendment. It is really a very narrow point indeed of drawing any distinction between two particular expressions.

Duchess of ATHOLL: I thought my right hon. Friend has raised the wider point. I mentioned that it is on the wider point that I wish to speak, namely, the necessity of putting beyond the shadow of doubt in the Act of Parliament what those powers are which may be exercised by the Governor-General.

The CHAIRMAN: No, the Noble Lady is wrong. This is not an occasion on which there can be discussed in any way the merits of any particular subject of procedure under the Governor-General's responsibility.

Mr. CHURCHILL: But is it not an occasion when it is open to discuss whether this definition of these two new terms of art, if any definition is to be given, should figure on the face on any Instrument of Instruction?

The CHAIRMAN: That may be, but even then it is a very narrow one.

Duchess of ATHOLL: That is the point that I wish to make, the necessity for having those powers put beyond a shadow of doubt in the Act of Parliament. When these powers were reserved under the 1919 Act, I do not believe there were Indians who would object to them, but the Indian delegates to the Joint Select Committee made clear——

The CHAIRMAN: The Noble Lady must not discuss the powers but only the definition.

Duchess of ATHOLL: I do not wish to discuss the powers, but it seems necessary to put them in the Act of Parliament. As a matter of fact, a very strong opinion came from Europeans in India as to the importance of showing that these powers were intended to be used if necessary, and were not merely illusory powers.

4.50 p.m.

Mr. CHURCHILL: I hope the Secretary of State will say a word on this. I have an open mind, but I should like to hear what there is to be said. I thought from what the Solicitor-General said that the Instrument of Instruction was satisfactory, but it would be better if the Secretary of State made it clear that the strength of these two new terms of art will not in any way be detracted

from if they are not put on the face of the Statute. At first sight it appears that they would seem to be detracted from, because the Instrument of Instruction can be varied by an Address to the Crown by both Houses, whereas the Statute requires an amending Bill. Therefore, there is a change. We should be much obliged if the right hon. Gentleman would give us guidance on the point.

4.51 p.m.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): I can satisfy my right hon. Friend in a sentence. The right course is to keep the definition in the Instrument of Instruction. He need not be worried about the powers. The powers to be exercised are set out in the Act. They can only be amended by an amending Act. It is much better, however, to put the definition into the Instrument of Instruction. Looking at it as a layman, it is safer.

Amendment, by leave, withdrawn.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

4.52 p.m.

Sir H. CROFT: The point that I wish to raise on this Clause, which seems to me of importance, is with regard to the actual functions of the Governor-General and the fact that the Bill as drafted does not appear to carry out the exact intentions of the Select Committee. In the report of the Joint Select Committee I think it was understood that the executive authority of His Majesty was vested primarily in the Governor-General, and in the case of the Provinces, of course, the Governors. This authority was to be so far regulated by the Instrument of Instruction that it was ordinarily to be exercised on the advice of Ministers, conformably to the constitutional practice which is now always understood in this country. At the same time the legal authority of the Governor would be unquestioned if at any time he had to exercise it even against the advice of his Ministers. Putting it in another way, the Governor-General could legally do on his own authority whatever any or all his Ministers could do. He might have to run a course absolutely counter to the decision of his Ministers and in that case, although he might be called up by a higher authority—it might be necessary for the Secretary of State to intervene—at the same time the position appeared to be quite clear that he had very full powers in this respect. It was pointed out in the Report of the Joint Select Committee that if the Governor-General found that there was any difficulty—a temporary deficiency might occur in the cash required to meet current obligations, such as the issue of monthly pay—he might have to take action, and the words used are:

> "If need arose for the Governor to take special steps for the purpose, in virtue of his special responsibilities, it would, of course, be open to him to adopt whatever methods were most appropriate in the circumstances and, if necessary, to meet the situation by borrowing."

In the Bill as drafted there are no actual words which specify that power, and that is why many of us were desirous of seeing put into the Bill alternative words to read that the Governor-General is not debarred from using those powers. That would place him in the same constitutional position that we have always understood in this country. I had hoped that the Secretary of State might accept that proposal. Perhaps he would consider it at a later stage, or he may be able to show me that it is not necessary, but it appears that the words of the Bill do not exactly interpret the intentions of the Joint Select Committee.

4.56 p.m.

Sir S. HOARE: I understand that the words do interpret the words of the Joint Select Committee. I am also informed that, as a matter of draftsmanship, the words suggested by my hon. and gallant Friend would really be restrictive words and that from the point of view of draftsmanship these words are better. If he will take it from me that these words carry out the Joint Select Committee's recommendations and that they are less restrictive than his own, I will undertake to look into it and to confirm that.

Mr. CHURCHILL: *Prima facie* it would seem to be the opposite. The mysteries of the law are profound, but, *prima facie*, if a man is required to do a thing it is more limited than if he is not debarred from doing it. But I think we must rest content with the undertaking that the Secretary of State has given that, if there be any substantial point in the matter, we may refer to it at a later stage.

4.59 p.m.

Mr. MORGAN JONES: We should not like this Clause to pass without stating

[Mr. Jones.]
generally what we feel in regard to its merits. It seems to me—I hope I am wrong—that hon. and right hon. Gentlemen opposite who have been discussing the powers and functions of the Governor-General as they are defined in Clause 9 have really had in their mind the desirability of making as rigid as possible the final authority of the Governor-General. We take a different view. Circumstances have thrown us into the same Lobby as hon. Members opposite on previous occasions, and we shall have to make it clear that, if we found ourselves there again to-day on this Clause, we should find ourselves there for different reasons. We are very anxious about the success of the experiment if it is to be tried at the centre. Here for the first time we are trying to amplify—I hope that is an appropriate word to use—to extend the nature of the instrument of government at the centre and we are exceedingly anxious, therefore, that, so far as possible, there shall function at the centre a group of ministers who shall be as nearly as possible established on similar lines to a Cabinet in this country. That is, broadly speaking, our idea.

We had an Amendment on the Paper in which we proposed to bring out that idea, and I do not complain of its not being called, but the point which we want to emphasise is, that here is the Governor-General being placed in a very special position at the centre, and as we understand and interpret the effect of this Clause 9, for all practical purposes he will be a sort of dictator at that centre. We think it would be a bad thing if the Governor-General's council of 10 ministers should embark upon their task feeling in any way that their responsibility could be shunted off on to the shoulders of the Governor-General. There is nothing that will develop the sense of responsibility among these people more than the consciousness that they are answerable for their own actions as ministers, and we are exceedingly keen, therefore, that as early as possible these ministers should begin to function, not as a group of puppets whom the Governor-General can move as he thinks fit, but as a group of people exercising corporate responsibility in the same way as a Cabinet discharges its responsibilities here.

We are exceedingly anxious that, so far as these 10 ministers are concerned, they shall act in the same sense as a group of British Ministers act who are in Cabinet offices. We want a sense of Cabinet responsibility to grow in India, and I am sure that I am fairly right in my prognostication that unless that is speedily realised, there will be the same tendency under the new conditions as has prevailed in parts of India under the old, where, when an awkward situation arose or an awkward responsibility had to be shouldered, it was easy to say that the Governor-General or the Governor, as the case might be, was responsible. We want to bring home to these people at the very beginning that they must be responsible, not only for their successes, but for their failures as well, and there is nothing that will develop that sense of responsibility better than making them answerable not merely for their successes but for their failures.

I take the view that they must be free to make mistakes. They will learn by mistakes. That is how we all learn. That is how this Government is learning, bit by bit. [HON. MEMBERS: "No!"] My hon. Friends evidently see no signs of repentance in the Government even now, but I think I can see an occasional trace of a desire on its parts to repent. I sometimes have glimmerings of hope that there will be some sort of repentance in the dim and distant future. I want to make these people in India acquire confidence in the business of government by being confronted with the consequences of their own acts, and for that reason we are anxious to limit as far as possible the responsibilities of the Governor-General and not to enlarge them.

5.5 p.m.

Mr. SPENS: I could take up much of the time of the Committee in replying to the speech of the hon. Member for Caerphilly (Mr. Morgan Jones), who has just sat down, but there is one point on the drafting of this Clause to which I should like to call attention. Sub-section (3) makes the Governor-General a judge in his own cause. It puts him in the position of deciding whether and when he ought to exercise his discretion. Further, this Sub-section goes on to say that

"the validity of anything done by the Governor-General shall not be called in question on the ground that he ought or ought not to have acted in his discretion." When one studies the Bill, one finds out how in fact he does act on his discretion. One finds in Clause 43 and other Clauses that he is given certain powers which he can exercise, and one of those powers is the power of making ordinances. That is a power which he exercises in his discretion under Sub-section (5) of Clause 43, but when you look at Sub-section (4) of that Clause, you find that his power to make ordinances is limited by the area in respect of which the Federal Legislature can legislate, and if he goes beyond that his ordinance is void.

I want to call attention to the point that apparently by Sub-section (3) of Clause 9 no one is to call in question the validity of any exercise by the Governor-General of his discretion, and yet by Sub-section (4) of Clause 43 and by other Clauses certain exercises of his discretion are expressly said to be void or invalid. I suggest that these very definite words in Clause 9 require some limitation. It is a point which will require some consideration, but I put it forward so that the Clause shall not pass from us without a word of warning that the very definite wording of this Sub-section (3), making every action of the Governor-General in the exercise of his discretion unquestionable, is in fact in contradiction to certain other Clauses in the Bill, which specify that certain of his actions may be void and therefore, in my submission, subject to question.

5.8 p.m.

The ATTORNEY-GENERAL: If I may clear the point of drafting raised by my hon. and learned Friend the Member for Ashford (Mr. Spens) out of the way, I would suggest that he has confused two things, if I may say so without trepidation. There is the power of the Governor-General to make an ordinance, which is dealt with in Clause 43, and if he has no power to make an ordinance, if he makes one which he is not competent to enact under the Act, it is to be void. But assuming that it is an ordinance which he is competent to enact under the Act, then the question arises as to whether that action is something which he is to do in his discretion or not, and the way in which he enacts the ordinance is a matter for him to decide. So far as this question is concerned as to whether he is to do it in his discretion or in his individual judgment, upon that point his decision is final under the Clause in question, but that does not affect the provision that if there is no power at all to enact the ordinance, it shall be void.

5.9 p.m.

Colonel GRETTON: The speech of the hon. Member for Caerphilly (Mr. Morgan Jones) to my mind cuts right at the root of the Clause. The Clause gives the Governor-General those powers which he requires to exercise his discretion and those reserved powers which are not in the terms of the Bill hand over to the ministers of the Federal Legislature. These powers of the Governor-General are one of the safeguards in the Bill, and we should look with the greatest alarm at their being frittered away or diminished in any sense by this Committee. One can see all manner of difficulties in exercising these powers, but at any rate they should be there and exercised. The hon. Member for Caerphilly does not appear to realise that the powers which are ordinarily exercised by the ministers of the Federal Legislature are only to be taken over in case of a breakdown or emergency, and it was somewhat artless of him, I think, to recommend that ministers should be able to go on indefinitely making mistakes and committing errors of administration to the detriment of the countless millions of India who would have to suffer from a breakdown in administration or from the errors which might be made. On that ground alone, I should urge on the Government as strongly as I could that these powers are of vital importance when setting up a new constitution and entrusting them, through unknown machinery, to those who are not accustomed to them.

5.12 p.m.

Duchess of ATHOLL: I wish to call attention to much more than a drafting point, namely, the fact that this is the Clause which makes the great transfer of control at the centre of government in India, which is the chief point on which we take exception to the Bill. This is the Clause in which it first becomes apparent that the authority of the Federation, with the exception of the Governor-General's reserved and special responsi-

[Duchess of Atholl.]
bilities, will be exercised by ministers. It seems to me to be the Clause which first makes it clear that, except in special fields, the executive authority of the Federation is to be exercised by ministers responsible, not to the Governor-General, but to the elected Federal Legislature. That is a tremendous jump from the present position to a position in which all the provincial departments will have been handed over and all at the centre except the three reserved to the Governor-General and the field covered by his special responsibility.

The CHAIRMAN: I am sorry again to interrupt the Noble Lady, but once more I think she was mistaken what the Clause does. This particular Clause merely sets up the council of ministers. It does not deal at all with what their powers relate to. That question will arise at different places in the Bill.

Duchess of ATHOLL: With great respect, Sir Dennis, I would ask you to observe the words at the beginning of the Clause, where the ministers are to be appointed to aid and advise the Governor-General, and I would ask you to remember that in the memorandum explanatory of the Bill it was declared that the right to advise, that is to say, initiate proposals, rests with ministers. That seems to be a very important power to hand over to the ministers. Though defence is reserved to the Governor-General, it will rest with ministers to initiate proposals in regard to railways, posts, telegraphs, arms, explosives, and munitions, and various other departments which may seriously embarrass the efficiency of the administration, and, of course, all initiative in regard to tariffs and commerce generally passes into the hands of ministers. The fiscal autonomy convention which, as my right hon. Friend pointed out on a previous occasion, contains some valuable safeguards if they are used, goes by the board. The control of the Press and the initiative in matters controlling what might be a reckless or seditious Press passes into the hands of ministers. The control of wireless also passes. That seems to me a point of enormous importance.

The CHAIRMAN: I am sorry to interrupt again, but the Noble Lady is getting far beyond this Clause. We shall come to all these subjects when they are set out in the Bill in so many words.

Mr. CHURCHILL: I presume it would be in order to discuss on this Clause the inconvenience of dyarchy, because this is the machinery which sets up the dyarchical process at the centre, with the Governor-General on the one hand and the ministers on the other, with divided and alternating responsibilities.

The CHAIRMAN: This is a Clause which sets up a council of ministers and discussion on the advisability of setting up such a council is distinctly in order.

Duchess of ATHOLL: I was trying to give illustrations of the powers which the council will have and giving concrete examples in order to bring home to the Committee what the proposals of the Bill will mean in practice. It is difficult sometimes to know what the wording of a Clause means, and I am not seeking to waste the time of the Committee, but merely drawing attention to what is in the Clause. It is, of course, a Clause in which dyarchy may become an actual fact under the Bill. No one in the Committee, I think, forgets how strenuously the Simon Commission opposed any suggestion of dyarchy at the centre. After investigating the idea of federation, they strenuously opposed the transfer of any responsibility at the centre. In a very interesting passage they seemed to me to indicate their doubts whether, if one day an all-India federation did become a reality, it would take the form of responsible government as we know it in this country. It is an extremely difficult matter which has not been sufficiently referred to in previous Debates. In spite of that grave warning, we have the Parliamentary system as we know it in this country transferred to the centre of the government in India with, of course, certain notable exceptions, which we in this quarter of the House feel that it may be very difficult to make really effective.

I would like the Committee to realise that the Governor-General has special responsibilities at the present moment, not only for peace and tranquillity, but for the interests of the Indian people. He will no longer be responsible for the interests of the people, but will have responsibilities only in regard to matters which are a menace to peace or tranquillity and to other matters to

which we shall come on a later Clause. That means that, however gravely the interests of Indian people may be menaced by devastating epidemics, disease or other calamities, the Governor-General can do nothing. All that rests with his Ministers. We, therefore, feel that in this Clause the great danger of the Bill lies, and it is impossible to let it go through without trying to point out some of those dangers.

5.20 p.m.

Mr. EMMOTT: It is plain from the submission which was made to you, Sir Dennis, by the right hon. Gentleman the Member for Epping (Mr. Churchill) and from what you said in reply to him that an argument on the topic of dyarchy is in order on this Clause. Since this is the appropriate occasion, and so far as I can make out, the last occasion on which this issue will be clearly raised, I beg the leave of the Committee to address to it one or two observations. This is the Clause which establishes the system of dyarchy, the system of divided authority, in the Central Government. The Noble Lady referred briefly to the report of the Statutory Commission, but I desire to bring once more before the Committee what was actually stated by the Commission on this subject. The Noble Lady had in mind, I think, the passage in paragraph 177 in which the Commission gave it as their view that there was a serious danger of development at he centre proceding on wrong lines if the assumption was made that the only form of responsible government which could ultimately emerge was one which closely imitated the British Parliamentary system. I might refer also to paragraph 29 of the report, but I want to come immediately to the paragraph in which the Statutory Commission lays down in the most clear and specific terms their condemnation of dyarchy in the Central Government. Let me read what they actually said. It is in paragraph 165:

"First, we lay down without hesitation the proposition that dyarchy at the centre, or any system of divided responsibility resembling dyarchy, is quite impossible. Unity in the central executive must be preserved at all costs."

Where is your unity now? They go on to say:

"Dyarchy cannot be regarded as affording much training in taking responsibility for unpopular, though necessary, decisions, and it does nothing to guarantee unity of control and policy when unity is most essential and when the strength which unity ought to give is most needed."

Did the hon. Member for Caerphilly (Mr. Morgan Jones) bear that in mind when he was addressing the Committee upon the necessity of developing a sense of responsibility in Indian Ministers? Does he think that the system of government now to be established at the centre—the system of dyarchy—will develop that sense of responsibility?

Mr. MORGAN JONES: I did not produce this Bill. The Government did.

Mr. EMMOTT: I do not bring that accusation against the hon. Member, but he was apparently approving of the establishment of this system of Government. [HON. MEMBERS: "No."] Perhaps the hon. Member will refer at some time to the paragraph which I have read and consider it. Now let me come to the final words of this paragraph. They are:

"These are the main considerations which make any suggestion to introduce dyarchy into the Government of India wholly inadmissible."

It is impossible to exaggerate the importance of these expressions. The condemnation by the Statutory Commission of dyarchy in the Central Government is absolute and unqualified. What answer has been given from time to time by Members of the Statutory Commission or on behalf of the Statutory Commission to those who have pointed out that this new system of government contradicts the conclusions of the Statutory Commission? The hon. Member for Finchley (Mr. Cadogan), in a debate in this House on the 19th February, dealt very fairly with this point. In fact, he went so far as to say that the statement to which I have just referred was one which even the right hon. Gentleman the Member for Epping would not be able to explain away. Why he should think the right hon. Gentleman would wish to do so, I do not know. The hon. Member then said that he had expressed the opinion to his colleagues that the statement made by the Statutory Commission in regard to dyarchy was too categorical, and he went on to say:

"I wish to say that when the proposals"—

[Mr. Emmott.]

that is, the proposals of the Commission—

"were examined by the Joint Select Committee that Committee came to the conclusion that, although our proposal was not dyarchy in form, it certainly was so in fact. I admit that we were wrong and that dyarchy at the Centre was inevitable."
—[OFFICIAL REPORT, 19th February, 1935; col. 287, Vol. 298.]

I do not believe they were wrong. I believe that the Commission were right in condemning the system of dyarchy. One of the most extraordinary features of this business has been the way in which, since the report of the Statutory Commission, the conclusions at which they arrived have been more and more departed from by the members of it. I believe that the conclusions at which they arrived were perfectly correct. But now the hon. Member for Finchley, one of the Members of the Commission, says the Commission were wrong, and he is prepared to adopt the new system. That, however, is not the answer which has always been given or suggested on behalf of the Statutory Commission. It has been suggested from time to time by various persons that the change, or a change, which has taken place since the report of the Commission has fundamentally affected the whole position. The change which is referred to is, of course, the declaration regarding Federation which was made by certain Princes at the first Session of the Round Table Conference.

But the point I insist upon is this. How has that change affected the arguments used by the Statutory Commission against dyarchy? I cannot conceive how they have been affected at all. Of course, a change has taken place—it may be of greater or less importance—but has the change in the situation of the Princes eliminated the defects inherent in the system of dyarchy? I believe that it has not affected them at all, and that the answer which is given to justify the abandonment of the arguments of the Statutory Commission is completely unsound. I prefer to accept the position of the hon. Member for Finchley who now says clearly and frankly, "We were wrong; if we are to establish this system of government in the centre at all we must have a system of divided authority."

Earl WINTERTON: As the hon. Gentleman is giving us this exceedingly interesting and erudite dissertation on dyarchy, I would like to point out to him that the Joint Select Committee dealt with all those arguments. He will find it at the bottom of page 19 of their report, in paragraph 35.

Mr. EMMOTT: I am afraid I have not got the report before me.

Earl WINTERTON: In that case the hon. Member should make himself acquainted with it, because he is making an attack on the conclusions of the Joint Select Committee, and we have dealt in our report with the very point with which he has been dealing in his speech.

Mr. EMMOTT: I am much obliged to the Noble Lord for his intervention. I have the report now; but does the Noble Lord expect me to read whole pages of the report of the Joint Select Committee?

Earl WINTERTON: I thought the hon. Gentleman, in justice to the Joint Select Committee, ought to deal with the arguments which we give against the decision reached by the Statutory Commission.

Major-General Sir ALFRED KNOX: Surely the hon. Member can leave those arguments to be put forward by members of the Joint Select Committee?

Earl WINTERTON: I thought it would save time if the hon. Member referred to them.

Mr. EMMOTT: I am afraid I should hardly achieve the object which the Noble Lord desires if I acceded to his invitation. I wish to put my arguments quite shortly, and I have pursued the course I have pursued because, so far as I remember, the argument I am now putting forward has not hitherto been presented in this particular form to the House. I say that I frankly prefer to accept the position of the hon. Member for Finchley, who asserts that the decision at which the Statutory Commission arrived was wrong, and holds that if we are to erect this system of government at the centre in India then we must have divided authority, that is to say, we must have dyarchy. If that be so, then let it be recognised that we are establishing the central Government upon a principle of government which has been tried in the Provinces and found wanting. I remember that Sir Harcourt Butler, in a delightful book which he has written

upon India, relates some stories to show that dyarchy, although its exact meaning may be but little understood in India, has come to be regarded almost as a term of abuse in that country. He relates how two villagers were heard quarrelling with each other, and one was heard to say abusively and angrily to the other, "You are a dyarchy." I do not lay too great stress upon an anecdote, but certain it is that this system of government which we are now to establish at the centre has come to be hated in India.

Let me remind the Committee why the system of government by divided authority has broken down, in so far as it has broken down, in India. We talk much in this House about dyarchy, but it seems to me that it is very seldom that any attempt is made to understand it or examine its nature at all. The reasons for its failure are, I think, most clearly given by the committee that was appointed by the Legislature of the United Provinces to co-operate with the Statutory Commission. It will be remembered that the provincial legislatures appointed committees to co-operate with the Statutory Commission, and it is in the report of the committee appointed by the Legislature of the United Provinces that the reasons for the failure of dyarchy are most clearly and interestingly stated. I hope the Secretary of State will not think I am wasting the time of the Committee if I read a passage from their report. They stated that:

"A serious inherent defect of the dyarchical system was the weakening of the Governor in Council by the pressure of the Legislature on the Ministers, and the weakening of the Ministers *vis-a-vis* the Legislature by reason of their connection with the Governor in Council."

There is the gist of the whole matter—the weakening of the Governor in Council by the pressure of the Legislature on the Ministers, and the weakening of the Ministers, in their turn, by reason of their connection with the Governor in Council. Can we afford to set up at the centre a system of government which will be subject to such strains and stresses, and which will inevitably develop such fearful weakness? It is the desire of His Majesty's Government to establish at the centre a stronger central government. But do they really think they are doing so? How can they think so in the face of these conclusions? There will be a continuous and increasing and deadly pressure on the reserved subjects in the Central Government. The whole system of central government will be increasingly subjected to strains and stresses which will steadily weaken, and, as we believe, finally destroy it.

5.37 p.m.

Earl WINTERTON: As my hon. Friend the Member for Springburn (Mr. Emmott) refused to accept my invitation I would like to draw attention, in a very few words, to what is stated in paragraph 35 of the Report of the Joint Select Committee:

"These are undoubtedly formidable objections, but they do not, we think, exhaust the question. It is impossible adequately to discuss"—

[*Interruption.*] My hon. Friend gave me the impression that he had not read the Report.

Mr. EMMOTT: Oh, yes, I have.

Earl WINTERTON: Then I regret that he did not deal with it, because it is not fair to present one side of the case. [HON. MEMBERS: "Why?"] The right hon. Gentleman the Leader of the Opposition, if he will allow me to say so, can mind his own business and allow me to make my speech.

Mr. LANSBURY: So can the Noble Lord mind his own business. He has no right to instruct other people.

Earl WINTERTON: Nor has the right hon. Gentleman any right, as Leader of the Opposition, to interrupt me.

Mr. LANSBURY: Yes I have, as a Member of the House.

Earl WINTERTON: If the right hon. Gentleman does not like my observations he can read them later.

Mr. LANSBURY: I do not intend to allow the Noble Lord to lecture me. He lectured the hon. Member for Springburn (Mr. Emmott) as though he were a schoolboy.

The CHAIRMAN: I think we are all rather inclined to lecture one another, and I am not sure that that is not one of the things that we are here for. I feel that if hon. Members were a little less thin-skinned we should get on better.

Earl WINTERTON: I am sorry if I said anything to which the Leader of the Opposition objected. I was under

[Earl Winterton.]

the impression that he was interrupting me, but if I am wrong I withdraw anything I said. May I just refer to these few words in this paragraph? I had not intended to lecture my hon. Friend, but I wished—with the greatest respect and submission to the Leader of the Opposition—to call his attention to them.

Mr. EMMOTT: May I say that I did not take the Noble Lord's observations in the spirit of thinking that he wished to lecture me.

Earl WINTERTON: The report states:

"It is impossible adequately to discuss the real issues involved in a decision for or against the introduction of some measure of responsibility at the Centre if the discussion is confined to the Centre itself and is conducted in terms of 'dyarchy.'"

I do not think that anyone would quarrel with that. We go on to say:

"Like so many other words used in political controversy 'dyarchy' has collected round it associations which tend to obscure issues rather than to clarify them."

This is the sentence to which I wish to call my hon. Friend's attention.

"The truth is that, in any Constitution, and above all in a Federal Constitution, there must be a division of responsibility at some point, and at that point there will always be a danger of friction."

That expresses no more than the truth. Whatever central government is proposed, even one set up under the proposals supported by hon. and right hon. Members who differ from us, there would me, in the words of our report,

"a division of responsibility at some point and at that point there will always be a danger of friction."

We go on, in what I venture to submit are carefully argued paragraphs—paragraphs which, I think, had the support of the Committee, and not merely of Members representing one party—to deal with almost all the arguments which my hon. Friend put forward. It is, therefore, not fair, in a discussion of this matter, to ignore what I venture to submit is the very wise contribution which the Joint Committee make to the matter, and the reasons which they gave in opposing, to a very considerable extent, the conclusions reached by the Statutory Commission. I might add that in the light of the fresh evidence brought to bear on the subject the Statutory Commission might well have been less definite in the decision they reached.

Mr. MORGAN JONES: May I ask whether it is any more fair to pay attention to the Majority Report than to the Minority Report?

Earl WINTERTON: No, but I was under the impression that as regards this particular matter—if I am wrong, I apologise to my hon. Friend who was such a valued colleague on the Joint Select Committee—he and others did not dissent from the conclusions of the majority.

5.42 p.m.

Mr. CHURCHILL: My Noble Friend the Member for Horsham (Earl Winterton) has introduced a temporary breeze into the debate this afternoon, which I certainly think does not tend to accelerate our procedure.

Earl WINTERTON: It was good-humoured.

Mr. CHURCHILL: I am not so sure that it was good-humoured. The Noble Lord had no right to prescribe to my hon. Friend that he ought to state both sides of the case. I do not know how we shall ever get to the end of this Bill if it is to be an obligation of fairness and honour on each one of us to state not only our point of view but the point of view of the other side. I cannot imagine anything more likely to embarrass our proceedings. And then, of course, if we begin to state the point of view of the other side the further question will arise whether we are doing justice to that point of view. I think the debates would be endless if we were to embark on that course. The Noble Lord is a very keen supporter of this Measure, one of its principal promoters, one who has had the honour of sitting on the Joint Select Committee, and he has always, naturally, nursed a proper pride in his own handiwork. I must say that when he suggested to my hon. Friend the Member for Springburn (Mr. Emmott) that he had not read this report, he did him a very severe injustice. I took the liberty of borrowing—I had almost said of purloining—his actual copy in order to refresh my own memory, and I have my hon. Friend's copy in my hand, underlined and underscored at every point, showing a most careful and meticulous study of it.

Earl WINTERTON: Is that why my right hon. Friend was good enough to ask me privately if I could show him the place?

Mr. CHURCHILL: The Noble Lord—I am in the recollection of the Committee—referred particularly to paragraphs 32 and 33, and I was not quite sure whether I heard him aright. He then said, "Read down to paragraph so-and-so," and I was not quite clear as to what he had said. But I was quite able to find the place, because it was handed to me. I took the book from my hon. Friend when he had it open. But what is all the point of this interruption by the Noble Lord? Does he mean that I have not read the report? Is that what he is trying to suggest? I think it is rather unmannerly to criticise in this House the way in which Members give their time to the discharge of their duties. I am not aware that the record of the Noble Lord entitles him to any special distinction for perspicuity in the discharge of his public duties. If he has a claim to any special distinction in that respect, it has passed singularly unrewarded in his long career.

Mr. MOLSON: May I ask the right hon. Gentleman whether the carefully annotated copy of the hon. Member for Springburn (Mr. Emmott) is his own copy or is the copy of the Noble Lady the Member for West Perth (Duchess of Atholl)?

Mr. EMMOTT: It is my own copy which the Noble Lady at some time or other has borrowed from me.

Mr. CHURCHILL: It is quite clear, Sir Dennis, that an apology is due from the hon. Member for Doncaster (Mr. Molson) to my hon. Friend the Member for Springburn (Mr. Emmott). The hon. Member for Doncaster asked me to give way in order that he might make an intervention, and now he is proved conclusively wrong on a matter of fact. No doubt the hon. Gentleman will get up and say that he was wrong.

Mr. MOLSON: I asked a question, and if the Noble Lady the Member for West Perth will say that property in the book vests in the hon. Member for Springburn, I will certainly apologise.

Mr. CHURCHILL: It is usual when an hon. Member makes a statement in this House, as did the hon. Member for Springburn, for other hon. Members to accept his bona fides, especially in a matter of a personal character of that kind. Now that the Noble Lord the Member for Horsham has forced into the centre of our discussion this general question of dyarchy, I am bound to address myself to it. I do not agree that this is the only point where the question can be discussed; the vice of dyarchy runs throughout this Bill. That is the hideous blemish. That is the cause of the evils which we see and apprehend. Again and again I have heard dyarchy condemned. I have heard supporters of the Bill like Lord Lytton, with great experience, condemn it in unmeasured terms. There are the words of the Statutory Commission's Report, words of the greatest weight, declaring that this very thing that you are now doing at the centre is inadmissible, and giving weighty reasons why it is impracticable and full of vice. You are departing from the Report of the Statutory Commission and you have cast that upon one side, although it was agreed to by all parties. You have left that safe, sure ground and you have embarked upon the very precarious and unstable footing of the Round Table Conferences, the White Paper and the Joint Select Committee.

Compare the Report of the Statutory Commission and the way it deals with dyarchy with the jejune apologetics of the Joint Select Committee; look and see how the Statutory Commission approached this subject with a view to ascertaining the truth, while the Joint Select Committee approached it with a view to carrying out the policy which was put to them by the White Paper. They were, as has been properly stated, a body to find reasons for supporting preconceived conclusions. When you compare and read those passages, I wonder that the Noble Lord had the face to get up and draw any conclusions. He mentioned paragraph 32 of the Report of the Joint Select Committee. Here is the explanation of why the solid arguments of the Statutory Commission have been thrown over by the Joint Select Committee. Paragraph 32, which the Noble Lord mentioned, furnishes the reason. Here is the reason for the tergiversations of the hon. Member for Finchley (Mr. Cadogan) and of his catherine-wheel contortion on that

[Mr. Churchill.]

subject. He was one associated with the weighty words of the Statutory Commission. As soon as he got into the Joint Select Committee he fell under the evil, ministerial influences with which that body was packed—hopelessly packed—and, of course, lacking the moral strength to stand against the tide and the prevailing currents of opinion—[HON. MEMBERS: "Oh!"] Perhaps I ought not to put it in that way. Shall I say, allowing himself to succumb too easily to the seduction of drifting with the sea and floating with the tide, if my hon. Friend will allow me to substitute those words for the others which I inadvertently used? What is the reason given for the desertion of the opinions of the Statutory Commission on the subject of dyarchy and the substitution of the opinions of the Joint Select Committee? It is this—and I am going to read only a sentence:

> "The Princes have . . . stated . . . . that they are willing now to enter an All-India Federation—— "

and they insisted on responsibility. I wonder indeed that the Noble Lord should raise that point to-day, because he is like a man standing upon the trap-door of a scaffold, leaning forward to draw the bolt and to precipitate himself, in hopeless logical and argumentative confusion, into the pit. The Noble Lord has certainly not helped the case of the Government by the intervention, which, however ardently intended, has not been a fortunate one.

We take the strongest exception to this Clause, although, until we were provoked by the Noble Lord, the discussion had been conducted in a very quiet and good-tempered spirit. Yet it would be a mistake to suppose that the greatest objection cannot be taken to this Clause, and we are bound to vote against it. We are bound to testify against it, as it embodies the principle of dyarchy. The position of the Viceroy we begin to see in detail in this Clause, how he is to combine his strong executive function with the delicate handling of Ministers. We see the different points of view brought to a collision in the very central organism of the Government, and we see this central organism racked and strained in this way and in that by all those innumerable stresses at the very moment that, over the whole expanse of India, 11 provincial governments are being brought into existence. We are forced to express our repugnance and our destestation of this Clause at this time; it is certainly our duty to do so.

I do not intend to repeat upon this question arguments which I have used on Second Reading and at other times, but let the Committee realise quite clearly what they are going to do when they vote that this Clause stand part. They are introducing dyarchy into the centre of India on the sole pretext that the Princes wish to come in, which is not true, and that they have demanded responsibility. For that hon. Members are voting—for a basis which is going to be shorn from under their feet; for the establishment of a system so vicious that it has been condemned by every authority which has dealt with it, and by the highest authority which could be accepted in this House, namely, by our own Statutory Commission.

5.54 p.m.

Mr. CADOGAN: I have been taken to task not only by the hon. Member for Springburn (Mr. Emmott) but also by the right hon. Gentleman the Member for Epping (Mr. Churchill). Apparently I have been taken to task for admitting that I was wrong. Unlike the right hon. Gentleman the Member for Epping, I do not claim infallibility for the Report of the Statutory Commission; in fact, for years I became quite accustomed to our Report being regarded as anathema by all parties, and it is almost embarrassing to find that what was originally rejected has become the head and corner stone of everybody's argument. The hon. Member for Springburn did me the honour to read out some passages from a speech which I delivered a few days ago, when the Noble Lord the Member for Aldershot (Viscount Wolmer) quoted this very passage. The hon. Member for Springburn left out a passage of which I would like to remind him. I said that while admitting that the passage was somewhat categorical, we asserted it rather courageously because, on the Statutory Commission, we thought we had found some way of circumventing dyarchy. When our scheme was examined by the Joint Select Committee, the Joint Select Committee decided that, while in was not dyarchy in form, it was in fact. We were compelled to agree.

The right hon. Gentleman the Member for Epping has poured contumely upon my head for changing my mind; I suppose that the right hon. Gentleman has never changed his mind. At any rate, I can say this: It may have been somewhat of a shock to hear anyone admitting that he was wrong. I will not delay the Committee any longer because I understand that we are already behind-hand on our time limit. In spite of everything that has been said by the right hon. Gentleman and the hon. Member for Springburn, I still abide by the finding of the Joint Select Committee on the subject of dyarchy.

5.57 p.m.

Sir S. HOARE: I do not intend to take up the time of the Committee for more than five minutes, but I ought in a sentence or two to comment upon the speech just delivered by my right hon. Friend the Member for Epping (Mr. Churchill). Let me congratulate him at once upon living up so effectively to the general proposition which he stated at the beginning of his speech, namely, that none of us should state more than one side of the case. It might be assumed from the right hon. Gentleman's speech that his conscience at any rate is clear; he and his friends will not touch the accursed thing called dyarchy. What is the real state of affairs? In the first place, they suggest putting in the centre of the Government of India, if they had their way, the worst possible form of dyarchy, namely a complete gulf between the executive and the legislature. Secondly, they favour the proposition which is set out in the report of the Statutory Commission under which the Army in India would remain a part of the British Army and have no connection whatever with the Indian machinery of Government. What more outrageous form of dyarchy can you have than that? Surely this is the most conspicuous illustration of the catherine wheel of contortion—I think that was the right hon. Gentleman's expression—in his own line of argument. He supports a system of provincial administration in which the great subject of law and order would be divorced entirely from the responsible Government of the Provinces.

Let, therefore, the Committee note that while professing affection for a unitary Government both at the centre and in the Provinces, my right hon. Friend and his friends are really supporting a much more extreme form of dyarchy than the form of dyarchy proposed in this Measure.

Question put, "That the Clause stand part of the Bill."

The Committee divided: Ayes, 234; Noes, 80.

Division No. 67.] **AYES.** **[6.0 p.m.**

Albery, Irving James	*Clarry, Reginald George*	*Foot, Isaac (Cornwall, Bodmin)*
Allen, Sir J. Sandeman (Liverp'l, W.)	*Colfox, Major William Phillip*	*Fraser, Captain Sir Ian*
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Colville, Lieut.-Colonel J.	Fremantle, Sir Francis
Amery, Rt. Hon. Leopold C. M. S.	Cook, Thomas A.	Ganzoni, Sir John
Anstruther-Gray, W. J.	Cooke, Douglas	Gault, Lieut.-Col. A. Hamilton
Assheton, Ralph	Cooper, A. Duff	Gillett, Sir George Masterman
Astor, Viscountess (Plymouth, Sutton)	Cranborne, Viscount	Gilmour, Lt.-Col. Rt. Hon. Sir John
Baldwin, Rt. Hon. Stanley	Crooke, J. Smedley	*Gluckstein, Louis Halle*
Barclay-Harvey, C. M.	Crookshank, Capt. H. C. (Gainsb'ro)	Glyn, Major Sir Ralph G. C.
Beauchamp, Sir Brograve Campbell	Croom-Johnson, R. P.	Goff, Sir Park
Belt, Sir Alfred L.	Crossley, A. C.	Gower, Sir Robert
Benn, Sir Arthur Shirley	Cruddas, Lieut.-Colonel Bernard	Graham, Sir F. Fergus (C'mb'rl'd. N.)
Bennett, Capt. Sir Ernest Nathaniel	Culverwell, Cyril Tom	Grattan-Doyle, Sir Nicholas
Blindell, James	Curry, A. C.	Grigg, Sir Edward
Boulton, W. W.	Dalkeith, Earl of	Grimston, R. V.
Bower, Commander Robert Tatton	Davidson, Rt. Hon. J. C. C.	Guy, J. C. Morrison
Bowyer, Capt. Sir George E. W.	Davies, Edward C. (Montgomery)	Hamilton, Sir George (Ilford)
Braithwaite, J. G. (Hillsborough)	Davies, Maj. Geo. F. (Somerset, Yeovil)	Hamilton, Sir R.W. (Orkney & Zetl'nd)
Brass, Captain Sir William	Denman, Hon. R. R.	Hanbury, Cecil
Briscoe, Capt. Richard George	Denville, Alfred	Harris, Sir Percy
Brown, Ernest (Leith)	Dickie, John P.	Harvey, George (Lambeth, Kenn'gt'n)
Buchan, John	Doran, Edward	Harvey, Major Sir Samuel (Totnes)
Buchan-Hepburn, P. G. T.	Drewe, Cedric	Haslam, Henry (Horncastle)
Butler, Richard Austen	Duckworth, George A. V.	Henderson, Sir Vivian L. (Chelmsford)
Butt, Sir Alfred	Duggan, Hubert John	Herbert, Major J. A. (Monmouth)
Cadogan, Hon. Edward	Dunglass, Lord	Hills, Major Rt. Hon. John Waller
Campbell-Johnston, Malcolm	Eden, Rt. Hon. Anthony	Hoare, Lt.-Col. Rt. Hon. Sir S. J. G
Caporn, Arthur Cecil	Ellis, Sir R. Geoffrey	Hopkinson, Austin
Cautley, Sir Henry S.	Elmley, Viscount	Hornby, Frank
Cayzer, Sir Charles (Chester, City)	Emrys-Evans, P. V.	Horne, Rt. Hon. Sir Robert S.
Cazalet, Thelma (Islington, E.)	Evans, David Owen (Cardigan)	Horobin, Ian M.
Cazalet, Capt. V. A. (Chippenham)	Fielden, Edward Brocklehurst	Howard, Tom Forrest
Chamberlain, Rt. Hn. Sir J. A. (Birm., W.)	Fleming, Edward Lascelles	Inskip, Rt. Hon. Sir Thomas W. H.
Chapman, Sir Samuel (Edinburgh, S.)	Foot, Dingle (Dundee)	Iveagh, Countess of

James, Wing-Com. A. W. H.
Janner, Barnett
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Johnstone, Harcourt (S. Shields)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Knight, Holford
Lambert, Rt. Hon. George
Law, Sir Alfred
Leckie, J. A.
Leech, Dr. J. W.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lister, Rt. Hon. Sir Philip Cunliffe-
Llewellin, Major John J.
Llewellyn-Jones, Frederick
Lloyd, Geoffrey
Lockwood, John C. (Hackney, C.)
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macpherson, Rt. Hon. Sir Ian
Magnay, Thomas
Makins, Brigadier-General Ernest
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mason, David M. (Edinburgh, E.)
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Mitchell, Sir W. Lane (Streatham)
Molson, A. Hugh Elsdale
Morrison, G. A. (Scottish Universities)
Morrison, William Shepherd
Moss, Captain H. J.
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
North, Edward T.
O'Connor, Terence James
O'Neill, Rt. Hon. Sir Hugh
Ormiston, Thomas
Orr Ewing, I. L.
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickthorn, K. W. M.
Potter, John
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Sir John
Radford, E. A.
Ramsay, Alexander (W. Bromwich)
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Russell, Alexander West (Tynemouth)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Savery, Samuel Servington
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Thomas, Rt. Hon. J. H. (Derby)
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
White, Henry Graham
Williams, Charles (Devon, Torquay)
Willoughby de Eresby, Lord
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE AYES.—Sir George Penny and Dr. Morris-Jones.

NOES.

Acland-Troyte, Lieut.-Colonel
Addison, Rt. Hon. Dr. Christopher
Alexander, Sir William
Allen, Lt.-Col. Sir William (Armagh)
Atholl, Duchess of
Bailey, Eric Alfred George
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Broadbent, Colonel John
Brown, C. W. E. (Notts., Mansfield)
Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Burnett, John George
Carver, Major William H.
Churchill, Rt. Hon. Winston Spencer
Cobb, Sir Cyril
Courtauld, Major John Sewell
Cove, William G.
Craddock, Sir Reginald Henry
Cripps, Sir Stafford
Croft, Brigadier-General Sir H.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Davison, Sir William Henry
Dixey, Arthur C. N.
Donner, P. W.
Edwards, Charles
Emmott, Charles E. G. C.
Everard, W. Lindsay
Fuller, Captain A. G.
Goodman, Colonel Albert W.
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Gretton, Colonel Rt. Hon. John
Griffiths, George A. (Yorks, W. Riding)
Groves, Thomas E.
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Jones, Morgan (Caerphilly)
Keyes, Admiral Sir Roger
Kimball, Lawrence
Knox, Sir Alfred
Lansbury, Rt. Hon. George
Lawson, John James
Lennox-Boyd, A. T.
Levy, Thomas
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Macquisten, Frederick Alexander
Mainwaring, William Henry
Marsden, Commander Arthur
Maxton, James
Milner, Major James
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Nunn, William
Oman, Sir Charles William C.
Parkinson, John Allen
Raikes, Henry V. A. M.
Reid, David D. (County Down)
Remer, John R.
Salter, Dr. Alfred
Sandeman, Sir A. N. Stewart
Scone, Lord
Smith, Tom (Normanton)
Somerville, Annesley A. (Windsor)
Strauss, G. R. (Lambeth, North)
Taylor, Vice-Admiral E. A. (P'dd'gt'n, S.)
Thorne, William James
Thorp, Linton Theodore
Tinker, John Joseph
Todd, Capt. A. J. K. (B'wick-on-T.)
Touche, Gordon Cosmo
Wayland, Sir William A.
Wells, Sydney Richard
West, F. R.
Williams, Herbert G. (Croydon, S.)
Wilmot, John
Wolmer, Rt. Hon. Viscount

TELLERS FOR THE NOES.—Mr. John and Mr. Paling.

CLAUSE 10.—(*Other provisions as to ministers.*)

6.10 p.m.

Sir CHARLES OMAN: I beg to move, in page 7, line 17, to leave out Sub-section (2).

I hope that the right hon. Gentleman in charge of the Bill may be able to see his way to accept this very harmless proposal, and in that event it will not be necessary for any person who is chosen to be a minister to secure for himself

a place in one of the Houses of the Legislature. A person who is in every way qualified to be a minister and who has been selected by the Viceroy might well be a member of a minority, religious or otherwise, and might, therefore, find it impossible, within the short time given to him by this provision, to obtain a seat in either Chamber. Therefore, I wish to delete the Sub-section in order that such a minister may continue to serve the Viceroy in the capacity in which he has been chosen to serve on account of his particular usefulness, without having to get a seat in either Chamber.

This is not an unprecedented proposal. In a great many countries it is not necessary for ministers to sit in the House, though they may be called to the House to be questioned and make explanations and generally to take more or less a part in the work of the House. The best non-British precedent, of course, is that of the United States of America, where the ministers whom the President chooses do not sit either in the State or in the House of Representatives, and yet manage the ministerial business of that vast federation as well as it is managed. I move the Amendment in the hope that my right hon. Friend may look upon it with a kindly eye.

6.12 p.m.

Sir ARTHUR STEEL-MAITLAND: I have risen only to correct one misapprehension which perhaps the Committee might have gathered from the speech of my hon. Friend the Member for Oxford University (Sir C. Oman). It is perfectly true that, in the United States, ministers in charge of departments not only do not have to be members of either House of Congress, but they are not able to appear before it, and the result is perfectly disastrous in many ways. They are at a very great disadvantage. Everyone, I think, who has seen the system working at close quarters knows that it would be an advantage if they were at any rate allowed to address either House, as, indeed, they would be in this case, I imagine; but I think it would be a very great advantage to them to be members either of the Senate or of the House of Representatives. Therefore, I venture to say, with all due deference to my hon. Friend the Member for Oxford University, that in this particular respect I believe his constitutional knowledge has gone wrong, and that it is a great disadvantage, and not an advantage, that in the United States ministers are not members of one House or the other.

I can see some advantages that might follow from leaving out this Sub-section One advantage would be that the man who might be chosen as a minister would not necessarily have to be nominated by some particular little group or other But at the same time I imagine that the almost universal opinion in India would be that they would look at the lists almost essentially as a guarantee that they are really going to get responsible self-government at the centre. There may be other advantages which I have not stressed, and on which I am sure my hon. Friend afterwards will give his opinion, but I am convinced from what I have heard that the fact that ministers are members of one of the chambers will give some guarantee to those in India that they are to have really responsible self-government at the centre. It is, of course, open to those members who do not approve of responsible government at the centre, to support the omission of this Sub-section, but those who believe that responsible government at the centre should be given, must agree that it is essential that, at any rate in the early stages, even if the whole system is amended later, all the ministers should be members of one or other of the chambers in the Central Government.

6.16 p.m.

Sir EDWARD GRIGG: I am delighted at last to find myself able to take the same side in this argument as my old tutor in history, my hon. Friend the Member for Oxford University (Sir C. Oman). I do not think that the case which he put up has been met by my right hon. Friend the Member for Tamworth (Sir A. Steel-Maitland). In the first place, under this Constitution by a later Clause—I think Clause 21—ministers whether members of a chamber or not, can in any case address either chamber, so that the American parallel does not apply. When he went on to say that this is the only form in which responsible government can be worked out in India, he is ignoring an argument, forcibly put forward by the Statutory Commission, who pointed out:

"It appears to us that there is a serious danger of development at the Centre, pro-

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ceeding on wrong lines if the assumption is made that the only form of responsible government which can ultimately emerge is one which closely imitates the British Parliamentary system."

I do not think that that case stated by the Simon Commission and argued by them has been argued by the Joint Select Committee. The only argument advanced in the Joint Select Committee was that the original form of the report as presented to the Select Committee would have been unpopular in India, and that we must bow in this matter to Indian opinion. That, I agree, is a strong argument, but it does not seem to meet all the other arguments which may be advanced in this case. If Indian opinion is so strong, there is nothing to prevent the Viceroy, if this Amendment is carried, from selecting all his ministers from the legislature. All we suggest is that his hands should be left free now and in the future and that we ought not to deprive him of the freedom which a Prime Minister in this country still retains. In an emergency in this country the Prime Minister is able to have ministers who are not members of either chamber. That proved a great convenience and indeed a necessity during the War. Who knows that similar emergencies may not arise in India?

Not only that, but under our system the Prime Minister really has a greater freedom in the fact that he can choose ministers from the House of Lords, and in case of need he can ask the Sovereign to raise to the Peerage a person whom he desires to make a minister. Under this provision the Viceroy's hands would be tied in that respect. It is true that he has at the outset six nominations to the Council of State but I think his nominees retire in rotation, and that after the appointment of the first six, he will only have the power of appointing two every three years. I do not think that that power will meet the case. This is a matter on which the division in the Joint Select Committee was not a division between those in favour of the majority recommendations and those in favour of what is now called the Salisbury Report. I think the Chairman and the Noble Lord the Member for Hastings (Lord E. Percy) —I am sorry he is not in his place—also voted against the provision which is inserted in the Bill.

Sir S. HOARE *indicated dissent.*

Sir E. GRIGG: I will not insist upon that. At any rate the chairman brought in the original report the proposal in which was not the proposal in the Bill but was the proposal that has been put forward by my hon. Friend the Member for Oxford University. I believe we shall be making a grave mistake if we incorporate this provision in the Bill. I am speaking as a friend of the Bill, as a profound believer in the Bill and as one who does not want to see a provision introduced which is likely to hamper and perhaps prejudice the successful working of the Constitution. I believe that the insertion of this provision might in the future gravely aggravate what are bound to be the two great difficulties of this Constitution in regard to the Central Government. One of these—it has been insisted upon by the Joint Select Committee—will be the struggle of the Provinces for their share of the central revenue. That is bound to be the central struggle when the estimates come up for consideration. In the form in which the central legislature, the Assembly, is being constituted, under a system of indirect election, a member may be either the nominee of a State ruler or the nominee of a comparatively small communial or provincial group, and he will depend for his political life—and all members of this Committee know what that means—he will depend for re-election on the satisfaction which he is able to give to the group which has nominated him in the provincial Chamber or in his own State.

Of necessity, under indirect election, you are going to have a body of men absolutely dependent on comparatively small groups in the Provinces and the States for their political lives. That is going to make the struggle for what can be spared from the central avenue, much graver and more acute. The Viceroy will be compelled to choose ministers who are members of one or other group of this kind, and it seems to me that to tie his hands in this way will militate greatly against his discharging the instruction given to him in the Instrument of Instructions to produce a Ministry, if he can, which has a real sense of joint responsibility.

Mr. ISAAC FOOT: Would the hon. Gentleman be inclined to change his posi-

tion if we could get our Amendment carried later, to substitute direct for indirect election?

Sir E. GRIGG: Very much. I am glad that the hon. Gentleman has made that interruption. I think that this situation is gravely affected by the fact that indirect election has been introduced. The struggle between the nominees of the Provinces is bound to be much greater as a result of that system. I am not sure that I agree with the hon. Gentleman that direct election would be better than indirect——

The CHAIRMAN: We must be very careful to avoid discussing that question yet.

Sir E. GRIGG: I am sorry that I was led away by the interruption. When I was interrupted I was about to say that it is idle to appeal to one's own personal experiences in connection with a matter of this kind. but it may be of some value to the Committee to recall what happened in the early years of the working of the Australian Constitution. I was there as a traveller, on and off, a good deal at that time, and if the Federal Ministry at that time had been constituted from men all representative of groups in the State Parliament I do not believe that that Federation could possibly have worked. If hon Members look at the early history of the Canadian Federation and the struggle between the Federation and the Provinces in those early years, they will realise the intense danger of exacerbating or exaggerating or intensifying in any way this struggle between the Provinces for what they may claim of the crumbs from the Federal table.

That is, however, only part of the ground on which I support the Amendment. I support it also because it seems to me that this provision, if adopted, is bound to increase what everybody knows are going to be the difficulties of working a system of dyarchy. Dyarchy is inevitable but that subject was discussed on the last Clause and I do not wish to return to it. It presents difficulties, and my contention is that this provision, if insisted upon, is going to increase its difficulties. The Governor-General has to find, if he can, a team of Indian Ministers who will work with him and his counsellors in preserving intact the essential services and powers which are reserved. If he has always to draw his Indian Ministers from a chamber constituted largely of nominees of provincial groups, he is going to find it much harder to prevent the creation of a ministry which will be identified with the legislature in challenging the reserved services and the reserved powers under the dyarchical system. In fact that system seems bound to identify the ministry with the Legislature, rather than with the Viceroy, whatever the issue may be, and clearly in this matter we want to give the Viceroy Indian ministers who will take a broad view of Indian necessities, and will be prepared to support the Viceroy in the exercise of essential powers. I think, as the Constitution develops, it is much more likely that they may be drawn—if his hands are left free to choose—from men with real authority in India as a whole and respected by India as a whole, and not from men who have merely commended themselves to this or that group in this or that Province.

Further, I would ask why we should, in this way, by laying down this provision, commit India finally to our own line of Parliamentary development? It may not suit India at all. Many of us feel that it is not likely to suit India. The Simon Commission argued, I think powerfully, and the case has not been met by the Joint Select Committee, that responsible government might well develop on rather different lines in India from those on which it has developed here. We always assume that you can only have responsible government on our own lines. We always, in reply to any argument on this subject, produce the dilemma between the irremovable executive and the irresponsible legislature. Our experience on that matter is really not conclusive. It is based almost entirely on cases in which an imported and alien executive has had to deal with a native legislature. Of course the difficulties are much greater in cases of that kind but those difficulties have not arisen in other cases in which the executive has been just as indigenous as the legislature. The difficulties are never so great in such cases.

When you say that a system of responsible government, in which Indians have a full share, cannot be built up under any system which does not compel the Viceroy to draw his ministers from the legislature, are you not forgetting the ex-

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perience of nearly every other country in Europe? The German Empire was built up to its greatness between 1871 and 1914 on a system under which ministers had to get the approval of the legislature for all main branches of their policy but under which they were not themselves members of the legislature or responsible to it, although they were able to speak in it. The conditions of Germany resemble conditions in India more closely than ours do. The parallel is not exact but the resemblance is great and it is worth remembering that when Germany adopted the system laid down in this provision of the Bill, in the Weimar Constitution, the Parliamentary system collapsed altogether. I think by committing India to this line of Parliamentary development prematurely we are taking a great risk which we ought not to take. I have referred to Germany. The same experience has been felt in Italy. Parliamentary government collapsed in Italy, largely because ministries were never able to deal with the legislature. The same difficulty is now apparent in France. The trouble in France is that the legislature has so much encroached on the responsibilities of the executive that it is doubtful whether effective government can be carried on.

With these examples before us, why do we insist that there cannot be effective responsible government except on the lines which are being pursued in these Islands, where, after all, our conditions are exceptional and our political experience exceptional, too? The system of an executive not responsible to a legislature may, I think, accord more closely with Indian experience than any system of ours. In India the traditional method is the Durbar. The traditional method is for the ruler to hear everything his subjects may have to say and then to give his decision, but that method of conducting a government would be modified under this Bill by insisting that the legislature must actually vote the measures which a government wishes to pass. The traditional Durbar method in India is a very strong argument for allowing them, at any rate, freedom to develop on their own lines, and not necessarily on the same lines as ourselves. I go further and say—and this is my last point, and I would say this to the right hon. Gentleman—we are not asking that the Viceroy should be in any way compelled to choose ministers from the legislature. We are only asking that his hands should not be tied and that he should be left the same freedom in the future as, in fact, the Prime Minister in this country possesses.

It is true that this Clause of the Bill follows the recent constitutions of Australia and South Africa, but it is not in the Canadian constitution, it is not in the British North America Act, and it is no part of our constitution, and it has been disregarded when necessary. I believe that if you gave the Viceroy this freedom, in spite of Indian opinion at the present moment, he might not need to exercise it, but the fact that he possessed it would make it very much easier for him to bring his ministers together and secure that joint responsibility which everybody knows to be so greatly desired. I am an absolutely convinced supporter of this Bill, but I regard this provision as a dangerous flaw in it, and as a thing which makes the success of the Bill far more doubtful than it would otherwise be. For that reason I would appeal to my right hon. Friend to consider whether freedom and discretion on this point cannot be left to the Viceroy.

6.33 p.m.

Mr. LANSBURY: We pride ourselves on this occasion upon being in disagreement with the Conservative opposition to the Bill. We shall be able on this occasion to demonstrate our impartiality in considering this matter. I have seldom heard a speech with which I more thoroughly disagree than that delivered by the hon. Member for Altrincham (Sir E. Grigg). He may have had a much greater experience of other parts of the world than I have had, but I do not know that he has of India. Still his experience carries a great deal of weight. The argument in favour of this Amendment is brought down to this, that elected persons are those who cannot be trusted. I listened very carefully to the hon. Member for Altrincham, and his argument appeared to be that the Governor-General should have the right to select persons from outside Parliament who would be looked up to and respected by everybody in the country. I have seen something like that operated in this country, and the persons so selected have never had my respect or the respect of a good many of my friends. But let us apply

the principle to this House. Would anyone here say in normal circumstances—I am not discussing now the question of war time or some great national emergency, but the ordinary days in which we are now living—that the Government of the country would better be chosen from persons outside Parliament than from inside Parliament? I cannot understand the reason for all this argument against elected persons in India. It is said by the hon. Gentleman that they are persons who are put forward by different groups of people. We are all put forward by different groups of people, and I know it is said that it is not quite the same. I have heard of people being selected because they supported total abstinence and prohibition.

Sir E. GRIGG: The right hon. Gentleman is really arguing that there is no difference between a system of direct and indirect election, and I am sure that he will not be able to sustain that argument when he comes to that point.

Mr. LANSBURY: The persons who are elected, even through indirect election, will be elected by people in the Provinces, and the argument is that the elected persons in the Provinces, because of differences of view, will not be fit to be trusted.

Sir E. GRIGG *indicated dissent.*

Mr. LANSBURY: The whole argument was that they would not be looked up to with so much respect as if the Viceroy or Governor-General selected them. I do not agree with that point of view at all; nor do my hon. Friends. I think that the persons who are indirectly elected will be more representative of public opinion than those selected simply by the Governor-General. The argument that there is some analogy between the choice by the Prime Minister in this country does not hold. In normal conditions Parliament would not tolerate Ministers who were not members of this assembly or the other place. There is no analogy at all about that. The other point I should like to put about this Clause is, will there be anyone in the position of a Prime Minister in this Cabinet; will there be one man who can, as it were, speak for them and——

The DEPUTY-CHAIRMAN (Captain Bourne): I think that the right hon. Gentleman had better raise that question on the Motion, "That the Clause stand part of the Bill." We are rather severely restricted as to whether Ministers shall be or shall not be members of the Legislature. That is the rather narrow point of the Amendment.

Sir E. GRIGG: Will the right hon. Gentleman allow me to ask him one other question? Can he inform me whether the Solicitor-General in the first Labour Government was at any time a member of this House or the other House?

Mr. LANSBURY: I am not sure whether, in the first Labour Government, it was not the Lord Advocate. Our Government was turned out too soon to get him a seat. I believe he was a Conservative, so we were very glad that he did not get one. It is certain that if the Labour Government had remained in office the Lord Advocate would have had to find a seat, because there were continual questions put by hon. Gentlemen opposite who were then on this side of the House, showing that it was considered quite wrong, and it is quite wrong. The Attorney-General, I am sure, will agree that Ministers must, under normal conditions, be Members of this House or the other place, and that is all I am asking in regard to this question.

I cannot raise the other point. I think that persons elected by the provincial bodies are likely to be much more representative of public opinion than persons selected by the Governor-General. I agree with the hon. Member that this arrangement of imposing a cast-iron constitution is wrong. If the Indian people had been consulted, I believe they would very likely have given an entirely different opinion. But the Government and the majority of the House have decided otherwise, and I think that the hon. Gentleman voted with them, so that he must not complain about what India might have done, or what it might have been better for us to have done rather than imposing this European or British system of Government upon the Indian peoples.

6.41 p.m.

Viscount WOLMER: I want to make an appeal to the right hon. Gentleman who has just sat down, because I do not believe that his object is really any different from that of my hon. Friend the

[Viscount Wolmer.]

Member for Altrincham (Sir E. Grigg), who made such an interesting speech. I think that we all in this House agree that the intention of the Bill is that Ministers should normally be members of both British legislatures. We are confronted with two difficulties. In the first place, the right hon. Gentleman is imposing a written constitution, and therefore there is not that elasticity that an unwritten constitution would have. Secondly, you are up against the very practical difficulties which my hon. Friend the Member for Altrincham pointed out. It is not a question here of saying that non-elected Members are more fitted to be ministers than elected members. It is the practical difficulties which may occur in forming a Government. It has already been pointed out to the right hon. Gentleman that his own first Government had a Lord Advocate who was never a member of it, although that Government held office for more than six months. I think that I am right in saying that the same thing was true of the Conservative Government in the Parliament of 1923. The Lord Advocate never had a seat in this House during the whole of that Parliament. That is my recollection, but in any case I am sure that if you searched the history of this country for the last hundred years you would probably find half a dozen or a dozen cases where Ministers, for one reason or another, were outside the House, owing to exceptional circumstances, no doubt. All that we want to do in the Amendment is to give the Indian Constitution that sort of elasticity that the British Constitution has got.

I want to make a practical suggestion to my right hon. Friend the Secretary of State and to the right hon. Gentleman opposite, whether we cannot agree to accept the Amendment and put it in the Instrument of Instructions to the Viceroy and to the Governors that their ministers shall normally be Members of either Chamber, but that, if in exceptional circumstances it is the opinion of the Viceroy that a suitable Ministry cannot be formed without the breaking of the normal rule, he shall have power to do it. I think that that would meet the point of my hon. Friend the Member for Altrincham perfectly well. There should be no departure from the normal rule, but if you put it in the Instrument of Instructions instead of the Act of Parliament, you would give that elasticity which, in times of difficulty and crisis, might be very important indeed.

6.45 p.m.

Sir S. HOARE: Perhaps it will be for the convenience of the Committee if I give briefly the history of this question. It is a question which has been considered time after time. First of all there was the Statutory Commission. They considered a variety of alternatives for a non-Parliamentary Minister. They considered the possibility of having a Minister of this kind, and then considered the more general proposition and made a very tentative suggestion that where the other Ministers wished for a Minister of this kind such a Minister might be appointed, leaving it optional and dependent upon the desire of the other Ministers.

Sir E. GRIGG: The actual proposals of the Simon Commission in this respect were directed to a system at the Centre, which was extremely difficult to work. There was a tentative effort to arrive at some system of collaboration with the Indian States, but more important than the actual proposals that they put forward is the argument which they advanced on this subject.

Sir S. HOARE: That does not really affect the matter, but let me come back to the history of the case. There was this very tentative and very conditional suggestion made by the Statutory Commission. Then followed discussions with the Indians at the Round Table Conference and we found that, rightly or wrongly, every Indian—I do not think there was a single Indian of a contrary opinion—was violently against this proposition. They were violently against it because they thought that it was the thin end of the wedge for reintroducing the official block. That may be a good reason or it may be a bad reason, but it certainly was a very strong reason in the minds of the Indian delegates. Then came the Joint Select Committee. They considered this question. We considered all the kind of issues that have been raised by my hon. Friend the Member for Altrincham (Sir E. Grigg). It is disclosing no confidence when I say that a good many members of the Committee at one time were attracted towards the proposal, and I was instructed to make inquiries from the Government of

India and from the Provincial Governments as to their views on the question. Every one of those Governments, the Government of India and every single one of the Provincial Governments were against it.

Mr. ISAAC FOOT Against what?

Sir S. HOARE: Against the proposition urged by the hon. Member for Altrincham. They said, "It will not work unless it has the approval of the Ministry. You will never have the approval of the Ministry because we, the Government of India, and we, the Provincial Governments, do not contemplate any possibility of an Indian Ministry ever agreeing to a Minister of that kind." Having regard to these very strong views, the Joint Select Committee came to the conclusion that it was not worth while press-a proposition that certainly was not going to be accepted and that was not going to work. More so, because I believe that under the provisions of the Bill and under the Joint Select Committee we seek to meet almost all the contingencies to which allusion has been made in the course of this Debate, and we meet them in the Federal Centre. It is with the Federal Centre that we are now dealing.

In the Federal Centre there is a Second Chamber. In that Chamber there are a number of nominated members. It is possible for the Governor-General, if need be, to use one of his nominations for an appointment of this kind. I suggest that to the Committee as much the best way to meet a case in which the Governor-General and the Ministers require the services of someone who is not already a member of the Federal Assembly. By that method you will be achieving the end which I believe is in the minds of a good many hon. Members this afternoon, and you will not be raising an unnecessary issue that will set against you, quite needlessly, large bodies of political opinion in India. For these reasons I suggest to the Committee that this is not a great question with issues of principle at stake. A Minister has a period of six months before he need become a member of one or other of the Chambers. In the case of the Federal Legislature if he fails to obtain a seat in the Assembly or if he does not wish to stand for the Assembly he can obtain a nomination for a nominated seat in the Second Chamber. That being so, it is better to follow the advice, reached after a long period of investigation, of the Joint Select Committee and not to adopt a proposal, however attractive it may be at first sight, which certainly would not work but would undoubtedly raise up against it great bodies of Indian political opinion.

6.52 p.m.

Mr. ISAAC FOOT: I found myself very much in agreement with the hon. Member for Altrincham, and if I had not served on the Joint Select Committee I might have been swayed by his argument. There can be no doubt that at the beginning a good many members of the Joint Select Committee held the view that there should be complete freedom of opportunity to the Governor-General and the Provincial Governors, but that view was gradually overborne by the tremendously strong opinion held by the Indian delegates. I would ask hon. Members to recall that we already had to defend these proposals against criticism in India. The suggestion has been made that we have moved more and more to the right, that we have moved more and more away from their requests and their position and, although I do not think that this is a very important matter, I am sure that if a concession is now made it will be regarded as an important matter in India. The alteration would be taken as one made to meet white opinion, or the opinion of the right in this country, and I think that it would render the Bill less acceptable in India. It may be said that there is already objection in India, and I admit that. Whatever may be the existing objection, I do not want to strengthen it. The fundamental consideration in all our discussions is Indian consent. That has been set out in terms in the White Paper and in terms in the report of the Joint Select Committee, and I want us to secure it now, but I think that the carrying of this Amendment would put that consent further off.

Sir A. KNOX: What about opinion in this country?

Mr. FOOT: I attach great importance to the opinion of this House and of this country, but the ultimate argument and the ultimate decision surely rests with the people who have to live under the Constitution that we are seeking to set up.

Viscount WOLMER: Does the hon. Gentleman now suggest that? He voted against us when we proposed that Federation should not come into force until the Indian Legislature had approved it.

Mr. FOOT: When I spoke before I clearly stated that in the end unless you have the consent of the people of India and their will to work it, your scheme can never work. That is the final test. If you can get a sufficient number of people in that country to say that they will work the scheme, that is the final test. If you cannot get that, all your work will come to nothing in the end It is because I want that consent that I should not like to see an Amendment carried which would be seized upon at once, especially by those who are out to defeat the scheme in India, and who would say that we had made a concession and opened the door again to the official block. The official block has come in for a good deal of criticism in recent years. In spite of the arguments advanced by those who support the Amendment I would ask the Committee not to pass an Amendment which would tend to alienate the sympathy and the consent upon which we must rely if this Measure is ultimately to succeed.

The DEPUTY-CHAIRMAN: I would remind the Committee that we are working under an agreement and I would ask hon. Members not to continue the Debate unnecessarily.

6.57 p.m.

Duchess of ATHOLL: I do not want to detain the Committee. I only rise because I thought that I heard the Secretary of State say that the Statutory Commission only made a tentative suggestion that there might be a nominated Minister, with the consent of the other Ministers. I should like to quote to the Committee what the Statutory Commission said:

> "We are unanimous in presenting the view that Provincial dyarchy should now come to an end in the sense that a unitary government should be established, composed of members appointed by the Governor, and that the Statute should be in such form as to make it possible for such a government to include an element drawn from official or other non-elected sources."

If my right hon. Friend says that the Provincial Governments did not want that, I would point out that four Provincial Governments were in favour of a government composed in that sort of way.

6.58 p.m.

Lord SCONE: My excuse for asking the Committee to bear with me for a short time is that my name appears second on the Amendment. The Secretary of State in his remarks, if he will pardon my saying so, seems to have neglected one very glaringly obvious fact, namely, that the whole condition that we seek to set up is permissive and not obligatory. We ask that in very special circumstances some Minister could be chosen who is not a member of the Legislature. Perhaps I might refresh the memory of the Leader of the Opposition as to what happened in the first Socialist Government of 1923, and I think the Committee will then realise that there are times when such an appointment is of the utmost value. May I remind the right hon. Gentleman that when the first Socialist Government was set up there was no Member of the Socialist party in this House, or in the country, capable of becoming Lord Advocate for Scotland. The result was that the Socialist Government had to accept the offer of Mr. Macmillan, K.C., now Lord Macmillan, who became a strictly non-political Lord Advocate for Scotland. The result was that during the brief period of office of that Socialist Government legal administration in Scotland was satisfactory. It was very different in England.

The DEPUTY-CHAIRMAN: We cannot on this Amendment go into what happened in the Socialist Government. The Noble Lord may state facts as an illustration why the Amendment should be accepted, but he must not go beyond that.

Lord SCONE: I bow to your Ruling. I only want to say that the provision in our Constitution which enables a Minister to be outside the legislature was of the utmost value to the Socialist Government on that occasion, and if the same thing had been done in regard to the English Law Officers their Government would not have fallen so soon. In these circumstances, and because all we seek is to make this permissive and not obligatory, I do hope that the right hon. Gentleman and the Government will reconsider their decision.

Captain CAZALET: In regard to the six members whom the Viceroy is entitled to nominate to the Council of State, I presume that one-third of those would have to retire every three years? Suppose one of them was a minister during that period——

The DEPUTY-CHAIRMAN: We had better deal with that point when we reach it in the Bill.

7.2 p.m.

Mr. CHARLES WILLIAMS: I should like to make one point which has not yet been raised. In the first place the Secretary of State pointed out that the Governor-General always has the power of nominating members and it seems to me quite obvious that this meets the whole of the object of the Amendment we are discussing, as far as I understand it. Certainly the right hon. Gentleman's speech was very clear on that point. When we are setting up a Constitution and creating ministers of this kind it seems clear that the very best thing for all ministers is to have to meet an Assembly every now and then. That does bring them into direct contact with affairs. In bringing them into the Federal Legislature we bring them into direct contact with other people who are in touch with the country. Nothing deteriorates ministers more than to have a weak Opposition; and nothing improves a Ministry more than a strong Opposition. I say quite frankly that for the British Parliament to set up a Constitution in any part of the world without subjecting the largest part of the Ministry to official Opposition in some form or another would be a perfect travesty of any sort of democratic government, as I understand it. I hope most sincerely that the Government will stand by this part of their Bill.

Amendment negatived.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

7.5 p.m.

Mr. MORGAN JONES: Before we part with the Clause I should like to ask one or two questions of the Secretary of State. We had an Amendment on the Order Paper in the name of my hon. Friend the Member for Gower (Mr. D. Grenfell) which was not moved and what we are concerned with is in substance the point I made on a previous Clause. We are rather anxious that when the Governor-General proceeds to nominate his ministers or to choose his ministers, he should first proceed as we proceed here, that is, that he should proceed to select the person who is most likely to carry a majority of the Assembly with him. In other words, we are anxious at the very beginning to start something on the lines of what we in this country call Cabinet responsibility. In order to establish it we want to know, in connection with this Clause, whether the Governor-General in making his inquiries as to how he will form his Ministry, will consult, in the first place, the person most likely to be able to meet the House with a majority at his back.

Assuming that the answer to that question is in the affirmative, is it open to that person, whom I shall call for the purpose of the argument the prospective Prime Minister, to choose his Ministers as may seem to him best and to fill the various offices so that he may have a sort of homogeneous Ministry, drawn together because they are in accord in relation to common policy? If that is not the proposal, I very much fear we shall perhaps secure a Ministry not welded together by any common purpose or policy but drawn together in a more haphazard way and seeking to placate, not political groups as such, but seeking rather to placate members of religious groups as such. If we get that kind of communal division in such a Ministry, then, obviously, we are far from embarking on the sort of corporate responsibility we are accustomed to have in this country. I wonder if the Secretary of State would be good enough to give us a little further light as to the object the Government have in mind in submitting this Clause to the Committee.

7.7 p.m.

Sir S. HOARE: It is impossible to dogmatise about the future. Nobody can say exactly how these things will develop. Nobody can say, for instance, how collective responsibility is going to develop. Collective responsibility is not something that you can achieve by Statute. It is something that has got to grow up in actual practice. It is no good denying the fact that there are peculiar difficulties in India in the way of collective responsibilities. For instance, there are communal differences, and so

[Sir S. Hoare.]

on. Our general view is, first of all, to leave the development as open as we can, and in that respect we are following in this Clause almost verbatim the wording of the Clauses in several of the other Constitution Acts of the Empire. I think this Clause follows almost exactly the wording of the British North America Act, and some of the other Constitution Acts. At the same time we state in Paragraph 8 of the Instrument of Instructions the kind of way in which we hope things will develop, and I cannot do better than read Paragraph 8 to the Committee:

"In making appointments to his Council of Ministers Our Governor-General shall use his best endeavours to select his Ministers in the following manner, that is to say, in consultation with the person who, in his judgment, is most likely to command a stable majority in the Legislature. . . ."

That answers one of the hon. Member's points. The latter part of the paragraph answers a second. It runs:

". . . to appoint those persons (including so far as practicable representatives of the Federated States and members of important minority communities) who will best be in a position collectively"—

I emphasise the word "collectively"—

"to command the confidence of the Legislature. But, in so acting, he shall bear constantly in mind the need for fostering a sense of joint responsibilitiy among his Ministers."

I think that paragraph answers substantially the questions put to me by the hon. Member.

7.12 p.m.

Mr. LEWIS: Before passing from this Clause I should like to say a word on that aspect of it which many of us who support the Bill consider to be of first-rate importance. It is proposed to give the Indians working the Federal system the opportunity of enjoying the advantages of ministerial responsibility as we understand it in this country. There has been a certain amount of scorn poured on that suggestion here this afternoon. Hon. Members ask why we should be so pleased with our own particular system. I cannot say that I am impressed by the alternatives they put before us. The hon. Member for Oxford University (Sir C. Oman) quoted the system of ministerial appointments in America. The right hon. Member for Tamworth (Sir A. Steel-Maitland) pointed out that in the view of instructed opinion in America our own method is considerably to be preferred. The hon. Member for Altrincham (Sir E. Grigg) gave us some examples of experience in other countries, and spoke of effective responsible government. After all, we want to give India a system which will last. When you compare the way our system endures with the way in which those systems to which the hon. Member for Altrincham referred have passed away, there is much to say for our system. I take it that the hon. Member for Altrincham would not suggest that the present system of Government either in Germany or Italy was effective responsible government.

Sir E. GRIGG: I made the point that the system in Germany collapsed only when they amended it so as to conform with our Parliamentary methods here.

Mr. LEWIS: Yes, but the hon. Gentleman does not deny that they amended it, and that they were dissatisfied with it. We do not want to set up in India a system which will require amendment. I think we are wise in seeking to give India an opportunity of enjoying the same methods that we follow here. There is, of course, this difficulty. We are producing a Bill, and the constitution will be within the covers of that Bill, whereas we in our own practical day-to-day experience are working under a system which cannot be found within the covers of any Bill. It is government partly by Statute and partly by convention. The very point we discussed a little while ago as to whether Ministers should be members of either House was a good illustration. There is no law in this country which makes it necessary for a Minister of the Crown to be a Member of either House. Despite examples given to us this afternoon of the appointments of Law Officers who were not Members of either House, it is well known to us all that it is a strong and effective convention of the Constitution that Ministers appointed who have not already got a seat in either House must get one. The reason is, of course, that in our view the advantage of the interplay between the Executive and the Legislature which we enjoy by that system outweighs the disadvantage of limited choice.

It has been asked why we should not insist upon the Governor-General having

a wider choice. I, for one, am not impressed by that argument. The same thing is true in this country. No one suggests that it would not be possible in this country to find men as capable as, and in some cases more capable than, some Ministers in the Government. We have forgone that width of choice in exchange for the benefit of the interaction of the Executive and the Legislature. I am very glad the Government have had the courage in this Clause to endeavour to reproduce that system so far as it can be applied to the Federal system.

7.15 p.m.

Major COLFOX: I had hoped to have made a few observations on the last Amendment, but when you, Mr. Chairman, appealed to the Committee to come to an early conclusion I did not persist in my endeavours to catch your eye. In my judgment, it is a pity that the Government should insist on the retention of Sub-section (2) because in so doing they have limited the scope of the Governor-General in the choice of ministers. I recognise that, whether that Sub-section is in the Bill or not, the common practice in the future in India, as it is the case here, must be that ministers should be members of one house or the other. But it is a pity that at the beginning of this new constitution it should be so stereotyped and fettered. It would be much better to leave it more elastic. It may be that when the constitution has been in operation for some years the custom will be to make it incumbent on every minister to be a member of one house or the other, but for the present it would have been wiser to have left the matter undecided, and find out which procedure is most suitable after some years of experience.

The Secretary of State has told us that it is quite possible for the Governor-General to nominate as one of his six nominees any one whom he chooses to be a minister and he suggested that this was frequently done under our own constitution and that when a minister was elected who was not a member of this house he was sent to the other house. The appointments to our upper house are unlimited in number. The appointments to the upper house under this federal constitution will be strictly limited, and I can well imagine a case arising of the Governor-General having already appointed his six nominees wanting to appoint as a minister someone who was not a member of either house. There would be no vacancy, and it might be that this was a person who in the opinion of the Governor-General was just the right man for the job. He would find himself unable to get a seat in either house. I regret that the Government have seen fit to retain the Sub-section. In my opinion, it is a blemish on an otherwise excellent provision.

Captain CAZALET: The question I desire to put is whether when one-third of the six members to be nominated by the Governor-General retire, as they will have to do, they are available for re-nomination by the Viceroy. If they are, then the question as to whether the Viceroy has power to nominate a minister outside the assembly is completely answered.

Sir S. HOARE: I can answer that question in a single sentence. They can be nominated.

7.18 p.m.

Sir E. GRIGG: I am not going to disregard the appeal to the Committee to get on with the Bill, but I should like to make one or two observations on the speech of the Secretary of State. He began his reply by saying that no one can dogmatise on the future of India. That is precisely what we are asking him not to do by leaving out Sub-section (2). In retaining it he is dogmatising about the future of India. He is insisting that India shall follow a particular line of development, whether it suits India or not. I should have thought that this might have been left to the Instrument of Instructions, as it seems to me that Article 8 completely answers the point put by the hon. Member for Colchester (Mr. Oswald Lewis). It lays down that the ministers shall be such as to command a stable majority of the Assembly, whether they are members of it or not. I hope the Secretary of State will show some readiness to reconsider this matter, especially in view of the fact that nominees of the Viceroy in the Council of State will not in my opinion carry the same authority in the legislature as those who are elected or who have become ministers because of their general authority and position in India. I hope this Sub-section will be reconsidered before the Bill becomes law.

7.19 p.m.

Major MILNER: We have two strong objections to the Clause. During the short time that I spent in India one statement was constantly reiterated to me, and that was that Indians had the strongest possible objection to government from Whitehall. This Clause is a striking instance of how in the future the Government still intend to govern India from Whitehall. One has only to look at Sub-section (5) of the Clause, relating to the functions of the Governor-General, to notice that they are to be exercised at his discretion, but if you turn to Clause 14 it is clear that where the expression "in his discretion" appears in the Bill the Governor-General is then under the general control of the Secretary of State and has to comply with any directions which may be given him by the Secretary of State. That is government from Whitehall in excelsis, and it is the one thing to which the Indian population take strong exception. Further, the Clause is also a striking instance of the autocratic powers which are being conferred on the Governor-General. There is no approach in any way to responsibility or democracy. Take Sub-section (1). Ministers are to be appointed by the Governor-General.

Sir S. HOARE The wording of this Clause follows almost exactly the wording of the British North America Act and other constitutions. It is a constitutional phrase which appears in all of them.

Major MILNER: The Secretary of State will agree that that does not affect the validity of my argument. If these provisions appear in any other constitution they are equally repugnant to my friends and myself. Ministers are, first, to be chosen by the Governor-General, then summoned by him, sworn by him, and they are to hold office during his sole pleasure. The whole thing is completely autocratic from start to finish, and there is no approach to democracy or responsibility in any shape or form.

Mr. GODFREY NICHOLSON: Does not the same thing happen in this country in the case of the monarch?

Major MILNER: I do not propose to be drawn away on that argument, but everyone knows that in this country the King acts on the advice of his Ministers. In this case the Governor-General acts at his own discretion, which means that he acts under the orders of the Secretary of State. We take strong objections to the Clause.

Question, "That the Clause stand part of the Bill," put, and agreed to.

CLAUSE 11.—(*Provisions as to external affairs, defence and ecclesiastical affairs.*)

7.27 p.m.

Mr. GORDON MACDONALD: I beg to move, in page 7, line 36, to leave out "and ecclesiastical affairs."

Whatever defence there may be for granting these enormous powers to the Governor-General in certain directions, we are of the opinion that it cannot be justified as regards ecclesiastical affairs. The Clause makes this one of the reserved subjects. It gives to the Governor-General the power to call for the money necessary to carry on religious activities throughout the whole of India. We have no objection to the religious administration in the army, it may be necessary, and perhaps more necessary there than anywhere else, but we feel that it is unfair to call upon the masses of the people of India to be financially responsible for the teaching of a religion which they do not accept, indeed, which they disbelieve and deny. That is what this Clause means. It will compel millions of Mohammedans and Indians, who do not accept the Christian religions, to be financially responsible for the teaching of that religion in India. We fail to see how this can be justified. People should pay for their religion if they desire it, but it is wrong to ask anyone else to pay for their religion. It is a costly item. I hope the Secretary of State will let us know how much is really involved. We are uncertain. Some people say that it is limited to the religious teaching in the Army, and others that it includes all religious teaching in India of a Christian character. In December last, when an hon. Member asked how many religious teachers were on pension, he was told that the number was two, and that the amount of pension they received was about £1,000 for the two. Our only point in raising this matter is that we have no objection to ecclesiastical affairs being a matter for consideration, but we take objection to Indians, who do not accept the

Christian religions, being made financially responsible for the teaching of religions which they do not accept.

7.29 p.m.

Sir S. HOARE: I hope that I shall be able to satisfy the hon. Member. Ever since the East Indian Company first went to India there has always been a provision for the chaplains of any British Army in India and any British religious services in India. It has always been recognised by every succeeding Government that it was an obligation upon us not only to provide the proper material conditions for the Army and the services in India, but also to provide them with adequate spiritual ministrations. Speaking generally, the position to-day is that the expenditure of the ecclesiastical department covers, first, the chaplains for the Army, and, secondly, the chaplains for the services where the services need spiritual ministration. There was the question whether, that being so, it was necessary to have a separate reservation of the ecclesiastical department, whether it could not be regarded as one of the branches either of the reserved defence department, or as part of the Army and the money voted for the service. On the whole we thought it was better to deal with the ecclesiastical department as it is dealt with in the Bill. We have always made it clear that we did not contemplate the ecclesiastical department going over a wider field than we have described, namely, speaking generally, ministration for the services and for the Army, and in order to show that that is our view in Clause 33, Sub-section (3, *e*), we give the limit of money that can be expended in the Department. We say that it shall not exceed 42 lakhs of rupees. As far as we can judge the expenditure is likely to fall rather than rise, and in any case it will not exceed that amount. I hope that that statement has satisfied the hon. and gallant Member.

Mr. G. NICHOLSON: Does that expenditure include Christian cemeteries and burial grounds?

Sir S. HOARE: I think it does, but I will let my hon. Friends have an answer later.

Mr. G. MACDONALD: Would the Secretary of State give us the amount in English money?

Sir S. HOARE: Roughly it is something over £200,000 a year.

Mr. T. SMITH: Is that exclusive of pension charges?

7.33 p.m.

Mr. MORGAN JONES: I am afraid that I cannot accept the right hon. Gentleman's answer as adequate. I for one, in common with my colleagues on the Joint Select Committee, took strong exception to this particular provision whereby the ecclesiastical department should become a reserved department. There are many grounds upon which I and my friends took objection to it. I will recall some of the terms in which we drafted a report upon this matter. In Volume 1, Part II, page 275, we say:

> "While we are prepared to accept the proposition that so long as we have an Army in India their spiritual needs should be provided for, we cannot see why this can only or best be achieved by the proposal of the White Paper to retain the ecclesiastical department permanently as a special reserved department of the Government of India. We think it would be very much better to abolish this department and include religious ministrations as an integral part of the Army administration. We would go further and propose that as long as we have an Army and services in India whose spiritual needs are entirely different from those of the peoples amongst whom they serve, it would be a gracious act on our part if the necessary expenses were placed on British instead of on Indian revenues. We are in any event entirely opposed to this being included as a reserved department of the Government of India."

I wonder whether the right hon. Gentleman realises how very important a proposition is involved in the Amendment. He said that there were two people who were drawing pensions, two bishops. That is true. But let the Committee listen to these facts. In this country at this moment there are drawing annual pensions from Indian revenues, eight chaplains receiving from £240 to £300 a year, 44 chaplains receiving from £300 to £400 a year, 103 chaplains receiving from £400 to £480 a year, and two receiving from £800 a year. Those two probably are the bishops. Let the Committee understand that we take no objection to the provision of religious ministration and comfort for our troops in India so long as they are there. That is an agreed proposition on all sides. But we do think that it is an impossible proposition to defend, that the Indian people who do not entertain our religious

[Mr. Jones.]
philosophy at all, whose religious concepts are entirely opposed to ours, should be asked to bear this burden. I think it is a monstrous proposition, and in saying that I am probably understating the feelings that are entertained on the matter.

By all means send as many chaplains to India as you want, but why should Indians who entertain the Hindu faith or the Moslem faith and who are perhaps hopelessly hostile to the whole concept of the Christian religion—why should they have to pay for it? Is there any principle that any one can summon to his assistance in this matter other than this—that Army administration, the cost of the Army service has fallen upon Indians, that this is associated with Army service and that therefore its cost should fall on India too? Really we ought to be able to arrive at some sort of decision agreeable to both sides in this matter. The right hon. Gentleman the Secretary of State thinks that this arrangement is agreeable, but I very much doubt it. I know that he will probably be able to say to me, and I do not controvert him, that I cannot quote any Hindu opinion or Moslem opinion that has been recorded against the provision of this spiritual comfort for our troops and the placing of the financial burden on the backs of the Indian people. That is probably true. [*Laughter.*] What is there to laugh at? Where is the joke?

Viscount WOLMER: I apologise. I was referring to another matter altogether

Mr. JONES: Then I also apologise to the Noble Lord, and honour is served on both sides. After all, it may be that a sense of delicacy prevents the Indian people from calling attention to this subject They do not like pointedly to call attention to this burden that is imposed upon them on account of religious considerations. They may feel some hesitation about it lest they may be presumed to urge that the soldiers in India should not have access to that spiritual comfort to which they are entitled. Therefore, I can quite understand their having a sense of delicacy in raising the matter at all. But we here ought to entertain no such qualms at all, and I suggest that it would be a gracious act for us to say, "Well, there are some considerations that delimit this from the general question of defence, and whatever our subsequent decision may be concerning the appropriateness of imposing the burden of defence on the Indian people, let us at least say that this particular burden should be our own burden."

I want to ask another question. The Secretary af State said that we had regarded this as our duty from the days of the old East India Company. On page 290 of the Bill, in the Federal list, there is a reference to "Ecclesiastical affairs, including European cemeteries." I wonder whether that indicates that ecclesiastical affairs are confined simply to the provision of spiritual comfort for the British troops? Is there some sort of collateral provision for the Hindu section or the Moslem section of the Indian Army? If there is no such provision clearly my case is all the stronger, because surely it cannot be right that we should land upon India the burden in respect of teaching the Christian faith to our troops and not provide a similar service for those indigenous members of the Army who want to enjoy a similar privilege. I ask the Secretary of State to believe that we do feel very strongly about this matter and attach great importance to it. We do not want to be fobbed off with an inadequate reply. The matter goes down to the very roots of the faith which some of us entertain ourselves, and we are not going to have it treated lightly, though I am sure that the right hon. Gentleman believes that we are very serious in our intentions in raising this matter.

7.43 p.m.

Mr. G. NICHOLSON: The hon. Member for Caerphilly (Mr. M. Jones) seems to be under many misapprehensions. I think I am right in saying that the Indian army is afforded every facility for getting that species of worship which the individual members desire. I think I am right in saying that at the Military Academy at Dehra Dun the Indian Government pays the Hindu priests and the Moslem mufti. The situation is very different for the Indian troops who are in their own country. They can, so to speak, go to the parish church and find their particular religious refreshment in the locality. If you once admit that British troops are necessary in India, surely spiritual consolation and nourish-

ment are as necessary for them as European food and medical attendance. There are other arguments on which I do not lay much stress, such as that the Christian community in India provides a very large proportion of the Indian revenue, a proportion quite inconsistent with its numerical strength, and if the hon. Member takes the trouble to inquire he will find that the Indian Government make certain that Indian troops have the spiritual ministrations of which they are in need and in many cases the Government pays the priests of the various religions.

7.45 p.m.

Lord APSLEY: I am rather surprised at the somewhat narrow and parochial outlook of the hon. Member for Caerphilly (Mr. Morgan Jones). If he were to take that point of view when speaking to his constituents in their chapel on Sunday afternoon, where I understand they believe in the universal brotherhood of man, they would be somewhat surprised. Has he forgotten when the Indian troops were fighting for us in France and Palestine, when they were in the charge of the British taxpayer and every facility was afforded them to conduct their religious devotions at considerable expense and at very great difficulty? In different regiments squadrons of Mohammedans and Hindus had to be fed in different ways.

Mr. MORGAN JONES: Who paid?

Lord APSLEY: The British taxpayer, and we were glad to pay, because the Indian troops were helping us to fight a common foe. The British troops are in India to protect that country. The Indians would be the first to agree that, if the British troops were withdrawn, the Indian Army would disintegrate rapidly, the Pathans would come in from the North backed by the Afghans and other nomadic tribes following them, and in a short time the whole of the North West would succumb to the foreign invader. It is the presence of British troops that gives them the security under which they can develop their own individuality. The Indians themselves would be amazed at the suggestion, particularly from a Member who represents the nation who have done perhaps more than any other race in spreading good fellowship and Christian knowledge throughout the world.

7.48 p.m.

Captain FULLER: I very much regret that the hon. Member for Caerphilly (Mr. Morgan Jones) has raised the question of religion in India. Various communities in Indian regiments are provided with religious teachers, and they usually combine spiritual ministrations with education. If it be wrong to ask the people of India to subscribe to the religious administration of British troops, it must be equally wrong to ask the Moslems to subscribe to the Hindu pundits. I should be sorry if the hon. Gentleman pressed the Amendment to a division.

7.49 p.m.

Sir S. CRIPPS: I do not think the two hon. Members who have spoken last appreciate the problem. It is a question of sending a large sum of money out of India every year in order to pay pensioned officers of these services. It is quite a different proposition from keeping money in India for paying the teachers. The sum that goes out of India is somewhere about £250,000 a year for the pensions of these ecclesiastical officers. To ask the Indian people to send that sum annually out of the country for the purpose of pensioning people here seems to us to be asking too much altogether.

There is another question I should like to ask the right hon. Gentleman. I am informed that there is no definition in the Bill of "ecclesiastical affairs"; there is no limitation of it to matters that concern the Army at all. *Prima facie*, if that is so, this reserved power would cover all matters arising out of any Church. I presume that is the basis of the word "ecclesiastical." If that be so, I should like to know how far this reserved power is to extend. We have heard, for instance, that there are two bishops on the retired list who are pensioned. I am not taking any objection to that—they have probably done excellent work—but I am not clear whether they were connected, as it were, with the troops in India or whether they had functions which extended beyond the troops. How far, in other words, did these ecclesiastical affairs extend to the affairs of the Church of India?

Wing-Commander JAMES: I believe it also covers Roman Catholics and Nonconformists?

Sir S. CRIPPS: We have also heard that is covers Hindus and Moslems. If "ecclesialstical affairs" covers the whole range of religion, does it mean that the supervision of the whole range of religion is to be a reserved subject for the Governor-General? The Church of India, of course, deals with other souls besides the souls of the soldier, the airman and the sailor. Does the province of the Governor-General extend to the cure of souls beyond the Army in the Church of India, and, if so, does it also extend to the cure of souls beyond the Army in these various other religious denominations?

7.53 p.m.

Sir S. HOARE: I am not surprised that there should be a little misunderstanding on this question. A general election was fought on it in Burma in which one of the parties declared that the object of the reservation of the department of ecclesiastical affairs was to impose Christianity upon the Buddhists. That shows that a question of this kind needs a little explanation. The reservation does not have anything like the extension suggested by the hon. and learned Gentleman. It does not cover Moslem and Hindu spiritual ministrations. They are provided directly out of Army funds. Nor again does it cover the whole range of the Church of India. It covers a clearly defined province—I am not using "province" in the ecclesiastical sense—and a number of very specific appointments almost all of them being chaplaincies either for the Army or for the services. There is a small and diminishing overlap which will come to an end in the comparatively near future. Speaking generally, it is certain definite appointments for the Army and for the Services, carrying with it incidental expenses. Lastly, I suggest that we should not make too much of this. I think it is very significant that no Indian ever criticises it. Even admitting the observations made by the hon. Member for Caerphilly, they all take it for granted that the provision of these funds is an essential part of the provision for the Army and for the Services. There is no question of extending the scope of the Department beyond what I have just described, in actual practice the expenditure is likely to diminish, and certainly in no case can it go beyond the figure in the Clause to which I have drawn attention.

7.59 p.m.

Earl WINTERTON: As I was responsible for getting the Indian Church Bill through the House, I should like to say a word in justice to the Church to supplement what my right hon. Friend has said. Take the Church of England, now known as the Indian Church. The greater part of its ministrations, which are carried out not merely for the benefit of soldiers and officers but for Indian Christian members of the Church of England, are carried out under its own constitution under the Act of Parliament which I was responsible for getting through the House and do not cost the taxpayer in India one penny. The same applies to the Roman Catholic community and to the Nonconformist Churches. I think it is desirable to make that clear, because the impression might be created that in some way this proposal was going to place an obligation upon Indian taxpayers in respect of Christian ministrations.

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

The Committee divided: Ayes, 204: Noes, 37.

Division No. 68.] AYES. [8.0 p.m.

Acland-Troyte, Lieut.-Colonel	Belt, Sir Alfred L.	Cadogan, Hon. Edward
Albery, Irving James	Benn, Sir Arthur Shirley	Campbell-Johnston, Malcolm
Alexander, Sir William	Bennett, Capt. Sir Ernest Nathaniel	Caporn, Arthur Cecil
Allen, Sir J. Sandeman (Liverp'l, W.)	Blindell, James	Cassels, James Dale
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Boulton, W. W.	Cazalet, Thelma (Islington, E.)
Amery, Rt. Hon. Leopold C. M. S.	Bower, Commander Robert Tatton	Cazalet, Capt. V. A. (Chippenham)
Anstruther-Gray, W. J.	Bowyer, Capt. Sir George E. W.	Chamberlain, Rt.Hn.Sir J.A.(Birm.,W.)
Apsley, Lord	Braithwaite, J. G. (Hillsborough)	Chapman, Sir Samuel (Edinburgh, S.)
Astor, Viscountess (Plymouth, Sutton)	Brass, Captain Sir William	Clarry, Reginald George
Atholl, Duchess of	Briscoe, Capt. Richard George	Cochrane, Commander Hon. A. D.
Bailey, Eric Alfred George	Broadbent, Colonel John	Colfox, Major William Philip
Baldwin, Rt. Hon. Stanley	Brown, Ernest (Leith)	Colville, Lieut.-Colonel J.
Balfour, George (Hampstead)	Brown, Brig.-Gen.H.C.(Berks.,Newb'y)	Cook, Thomas A.
Balfour, Capt. Harold (I. of Thanet)	Buchan-Hepburn, P. G. T.	Cooke, Douglas
Balniel, Lord	Burnett, John George	Courtauld, Major John Sewell
Barclay-Harvey, C. M.	Butler, Richard Austen	Craddock, Sir Reginald Henry
Beauchamp, Sir Brograve Campbell	Butt, Sir Alfred	Cranborne, Viscount

Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Crossley, A. C.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Curry, A. C.
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Denman, Hon. R. D.
Dickie, John P.
Donner, P. W.
Duckworth, George A. V.
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eales, John Frederick
Eden, Rt. Hon. Anthony
Emmott, Charles E. G. C.
Emrys-Evans, P. V.
Essenhigh, Reginald Clare
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
Gower, Sir Robert
Graham, Sir F. Fergus (C'mb'tl'd, N.)
Grattan-Doyle, Sir Nicholas
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Herbert, Major J. A. (Monmouth)
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Horobin, Ian M.
Hunter, Dr. Joseph (Dumfries)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Latham, Sir Herbert Paul
Leech, Dr. J. W.
Lewis, Oswald
Liddall, Walter S.
Lloyd, Geoffrey
MacAndrew, Capt. J. O. (Ayr)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Dr. W. H. (Tradeston)
Macquisten, Frederick Alexander
Magnay, Thomas
Makins, Brigadier-General Ernest
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Mitchell, Sir W. Lane (Streatham)
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Moss, Captain H. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
Nunn, William
O'Neill, Rt. Hon. Sir Hugh
Ormiston, Thomas
Patrick, Colin M.
Pearson, William G.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Potter, John
Pownall, Sir Assheton
Pybus, Sir John
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, Alexander (W. Bromwich)
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ratcliffe, Arthur
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, William Allan (Derby)
Remer, John R.
Rickards, George William
Roberts, Aled (Wrexham)
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Savery, Samuel Servington
Scone, Lord
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Simmonds, Oliver Edwin
Smiles, Lieut.-Col. Sir Walter D.
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'moriand)
Steel-Maitland, Rt. Hon. Sir Arthur
Stones, James
Strauss, Edward A.
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Tate, Mavis Constance
Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Templeton, William P.
Thomas, James P. L. (Hereford)
Thomson, Sir Frederick Charles
Thorp, Linton Theodore
Titchfield, Major the Marquess of
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wayland, Sir William A.
Wells, Sidney Richard
White, Henry Graham
Whiteside, Borras Noel H.
Whyte, Jardine Bell
Williams, Herbert G. (Croydon, S.)
Wilson, Clyde T. (West Toxteth)
Winterton, Rt. Hon. Earl
Worthington, Dr. John V.

TELLERS FOR THE AYES—Sir George Penny and Sir Walter Womersley.

NOES.

Addison, Rt. Hon. Dr. Christopher
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Cove, William G.
Cripps, Sir Stafford
Daggar, George
Davies, David L. (Pontypridd)
Edwards, Charles
George, Megan A. Lloyd (Anglesea)
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Griffiths, T. (Monmouth, Pontypool)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Lawson, John James
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
Mainwaring, William Henry
Milner, Major James
Nathan, Major H. L.
Parkinson, John Allen
Rathbone, Eleanor
Salter, Dr. Alfred
Smith, Tom (Normanton)
Thorne, William James
Tinker, John Joseph
Wilmot, John

TELLERS FOR THE NOES.—Mr. John and Mr. Paling.

The CHAIRMAN: I propose to call the next Amendment on the Order Paper in the name of the hon. Member for the English Universities (Sir R. Craddock), but I must warn the Committee that this is a very narrow point indeed and that we cannot on this Amendment discuss the question of the control of the police in the Provinces. If the hon. Member wishes to move the Amendment in this form to deal with control of the police of the Federal Government, that will be in order.

8.7 p.m.

Sir R. CRADDOCK: I beg to move, in page 7, line 36, after "affairs," to insert:

"and the control and superintendence of the intelligence department of the police, dealing with revolutionary and anarchist movements."

[Sir R. Craddock.]

The Amendment deals with what may be called the civil side of the defence of India and does not affect the question of whether law and order in the Provinces is in the hands of a minister or not, but it does affect the control of the Governor-General over the intelligence department, upon which he depends in order to decide whether he is to take action under his special responsibilities or at his discretion. It is obvious that the Governor-General can only fulfil his functions if he has full information from the whole of India which is under his charge and in respect of which his responsibilities extend. Consequently, he must be able to control, collect, and utilise information, and, if necessary, superintend the Governors in matters arising from dangerous, subversive, or revolutionary conspiracies, which are scattered about, not only in the Governor's Provinces, but may have their branches and their effects in the Chief Commissioner's Provinces, in an excluded area, in a Federated State, or in a non-federated State. Those activities of the Governor-General for the defence of India must have some organisation at headquarters which shall be under his discretion, in order that he may be cognisant of what is going on and may be able to give, in discharge of that responsibility, special instructions from time to time to the Governors under him and to all other authorities, civil and military, under him.

I hope to secure that by the Amendment without trespassing at all on the question of law and order in the Provinces. Whatever may be the system there, it is certain that all these questions of revolutionary and subversive movements must be under one control eventually in order to secure that co-ordination and co-operation upon which successful operations to defeat such conspiracies must depend. I want to emphasise very strongly what will take place under this new Constitution in respect of that part of the work of the Government of India which is at present performed by the central criminal investigation department and, over it, by the home department. I shall not put forth a lot of imaginary dangers that might arise or difficulties that might be felt, but I will give my own experience of the dangers that arise in an appointment which I held for five and a-quarter years, including over two and a-half years of the War.

We had conspiracies emanating, not all in India itself, but having effects in parts of India—conspiracies organised from outside which began to take effective forms within the country. We had to have information from Vancouver, Hong Kong, Siam and Japan itself, and all this kind of information related to organisations which were not confined to one Province. They may have appeared first in one Province, say Bengal, but they had their manifestations through branches, and even through outbreaks, it might be in the Punjab, at Lahore, or it might be at Delhi, or in the United Provinces, or Bombay, or Madras. We had conspirators who entered right away via Ceylon and so forth, and I can tell the Committee that the work of the home department in that one branch and in that respect was such as to occupy a great deal of time and thought and co-ordinated action, not only between the police who were charged with dealing with anarchy and crimes of that kind, but between the officers in charge of law and order all over India who might have to deal with attempts to seduce the troops from their allegiance, which, I take it, would be covered by the words "conspiracy having a revolutionary tendency."

I will give an illustration of the co-operation which the army requires from the civil side and from officers, or magis- police, or executive officers, or magistrates, as the case may be. I was visiting Simla in 1907. That was the year which happened to be 50 years from the Mutiny and was, therefore, selected for movements of a seditious and subversive character. These were going on at the time of my visit to Simla, where I went to see Lord Kitchener upon the question of the location of the garrison, but in the course of that somewhat long conversation Lord Kitchener impressed on me the supreme importance of the civil authorities throughout India, wherever they might be, keeping level, and acquainted, with what was going on in matters affecting the army and the allegiance of the troops in the cantonments, infantry and cavalry lines, and so on. He said to me—and I shall never forget it—"I get my information from various sources, from the staff or regimental officers or others who find

information of this kind, and I hear of attempts made on the loyalty of troops. I get that information, but that is not enough." He said—and I am sure everyone in the Committee will agree—that it is very desirable that officers of the Indian Army should not act in any way to make the troops under them begin to feel that they are suspected. It was so in the Mutiny of course. There were officers who stood by their men and swore that their men, at all events, were absolutely trustworthy, and who were afterwards surprised by an *émeute* among their particular troops.

We have to guard against that. If the officers were always suspecting their men it would destroy the complete harmony and the pleasant relations that always exist between British officers and the sepoys in the Indian Army. It is, therefore, all the more incumbent on the civil authorities to help us with every information that they can discover which we cannot find for ourselves. The opportunities to do that are many. The troops do not only get leave in bazaars, but they travel by train back to their homes on furlough, and these are the opportunities for the insidious and malignant men who pour poison into the ears of the troops in order to induce them to depart from their allegiance. They are occasions when their officers would hear nothing about it and are thus very dangerous. Similarly one of the ways in which troops are influenced in India is by agitators and others who persecute their families while the sepoys themselves are on service. It must be remembered, also, that there are all kinds of acts of murder or sabotage on railways, dacoities and so forth which, although they may seem to be ordinary crimes with the ordinary motives for such crimes, are proved to be part of political conspiracies and are intended to serve political ends.

It is essential that the Governor-General at the top should be acquainted with these crimes from time to time. If a magistrate or a police officer gets news of attempts at sedition or attempts at tampering with troops, it is his duty to communicate it to the local military officer, namely, the officer commanding the station or a brigade or a division as the case may be. It is all a question of civil help to the defence of India and of protecting the army from insidious attempts to weaken its allegiance and thereby to bring about the fall of the raj. These objectives are not stated in any way in the Bill, and it seems to me much better to put in the Clause the words of the Amendment rather than to leave only some vague reference to defence without any reference to the particular duties which will fall on the Governor-General. It must be remembered that under the new Federal Constitution this is a source of anxiety to the Home Department. It now keeps a general superintendent over the whole of the police and gaols in the Provinces, but all that part of its duty will go with provincial autonomy and with law and order transferred to Ministers. There are other duties in connection with the Home Department which will likewise go, and the Department as such will have very little left. It has many special duties, but this particular duty is connected most prominently with the Home Department, and the special responsibility for it rests not with the federal ministers but with the Governor-General.

My successor in office who was enamoured of a new constitution such as the one proposed in the Bill, told me he was very anxious about how the Government of India, and especially the Governor-General, would get on without this big Home Department upon which every Governor-General in the past had depended to acquaint him thoroughly with what goes on in every part of India in regard to conspiracies, subversive political moves and all sorts of events which have a great significance. They must be ascertained and made known; otherwise, the Governor - General, especially now that he is left with only a private secretariat, will be unable to obtain information and take action in respect of these matters because of the vast burdens put upon him of other responsibilities and other branches of administration upon which his sanction or his deliberations and decision will have to be exercised. This Amendment cannot be objectionable under the system which the Government are setting up, and I hope that, as the right hon. Gentleman has accepted two of my Amendments, he will keep up the record and accept this one.

8.25 p.m.

Duchess of ATHOLL: I rise to support this Amendment, which to us is one of

[Duchess of Atholl.]

great importance, though it is not what we most wish in regard to the question of the police. I do not know whether my right hon. Friend will tell us that this department is to be reserved under the Defence Department, or any other reserved departments of the Governor-General, but as the work of the central intelligence bureau appears in paragraph (1) of the list of federal subjects on which the Federal Legislature can legislate, it does not seem clear that it is reserved to the control of the Governor-General, and if it is not reserved for him he must act on the advice of a minister. It would be in control of a minister, who would have all power and initiative in the matter, unless, of course, the Governor-General becomes aware of a grave menace to the peace and tranquillity of India. If this department is under an Indian federal minister then the value of Clause 58, which requires secrecy in regard to terrorist intelligence, so that no information in regard to terrorist crime is to be revealed to anyone except with the consent of the Governor-General in regard to persons outside the police force, and the inspector-general of police in regard to members of the force, will largely have gone, because we can find nothing in the Bill requiring similar secrecy at the centre. I think that the Joint Select Committee wish the central intelligence bureau reserved, and the European Association were also strongly of the opinion that the whole intelligence branch of the police should be under the control of the Governor-General. They were prepared to hand over the rest of the police force, but not the intelligence branch of the criminal investigation department.

As I have indicated we would prefer to see the whole of the police force reserved in the various Provinces, as well as the central intelligence bureau, because we do not see how an Indian minister of police can really defend the action of the police, acting on intelligence they receive from the Intelligence Department, unless all are together. If we could be assured that the central intelligence bureau was reserved to the Governor-General there would be some hope of securing secrecy, which is so essential. So many witnesses assured the Governor-General that unless secrecy could be assured information in regard to terrorism would dry up, because such information can only come from inside the revolutionary ranks, and no one would be ready to give any more information if he thought that his identity might be disclosed. I do not feel that Clause 58 is going to secure that secrecy, though I cannot enter into that question now; but, as regards the directing head, we do wish to see it placed beyond doubt that that office is in thoroughly trustworthy hands.

I think this is all the more important since we have been able to realise, as the result of the publication of the report of the Joint Select Committee, how much more widely prevalent terrorism is in India than we had believed. When the Secretary of State last spoke in this House of terrorism, about 18 months ago, he spoke of it only in Bengal, but in a very informative Memorandum which he presented to the Joint Select Committee he showed that since 1930 terrorist crime has been taking place in, I think, every other Province in India. He gave a list of all the terrorists outrages. The Joint Select Committee were ready for everything to be reserved in Bengal in the event of terrorism still being bad in that Province when Provincial Autonomy was set up, but we do not feel that is sufficient, because of the serious evidence of its existence in other parts. The Secretary of State, in that same Memorandum, also spoke of the great growth of communism in India, with propaganda by men trained in Soviet institutions and financed, no doubt, by Soviet money. The Memorandum also spoke of efforts being made to combine communism and terrorism with the movement which exists to create mutiny in Sikh regiments. Therefore, the situation in India is a very serious one. Any information in regard to these very dangerous movements must be of a highly confidential kind, and secrecy will be absolutely essential if any further information is to be procured. For that reason we think it is important that the central intelligence branch should be reserved to the Governor-General, and we should like it to control the intelligence branches of the police in the various Provinces.

The CHAIRMAN: I warned the Committee when we started that we could not consider this question as it affected the Provinces.

Duchess of ATHOLL: I am very sorry that I was not in the Committee at the time, but the Provinces are in the words of the Amendment.

The CHAIRMAN: I do not wish the Noble Lady to misunderstand me. The Provinces are not mentioned in the Amendment.

Duchess of ATHOLL: No, Sir, but control of the police is. I quite recognise that the Provinces are not mentioned, but as the police are a provincial subject if the intelligence branch is going to control the police it naturally does cover the police in the Provinces—or so I understand the Amendment.

The CHAIRMAN: I warned the Committee when I called the Amendment that it dealt with only a very narrow point—control by the Federal Government, and not control in the Provinces. That I rule quite definitely.

Duchess of ATHOLL: I am afraid the claims of hunger prevented me from hearing your Ruling, or I should not have trespassed. Even though the Amendment is within narrow limits, we attach importance to it, and therefore I support it.

8.33 p.m.

Sir S. HOARE: I am sure we were all glad to listen to the hon. Member for the English Universities (Sir H. Craddock). He and I served for a long time on the Joint Select Committee, and, although I am afraid we did not always agree, I have always listened with the greatest interest, and I am sure with a good deal of profit, to the observations of one who speaks with many years of most distinguished experience behind him. He almost trespassed on my goodness. He said that having accepted two of his Amendments I ought to accept the third. I hope I shall be able to show that it really would not be possible to accept this Amendment. The Amendment would reserve at the centre the control and superintendence of the intelligence department of police dealing with revolutionary and anarchist movements, that is to say, that wide field of activity would be directly under the Governor-General and would be removed from the Provinces. One of the bases of our scheme is provincial autonomy, and, if there is to be provincial autonomy, it is quite essential that law and order should be a provincial subject. I am not now arguing the question whether law and order should be inserted. It seems quite definite that law and order is bound to be a provincial subject, that is to say, the police will remain as they are now, a provincial service; that is to say also that the officials mostly connected with the discovery and the punishment of crime of the character set out in the Amendment will be provincial officials. That being so, I suggest to the Committee that it would be impossible to divorce the provincial administration from an essential branch of the work with which that administration will deal, and that it would be impossible to keep in the hands of the Governor-General at the centre all the intelligence of the police when the executive action connected with the police remained under provincial control.

Sir R. CRADDOCK: I did not mean that the Governor-General should interfere with the police who are working under the governors. Certain reports which go up to the governors are then conveyed by the criminal investigation department to the central bureau of that department, and that is to go on irrespective of what the ordinary police may be doing. I did not wish to interfere with the complete transfer of law and order in the Provinces.

Sir S. HOARE: I am greatly relieved to hear my hon. Friend's comment on his Amendment. It removes the need for me to develop further the argument upon which I was engaged. I think he will see—I do not want to split hairs about it—that the wording of his Amendment appears to go a good deal further. Let me take his Amendment as he has just described it, namely, that it is to do nothing more than keep under the Governor-General at the centre a bureau to which reports of this kind will come; a bureau by means of which the Governor-General will be kept informed as to subversive movements of this kind in the Provinces; a bureau that will enable him to give such directions to the governors in the Provinces as would prevent a grave menace to the peace and stability of India. If that be the meaning fo his Amendment, and I am very glad to hear that it is, there is no reason for any further addition to the Bill in this connection. Under the provisions of the Bill

[Sir S. Hoare.]
the central intelligence bureau remains as a reserved section of the Department of Defence. That is the answer to my Noble Friend the Member for Kinross and Western (Duchess of Atholl). It will remain a reserved part directly under the Governor, and it will perform just the kind of function that my hon. Friend has described, in the intervention which he has just made when I seemed to be going beyond what he intended by his Amendment.

Duchess of ATHOLL: May I ask if my right hon. Friend will remember that in paragraph 97 of the Joint Committee's Report it was recommended that the central intelligence bureau should remain a reserved department as he has just described it. The paragraph goes on to say that it

"should not involve any change in the relationship which at present exists between the central bureau and the provincial intelligence departments. Should the Governor-General find that the information at his disposal, whether received through the channel of the Governors or from the provincial intelligence departments through the central intelligence bureau, is inadequate, he will, in virtue of recommendations which we make later possess complete authority to secure through the Governor the correction of any deficiencies, and indeed to point out to the Governor, and require him to set right, any shortcomings which he may have noticed in the organisation or activities of the provincial intelligence branch."

May I ask my right hon. Friend, will the central intelligence bureau, or the Governor-General, acting through the bureau, be in a position to require those improvements in the provincial intelligence departments?

Sir S. HOARE: Yes, Sir, certainly. It is clear that that is so under other provisions of the Bill. Under Clause 125 (4):

"Without prejudice to his powers under the last preceding Sub-section, the Governor-General, acting in his discretion, may at any time issue orders to the Governor of a Province as to the manner in which the executive authority thereof is to be exercised for the purpose of preventing any grave menace to the peace or tranquillity of India or of any part thereof."

That Clause directly meets the point of my Noble Friend. After the interpretation he put upon his Amendment, my hon. Friend the Member for the English Universities will probably see that there is no need for the Amendment, because his point is already covered.

Sir R. CRADDOCK: I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

8.42 p.m.

Mr. COCKS: I beg to move, in page 7, line 36, to leave out from "affairs," to "shall," in line 39.

The object of the Amendment is to give to Indian Ministers and people some control over their own foreign relationships and a part in foreign affairs. In some respects India has already reached Dominion status, because she is represented at the League of Nations as other Dominions are. As it is the declared object of the Government to foster in India a spirit of nationhood, it is very important that that spirit should be fostered and strengthened and that this particular important function of nationhood, and its relations with other units and other nations, should not be taken away or reserved to the Governor-General. Just as human beings only realise themselves by their contact with other entities, just as, I imagine, the Secretary of State for India has never realised his power before, as a result of his contact with the right hon. Gentleman the Member for Epping (Mr. Churchill), India can only realise her nationhood by knowledge of the issues which arise between India and other countries.

That is so, especially in view of the great events—perhaps grave events—which are shaping themselves in Asia, and in regard to which a grave warning has been issued by General Smuts and others. It is very important that the Indian people should realise their nationhood, and should realise by the actual management of their own foreign affairs what relationships should exist between India and other nations in Asia. If India does, as I hope and trust, realise her nationhood in that way, and understand the forces that are moulding the world, she will become proud of her membership of the British commonwealth of self-governing nations and will refuse to become either the pawn or the prey of some other Oriental imperialism. If our Western skies darken because of events in Europe, it will be a great consolation to us to know that the peoples of India are holding the Eastern wall. If this is

to happen, the Department of Foreign Affairs should not be withdrawn from the Ministers and representatives of India. They should not only be able to control that Department, but should be able, in the Assembly and the Council of State, to discuss foreign affairs and ask questions of their Foreign Minister—questions relating to Japan, questions relating to Moslem countries, and various matters of that sort; and thus the pressure of education would go right through from Parliament to the politically conscious classes as to what the position of the world is. It may be said that, if India is given control of foreign affairs in that way, she might enter into some treaty with a Foreign Power which would be adverse to British interests. But there are always safeguards against that; there is always a tremendous number of influences bearing on the Government of India; and in the last resort there is the veto of the Governor-General.

I consider that the reasons I have given are very important reasons why India should be given control over the sphere of foreign policy; but there is another sphere of foreign policy, apart from that which deals with the massing and alignment of nations in the political or military sense. It is not so dramatic, but is equally important. I refer to the conclusion of commercial agreements of various kinds. In this country, for example—in fact, the report of the Joint Select Committee alludes to it—commercial agreements are concluded by the Foreign Minister. Of course he takes into consultation, and is helped by, the officials of the Board of Trade, but the actual conclusion of these agreements is done by the Foreign Office, and, as the Joint Select Committee's Report says, that will be the procedure also in India.

Consider this position. You have an Indian Government, with its own fiscal policy and its own ideas of how the trade of India should be directed in the future. If you have a Ministry of that sort, and if you are going to take away from that Ministry the power of concluding commercial treaties and make it one of the reserved subjects, it might happen under this system, at any rate theoretically, although perhaps one could not conceive of its happening in practice, that the Governor-General would be able to conclude a commercial treaty with some other country which would be quite contrary to the policy pursued in other directions by the Ministry.

The only objection, as far as I know, that has ever been put forward to foreign affairs not being a reserved subject, is that the sphere of defence is reserved, and that it is so intimately connected with the sphere of external affairs that, if the one is reserved, the other must be reserved also. I do not, however, see that that follows. It is true that the spheres of defence and external affairs are intimately connected, but so are other departments intimately connected with the sphere of defence—that of finance for example; and, although the sphere of defence is a reserved department, it is not a secret department. The facts are known. The size and numbers of the Army, the striking power of the military forces, are well known to Ministers, and the Minister in charge of foreign affairs would know exactly and precisely how far he can go, and in what direction he must not go. He would know exactly the relations between the defence of India and his own sphere. Moreover, the Commissioner in charge of the reserved department of defence would be closely associated and in touch with the Foreign Minister, as the report says he should be. Although he may not be a member of the Cabinet, he would be in almost day-to-day touch with him. There is no reason, therefore, why foreign affairs should not be controlled by the Assembly and the Council of State, even though the department of defence is reserved.

It is true that the department of foreign affairs would be limited by the facts of the case, as it is in this country. If in this country defence were entirely reserved to the Crown, and taken out of the control of Parliament, there would be no reason why we should not have our beloved Foreign Minister here and be able to ask him questions and control the foreign policy of this country, even if the state of the Army and Navy were not a matter for our concern. Therefore, I do not consider that this is a real objection at all. It is the same kind of objection as I mentioned before on the question of Dominion status; it is simply a point of pedagogic pedantry. In any case, the reasons I have given for proposing that the department of foreign

[Mr. Cocks.]
affairs or external relations should be in the hands of Indian Ministers far outweigh an objection of that kind.

8.52 p.m.

Mr. BUTLER: I think the Committee will realise the object of the hon. Member for Broxtowe (Mr. Cocks) in submitting his Amendment. I regret to say that this is one of the subjects which the Government regard as fundamental to the whole scheme of the Bill. If the words which the hon. Member proposes should be left out were left out of the Bill, it would mean that the subject of foreign affairs would be excluded from the direct control of the Governor-General, and excluded from being a reserved subject. I had the privilege of being associated with the hon. Member for some considerable period on the Joint Select Committee, and he will recollect that, in paragraph 184 of their report, they draw attention to this problem of external affairs, and to the relationship of external affairs to the question of defence. These subjects are intimately bound up together. For reasons with which I do not think I need trouble the Committee, we have found it imperative to reserve to the Governor-General the portfolio of defence, and for similar reasons, involving great Imperial considerations, we have found it imperative to reserve to the Governor-General the portfolio of external affairs.

Perhaps one of the most important points in the hon. Member's remarks was his reference to commercial treaties, and, in any observations that I make on this point, I propose to assist the Committee, if I may say so, by using the language of the amateur and not that of a legal expert on this particular subject. I would like to assure the Committee that there is no intention of taking out of the realm of those affairs which are controlled by Ministers, and not by counsellors, the negotiation of commercial agreements. I think the matter was put most clearly in the Report of the Joint Select Committee, in the paragraph to which I have previously referred. There they say:

"In the United Kingdom, however, all agreements with foreign countries are made through the Foreign Office. Any other arrangement would lead to grave inconvenience; but when a trade or commercial agreement is negotiated, the Foreign Office consult and co-operate with the Board of Trade, whose officials necessarily take part in any discussions which precede the agreement. We assume that similar arrangements will be adopted in India, and that the Department of External Affairs will maintain a close contact with the Department of Trade or Commerce; but we are clear that agreements of any kind with a foreign country must be made by the Governor-General, even if on the merits of a trade or commercial issue he is guided by the advice of the appropriate Minister."

I do not think that any words of mine could improve or clarify that statement as to the future and without attempting, what I believe no constitutional lawyer would attempt, to define it any more clearly. I would remind the Committee that there is no intention of reserving to the Governor-General the negotiation of commercial agreements. The intention is rather that the sort of arrangement which I have just described in the words of the Joint Select Committee, should prevail in that department. Similar considerations apply to the position of India in certain respects in relation to the League of Nations, a point which was not mentioned by the hon. Member for Broxtowe but one in which I am sure he is interested.

The hon. Member must not think, and I would not like the Committee to think, that in negotiating certain international Conventions, it is our intention to take this question quite away from the Indian Ministers in the Central Government who may be interested in any subject but the general consideration about the procedure going through the Foreign Office and, in this case, through the Governor-General must prevail even though, as the Joint Select Committee says, the Governor-General is guided by the advice of a particular Minister on a particular subject of this sort. For these reasons the Government find it impossible to accept an Amendment which excludes so vitally important a department as that of external affairs. At the same time while giving the Committee this decision, I do not wish them to think that we shall deprive Indian Ministers of privileges which they have had hitherto and privileges which I hope they may enjoy in the future.

8.58 p.m.

Mr. MORGAN JONES: I gather that in future India's actions at the League of Nations will be determined by the Governor-General, that is to say the policy will be determined by the

Governor-General which in effect means the British Government. I shall be glad to be corrected if I am wrong.

Mr. BUTLER: I have attempted to outline a certain category of points in which the Governor-General would accept the advice, in the constitutional sense, of the Minister of the Department concerned.

Mr. JONES: I do not think that meets my point because there is a great range of subjects which could be brought before the League of Nations, and I take it that if an Indian delegate goes to the League to participate in its discussions, he will not be entitled to speak except in so far as he becomes the mouthpiece of the Governor-General and the Governor-General will determine the external policy of India. I wonder what will be the effect of such an arrangement upon the future position of delegations from the British Empire at the League of Nations. When we discuss this matter we naturally associate in our minds the idea of defence with the subject of external policy. To hon. Members on these benches it seems that the measure of your armaments must depend largely upon the nature of your policy. Perhaps the hon. Gentleman opposite would put it in the contrary way—that the measure of your armaments must determine your policy, and of course there is a wide range of possible arguments between those two points of view.

We have been told that the Government accept the idea of Dominion status as the ultimate aim in India. In that case is there not strong reason for familiarising the people of India with the control of foreign affairs in preparation for the time when Dominion status will become a reality? Those who were at the Joint Select Committee will remember that one of the most powerful arguments addressed to that Committee during its sittings was that addressed to it by my hon. Friend the Member for Limehouse (Mr. Attlee). He urged that in the new Central Assembly a large number of people representative of all parts of India would be brought together for a certain period every year and that advantage should be taken of that opportunity. As we now see it, this instrument of government will give them a very limited amount of work to do, and my hon. Friend pleaded with the Joint Select Committee—and we embodied this point in our report—that the Centre should not be fashioned too closely upon what was called the Westminster model but that the Central Assembly should be enabled to set up a series of standing committees for the discussion of problems relating to the well-being of India as a whole.

Among those committees we particularly wanted to see one established to deal with external affairs so that the Indian representatives, even though their authority, for the moment, might be carefully circumscribed should be familiarised with the intricacies of foreign policy. If they are to have Dominion status at some future date not yet specified, it is not right or proper that they should be plunged into the difficult and perplexing task of dealing with external policy without some preliminary experience. I think it is desirable in the interests of the future success of Indian self-government, either as it is visualised in this Bill or as the idea may be amplified later, that this extra authority should be handed over to the Indian people. I am sorry that the hon. Gentleman has not been able to give us a more satisfying reply, and I am afraid that we must register our discontent with his reply by going into the Division Lobby.

9.4 p.m.

Mr. BAILEY: I wish to congratulate the Minister upon having at least stood firm against this Amendment. It is unusual in these days to be able to congratulate the Government even upon such a small matter and I do so on this occasion with the greatest pleasure. But there was one statement in the Minister's reply which filled some of us with considerable misgiving. I understood him to say that trade agreements are not to be reserved and will only formally go through the Governor-General. I do not want to trespass outside the obvious intention of the Amendment, but one cannot allow a statement like that, which must strike dismay into the hearts of Lancashire people, to go through without some protest. I urge the Minister strongly, but in the most friendly spirit, to consider whether the attitude indicated by him on this matter cannot be revised between now and the time when this Bill is to become law.

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

The Committee divided: Ayes, 179; Noes, 36.

Division No. 69.] AYES. [9.7 p.m.

Acland-Troyte, Lieut.-Colonel
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Amery, Rt. Hon. Leopold C. M. S.
Anstruther-Gray, W. J.
Apsley, Lord
Atholl, Duchess of
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (I. of Thanet)
Barclay-Harvey, C. M.
Beauchamp, Sir Brograve Campbell
Belt, Sir Alfred L.
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Blindell, James
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Brass, Captain Sir William
Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Buchan-Hepburn, P. G. T.
Burnett, John George
Butler, Richard Austen
Butt, Sir Alfred
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Cassels, James Dale
Cayzer, Sir Charles (Chester, City)
Cazalet, Thelma (Islington, E.)
Chamberlain, Rt. Hn. Sir J. A. (Birm., W)
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Cook, Thomas A.
Courtauld, Major John Sewell
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Crossley, A. C.
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Curry, A. C.
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Denman, Hon. R. D.
Dickie, John P.
Elmley, Viscount
Essenhigh, Reginald Clare
Fielden, Edward Brocklehurst
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
Gillett, Sir George Masterman
Gower, Sir Robert
Graham, Sir F. Fergus (C'mb'rl'd, N.)
Grattan-Doyle, Sir Nicholas
Greene, William P. C.
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Hunter, Dr. Joseph (Dumfries)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing.-Com. A. W. H.
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Jones, Sir G. W. H. (Stoke New'gton)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Knox, Sir Alfred
Latham, Sir Herbert Paul
Leckie, J. A.
Leech, Dr. J. W.
Levy, Thomas
Lewis, Oswald
Liddall, Walter S.
Little, Graham-, Sir Ernest
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macquisten, Frederick Alexander
Magnay, Thomas
Makins, Brigadier-General Ernest
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Munro, Patrick
Nation, Brigadier-General J. J. H.
Normand, Rt. Hon. Wilfrid
O'Neill, Rt. Hon. Sir Hugh
Palmer, Francis Noel
Patrick, Colin M.
Pearson, William G.
Penny, Sir George
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pownall, Sir Assheton
Radford, E. A.
Ramsay, Alexander (W. Bromwich)
Ramsay, Capt. A. H. M (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Rankin, Robert
Ratcliffe, Arthur
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Remer, John R.
Rickards, George William
Roberts, Aled (Wrexham)
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Simmonds, Oliver Edwin
Smiles, Lieut.-Col. Sir Walter D.
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Stanley, Rt. Hon. Lord (Fylde)
Steel-Maitland, Rt. Hon. Sir Arthur
Strauss, Edward A.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Tate, Mavis Constance
Templeton, William P.
Thomas, James P. L. (Hereford)
Thomson, Sir Frederick Charles
Thorp, Linton Theodore
Titchfield, Major the Marquess of
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Touche, Gordon Cosmo
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Sarah Adelaide (Cannock)
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wells, Sidney Richard
White, Henry Graham
Whiteside, Borras Noel H.
Whyte, Jardine Bell
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Worthington, Dr. John V.

TELLERS FOR THE AYES.—
Sir Walter Womersley and Lieut.-Colonel Sir A. Lambert Ward.

NOES.

Addison, Rt. Hon. Dr. Christopher
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Cove, William G.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Edwards, Charles
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Groves, Thomas E.
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Lawson, John James
Llewellyn-Jones, Frederick
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
Mainwaring, William Henry
Milner, Major James
Parkinson, John Allen
Salter, Dr. Alfred
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Thorne, William James
Tinker, John Joseph
Wedgwood, Rt. Hon. Josiah

TELLERS FOR THE NOES.—
Mr. John and Mr. Paling.

9.14 p.m.

Mr. RHYS DAVIES: I beg to move, in page 7, line 41, at the end, to insert:

"Provided that it shall be the duty of the Governor-General, in exercising his functions with respect to defence, to make provision for the progressive Indianisation of the defence forces with a view to the completion of this process within a period not exceeding thirty years, and thenceforth the Governor-General's function with respect to defence shall be exercised by him acting with his ministers, and the special responsibility of the Governor-General in the exercise of his functions with respect to the prevention of any grave menace to the peace or tranquility of India, or any part thereof, shall cease and determine."

Nearly every hon. Gentleman who has moved an Amendment on this Bill has commenced his speech by declaring that his Amendment is the most important of all on the Paper. However true that may be, I think that I may lay claim that the Amendment I have moved is indeed of first-class importance to this Measure. If hon. Members will be good enough to look at the Amendment, I think that they will agree that it can be put very shortly thus. It is a proposal to Indianise all the defence forces of India within a period of 30 years either from the passing of this Measure or the date upon which its provisions are to be implemented. That does not appear to be a very revolutionary proposal, because 30 years is a long time and many things may happen before then. It is no use claiming that the Indian people are ever to get self-determination, the power to control their own affairs, until they achieve that stage in their history when they are in a position to defend their country and the frontiers around it. Therefore, I regard the proposal in the Amendment as of the essence of the policy which we have propounded on this side of the House ever since this Bill came before Parliament. Carrying the point a stage further, I would say that you cannot have self-government in any country if its defence forces are in foreign hands. We want to be quite plain about that. This proposal is, as stated, part and parcel of our policy, which aims in the end towards Dominion status in India.

This Amendment, of course, cuts across the recommendations of the Joint Select Committee. I have a criticism to make against the Joint Select Committee in this connection, because they turned down any suggestion of a time limit for the Indianisation of the defence forces of that great sub-continent. The White Paper contained a suggestion that what we are now proposing might be capable of achievement within 20 or 25 years. I think I am right in putting it that way. If hon. Members are doubtful on the point I will read the paragraph, but before doing that I will read paragraph 180, in order to show the attitude of mind of the Joint Select Committee on this issue. It is headed "The practical difficulties of the Indianisation of the defence forces of India":

"It is sometimes said that so long as the officer ranks of the Indian Army are not fully Indianised complete self-determination must be indefinitely deferred. We do not regard that view as self-evident, and indeed the problem of Indianisation does not appear to us to be essentially related to the constitutional issues with which we are concerned."

I want to be a little critical of that attitude of mind. Imagine a body of men declaring that you can have self-government in a country and still retain the defence force of that country in the hands of a foreign nation. What would anybody say to-day of governing Canada, or Australia, or South Africa by forces sent from this country?

Mr. MACQUISTEN: Who defends them but the British Navy.

Mr. DAVIES: The hon. and learned Gentleman and I have had a few difficulties to contend with elsewhere and I am not going to be drawn into an argument with him on this issue. He is always very eloquent against me, especially when we are dealing with drink problems in Committees upstairs. Therefore, I will stick to my last, if he will allow me. Now I come to the point on which I think there was some doubt in the minds of hon. and right hon. Gentlemen opposite. In paragraph 181 this is what the Joint Select Committee say:

"We think it right to mention these things because of the suggestion put forward in the British-India Joint Memorandum that there should be a definite programme of Indianisation with reference to a time limit of 20 or 25 years."

It will be noted that that suggestion was made in the British-India Joint Memorandum, and not, as I previously stated. The idea has been floating about in this country and in India for a long period, that a day would come in the history of India when she would demand, and in

[Mr. Davies.]
my view, rightly demand, that she should within a period of time be capable of training her own soldiers and teaching the technique of defence to her own officers, and in the end be capable of handling her defence entirely on her own account. I know that that proposal will not commend itself to some hon. Members on the other side of the Committee: I will tell them why they adopt that attitude. It is because of the spirit of imperialism that imbues them and causes them to think that they are of better clay than anybody else, that they have been gifted by nature or by some supreme spirit with superior intelligence and power, and that they therefore should control the destinies of the millions of the people of India. I want to say quite frankly, and I am now speaking on my own behalf, that unless the proposal that we are now making is adopted and the Indian people are given the right to produce their own officers for their own Army, the day will come when they will not ask the British Government for that right, but will take it. That stage has been reached in many countries in the past, and I do not think that the Indians are much different from any other nation in that respect.

I am fortified in the proposal that I am making because the Joint Select Committee suggested that the time would arise in five years from the passing of the Act for inquiring into the possibility of the Indianisation of the police service and the civil service of India. If such a proposal is good enough in respect of the police and the civil service in India, it ought to be good enough in respect of the defence forces of India. As I understand the position it is this, that we have 60,000 soldiers from this country in India, and they are officered exclusively by people from this country. There are over 140,000 men in the Indian Army, which is almost exclusively an Indian Army, and in the main it is officered by people from this country. Let hon. Members see how anomalous the position is. The Indians in their own country are officered by British officers, but no Indian, so far as I know, has ever been allowed to secure a captaincy or even a sergeant-majorship in the British forces in India. [*Laughter.*] An hon. Member laughs. If he were an Indian I know what he would do. [HON. MEMBERS: "What would you do?"] I represent Westhoughton, and I am pleased to say that the vast majority of Westhoughton people believe in the gospel that I am now preaching. They have chosen me six times because of that.

We are, therefore, moving this Amendment in the hope that the Government will accept it. Indeed, we are not without hope that even the group led by the right hon. Member for Epping (Mr. Churchill) may follow us into the Division Lobby on this occasion. I do not know whether the Noble Lady (Duchess of Atholl) will stand up and support this Amendment. We shall see what will happen very shortly. I am informed that the two qualifications required of Indian officers for the Indian section of the Army are efficiency and experience. I am informed, too, that in 1918 the doors were opened just a little for a commencement of the Indianising of the officer ranks of the Indian Army, and that there has been an increase recently in the number of Indian officers appointed. I know that this policy will take time. I am not an authority on military matters, and I am proud not to be, but I understand that it takes about 20 or 25 years for some of these men to reach the higher grades in the officer class. This process of Indianisation has already commenced, and what we are trying to do by this Amendment is to carry it a stage further. I wish to say finally that I think the principle holds good and that we ought to rely more and more for the defence of India on the people who reside there. We ought to provide all the facilities we can in order that the Indian Army, in the end and within the period we lay down, may be capable of looking after Indian themselves.

9.28 p.m.

Sir S. HOARE: I must assure the hon. Member who has just spoken that we none of us regard ourselves as superior people with a better claim than anyone else and that we really do approach this question with a great measure of sympathy for the Indian point of view. Every Member of the Committee must remember these two facts: first, that India provides almost the whole of the money for the British and Indian Army in India; and, secondly, that India has made great sacrifices both of lives and of

money in Imperial defence. It is not, therefore, to be wondered at that almost every Indian takes an intense interest in this question. The difficulty is—and I hope to put the difficulty before the House very shortly—to have anything in the nature of a time-table. After all, the only test you can apply to defence is the test of efficiency. It is no good embarking upon a system of defence that is not going to defend your country, and it is quite impossible to state times and seasons as to the attainment of that kind of efficiency. After all, India is in a very vulnerable position. In her own interests India cannot afford to take risks. There are few territories in any part of the world more vulnerable to foreign attack than India if her defence is not efficient. We have to accept that fact, and, in accepting that, we have to hold a balance between on the one hand encouraging in every legitimate way the Indianisation of the garrison of India, and on the other hand the maintenance of the efficiency of Indian defence.

In these matters of defence, let me assure the hon. Member one has to act with a onsiderable measure of caution. I had the privilege of being for seven years at the head of one of the Defence Departments, and I think the lesson that most impressed itself on my mind was the vital part that morale plays in any system of efficient defence. If, unwisely, you take action that endangers the morale of any fighting Service, the efficiency of that Service is apt to collapse with a most alarming rapidity. So with that lesson in mind and also with the continuing necessity to meet the legitimate aspirations of Indians, I say to the Committee that it is impossible to set times and seasons to this process of Indianisation. What we can do is to embark with all sympathy upon the experiment—and since I have been associated with Indian affairs we have greatly extended that experiment. We have started a Sandhurst for the training of these Indian officers, and I am glad to be able to tell the Committee that the young Indians who have entered the Indian Sandhurst are, in the view of the Commander-in-Chief, showing great promise. I think that may be a very fruitful source of development in the future.

We have to give this experiment the fairest and freest possible run. We are now making it over a wide field, extending to all the Arms in India and to sections of the Army that in former years were denied to Indian units and Indian officers. We have embarked on this experiment with great good will, the Commander-in-Chief himself is very sympathetic to it, and we hope it is going to succeed. The more it succeeds the quicker will be the development of Indianisation. But more than that we cannot say. We cannot say that in a period of *x* years, in 20, 30, or 40 years or whatever it may be, this process is going to succeed or is going to be complete. What we can say is that we will give the experiment every reasonable chance of success. We will show it our sympathy, we will give it our help, and we hope that it will succeed. More than that we cannot say, and as we cannot say more than that, I cannot accept the hon. Member's Amendment.

9.35 p.m.

Mr. MACQUISTEN: I have listened to the hon. Member for Wolverhampton (Mr. Rhys Davies) to-day as I have on more than one occasion with a great deal of sympathy, and I cannot forget that the Hammer of Scotland also did his level best to exterminate the Welsh. He said that he was not acquainted with military matters. That was very obvious. No doubt during the War he was profoundly grateful that there were a large number of other people who were prepared to take up a military occupation. I was myself; and I have no doubt that Indians will be only too glad for the great boon we are conferring upon them in sending 60,000 British troops to look after their safety. I see no reason why we should suddenly interfere with the process at present in operation and set up a time limit.

The people who are making the trouble against the British Government are the Bengalese. We do not recruit a single soldier from them. The only people from whom we get soldiers for the Indian Army are the hill tribes, who are somewhat like our Scottish Highlanders. These are the classes who will be recruited, and I question whether the tribes of the plain, who have nothing to do with military matters would welcome their army being in the hands of officers from the hill tribes. The only thing which keeps together the various tribes in India is the fact that the ruling class there is the impartial British officer, and that is why

[Mr. Macquisten.]
the British Army and the Indian soldier, with British officers, fulfils his part so splendidly. If you are going to take military sections and put them in charge of Indians, you will not get the same results; and no one will resent it more than the Indians themselves. I am told that in regiments having Indian officers the rank and file are not nearly so satisfied as they are in those in which you find British officers and British non-commissioned officers in charge.

9.39 p.m.

Mr. LANSBURY: In 1922, that is 13 years ago, Lord Rawlinson, the Commander-in-Chief in India, appointed a committee, which was presided over by his chief of staff, to consider this question, and they recommended 42 years as the period during which the force should be Indianised. On further consideration they submitted a shorter period of 30 years, which was unanimously accepted by the Government of India as then constituted, including Lord Rawlinson and the Viceroy, Lord Reading. I am not an expert on military matters, so the hon. and learned Member and I are on an equality as far as that is concerned, but I should have thought that Lord Rawlinson would have been considered a Conservative authority on a matter of this kind. He was backed up by the Viceroy and I suppose by the advisers of the Viceroy of that day, and he saw no difficulty in meeting the difficulties which the Secretary of State has now put forward—namely, that you cannot, for several reasons he gave, fix a period. The committee appointed in 1922, speaking with authority, did put a time limit, which they fixed at 30 years. I happen to know that when that committee was appointed there was great hope that this business would at last take a real turn and that efforts would be made to establish such an organisation in India as would enable Indians to learn the technique of the business of defence, and that by now they would have been well on the way towards securing the training which would allow them to command their own Indian forces.

A rather audible smile went round the Committee just now when my hon. Friend the Member for Westhoughton (Mr. Rhys Davies) called attention to the fact that it was considered altogether wrong that Indian officers should be trained to control British soldiers. I am not aware that any one at this time of day will call in question, certainly not the Secretary of State, the courage, the bravery and the endurance of the ordinary Indian soldier. He has proved his worth as a soldier on many a field in defence of the British Empire, especially in the Great War. I never shall forget those passages in the life of the late Lord Birkenhead in which he recalls his tremendous appreciation of the work done by Indian troops in Europe. If there must be armies in a place like India, I feel that we ought, once and for all, to go back on the old doctrine laid down so long ago that it is a little unsafe to leave Indians in real control of armaments because they learn rather too quickly how to use them. The Committee know my views about this question, but, if we are going to start them on the road to self government, if our aim is ultimately to allow them to run their own country, surely we ought to make up our minds as to the period during which it will be considered necessary that this training should take place.

I do not believe that the ordinary young Indian of the same class as those from whom the officer class of this country is trained, is inferior in intellect to ourselves. They go to Oxford and Cam- and to other universities, and attain distinction just as our own people. I also deny that it is necessary there should be this class distinction in regard to officers. Some of the best officers in the British Army have come from the ranks. That has been proved on many occasions. I say that because of the rather scornful interjection, or rather laughter, which followed a statement of my hon. Friend. An important question is involved here, and that is the question of cost. The cost of British troops is considerably higher than the cost of Indian troops, and this is a vital consideration in a country where the people are as poor as they are in India. During these discussions on several occasions attention has been called to the poverty of the people of India. From these poverty-stricken people the cost of Indian Government will have to come, and this age long cost of British troops must also come. The other day I was challenged on this subject and was told that the expenditure was not out of proportion. Here is the answer to that statement. We have heard a great deal of the Statutory Com-

mission. If anyone chooses to look at page 216 of the Commission's report he will see, under the heading, "Expenditure on Defence," this statement in paragraph 248:

"An outstanding feature of this summary is the high proportion (62½ per cent.) which current expenditure on defence bears to the total expenditure of the Central Government—a higher proportion in fact than in any other country in the world. . . . It is more significant that, even when account is taken of provincial and central expenditure together, the ratio (31½ per cent.) is still a very high one. This ratio is high in part because other kinds of expenditure are low. India has a comparatively small unproductive debt, while many forms of Government service are very little developed."

Then the Commission's report says later:

"Her expenditure on armaments is between two and three times as great as that of the whole of the rest of the Empire outside Great Britain. Again, the total is not only high in itself and as compared with other countries, but it has also greatly increased as compared with the pre-war situation. India, in fact, has not obtained any relief from the greater sense of world security which has succeeded the World War."

The Statutory Commission gave figures to show that while armaments expenditure in Great Britain increased by 48.9 per cent. between 1913 and 1928, the increase in India was 100 per cent., and they point out that the total is at present double both absolutely and in relation to the revenues of India, and a dominating factor of the financial situation. It is said that no one in India wants to get rid of the British soldier. That may be true, but the Statutory Commission in their Report point out that this expenditure on defence is, economically speaking, the most burdensome form of expenditure, and this is particularly the case where, as in the case of India, the Army contains a large element drawn from elsewhere. These figures, coupled with the report of Lord Rawlinson's Committee, are the conclusive argument why our Amendment should be adopted. Thirty years is the period mentioned.

Wing-Commander JAMES: Is the right hon. Gentleman not, quite unintentionally, misleading the Committee? The Rawlinson Committee in recommending Indianisation within a specified period referred not to the whole Army but to the Indianisation of certain specified units in a certain time.

Mr. LANSBURY: I think the hon. and gallant Member will find that the specified units are very considerable. I would not have stood here and said what I did say if the work had been started. But let any one, let the Minister, stand up and tell me how many officers have been trained since that report, and let us know what steps have been taken to bring about an Indianisation of the Army. The right hon. Gentleman throws over an essential portion of the Rawlinson Committee's Report, and that is the recommendation that Indianisation should be concluded in thirty years. [HON. MEMBERS: "If possible."] Yes, if possible. The committee first recommended a period of 42 years, but on further consideration submitted a shorter period of 30 years, "which was unanimously accepted by the Government of India as then constituted, including Lord Rawlinson and the Viceroy, Lord Reading." I do not mind any one putting in the words "if possible." That would mean that an effort is to be made to Indianise the Army. If some period other than 30 years would appeal to this Committee we would be quite agreeable to consider it.

We object to leaving the question as it were in the air—"we shall do what we can," and so on. The Indians, as the late Lord Lytton said, are continually having the word of promise broken both in the spirit and in the letter when it comes to carrying out that word. I think the Secretary of State will remember that statement of the late Lord Lytton, which appeared in a despatch to the then Secretary for India. Our point is that there is nothing definite in the Government's attitude towards this question. We wanted to fix down, first, that the House of Commons really desires the Indianisation of the Army of defence in India, and hopes that the authorities in India will take the necessary steps for bringing that about. I conclude by saying that I profoundly and entirely disagree with the theory that the great Indian nation is incapable of producing the organising ability necessary for the development of its own forces of defence.

9.54 p.m.

Sir A. KNOX: Perhaps I may say a few words on this subject as I spent many years in the Indian Army and know something about it. On one point

[Sir A. Knox.]

I agree with the right hon. Gentleman who has just spoken, and that is on the question of saving money. Personally, I think it would be far better to save money by disbanding units instead of Indianising. I do not think you will get any fighting spirit out of the units that you are Indianising now, though I know that in that the Secretary of State will not agree with me. He was a member of a sub-committee of the second Round Table Conference, presided over by the Secretary of State for the Dominions, which recommended that the rate of Indianisation should be increased; secondly, that the British forces in India should be reduced as much as possible; and, thirdly, that every caste, whether martial or not, should be enlisted in India—a proposal which would be absolutely futile. I believe the British officers in the Indian Army are the backbone of the whole concern. If we sacrifice them now we ruin the Indian Army.

Apparently the official Opposition think that we should remain 30 years more in India and then scuttle. Mr. Gandhi says that a few villages on the frontier might be burnt. He does not care about that. He does not live on the frontier. India has never defended itself since the beginning of time. It has been conquered by nation after nation and tribe after tribe till the British went there. We have defended it and built up this wonderful organisation of 159,000 Indian troops who are helping our 60,000 British troops to defend it. The hon. Member who moved the Amendment complained that we were not prepared to put Indian officers over British soldiers. Has he ever seen a British soldier who would submit to that? How is he in touch with the classes that he professes to represent? We are different races, and they would never agree to it. I totally disbelieve the idea that the Indians as a mass want this. The Indian soldiers who fought for us in the Great War and did splendid deeds are not the people who are clamouring for this. It is a different class who did not stir a finger to help us.

9.56 p.m.

Mr. PALING: If I understood the tenour of the speech of the Secretary of State, his whole objection to the Amendment was based on the fact that it contained a time-table. Does he object to the other part of the Amendment which lays it down that the Governor-General shall be responsible for the progressive Indianisation of the Army? If the Governor-General could carry this business out in less than 30 years, is he in agreement that it should be done? In order to carry the idea still further he suggested that they were themselves in favour of Indianisation in so far that they had already established a college for the training of officers, and the Commander-in-Chief had said that the young Indians who were being trained there were making very good officers indeed, so much so that it was intended to extend it to all the arms in the Army. Do I understand that, if this success continues, there will be progressive facilities given to these Indian young men to become officers and that they will take the place of British officers who are now there? If they further continue to show success, will they be allowed in the end to displace British officers altogether?

9.59 p.m.

Mr. DONNER: Is the hon. Member aware that, as far as I know, no Gurkha would be prepared to be enrolled except under a British officer?

Mr. PALING: If the hon. Member asks me that, I do not know. I have heard all these statements made and contradicted, and I cannot believe that, if there are efficient Indian officers, they will not serve under them.

10.0 p.m.

Sir S. HOARE: Before coming to the hon. Member's questions, may I say two or three sentences in answer to the Leader of the Opposition? First of all, there have been considerable reductions in military expenditure since the time of the Simon Report. Indeed, I go so far as to say that, while maintaining the efficiency of Indian defence, there have been greater proportionate reductions in military expenditure in the last few years than in any other great country in the world. I think that is immensely to the credit of the present Commander-in-Chief. Secondly, as to the conclusions that he drew from the various inquiries that took place in the years after the War, they were not so simple as he appeared to think. For instance, the later inquiry to which he referred was one rather to see how Indianisation could

take place if a definite period were fixed for it. That is a very different kind of inquiry from one into the question whether it was safely possible to make that Indianisation at that period.

Coming to the questions of the hon. Member for Wentworth (Mr. Paling), I can say without any hesitation that the better the experiment goes the quicker will be the Indianisation. I have it definitely in my mind, and so has the Government of India and the Commander-in-Chief, that we shall judge fairly by results and the better the results the more quickly will it come. In the meanwhile the Committee will have observed that we are proposing to put this paragraph into the Instrument of Instruction:

"Seeing that the defence of India must be to an increasing extent the concern of the Indian people, it is our will and intention that our Governor-General should have regard to this Instruction in his administration of the department of defence, notably that he shall bear in mind the desirability of ascertaining the views of his ministers when he has occasion to consider matters relating to the general policy of appointing Indian officers to our Indian forces or the employment of our Indian forces on service outside India."

That is the outward and visible sign of our good intentions and of the sincerity with which we oppose this Amendment.

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

The Committee divided: Ayes, 33; Noes, 221.

Division No. 70.] **AYES.** **[10.5 p.m.**

Addison, Rt. Hon. Dr. Christopher	Davies, Rhys John (Westhoughton)	Lunn, William
Banfield, John William	Edwards, Charles	Mainwaring, William Henry
Bates, Joseph	Greenwood, Rt. Hon. Arthur	Milner, Major James
Bevan, Aneurin (Ebbw Vale)	Grenfell, David Rees (Glamorgan)	Parkinson, John Allen
Brown, C. W. E. (Notts., Mansfield)	Griffiths, George A. (Yorks,W. Riding)	Salter, Dr. Alfred
Buchanan, George	Groves, Thomas E.	Smith, Tom (Normanton)
Cape, Thomas	Grundy, Thomas W.	Strauss, G. R. (Lambeth, North)
Cleary, J. J.	Hall, George H. (Merthyr Tydvil)	Thorne, William James
Cocks, Frederick Seymour	Jones, Morgan (Caerphilly)	Tinker, John Joseph
Cove, William G.	Lansbury, Rt. Hon. George	
Daggar, George	Lawson, John James	TELLERS FOR THE AYES.—
Davies, David L. (Pontypridd)	Logan, David Gilbert	Mr. John and Mr. Paling.

NOES.

Acland-Troyte, Lieut.-Colonel	Courtauld, Major John Sewell	Guest, Capt Rt. Hon. F. E.
Albery, Irving James	Courthope, Colonel Sir George L.	Guy, J. C. Morrison
Alexander, Sir William	Craddock, Sir Reginald Henry	Hacking, Rt. Hon. Douglas H.
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Cranborne, Viscount	Hamilton, Sir R. W.(Orkney & Zetl'nd)
Amery, Rt. Hon. Leopold C. M. S.	Croft, Brigadier-General Sir H.	Harvey, Major Sir Samuel (Totnes)
Apsley, Lord	Crooke, J. Smedley	Haslam, Henry (Horncastle)
Astor, Viscountess (Plymouth, Sutton)	Crookshank, Capt. H. C. (Gainsb'ro)	Herbert, Major J. A. (Monmouth)
Atholl, Duchess of	Cruddas, Lieut.-Colonel Bernard	Hills, Major Rt. Hon. John Waller
Bailey, Eric Alfred George	Culverwell, Cyril Tom	Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Baldwin, Rt. Hon. Stanley	Davidson, Rt. Hon. J. C. C.	Hornby, Frank
Balfour, George (Hampstead)	Davies, Maj. Geo.F.(Somerset,Yeovil)	Hunter, Dr. Joseph (Dumfries)
Balfour, Capt. Harold (I. of Thanet)	Denville, Alfred	Inskip, Rt. Hon. Sir Thomas W. H.
Barclay-Harvey, C. M.	Dickie, John P.	Jackson, Sir Henry (Wandsworth, C.)
Beauchamp, Sir Brograve Campbell	Donner, P. W.	Jackson, J. C. (Heywood & Radcliffe)
Beit, Sir Alfred L.	Dugdale, Captain Thomas Lionel	James, Wing.-Com. A. W. H.
Benn, Sir Arthur Shirley	Dunglass, Lord	Jesson, Major Thomas E.
Boulton, W. W.	Eden, Rt. Hon. Anthony	Joel, Dudley J. Barnato
Bower, Commander Robert Tatton	Elmley, Viscount	Jones, Sir G. W. H. (Stoke New'gton)
Bowyer, Capt. Sir George E. W.	Emmott, Charles E. G. C.	Ker, J. Campbell
Boyce, H. Leslie	Emrys-Evans, P. V.	Kerr, Lieut.-Col. Charles (Montrose)
Braithwaite, J. G. (Hillsborough)	Essenhigh, Reginald Clare	Kerr, Hamilton W.
Brass, Captain Sir William	Evans, David Owen (Cardigan)	Kirkpatrick, William M.
Briscoe, Capt. Richard George	Fermoy, Lord	Knox, Sir Alfred
Brown, Brig.-Gen. H. C. (Berks., Newb'y)	Fielden, Edward Brocklehurst	Latham, Sir Herbert Paul
Buchan-Hepburn, P. G. T.	Foot, Isaac (Cornwall, Bodmin)	Leckie, J. A.
Burghley, Lord	Fraser, Captain Sir Ian	Leech, Dr. J. W.
Burnett, John George	Fremantle, Sir Francis	Lennox-Boyd, A. T.
Butler, Richard Austen	Fuller, Captain A. G.	Levy, Thomas
Butt, Sir Alfred	Ganzoni, Sir John	Lewis, Oswald
Cadogan, Hon. Edward	Gault, Lieut.-Col. A. Hamilton	Liddall, Walter S.
Campbell-Johnston, Malcolm	George, Major G. Lloyd (Pembroke)	Lindsay, Kenneth (Kilmarnock)
Caporn, Arthur Cecil	George, Megan A. Lloyd (Anglesea)	Lindsay, Noel Ker
Cayzer, Sir Charles (Chester, City)	Gillett, Sir George Masterman	Little, Graham-, Sir Ernest
Cazalet, Thelma (Islington, E.)	Goff, Sir Park	MacAndrew, Lieut.-Col. C. G. (Partick)
Cazalet, Capt. V. A. (Chippenham)	Gower, Sir Robert	MacAndrew, Capt. J. O. (Ayr)
Chamberlain, Rt. Hn. Sir J. A. (Birm., W.)	Graham, Sir F. Fergus (C'mb'rl'd, N.)	McCorquodale, M. S.
Clarry, Reginald George	Grattan-Doyle, Sir Nicholas	MacDonald, Malcolm (Bassetlaw)
Colfox, Major William Philip	Greene, William P. C.	Macdonald, Capt. P. D. (I. of W.)
Colville, Lieut.-Colonel J.	Grigg, Sir Edward	McEwen, Captain J. H. F.
Cook, Thomas A.	Grimston, R. V.	McKie, John Hamilton

McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macquisten, Frederick Alexander
Magnay, Thomas
Makins, Brigadier-General Ernest
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Munro, Patrick
Nation, Brigadier-General J. J. H.
Normand, Rt. Hon. Wilfrid
North, Edward T.
Nunn, William
O'Connor, Terence James
O'Neill, Rt. Hon. Sir Hugh
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Pearson, William G.
Penny, Sir George
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pownall, Sir Assheton
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, Alexander (W. Bromwich)
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Rankin, Robert
Ratcliffe, Arthur
Rathbone, Eleanor
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Remer, John R.
Rickards, George William
Roberts, Aled (Wrexham)
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Savery, Samuel Servington
Scone, Lord
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Simmonds, Oliver Edwin
Smiles, Lieut.-Col. Sir Walter D.
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'moriand)
Steel-Maitland, Rt. Hon. Sir Arthur
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Touche, Gordon Cosmo
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wells, Sydney Richard
White, Henry Graham
Whiteside, Borras Noel H.
Whyte, Jardine Bell
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Wolmer, Rt. Hon. Viscount
Womersley, Sir Walter
Worthington, Dr. John V.

TELLERS FOR THE NOES.—Lieut.-Colonel Sir A. Lambert Ward and Mr. Blindell.

10.12 p.m.

Mr. MORGAN JONES: I beg to move, in page 7, line 41, at the end, to insert:

"Provided that the functions of the Governor-General with respect to defence shall not be deemed to include, except upon the approval of his Ministers, the power to order the movement of any part of His Majesty's forces in India outside the boundaries thereof unless he is satisfied that such action is necessary for the internal safety of India."

I must apologise for having to inflict myself once more on the Committee, but I can offer the consolation that it will be the last time that I shall do so to-night. The Amendment raises a somewhat different proposition from that which we have just discussed. We have determined in the decision just taken that Indianisation is not to take place except within a given period of time. We know now that the Governor-General is to be in complete control of the army, but there is another issue which we have still to decide, and I venture to tell the Committee that the issue raised in this Amendment is regarded in India with very considerable concern. Indeed, I go further and say that, though we moved in the sense implied by my Amendment on the Joint Select Committee, and it was supported by my colleagues from this side of the House on the Committee, we were also joined in the Division upon the matter by His Grace the Archbishop of Canterbury and, I am happy to say, one member of the Liberal group on the Committee, so that we had the sanction, not only of the Liberal party, but also to that degree of the Church as well.

What is the point at issue? We assume for the purpose of our argument that the Governor-General will be in complete control of defence so far as India itself is concerned, but then comes the question: suppose an eventuality arise outside the confines of Indian territory, what is to be the extent of the Governor-General's power in that event in relation to the Indian troops which he controls? In our judgment, it is a very big proposition indeed to imply that the Governor-General's power of control over the Indian Army pertain not only to their movements inside Indian territory but also connotes power to move Indian troops outside Indian territory. As things now stand it is possible for the Governor-General to send Indian troops anywhere to any part of the world. It is possible for some eventuality to arise, say, in the Far East, and there is nothing, if this Amendment is not accepted, to prevent the Governor-General from sending a body of Indian troops to take part in any hostilities that may break out. An hon. Friend behind me reminds me that he might even send them to occupy portions of the Rhondda

Valley, but that is not an eventuality which is likely to arise.

I understand there is strong objection among Indian people to this enlargement of the powers of the Governor-General in this sense. If hostilities broke out in the Far East, he would, according to our Amendment, have to determine whether such hostilities involved the safety of India or otherwise, and he could not determine to send Indian troops to engage in such hostilities without first consulting his Indian ministers. The importance of the point may be stated in this way. The Committee will recall the fact, which is not denied, that the Indian people have to bear the financial burden involved in the movement of Indian troops within Indian territory. Is it fair, supposing hostilities broke out in the Far East in relation to an Imperial problem, and not a specifically Indian problem, that India should be called upon to shoulder the burden of her share of the cost of the transference of Indian troops without first enabling the Indian ministers to have a voice in the matter? Suppose that 50,000 Indian troops were sent to Hong Kong. As things are now, I understand, the Indian Budget would have to bear the burden. If that be not so, the position is not as grave as I thought it was, but, in any case, we still maintain the proposition that before Indian troops are sent to various parts of the world to engage in Imperial difficulties it is right and proper that Indian ministers should be consulted by the Governor-General.

10.20 p.m.

Sir S. HOARE: This is a diffult question, and the hon. Member had every reason to raise it for the consideration of the Committee. The question is as follows: In the event of Indian troops being used outside India, should their use only be upon the advice of the Indian ministers, or should it be at the discretion of the Governor-General and not on the advice of the Indian ministers? Within that question there is another question. Supposing the troops are being used outside India not for the defence of India but for some Imperial purpose, should a distinction be drawn between that issue and the issue in which Indian troops are used outside India for Indian defence? In the case where Indian troops are used for Indian defence outside India I do not think there is likely to be any question arising at all. It must be at the discretion of the Governor-General, who is responsible for the reserved Department of Indian Defence. A more difficult issue arises in the event of Indian troops being used outside India for purposes other than the purposes of Indian defence.

Mr. MORGAN JONES: That is the point we raised.

Sir S. HOARE: I know, but I had to put the two points, because they are interconnected, as the hon. Member will see. As to the second case, will the Committee first of all remove from their minds the doubt which arose when the hon. Member was speaking about the cost? There is no question about the cost. The cost will not fall upon Indian revenues at all. In a case of that kind the whole cost would fall upon British revenues. If we used Indian units for a purpose of that kind British revenues would find the money. There is, therefore, no question of cost at all. The question the Committee have to consider is: Should this use of Indian troops be made only upon the advice of Indian ministers?

Mr. JONES: In such a case would British revenues find the pay and the cost of transport?

Sir S. HOARE: The full cost. While the units were being used for this purpose their cost would fall upon British revenues. The question I was putting to the Committee was: Should this be upon the advice of the Indian ministers or at the discretion of the Governor-General? The Joint Select Committee considered the issue, and I think many of us were anxious, if we could, to find a distinction between the two contingencies, but we came to the view that it was impossible to draw a statutory distinction between these two contingencies, and for this reason. If it is accepted that Indian troops can only be used outside India for purposes other than the purposes of Indian defence upon the advice only of an Indian ministry, then we should have to define in the Bill what is meant by "the defence of India," and that is almost an impossible proposition. Obviously "the defence of India" means something much more than holding the North-West Frontier. That be-

[Sir S. Hoare.]
ing so, facing the impossibility of making this statutory definition, the Joint Select Committee came to the view—I think, on the whole, rightly—that the decision must in each case be taken by the Governor-General at his discretion, and after consultation with the Federal ministers. I cannot contemplate any single case in which the Governor-General, using troops outside India for purposes other than the defence of India, could possibly ignore the views of his federal ministry. I hope that I have made a rather complicated position clear, and that I have shown the Committee that it is not possible to draw a distinction between those two contingencies.

10.26 p.m.

Mr. ANEURIN BEVAN: The right hon. Gentleman has not met the point under discussion. If India had a right to decide upon her own safety, if she had to decide whether a given course of action would imperil her safety or not, it would be all right. India might take the view that our policy had involved her in peril, and that India's safety would be best served by not allowing her forces to be used for Imperial defence. Take the case of Canada: If we became involved in a war, and if we recruited troops in Canada and if the Canadian Government said: "No, we are not going to be involved, because if we engage in this war we shall be in greater danger than if we stay out of it," Canada would provide no troops. South Africa would be in the same position. I believe that South Africa has said that for South African forces to be regarded as part of the Imperial defence forces might involve more peril than safety to South Africa.

These self-governing Dominions have the right to take their own view of their own safety, but that is being denied to India. It seems as though the Government are saying to India, "We are going to charge the Indian budget with the maintenance of an army necessary not only for order in India but also because it might be part of general Imperial defence." [HON. MEMBERS: "No!"] The point which was made by my hon. Friend the Member for Caerphilly (Mr. Morgan Jones) was replied to by the Secretary of State, who said that if any troops are taken from India the whole cost falls upon the British Treasury and not upon India, but if you keep troops in contemplation of using them outside India, surely the maintenance of those troops falls upon the Indian budget. So that in your estimate of the requirements of the Indian Army you take into account not merely the internal safety of India, but the part that Indian forces may play in general Imperial defence.

Sir S. HOARE: That is just what we do not do.

Mr. BEVAN: I would like to know what portion of the Indian Army is paid for by the British Treasury as a part of the general conduct of the Imperial forces, and what part falls upon the Indian budget.

Sir S. HOARE: That is raising a very wide issue, which is wider than is actually raised by the Amendment. Let me say to the hon. Member in a sentence that we do not keep an army for this kind of contingency in India; we keep an army to provide for the defence and the internal security of India, and we use Indian troops outside India only in the event of the situation in India making that safe. We do not keep extra units there for Imperial purposes.

Mr. BEVAN: Although we have the assurance of the right hon. Gentleman, he is unable to point to any statutory distinction between Indian troops maintained for the safety of India and Indian troops that may at any moment be used outside India for Imperial defence purposes. If the Governor-General is given power at the instance of the Imperial Parliament to move troops outside India whenever he is so inclined, that power is taken into account in determining the strength of the Imperial defence forces. The right hon. Gentleman says that it is not, but how are we to know that it is not? All that we know is that they are chargeable to the Indian Budget, and they may be moved outside India. What we want is to say that they shall not be moved outside India without the consent of the Indians themselves. The movement of troops in the way that might be contemplated seems to me to be highly undesirable, because very great difficulties sometimes arise. I think it is true that great feeling arose in the Rhineland because the French used black troops; and very grave feeling has arisen in the Asturias in Spain as a consequence of the use of Moors to quell civil disorder.

The DEPUTY-CHAIRMAN: The hon. Member is now getting outside the Amendment. The Amendment would not limit the use of Indian troops outside India; it only says that the consent of Indian Ministers shall be required.

Mr. BEVAN: I was merely making use of an illustration to show that the use of troops in another country was highly undesirable without some definite safeguard that they would not be so used except in very grave circumstances. It seems to me that in asking for this Amendment we are asking for something that is quite reasonable, and, in refusing it, the right hon. Gentleman gives the impression that the Indians are not only not going to be allowed self-government in India, but may be merely used as pawns in an Imperial game which they themselves have no chance of determining.

Lord APSLEY: I am rather perturbed by the statement of the Secretary of State that, if Indian troops were used outside India, it would be the British taxpayer who would have to bear the burden.

Sir S. HOARE: That is the case now.

Lord APSLEY: Now that a constitution is being given to India, it should come to an end——

The DEPUTY-CHAIRMAN: That question cannot possibly arise on this Amendment. If it arises at all, it arises on Clause 148.

10.34 p.m.

Mr. COCKS: I fancy that the Secretary of State was slightly in error just now. He said that the Joint Select Committee found that they could not make a distinction between the case in which troops were sent out of India for purposes of Indian defence in its widest sense, and the case in which they were sent out of India for purposes altogether unconnected with Indian defence, such as a petty war in Shanghai, which would not involve the defence of India even in its very widest sense. The Committee did make a distinction. They said, in the first place, that they did not recommend that the power of the Governor-General should be limited in this matter. In the second case, that of Indian troops being sent across the sea for some purpose unconnected with the defence of India, we should not agree to do that without consultation with the Minister.

Sir S. HOARE: I said so.

Mr. COCKS: But of course they did say that the question as to whether the troops were in the one category or the other should be left to the discretion of the Governor-General. We agree with that, because that is what our Amendment states. The Joint Select Committee recommends that in the second case, when it is proposed that Indian troops should be sent out of India for purposes unconnected with the defence of India, the Minister ought to be consulted. Where is that power to be found in the Bill? Does it come within the Instruments of Instructions? I cannot find it in the Bill. I would like the Minister to answer that point. We want to go further. We say that in a case where the defence of India is not involved, not merely should the Minister be consulted but his consent should be given before Indian troops are sent oversea away from the place where they have enlisted and the country which they have enlisted to defend. If they are sent away from India for Imperial purposes not connected, even in the widest sense, with Indian defence it is only reasonable that the consent of Indian Ministers should be granted, and I ask the Goverment to consider that point also.

Sir S. HOARE: I shall answer the hon. Gentleman's question at once by referring him to paragraph XVII of the Instruments of Instructions which provides that the Governor-General:

> "shall bear in mind the desirability of ascertaining the views of his Ministers when he shall have occasion to consider matters relating to the general policy of appointing Indian officers to Our Indian Forces or the employment of Our Indian Forces on service outside India."

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

The Committee divided: Ayes
Noes, 207.

Division No. 71.] AYES. [10.40 p.m.

Addison, Rt. Hon. Dr. Christopher
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Brown, C. W. E. (Notts., Mansfield)
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Cove, William G.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Edwards, Charles
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Lawson, John James
Logan, David Gilbert
Lunn, William
Mainwaring, William Henry
Maxton, James
Milner, Major James
Molson, A. Hugh Elsdale
Parkinson, John Allen
Rathbone, Eleanor
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Tinker, John Joseph
Wilmot, John

TELLERS FOR THE AYES.—
Mr. John and Mr. Paling.

NOES

Acland-Troyte, Lieut.-Colonel
Albery, Irving James
Alexander, Sir William
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Astor, Viscountess (Plymouth, Sutton)
Atholl, Duchess of
Bailey, Eric Alfred George
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (I. of Thanet)
Barclay-Harvey, C. M.
Beauchamp, Sir Brograve Campbell
Beit, Sir Alfred L.
Blindell, James
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brown, Brig.-Gen. H.C. (Berks., Newb'y)
Buchan-Hepburn, P. G. T.
Burghley, Lord
Burnett, John George
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Cayzer, Sir Charles (Chester, City)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hn. Sir J. A. (Birm., W.)
Clarry, Reginald George
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Cook, Thomas A.
Courtauld, Major John Sewell
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Cranborne, Viscount
Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Cruddas, Lieut.-Colonel Bernard
Culverwell, Cyril Tom
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Denville, Alfred
Dickie, John P.
Dugdale, Captain Thomas Lionel
Dunglass, Lord
Eden, Rt. Hon. Anthony
Elmley, Viscount
Emmott, Charles E. G. C.
Emrys-Evans, P. V.
Essenhigh, Reginald Clare
Evans, David Owen (Cardigan)
Fermoy, Lord
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
George, Major G. Lloyd (Pembroke)
George, Megan A. Lloyd (Anglesea)
Gillett, Sir George Masterman
Goff, Sir Park
Gower, Sir Robert
Graham, Sir F. Fergus (C'mb'ri'd, N.)
Graves, Marjorie
Greene, William P. C.
Grigg, Sir Edward
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hunter, Dr. Joseph (Dumfries)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing-Com. A. W. H.
Janner, Barnett
Joel, Dudley J. Barnato
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Knox, Sir Alfred
Latham, Sir Herbert Paul
Leckie, J. A.
Leech, Dr. J. W.
Lennox-Boyd, A. T.
Levy, Thomas
Lewis, Oswald
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham, Sir Ernest
Lockwood, John C. (Hackney, C.)
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macquisten, Frederick Alexander
Magnay, Thomas
Makins, Brigadier-General Ernest
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Monsell, Rt. Hon. Sir B. Eyres
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Nall, Sir Joseph
Nation, Brigadier-General J. J. H.
Normand, Rt. Hon. Wilfrid
North, Edward T.
Nunn, William
O'Connor, Terence James
O'Donovan, Dr. William James
O'Neill, Rt. Hon. Sir Hugh
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, Alexander (W. Bromwich)
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Rankin, Robert
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Remer, John R.
Rickards, George William
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Russell, Alexander West (Tynemouth)
Rutherford, John (*Edmonton*)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Samuel, M. R. A. (W'ds'wth, Putney)
Sandeman, Sir A. N. Stewart
Savery, Samuel Servington
Scone, Lord
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Simmonds, Oliver Edwin
Smiles, Lieut.-Col. Sir Walter D.
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Titchfield, Major the Marquess of
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wells, Sydney Richard
White, Henry Graham
Whiteside, Borras Noel H.
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Womersley, Sir Walter

TELLERS FOR THE NOES.—
Sir Frederick Thomson and Lieut.-Colonel Sir A. Lambert-Ward.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

Mr. MORGAN JONES: We are not satisfied with the way our Amendments have been dealt with, and we propose to vote against the Clause standing part.

Several HON. MEMBERS *rose*——

10.46 p.m.

The DEPUTY-CHAIRMAN: May I appeal to the Committee? There has been an agreement made to reach a certain point to-night. May we have the Division now?

Mr. LANSBURY: Excuse me. I am not objecting to the Division being taken, but I am objecting to any notion that we are to go on debating until Clause anything.

The DEPUTY-CHAIRMAN: I did not mean to imply that there had been any suggestion to keep the House up late, but I did want to suggest to the Committee that there had been an agreement [illegible] if we debate every Clause and every Amendment, we are not going to keep any arrangement.

Mr. LANSBURY: I have heard no protest from the Chair about the prolonged discussion by hon. and right hon. Gentlemen who are Members of the party on the other side of the House. To-night, it happens—we cannot help it—that a number of our Amendments are on the Order Paper, but I do not think anyone can charge us with having prolonged discussions on any one of them. Whatever agreement was made it was an agreement that all of us should have a fair and reasonable chance, and I think that any attempt to keep us late to-night on the Amendments that we have to move would be rather unfair.

The DEPUTY-CHAIRMAN: I hope the right hon. Gentleman did not think that I was making any reflection upon him or his supporters in regard to this matter. I was only saying that I understood there had been an agreement.

Mr. LANSBURY: No.

The DEPUTY-CHAIRMAN: If I am wrong, then I have been misinformed, and I apologise to the Committee. I understood that there had been an agreement, and I was suggesting that we had discussed this Clause—I do not say at any undue length—and that I thought we might come to other important points. If the Committee desires further to discuss it, I am in the hands of the Committee.

Mr. LANSBURY: With very great respect, I would point out that there have been certain Amendments moved to this Clause, and that as a rule the party whose Amendments have not been accepted make speeches against the Clause standing part. My hon. Friend the Member for Caerphilly (Mr. Morgan Jones) made no speech against the question, "That the Clause stand part," but simply said that our Amendments had not been dealt with satisfactorily, and that we proposed to take a Division. Then hon. Members on the other side wanted to speak, and it was against the statement that you made then that I protested.

The DEPUTY-CHAIRMAN: I understood—I may have been mistaken—that [illegible] Caerphilly (Mr. Morgan Jones) who represented the right hon. Gentleman's party was satisfied with the discussion and that he was ready to take a Division on the Question: "That the Clause stand part." I realised that he did not wish to continue the discussion, and I was hoping that other hon. Members would take the same view and not continue the debate.

Mr. LANSBURY: We must be quite clear about this. There is no agreement—no discussed agreement—with us, although there may have been with other people, and it was that suggestion that I resented very strongly indeed.

The DEPUTY-CHAIRMAN: I only hope the right hon. Gentleman did not think for one moment that I was suggesting that the party which he leads had not kept an agreement. I was given to understand, perhaps mistakenly, that there was an agreement between all parties in the House that we should progress, at any rate to the end of the next Clause, without sitting unduly long. If I was mistaken, I beg the right hon. Gentleman's pardon. I did not suggest that any member of his party had taken an undue share of the proceedings. I hope he did not think that.

Sir S. HOARE: I hope the right hon. Gentleman will not feel any sense of

[Sir S. Hoare.]
grievance. There was no definite agreement. At the same time, there was a general conversation between the various sections and there was a general wish, shared, I think, by everybody, to get on as far as we can. I do not want to press it further than that, but I hope that we shall get on as far as we can.

10.51 p.m.

Wing-Commander JAMES: The last thing I want to do is to detain the Committee, but I had given notice that I wished to raise a point of substance which, I believe, I cannot raise at a later stage. If I can raise the point later and you, Captain Bourne, will inform me of the fact, I will at once give way. Under this Clause the Governor-General is allowed to appoint three counsellors to assist him in the execution of certain functions. I did not put an Amendment down on the subject, because I knew perfectly well that the Government are open to all reasonable suggestions, and if there is substance in my point, they will at a later stage themselves probably deal with the matter. I do not see how the Governor-General will be able to exercise his special responsibilities in respect of the excluded and partially excluded areas unless there is some central machinery for the purpose. This is not a small problem. The measure of the problem may be judged by the Sixth Schedule to the Bill which covers a population of something like 13,000,000 people. Further than that, there are at least another 12,000,000 of these primitive tribes who will be the special responsibility of the Governors, and therefore also of the Governor-General, to be dealt with. I very much hope that at a later stage the Government are going to include more of these people in the Sixth Schedule. Whether they are excluded or not does not affect the fact that these people will remain a special responsibility of the Governor-General and I should be grateful if the Secretary of State could indicate what machinery he has in mind whereby the Governor-General can carry out the responsibilities which I know the Secretary of State wishes him to exercise.

10.53 p.m.

Brigadier-General CLIFTON BROWN: Unlike hon. Members on the other side who have been trying to whittle down the safeguards regarding defence and the Army, I am concerned far more to ask for some assurance that the safeguard regarding defence is a real safeguard. There is no question that the whole Bill will be useless, and that any reforms in India will be useless unless the Army, and the British Army particularly, is a real safeguard. You may say what you like, but in the East, even if you do not govern by the sword, it is the Army, and the British Army, that is the power behind the throne. The Joint Select Committee evidently realised that fact, because they comment that under the great Mogul Empire personal rule was very effective, and they refer to the awful position of India when that strong Mogul rule was overthrown. I want to get some assurances on this point, for the defence problem is unlike foreign affairs or ecclesiastical affairs, which are dealt with in this Clause. Those affairs can be transacted on paper, in offices, but when you come to the Army or other defence forces that means much dependence on the good will of Indian ministers. If posts, telegraphs, wireless and the police are interfered with it means that the Army is no safeguard. It cannot be moved unless Indian ministers are in touch with the Commander-in-Chief and the Viceroy. I do not think it is realised by the Government, certainly not by hon. Members opposite, what the British Army is in India for. I am going to read what the Commander-in-Chief said on this subject in the Legislature last week; he has probably done more for Indianisation than any Commander-in-Chief. He said, in defending the Budget estimate of last year:

> "His business was to provide security principally of the frontiers. That was an Imperial commitment, but it was far more an Indian one. The large majority of the troops, between 30,000 and 40,000, were not kept for war purposes, they were kept for internal security, for the ports, coasts and lines of communication. No other Commander-in-Chief was in the same position. In France and in Germany and in every other country——"

The DEPUTY-CHAIRMAN: I do not see what this has to do with this Clause?

Brigadier-General BROWN: It is a matter of defence. I am pointing out that if the army loses the power to move you will lose everything, this Bill and everything else. I want to point out the reason why the army is kept for internal defence. The Commander-in-Chief went

on to deal more fully with the question of the army in India and the result of any reduction in the costs of defence.

The DEPUTY-CHAIRMAN: I cannot see the relevancy of the argument to the question of the Clause standing part. The hon. and gallant Member must raise it somewhere else in the Bill; this is hardly the occasion for making a general speech on the army in India.

Brigadier-General BROWN: I want an assurance that the army will be a real safeguard in the circumstances. Indian ministers may do many things to hamper the army, and I think it is absolutely necessary that the Commander-in-Chief should be one of the three counsellors to be appointed, and that he should be kept in touch with Indian ministers and the Government; otherwise, the army will not be the real safeguard it should be. It is useless to reserve defence unless the Viceroy also controls the means of communication right from the ports.

11.0 p.m.

Sir S. HOARE: Let me deal, in the first place, with the question of the excluded areas raised by the hon. and gallant Member for Wellingborough (Wing-Commander James), who is a great expert on these matters. The main responsibility will rest not with the Federal Government but with the Provinces. As far as the centre is concerned, the Governor-General can have what staff he requires to deal with it. It may be that he will give a portfolio to one or other of his councillors, but in any case he will have what staff is necessary. As to my hon. and gallant Friend question about the Army, let me reassure him as far as I can. The Army will be a reserve part, directly under the Governor-General with responsibility to this Parliament, and the Governor-General will have the power of intervening in other Department, for instance if the railway department has trenched upon his special responsibility for defence. I think, therefore, that if my hon. and gallant Friend will look into the question with greater detail he will find that the position is as safe as we can make it. It is also worth noting that throughout these discussions and in the preparation of these proposals we have relied very much on the advice of the Commander-in-Chief, to whom my hon. and gallant Friend himself has paid a well-merited tribute.

11.2 p.m.

Sir NAIRNE STEWART SANDEMAN: I was very sorry to hear that you, Mr. Deputy-Chairman, could not call an Amendment in the name of an hon. Friend, for I am certain that the Government would have accepted it. We wanted to raise the number of councillors from three to six, with the idea of getting one councillor specially appointed to look after the trade interests between this country and India. It is very important that we should have some sort of safeguard. When this Bill goes through, if it ever goes through, we shall be in the position that the fiscal convention will mean as little in the future, or even less, than it has meant in the past, with the people of Lancashire walking in the streets and the people of Ahmenabad drawing dividends. I want to get that put right.

Question put, "That the Clause stand part of the Bill."

The Committee divided: Ayes, 186; Noes, 35.

Division No. 72.] **AYES.** **[11.4 p.m.**

Acland-Troyte, Lieut.-Colonel	Brass, Captain Sir William	Colville, Lieut.-Colonel J.
Albery, Irving James	Briscoe, Capt. Richard George	Cook, Thomas A.
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Buchan-Hepburn, P. G. T.	Courthope, Colonel Sir George L.
Amery, Rt. Hon. Leopold C. M. S.	Burghley, Lord	Cranborne, Viscount
Apsley, Lord	Burnett, John George	Crooke, J. Smedley
Astor, Viscountess (Plymouth, Sutton)	Butler, Richard Austen	Crookshank, Capt. H. C. (Gainsb'ro)
Baldwin, Rt. Hon. Stanley	Butt, Sir Alfred	Cruddas, Lieut-Colonel Bernard
Balfour, Capt. Harold (I. of Thanet)	Cadogan, Hon. Edward	Culverwell, Cyril Tom
Barclay-Harvey, C. M.	Campbell-Johnston, Malcolm	Davidson, Rt. Hon. J. C. C.
Beauchamp, Sir Brograve Campbell	Caporn, Arthur Cecil	Davies, Maj. Geo. F. (Somerset, Yeovil)
Belt, Sir Alfred L.	Cayzer, Sir Charles (Chester, City)	Denville, Alfred
Blindell, James	Cazalet, Thelma (Islington, E.)	Dickie, John P.
Boulton, W. W.	Cazalet, Capt. V. A. (Chippenham)	Dugdale, Captain Thomas Lionel
Bower, Commander Robert Tatton	Chamberlain, Rt. Hn. Sir J. A. (Birm., W.)	Duncan, James A. L. (Kensington, N.)
Bowyer, Capt. Sir George E. W.	Clarry, Reginald George	Eastwood, John Francis
Boyce, H. Leslie	Colfox, Major William Philip	Eden, Rt. Hon. Anthony
Braithwaite, J. G. (Hillsborough)	Colman, N. C. D.	Elmley, Viscount

Emrys-Evans, P. V.
Evans, David Owen (Cardigan)
Fermoy, Lord
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
George, Major G. Lloyd (Pembroke)
George, Megan A. Lloyd (Anglesea)
Gillett, Sir George Masterman
Goff, Sir Park
Gower, Sir Robert
Graham, Sir F. Fergus (C'mb'rl'd, N.)
Graves, Marjorie
Grigg, Sir Edward
Grimston, R. V
Guest, Capt. Rt. Hon. F. E.
Guy, J. C. Morrison
Hamilton, Sir R. W. (Orkney & Ztl'nd)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hunter, Dr. Joseph (Dumfries)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing.-Com. A. W. H.
Janner, Barnett
Joel, Dudley J. Barnato
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Latham, Sir Herbert Paul
Leckie, J. A.
Leech, Dr. J. W.
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Lloyd, Geoffrey
Lockwood, John C. (Hackney, C.)
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Makins, Brigadier-General Ernest
Mander, Geoffrey le M.
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shepherd
Nation, Brigadier-General J. J. H.
Normand, Rt. Hon. Wilfrid
North, Edward T.
O'Donovan, Dr. William James
O'Neill, Rt. Hon. Sir Hugh
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilst'n)
Radford, E. A.
Ramsay, Alexander (W. Bromwich)
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Rankin, Robert
Rathbone, Eleanor
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rickards, George William
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Russell, Alexander West (Tynemouth)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Samuel, M. R. A. (W'ds'wth, Putney)
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Simmonds, Oliver Edwin
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'moriand)
Steel-Maitland, Rt. Hon. Sir Arthur
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wells, Sydney Richard
White, Henry Graham
Whiteside, Borras Noel H.
Williams, Charles (Devon, Torquay)
Wilson, Clyde T. (West Toxteth)
Winterton, Rt. Hon. Earl

TELLERS FOR THE AYES.—Sir George Penny and Sir Walter Womersley.

NOES.

Addison, Rt. Hon. Dr. Christopher
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Brown, C. W. E. (Notts., Mansfield)
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Cove, William G.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Edwards, Charles
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Groves, Thomas E.
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Lawson, John James
Lennox-Boyd, A. T.
Logan, David Gilbert
Lunn, William
Mainwaring, William Henry
Maxton, James
Milner, Major James
Orr Ewing, I. L.
Parkinson, John Allen
Raikes, Henry V. A. M.
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Tinker, John Joseph
Wilmot, John

TELLERS FOR THE NOES.—Mr. John and Mr. Paling.

11.10 p.m.

Mr. MORGAN JONES: I beg to move, "That the Chairman do report Progress, and ask leave to sit again."

I make this Motion in order to invite the Secretary of State to tell us how far he proposes to go to-night. From our point of view, Clause 12 contains problems which we regard as of the very first importance. Probably to no other part of the Bill do we attach more importance than we do to our Amendments on this Clause. I think the right hon. Gentleman will agree—I am not asking him to give us a bouquet—that in presenting our Amendments to-night we have been as brief as the circumstances would justify and have not unduly consumed the time of the Committee, and we have done our best, so long as we were discharging our duty as an Opposition, to facilitate the transaction of public business. I ask the right hon. Gentleman, therefore, having regard to the fact that we attach the greatest importance to Clause 12, to allow us to take some portion of the Clause, or, rather, to state how far he proposes to go with the Clause before letting us adjourn.

11.12 p.m.

Sir S. HOARE: I own that I had hoped we should have got a good deal farther than that. At the same time, there has been no kind of obstruction in any quarter of the Committee, certainly not from the benches opposite. Would it not have been possible to have gone on, say, until a quarter to 12 or 12, and to see how far we could get? I should be very glad if we could. We are already a good deal behind the provisional time-table to which the various sections agreed, and if we could make some further progress to-night, I should be very grateful. At the same time I do not want to press hon. and right hon. Members opposite further than they really can go, nor do I wish to press the Members of any other section of the Committee, but I should be very grateful if we could go on till a quarter to 12.

11.13 p.m.

Mr. MORGAN JONES: I should be very glad if it were possible to meet the right hon. Gentleman, but he will, I am sure, appreciate that it is an extremely onerous task that falls on a few of us in this matter. I have no right to speak for others, but we are exceedingly anxious to have ample opportunities to prepare our case in regard to our Amendments on page 473 of the Order Paper, and might I suggest that we should go to the bottom of page 472 to-night, although that covers the right hon. Gentleman's own proposals rather than ours?

11.14 p.m.

Mr. CHURCHILL: Like the hon. Gentleman opposite, I have felt a certain amount of anxiety about how we are to get through this great mass of business within the time that we have agreed, and allow proportionate discussion of the salient points, but it seems to me that we need not be too much worried if the six-day limit which was provisionally assigned to the first 45 Clauses of the Bill is not achieved, or even if an eight-day limit is not achieved, because the Committee is working its way into this Bill, a great many matters are arising which people can see are the real questions at issue, and, on the other hand, a lot of mere machinery will fall into the background and can be relegated to its proper position.

I had hoped we might have got further to-night, but I think the Government would be well advised on the whole not to be unduly alarmed because the progress has not been according to the original schedule. We might go to-night as far as the hon. Gentleman suggests and take the first Amendment to Clause 12. On the whole, it is an important Clause and touches the Lancashire case, and the whole question of the powers of the Governor-General, whether it be, in fact, responsible government or not, and the reaction of that on the attitude of Indian public opinion. If the Government would be content just to break into Clause 12, I do not think they would be getting into a position where the later stages of the discussions of the Bill would be unduly cramped.

Viscount WOLMER: I think we ought to sit until 12 o'clock, because, if we adjourn at 11 o'clock every night, we shall not get our fair share of the 30 days.

11.16 p.m.

Sir S. HOARE: I am anxious, if we can, to proceed by general agreement. I cannot possibly fail to respond to the appeal that has been made. As long as we all accept the general position that we are going to get through within the limit of time, we must work by general agreement. That being so, we will take the next Amendment, and, when we reach the Amendments in the names of hon. Gentlemen opposite, we will move to report Progress.

Motion, by leave, withdrawn.

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[For Continuation of Proceedings, see Official Report for Friday, 1st March, 1935.]

HOUSE OF COMMONS.

Thursday, 28th February, 1935.

[OFFICIAL REPORT.]

GOVERNMENT OF INDIA BILL.

Considered in Committee [FIFTH DAY—*Progress 28th February*].

[Sir DENNIS HERBERT in the Chair.]

[Continuation of Official Report, from col. 1450, Thursday, 28th February, 1935.]

CLAUSE 12.—(*Special responsibilities of Governor-General.*)

11.18 p.m.

Sir FRANCIS FREMANTLE: I beg to move, in page 8, line 7, after "peace", to insert "health".

This Amendment is to provide that the Governor-General shall have special responsibilities for prevention not only of any grave menace to the peace or tranquility of India, but also of any grave menace to health. This is not a question of the distribution of public health functions, with which we have had to deal elsewhere in the Bill. This is a question of the grave menace to the health of India. In the background of this position we have to remember we are dealing with 5,805,000 deaths in British India in a year, and something like 8,000,000 for the whole of India. Still more, we are dealing with special questions like cholera, the deaths for which number 70,000 in a year, and as many as 700,000 in 1906; and with plague, which causes 47,000 deaths in a year in British India. The number of deaths in the plague epidemic at the beginning of the century was some 9,000,000. We are thus dealing with a tremendous problem. These epidemics are liable to flare up suddenly in any one or more of the Provinces or States, and they run like wildfire across from one to the other. The early beginnings are unseen, and then they get beyond control. There would be no time for the inter-Provincial councils to act as is laid down in Clause 133. It would be a long time before they would be set up. Meanwhile, these grave menaces may occur on the morrow of the Bill coming into force.

The effect is not limited to India. Such a grave menace to India is a grave menace to commence from India and a menace to the world. I should have explained that point but for the appeal which has been made, and I will confine myself to one illustration. India is recognised throughout the health organisations of the world as being a standing menace, and therefore a grave menace to India is a grave menace to the world. Take this single quotation from the last report of the Public Health Commissioner of the Government of India:

> "The general opinion held by directors of public health and their staffs was that no provincial health departments in India had even the minimum requirements necessary for the efficient performance of those functions."

If that be so now, under the present administration, what will the position be during the change which undoubtedly is going to shake the administration during the period when this Measure is being put into operation? A sudden and grave menace may flare up at any time; such things are constantly occurring in Oriental countries. I ask the Government to face this problem as if it were one of war; indeed, it is one of war. Action in these cases has to be taken early and instantly and it has to be comprehensive. This is far more important than the question of tranquillity, which is already provided for in this paragraph. Tranquillity means tranquillity from communal trouble. A disturbance of the tranquillity may result in 200, or 500 or, perhaps, 1,000 deaths. This menace of disease to which I am referring may mean thousands, tens of thousands, even millions of deaths, and the effect be felt throughout the world. Visualised as a military problem, this requires immediate and drastic action. I put this point straight before the Secretary of State. We in the medical profession do not know how this measure is going to act, but we must state the position as we see it. We have no wish to invalidate the Bill; we only wish to strengthen it.

11.23 p.m.

Mr. CHURCHILL: Before I address myself to this proposition may I appeal to the Secretary of State to give us the view of the Government? I do not think the debate could proceed satisfactorily without our knowing the reaction of the Government to the proposal submitted

[Mr. Churchill.]

by the hon. and gallant Member for St. Albans (Sir F. Fremantle). The question far transcends the ordinary questions of party politics or non-party politics, or even national affairs: it is concerned with the great warfare of mankind against disease. Here we make a common front against the common foe. I should think that, on the whole, the Government would be very much disposed to include "disease" in the ambit of the Governor-General's powers; but it may be there are objections to it. It may conflict on some of the political theories which underlie the Measure. Our discussion would, I think, be abridged if we proceeded with a knowledge of what is in the mind of the Secretary of State, and with a clear comprehension of what are the purposes of the Government.

11.25 p.m.

Mr. BUTLER: Before the right hon. Gentleman rose, I was intending to make a statement as clearly as I could on the attitude of the Government to this very important Amendment. Before I had the honour of taking up this position, I had the privilege of discussing these points, and the subject is one that we have considered, and which my right hon. Friend has considered during the whole course of his administration. It must be taken for granted as of extreme importance, and no words used by the right hon. Gentleman the Member for Epping (Mr. Churchill) or by the hon. Gentleman the Member for St. Albans (Sir F. Fremantle) are in any way exaggerated. I would draw hon. Member's attention to the present position, and the position as it will be after the operation of this Measure. Public Health is a provincial subject under the Bill, and is to be part of Item 13 in the provincial list on Page 293 of the Bill. Public Health has been one of the transferred subjects for several years, and I would like to pay a tribute to the manner in which Provincial Governments in India have handled the question. I have had the privilege of discussing the matter with many administrators who have had experience of India, and, although it is possible to criticise the administrators of the public health—and I am perfectly conscious of that—it is no doubt one of the subjects to which Indian Ministers have paid most attention and to which they have responded most readily.

The position under the Bill is that public health is included in the provincial list. When the Government came to consider the vital question, raised by the hon. Member, about the possible passage of disease with lightning rapidity from one unit of the proposed federation to another they realised, as he did, the urgency and danger of the situation. If hon. Members will turn to concurrent list No. 3 and will look at Item 29, they will see included there the prevention of the extension from one unit to another of infectious or dangerous diseases affecting man, animals or plants. This was deliberately put in, partly as arising from the discussions of the Joint Select Committee and partly out of the realisation of the Government of the urgency of the question. That means that since this item is in the second part of the concurrent list, it is susceptible of the operation of Clause 125 (2) of the Bill. That means that if the provisions of the Clause operate, the central executive have power of control over the Provinces to the extent that the Clause describes. Therefore, the correlation necessary for dealing with this question is included in the provisions of the Bill. Apart from this possibility of legislating in order to provide machinery that deals with this passage of disease, there is also an opportunity under Item 12 in List 1, which provides for the setting up and the maintaining of federal agencies or institutes for research, including scientific and medical research. This entry in the federal list, and all that legislation means when it is included in the federal list, gives an opportunity for dealing with scientific and medical research and setting up or maintaining federal agencies or institutes for research.

There remains the aspect of the possibility of inter-provincial co-ordination. Clause 133 refers to the possibility of inter-provincial councils. The Mover of the Amendment said that that sort of machinery was not rapid enough to deal with an emergency of this kind. I have attempted to deal with that point by saying that, by including an entry in the federal list, we had given an opportunity for setting up the necessary machinery for that purpose. My hon. Friend has often asked me, when I have discussed these matters with him, what would be the possible future for some central board of health or machinery, to deal with

India as a whole. The first step would be for the Legislature of India to take the opportunity conferred on them by Clause 133, and, if necessary, set up a provincial council under that Clause. From that germ might spring the future health organisation to which my hon. Friend refers, and which I believe he so ardently desires. I have attempted to cover the four aspects of the subject, and to point out that the Government have attempted to deal with them in this Bill; and, as my right hon. Friend asked for a statement of the position, I had better stop there, having done my best to explain the position as we see it under the Bill, without attempting to minimise the very great importance of these matters.

11.33 p.m.

Sir A. STEEL-MAITLAND: What the Under-Secretary has said with regard to stopping the spread of epidemics and taking immediate action is very important, and is satisfactory. It is clear that such action can be taken under the item in List 3 to which he referred. I think, however, that some of us would be glad if the provision for health could be more specific, and not merely in general terms dealing with scientific research of all kinds and collaboration between provinces. If it were possible to make more specific reference to health, I am sure so many of us would regard it as a great improvement. I would not wish to press that this particular Amendment should be accepted. I think there would be objections to extending the Governors' list of responsibilities if the same object can be attained in another way, possibly either by an extension of Item 29 in the concurrent list, or possibly in the Instrument of Instructions to the Governor-General. But what is wanted is that there should be some, if not guarantee, at any rate some assurance in which we can put confidence, that the office of the Public Health Commissioner, for example, and all the work that he has done, is likely to be continued, and that the existing institutions for research will continue.

Besides the work of stopping epidemics, there is the necessity in a great country like India, for the collation of information gathered from within the country itself and also for the collection and utilisation of information from abroad and of course, conferences such as have been mentioned must be extraordinarily valuable. We would like some assurance that there will be a continuation of the central department and that instead of waiting for this or that Province to take the initiative, the centre will always take the initiative, in order to start the Provinces and keep them in carrying on the work by giving advice as well as in other ways.

11.36 p.m.

Duchess of ATHOLL: My hon. Friend who moved the Amendment spoke with knowledge of the devastating effect of epidemics in India, and I should like to emphasise the fact that great gatherings of pilgrims from all over India, at certain seasons of the year, make the occurence of epidemics something that is likely to continue unless much more effective steps are taken to standardise public health measures throughout British India than have so far been taken. The position at present is that there is no standardisation of public health throughout India except in the major ports. In addition to the epidemics which my hon. Friend mentioned, malaria is a terrible scourge. It has been estimated that about half the population of India suffer from malaria every year and that the disease keeps them from work for an average of six weeks in the year, so that there is a tremendous economic loss from malaria alone. Various types of machinery for dealing with the situation have been mentioned. Reference has been made to the possibility of inter-provincial councils, set up on provincial initiative. That kind of machinery seems likely to produce little result. It will obviously take time to set it up, and in some cases there will be difficulty in getting co-operation between the Provincial Governments on these matters. The Central Government will have no power of initiative, no power to spend anything on getting such a council set up and no power of direction. It can only go into such a council on the invitation of the Provincial Governments.

I am thankful indeed to see in the concurrent list the subject of preventive measures against the spread of infection and disease which means, of course, that the Federal Legislature will have powers in this matter. But there again action may not be speedy and there may be jealousies between the Provincial Governments and the Federal Legislature. I fancy that many powers would

[Duchess of Atholl.]

have been given to the Federal Legislature with respect to provincial subjects, had it not been for the dislike of one large and important section of opinion in India to anything of the kind. Therefore it may not be easy to get the Federal Legislature to act promptly or to get the Provincial Governments to co-operate with them. It seems to me to be of great importance that the Governor-General should have the power of initiative in this matter. As we know, the initiative passes to his ministers under one of the clauses which we passed this afternoon. It is important to realise that at this moment the Governor-General has the power, if he chooses to exercise it, to take the initiative in any matters which affect the welfare and interest of the people of British India. He has the power to-day to get the Indian Legislature to pass any measure which he considers necessary, not only for the peace and tranquillity of British India but for its interests generally.

Obviously, there can be no interest of the people of British India more vital than the question of health in a country where there are such tremendous problems of illnesses of various kinds. It is a power which is passing out of the hands of the Governor-General, and one of the reasons why we say that this Measure will be so prejudicial to the masses of India is that it will rule out Government and Governor-General alike from having any say in anything except the vital matter of the safety of the people. Of all other interests, particularly this great interest of health is to be taken completely out of the hands of Government and Governor-General alike. India has probably greater health problems than any other country in the world, and, unfortunately, is likely to continue to have those problems because of the great assemblies of people all over the country. I most earnestly ask the Government to see if they cannot ensure that health remains a responsibility of the Governor-General, even if they cannot accept the Amendment exactly in the form in which it is drafted.

11.41 p.m.

Mr. CHURCHILL: I must say that I think the extremely well-expressed and competent speech of the Under-Secretary was not at all adequate to the issue before the Committee. He gave a very clear account of the elaborate provisions of the Bill and threaded his way through that labyrinth with every proof of the assiduity and thoroughness with which he has studied its details. But, after all, let us get back to the central fact. We are not now pressing to set up machinery at all; all we are pressing to assert is a principle and a duty. Let me read the words of the Sub-section as it is proposed that it should be amended:

"The prevention of any grave menace to the peace, health or tranquillity of India."

Health is probably going to exact a far graver toll of slaughter, casualties of a blind impotent approach, than anything that will happen in the communal riots which will follow the passing of this Bill, and to the peace of India that is a matter formidable in its character. Surely, the Government ought to assert, and allow the House of Commons in this clause to assert, that fact among the supreme reserved responsibilities of the Governor, so as to shield India from any grave menace to its health. It is not very much to ask that it should be put in here, and in this form. You may say, that all this sort of arrangement with local and Provincial Governments of this and other lands will not work. Everyone knows that when we are dealing with pestilence you want supreme direction. That is what you require. I remember, many years age, living in an Indian city during a hot summer when 40,000 people died of bubonic plague, and the resistance of the population to the necessary measures of the Government was quite marked. It even reached the ears of the European community, the trouble there was in enforcing the necessary provision of feeling under their armpits to see if the tumour had begun to swell and so forth; and in these examinations the greatest trouble was shown. All this rests in the highest mission which the British have in India.

It may be that you will ask how it should be expressed in later Clauses. Certainly we are not saying that the Governor-General is to interfere in every matter affecting the health of the community. He has all the local bodies and other splendid institutions which are dealing with it, and why, you might say, interfere on every occasion?—Certainly not, but this is a supreme ultimate responsibility, just as vital as the defence

of India and the maintenance of tranquillity in India, in order to shield enormous masses of the human race from the ravages of pestilence, and from pestilence which may sweep like the black death through the land. And to say that the Governor-General has not that responsibility is, surely, a menace and a grisly hiatus in the scheme which you are putting up for the future government of India. I do not think that it is at all satisfactory. The Secretary of State refuses to deal with the matter. He will not allow it. There is a special adjuration in the Clause as to the matters in which the Governor-General is to interest himself. In 99 cases out of a hundred it would not constitute "a grave menace," but even when there is a grave menace to the teeming population crowded together in circumstances which seem incredible to western experience, you will not arm him with or summon him to the discharge of that duty. You leave it out of the Bill. My Noble Friend has just said that he has the power to-day, but you take it away from him by the Bill, which you call a reform. You take away from him the right, the power to lift the shield of Britain against sweeping pestilences which may devastate India. You will not even give him the invocation to do the duty, and you call it a constitutional reform Bill.

11.46 p.m.

Sir S. HOARE: I find difficulty in dealing with some of my right hon. Friend's arguments. They are so obviously founded upon the fact that he has given so very little study to the Bill. Public health—this is really the essential point—is a Provincial Service. It is a Provincial Service now. Therefore most of the criticisms which my right hon. Friend has just urged might be urged against the present state of affairs. The Governor-General does not intervene in any of these fields now.

Mr. CHURCHILL: But he could.

Sir S. HOARE: Technically, perhaps he could. But what is the good of that? This is really the essence of the whole matter. The great thing in public health is to get the sympathy of the people who are dealing with it on the spot in the Provinces. One of the best features of recent years has been the increased interest of the Indians themselves in such questions, and I am quite sure that if we maintain this kind of technical power of interference, to use my right hon. Friend's own words——

Mr. CHURCHILL: They are your words.

Sir S. HOARE: Well, my words. We maintain that technical power of interference, knowing perfectly well that public health is a Provincial Service and that in actual practice the Governor-General will not be able to intervene in the kind of way my right hon. Friend wants. If he did it would turn the Provinces and the provincial public health ministers against the kind of action that he wished them to take. I am sure that this of all the causes in the Bill is the cause in which we have to carry public opinion with us in the Provinces. We are much more likely to carry public opinion with us in the Provinces if we do not attempt to have this kind of imaginary interference which we know in practice is not going to take place.

Mr. CHURCHILL: If we do not allow them to mismanage it they will not try to manage it well.

Sir S. HOARE: The right hon. Gentleman must not make such comments upon my observations. I am assuming that this is one of the services in which there is going to a great deal of agreement in the Provinces and in which there is going to be a great deal of public opinion behind the Provincial Ministers. That being so, it is much better to leave the service essentially a Provincial service, at the same time making provision for central research and for the interest, by all means, of the Federal Government in the general problem, as a whole, particularly in case of epidemics, quarantine at the ports and so on. There, by all means the Federal Government should intervene, but, speaking generally, the desire that we should have in a public health administration can be much better served by frankly admitting that it is a Provincial service. Whilst I have every sympathy with my hon. Friend's intention, I hope he will not press the Amendment, because in actual practice it would not work. I will give him an undertaking to look into the matter to see whether on the lines I have just described, namely, keeping it definitely a

[Sir S. Hoare.]

Provincial service, at the same time strengthening the central organisation of research, we cannot in some way go a little bit further in the Bill. I cannot give a definite pledge, but I am perfectly willing to look into the question with sympathy.

11.50 p.m.

Sir F. FREMANTLE: The right hon. Gentleman talks about strengthening the federal powers in the matter of research, but that does not deal with the problem of the grave menace. I want to know if he will look into the question of strengthening the federal power with regard to the existing organisation of the Public Health Commissioner. It is not the Governor-General who will act in these emergencies, but the Public Health Commissioner who will exercise those powers of advising the Provinces. You want somebody at the Federal Centre to help to advise these different people in order to bring all these forces into play together and to secure common action. Will the right hon. Gentleman look into that matter and see how far it will be possible to maintain what is at present the existing real power, which exists in every federation and which is asbolutely essential to the Federation in India?

11.54 p.m.

Sir S. HOARE: I will certainly look into the point, but let me suggest to the hon. Member that the most hopeful direction in which to look is in the direction of the provincial public health ministers. Speaking generally, the most hopeful policy is in the direction of getting the public health ministers in the Provinces to meet together regularly and to discuss means of dealing with these matters.

Sir F. FREMANTLE: In view of that undertaking I beg to ask leave to withdraw the Amendment.

HON. MEMBERS: No.

Mr. CHURCHILL: No, certainly not.

Question put, "That the word 'health' be there inserted."

The Committee divided: Ayes, 20; Noes, 145.

Division No. 73.] AYES. [11.55 p.m.

Acland-Troyte, Lieut.-Colonel	Craddock, Sir Reginald Henry	Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Alexander, Sir William	Emmott, Charles E. G. C.	Wells, Sydney Richard
Atholl, Duchess of	Fuller, Captain A. G.	Williams, Herbert G. (Croydon, S.)
Bailey, Eric Alfred George	Greene, William P. C.	Wolmer, Rt. Hon. Viscount
Bracken, Brendan	Lennox-Boyd, A. T.	
Broadbent, Colonel John	Remer, John R.	TELLERS FOR THE AYES.—
Churchill, Rt. Hon. Winston Spencer	Sandeman, Sir A. N. Stewart	Mr. Donner and Mr. Raikes.
Courtauld, Major John Sewell	Sanderson, Sir Frank Barnard	

NOES.

Addison, Rt. Hon. Dr. Christopher	Cruddas, Lieut-Colonel Bernard	Howitt, Dr. Alfred B
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Culverwell, Cyril Tom	Hunter, Dr. Joseph (Dumfries)
Apsley, Lord	Daggar, George	James, Wing-Com. A. W. H.
Astor, Viscountess (Plymouth, Sutton)	Davidson, Rt. Hon. J. C. C.	Janner, Barnett
Baldwin, Rt. Hon. Stanley	Davies, David L. (Pontypridd)	John, William
Balfour, Capt. Harold (I. of Thanet)	Dugdale, Captain Thomas Lionel	Jones, Morgan (Caerphilly)
Banfield, John William	Duncan, James A. L. (Kensington, N.)	Ker, J. Campbell
Barclay-Harvey, C. M.	Eastwood, John Francis	Kerr, Lieut.-Col. Charles (Montrose)
Belt, Sir Alfred L.	Eden, Rt. Hon. Anthony	Kerr, Hamilton W.
Bevan, Aneurin (Ebbw Vale)	Edwards, Charles	Latham, Sir Herbert Paul
Blindell, James	Elmley, Viscount	Liddall, Walter S.
Bossom, A. C.	Emrys-Evans, P. V.	Lindsay, Kenneth (Kilmarnock)
Boulton, W. W.	Foot, Isaac (Cornwall, Bodmin)	Lindsay, Noel Ker
Bowyer, Capt. Sir George E. W.	Fraser, Captain Sir Ian	Lister, Rt. Hon. Sir Philip Cunliffe-
Braithwaite, J. G. (Hillsborough)	Gault, Lieut.-Col. A. Hamilton	Lloyd, Geoffrey
Brass, Captain Sir William	Gillett, Sir George Masterman	Logan, David Gilbert
Burghley, Lord	Goff, Sir Park	Mabane, William
Burgin, Dr. Edward Leslie	Gower, Sir Robert	MacAndrew, Capt. J. O. (Ayr)
Butler, Richard Austen	Graham, Sir F. Fergus (C'mb'rl'd, N.)	McCorquodale, M. S.
Cadogan, Hon. Edward	Graves, Marjorie	MacDonald, Malcolm (Bassetlaw)
Caporn, Arthur Cecil	Grigg, Sir Edward	McEwen, Captain J. H. F.
Cazalet, Capt. V. A. (Chippenham)	Grimston, R. V.	McKie, John Hamilton
Chamberlain, Rt. Hn. Sir J. A. (Birm., W)	Grundy, Thomas W.	McLean, Major Sir Alan
Cleary, J. J.	Guy, J. C. Morrison	McLean, Dr. W. H. (Tradeston)
Cocks, Frederick Seymour	Hamilton, Sir George (Ilford)	Mainwaring, William Henry
Colman, N. C. D.	Harris, Sir Percy	Margesson, Capt. Rt. Hon. H. D. R.
Colville, Lieut.-Colonel J.	Harvey, Major Sir Samuel (Totnes)	Mayhew, Lieut.-Colonel John
Courthope, Colonel Sir George L.	Herbert, Major J. A. (Monmouth)	Mills, Sir Frederick (Leyton, E.)
Cranborne, Viscount	Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.	Mills, Major J. D. (New Forest)
Crooke, J. Smedley	Howard, Tom Forrest	Milner, Major James

Monsell, Rt. Hon. Sir B. Eyres	Rosbotham, Sir Thomas	Thomas, James P. L. (Hereford)
Morris-Jones, Dr. J. H. (Denbigh)	Russell, Alexander West (Tynemouth)	Titchfield, Major the Marquess of
Muirhead, Lieut.-Colonel A. J.	Rutherford, John (Edmonton)	Tufnell, Lieut.-Commander R. L.
Normand, Rt. Hon. Wilfrid	Rutherford, Sir John Hugo (Liverp'l)	Wallace, Captain D. E. (Hornsey)
North, Edward T.	Samuel, M. R. A. (W'ds'wth, Putney).	Ward, Lt.-Col. Sir A. L. (Hull)
Nunn, William	Sassoon, Rt. Hon. Sir Philip A. G. D.	Ward, Irene Mary Bewick (Wallsend)
O'Donovan, Dr. William James	Savery, Samuel Servington	Ward, Sarah Adelaide (Cannock)
Orr Ewing, I. L.	Shaw, Helen B. (Lanark, Bothwell)	Wardlaw-Milne, Sir John S.
Paling, Wilfred	Simmonds, Oliver Edwin	Warrender, Sir Victor A. G.
Patrick, Colin M.	Smith, Tom (Normanton)	Watt, Major George Steven H.
Peake, Osbert	Smithers, Sir Waldron	Whiteside, Borras Noel H.
Petherick, M.	Somerville, D. G. (Willesden, East)	Wilmot, John
Radford, E. A.	Stanley, Rt. Hon. Lord (Fylde)	Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Ramsay, Alexander (W. Bromwich)	Stanley, Hon. O. F. G. (Westmorland)	Wilson, Clyde T. (West Toxteth)
Ramsay, Capt. A. H. M. (Midlothian)	Steel-Maitland, Rt. Hon. Sir Arthur	Womersley, Sir Walter
Ramsay, T. B. W. (Western Isles)	Stones, James	
Ramsbotham, Herwald	Strickland, Captain W. F.	TELLERS FOR THE NOES.—
Rankin, Robert	Stuart, Lord C. Crichton-	Sir Frederick Thomson and Major George Davies.
Reid, James S. C. (Stirling)	Sugden, Sir Wilfrid Hart	
Reid, William Allan (Derby)	Tate, Mavis Constance	

Ordered, "That the Chairman do report Progress and ask leave to sit again." —[*Captain Margesson.*]

Committee report Progress; to sit again To-morrow.

WESTERN AUSTRALIA.

Ordered,

"That the Lords Message [26th February] relating to the appointment of a Committee to consider the Petition of the State of Western Australia be now considered."—[*Sir F. Thomson.*]

Lords Mesage considered accordingly.

Ordered,

"That a Select Committee of Three Members be appointed to join with the Committee appointed by the Lords to consider the Petition of the State of Western Australia for a Bill to effectuate the withdrawal of the people of Western Australia from the Federal Commonwealth of Australia, and to report whether the same is proper to be received." —[*Sir F. Thomson.*]

Message to the Lords to acquaint them therewith.

Committee nominated of Mr. Amery, Mr. Isaac Foot, and Mr. Lunn.

Ordered,

"That the Committee have leave to hear Counsel to such extent as they shall see fit, and have power to send for persons, papers, and records."

Ordered,

"That Two be the quorum."

Ordered,

"That the Petition of the people of the State of Western Australia, presented to the House on the 17th day of December last, be referred to the Committee; and that they do report upon the advisability of its reception by the House."—[*Sir F. Thomson.*]

Message to the Lords to acquaint them therewith.

The remaining Orders were read, and postponed.

It being after Half-past Eleven of the Clock, Mr. SPEAKER *adjourned the House, without Question put, pursuant to the Standing Order.*

Adjourned at four minutes after Twelve o'Clock.

HOUSE OF COMMONS.

Friday, 1st March, 1935.

[OFFICIAL REPORT.]

The House met at Eleven of the Clock, MR. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

Coventry Canal Navigation Bill,
Medway Lower Navigation Bill,
Oxford Canal Bill,
Rochdale Canal Bill,

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

WRITTEN ANSWERS.

FOODSTUFFS (IMPORT REGULATIONS AND AGREEMENTS).

Duchess of ATHOLL asked the President of the Board of Trade what imports of meat are subject to statutory regulation; whether such regulations are in fact in force; if so, since what date and in regard to what classes of meat; and what has been the effect of such regulation?

Dr. BURGIN: The importation of frozen mutton, frozen lamb, frozen beef (carcases and boned beef) and chilled beef from foreign countries has been regulated by statutory Order since 1st January, 1933. So far as frozen meat is concerned, the effect of the regulation has been a progressive reduction in imports, in accordance with the Ottawa Agreements, up to 35 per cent. of the quantity imported in the basic period of 12 months ended 30th June, 1932. Voluntary arrangements have been made for the reduction of imports of foreign chilled beef below the quantity provided for in the Ottawa Agreements. The importation of cattle from the Irish Free State has been regulated by statutory Order since 1st January, 1934, and the importation of beef and veal and edible beef and veal offals from that source has been prohibited by the same Order since that date. The effect of the regulation has been to reduce imports of fat cattle from the Irish Free State in 1934 by some 50 per cent. as compared with 1933, and to keep imports of the other regulated classes of cattle within the quantity imported in 1933. Under the arrangement relating to coal and cattle provision has been made for some increase in the quantities of cattle to be admitted from the Irish Free State this year. Imports of foreign bacon, including hams and certain other kinds of cured pig meat, have been regulated by statutory Order since 1st December, 1933, with the object of maintaining total supplies on the home market at the level recommended by the Reorganisation Commission for Pigs and Pig Products. All the Orders referred to are still in force.

Duchess of ATHOLL asked the President of the Board of Trade what voluntary agreements for the limitation of meat are in operation, and with what countries they have been concluded?

Dr. BURGIN: Voluntary arrangements are in operation for the limitation of imports of chilled beef, frozen beef offals, canned beef and frozen pork from foreign countries. These arrangements have been made with the importers. The arrangements in regard to pork will shortly be placed on a statutory basis, and an Order for that purpose will be laid before this House at an early date. A valuable measure of co-operation in the arrangements for the regulation of meat supplies has been secured from Empire countries.

Duchess of ATHOLL asked the President of the Board of Trade with what countries there are at present voluntary agreements in force for the limitation of eggs and poultry, and what is the nature of those agreements?

Dr. BURGIN: There are no voluntary agreements in regard to poultry. The Governments of exporting countries have been invited to regulate their exports to the United Kingdom of eggs in shell during the current quarter in such a manner as to effect a ten per cent. reduction in the total imports from foreign countries as compared with the corresponding quarter of 1934.

HOUSING (STATISTICS).

Sir A. SINCLAIR asked the Minister of Health the number of houses completed in England and Wales during each half-year from 31st March, 1931, to the half-year ended 30th September, 1934, showing separately the figures for State-assisted and unassisted houses?

Sir H. YOUNG: I would refer the right hon. Member to Table II on page 6 of the housing progress return issued in December last, a copy of which I am sending to him.

MARRIED WOMEN (BRITISH NATIONALITY).

Captain CAZALET asked the Secretary of State for Dominion Affairs whether, in view of the fact that at the request of 15 nations the question of the nationality of women, with particular reference to the equal nationality treaty signed by 21 republics at Montevideo in December, 1933, has been placed upon the agenda of the 16th Assembly of the League of Nations, and that New Zealand, Ireland, and Canada have already taken steps in this direction, the Government will propose to the other Governments within the British Commonwealth of Nations that the common status of the married woman shall be placed upon the same footing as regards British nationality as that of a man or single woman without delay?

Mr. THOMAS: I have considered my honourable and gallant Friend's suggestions but, as at present advised, I do not feel that any useful purpose would be served by an approach to the Dominion Governments at the present time on the lines suggested by him.

ROMAN CATHOLIC SCHOOL, CAMBRIDGE (NEW BUILDINGS).

Dr. O'DONOVAN asked the Parliamentary Secretary to the Board of Education when approval was given by his Department to plans for a new all-age school for 220 children in the parish of Our Lady and the English Martyrs, Cambridge; when was his Department first approached on this matter; and whether there has been any undue delay?

Mr. RAMSBOTHAM: Sketch plans for the enlargement, in new buildings, of the Cambridge Union Road Roman Catholic school, which I presume is the school referred to, from 136 to 220 places were approved by the Board on 1st February, 1935. The period of publication of notice under Section 18 of the Education Act, 1921, of the proposed enlargement expired on 3rd June, 1933. The case presented great difficulties owing to the smallness of the site; and there were numerous letters and correspondence between the Board, the local education authority and the managers, and also between the secretary of the Catholic Education Council and myself.

WIRELESS LICENCES, WALES.

Mr. R. T. EVANS asked the Postmaster-General the number of wireless licences taken out in each of the counties of Wales during 1932, 1933 and 1934?.

Sir K. WOOD: The following statement shows the approximate number of wireless receiving licences issued in each of the counties of Wales during the years 1932, 1933 and 1934. The figures are only approximate, as the records available relate to postal districts, the boundaries of which overlap in many cases the boundaries of the counties.

County.	1932.	1933.	1934.
Anglesey	1,422	1,695	2,007
Breconshire ...	1,652	1,755	1,904
Caernarvonshire	16,954	19,963	22.439
Carmarthenshire	12,610	15,210	20,362
Cardiganshire ...	2,963	3,386	3,927
Denbighshire ...	10,979	12,446	14,384
Flintshire ...	7,882	8,896	10,338
Glamorganshire ...	103,516	120,118	149,818
Merionethshire ...	2,281	2,574	2,916
Montgomeryshire	4,007	4,443	4,982
Pembrokeshire ...	5,661	6,753	8,286
Radnorshire ...	1,526	1,836	2,098
TOTALS ...	171,453	199,075	243,451

CORNISH FISHING INDUSTRY.

Mr. ISAAC FOOT asked the Minister of Agriculture whether he can make any statement upon the proposals made to him by the deputations representing the Cornish fishery industry when he recently visited the county of Cornwall?

Mr. ELLIOT: Most of the proposals made by the deputations representing the Cornish fishing industry related to matters falling within the sphere of the Sea-Fish Commission. The Commission have already reported on the herring industry and the Government's proposals in regard to this industry are embodied in the Herring Industry Bill, which is now before Parliament. The Commission are now investigating white fishing problems and intend to pay a visit to Cornwall at an early date.

ORDERS OF THE DAY.

SUPPLY.

Considered in Committee.

[Captain BOURNE in the Chair.]

CIVIL ESTIMATES, AND ESTIMATES FOR REVENUE DEPARTMENTS, SUPPLEMENTARY ESTIMATES, 1934.

CLASS V.

MINISTRY OF LABOUR.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £1,190,000, be granted to His Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1935, for the Salaries and Expenses of the Ministry of Labour and Subordinate Departments, including sums payable by the Exchequer to the Unemployment Fund, Grants to Associations, Local Authorities and others under the Unemployment Insurance, Labour Exchanges and other Acts: Expenses of the Industrial Court; Contribution towards the Expenses of the International Labour Organisation (League of Nations); Expenses of Training and Removal of Workers and their Dependants; Grants for assisting the voluntary provision of occupation for unemployed persons; and sundry services, including services arising out of the war."

11.7 a.m.

The MINISTER of LABOUR (Mr. Oliver Stanley): Hon. Members will perhaps excuse me if I take a little time in explaining the rather complicated provisions which appear in this Supplementary Estimate. The first sub-head, "A—Salaries," is one which requires little explanation. The increase of £5,000 in the salaries at headquarters is due entirely to the restoration of part of the cuts in salaries. The sum of £260,000 which is required for the salaries at the outstations is made up of three separate items. The sum of £45,000 is required for the restoration of the cuts, £15,000 is due to the new scale of pay for employment officers and clerks which came into force on 1st January, and the remaining £200,000 is due to the extra cost of staff, largely in respect of the additional duties which arose out of the Unemployment Act, 1934. The chief causes for that increase were the new procedure, including the much more complicated ratio rule, which required more staff to work out, the change over to the unemployment assistance allowances, which began on the 7th January, the expansion of the authorised courses for juveniles and the increased number of juveniles who entered insurance in the new group, 14-16, which was the result of last year's Act. In addition to the results of the legislation extra money was required because we had, during the year, largely increased the activity of the employment exchanges in connection with placing and transference work both for adults and for juveniles. I am sure the Committee will not cavil at any increased expenditure for what I regard as the primary and most important function of employment exchanges, finding work, and not merely the payment of benefits.

The next item is a rise of £300,000 under the heading G.1 as a contribution to the Unemployment Fund for insurance benefit. Here, again, is an increased contribution which ought to be welcomed by everybody in the Committee, because it is the result of increased employment during the year. The contribution of the Exchequer to the Unemployment Fund is regulated by the payments made by employers and workpeople, and that, again, is regulated by the number of people who are in work. In this case there is also the additional reason that the number of juveniles who became insured as the result of the Act of 1934 was greater than was estimated, and there, again, the contribution of the Exchequer is larger.

The next sub-head, G.2, is considerably more complicated. The original arrangements for the transference of some of the functions of the Ministry to the Unemployment Assistance Board were as follows: that transitional payment, even though, after the first appointed day, it was being administered by the Board, would be paid out of the Unemployment Fund as hitherto up to the second appointed day, and after the second appointed day the Unemployment Assistance Fund would be responsible not only for those who had hitherto been on transitional payment but for the new class which, on the second appointed day, would be brought under the Board—that is, the new class of able-bodied who had not been on transitional payment but on public assistance. Hon Members will recollect that I did introduce a Supplementary Estimate which provided for the expenditure of the Board after the second appointed day, which it was then assumed

would be 1st March. The result of the postponement of the second appointed day is that not only will the able-bodied who were on public assistance not be brought under the scheme, but that those who are on transitional payment and who are now receiving their allowances through the Board will be paid for not by the Unemployment Assistance Fund but by the Unemployment Fund as hitherto.

The real result is that the finance of those on transitional payment will be as was put forward in the Estimates of last year, because there the calculations were based on the Unemployment Fund being responsible for transitional payment through the whole year, with a note that if before that time the Fund ceased to be responsible then the balance would be surrendered.

Mr. GEORGE HALL: May I ask the right hon. Gentleman how the £5,000,000 Supplementary Estimate has been disposed of?

Mr. STANLEY: I intended to explain that, but I first of all wanted to make plain what was the machinery both before and after the appointed day. As the hon. Gentleman says, the Supplementary Estimate which the House of Commons passed for the Unemployment Assistance Board, that is to say, for the Unemployment Assistance Fund, was £5,000,000, of which about £4,250,000 was for the payment of allowances after the sceond appointed day on 1st March. As against that, it was stated in the Estimate that there would be a surplus on the Ministry of Labour account, as opposed to the Unemployment Assistance Fund, of £3,100,000, which would be surrendered. The effect of the postponement of the second appointed day, with the result that the Unemployment Fund of the Ministry of Labour account will bear the cost of transitional payments throughout March, is that there will be no surrender of the £3,100,000 which we thought would be surplus, and, secondly, that I have to ask the Committee for this additional sum of £1,000,000.

The reasons for this increase above the original Estimate of last year depends upon a certain number of factors of none of which it is possible to calculate the precise effect, but which, put together, give a general picture for this increase. There are three factors which have led to an increase of expenditure on transitional payments and one factor which has led to a decrease. The three factors which have led to an increase are, first of all, that even before 1st July, when the restoration of the cut took effect, a slightly higher average payment was being made to those on transitional payment than had been estimated at the time that the Estimates were prepared and put before the House in the spring of last year. Secondly, there was the factor of the restoration of the cuts after 1st July, and thirdly there was the factor of the Unemployment Assistance (Temporary Provisions) Act, which embodied the standstill agreement and which, of course, increased the cost of transitional payments by giving to those of the transitional class not only the benefit of the transitional payment that they had before but the benefit of any advantage due to the Board's scale, if, in their own case, the Board's scale was more favourable to them.

The total effect of those three factors which led to an increase in the expenditure on transitional payment during the year is about £4,600,000. The factor of the decrease was the lower number of people on transitional payments during the year than were estimated, and that was due to two factors, first of all to a lower number on the live register of unemployment, and secondly to a rather bigger effect of the new ratio rule in transferring people from transitional payment to full benefit than had been anticipated. The amount of decrease of expenditure due to these causes is estimated at about £3,600,000, and, deducting that from the £4,600,000 of increase, we get the figure of £1,000,000 as the net increase, which figure appears in this Estimate. With regard to the question which the hon. Member for Aberdare (Mr. G. Hall) asked me, the House has sanctioned, of course, the expenditure by the Board of the £4,250,000 during March on allowances to the two classes of the unemployed. Owing to the Unemployment Assistance (Temporary Provisions) Act and the postponement of the second appointed day, they will be unable to spend that money, and it will be available for surrender at the end of the year.

Now I will pass to the next item of the Estimate in regard to grants to public assistance authorities in connection with

[Mr. Stanley.]

their work on transitional payments. This is purely an accountancy increase, due to the fact that hitherto when the arrangements for the local authorities have been continuing, the claims which they make have been inclined to be considerably in arrear, and it was estimated that the larger proportion of these claims would not fall to be paid until the next financial year. The fact that the arrangement terminated on 7th January has obviously had some effect in accelerating the putting forward of these claims, with the result that we shall pay a rather bigger proportion in this financial year and consequently a rather smaller proportion in the next financial year.

The next increase of £20,000 deals with loans and grants to facilitate transfer of adults and juveniles. A greater number of advances has been made to workers for their fares to take up employment, and the figure is between £24,000 and £30,000. A higher number of grants has been made towards removal expenses of workers and their families, transferred from depressed areas, amounting to £17,000. There has been an increase in juvenile transference which involves an increase in fares and an increase in maintenance towards the cost of living, accounting for an extra £7,000. In the next item, an additional sum of £13,000 is required as a contribution of the Exchequer to the National Council of Social Service. In the original Estimate, provision was only made for this contribution until the end of the calendar year, 31st December; this Supplementary Estimate deals with the grant made for the three months between the end of the calendar year and the end of the current financial year.

I turn now to the anticipated saving which has to be deducted from the £1,648,000 of additional expenditure. The principal part of the anticipated saving which has to be brought into account is in regard to courses of instruction to unemployed juveniles. There, the Committee will see, £170,000 less has been spent than was estimated. The reason for the decrease in the anticipated expenditure is threefold. The first reason is that the Act passed was brought into operation rather later than was originally anticipated, and therefore less time was available for getting the courses started during the financial year. The second reason was that greater difficulties were encountered than were anticipated in getting centres started in South Wales. The chief difficulty in almost every case has been the finding of suitable premises for the courses, because we have taken the view, with which I think the Committee will agree, that to start these courses in unsuitable or improper premises would have a most deleterious effect, and that delay is worth while if it means in the end that more suitable premises will be found. Thirdly, some of the decrease has been due to the fact that juveniles leaving school have been absorbed into employment at a better rate than was originally anticipated, and, therefore, fewer of them have been under the necessity of attending these centres. The other item of saveing, namely, that of £88,000 under Sub-head M (Training of young unemployed men), is due entirely to a smaller average attendance at both training and instructional centres than was anticipated when the Estimate was framed last year.

The only other point with which it is necessary to deal is the item of £200,000 for appropriations-in-aid, which, deducted from the £1,390,000 at which we have arrived, gives the final figure of £1,190,000 for which this Supplementary Estimate asks. The appropriations-in-aid are increased by £300,000, as a result largely of the increased expenditure under Sub-head A (iii) and under Sub-head H.2. The increased expenditures which in the first place are borne on this Vote are repaid to the Ministry out of the Fund, and account for £300,000. From that we have to deduct £100,000, which would have been the contribution of the Unemployment Fund to the provision for junior instructional centres and for the training of young men both in instructional centres and in training centres. Owing to the fact that the expenditure in these directions has been less than was anticipated, the appropriation-in-aid from the Fund has been less than would be expected, and, therefore, this £100,000 has to be deducted from the increase of £300,000, leaving a net appropriation-in-aid of £200,000, and a total Supplementary Estimate of £1,190,000, which is the sum that I now ask the Committee to sanction.

11.29 a.m.

Mr. LAWSON: The Committee have by this time been led to expect that,

when the Minister of Labour is explaining estimates or supplementary estimates, it is no light task for him. The Supplementary Estimate which is now before us is perhaps the most complicated one that the Minister of Labour has ever been asked to explain to the House, and I think the Committee will have very great sympathy with him in his task, which he has performed, if I may say so, with distinction. I think, however, it is very unfair of the Government to ask the Committee to sit and listen to an explanation like that at this early hour of the day. I do not know what the rest of the Committee felt like, but I felt as though I was undergoing a kind of mental surgery. Complicated as was the state of finances in relation to the Ministry of Labour before the time of this Government, it was as simple as the alphabet compared with what it is now.

As I have said, we have much sympathy with the right hon. Gentleman in his task; he must have put in a lot of work in order to try to help us to understand this Supplementary Estimate; but really the finances connected with this matter of Ministry of Labour administration have got into a hopeless tangle—there is no other word for it. I am sure that, if a Labour majority had been sitting on the other side of the House, and had got into a position where they had to add and subtract, to give and to cancel, in the way that the right hon. Gentleman has had to do this morning, the Government would not have lasted two minutes. I can imagine the right hon. Gentleman himself sitting here on an occasion like this, and the Postmaster-General too. They would have had all the array of talent out in order to use the knife upon the Government; and, what is worse, the Press, which is present at our discussions, would certainly have had something to serve up to the public in the morning newspapers, and they would have served it up in such a way that it would have led the public to ask, "Well, did you ever know such a Government to rule the country as this one?"

The Estimate that we are discussing this morning is not a very large one, but is a very important one; it deals with many very important points. The additions of £5,000 and £15,000 which are due mainly to the restoration of cuts are welcome as far as we are concerned; they are payments to the staff; but the item of £200,000 for new legislation is one that must give the Committee food for thought. The right hon. Gentleman explained in detail, and we appreciated the detail of his explanation, what the £200,000 was for; but this item compels one to ask just where we are going with this new legislation, which was supposed to simplify everything, and to deal directly in a newer and more thorough way with the unemployed both juvenile and adult. This is a new item. I should like to know just how much ultimately we shall have to pay for this new legislation.

Mr. STANLEY: The hon. Gentleman will note that this £200,000 is not brought about by the operation of new legislation, but by the development of the existing function of the Department in placing and industrial transference.

Mr. LAWSON: Yes, I agree with that. I do not know that the right hon. Gentleman told us what was the exact sum for new legislation, but it is an indication of what is to come. I wonder whether we are going to be told the cost of this new administration? We were told that the finances of the administration connected with unemployment were going to be put on a firm foundation. I think that was one of the items on which the election was fought. The sliding about and the uncertainty in conection with the finances of unemployment was to be ended and we were to know just where we were. I will give the Committee this warning. Some day we shall have an opportunity of examining meticulously the finance of these new schemes, that is the new Act and all the methods that have been put into operation in order to put the unemployment finances on what is called a firm foundation. While the unemployed have been punished because of reductions and embarrassed in many ways as the result of all this new method it will be found that, instead of placing the unemployment finances upon a firm foundation, it is very possible that they are on a much more sandy foundation than ever they were before. The third item, G.2, among other things deals with the standstill arrangement. I am glad to see the item for the restoration of the 10 per cent. for the transition people. I think that is one of the proofs of the position that we took up during the discussions on the Bill. We could not get anything definite—the Minister

[Mr. Lawson.]

did not know what the position was—but the 10 per cent. has been restored as far as it was possible with such shifting amounts. To that extent, of course, we welcome the item.

There is also the item for the extra allowance under the Unemployment Assistance (Temporary Provisions) Act. That is to meet the needs of the standstill arrangement. As far as the standstill arrangement is concerned, there are complaints. I think a good many of them are due to the difficulty to the ordinary layman of understanding standstill arrangement. I get cases sent to me. I have had one or two this morning. They pour in regularly. Most people in the 20 odd divisions in the North-East seem to think that they elected me, because they send their cases on to me. They set me a puzzle. I wish, when I am working them out, that I had some of those gentlemen, who are mainly conspicuous by their absence to-day, who made those very elaborate calculations on those benches during the time the regulations were being discussed. We had them putting up imaginary cases which would have done credit to a senior wrangler. I scratched my head and wondered if I had been properly schooled in arithmetic in my young days. If we do not spend too much time over this arrangement to-day, it must definitely be understood that we are not only against the regulations which have given effect to this kind of thing, but that the hostility that we expressed during the passing of the Act, of which this is the result, has been underlined and emphasised by time and by experience, and we shall certainly not let up one bit until there is an end of Part II of this Act.

I want to draw attention to the item for junior instruction centres, on which there is a saving of £100,000. The Committee might well give some attention to this matter, because the right hon. Gentleman said that the cause of this position generally was that the Act had come into operation late and that they had not been able to get under way at the proper time. That is a very ingenuous explanation of the situation. The question is, as it was originally, will his junior instruction method meet the need of dealing with the juvenile unemployed.

The DEPUTY-CHAIRMAN (Captain Bourne): I am afraid the hon. Gentleman cannot raise that point on the Supplementary Estimate. No doubt he will be able to develop the argument on Monday.

Mr. LAWSON: I only wanted to say that it is a strange thing that there is a saving on this particular item. There are large numbers of children who are not in juvenile instruction centres, and therefore there is some need for the Minister to explain why there is such a saving. According to the latest figures published, there are 45,816 boys and 43,000 odd girls between 14 and 16 who, according to the Ministry of Labour Gazette, are unemployed, a total of 89,000. The Minister told me yesterday that during the week ending 6th February there were 32,000 boys and girls who attended classes at juvenile instruction centres and that the average daily attendance was 27,000, but according to the published figures there are 89,000 of these juveniles unemployed, and, in fact, if we take those from 14 to 18, there are 149,000 unemployed. That is a very serious fact. We were told that this was one of the means whereby the Government were going to deal with unemployment among juveniles, which is concentrated particularly in given areas, and which is the worst of it. I understand that about 75 per cent. of these boys and girlse are concentrated in about four of the eight divisions in the country. This is not due merely to the late coming in of the Act, but to the fact that the Government machine is not working as it was thought it would do and is partly due to the general breakdown.

There are other items that hon. Members will raise during the discussion this morning. It is a pity that in the case of such a complicated Estimate we have not more time to discuss it, as there are other matters to come on after this one. Here are several items which touch many activities of the work of the Ministry, which is the most important Ministry in the whole range of government as far as the internal affairs of the country are concerned. A good many items, at any rate, could be dealt with under this Estimate, most of the items of expenditure of which we certainly welcome, complicated as they are, but when Estimates of this description are submitted to the House in the future, there ought to be

more details given to hon. Members who sit here and try to understand them. The Minister has been very useful this morning in making the difficulties as simple as possible, but, when it comes to items amounting to £1,190,000 touching the main parts of one of the most important departments in the Government, the Ministry might well consider giving more detail in the Supplementary Estimate submitted to us. If it happens than this Estimate to be passed on a Friday does not receive a long discussion, the Minister and the Government can take it for granted that later on we shall pursue the application of this finance and the immediate results so far of the legislation of the Government.

11.49 a.m.

Mr. LANSBURY: May I ask for your guidance, Captain Bourne, before going any further? Will it be in order to discuss and object to savings on page 4 of the Estimate or any other savings. I call your attention to that matter, because of the:

"Anticipated savings on Sub-head L.2. (Courses of Instruction for Unemployed Juveniles) £170,000 and Sub-head M. (Training of Young Unemployed Men) £88,000."

Are we not entitled to discuss questions concerned with those savings and argue that in our judgment the savings ought not to have been made or even that the provision is not sufficient? Cannot they come in for general discussion, seeing that we are asked to sanction savings? I would like some guidance on that point.

The DEPUTY-CHAIRMAN: Of course, the Committee are obviously entitled to criticise the savings that appear on page 4 as such, but I would point out that where, for instance, the establishment of juvenile instruction centres is based on a policy, we cannot now discuss that policy. We are perfectly entitled to discuss whether the amount of the savings is excessive or is too little, but we must not go into a discussion as to whether these things are desirable.

Mr. LANSBURY: Thank you, very much, Captain Bourne. I was not raising the question of whether we might discuss the principle of the establishment, but only the user of this or the non-user, as the case might be.

The DEPUTY-CHAIRMAN: Obviously, on the question of the savings that the Committee are asked to sanction, hon. Members are entitled to say that the saving is either too great or too small.

11.52 a.m.

Mr. COVE: I wish to direct the attention of the Minister to the very point which has now been raised. The Minister in his statement, as I understood him, said that there had been a saving of £170,000 on the provision of juvenile instruction centres, and that it was due to one or two facts, that employment among children had been better than was anticipated and that new buildings were not being erected at a pace that even he would desire. He seemed to emphasise—and with this I agree—the necessity of new buildings rather than temporary buildings, which will be inadequate for meeting the problem which has arisen with regard to the juveniles. I have been in touch with one or two areas and have obtained the impression that the real reason for the saving is found in the delay of the Ministry of Labour themselves.

I have had consultations in one or two areas in South Wales where the problem is rather large, and I formed the impression there that the Ministry are not providing any drive with regard to the erection of juvenile instruction centres and that delay is taking place. I was informed by the Director of Education in one particular area that the plans had been sent up a very considerable time ago—but perhaps I had better give the right hon. Gentleman the information privately. I was in touch with that area when the plans were first being formulated, and both the officials and the education committee concerned were tackling the problem in as big a way as possible under the provisions of the Act, but so far no sanction has been given. I was informed very specifically and definitely that the emphasis and concern of the Ministry for the time being was not to extend and improve the provision in those areas which were depressed, which already had one or two juvenile unemployment centres and others were desired, but that they were holding those areas back where there was some provision and emphasising the need in some areas where there is no provision.

Mr. STANLEY: I can well appreciate that the hon. Member does not want to

[Mr. Stanley.]

give me the names of the particular instances, but if he would tell me the sort of area he has in mind it would be helpful.

Mr. COVE: It is a mining area in South Wales, with a very large population. I was there within the past ten days and I was assured by those responsible that they have been ready for some considerable time, but that there was delay at the Ministry in sanctioning the plans that they had sent up. The right hon. Gentleman said that there had been a saving owing to the fact that juveniles had found employment in greater numbers than had been anticipated. I do not think that ought to provide an excuse or even a reason for no further extension of education facilities. It is not only a question of the number of the children that are going into employment, but there is the vital significance as to the kind of employment they are going into.

When we have had Debates on unemployment and we have been criticising the industrial system, hon. Members opposite have said, "Look at the growth in the number of people who are being continually employed. As our population is increasing the number of people who are employed has also been increasing. That has been indicative of the general health and strength of our industrial system."

The DEPUTY-CHAIRMAN: I think the hon. Gentleman is anticipating Monday's Debate.

Mr. COVE: The point that I want to make is this. The Minister assumes that these boys have got employment, and I am trying to show that the fact that they have got employment is not a sufficient reason for the savings embodied in this Supplementary Estimate. In reading the Ministry of Labour Gazette for last month I was staggered by the list of children from 14 to 16 who had entered various occupations. I found that out of a total number of boys who had entered into various occupations, namely 499,492, some 155,969 had entered the distributive trade. One-third of the children going into industry, roughly speaking, are entering trades and occupations for which there is no future; blind-alley occupations. A Government that was alive to the reserves of skilled workers that will be necessary would have been concerned not to save money on the erection of these juvenile training centres but would have been concerned in providing educational institutions of this character or some other character which would have supplied the skill necessary if Britain is to progress along her industrial path.

When one looks at this problem and reads the reports of the university surveys that have been made, one cannot help being struck by one or two grave and important facts. In certain areas there is a shortage of juvenile employment, but in some areas, even in the staple industries, such as coal mining, there has been an actual shortage of juvenile labour. But anyone who has given any attention to the problem must realise that there is, generally speaking, a surplus of juvenile labour, while any one who has studied the reports will have realised that in the last ten years or so even in our staple industries, such as cotton, coal mining and shipbuilding, employment for children has become a blind-alley occupation. There is no hope for continued occupation in those industries.

The DEPUTY-CHAIRMAN: I have looked at the Act and I discover that the condition of entry into these classes is that the person has no work to do. The fact that it is, in the opinion of the hon. Member, undesirable that young persons should take up a particular form of work, is out of order on this occasion, because that would require an alteration of the Act.

Mr. COVE: I know that it is an extremely difficult problem. The Minister has ridden off with satisfaction on the point that these children are going into work and that we have saved this money for that reason and because of the difficulty of building. I have formed the impression that the Government in regard to the juvenile instruction centres and the raising of the school age have fallen between two stools. They have no policy in regard to either of those subjects. There is no drive one way or the other. There is a sort of vague idea, which has been given by the vague phrases of the Prime Minister, that we may have the raising of the school age. I am afraid that the real reason for the non-extension of the juvenile instruction centres is the lack of definite policy in regard to the juveniles. The Government are

allowing them to drift. Anyone who has seen the children in the depressed areas knows the tragic plight that they are in. In my area, and it is common to other areas, I have been appalled at the wire pulling for the most paltry little jobs. One would imagine from the way that parents try to bring influence upon people that there was a job going like a town clerkship, with a good salary, when it is only a paltry little job. There are many boys unemployed between 14 and 16 and up to 18. The problem is not envisaged unless we go beyond the age of 14-16. There are many reasons for believing that the problem lies beyond that age. The Ministry of Labour have investigated this matter and have issued two or three reports, and they find that the heaviest incidence of unemployment is from 18 to 24.

The DEPUTY-CHAIRMAN: The hon. Member is now going into a general debate on the question of juvenile employment. That is appropriate to Monday's Estimate and not to to-day's.

Mr. COVE: The savings that have been effected seem to bear out the general impression that the Government are not keen about the erection of these juvenile instruction centres. The delay seems to me to be thoroughly unjustified.

The Minister cannot say that educational authorities have not been keen to help. There has been no delay on their part; they have been anxious to get on with this job. I do not blame the right hon. Gentleman for having the idea of good buildings. I pressed that more than once during the progress of the Unemployment Bill in 1934, and pointed out the disgraceful buildings which exist in some parts of the country. I do not blame the Minister for wanting good buildings, but the desire for good buildings must not be made the excuse for doing nothing so far as juveniles are concerned. I hope he will not be satisfied with having saved £170,000 on these juveniles. The whole problem of juveniles wants reviewing. I understand that in some trades there is an actual shortage of skilled labour, but the extent of the shortage is not known, and the Government are doing nothing to provide the training which is necessary for obtaining this skilled labour. This is one of the big problems of modern society, it goes to the heart of our progress in the future as an industrial nation. Our hope is to train skilled juveniles and ensure that their skill is used in the various industries which are springing up. I am surprised at the apathy of the right hon. Gentleman. We all appreciate his good qualities, but we are surprised at the apathy of his Department with regard to the whole problem of juveniles. I protest against the saving embodied in the Supplementary Estimate.

12.8 p.m.

Mr. TINKER: We have pointed out various defects in these Estimates, but I have been wondering what a heyday it would have been for the Postmaster-General if he had been in opposition and was criticising this Estimate. It is somewhat difficult to understand the Estimate, and I hope that some other method will be adopted which will enable us to understand it a little more easily. As one gets on in life arithmetic does not come quite so easy. I am speaking for myself, there may be supermen in the Committee who are just as clear on arithmetic to-day as they were when they were 30 years old. My mind is not so clear, and that is why I should like these Estomates to be made a little more easy to understand. I want to raise a point with regard to loans and grants to facilitate the removal of workers and their dependants. There is some difficulty in this matter. Those people who remove from one district to another, having accepted employment somewhere else, are not quite clear as to their position if they fail in that employment or if it ceases. They are not clear as to the means available to them for getting back home. I have made inquiries from the Ministry, but have never been able to get satisfaction.

My hon. Friend the Member for Aberavon (Mr. Cove) wanted to deal with the question of juveniles in a fuller and more comprehensive manner than the Estimate allows. I should like the Minister to explain what kind of occupations these juveniles go into when they are removed from one district to another. I was reading the "Colliery Guardian" this week in which it was stated that there was a dearth of juvenile workers in various localities, that there was not sufficient juvenile labour in the mines in some parts to carry on the work. That is quite true. In some places there is a feeling against young persons going into

[Mr. Tinker.]

the mines, and there are many mine workers who do not like the thought of their children going into the mine. I should like to know whether the removal of juveniles from one part of the country to another is for employment in the mines. It is rather important, because our future depends on the question of juvenile labour. Adults tend to fix themselves in a certain groove and the nation has to look to skilled juvenile labour for the future. It is no good putting juvenile labour into blind-alley occupations. The productive is the important side, and unless we can give the young a decent future there is no hope for them when they go out in life. I hope that we shall have a fuller and more exhaustive statement on the question of the removal of adults from one part of the country to another and on the question of juvenile labour, because it would help us in next Monday's Debate if we had some idea of the line to take in that Debate.

12.13 p.m.

Mr. T. SMITH: I want to ask the right hon. Gentleman whether he is satisfied that the standstill order in collieries is being fairly worked. During the past few weeks I have had a number of letters from various parts of Yorkshire stating that in their opinion the standstill order is not being worked fairly. It may be that changes and circumstances are the main causes for the complaint, but I want the Minister to request his officers to explain to every applicant for assistance who feels aggrieved the exact position as far as the individual case is concerned. If that is done it will convince the applicant that he is getting a square deal under the standstill order. The Estimate, I notice, is for £20,000 more for loans and grants to facilitate the removal of workers and their dependents. I should like to know whether there has been any change in the conditions attaching to the loans and grants to people who are transferred from one district to another. I notice that the hon. Gentleman's annual report for 1933, on page 29, says:

> "The general arrangements for transfer remained substantially unchanged, but at the end of the year some modifications in the household removal scheme were on the point of application."

Perhaps the right hon. Gentleman will be good enough to tell the Committee what change has been made in the household removal scheme, and whether or not some of the families have been removed. I wonder whether there has been any change with regard to the limitation to people who live within a depressed area. Let me give a case with which I have had to deal, and one which shows the anomaly. A certain colliery is shut down, and large numbers of people are thrown out of work permanently. A number of these men have to appear before the court of referees, and it is suggested to them that there is some work some miles away, and that if they are prepared to remove they will be assisted by the household removal scheme. This anomaly cropped up. One man lived within the depressed area, and he was able to get the assistance of this scheme by virtue of the fact that he lived within that area, but a number of other men, who were thrown out of work at the same pit, because of the fact that they lived over the border of this depressed area, though they were quite willing to try this work, they could not be assisted by this scheme, simply because they lived outside the depressed area. There is certainly an anomaly there which ought to be looked into, because unemployment to-day is not confined to certain depressed areas. You may have what, after all, is a comparatively prosperous geographical area, but in a particular corner of it there may be acute unemployment, where you may have men just as keenly anxious to be transferred to permanent work as men in another area. I hope, therefore, the Minister will look into that matter.

I do not want to transgress the limits of debate, but I would say that there is a great deal of nonsense talked about industrial transference as a cure or remedy for unemployment. I remember a former Minister of Labour, not a Labour Minister, assuring a deputation from the Miners' Federation some years ago that by industrial transference he could reabsorb all the unemployed in the mining industry. I thought at the time he was either speaking without full knowledge of the facts or had been misinformed. I am satisfied that industrial transference cannot solve the unemployment problem.

The DEPUTY-CHAIRMAN: I think the hon. Member, as long as he was asking questions on these points, was perfectly in order, but I think he is now going beyond that.

Mr. SMITH: I bow to your ruling, but I was finishing that point. I was trying to show that while industrial transference is desirable, it is not going to be that great benefit in solving the unemployment problem that some of the right hon. Gentleman's predecessors used to argue.

The next point to which I want particular attention to be paid is in respect of the employment exchanges when they propose transferring men from one district to another. It is no earthly use transferring unemployed men from one area to another if in that other area there are other unemployed men able and willing to do the work that is going in that area. It is a source of great irritation. It is true that when they have brought this matter to the notice of the unemployment exchange managers they have done their best to——

The DEPUTY-CHAIRMAN: I think, again, the hon. Gentleman is going beyond the point of merely putting a question.

Mr. SMITH: I would like to ask the Minister, then, whether he would take good care to see that none of these men from the unemployment areas are sent to places where there are large numbers of people out of work. The right hon. Gentleman may remember that in a certain part of Norfolk a great deal of irritation was expressed because a group of young miners from the North-East were being imported into that county for sugar-beet work, while in that area there were at least 400 agricultural labourers out of work who were willing and anxious to do this work. Those men coming from that area to do the work not only caused irritation to the people in the locality, but left the young chaps themselves in rather an invidious position, and built up in their breasts false hopes which had to be shattered. I hope that the Minister will look into the whole question of this industrial transference, and will remove any anomalies which he finds.

12.21 p.m.

Mr. BATEY: We are discussing to-day a most important Supplementary Estimate, and one can only regret that the discussion is confined within such narrow limits. There are one or two of the items to which I am definitely opposed, and about others I would like some more information. On page 5, there is the item G.2—grants for transitional payments and administration, £1,000,000. It says:

> "The Estimate now submitted provides for the increase in the average rate of payment during the year and for the extra cost of allowances under the Unemployment Assistance (Temporary Provisions) Act, 1935, for the period 7th January to 31st March, 1935."

As this is such an important item, I would like the Minister to tell us how many of the recipients of transitional payments did really receive an increase in the average rate of payment during the year. Will he also tell us—because he ought to be able to tell us to-day—what has been the extra cost of allowance under the standstill arrangement. The Minister ought to be in a position to-day to give us information on those two points. One asks the question for the reason that when the Government decided to increase the benefits, some of us were very doubtful as to whether there would be much increase to the men on transitional payments because of the means test. We have not the figures for 1934, but in the Ministry's Report for 1933 one notices that the transitional payments allowed at benefit rates for renewals and revisions was £4,083,137, while the amount at lower rates was £2,793,821. One would have liked to have had the information to-day as to how many who are in receipt of transitional payments really received any increase of payments during the year. Then the Estimate says:

> "Saving due to the smaller number of persons in receipt of transitional payments, etc., as compared with the number assumed for the original Estimate."

I confess that it puzzles me how the Ministry, in framing their original Estimate, could have made such a mistake as to estimate for £3,600,000 more than has actually been spent. It seems to me that the Ministry ought to have been able to get far nearer to the amount of money that they would need. One questions whether the saving has been made because of a mistake in the number that would need payment. Having in mind the report of the Ministry for 1933 one would naturally

[Mr. Batey.]
think that the Estimate would have been based on the experience gained in 1933. One notices that on 1st January, 1933, the numbers receiving transitional payment were 1,097,102 men and 76,687 women. On 18th December, 1933, the numbers were 957,554 men and 55,519 women. So that there were really from 140,000 to 150,000 fewer men and 21,160 fewer women receiving transitional payment at the end of the year than at the beginning. As the Ministry of Labour had this information it is difficult to understand how they can say that in the Estimate to-day the saving of £3,600,000 is due to the lesser number drawing transitional payment at the end of 1934 compared with the number at the beginning of the year.

Mr. STANLEY: I do not follow the hon. Member. I do not see what the figures for 1933 have to do with the figures for 1934.

Mr. BATEY: They have this to do with the matter: When the Minister came to form his Estimate for 1934 and had before him the experience of 1933, one would not have expected him to make such a mistake as has been made in the Estimate for 1934. The Minister has saved £3,600,000. It makes one suspicious and makes one wonder as to what really are the lower numbers receiving payment. My suspicion is that the saving is not so much due to smaller numbers as to the more rigorous application of the means test. One has that suspicion in the absence of figures as to the numbers drawing transitional payment at the end and at the beginning of the year respectively.

I now turn to the item relating to the National Council of Social Service. There is a figure here of £13,000. I am strongly opposed to paying another shilling to the National Council of Social Service. I say nothing against the organisation. It may be and I daresay it is a worthy organisation, but I object to public money being given to these outside organisations, money that could be better spent if handed to the unemployed. One has the feeling that the more money we give to these outside organisations the stronger is the argument of the Government for cutting down unemployment benefit and giving as little as possible. What surprises me is how the amount of money that we are paying to the National Council of Social Service has jumped up. I remember that in 1932 the then Minister of Labour came to the House and said it was proposed to give to the National Council £10,000, and the House, thinking that there was no likelihood of any further vote, agreed to the payment of the £10,000. In 1933 the amount jumped to £25,000, and in 1934 to £40,000. What surprised me was that when that £40,000 was voted for 1934 it was only voted until 31st December.

I believed in 1932, 1933 and 1934 that when we were voting the huge sums of money to the National Council we were voting them for the whole of the financial year. To-day we find that we have to vote another £13,000. I object to the huge jumps in the amounts that are being given to the National Council. If the Government has money to spend let them give it to the unemployed to feed and clothe them. That would be far better than giving it to the National Council in order that unemployed young men may attend dramatic classes or physical culture classes. Of course the Minister will be able to say, "Ah, but there are lots of young men who are always prepared to go to these classes." Of course there are. I do not care what the colliery village is, but if someone starts a physical culture class and there is boxing the young men will attend.

One or two of my colleagues have raised the question of transference, and I am sorry that my hon. Friend the Member for Normanton (Mr. T. Smith) was not allowed to proceed with the discussion of that question, because it is a sweet morsel to some of us. We like to discuss it because we regard transference as absolutely useless. We are proposing in this Supplementary Estimate to grant a sum of £20,000, which is to carry us up to the end of the financial year, in respect of loans and grants. I noticed that the Minister referred to this item as being in respect of loans and grants to workers and their families to enable them to take up employment elsewhere. If this item were in respect of grants alone I do not suppose that we should complain of it although we feel that the transference of men is a poor solution of the problem of unemployment. This item, however, represents both loans and grants and I would like the Minister to tell us in the

first place how much has been spent and how much it is proposed to spend on loans, as compared with grants.

I have in mind the case of a young electrical engineer who was sent from Durham into Northumberland and had one or two weeks work there. He was given his train fare and now he has to pay back that train fare out of his benefit week by week. That kind of thing makes the position worse for the men concerned. It is no use for the Minister to say that the Government are doing a lot for the unemployed in this respect and that they are prepared to grant railway fares in order that these men may find employment outside their own districts when, in fact, these are really loans, and not grants and the men have to repay these loans, often when they are far from being in a position to do so.

I would also like the Minister to tell us what are the real prospects of finding employment for those who are to be transferred with the aid of this £20,000. I would remind him that the opportunities for finding occupations for the men whom they are transferring are becoming less and less. In the year 1930, 30,000 men were transferred from the depressed areas. In 1931 that figure had dropped to 19,000; in 1932 to 12,000 and in 1933 to 8,000. It seems to me that the market is becoming saturated and that there is less possibility than ever now of finding jobs for these young people who are transferred. We have not yet got the Ministry's report for 1934 and perhaps the hon. Gentleman will tell us how many were transferred during that year and what are the present prospects of further transfers? Before requiring us to vote this £20,000, I would suggest that the Minister should look again into the report made by the Civil Lord of the Admiralty who visited the North East and especially to read page 93 of that Report in regard to transfers.

I leave the question of transfers there, and I come to one item which the Minister himself said required a little explanation. That is the item of £5,000 to meet the cost of restoration of cuts as from July, 1934—half the emergency reduction made in 1931. I oppose this increase. I know that in doing so I am opposing an increase to the Minister himself, but I want to say that I intend no personal reflection whatever upon the Minister. In my opinion, if there is any Minister in charge of any department of the Government who is entitled to £5,000 a year it is the Minister of Labour. I want to make that position clear. I consider that the Minister of Labour is worth far more than a lot of other Ministers in charge of other Departments. But, as a matter of principle, I oppose this increase to the officials for this reason. In my opinion before we agree to restore any cuts to well-paid officials—and I am dealing more at the moment with the well-paid officials in the Ministry of Labour—we should first restore to the unemployed what they were called on to sacrifice. They are entitled to first consideration, and only when they have received that consideration are we entitled——

The DEPUTY-CHAIRMAN: I think the hon. Gentleman is now getting perilously near a question of general policy.

Mr. BATEY: I was afraid of that and I do not propose to go further into the matter. I only wanted to refer to some of these well-paid officials in the Ministry because in my opinion we are spending money on officials which ought to be given to the unemployed. When the National Economy Act was first applied, it was applied to the unemployed and they are stil suffering from it, in spite of such restorations as have been made. They are stil suffering under the means test and, while that applies to them, and while I have the opportunity of doing so, I shall oppose any restoration of cuts to officials. In my opinion this is one of the most important Supplementary Estimates with which the Committee will have to deal. It raises very important questions and the pity is that, being a Supplementary Estimate, we are confined in our discussions upon it and are not allowed to debate the principles involved in it.

12.44 p.m.

Mr. GEORGE GRIFFITHS: I desire to put one or two pointed questions to the Minister. The hon. Member for Normanton (Mr. T. Smith) asked him to look into some cases in connection with the standstill order. I would like him to look into paragraph 6 of the Unemployment Assistance Board's scales in relation to the standstill order. This paragraph is to the effect that when assessing any exceptional expenses etc.

[Mr. Griffiths.]
the Board shall take certain matters into account and in that connection I wish to put to the Minister a case from my own division which is astounding to me. There are over 100 men there on transitional payment. The practice in my district has been to pay a weekly contribution to a "club doctor" as he is called. When these men were under the National Health Insurance medical benefits they had the club doctor for the family for 5d. per week. They have not now those medical benefits and the doctor does not now get their panel fees and the doctor has raised the amount of these men's weekly contributions to 9d. from 5d. One of my hon. Friends is asking if the doctor gets it, but if he does not get it, he does not attend, and the unemployed man has either to pay the 9d. or to lose his family doctor altogether. I want to know whether in the standstill order he will instruct the officer who is assessing the needs of this household to take into consideration even these few coppers.

Mr. STANLEY: What account did the public assistance committee take of these payments?

Mr. GRIFFITHS: This has only come into operation since the 7th January, and I have had a letter——

Mr. STANLEY: I do not think I have made myself plain. Under the standstill arrangement the man is entitled to the same assessment on transitional payment from the public assistance committee as before the 7th January. Therefore, it is important to know whether, before the 7th January, in a case of this kind the public assistance committee made an allowance for it or not.

Mr. LAWSON: I think there was a new factor, and——

Mr. STANLEY: If it was done by the public assistance committee before the 7th January, then, of course, the man is entitled to it under the standstill agreement, but I understand it would not have been done.

Mr. GRIFFITHS: This is a new factor that has come into the case now. These men have been told by their private doctor that they must now pay 9d. a week. When they were employed at the pit they only paid 5d. a week for what we call medical services for the family. They are not employed now, but they are drawing transitional payment. They have drawn it for over two years and nine months, and they are now out of medical benefit under the public health service, and the doctor is saying, "I have not got your panel card now." That is, I think, 8s. 6d. or 9s. a year, and the doctor says, "Not having that card, I cannot doctor you and your family now for the same amount as when you were in work." This means that they have got to pay 9d. a week as against 5d., which is an increase of 80 per cent.

Mr. STANLEY: I am sorry to interrupt the hon. Member again, but what happened to the 5d. a week which they were paying before the 7th January? How was that taken into account by the public assistance committee?

Mr. LAWSON: I think the right hon. Gentleman is overlooking this fact, that it is definitely laid down that under the board reasonable expenses have to be allowed.

Mr. STANLEY: That is an argument, and I am sure the hon. Member could give me an answer to my question.

Mr. GRIFFITHS: Put it again, and I will answer it.

Mr. STANLEY: When these men were paying 5d. a week before the 7th January, did the public assistance committee take that payment of 5d. into account when assessing transitional payment?

Mr. GRIFFITHS: I could not definitely state what they did. The only point that I wanted to emphasise was that now that they are not paying their panel fee to the doctor, the doctor says, "I must have from you now, as an unemployed person who is not in medical benefit under the National Health Insurance Act, 9d. a weekinstead of 5d." I hope the Minister will look into the question under the standstill order.

Under item H 2, it states that the additional sum required for grants to public assistance authorities in connection with the transitional payments scheme is £50,000. As a member of a public assistance committee which has carried out this work since the 12th November,

1931, when it came into operation, I want to say that the Ministry of Labour has not been paid the full equivalent for the services which have been rendered to it all along the line since transitional payment has been in operation in this country. There are hundreds of very important officers belonging to public assistance committees who have worked hundreds of hours for years, and they have been paid a paltry honorarium——

The DEPUTY-CHAIRMAN: I think that question must arise on the main Estimate. This is merely an increase.

Mr. GRIFFITHS: I will try it down another channel, Captain Bourne. The £50,000 is not sufficient to meet what ought to be paid out to people who do not belong definitely to the Ministry of Labour but who are in the department of the Minister of Health. I hope that the Ministry of Labour, when the applications come forward, will consider them more favourably in the future than it has been done in the past, as far as these honorariums are concerned. To turn to another matter, I see there is a saving of £88,000 over the training camps. Personally, I am pleased that there is this saving. The workers in the country are up against these training camps entirely. They do not call them training camps; they call them conscription camps, and they look upon them with very great disfavour.

The DEPUTY-CHAIRMAN: The hon. Member now appears to be going into the general merits of training camps. He must raise that on Monday.

Mr. GRIFFITHS: Thank you, Captain Bourne, but I want to congratulate the Minister on saving £88,000, and I hope he will spend no more on these training conscription camps, because just as he came to the Table about three weeks ago and said, "I am sorry for so-and-so", if these camps are carried on, some of the hon. Members from the other side will come as they did on the 28th and 29th January, and they will plead with him to abolish these conscription camps entirely. Therefore, I congratulate him on not having spent so much money on these camps.

12.53 p.m.

Sir GEOFFREY ELLIS: I want to say a few words with regard to juvenile instruction. I understand there is a shortage of juvenile labour in several trades, and that it is a growing shortage. I think there is a shortage in what corresponds to apprenticeship too, and that is due in many cases to the inability of the parents to let their children go to work because they cannot afford to maintain them. Has my right hon. Friend considered whether he could not, in certain circumstances, take juveniles into these instruction courses, and make some arrangement for a maintenance grant where he is satisfied that if the child is put to what corresponds to an apprenticeship, there is good prospect, in two or three years' time, of that child taking to the particular skilled industry and eventually being able to become an efficient member of it?

We may be told that that would be regarded as a subvention in aid of industry, but let me put it in another way. There are to-day, so far as clerical education is concerned, consirable subventions for industries which are already overcrowded, and I suggest it is not unfair that we should begin to consider the needs of other industries, and to give an allowance of some kind to give an opportunity to people who cannot afford to put their children to work and are therefore obliged to send them to blind alley occupations.

12.56 p.m.

Mr. LECKIE: I want to say a word in favour of the grant of £13,000 for the National Council of Social Service. I was surprised to hear an hon. Member on the Labour benches criticise that grant with such severity. I know something about the national council and the work they are doing in my area, and I venture to say, after a great deal of knowledge of it, that no money in the Estimates is better spent or is bringing in better value than the money voted for this cause. It is a comparatively small sum and trifling in many ways, but it is doing a great deal of good in connection with occupational centres. I know some of the officers and I cannot too highly praise their splendid work throughout the Midland area. I was surprised to hear the hon. Member say that if the Government had money to spend they ought to give it to the unemployed. I can imagine the horror with which the Opposition benches would receive an announcement that

[Mr. Leckie.]

£13,000 was to be distributed among the unemployed. They would say it was a ridiculous sum to give for such a purpose. Given to the national council, this this money is doing a great deal of permanent benefit to many unemployed men and women, and I hope that the Minister will continue to encourage the national council in their splendid work.

I was also sorry to hear the objections which have been raised to the transference scheme. It may be true that this work is not going on with the rapidity of past days, but there is no doubt that that is very largely owing to the attitude of labour to the scheme. The Labour party says "no" to everything, and nothing constructive comes from the Opposition benches with regard to the unemployed. It is distressing to some of us who are anxious that more should be done that no constructive suggestions are made by them. When the Government try to do anything they are at once strongly opposed by the Opposition benches. I hope the Government will continue to do all they can to encourage the transference scheme because the transference of young people from the distressed areas to better areas is of the greatest benefit.

12.59 p.m.

Mr. GROVES: I would like to ask the Minister whether the standstill order has been forwarded to my area? I would also like to know whether the Minister has perused the forms which are issued to persons under the Unemployment Assistance Board. I should have thought that, as far as possible, they would have been made simple and easy to comprehend. I wonder whether the Minister will assist the Commitee to appreciate these words, which appear in the opening paragraph of the form:

"The actual amount payable to you will be based on the rate in Col. (2) or Col. (3), whichever gives the higher amount payable for the week (see 1 overleaf)".

On looking at "1 overleaf," we find these words:

"Adjustment of your allowance in respect of earnings and unemployment benefit will be made as follows. Each week two calculations will be made at the local office.

(*a*) On the basis of deducting from the amount shown in Col. (2) overleaf—(i) an amount equal to half your earnings in the week or the amount by which the earnings exceed five shillings, whichever sum is greater, and (ii) any unemployment benefit in respect of any week for which an allowance is paid.

(*b*) On the basis of deducting from the amount in Col. 3 overleaf—(i) one-sixth/ s. d. for every day in the week (excluding Sunday) on which you are not unemployed, and (ii) one-sixth for any day of unemployment benefit in a week for which an allowance is paid.

The sum actually paid in any week will be the larger of the two amounts so ascertained."

I have given this careful thought, but I cannot understand what that means. I understood when the standstill arrangement was made that the people who were affected would be no worse off and that, providing there had been no changes in their households and that nothing had been previously withheld from the committee, there would be no change. I do not expect the Minister to be able to deal with every isolated case, but I have, from my huge pile, brought three cases here to-day. I have satisfied myself after careful inquiry that there have been no household changes in these three cases. I would like the Minister to explain how it is that in one case before me, that of a woman living with a very ill mother who was previously getting 24s. a week is now receiving 14s. There is another case, dated 20th February, of a man previously receiving 26s., who is now reduced to 9s. 6d. How can we justify such reductions after what has happened in the House in the last week or so? It is difficult for me to tell these people that they can make an appeal. An appeal may take a week or two, and it is a serious thing for a man with a household to sustain himself on such a reduction.

I am always moderate in the way in which I put my view, and I do not frequently bother the House. I shall be glad if the Minister will tell us about these cases, which are typical of many we have received. This does not appear to be a standstill arrangement, but a gallop, and I feel sure that the Minister, with his usual courtesy, will say something to assure us that those determinations which are obviously harsh and contrary to the spirit of the statement he made in the House some time ago will receive attention. I will hand over the cases to the Minister with great pleasure. Something may have gone wrong; but in any case I must stand up for the people in my area. If the standstill arrangement is to apply it must apply

all round, and in that area as well as in any other, and I therefore would beg his attention to these grievances, which are very serious ones.

1.6 p.m.

Mr. PALING: I have one or two questions to ask and one or two points to put. With regard to the item

"J.—Loans and Grants to facilitate the removal of Workers and their Dependants."

the Minister had so much to say on one head or another that I could not keep in mind all he did say, and I am not sure what he told us with reference to "J". May I suggest, in passing, that these Supplementary Estimates should contain more information than they do, because that would save a lot of trouble. Among other things he mentioned that additional fares had been paid to adult workers and others. I would like to know whether there has been a more generous scale of fares and grants to people who are transferred, and, if so, how much of that does this Supplementary Estimate account for. On the other hand, we have had a statement that the number of workers transferred is actually less. I do not know whether that is true or not, but I should like to inquire whether the market is getting saturated and whether there are fewer opportunties each year for the transfer of workers. The Minister or the Parliamentary Secretary stated some time ago that a special appeal had been made to employers in the case of boys and girls who were transferred. The position was that the wages paid, even though they were trade union rate wages, were too low having regard to the fact that the boy or girl had to pay for lodgings, and it was stated that employers had been asked to take this into consideration and to give more than the trade union rates to these transferred boys and girls in order to meet the extra cost of maintenance. I wish to know whether anything has been done in that direction, and, if not, what steps the Ministry take to assure themselves that if the boys and girls are not getting extra wages they are paid sufficient from some source to allow them to have decent board and lodging.

With reference to the heading

"O.—Grants for Assisting the Voluntary Provision of Occupation for Unemployed Persons."

I find on reference to the Vote itself that in 1935 £75,000 was allocated for this purpose, being an increase of £22,000 over the year before. I understand that the money paid to these people was paid only to the end of December, but so far as the Vote is concerned there is nothing to indicate that. I want to ask whether, when this Vote went through, it was indicated that that £75,000 was only to be paid up to the end of December, as has been stated this morning.

Mr. STANLEY: I gather that the hon. Member is reading my Estimate for next year.

Mr. PALING: Oh, yes. I beg pardon. That probably explains it. But with regard to this sum of £13,000 under Heading "O.", has the Ministry any control over it, because at the bottom of the page there is a footnote which says:

"Expenditure out of this Grant-in-Aid will not be accounted for in detail to the Comptroller and Auditor-General. Any balance——"

The DEPUTY-CHAIRMAN: I think the hon. Member is really dealing with next year's Estimate. I have turned up the Estimate for 1934-1935 and no such footnote occurs. I think we had better leave next year's Estimates alone.

Mr. PALING: I agree that that is so, but I want to know whether that observation applies to the money provided in this year's Estimate. Further, I should like to ask whether the bulk of the work in connection with this service is done voluntarily or what salaries are paid. How far does this money go in providing what are called occupational centres, and how much goes in providing extra clothing, etc.? A few weeks ago I saw an advertisement in the "Radio Times" with the statement at the top "Men cannot work without trousers."

Mr. STANLEY: An English publication, I suppose, not Scottish?

Mr. PALING: It went on to explain that so many people in the poorer districts were so short of clothing that charitably-minded people ought to send them whatever they could out of their wardrobes. I think that appeal has a relation to this matter.

Mr. STANLEY: Would it be the Personal Service League?

Mr. PALING: Probably it was, but in any case I am asking whether that appeal had any relation to this work. Then there is the last item:

"S—Appropriations in Aid."

I am surprised to see that there has been a saving of £170,000 here. Some people may take the view that it is rather less necessary to spend money upon education than in other directions, but I think all would agree that money spent on those unfortunate children who have left school but cannot get a job is money well spent, and I am surprised that it should have been possible to save £170,000 in that direction. I think the Minister mentioned as one reason that in some cases the buildings were unsuitable, and that perhaps it would be better to wait until suitable buildings were obtained than to put children into unsuitable buildings. That might be right, but, if there be nothing in a locality but what the Minister terms unsuitable buildings, how long have the children to wait before a building is placed at their disposal? I am rather suspicious that, if suitable buildings cannot be found, that may be made an excuse for waiting an unconscionably long time, or perhaps for doing nothing at all. Suppose that there be only poor buildings: is it not better to educate children in poor buildings than for the children to have no education at all? I am afraid that the latter is what is actually happening.

I should have expected that the increase would have been swallowed up to a larger extent than has been the case. The Ministry knew that a larger number of children would be coming out of the schools and that, for that reason, the demand for instruction would probably be greater. If that be so, it appears to me that the Ministry have not made very good preparations to provide instruction for the children, and I am sorry that the Minister has not found it possible to spend this money. I am inclined to think that a cheese-paring policy, a policy of economising in pounds, shillings and pence, is one of the reasons why the money has been saved. I should have thought, after the experience which the Ministry of Labour has had, above all Ministries, and especially during the last 12 months, that this would have been the last way in which they would have endeavoured to save money. If the authorities responsible for initiating schemes were not doing so, the Ministry should have been on their track, asking them what was being done. I suppose I am right in assuming that those authorities have to make a report to the Ministry of Labour and that the Ministry are always well aware of what is being done. The Ministry must, therefore, have been aware that this money was not being absorbed, and the Ministry must take the blame. I hope that the Minister will give us some good reason, not an excuse, why these things have happened. In any event, if they have happened, and if they could not have been helped this year, I hope that matters will be speeded up next year so that these things do not happen again.

1.18 p.m.

Mr. STANLEY: Let me deal at once with the last point raised by the hon. Member, because it is by far the most important topic which we have to discuss on this Supplementary Estimate. Nothing could have given me less pleasure than to have to announce a saving on the amount which we hoped would have been extended on junior instructional centres during the course of the year. It is only fair that I should state plainly what may already be known to hon. Members opposite, but which has not always emerged clearly from their speeches. The duty, or the power, of providing these centres is not placed upon the Ministry of Labour, but upon the local education authorities, and the Minister of Labour approves, and gives a grant. Hon. Members must, therefore, realise that the rate of Government expenditure must be conditioned by the speed with which proposals are put up by the local authorities.

Mr. COVE: I am speaking from memory, but surely under the Act of last year an obligation was placed upon the Ministry to compel local education authorities to provide certain information with regard to the number of juvenile unemployed and to carry out the duty of meeting that situation?

Mr. STANLEY: The hon. Gentleman knows that the duty is upon the local authority to submit proposals to the Minister, and it is my duty to speed up

those proposals and to give every encouragement to their being put forward. Let me categorically deny what the hon. Gentleman says, that there has been any attempt on the part of the Ministry of Labour to hamper or restrict local authorities in putting up proposals. On the contrary, no effort has been spared to spur the enthusiasm of the authorities who, on some occasions, had not displayed quite the enthusiasm what the hon. Gentleman has attributed to all local authorities, but rather more of that laggard spirit which he has chosen to attribute to the Ministry of Labour. The speech which the hon. Gentleman has made this afternoon may be useful from the point of view of speeding up these proposals. I do not think that the idea has ever got about that the Ministry of Labour were not keen upon the provision of junior instructional centres, but the idea certainly has got about, no doubt without foundation, that the party to which he belongs and the scholastic profession which the hon. Gentleman represents, are in many cases not at all enthusiastic about the provision of these centres. I am sure that the hon. Gentleman's speech, giving such a glowing tribute to their use and urging so enthusiastically their acceleration, will do much to show that the whole of his party and the whole of his profession believe in the utility of these centres and would like to see local authorities and the Ministry developing them to the fullest extent.

Mr. COVE: The right hon. Gentleman has said that I represent the scholastic profession. May I say that I represent here the Division of Aberavon? I say categorically—I made my position perfectly clear—that I believe that this scheme is only a substitute, but the Ministry has got it on the Statute Book. I have been in touch with certain areas, and the information which has been given to me from responsible people, not from political parties, is that the——

Mr. STANLEY: I gave way because I thought the hon. Member wanted to ask a question. I certainly repeat that the speech of the hon. Member for Aberavon—he speaks as the Socialist Member for Aberavon and as an ex-member of the teaching profession, and in our educational debates I have often heard him claim to speak for teachers as such—coming from him, will have very great weight with both Socialists and teachers and will, I hope, add to the enthusiasm for the provision of these centres. I cannot answer his charge with regard to the particular area that he mentioned, as he said—I quite appreciate his motives—that he preferred to tell me privately what it is. When he tells me, I certainly will investigate the matter and will let him know. Out of 30 schemes which have been put up for approval in Wales, 22, have already been approved.

As I said in introducing this estimate, one of the first difficulties was that the Act was unfortunately passed just before the holiday season in local government as in national government, and there was considerable delay in beginning the preparatory work. *Secondly, there has been* quite unexpected difficulties in many areas, and in South Wales among those, in finding satisfactory premises.

Mr. COVE: Are you prepared to build new premises?

Mr. STANLEY: Yes, if necessary. The increase in the average number of juveniles attending these courses is now going up very rapidly. The average for the quarter ending on the 30th September was 11,154; for the quarter ending on the 31st December it was 17,629; and the latest figure for February is 27,000. That is an indication that this work is now proceeding rapidly, and that the initial difficulties are being overcome. I can give the Committee the assurance that I believe nothing to be more important than the provision of these juvenile instructional centres, and that the whole weight both of myself and of my Ministry is thrown on the side of their provision at the earliest possible date.

Considerable discussion took place on the item which deals with transfer and removal. It would, of course, be out of order, Major Milner, for me to deal, as some speakers have attempted to deal, before they fell under the eagle eye of your predecessor, with the general policy of transfer and training. I explained the reasons for the small increases, and the one question of real substance was that put to me by the hon. Member for Normanton (Mr. T. Smith), who, I know, has had to go away. He wanted to know whether there had been any change in the scheme since 1933. There has been a

[Mr. Stanley.]

change during this year. It is in favour of the transferred worker. It is rather long and complicated for me to detail to the Committee now, but I will consider the most suitable manner in which I can give the House particulars of the alteration which has been made in the scheme.

The hon. Member for Leigh (Mr. Tinker), dealing with the question of juvenile transfer, asked if I could give him some instances of places to which these juveniles were transferred. I can give him an example which has happened quite recently. Birmingham is a city where the placing of juveniles in work is not a matter for the Ministry of Labour, but is run by the local education authority. As a result of what I may describe as an appeal to the local education authorities who were undertaking that work, they have now entered into an arrangement with Liverpool whereby they take from Liverpool a certain number of juveniles at regular intervals and place them in employment in Birmingham. Arrangements are made for the after-care of these juveniles, and I desire to emphasise the fact that the greatest care is taken, wherever the Ministry's transfer scheme for juveniles is in operation, never to transfer a juvenile to any employment, however good it may seem at the moment, if it appears to be of a blind-alley kind. No juveniles from depressed areas are ever transferred through the machinery of the Ministry of Labour except to employment which we believe will be permanent employment, and not merely temporary.

Mr. TINKER: Is a record kept and sent to the head office of the transfer of juveniles, showing what has happened, say with regard to transfers from Liverpool to Birmingham, and into what occupations they go? I think that that would be very useful.

Mr. STANLEY: I will certainly look into that question, because, the more facts we have about this scheme and the fewer misconceptions there are about it, the more, I know, I shall get the support of hon. Members opposite. One or two speakers, including the hon. Member for Spennymoor (Mr. Batey), dealt with the National Council of Social Service. Clearly it would be out of Order to discuss, on this Supplementary Estimate, the policy of the Government in giving these grants to the national council, but I should like to take this opportunity of expressing my appreciation of the work which is done in the country by the very many hundreds of those who assist the national council in purely voluntary work on behalf of the unemployed. The hon. Gentleman says: "You have £13,000 here; why not have given it to the unemployed?" Giving it to the unemployed would mean giving them about 2d. each——

Mr. BATEY: It will be £75,000 next year.

Mr. STANLEY: That might mean 10d. each; but that money, devoted as it is to the work of the national council, brings, I believe, a much greater value to the unemployed than would the distribution of such trifling sums in themselves.

Mr. BATEY: Can the right hon. Gentleman tell us why the Estimate was only made up to the 31st December?

Mr. STANLEY: Because the financial year of the National Council of Social Service was a calendar year, from January to December. Up to now the grants have been paid in that way to fit in with their financial year. In future, I understand, they are going to be paid to fit in with our financial year, and the original estimate for the year will contain the estimated provision, not for nine months, but for the whole 12 months.

The hon. Gentleman also expressed some surprise at its being possible for the Ministry of Labour in their Estimates of last year to have made such a gigantic mistake in estimating the number of people drawing transitional payments as would result in a saving of £3,600,000. That may sound a large amount, but he will realise that, when you are dealing with the cost per year of the unemployed man, quite a small difference in the number of people will mean a very big difference in the annual amount of the payments. In the case of last year, the Ministry had to estimate two figures which it was quite impossible to foresee. The one was the number of people on the live register, and the other the actual number of people who would be transferred from transitional payments to benefit by the alteration in the ratio rule; and I think hon. Members will realise

that, in making an estimate of such incalculable factors, a difference of only something like 50,000 or 60,000 in the numbers unemployed is a difference that might well have been made either way. In any case, I can give the assurance that there is no sinister motive behind it.

Mr. BATEY: Is the Minister not in a position now to give us the numbers on transitional payments when the Estimate was made, and the numbers at the end of the year?

Mr. STANLEY: I have not the figures here, but I will certainly get them for the hon. Member. He could find them for himself by looking up the unemployment return, say, for February last year and the monthly return for December. That gives the percentage of those who are drawing transitional payment. The hon. Member for Hemsworth (Mr. Griffiths) raised a point about the standstill arrangement in his constituency which I will look into. Before he was called to order he delivered certain remarks upon the saving on training camps. He was given enough time by the Chairman to denounce these training centres for the unemployed as slave camps. I hope the Chair will give me enough time to say that such a description of these camps is so grotesque as hardly to merit contradiction. I wondered that the hon. Member for Chester-le-Street (Mr. Lawson), who was sitting just under him, could have sat still when he heard that description being applied to one of these centres. I think the hon. Member went on to say slave-like conditions. The hon. Member for Chester-le-Street, who takes the greatest interest in these centres, knows well that such a description is quite grotesque, and I do not believe that anyone who has ever visited one of these camps, who has ever seen the arrangements there or talked to the people there could ever have repeated a statement of that kind. I hope that the hon. Member for Chester-le-Street, who was responsible in his time for running these camps and has kept up his acquaintance with them since, will take every opportunity of telling his own people what a misrepresentation that is both of his policy and of mine.

The hon. Member for Stratford (Mr. Groves) raised one or two individual cases under the standstill agreement with which I am sure he will realise I could not possibly deal without knowing the facts, but I will certainly take up the matter with the Board. The hon. Member for Winchester (Sir G. Ellis) raised the question of apprenticeship. One of the matters that I hope to go into in my talks with various industries is this question, which I believe is becoming a pressing one, of the real shortage of skilled labour in certain industries in order to see what arrangements can be made within the industries and what assistance can be given by the Government for improving that state of affairs. I think I have dealt with most of the main points that have been raised. If there are any that I have omitted, I will look through the report of the Debate and will communicate with hon. Members.

1.39 p.m.

Mr. RHYS DAVIES: Friday is always regarded as a dull day in Parliament, but the intervention of the Minister and the Debate that we have had to-day has made it a little brighter than usual. The Minister appeared to be a very unhappy man. He has probably the most distasteful task in the Government, but he does it well. Today he was called upon to clear up the mess of the Government. If any co-operative society, trade union, friendly society, approved society or local authority carried on its business as this Government has done, there would be howls from the Tory Press as to its incompetence. If the Government were in private trade and conducted its business on these lines, it would have been declared bankrupt long ago. It is bankrupt of ideas. This Supplementary Estimate is really a reflection of the conflicting interests in the Government itself. You have a Prime Minister who calls himself a Socialist and you have ardent free traders who are working a tariff system.

Mr. STANLEY: On a point of Order. May I ask on what sub-head this arises?

Mr. DAVIES: It comes under the letter "L". The Minister blamed more or less, as I think he was entitled to do in part, the local authorites for not doing their duty in providing junior instruction centres. Only about a fifth of the juveniles who ought to be catered for are attending instructional centres. When the right hon. Gentleman tells us that the local

[Mr. Davies.]
authorities ought to do more, with which we agree, I would call his attention to Clause 13 (2) of the Act of 1934, which provides that where a local authority fails to do its duty under this Clause, the Minister has powers of compulsion.

Mr. STANLEY: I never suggested for a minute that any local authority has any intention of failing to do its duty under that Act, but these negotiations with local authorities often take a certain amount of time, and on our part we are speeding them up as much as we can. I should like to take the opportunity of making it clear that I am certain, whatever the delays are, every local authority will carry out its statutory duty in the matter.

Mr. DAVIES: That does not destroy the fact that I stated. The Act was passed in June, 1934, and it is now St. David's Day, 1st March, 1935. It is time the Minister took upon himself the authority that he possesses to pursue the matter further. I notice that, as usual, the Government have had only one supporter in the whole of the debate. The hon. Member for Winchester (Sir G. Ellis) was as critical as we are.

Sir G. ELLIS: I was not in the least. I merely asked a question.

Mr. DAVIES: It was a very strange method of asking a question.

Sir G. ELLIS: I got a very good reply.

Mr. DAVIES: I was a little astonished. I hope I do not misinterpret what the hon. Member said. If I remember rightly he said that parents nowadays could not afford to send their children out to work.

Sir G. ELLIS: Some parents.

Mr. DAVIES: That some parents nowadays could not afford to send their children out to work.

Sir G. ELLIS: As apprentices.

Mr. DAVIES: May I revise my statement, that some parents could not afford to send their children out to work as apprentices. That is a very damaging statement against the employers of this country, because, in my view, employers should not employ even apprentices without paying them something for their upkeep. I would query very much indeed the suggestion contained in that question that the State should subsidise the employer where children are employed as apprentices.

I will pass on to the point with which I really want to deal. We have been told something about this standstill arrangement. The right hon. Gentleman knows full well that it was anticipated that in the Lancashire County Council's area every person who fell to be dealt with under the Unemployment Assistance Board would be better off under their scales simply because the Lancashire County Council public assistance authority was always the meanest in the land. I hardly thought that would be the case, and that I would have cases from my constituency where, under the standstill arrangement, some able-bodied men would receive less than they used to receive from the Lancashire County Council public assistance authority, the meanest of all public assistance authorities. But I have a batch of letters here to-day, and, quite frankly, like my hon Friend the Member for Stratford (Mr. Groves), I cannot understand what they mean. When the right hon. Gentleman is looking into the administration of this standstill arrangement, I should like to ask him to inquire, not why persons are receiving less than they used to do, as in the case of South Wales and Durham where the Labour Party is in a majority, but how it comes about that there are people in the County of Lancashire, where the public assistance scale was about the lowest in the whole of England, and where some of the amounts paid in my division now are still lower than that.

There must be something wrong with the whole of the administration under this Government, and I repeat that the Supplementary Estimate to-day is not only a question of money and figures but a reflex of the conflict of interests among members of the Government themselves. We have not heard the last about this business, and it is not the last word that we shall say on the matter. Although the right hon. Gentleman has done his level best to explain away this Supplementary Estimate, he made one remark about which I am a little doubtful. He told us that the increase of £300,000 in connection with one part of his Supplementary Estimate was consequent upon increased employment. Naturally, I am not as familiar with this problem as he

is, or even as my hon. Friend the Member for Chester-le-Street (Mr. Lawson) is, but it will be very interesting to know whether the contributions of young persons from 14 to 16 are included in the £300,000, and, if that be so, there cannot be the claim that the £300,000 is a reflex of the increased employment among the people of this country. I should like to ask him—I do not know whether he will be able to give the answer to-day, but perhaps he may at some future date because it is a very interesting subject—to find out how many young persons from 14 to 16 have actually come under the new scheme.

Finally, I would say that the following facts have come to my notice with astonishment. There was a time when young people were brought under the unemployment insurance scheme when employers dismissed them at 16 years of age because of the cost of the social services. Now, however, I hear the same tale told again, and that they are dismissing them now not because of the cost that comes about consequent upon unemployment insurance at 16 but because of the extra cost of paying contributions under the National Health Insurance scheme. If that is the case then indeed we have reached the stage when the Government ought to tune up the mentality of the employers of this country and ask them in the negotiations which the right hon. Gentleman is now carrying on with them that they should play the game towards these young people whom they employ.

Mr. GORDON MACDONALD: I beg to move to reduce the Vote by £100.

Question put, "That a sum not exceeding £1,189,900 be granted for the said Service."

The Committee divided: Ayes, 23; Noes, 132.

Division No. 74.] **AYES.** **[1.53 p.m.**

Batey, Joseph	**Groves, Thomas E.**	**Parkinson, John Allen**
Cocks, Frederick Seymour	**Hall, George H. (Merthyr Tydvil)**	**Thorne, William James**
Cove, William G.	**Jones, Morgan (Caerphilly)**	**Tinker, John Joseph**
Daggar, George	**Lansbury, Rt. Hon. George**	**Wedgwood, Rt. Hon. Josiah**
Davies, David L. (Pontypridd)	**Lawson, John James**	**Wilmot, John**
Davies, Rhys John (Westhoughton)	**Lunn, William**	
Edwards, Charles	**Macdonald, Gordon (Ince)**	*TELLERS FOR THE AYES.—*
Gardner, Benjamin Walter	**McEntee, Valentine L.**	*Mr. John and Mr. Paling.*
Greenwood, Rt. Hon. Arthur	**Mainwaring, William Henry**	

NOES.

Allen, Sir J. Sandeman (Liverp'l, W.)	**Elmley, Viscount**	**Margesson, Capt. Rt. Hon. H. D. R.**
Allen, Lt.-Col. J. Sandeman (B'k'nh'd.)	**Essenhigh, Reginald Clare**	**Marsden, Commander Arthur**
Assheton, Ralph	**Fox, Sir Gifford**	**Mayhew, Lieut.-Colonel John**
Atholl, Duchess of	**Fremantle, Sir Francis**	**Mills, Sir Frederick (Leyton, E.)**
Baldwin, Rt. Hon. Stanley	**Fuller, Captain A. G.**	**Mills, Major J. D. (New Forest)**
Balfour, Capt. Harold (I. of Thanet)	**Ganzoni, Sir John**	**Moore, Lt.-Col. Thomas C. R. (Ayr)**
Barclay-Harvey, C. M.	**Gault, Lieut.-Col. A. Hamilton**	**Moss, Captain H. J.**
Bennett, Capt. Sir Ernest Nathaniel	**Gluckstein, Louis Halle**	**Nicholson, Godfrey (Morpeth)**
Blindell, James	**Goldie, Noel B.**	**North, Edward T.**
Bossom, A. C.	**Graham, Sir F. Fergus (C'mb'rl'd, N.)**	**Nunn, William**
Bowyer, Capt. Sir George E. W.	**Grattan-Doyle, Sir Nicholas**	**O'Donovan, Dr. William James**
Brass, Captain Sir William	**Grimston, R. V.**	**Ormsby-Gore, Rt. Hon. William G. A.**
Briscoe, Capt. Richard George	**Hacking, Rt. Hon. Douglas H.**	**Penny, Sir George**
Brown, Brig.-Gen. H.C. (Berks., Newb'y)	**Hamilton, Sir R. W. (Orkney & Zetl'nd)**	**Peto, Geoffrey K. (W'verh'pt'n, Bilston)**
Buchan-Hepburn, P. G. T.	**Hanbury, Cecil**	**Powell, Lieut.-Col. Evelyn G. H.**
Cadogan, Hon. Edward	**Hartland, George A.**	**Radford, E. A.**
Campbell, Vice-Admiral G. (Burnley)	**Haslam, Henry (Horncastle)**	**Raikes, Henry V. A. M.**
Caporn, Arthur Cecil	**Hore-Belisha, Leslie**	**Ramsay, Capt. A. H. M. (Midlothian)**
Chapman, Col. R. (Houghton-le-Spring)	**Howitt, Dr. Alfred B.**	**Ramsay, T. B. W. (Western Isles)**
Chapman, Sir Samuel (Edinburgh, S.)	**Hume, Sir George Hopwood**	**Reid, David D. (County Down)**
Chorlton, Alan Ernest Leofric	**Hunter, Dr. Joseph (Dumfries)**	**Rhys, Hon. Charles Arthur U.**
Cobb, Sir Cyril	**Inskip, Rt. Hon. Sir Thomas W. H.**	**Ropner, Colonel L.**
Collins, Rt. Hon. Sir Godfrey	**Ker, J. Campbell**	**Rosbotham, Sir Thomas**
Cooke, Douglas	**Kerr, Lieut.-Col. Charles (Montrose)**	**Ross, Ronald D.**
Crookshank, Capt. H. C. (Gainsb'ro)	**Kirkpatrick, William M.**	**Russell, Alexander West (Tynemouth)**
Croom-Johnson, R. P.	**Knight, Holford**	**Rutherford, John (Edmonton)**
Crossley, A. C.	**Latham, Sir Herbert Paul**	**Rutherford, Sir John Hugo (Liverp'l)**
Davies, Maj. Geo. F. (Somerset, Yeovil)	**Lindsay, Noel Ker**	**Samuel, M. R. A. (W'ds'wth, Putney)**
Denman, Hon. R. D.	**Lister, Rt. Hon. Sir Philip Cunliffe-**	**Sanderson, Sir Frank Barnard**
Denville, Alfred	**Llewellin, Major John J.**	**Shakespeare, Geoffrey H.**
Dickie, John P.	**Lumley, Captain Lawrence R.**	**Shaw, Helen B. (Lanark, Bothwell)**
Dugdale, Captain Thomas Lionel	**MacAndrew, Lieut.-Col. C. G. (Partick)**	**Shaw, Captain William T. (Forfar)**
Duncan, James A. L. (Kensington, N.)	**MacDonald, Rt. Hon. J. R. (Seaham)**	**Sinclair, Col. T. (Queen's Univ., Belfast)**
Eastwood, John Francis	**McKie, John Hamilton**	**Skelton, Archibald Noel**
Ellis, Sir R. Geoffrey	**McLean, Major Sir Alan**	**Smiles, Lieut.-Col. Sir Walter D.**

Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Stones, James
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Touche, Gordon Cosmo
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Whyte, Jardine Bell
Wills, Wilfrid D.
Windsor-Clive, Lieut.-Colonel George
Womersley, Sir Walter
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE NOES.—Sir Frederick Thomson and Dr. Morris-Jones.

CLASS VI.

MINISTRY OF TRANSPORT.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £10, be granted to His Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1935, for the Salaries and Expenses of the Ministry of Transport under the Ministry of Transport Act, 1919; Expenses of the Railway Rates Tribunal under the Railways Act, 1921; Expenses under the London Traffic Act, 1924, the London Passenger Transport Act, 1933, and the Road and Rail Traffic Act, 1933; Expenses in respect of Advances under the Light Railways Act, 1896; Expenses of maintaining Holyhead Harbour, the Caledonian Canal, Crinan Canal, and Menai Bridge; Advances to meet Deficit in Ramsgate Harbour Fund."

The MINISTER of TRANSPORT (Mr. Hore-Belisha): This is a token Vote for £10, and it has been represented to me that it would be advisable if I give some brief elucidation of it. I am, of course, at the disposal of the Committee to amplify what I say in any particular or in any direction that may be desired. The Vote is to authorise expenditure upon a new service, which Parliament has found it necessary to establish. The Road Traffic Act, 1934, Section 6, prescribes that every person first obtaining a driving licence after the 1st April, 1934, must pass a test proving his competence to drive the motor vehicle for which he assumes responsibility. In deciding on the test Parliament gave no directions by whom or how the test was to be conducted. I therefore had to make up my mind whether there were any existing agencies whose good offices might be utilised, or whether a new organisation should be created. Among the existing agencies there were, first of all, the bodies representing motorists, but their desire is, naturally, to obtain as many members as possible. There were the local authorities, who had no suitable personnel for this purpose, and there were the police, who had many other duties. I therefore felt that the most effective course was to create a new organisation, which would have this work as its sole duty. To meet the general convenience it seemed to me that the staff should be dispersed throughout the Kingdom, so that everything could be done to arrange times and places which would put the candidates to the least trouble.

There are already in existence for another purpose 12 traffic areas, and I decided to base the new organisation upon these, putting a supervising examiner in charge of each area, and having a chief examiner at headquarters. Under these supervising examiners and apportioned among them there is to be a staff of 250 examiners. For these 263 posts there have been 34,000 applicants, of whom 27,500, including 1,130 women, completed forms. To recruit the staff the following procedure was adopted. A selection board was established in London to choose the supervisors. They interviewed 500 applicants, sifted from the greater number, with the help of Mfnistry of Labour experts. The Board chose 120 for interview, finally taking 13. Boards were also established in the areas composed of officials of the Ministry of Transport and the Ministry of Labour. 1,749 men and 212 women were invited to appear before them. All the supervisors are now selected and more than half the examiners. All the selections have meen made on merits. All the candidates selected have been subjected to a practical test conducted by a certifying officer of the Ministry and medically examined.

It will be a revelation to the Committee, and it is somewhat of a commentary on the complacency with which we assume that anyone who takes out a driving licence is capable of handling a car, that although these applicants had long records of driving experience many of them did not understand the sequence of traffic lights, the meaning of signals, their right position on the road, many

of them had never heard of the highway code at all, while a substantial number were rejected as unsafe drivers. These were persons who were applying for the duty of testing others. It is anticipated that a substantial proportion of the examiners will be at their stations by the middle of March. Parliament contemplated that the fee should be a maximum fee of 10s. for those undergoing the test, but it has been found possible to reduce the fee to 7s. 6d. at which figure the service will be self-supporting. It is estimated that there will be 400,000 new drivers to be examined every year, and there will be 400,000 arrears to be overtaken. The examination, the particulars of which I shall embody in the regulations which will be ready on Monday, will consist of a demonstration of the capacity to manipulate a motor vehicle and a knowledge of the highway code.

Although the actual test has been before the motor organisations in outline for many months past no substantial criticisms have been made of it, and one or two minor suggestions have been offered which I have been only too glad to adopt. The ordinary driver will, when the test becomes compulsory, have to satisfy the Ministry's examiners, but in the case of large organisations such as the Army, the Navy, the Air Force, the Post Office and the Police, and the larger employers of labour, employing not less than 250 drivers, their own examiners will be authorised to issue the necessary certificates. In the case of commercial employers they must satisfy the Ministry that their system of examination is not less stringent than ours and that their testers are fully competent. A system of driving tests is now in operation in 24 European countries and in 13 out of 48 of the States of America, and in some British Dominions. Its establishment here is a recognition by us of the principle that a person who accepts responsibility for taking a powerful and potentially dangerous mechanism on to the highway should know how to control it. The institution of driving tests is an earnest of the seriousness with which we regard road accidents and should prove a further protection to the public and a greater convenience to all other drivers.

2.11 p.m.

Mr. PARKINSON: We are all grateful to the Minister of Transport for his explanation, which has been so clear that we can understand it. There is not much for anyone to criticise in this vote. It is quite new machinery, and for one particular purpose which we all desire to see accomplished, namely, to make it more safe on the roads for our people by having efficient drivers in charge of the machines. We can understand the difficulty of inaugurating such a great service as this, the examination of candidates and supervisors, which I have no doubt in the words of Mark Twain might have been aggravating or amusing as the case might be. We all want efficiency on the roads, and to secure that one of the first essentials is that those who drive the machines should be efficient. It is very necessary to have a driving test. I know that it does not meet with the approval of everyone, but those who have had any experience on our roads will agree that there are a large number of persons who should not be in charge of machines on the roads. That is proved by the number of applicants who wanted to be teachers of other people who were not able to pass the tests themselves. There always appears to be on the roads a certain number of people who are not complete masters of their machines. That is most dangerous, and is a fruitful source of accidents. I am not going to criticise the vote because I want to get as much efficiency as possible on the roads in order to cut down the enormous death-rate of the last few years. We appreciate what the Minister has done, and no doubt later on we shall be told the cost of this new service. I hope that those who are appointed to the responsible position of examiners will be equal to the task and that their services will mean increased efficiency on the roads and a saving of the lives of our people.

2.13 p.m.

Sir ROBERT HAMILTON: The country is looking to these examinations to result in an outstanding decrease in the number of accidents on our roads. If that is achieved, then I am sure that the difficulty of candidates having to appear for the examination will disappear in the background. On that point, I should like to know whether arrangements have been made for examining candidates in outlying districts like Orkney and Shetlands, otherwise they will be put to a large expense in having to come to the

[Sir R. Hamilton.]
mainland and pay hotel expenses in addition to travelling expenses. I have no doubt the Minister will bear that in mind.

2.14 p.m.

Mr. GROVES: I have always taken a keen interest in the question of motoring, and I have appreciated what the hon. Member has done in the direction of securing greater safety. I should like to ask him whether he has considered making the regulations a little stringent, in this way. I am a driver myself, and I think my friends will say that I am a careful one. I have been a driver for many years, and have not had an accident. What is in my mind is this: Is it quite enough that if a man has passed, say, this year, a test, which I do not suppose will be a very serious one, that test should last as long as he is a motor car driver? My father was a railway engine driver, and every now and again had to go through a colour and distance sight test. Sight is essential on roads. Should there not be a periodic examination, say, every five years? What is the use of giving a licence automatically each year on payment of 5s. with no guarantee that the holder is in a fit condition? Are the new regulations to be so effective that the first test means the continual granting of a licence to a driver for all time?

Dr. O'DONOVAN: May I ask whether under these regulations people who are colour blind will be allowed a licence to drive cars?

2.17 p.m.

Mr. HORE-BELISHA: I acknowledge the very helpful spirit of the observations which have been made upon this Estimate. I will answer the questions seriatim. My hon. Friend the Member for Orkney and Shetland (Sir R. Hamilton) may rest assured that we shall do our best to act for the convenience of his constituents, although they do live in outlying parts. Everything possible will be done to avoid their being put to trouble, and, if at any time my hon. Friend has any suggestion to make to me for ameliorating arrangements in regard to those outlying areas, I shall be only too happy to meet his request. The hon. Member for Stratford (Mr. Groves) is always most helpful in the cause of public safety, and feel very much indebted to him. Of course, I can only apply these tests within the terms of the Act of Parliament, and I should have no power to require that every driver of a motor vehicle should subject himself to a recurring test, say, after each five-yearly period. In some ways I wish I had, but Parliament did not confer that particular power upon me. All that it did was to prescribe that every person who has obtained a driving licence after 1st April, 1934, should be subjected to a test. Therefore, I do not like the House or the country to regard the rapidity with which results can be achieved from these tests with undue optimism. They apply, as I say, only to persons who first took a licence after 1st April, 1934, and therefore it will require some lapse of time before the effects that are to be produced upon the community as a whole can show themselves. But when Parliament has experience of them, it may decide to strengthen the present powers.

The hon. Member also asked whether there was any test for sight, under which I will include the second question as regards colour blindness. It is already the law that an applicant for a licence should be able to see clearly, but the regulations which I shall be publishing on Monday will contain the provision that the applicant must satisfy the examiners that he is able to read at a distance of 25 yards, in good daylight, with the aid of glasses if necessary, a motor car number plate containing six letters and figures. That test has been accepted as adequate by the organisations to which I have submitted it, but if it is proved to be inadequate, and any suggestions are made to me at any time, I shall be only too happy to do what I am able to do in the public interest. I thank the Committee, and the hon. Member for Wigan (Mr. Parkinson) in particular, for the way in which they have accepted this Vote.

Question put, and agreed to.

CLASS VII.

LABOUR AND HEALTH BUILDINGS, GREAT BRITAIN.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £10, be granted to His Majesty, to defray the charge which will come in course of payment during the year ending on the

Mr. ORMSBY-GORE: I thought I had explained that item. It all arises out of the postponement of the road-widening scheme at Tehran and is purely an accounting point. As to the other point raised by the hon. Member it is not merely as a matter of taste that these changes are made. In the past many of our embassies and legations were furnished by our wealthier ambassadors out of their own pockets. In these more democratic days we cannot rely on always having ambassadors who are in a position to contribute a large part of the embassy furnishings from their own homes in England or at their own expense and most of these embassies are now furnished mainly by the Office of Works. We make it a rule that when an ambassador and his wife have been in a particular place for a certain time we do not make many changes but when a new ambassador is appointed we take advantage of the interregnum between the old and new ambassadors to take a complete inventory of the furniture and make the necessary repairs and replacements which are supposed to last for the new ambassador's time. That is how this increase arises.

Question put, and agreed to.

CLASS VIII.

MINISTRY OF PENSIONS.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £181,000, be granted to His Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1935, for the Salaries and Expenses of the Ministry of Pensions, and for Sundry Contributions in respect of the Administration of the Ministry of Pensions Act, 1916, the War Pensions Acts, 1915 to 1921, and Sundry Services."

2.40 p.m.

The MINISTER of PENSIONS (Major Tryon): The Committee will be glad to know that all the sum for which we are asking will go in benefits and that no part of it is due to any additional cost of administration. The original Estimates were £43,100,000 and we are asking now for a further sum of £181,000. That may seem a large sum but it should be borne in mind that it relates to a total of over £43,000,000 and therefore the actual error in estimating is only about half of one per cent. If I may put it in another form, to show the real extent of the error, the expenditure of the Ministry per day at the present time is about £120,000 so that the amount for which I am asking is only what we should normally spend in a day and a half. At the same time if we could make these Estimates even more accurate, we should like to do so, but it is not easy to be perfectly accurate in a forecast of this kind.

I gave two examples relating directly to this Estimate. The first I am sure will give pleasure to the Committee. It is this—that one of the reasons why we are asking for more is that the death rate among pensioners has been much lower last year than in previous years. That, I think, is attributable to the skill of the doctors and surgeons who have had care of these disabled men and is a thoroughly satisfactory thing. The other is of less sentimental interest and of a very different character. Last Easter the Government decided to allow widows to draw their pensions a few days earlier than usual, to enable them to have the money for the Easter holidays, which I think was a useful concession. But no man can tell what is going to be the result of individual decisions among a large number of widows and as a matter of fact a great many of these widows decided not to draw this money until after Easter. It will be seen therefore that through the inaction of these widows in this respect we became involved in an arrangement by which our expenditure for that week's pensions fell into a different financial year from that which into which it was expected to fall. I am sure that the Committee will be willing to grant this extra money. In preparing our Estimates we always, rightly I think, bear this point in mind—that if we put the Estimates too high it does not benefit the pensioners because the additional money would not be spent and only involves complications in accountancy whereas if we happened to put them a little too low, as we have done in this case, we can always rely on the generosity of this Committee to grant the additional sum which is required for the sick, the disabled and the widows.

2.44 p.m.

Mr. LANSBURY: I do not intend to oppose this Vote and this is one service for which I think everybody in the Committee would cheerfully vote the money required in almost any circumstances. I

[Mr. Lansbury.]

agree with the Minister that it is indeed a tribute to those who have charge of the disabled men that we are called upon to-day to vote this extra money. I am sorry, however, that there is no estimate here for providing some mark of appreciation to these men, women and children on the occasion of the Silver Jubilee. I ought not to raise that question now, I know, but I wanted to say that because I think it would have been a really gracious thing to do.

2.45 p.m.

Mr. LAWSON: I sometimes think the pensions system of this country is so good on the whole that it is a pity it is not slightly better and could deal with a number of cases that really need consideration. I put a case to the right hon. Gentleman the other day, about a man who had been sent from the Front in 1917 or 1918, who was mentally afflicted by his service. He had been in an asylum ever since that time, until his death a few months ago. His widow is now told that he did not die as a result of trouble arising from his war service. I am a layman, but I would challenge any doctor to deny that in the case of a man who has been suffering from nerves in such a way that he has been affected mentally, that trouble does have a definite physical effect upon him. I think that in such cases the right hon. Gentleman might exercise his discretion, under the correction of errors to a greater extent than he does, even though the doctor's decision is in a certain direction, and if he has to make a mistake, at any rate to make a mistake on the right side in the case of a man or his widow such as I have mentioned.

2.46 p.m.

Dr. O'DONOVAN: It should be known to the Committee that it is the custom of the London coroners when any ex-service man dies to insist upon a post mortem examination by an expert disinterested pathologist and the cause of death is then certified as far as medical knowledge can go, and should the widow or friends be in any way dissatisfied, there is an open inquiry in the coroner's court, where all the relevant facts are brought to light. In these circumstances to ask the Minister to act in a sense against the advice of independent doctors and special pathologists is to ask him to jump into a hornets' nest, especially when such independent advice is only sought and given on the understanding that it will be accepted. With regard to the general statement that a person put in an asylum would therefore and consequently have his life terminated unduly early, I suggest that the longevity of people cared for in our asylums by the doctors and mental nurses is astonishing to those who visit such places for the first time and who may have a general impression that those who are mentally disordered are therefore necessarily shortened in their expectation of life; such is not in accordance with the experience of life as we doctors see it when we visit asylums.

Question put, and agreed to.

POST OFFICE.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £1,270,000, be granted to His Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1935, for the Salaries of Expenses of the Post Office, including Telegraphs and Telephones."

2.50 p.m.

The POSTMASTER-GENERAL (Sir Kingsley Wood): We are asking for a sum of £576,000 for increased salaries, wages, and pensions due mainly to the restoration of half the emergency reductions, combined with the consolidation of the cost-of-living bonus on the lines recommended by the Royal Commission. In addition we are asking for £150,000 for expenditure during the current year on certain improvements in the remuneration of some of the lower paid sections of the Post Office, particularly the new entry ex-Service men, particulars of which I have already announced in the House. We are asking for £150,000 this year, and in a future year it will be £500,000 and will tend to rise. There is also a sum of £343,000, provision for additional staff as a result of the increase in business at the Post Office, and I am glad to think that there will be an addition to the staff generally on the permanent establishment. The sum which I am asking for to-day means the equivalent of a full year's employment for rather more than 2,000 extra people, which, I am sure, will be satisfactory to everybody. I am glad to say that an increase of staff is taking place in the postal service, telephone service, and savings bank.

There is also a sum of £290,000, together with £30,000 out of the £100,000 under sub-head I. 1, which makes altogether £320,000 in respect of additional expenditure on engineering work. When the first Estimate was made, it was an under-estimate of the amount of work which we could do in the period under review, and I am glad to think there will be additional expenditure of that considerable sum in connection with the engineering department. There is a further sum of £93,000, remittance to the British Broadcasting Corporation of half the contribution which was made by the corporation out of its share of licence revenue to assist the Exchequer in services which we all know. This remission does not raise any question about the British Broadcasting Corporation or matters of that sort, but they made the contribution agreed upon between the Exchequer, myself, and the corporation, and when the restoration of half the cuts was made, this remittance was made also by the corporation. There is also a sum of £48,000 in respect of certain savings in relation to engineering work of a minor character.

2.52 p.m.

Sir FRANK SANDERSON: I note that a considerable amount of extra money is required for the development of the automatic telephones throughout the country, and this may mean, I suppose, the necessity for reducing the staff in certain cases. I should like to know from my right hon. Friend if those who will be thrown out of work by the development of these automatic telephones will receive priority in service before any fresh men are taken on by the Department.

2.53 p.m.

Sir K. WOOD: I do not think that difficulty arises as a matter of fact, because when these exchanges are converted from manual to automatic, we are generally able at the Post Office, owing to the increase of telephone business generally and the very big organisation concerned, to make arrangements so far as the staff is concerned; but if there is any particular case which my hon. Friend has in mind, I will gladly look into it.

2.54 p.m.

Mr. HOLFORD KNIGHT: This very large sum includes an amount of £93,000 in respect of some arrangements relating to broadcasting licences, and there are two matters on which I should like to ask for information. In the City of Nottingham there are 94,000 licence holders, and I understand that some time ago the station was transferred from Nottingham to Birmingham. There is a general desire in the City of Nottingham that these broadcasting arrangements for the district should be retransferred to Nottingham, or, rather, that a station shuold be provided. Therefore, I want to ask my right hon. Friend, when he is dealing with matters relating to broadcasting licences, to bear in mind this desire of the city of Nottingham so that he can raise the matter in the right quarter, as he is allowed to do under the Charter. It would not be in order or convenient to deal with matters arising out of the Charter——

The TEMPORARY CHAIRMAN (Major Milner): It would not be in order to do that.

Mr. KNIGHT: I was saying that it would not be in order to deal with the Charter, but I think it would be in order to press my right hon. Friend that, as these arrangements are coming up for reconsideration, due preparation should be made for them. I think that that would be in order, since we are asked to grant £93,000 in respect of this service.

The TEMPORARY CHAIRMAN: I am afraid that I should have to rule any discussion of that subject also out of order.

Mr. KNIGHT: May I say with great respect that the difficulties experienced in this House in raising this matter are causing disquiet outside and are a matter of comment. This service reaches practically every house in the Kingdom; there are 9,000,000 licence holders, and yet we have difficulty in raising these matters in the House. I only want to press my right hon. Friend to undertake the consideration of the new arrangements which have to be contemplated so as to ensure that this service is conducted on the best lines.

2.56 p.m.

Dr. O'DONOVAN: With regard to the question of telephones, it is customary in cities for many businesses to have separate working centres, and, if those

[Dr. O'Donovan.]

centres can all be on one telephone exchange, it is a great convenience because the transference of calls between exchange and exchange is a matter of some technical difficulty. On the other hand, the rental of premises is often determined by their site, and firms have difficulty in choosing cheaper sites for extensions if such extensions are not easily linked up with the head office. May I ask whether it is the practice and policy of the Department to make the exchange areas as large as possible in London and other cities.

With regard to this £93,000 which we are voting for or remitting to the British Broadcasting Corporation, I take it that I would be in order in commenting on the extreme generosity of the Postmaster-General, since he has submitted to Parliament an annual report which tells us that that Corporation has gross receipts of £3,369,000. To add £93,000 this afternoon to those gross receipts is a great act of generosity which ought to be commented upon in these still hard times.

The report which the Postmaster-General has presented to Parliament, Cmd. Paper 4813, is apparently unsigned. Therefore, the contents, I suppose, are of no particular validity or interest to this Committee. Within this unsigned annual report is a general report bearing certain eminent gentlemen's names, but this anonymous paper does not carry us very far in helping us to discuss this Vote. If the point might be discussed under this heading, I would call attention to page 8 of the report, from which we are to understand that services in Welsh are broadcast on two Sunday mornings a month. The Education Vote in England is a tremendously expensive Vote, and a large amount is spent in the ancient universities in teaching Latin. Why Welsh has the special prerogative of a foreign language used in broadcasting religious services I cannot say.

The CHAIRMAN: That question cannot be referred to on this Vote.

Question put, and agreed to.

APPROVED SCHOOLS, ETC., SCOTLAND.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £1,250, be granted to His Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1935, for Grants in respect of the expenses of the Managers of Approved Schools and of the expenses of Education Authorities in Scotland in respect of children and young persons committed to their care."

3.1 p.m.

The UNDER-SECRETARY OF STATE for SCOTLAND (Mr. Skelton): The first item making up this Supplementary Vote is for £635, which is due to the restoration of the cut as from last July for teachers and other officers in these approved schools. The other item of £615 is due to an under estimation in the case of one approved school and the particular expenditure upon which the grant is based. The ordinary expenditure of the school was approved but was under estimated by several hundreds of pounds. The receipts were correctly calculated and there was a higher deficiency to be met.

Sir MURDOCH McKENZIE WOOD: Why is it necessary to put forward this Vote as a Supplementary Estimate?

Mr. SKELTON: The restoration of the cut did not come into force until July and the other item is due to a miscalculation in the Estimate of the expenditure on approved schools.

Question put, and agreed to.

CLASS II.

COLONIAL AND MIDDLE EASTERN SERVICES.

Motion made, and Question proposed,

"That a Supplementary sum, not exceeding £15,000, be granted to His Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1935, for sundry Colonial and Middle Eastern Services under His Majesty's Secretary of State for the Colonies, including certain Non-effective Services and Grants in Aid."

3.3 p.m.

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): This Estimate falls under three heads. The first is allowances for governors. We always estimate on the assumption that no unexpected retirements will take place, but unfortunately several governors had to retire on grounds of ill-health. That means that we have not only the expenses of a new governor going out, but the expenses of the retiring governor coming home. Then there is the further expense of the transfer of the best officer who can be found to fill the vacancy.

It actually means that we get eight or nine cases of expenditure where there would not be any expenditure in the ordinary course. All this expenditure is on the prescribed scale. Another item is for £5,500 for boundary commissions. Anyone who occupies this office knows how difficult it is to estimate the cost of a boundary commission. You do not know until you are on the spot exactly how long and detailed the work will be. In the first case where we underestimated, a great deal of extra work had to be done because it was found that data on which the Commission were working, which was collected in 1927, was inaccurate, and some of the work had to be done over again. In the case of the Ethiopian boundary, a German employed by the Ethiopians was unhappily murdered. It was discovered that he was their technical expert and that all his notes were in a shorthand which nobody could read. The best help which the British side of the commission could give inevitably involved doing a good deal of the work over again.

The extra sum in the case of British Guiana is, I regret to say, due to illness on our side, a number of members of the Commission becoming ill and having to be withdrawn. The extra amount for the Middle Eastern Services is entirely due to the delimitation of the frontier between Yemen and the Aden Protectorate, which has resulted from the very satisfactory mission which was undertaken by Sir Bernard Reilly. I need not go into the details, but those interested will remember that for many years it had been a cause of great dissatisfaction and difficulty that the frontier had not been properly delimited. Sir Bernard Reilly went on this special mission and he arrived at a complete agreement on which a Treaty has now been made, and I think I may say with confidence that the result of that is not only the establishment of thoroughly friendly relations between the Imam and the Aden Protectorate but a really satisfactory system obtaining through all the Protectorate. That is a most satisfactory conclusion and one which, I venture to say, is cheap at the price.

3.6 p.m.

Mr. LUNN: I appreciate the fact that the right hon. Gentleman is very explanatory in dealing with matters of this sort, but this Supplementary Estimate for passages is a very large one. He tells us that there have been quite a number of Governors who have had to travel which, I suppose, accounts for part of the cost, but I have noticed in all the newspapers during the last few days that there is to be a tour by the Chief of the Imperial General Staff——

Sir P. CUNLIFFE-LISTER: I am afraid that does not come into this Supplementary Estimate.

Mr. LUNN: I was only going to ask whether this tour which is to be undertaken by the Chief of the Imperial General Staff and, I suppose, many of his subordinates to the Near East is included in this £4,500. The large sum seemed to indicate that it included something out of the ordinary, though the right hon. Gentleman has explained some of the circumstances; but I was wondering whether this tour, about which so much has appeared in the newspapers, was accounting for this additional expenditure. With regard to the boundary commissions, we really ought to be told what is the length of life of these commissions. How long have they been in existence and how long are they to continue? We have three boundary commissions at work. How long will it be before they complete their work? I do not think that the work ought to be allowed to go on year after year; there ought to be an end of their labours at some time or another. Seeing that the British taxpayer has to find the money, it is important that the House should know when there is to be an end of the work and an end of the expenditure.

I may be out of order in raising this point, but seeing that the first boundary commission referred to is concerned with the boundary between Northern Rhodesia and the Congo I should like to ask the right hon. Gentleman whether he has information to give regarding what has happened to the wife of the Governor of Northern Rhodesia. It is a very tragic accident, and he may have more and better information than we have been able to obtain so far, and it would be as well if he could give it to the House, because it is a case which is occupying very much space in the newspapers just now and is a very tragic affair. I do not think there is anything more I have to

[Mr. Lunn.]
say, except that in the case of the Middle Eastern Services the contribution is to be made to India. I think the right hon. Gentleman will be able to tell us that this will not be a continuing grant, but that there is to be some other arrangement so that in this matter the contributions may be made, or it might be possible to explain why the contribution regarding the residency and the civic hospital has to be made to India.

3.10 p.m.

Sir P. CUNLIFFE-LISTER: I am most grateful to the hon. Member for Rothwell (Mr. Lunn) for his very sympathetic allusion to Sir Hubert Young in his great anxiety, and we shall let his Excellency know what the hon. Gentleman says, as I am sure it represents the feeling of everybody in this House for Sir Hubert for his gallant and efficient public service. I only heard of this situation last night, and the information which I have is the same as that which is in the newspapers. I telegraphed at once, and I received a telegram this morning to say that there was no further news and that no discovery has been made. If there is any information, I will gladly let the House have it on Monday. I say again that I am very grateful, as I am sure the Governor will be, for the very sympathetic reference to him in his present anxiety.

In regard to the Chief of the Imperial General Staff I can give the hon. Member a complete assurance that this Estimate only includes the Governors and officers of the Colonial Services. It is true that this is a big Estimate and it is quite right to ask for details. What has happened has been that four Governors have retired, and the result in every case has meant two more moves. You promote one governor, for instance, to the Straits, and the governor, one the rather senior governors appointed, needs his passage. It means also further passage money to the Governor who is appointed to succeed him. The result is that we have actually seven or eight different sets of passage allowances, although there are only four retirements.

As far as the boundary commissions are concerned, what the hon. Member said is rather true. Like old soldiers they never die, but sometimes they do fade away. These boundary commissions will have done pretty good work, and they are nearing the close of their labours. The one on the Congo frontier has, I think, practically finished. It was important to get the work completed in order that we might delimit part of the area, and the whole of data will be available if we can delimit further areas at a later stage. We have complete and accurate data available, and we want to get on with the work as soon as possible. The Ethiopia Commission is to complete its work this month or in April, and the other one, on British Guiana and Brazil, would have completed its operations earlier but for the outbreak of illness. As soon as the new staff get on the spot that also will be completed. As regards the question of Aden, I am afraid that is a rather wider issue than that dealt with in the Supplementary Estimate. My hon. Friend knows the proposals which are contained in the Government of India Bill in regard to it.

Question put, and agreed to.

ARMY SUPPLEMENTARY ESTIMATE, 1934.

Motion made, and Question proposed:

"That a Supplementary sum, not exceeding £250,000, be granted to His Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1935, to meet the additional charges to Army Votes consequent upon the restoration of half the emergency reductions in the remuneration of Ministers and Civil Servants (including the arrangements for consolidating the salaries of Civil Servants), and in the pay, half-pay, pensions, &c., of officers and other ranks of the Army, the despatch of British troops to the Saar, additional purchases of blankets, the completion of certain land purchases, and an *ex gratia* grant to the Government of Kenya, which were not provided for in the Estimates of the year.

3.15 p.m.

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Douglas Hacking): In asking the Committee for the sum of £250,000 in addition to that granted in the main Estimate of 1934, I hope I shall not have much difficulty in convincing hon. Members of the necessity for this extra payment. May I say at once that strict economy alone prevents this request from being a very much larger one? When I tell the Committee that the initial restoration of economy cuts in salaries, pay and pensions alone requires £439,000, it will be realised immediately

how economical we must have been in other directions when we only ask to-day for a total sum of £250,000. Of the items which have been read out from the Chair, there are only two that I need mention in any detail. The first is the sum involved in the despatch of troops to the Saar, and the second is the payment of £50,000 to the Government of Kenya.

With regard to the despatch of troops to the Saar, I need not at this stage enter into the reasons why the British contingent was despatched to the Saar, for they are matters of public knowledge, as is also the splendid manner in which the difficult and unusual duties of our troops were carried out, their behaviour being magnificent. The Saar Committee of the League of Nations adopted the principle that the cost of the various national contingents should be recovered from the Saar Plebiscite Commission, which possessed a fund contributed to on an equal basis by the French and German Governments. It was agreed that the cost should be the extra cost only, by which I mean the cost over and above the normal provisions made in the defence Budgets of the participating Powers. The British contingent was limited to 1,500 men. It will be seen from the Supplementary Estimate that the extra cash expenditure is £28,000. We hope to recover from the Plebiscite Commission a sum of £30,000. The balance of £2,000 represents non-cash expenditure, such as depreciation on mechanical vehicles and other charges of that kind.

I think I ought to mention, because it has a bearing on this Supplementary Estimate, the generosity of the French Government, who paid the cost of transporting our contingent across Northern France, both on its way to the Saar territory and also on its return journey after the completion of its task. In addition to that, all customs, dues and other formalities were remitted by the French Government, and the British troops were given generous hospitality during each journey across France, not only by the representatives of the French Government but also by the people of France themselves. For this generous treatment of our troops His Majesty's Government, and especially my noble Friend the Secretary of State for War, desire to express real appreciation.

The only other item that I need mention is the sum of £50,000 which represents an *ex gratiâ* payment to the Government of Kenya. The only reason why this item appears on the Army Estimates, which hon. Members might think curious, is because an approximately equivalent amount constitutes the unclaimed balances of pay due to the native carriers of the various military and labour corps enrolled for service in the East Africa campaign during the War. Every practicable step has been taken to trace these natives to whom the money was due, and, in fact, many settlements have actually been effected. But, after payment has been made in all authenticated cases, there still remains an unclaimed balance of £49,000. It has been decided that a round sum of £50,000 should be granted to the Governor of Kenya to help in carrying out the recommendations of the Kenya Land Commission, which involve considerable expenditure on behalf of various contributions for the purchase of land, the payment of compensaiton and other matters. If any details are required in connection with this sum of money the Secretary of State for the Colonies, who is responsible for this, will answer any questions that may be put to him. I think that concludes any necessary explanation in respect of this Supplementary Estimate that I need give at present. If there be anything that I have not made clear, or if any further explanation be required, I shall be happy in so far as I may be able to give any additional particulars.

3.22 p.m.

Mr. LANSBURY: Usually on an Army Estimate I expect, if I was free, I should stand up to oppose it anyhow, but on this occasion I wish to say a few words on the question of the Saar Force and to join with the hon. Gentleman in thanks to all those in France and Germany who gave such a generous welcome and hospitality to the British soldiers on their way out, while they were in the Saar and on their way home. I have had the opportunity of hearing from some of them, who are loud in their praises and gratitude to all with whom they came in contact both on their journey and during the carrying out of their very difficult duties. If ever soldiers are used, it seems to me that this is a very splendid example of how a mixed force could be used in an intelligible way to preserve

[Mr. Lansbury.]

law, order and peace. It is often said how impossible it is to get a mixed force under one control and although each division, I suppose, was under its own commanders, the force as a whole must have acted in unison and on a concerted plan. It is a fine example of international action for the preservation of peace, and it is one which, I think, gives point to those who desire an international police force generally. As one who is bitterly opposed to armed forces generally, I think the conduct of those who had charge of the men, and of the men themselves, was simply splendid. Very few people when they went out expected that they would be able to carry out this very difficult duty in the magnificent way that they did. I am speaking on behalf of my friends who are not here, but, if they were here, they would unanimously join in what the Minister said in expressing our gratitude both to our friends in France and Germany and also certainly to the men and officers concerned.

3.25 p.m.

Sir R. HAMILTON: May I equally on behalf of my hon. and right hon. Friends who are not here endorse what the right hon. Gentleman has said about the admirable conduct of our troops of the Saar Force, and the full and whole-hearted way in which the difficult work they had to do was carried out from start to finish. The point to which I desire particularly to call attention in these Estimates is that of the grant of £50,000 to Kenya, which, as the right hon. Gentleman who introduced the Estimate said, might not be expected to be found in the Army Vote, but for the peculiar circumstances attaching to it. It is a grant from the Army Vote to the Colonial Office Vote for a very special service. The Under-Secretary said in a very few quiet words that it was decided that this grant should be made. To anyone who has had no inkling of this, it is a very interesting statement, and I want to take this opportunity of heartily congratulating the Secretary of State for the Colonies in having been successful in securing this money as the result of a somewhat strenuous fight. I am sorry that the money was not handed over a long time ago. It is rather a disgrace to this country that money which was ascertained to be due as an unpaid balance to native carriers who served us in the War should have been retained for all these years. The War was over in 1920, and it is not until 1935, that this money is being handed over. However, that is past history now, and we have got the money. The point to which I wish to direct attention is the way in which it is proposed that the money should be expended. The Morris Carter Report, in that portion which deals with the financial aspect of their recommendations, says, in paragraph 2041, that their

> " recommendations, if carried into effect, will involve considerable expenditure under a number of heads "—

such as the purchase of alienated land, compensation to natives in respect of their rights under Section 86 of the Crown Lands Ordinance, and a number of other similar directions, which are set out in detail. As regards the expenditure which is to be incurred, they point out, in paragraph 2044, that, without attaching blame to the Government for what has been done with regard to the alienation of lands, undoubtedly the responsibility rests upon the Imperial Government for putting matters right. Their suggestion is that they

> " trust that their view of the matter will be given full weight and that the Imperial Government will insist in the provision of the funds necessary to implement these particular recommendations."

Then they go on, in paragraph 2047, to another matter of the necessity that exists for improving the native reserves. They say:

> " We have throughout our Report laid stress on the necessity for the proper utilisation of land in the native reserves, and have made recommendations with regard to the need of the improvement of water supplies, fencing, combating of soil erosion, and other such matters. And we consider that much of the early expenditure could be properly met by the allocation to these purposes of the sum of nearly £50,000 which is owing by the Imperial Exchequer in respect of unclaimed balances of pay due to native carriers of the Military Labour Corps."

They recommend that this particular sum of £50,000—having failed to trace the relatives of those who died and to whom it belongs—should be expended in improving the native reserves in the way that I have read out. To show how their view is shared by all parties in Kenya, they say in paragraphs 2062-3:

> " The tribes of Kenya have suffered a grievous loss of men, and it would be but

bare justice that they should receive the money these men have earned in obedience to their chiefs.

"The subject is one on which all sections of the community in Kenya are agreed, whether they be the Government, settlers, missionaries, officials, Indians or natives, who all alike feel that a grave injustice would be done if this claim were not fully met."

When the report was published, a White Paper was issued by the Government, the last sentence of which I will quote:

"His Majesty's Government are anxious to remove any sense of grievance at a time when they are endeavouring to resolve a number of problems which have been a cause of vexation in connection with the land and the natives of the Colony. Accordingly, they have decided to ask Parliament to make an *ex-gratia* grant of £50,000 to the Government of Kenya to be devoted to carrying out the recommendations of the Commission."

The wording of the White Paper gives rise to a little apprehension as to what was in the Secretary of State's mind, when he said: "the recommendations of the Commission." The Commission made two recommendations, one, that the major cost should be met out of the Imperial Treasury, and the other that the improvement of the native reserves should be met by an application of this £50,000. In order to clear up this point, a question was put by the hon. Member for Rothwell (Mr. Lunn), and the reply which was given by the Secretary of State for the Colonies, from which I quote the last sentences was as follows:

"The total cost of carrying out the Commission's recommendation is impossible to estimate at present, but it will undoubtedly be in excess of £50,000. There can therefore, be no surplus available for any purpose."

There, again, the matter has been left in considerable doubt, and I have raised the question this afternoon in order to give the Secretary of State an opportunity of clearing up what I feel is a misapprehension, whether this £50,000, representing the balance due to the carriers who died in our service is to be applied in paying for previous mistakes of our Government in Kenya and for the expenses of the Commission itself, or whether it is to be applied, as the Commission recommended, for the improvement of the native reserves.

3.34 p.m.

Sir P. CUNLIFFE-LISTER: I am obliged to the hon. Member for raising this matter. I do not want to go over again the old secular controversies that have raged in regard to it. I think we may all be reasonably satisfied that the contentions, strongly held, have been compromised by a willingness that we should make this gift of £50,000 towards the cost of implementing the recommendations of the Commission. As my hon. Friend has truly said, for a very long time, certainly for many years, civil war has raged in the Departments over this matter, and the Colonial Office have always been beaten. On this occasion I am not claiming a victory for myself, the fact is that the whole Government felt that a new situation had arisen.

The commission made recommendations which involved considerable expenditure in Kenya in making these great additions to the reserves and in compensation to the natives. It was a result for which we were all responsible. The government of Kenya acted with the approval of the government here and, therefore, it was felt that we ought to make some contribution towards this great social endeavour. We now ask that £50,000 should be spent in carrying out the recommendations of the commission, and I will tell the hon. Member exactly how it is proposed to spend the money. I have received from the Governor definite proposals as to how he proposes to spend this £50,000. Between £17,000 and £18,000 will be spent actually on land purchase for additions to the reserve. That carries out the recommendations of the commission as regards particular additions. Then a sum of £14,000 will be spent in compensations in a number of different cases, also entirely in accordance with the recommendations of the commission; where a particular tribe or persons settled in an area have acquired compensation. There is a special item of compensation a little different in character, in connection with land which the commission held was wrongly alienated by the Act of 1912. There is also further compensation to be paid in connection with other land.

The government are also asking that they should be allowed to spend £4,000 or £5,000 in the payment of surveyors. The commission thought that it probably would not be necessary to have surveyors for the delimitation of the frontiers and that the district officers might be able to

[Sir P. Cunliffe-Lister.]
do the work. I think it will be agreed that when you are making boundaries once and for all it is important to get them accurate, and that it is not enough to have a hard pressed district officer going round in a general sort of way marking the boundary. The Governor has considered this very carefully with his advisers and has decided that it is necessary to employ experienced surveyors to do the detail work, and I have authorised that this expenditure should be included. Then there is the cost of the commission itself, which gave its services very generously and very fully. It incurred a large expenditure in the many months during which it sat. It came to £7,000 altogether. It is proposed that this should be discharged. The whole amounts up to £48,000 leaving a couple of thousand pounds over for other purposes. The £50,000 will not, of course, cover the cost of everything that has to be done but it is a material contribution. It covers the whole and more than the whole capital cost which will be incurred, and I hope it will be taken in Kenya and accepted here as a reasonable contribution by this House towards an endeavour which we all equally want to see carried through.

3.40 p.m.

Sir R. HAMILTON: While thanking the right hon. Gentleman for the explanation he has given—and I shall be very glad to have the details—I should like at once to say that I rather take objection to the cost of the Commission being placed on this Fund, which is a trust fund on behalf of certain persons. The Commission is a matter for the Government, and I do not think the cost could very well be placed on the fund without giving rise to serious feeling. As regards the other matters, I should like to look at them more in detail, but it does occur to me that when the Government have incurred costs for putting right mistakes which have been made, it is, to my mind at least, hardly fair that the cost should be put upon a fund which has been recovered definitely for the benefit of certain persons.

3.42 p.m.

Sir P. CUNLIFFE-LISTER: I do not think that I am entitled to say, speaking for the whole Government, that this can be treated as a sum which has been recovered for the benefit of certain persons. It has always been the the contention of the Colonial Office that these people have a claim, or, at any rate, there was a claim. My hon. Friend knows, from the time when we were associated together, that that claim was most strenuously resisted. I present it is as a voluntary offer made, at the instance of the Government, by this House to contribute towards the cost of the proposals in the Land Commission Report, and that is the only way I am authorised, speaking for the whole Government, to present it. Therefore, it is rather a different position from that which my hon. Friend seeks to take up. With regard to the cost of the Commission, if he looks at the appendix, he will see that that is one of the items included in Appendix 13. I do not think it matters very much how precisely the Government apportion this £50,000 grant. It is the policy of the Government of Kenya, as of the Government here, to carry out these recommendations, but that would cost more than £50,000. There is going to be an annual cost in connection with it. There will probably be developments in respect of the problem of overstocking. It is the considered policy of His Majesty's Government that this recommendation should be carried out. I give this undertaking to the Committee that the fact that we are contributing this £50,000 will not be used in Kenya to whittle down any of the recommendations in the Report.

3.44 p.m.

Mr. HARCOURT JOHNSTONE: This sum was granted by the Colonial Office for the benefit of the native population, and surely it should be treated as additional to what the Government are going to carry out in Kenya.

Sir P. CUNLIFFE-LISTER: The hon. Member has absolutely misconceived the form in which this is treated. I should never had got it on any other basis except the basis that the British Government should make a contribution for carrying out the recommendations of the Morris Carter Report. I do not want on this matter to fight the old civil war in which every Government has been engaged ever since 1921. To-day I am glad to say that the Government in Great Britain have agreed, without prejudice,

to ask this House for £50,000 for carrying out the recommendations.

Question put, and agreed to.

Resolutions to be reported upon Monday next; Committee to sit again upon Monday next.

POST OFFICE AND TELEGRAPH (MONEY) BILL.

Considered in Committee.

[Sir DENNIS HERBERT in the Chair.]

CLAUSE 1.—(*Grant for Development of postal, telegraphic and telephonic systems.*)

Motion made, and Question proposed, "That the Clause stand part of the Bill."

3.49 p.m.

Mr. LAWSON: We recognise that this is a very important Bill, and in the ordinary course we would have liked to have had some time for dealing with it. My hon. Friend the Member for Limehouse (Mr. Attlee) spoke at some length on the Second Reading. The first Clause contains practically the heart of the Bill. I want to say briefly now what my hon. Friend said on the Second Reading, that we support the Bill and wish the Postmaster-General well in this great Socialist effort of his. The Bill is for the purpose of the development of the postal, telegraph and telephone systems and it gives power to raise something like £34,000,000. As I say, we wish the Postmaster-General well in this effort, which, I am sure will add to his public stature and his general credit. At the same time I feel sure that, whatever it adds to his public stature, it will be an embarrassing factor to him as far as his own political views are concerned.

The POSTMASTER-GENERAL (Sir Kingsley Wood): I would only remark in reply to the hon. Gentleman that if he will refer to his hon. Friend the Member for Limehouse (Mr. Attlee) I think his hon. Friend will tell him that the Post Office is an example of State capitalism and nothing else.

3.51 p.m.

Mr. LANSBURY: We certainly do not regard it in that way. We regard the development of the Post Office as a part of the evolution of things, by which we shall travel from competitive commercialism to State Socialism and finally to proper Socialism. I am sorry that the right hon. Gentleman the Member for Carnarvon Boroughs (Mr. Lloyd George) is not here to congratulate the right hon. Gentleman the Postmaster-General but I want to congratulate all who are interested in public works on the fact that here we are providing an example of the means whereby money can be raised for such purposes. It is often said to us, "Where are you going to get the money?" Here is a case in which a sum of £34,000,000 is going to come along without any difficulty or trouble. The industry in which it is going to be invested will carry the charges and pay it off exactly as if it were a big private monopolist company. Therefore, do not let us have any more nonsense in the future about not being able to find the money. You can find it when you have the will to find it and are determined that it shall be found. I join with my hon. Friend in hearty congratulations to the Minister, and I hope that as he carries out his private duties as minister of propaganda for the Tory party, he will explain to his supporters just as he has explained to us that a State business can be carried on without anybody outside making any money out of it.

Sir WILLIAM DAVISON: Does the right hon. Gentleman not recognise that the reason for the recent success of the Post Office is the fact that it has been run in the same way as a private business and not as a Government monopoly?

Question put, and agreed to.

Clause 2 (*Short title*) ordered to stand part of the Bill.

Bill reported without Amendment.

To be read the Third time upon Monday next.

NATIONAL GALLERY (OVERSEAS LOANS) BILL [*Lords*].

Bill read a Second time, and committed to a Standing Committee.

SUPPLY: REPORT [15th February].

CLASS III.

CIVIL ESTIMATES, SUPPLEMENTARY ESTIMATES, 1934.

Resolution reported,

"That a Supplementary sum, not exceeding £12,000, be granted to His Majesty, to defray the charge which will come in course

of payment during the year ending on the 31st day of March 1935, for Grants in respect of the expenses of the Managers of Approved Schools in England and Wales; the expenses of Local Authorities in respect of children and young persons committed to their care; and the expenses of the Councils of Counties and County Boroughs in respect of Remand Homes."

Resolution agreed to.

METROPOLITAN POLICE (BORROWING POWERS) BILL.

Not amended (*in the Standing Committee*), considered; read the Third time, and passed.

SUNDAY ENTERTAINMENTS ACT, 1932.

Resolved,

"That the Order made by the Secretary of State under the Sunday Entertainments Act, 1932, for extending section one of that Act to the urban district of Harrow, which was presented on the 25th day of February 1935, be approved."

Resolved,

"That the Order made by the Secretary of State under the Sunday Entertainments Act, 1932, for extending section one of that Act to the urban district of Farnham, which was presented on the 25th day of February 1935, be approved."—[*Sir J. Gilmour.*]

The remaining Orders were read, and postponed.

Whereupon Mr. SPEAKER *adjourned the House without Question put, pursuant to Standing Order No.* 2.

Adjourned at Four Minutes before Four o'Clock until Monday next, 4th March.

HOUSE OF COMMONS.

Tuesday, 5th March, 1935.

[**OFFICIAL REPORT.**]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

Private Bills (Standing Orders not previously inquired into 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 following Bill, referred on the Second Reading thereof, the Standing Orders not previously inquired into, which are applicable thereto, have been complied with, namely:

Great Western Railway Bill.

Bill committed.

Private Bill Petitions (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 the following Bill, the Standing Orders have not been complied with, namely:

Sunderland Corporation.

Report referred to the Select Committee on Standing Orders.

ORAL ANSWERS TO QUESTIONS.

UNEMPLOYMENT.

SHIPPING INDUSTRY (PAINTING).

1. **Mr. McENTEE** asked the President of the Board of Trade whether he is aware that the Peninsular and Oriental Steam Navigation Company are making a practice of having their vessels painted abroad by foreign labour while large numbers of ship painters in the London shipping area are unemployed; and whether he will make representations to the company as to the desirability of having this work done at home?

The PRESIDENT of the BOARD of TRADE (Mr. Runciman): I am informed that most of the painting of the Peninsular and Oriental Steam Navigation Company's ships is done in London and only a very small proportion at ports abroad.

Mr. McENTEE: Is the right hon. Gentleman aware that at least four ships in the last year or two have put the paint on board in London and had the painting done in China?

Mr. RUNCIMAN: No, Sir, I was not aware of that fact; I have given the information as it reached me.

SEASONAL WORKERS.

34. **Colonel BALDWIN-WEBB** asked the Minister of Labour whether his attention has been drawn to the unusual circumstances which prevail in respect of the claims to benefit of certain insured workers who have recently been employed in the Wrekin area in Shropshire who, during the season, work at the beet factory and who, during the remainder of the year, seek such other industrial work as may be available; and whether he is in a position to make a statement upon the matter?

The MINISTER of LABOUR (Mr. Oliver Stanley): I am aware that certain workers in beet factories are found to be seasonal workers within the meaning of the seasonal workers regulation. The question of the working of this regulation will be considered by the Unemployment Insurance Statutory Committee as soon as it is practicable for them to do so.

Colonel BALDWIN-WEBB: Will my right hon. Friend assure the House that immediate steps will be taken to ensure that these men are not worse off than those men who have not taken this kind of work?

Mr. BUCHANAN: Is the right hon. Gentleman aware of the severe penalty placed upon this kind of workman and of the urgency of the matter? Will he take steps to see, in regard to these persons whose only resource is the Poor Law—not even transitional benefit—that something will be done to relieve these and similar kinds of cases.

Mr. STANLEY: As the hon. Member knows, there is a statutory obligation on me under the 1934 Act to obtain the

[Mr. Stanley.]
advice of the statutory committee when any Amendment is made in the regulations, and I am adopting this particular method of getting their advice.

Mr. BUCHANAN: Is the right hon. Gentleman aware that a committee was set up under the Anomalies Act which deprived these people of help and has he not the power at least to try and see whether he cannot now so ease the position as to allow these poor people some way of benefiting?

Mr. STANLEY: I will certainly consider any possibility included in my statutory power, but before there is any amendment of the regulations those Amendments have to be submitted to this advisory committee.

Colonel BALDWIN-WEBB: May I ask my right hon. Friend whether, in his discretion, he cannot make arrangements whereby the men who do this work and have done this work are not in a worse position than those men who have not done this work but are otherwise in similar circumstances?

Mr. STANLEY: My hon. Friend knows that I have no discretion in the interpretation of these regulations, but, as I have said, I have taken the earliest practical step to have any anomalies created by the regulations inquired into, and, if necessary, remedied.

SPECIAL AREAS (SCHEMES).

35. **Miss WARD** asked the Minister of Labour how much of the £2,000,000 allocated to 31st March for expenditure in the distressed areas has in fact been definitely sanctioned?

Mr. STANLEY: Schemes involving expenditure of approximately £600,000 by the Commissioner for England and Wales have already been approved, subject in some instances to settlement of all the details, and other schemes which would entail a large increase on this expenditure are under active consideration. As regards schemes in Scotland perhaps my hon. Friend will address a question to my right hon. Friend the Secretary of State for Scotland.

Miss WARD: May I ask whether the right hon. Gentleman will consider keeping the House informed as to the extent of the schemes authorised, so that the House and the country may realise that the Government are serious in their desire to help forward schemes in special areas?

Mr. STANLEY: I have no doubt that many occasions will arise when this fact can be mentioned in debate. Indeed, these schemes were mentioned in the Debate yesterday.

AGRICULTURAL WORKERS.

36. **Mr. RHYS DAVIES** asked the Minister of Labour whether, in the proposed Bill to extend unemployment insurance to agricultural workers, private gardeners are to be included or excluded; and whether he will state the reasons for the decision?

Mr. STANLEY: I cannot at present add anything to the reply which I gave to the hon. and gallant Member for the Isle of Wight (Captain P. Macdonald) on the 7th February, a copy of which I am sending to the hon. Member.

Mr. DAVIES: May I ask whether the right hon. Gentleman will be able, at a given date, say, three weeks or a month hence, to give us more information on this important subject?

Mr. STANLEY: I shall be able at a given date, but I cannot give the date to-day.

UNEMPLOYMENT ASSISTANCE.

48. **Miss WARD** asked the Chancellor of the Exchequer whether, in view of the fact that no estimate is available for the cost to local authorities of public assistance from 1st October to 31st March to those persons who will come under Part II of the Unemployment Insurance Act on the appointed day, he will state on what basis he is negotiating a settlement with the representatives of the English local authorities?

The CHANCELLOR of the EXCHEQUER (Mr. Neville Chamberlain): The basis of the settlement which has now been reached with local authorities in England and Wales as well as in Scotland is that they shall be placed, as nearly as can be ascertained, in the same position financially as they would have occupied had the date of the appointed day remained fixed at the 1st March.

Miss WARD: In view of the fact that no figures were available on Thursday

last when valuable concessions were granted to local authorities, may I ask whether the Chancellor of the Exchequer is usually in the habit of granting concessions without having the necessary information as to the cost to the Treasury?

51. **Mr. LOGAN** asked the Chancellor of the Exchequer whether, when negotiating with representatives of associations of English local authorities the financial assistance to be given to such authorities by reason of the postponement of the second appointed day, under the Unemployment Act, 1934, he will keep in mind such authorities as the county borough of Bootle where it will be necessary to levy a rate in respect of public assistance equal to 61.15 per cent. of the total rate, as compared with a rate equal to 55.83 per cent. of the total rate had the second appointed day not been cancelled; and whether, in order to assist such authorities when budgeting for the coming financial year, he will indicate the probable date when he will announce the extent of such financial assistance and the date to be fixed as the second appointed day?

Mr. CHAMBERLAIN: As the hon. Member is no doubt aware, a settlement has now been reached after full discussion with representatives of the associations of local authorities and the difficulty of budgeting to which he refers has presumably disappeared. I am not yet in a position to say when the second appointed day will be. I am unable to identify the particular figures he quotes as regards Bootle but perhaps I may comment that he appears to have compared the gross public assistance rate with the net total rate, i.e. he has taken no account of the substantial block grant which Bootle receives from the Exchequer in a form available as general revenue, and therefore operating to meet expenditure of all kinds.

Mr. LOGAN: Is the right hon. Member not aware that these particular figures have been supplied to me by the town clerk of the municipality of Bootle.

Mr. CHAMBERLAIN: Yes, and I was only pointing out that there are other figures which have to be taken into account.

Mr. CLEARY: Will the right hon. Gentleman indicate when he will be able to make a statement with regard to the second appointed day.

HEALTH INSURANCE BENEFITS.

58. **Mr. GEORGE GRIFFITHS** asked the Minister of Health whether he is aware that, because unemployed persons are now not in medical benefit with approved societies because of the 1932 Health Insurance Act, they have to pay 9d. per week to their club doctor, whereas when they were employed and in benefit they had only to pay 5d. per week for their families; and will he consider the question of restoring medical benefits?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): As regards the first part of the question, my right hon. Friend took note of the information given by the hon. Member in his speech in Committee of Supply on Friday last, but the terms on which medical attention is to be provided by private practitioners to persons who are not entitled to medical benefit under the scheme of National Health Insurance is a matter beyond my right hon. Friend's competence. In reply to the latter part of the question the position under the schemes of health insurance and contributory pensions of persons who have suffered from prolonged unemployment will be considered in the light of the first report of the Government Actuary on the financial operation of the Contributory Pensions Acts.

Mr. LOGAN: Is it the intention that the Acts should operate so as to enable these people to get benefits?

Mr. SHAKESPEARE: Of course, that will be considered.

Mr. RHYS DAVIES: In view of the very great distress which is being caused to people who are suffering from prolonged unemployment and who have fallen out of the contributory pensions scheme, can the hon. Gentleman let us know when the report of the actuary is expected to be available?

Mr. SHAKESPEARE: The report will naturally go to the Treasury. Perhaps the hon. Gentleman will put a question down to that Department.

TRADE AND COMMERCE.

BRAZIL.

3. **Sir CHARLES CAYZER** asked the President of the Board of Trade whether in view of three defaults within 30 years on British pre-war loans to Brazilian public authorities, followed by the unacceptable unilateral 1934 arrangement imposed upon British investors by the Brazilian Government and the exchange restrictions upon payments for British exports to Brazil, he will inform the Brazilian Financial Mission that these experiences discourage the extension of British trade arrangements with Brazil?

Mr. RUNCIMAN: I can assure my hon. Friend that these facts are not being overlooked in the discussions which are proceeding with the Brazilian Financial Mission now in London.

FLAGS AND EMBLEMS (IMPORTS).

4. **Major PROCTER** asked the President of the Board of Trade whether he is aware that British flags and patriotic emblems of foreign make are being imported into this country for sale in connection with the celebration of His Majesty's Silver Jubilee; and whether he will take steps either to prohibit such importation or to ensure that foreign articles of this description are compulsorily marked with the country of origin?

Mr. RUNCIMAN: There is no power to prohibit the import of British flags and emblems. Many classes of imported goods are, however, required to bear an indication of origin by virtue of the provisions of the Merchandise Marks Act or orders-in-council made thereunder, and one of these Orders requires imported flags to bear as from 1st March an indication of origin on sale or exposure for sale within the United Kingdom.

Major PROCTER: Will the right hon. Gentleman see that these imports are conspicuously marked with the name of the country of origin?

Mr. RUNCIMAN: They have to be marked in accordance with the provisions of the Merchandise Marks Act.

ITALY (IMPORT RESTRICTIONS).

5. **Mr. ISAAC FOOT** asked the President of the Board of Trade whether he can now give any information as to the result of the representations made to the Italian Government in respect of the quota restriction on the import of British-caught pilchards?

Mr. RUNCIMAN: I have nothing at present to add to the reply which was given to my hon. Friend on this subject on 27th February, but the whole matter of the new import restrictions is being actively pursued with the Italian Government, and a further statement will be made as soon as possible.

Mr. FOOT: Has the attention of the right hon. Gentleman been called to a statement that the Ministry of Finance in Italy have relaxed the quota upon importations from some seven or eight countries, restoring it to 100 per cent.; and is not such action discrimination if the quota is maintained against our imports?

Mr. RUNCIMAN: I am inquiring into these facts at the present time. If there is discrimination against this country we shall, of course, have to take action steps?

Viscountess ASTOR: Will the right hon. Gentleman, now that the Abyssinian question has been pretty well settled, make a private and personal appeal to the Italian Government to make up the leeway that has occurred as regards pilchards, which so much affect the West Country?

Mr. MANDER: Is it not a fact that for the last three years there has been almost an equal balance of trade between this country and Italy; and will the right hon. Gentleman make representations on that ground?

Mr. RUNCIMAN: Yes, Sir, I believe that that is the fact. With regard to pilchards, these, of course, are one of the commodities imported into Italy which are now under restriction. We are taking up that question actively with the Italian Government.

FRANCE (BRITISH SHELLFISH IMPORTS).

6. **Mr. ISAAC FOOT** asked the President of the Board of Trade whether he has any information with regard to the complaint that Norwegian-caught shellfish have been included within the quantity of shellfish imported into France under the existing quota system; and whether steps will be taken to ensure that the quantity allowed under the quota shall consist only of shellfish caught by British fishermen?

Mr. RUNCIMAN: The complaint to which, I assume, my hon. Friend is referring, was brought to the notice of the French authorities, who then discovered that certain consignments of foreign crustacea had been wrongly declared as of United Kingdom origin. The United Kingdom quota was adjusted accordingly. At the same time the French Government instituted a requirement that all crustacea imported into France must be accompanied by certificates of origin issued by the Customs in the country of origin.

7. **Mr. FOOT** asked the President of the Board of Trade whether any representations have been made to the French Government in respect of the quota restrictions imposed on the imports of British-caught shellfish; and whether the exhaustion of the quota for the current year involves the prohibition of such imports up to June of this year?

Mr. RUNCIMAN: The reply to the first part of the question is in the affirmative. As regards the second part, the French Government state that the excess of imports from the United Kingdom in 1934 over the quotas allotted was such that imports into France of fresh crustacea from the United Kingdom cannot be permitted before the 11th June next.

BACON AND HAM (IMPORTS).

9. **Mr. LEONARD** asked the President of the Board of Trade whether he will give detailed particulars of the restrictions now plaecd upon imports into this country of bacon and ham, in respect of each individual country, showing the reductions in the quota in the case of each country?

Mr. RUNCIMAN: A statement of the quantities of bacon (as defined in the Bacon (Import Regulation) Order, 1934) to be imported from each of the main foreign exporting countries during the period January to April, 1935, was published in the Board of Trade Journal of 3rd January, a copy of which I am sending the hon. Member. The basic allocation shown represents a total reduction of 3.8 per cent. as compared with the period August to December, 1934. In the case of Denmark, to which country certain arrears were due, the reduction amounts to 2 per cent.; in the case of the other countries shown it amounts to 8.3 per cent

RUSSIAN TIMBER.

10. **Sir WILLIAM DAVISON** asked the President of the Board of Trade whether he is now in a position to give particulars to the House of the communication which he received from the Canadian Government with reference to the importation into Great Britain of Russian timber under a fall clause; and what action the British Government is taking thereon, having regard to the terms of Article 21 of the Ottawa Agreement?

11. **Captain PETER MACDONALD** asked the President of the Board of Trade whether he is now in a position to state what is the attitude of the Government with regard to the agreement entered into between Timber Distributors, Limited, and the Soviet Government for 400,000 standards of timber and the fall clause in that agreement?

Mr. RUNCIMAN: I would refer my hon. Friends to the reply I gave to the hon. Members for Maidstone (Mr. Bossom), Kensington, South (Sir W. Davison) and Wycombe (Sir A. Knox) on 26th February.

Sir W. DAVISON: Can the right hon. Gentleman say when he will be in a position to make a statement to the House, so that Canadian importers may know what their position is in the matter? Does he realise that it is a matter of very great urgency?

Mr. T. SMITH: Has the right hon. Gentleman any information with regard to the difference in price between Canadian timber sold in this country and this other timber?

Mr. RUNCIMAN: No, Sir; I do not think that that has any direct bearing on the question on the Paper. With regard to the supplementary question of my hon. Friend the Member for South Kensington (Sir W. Davison), I would point out to him that the contract runs for only a year. If it were modified, the quantities already imported could, if necessary, be taken into account. In any case the importing season has not yet begun.

Captain MACDONALD: Surely there was a simple and straightforward issue

[Captain Macdonald.]
last year. The right hon. Gentleman has had it before him now for a fortnight or so, and surely he can come to a decision?

Mr. RUNCIMAN: I am afraid I cannot quite agree with my hon. and gallant Friend that it is a simple issue; it is a matter for negotiation.

Sir W. DAVISON: When can I put down another question on the matter?

INDIA (LAC INDUSTRY).

37. **Mr MANDER** asked the Secretary of State for India whether he has any statement to make with reference to the recent attempted corner in shellac as affecting the Indian lac industry; and whether any action is proposed to prevent in future the disturbance caused by gambling and speculation on the London produce market to this important Indian industry?

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): I am asking the Government of India for a report as to the effects on the Indian industry. As regards the second part of the question, I have nothing to add to the replies given on behalf of the Board of Trade and Treasury to recent questions of a similar nature.

AUSTRALIA (BRITISH CATALOGUES).

25. **Mr. BOULTON** asked the Secretary of State for Dominion Affairs whether he is aware that trade catalogues and show-cards sent by manufacturers from this country to the Commonwealth of Australia have to bear heavy taxation; and what action he proposes to take with a view to removing this barrier to the mutual trade relations between the two countries?

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): I have recently been in communication with His Majesty's Government in the Commonwealth of Australia in regard to this matter, and I understand that in December last the Commonwealth Government made provision for the admission free of Customs duty of trade catalogues and price lists, not advertising the sale of goods by a person, firm or company in Australia, if imported in single copies addressed to merchants, up to a limit of one copy each branch. The wider question referred to by my hon. Friend will continue to be borne in mind for such action as is possible.

BRITISH ARMY.

RECRUITING.

12. **Captain P. MACDONALD** asked the Financial Secretary to the War Office how many of the 10,000 recruits needed during the first quarter of this year have been obtained up to date; and whether he is satisfied that the reorganisation of the recruiting arrangements has now effectually overcome the difficulties experienced during recent years?

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Douglas Hacking): Of 9,800 recruits required during the first quarter of this year, 6,010 were obtained up to 23rd February. This is an increase over the corresponding period last year and is undoubtedly due to the benefit derived from the reorganisation of the recruiting services. I do not, however, suggest that the flow of recruits is entirely satisfactory as yet.

Mr. MAXTON: I think the right hon. Gentleman said that he has obtained 6,000 recruits. Has he got figures showing how many men offered themselves?

Mr. HACKING: I must have notice of that question.

TERRITORIAL AIR DEFENCE UNITS.

13. **Mr. EVERARD** asked the Financial Secretary to the War Office whether any closer co-operation is being considered between the Territorial Air Defence Units (Searchlights) and the Royal Air Force?

Mr. HACKING: For operations, whether in peace or war, the Air Defence Formations of the Territorial Army are under the orders of the Air Officer Commanding-in-Chief, Air Defences of Great Britain. Their training is carried out in co-operation with the Royal Air Force. These arrangements ensure the most complete touch between all concerned.

TERRITORIAL ARMY (RECRUITING).

14. **Mr. EVERARD** asked the Financial Secretary to the War Office what steps he is proposing to take to improve recruiting for the Territorial Force?

Mr. HACKING: Recruiting for the Territorial Army is in the hands of the county associations, and I know that they are taking all possible steps to improve the position. The matter has also been engaging the close attention of the authorities at the War Office for some time, and I hope, when presenting Army Estimates, to make certain proposals that should be of assistance.

ROYAL DEFENCE CORPS.

17. **Major WATT** asked the Financial Secretary to the War Office what progress has been made with the formation of the Royal Defence Corps; and how many men were recruited up to the 1st January of this year?

Mr. HACKING: Figures for 1st January are not yet available, but the strength of the corps on 31st October last was 84 officers and 1,042 men out of a total establishment of 192 officers and 1,177 men.

HIS MAJESTY'S SILVER JUBILEE (CELEBRATIONS).

15. **Mr. STOURTON** asked the Financial Secretary to the War Office whether he can now make a further statement as to the participation of the Territorial Forces in the Jubilee celebration?

16. **Major WATT** asked the Financial Secretary to the War Office whether he is now in a position to state the part that the Territorial Army will be called upon to take in the forthcoming Jubilee celebration?

Mr. HACKING: So far as the main celebration in London is concerned, it has been decided that the Honourable Artillery Company should provide a guard of honour at St. Paul's Cathedral on the occasion of the Thanksgiving Service. Other units of the Territorial Army in London will have the opportunity of lining the route to and from St. Paul's Cathedral. In Cardiff and Edinburgh similarly, units of the Territorial Army will line the streets when His Royal Highness The Prince of Wales and His Royal Highness The Duke of York respectively represent His Majesty at these places. In the local celebrations elsewhere General Officers Commanding-in-Chief will collaborate with the Lord Lieutenants of the counties so that Territorial Army troops may take part in celebrations in proximity to the places where they normally drill. All Territorial Army troops parading for the celebrations on the 6th May, or on the 11th May in the case of Cardiff and Edinburgh, will receive pay and ration allowance for that day.

Brigadier-General NATION: Could my right hon. Friend say whether any decision has yet been arrived at with regard to cadet units?

Mr. HACKING: No, Sir; no decision has been reached yet. I hope to be in a position to say something about that matter shortly.

38. **Mr. MANDER** asked the Secretary of State for the Home Department whether he will give particulars of those parts of the Jubilee celebrations in which the civil element will be emphasised?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): I would refer the hon. Member to the official programme published on the 12th February.

SCOTLAND.

EDUCATION (MILK SUPPLY SCHEME).

18. **Mr. GUY** asked the Secretary of State for Scotland whether he can state the number of local authorities which have not yet put into operation a scheme for the supply of milk in schools?

The UNDER-SECRETARY of STATE for SCOTLAND (Mr. Skelton): The number of education authorities not yet operating arrangements under the Milk Act for the supply of milk in schools is 19. Of these, seven expect to be able to institute arrangements either during the present month or immediately after the Easter vacation. Of the remainder, there are three areas, namely, Aberdeenshire, Aberdeen City and Kincardine, where the local milk marketing board up to the present has not agreed to carry out the scheme.

Mr. GUY: Will my hon. Friend apply what pressure he can on those local authorities who have not yet commenced schemes so that as quickly as possible the scheme may operate throughout the whole country?

Mr. SKELTON: There are constant negotiations going on. On the whole, the matter is proceeding satisfactorily.

Viscountess ASTOR: Will the hon. Gentleman bear in mind that there are 97,000 children who enter elementary schools in Scotland who are physically defective in some way, and will he do all he can to see that those children who are to get the milk get it?

Mr. SKELTON: I think my answer to the last supplementary question covers that point.

ANGLO-SCOTTISH BEET-SUGAR CORPORATION, LIMITED (LOANS).

54. **Mr. MALLALIEU** asked the Financial Secretary to the Treasury what security, if any, is held by the Treasury in respect of sums amounting to several hundred thousand pounds paid by the Treasury, directly or indirectly, to the insurance company which granted loans to the Anglo-Scottish Beet-Sugar Corporation, Limited, under the provisions of the Trade Facilities Acts, and which failed to obtain repayments from the corporation as due?

The FINANCIAL SECRETARY to the TREASURY (Mr. Duff Cooper): The Treasury is entitled to share, to the extent to which payments have been made by them under their guarantee, in the benefit of the security held by the insurance company, consisting of first fixed and floating charges upon the property and assets of the corporation. The whole of this security will become available for the Treasury so soon as the loan from the insurance company has been fully paid off.

COAL INDUSTRY.

LOW-TEMPERATURE CARBONISATION.

20. **Mr. TINKER** asked the Secretary for Mines how many works there are with plant dealing with low-temperature carbonisation; and will he say the number of tons of coal that are used annually in this process?

The SECRETARY for MINES (Mr. Ernest Brown): During 1933, nine low-temperature carbonisation plants were in operation on a commercial or semi-commercial scale. The amount of coal carbonised amounted to nearly 318,000 tons. Figues for 1934 are not yet available.

RUFFORD COLLIERY.

21. **Mr. CHARLES BROWN** asked the Secretary for Mines whether he is aware that William Arthur Palmer, of 62, South Avenue, Rainworth, Notts, was the victim of a fatal accident at Rufford Colliery on Saturday, 16th February, at 12.30 p.m., that this man worked the afternoon shift on Friday, 15th February, and did not leave the pit on that day till 11.15 p.m., and that he was back at work at 6.30 a.m. on the morning on which the fatal accident occurred; and whether, in view of these facts and the breach of the regulations involved, he will have special inquiry made by his inspectors into the causes of this fatality?

Mr. E. BROWN: The circumstances of this accident were examined on 18th February—within two days of its occurrence—by one of His Majesty's inspectors and also workmen's inspectors appointed under Section 16 of the Coal Mines Act, 1911, and, in view of the reports received, I do not consider that any further special inquiry is called for.

Mr. C. BROWN: Is the hon. Gentleman not aware of the growing practice in the Nottingham coalfields of working two shifts in 24 hours? Does he not think that the abnormal fatigue incurred by that is to be deprecated as likely to result in accidents, and will he have some further investigation made into the matter?

Mr. E. BROWN: That is a wider question. As the hon. Member knows, I am giving attention to the whole matter, but this particular case is a rather difficult one. If he cares to discuss it with me, I shall be glad to give him the details.

Mr. T. SMITH: Does not the hon. Gentleman appreciate that it is a deliberate violation of the Mines Act if the statements in the question are correct?

Mr. E. BROWN: I have said that the case is a difficult one, and I am quite prepared to discuss it with the hon. Member.

23. **Mr. T. SMITH** asked the Secretary for Mines how many visits were made to the Rufford Colliery, Notts, during 1934 by His Majesty's inspector for mines?

Mr. E. BROWN: The number of visits was 14, of which 12 were made for the purpose of underground inspection, and two for inspection on the surface.

SHOT-FIRING.

22. **Mr. T. SMITH** asked the Secretary for Mines whether it is his intention to circularise colliery managers to the effect that, so far as practicable, shots should be fired between shifts or after withdrawing the workmen from the working face?

Mr. E. BROWN: Yes, Sir.

NEWFOUNDLAND (UNEMPLOYMENT).

24. **Mr. GRAHAM WHITE** asked the Secretary of State for Dominion Affairs whether he will make a statement with regard to the state of employment and the condition of the unemployed in Newfoundland?

Mr. J. H. THOMAS: On reading the reports which recently appeared in certain newspapers I immediately telegraphed to the acting Governor to ascertain the facts, and I am now informed by him that the [illegible]orts are greatly exaggerated, and [illegible] there has been no disorder and no [illegible]le demonstration. The acting [illegible]rnor informs me that the unemploy- [illegible]situation in Newfoundland, though [illegible]nues to be serious, shows a sub- [illegible]improvement on the correspond- [illegible] of the previous year. Each [illegible]months July to December, 1934, [illegible]on an average a reduction of [illegible] number of persons in receipt [illegible]ompared with the figures for [illegible]nding months in 1933. The [illegible]last December was 53,191 as [illegible]ith 71,172 in the previous year.

[illegible]TE: Will the right hon. [illegible]dopt any method that may [illegible] for making these facts [illegible] in view of the alarming and distressing reports which appear to be exaggerated?

Mr. THOMAS: These alarming reports have appeared, as far as I can judge, in one newspaper alone, and I hope the facts that are now given will prevent that newspaper reiterating them.

Mr. MAXTON: Is the right hon. Gentleman aware that, apart from newspapers in this country, the Newfoundland newspapers are very disturbing in their opinions on the matter and would he, having regard to the promise made during the passage of the Bill, provide an early date for the discussion of the whole position in Newfoundland?

Mr. THOMAS: On any Vote that can be arranged I should not only welcome it, but I think it would be a good thing to explain the facts. With regard to the newspapers, and certainly newspapers in Newfoundland, I prefer to reserve that until the Debate takes place.

26. **Mr. LUNN** asked the Secretary of State for Dominion Affairs whether he is aware of the protest being made in Newfoundland regarding the treatment of the unemployed and their dependants; that the unemployed are receiving less than 4d. per day, and their wives and dependants are suffering from under-nourishment; and whether he will have immediate inquiries made into the matter and call for a Report from the Commission?

Mr. THOMAS: I would refer the hon. Member to the reply which I have just given the hon. Member for Birkenhead East (Mr. White). I have received this morning from the Acting Governor a telegram dealing specially with the points raised in the question. With the permission of the House I will circulate the text with the OFFICIAL REPORT. This telegram will, I am confident, reassure the hon. Member and the House generally that the Commission of Government in Newfoundland are doing everything possible to ameliorate the condition of the unemployed in the Island, and have already achieved considerable results.

Mr. LUNN: Has the right hon. Gentleman had an interim report, and when does he expect that the Commission will make a further report?

Mr. THOMAS: When I saw the Press report, which I frankly admit was most distressing, without regard to the possibility of questions being asked, I immediately telephoned to Newfoundland, and in the reply which will be circulated there will be a full communication on the whole situation from those responsible.

Mr. KIRKWOOD: Is it true that the unemployed in Newfoundland are receiving less than 4d. a day?

Mr. THOMAS: In the reply that is being circulated—[An HON. MEMBER: "Why not read it?"] The House generally resents the reading of a long reply. The reply itself will give a full report by those on the spot. I did not want to be drawn into a discussion as to 3½d. or 4d. I want the House to appreciate the full facts from those on the spot.

Mr. BUCHANAN: Is it not customary on an important matter, particularly when a question is asked from the front Opposition bench, to ask permission to read the reply?

Mr. SPEAKER: I would remind the hon. Member that there are 64 questions on the paper. Other Members have a right to have their questions answered.

Mr. KIRKWOOD: I put a simple question. Is it less or more than 4d. a day that is being paid to the unemployed? Surely the right hon. Gentleman can answer that?

Mr. SPEAKER: I do not pretend to answer questions.

Following is the telegram:

TELEGRAM from the Officer Administering the Government of Newfoundland to the Secretary of State for Dominion Affairs. Dated 4th March, 1935.

Public Health Department during the last nine months has greatly amplified relief measures on behalf of destitutes of the country generally. In St. John's and at outside points food relief 25 per cent. greater than heretofore. Articles supplied represent great improvement in standard of living hitherto maintained. In some sections of St. John's relief full distribution double the quantity given before. Public Health Department doctors and nurses treat all sick poor and special food supplies are issued for this class where prescribed by professional staffs. Child Welfare Associations supplied by Department with milk for under-nourished children of the poor. Department distribute bread and milk to pupils every school day. General distribution of soup made to destitute of the city every weekday. Child mortality in city higher than normal for February due to epidemic of influenza superimposed on the previous outbreak of measles and whooping cough and some considerable number of cases of scarlet fever. Child mortality of independent section of population as great in proportion as among the section on relief. General and marked improvement noted in this respect in all sections during the last week and no child deaths at all reported in the city since the beginning of March. Department also financing St. John's outposts in the distribution of clothing for the three destitute classes namely, widows and orphans, aged and infirm, and sick. Outside relief operations show much greater liberality towards the poor than ever before in Newfoundland. Physician retained on salary for treatment of sick poor: Nurse stationed among the destitute living in scattered and isolated section and these undertakings limited only by qualified material available for the purpose. Food supplies on relief account increased and amplified by special distribution of vegetables in sections where agriculture not possible. General mortality in Newfoundland not one per cent. higher than that of Great Britain. Please note that during February only seven deaths occurred among children of families on relief in St. John's with a population of 44,000 and with 4,500 persons on relief.

AGRICULTURE: AUSTRALIAN MEAT (IMPORTS).

27. **Mr. LAMBERT** asked the Secretary of State for Dominion Affairs whether, seeing that British exports of window glass to Australia are limited by quota and that such quota is considerably less than that allotted to Belgium, he will take advantage of these arrangements as a ground for the limitation of Australian meat imports to this country?

Mr. J. H. THOMAS: As regards th importation of sheet glass into Austr I would refer the hon. Member to reply which I gave to the hon. Me for St. Helens on 26th February. the House is aware, discussions present taking place with His M Government in the Commonwe with the other Governments on the question of imports of the United Kingdom: in conn these discussions all relevan tions will be kept in mind.

Mr. LAMBERT: When will discussions commence? Sha something about them? Will agriculturist know what is g

Mr. THOMAS: They will take I presume, when the Dominion Premiers arrive. I will listen to what they say.

Sir PERCY HARRIS: Can the right hon. Gentleman publish the correspondence which has already taken place between the Dominions and his office?

Mr. THOMAS: I understand that at a later date a question on that point will be put, and there will be an opportunity of seeing the full facts.

CANADA (PALESTINE PRODUCE).

28. **Mr. WHITE** asked the Secretary of State for Dominion Affairs whether his attention has been drawn to the discriminatory duty charged by the Canadian customs on Palestine fruit, and other produce, shipped from the United Kingdom to Canada; and, if so, what action he is taking in the matter?

Mr. J. H. THOMAS: I am not aware that any general discriminatory duty is charged in Canada on Palestine fruit and other Palestine produce shipped from the United Kingdom to Canada, but certain difficulties have arisen in connection with the duty charged on oranges from Palestine shipped to Canada via the United Kingdom. I am already in communication with His Majesty's Government in Canada as to this.

SOUTHERN RHODESIA.

29. **Mr. PALING** asked the Secretary of State for Dominion Affairs whether he will give an assurance that His Majesty's Government has no intention of abandoning its ultimate responsibility for Native policy in Southern Rhodesia?

Mr. J. H. THOMAS: I would refer the hon. Member to the reply to the question on this subject by the hon. and gallant Member for South-East Leeds (Major Milner) which I gave on the 26th February.

62. **Mr. OSWALD LEWIS** asked the Secretary of State for the Colonies what progress has been made with regard to the proposal to set aside an area in the south-eastern portion of Southern Rhodesia with a view to securing a partial reserve for the natural fauna of the colony to adjoin the northern end of the Kruger National Park?

Mr. THOMAS: I understand that, under the provisions of the Southern Rhodesia Game and Fish Preservation Act, 1929, the Governor of Southern Rhodesia issued a proclamation on the 27th April, 1934, defining an area in the south-east portion of Southern Rhodesia, within which the hunting of game, without the special permission in writing of the Minister, is prohibited. To that extent, therefore, the area in question, which lies to the north of the Kruger National Park and adjoins it at one point, may be regarded as a game reserve.

IRISH FREE STATE (LAND BONDS).

30. **Mr. STOURTON** asked the Secretary of State for Dominion Affairs whether his attention has been called to the fact that after nearly four years there still remain undelivered large sums of Irish Four and a-half Per Cent. Land Bonds guaranteed by the British Government due to those whose estates were compulsorily purchased under the Irish Free State Land Act of 1931; whether he can state the total nominal value of such bonds already handed over under the Act and the amount outstanding for delivery; and what steps it is proposed to take with the Irish Free State to negotiate a speedy completion of purchase?

Mr. J. H. THOMAS: Delivery of the Land Bonds issued in respect of land purchased in the Irish Free State under the Irish Free State Land Act of 1931 is entirely a matter for the Irish Free State Government, and I have no information as to the number of Bonds handed over or the amount outstanding for delivery. The matter does not appear to be one on which I have any ground for making representations to the Irish Free State Government.

Mr. STOURTON: Is my right hon. Friend aware that this is an unfair burden upon those who were compulsorily dispossessed of their property as far back as 1931 and still await payment, and that great hardship has been caused particularly to small bondholders?

Mr. THOMAS: No, I do not understand that. I understand that the real difficulty is that certain people who are entitled to certain bonds have not received the script because of some difficulty, but most folk will not be worried about not receiving the script if they are satisfied that they are receiving the interest, and, as far as I know, they are receiving it.

Mr. STOURTON: Does my right hon. Friend suggest that the capital is of no account in this matter?

Mr. THOMAS: I not only do not suggest that capital is of no account, but I think that capital is of very much account, and that is why I am always advocating that there should be no policy that will depreciate capital.

JUSTICES OF THE PEACE (WOMEN).

31. **Mr. McENTEE** asked the Attorney-General which boroughs and county divisions are still without women justices?

The SOLICITOR-GENERAL (Sir Donald Somervell): There are 1,006 petty sessional divisions, of which 746 are county, 251 borough and 9 with special jurisdiction. Of these there are 53 county and 9 borough divisions to which women justices have not as yet been allocated. With the permission of the hon. Member I will circulate the names of these divisions in the OFFICIAL REPORT.

Mr. McENTEE: May I ask the hon. and learned Gentleman whether, in view of the usefulness of women magistrates in other areas, it is proposed to fill vacancies as they occur in the areas which up to now have had no women magistrates?

The SOLICITOR-GENERAL: The next question but one on the Paper deals with the procedure for the appointment of justices, and no doubt those who are concerned in working that procedure will note what the hon. Gentleman has said.

Viscountess ASTOR: Will the hon. and learned Gentleman bring to the notice of the Government the fact that there is among the lord-lieutenants one in particular who says that as long as he is in his position there will be no women appointed?

Following are the names:

Petty Sessional Divisions.

County.	Boroughs.
Berks:	
Faringdon.	Maidenhead.
Hungerford.	
Ilsley.	
Lambourn.	
Moreton.	
Isle of Ely:	
Whittlesey.	Wisbech.
Cheshire:	
—	Congleton.
Derby:	
Appletree.	
Repton.	
Wirksworth.	
Durham:	
Castle Eden.	
Sunderland.	
West Hartlepool.	
Hants:	
Eastleigh.	Romsey.
Lincs (Kesteven):	
—	Stamford.
Lincs (Lindsey):	
Wragby.	
Monmouth:	
Skenfrith.	
Trelleck.	
Notts:	
—	Newark.
Oxford:	
—	Henley-on-Thames.
Salop:	
Bishops Castle.	Ludlow.
Clun and Purslow.	Wenlock.
Wem.	
Wilts:	
Trowbridge.	
Worcester:	
Evesham.	
Tenbury.	
Yorks (East Riding):	
Holme Beacon.	
Howdenshire.	
Middle Holderness.	
North Holderness.	
North Hunsley Beacon.	
South Holderness.	
Yorks (West Riding):	
Bolton by Bowland.	
Ewecross.	
Kirkby Malzard.	
Lower Barkston Ash.	
Liberty of Ripon.	
Brecon:	
Defynock.	
Talgarth.	
Carnarvon:	
Nant Conway.	
Cardigan:	
Lampeter.	
Llanilar.	
Tregaron.	
Carmarthen:	
Llanboidy.	
Newcastle Emlyn.	
St. Clears.	

Petty Sessional Divisions.

County.	Boroughs.
Denbighshire:	
Isaled.	
Llangollen.	
Uwchaled.	
Uwchddulas.	
Glamorgan:	
Aberavon.	
Cowbridge.	
Gower.	
Swansea.	
Merioneth:	
Edeyrnion.	
Montgomery:	
Mathrafal.	
Pembroke:	
Cilgerran.	
Radnor:	
Colwyn.	

33. **Mr. TINKER** asked the Attorney-General whether he is aware of the widespread protests concerning the appointments of magistrates; and whether he will give the procedure adopted when the selections are made?

The SOLICITOR-GENERAL: I am not aware of widespread protests. Since the report of the Royal Commission on the Selection of Justices of the Peace the selection of those who are to be considered for appointment is made by advisory committees and they submit a list of names to the Lord Chancellor or the Chancellor of the Duchy of Lancaster as the case may be. In considering these recommendations account is taken of the requirements of the district and the qualifications of the persons proposed for appointment.

Mr. TINKER: May I ask the hon. and learned Gentleman if a citizen who has the ability to serve is debarred from the position of Justice of the Peace because of his occupation? Does that come within the proviso?

Lieut.-Colonel MOORE: Will my hon. and learned Friend consider introducing legislation by which a proportion of the magistrates on every bench should be women?

HON. MEMBERS: No.

The SOLICITOR-GENERAL: That is entirely a different question, but, so far as the question put by my hon. Friend is concerned, the general answer is most certainly "No." Of course if a man's occupation was such that it precluded him from attending on the bench to the extent which a magistrate ought to do if he is to pull his weight, no doubt that would be a proper matter for the advisory committee to consider.

Mr. TINKER: The question of being precluded from attending is not the point. If he follows an occupation which would enable him to attend, is he debarred from occupying that position?

Mr. GROVES: Is it not true that these advisory committees are appointed for political reasons, and has the hon. and learned Gentleman considered an area like West Ham, where the Chairman belongs to a party that is almost defunct, and where there is a member of a party which is now absolutely defunct, and where it is not——

Mr. SPEAKER: We cannot go into all that now.

LOTTERIES AND SWEEPSTAKES (CORRESPONDENCE).

39. **Mr. DREWE** asked the Home Secretary whether he is aware that a lady in Exmouth made a personal application in writing enclosing a 10s. Treasury note for a single ticket in the Irish sweepstake, and that the letter was opened and the contents returned in a registered letter for which she had to pay 3d.; whether he will state what illegal action she had committed; and why she had to pay the charge of 3d.?

Sir J. GILMOUR: As I have frequently explained, although it is not a specific offence for a person to purchase a lottery ticket for his own use, it is an offence to sell or distribute Irish sweepstake tickets in this country. The use of the post by individual applicants would facilitate distribution by the promoters of the Irish Hospital sweepstakes and on that account cannot be allowed. I am informed by the Postmaster-General that where an unregistered letter is found to contain inter alia any bank note or currency note of a value of 10s. or over, the Inland Post Warrant 1923 provides that the letter shall be compulsorily registered and the ordinary registration fee charged. This regulation applies to all letters irrespective of their contents.

Mr. LOGAN: Will post-dated cheques be confiscated?

Sir W. DAVISON: Does the right hon. Gentleman realise that this charge of 3d. is a fine inflicted on an individual for doing a legal action? What is his statutory authority for fining a person 3d. for doing something which he is entitled to do?

Sir JOHN HASLAM: Does my right hon. Friend not think that the authorities are doing a public service in returning the 10s.?

HON. MEMBERS: No!

STREET COLLECTIONS (ADVISORY COMMITTEE).

40. **Mr. LECKIE** asked the Home Secretary whether he will give the names of the members of the Street Collections Advisory Committee?

Sir J. GILMOUR: I will circulate the information with the OFFICIAL REPORT.

Following is the information:

The members of the Street Collections Advisory Commitee are as follow:

Colonel the Hon. Maurice Drummond, C.M.G., D.S.O., Assistant Commissioner of Metropolitan Police, Chairman.

Captain J. A. Davison, M.C., Assistant Commissioner, City of London Police.

B. E. Astbury, Esq., Charity Organisation Society.

E. A. Godson, Esq., M.C., London Mendicity Society.

Sir William Hamer, M.D., F.R.C.P., London Council of Social Service.

Alderman H. V. Kenyon, M.B.E., J.P., Metropolitan Boroughs Standing Joint Committee.

F. G. Rudler, Esq., J.P., Metropolitan Mayors' Association.

Lieut.-Colonel Sir George Handover, O.B.E., D.L., J.P., Metropolitan Mayors' Association.

Alderman F. C. Clark, Middlesex Borough and District Councils' Association.

Alderman A. W. Hickmott, Association of Municipal Corporations.

John A. Simpson, Esq., LL.B., Urban District Councils' Association.

Sir Philip Henriques, K.B.E., County Councils' Association.

EDUCATION.

PROPOSED NURSERY SCHOOLS, CASTLEFORD AND RAWMARSH.

41. **Mr. G. GRIFFITHS** asked the Parliamentary Secretary to the Board of Education whether he has given approval to the West Riding County Council to proceed with the building of a nursery school at Castleford and at Rawmarsh; and, if not, when will he issue his approval?

The PARLIAMENTARY SECRETARY to the BOARD of EDUCATION (Mr. Ramsbotham): The Board have approved in principle the proposed erection of a nursery school at Castleford. Preliminary plans have been approved and the Board are awaiting the receipt of complete plans from the local education authority. A proposal to provide a nursery school at Rawmarsh is included in the local education authority's programme for 1935-36, but no definite application for approval has been received.

Viscountess ASTOR: Will the Parliamentary Secretary see that when these nursery schools are started there are properly qualified women in charge?

AVIATION.

PILOTS (TRAINING).

42. **Mr. EVERARD** asked the Under-Secretary of State for Air whether he proposes to establish any flying school for training pilots who have retired from the Fleet Air Arm?

Sir VICTOR WARRENDER (Vice-Chamberlain of the Household): I have been asked to reply. My hon. Friend presumably has in mind officers who have retired from the Royal Navy after attachment to the Royal Air Force for service with the Fleet Air Arm. Such officers, if of appropriate age, are eligible to join the Royal Air Force Reserve and are trained under the normal reserve arrangements.

AIR SERVICES (DONCASTER AND THE CONTINENT).

43. **Mr. THORNE** asked the Under-Secretary of State for Air whether he has received a communication from the Doncaster Corporation Aerodrome Committee, with regard to an air service

being started between Doncaster and the Continent; and what action he proposes to take in the matter?

Sir V. WARRENDER: No such communication from the aerodrome committee has been received in the Air Ministry, but it is understood that there have been some discussions between the corporation's aerodrome committee and the Dutch company which operates the Amsterdam-Hull-Liverpool service in the summer. No action by the Air Ministry appears to be called for, at any rate at present.

Brigadier-General NATION: May I ask whether the Under-Secretary will take into consideration the fact that the line operating between Hull and Amsterdam will be in close competition with the one now proposed, and that if there are two lines in close conjunction it may result in detriment to both?

ARMAMENTS MANUFACTURE (INTERNATIONAL INSPECTION).

44. **Mr. MANDER** asked the Secretary of State for Foreign Affairs whether the amendments of the British Government to the proposals of the United States of America Government at the Traffic in Arms Commission at Geneva have now been handed in there; whether they can be made available to Members of the House; and whether the Government are prepared to consider the advisability of withdrawing their objection to international inspection of armament factories?

The LORD PRIVY SEAL (Mr. Eden): The amendments which the United Kingdom delegation are proposing, together with amendments by other delegations, are being submitted to the appropriate sub-committees which the full committee has appointed. The meetings of these sub-committees are by general agreement being held in private, and their proceedings, including the amendments handed in by the different delegations, are not therefore public documents. In any event I doubt whether these amendments would be intelligible as they stand, without the oral explanations by which they will be accompanied. As regards the last part of the question, I would refer the hon. Member to the reply given to my hon. Friend the Member for Islington East (Miss Cazalet) yesterday.

Mr. MANDER: In view of the unsatisfactory nature of the reply, I beg to give notice that I shall raise this matter on the adjournment at the earliest possible moment.

PRIVATELY-OWNED LAND (VALUE).

45. **Mr. JAMES DUNCAN** asked the Chancellor of the Exchequer the value of land in private ownership in Great Britain?

Mr. CHAMBERLAIN: I regret that the information for which my hon. Friend asks is not available.

Mr. DUNCAN: Is it not possible to make an estimate of the cost which one instalment of the Socialist policy may involve?

HON. MEMBERS: Get hold of the Yellow Book.

PENSIONS.

46. **Mr. KENNETH LINDSAY** asked the Chancellor of the Exchequer how many pensions schemes provided by private firms for their employés have been approved under the Finance Act, 1921; and whether he has any information as to how many employés, staff or otherwise, are covered by such schemes?

Mr. CHAMBERLAIN: At the 30th September, 1934, the pension schemes approved under Section 32 of the Finance Act, 1921, numbered 1,641, but I regret I am unable to say how many of these schemes were provided by private firms as distinct from companies, or how many employés are covered by the schemes.

Mr. RHYS DAVIES: Will that figure cover co-operative societies and trade unions?

Mr. CHAMBERLAIN: I should think that it would cover co-operative societies.

Mr. G. GRIFFITHS: May I ask whether it covers pit pensions which are financed entirely by the workmen and not by the employers?

Mr. CHAMBERLAIN: Obviously not in view of the terms of the question.

47. **Mr. LINDSAY** asked the Chancellor of the Exchequer how many

[Mr. Lindsay.]
public servants are at present in pensionable employment in each of the Government services, including the teaching profession, the Post Office, and local government service?

Mr. CHAMBERLAIN: As the answer includes a number of figures I will, with my hon. Friend's permission, circulate it in the OFFICIAL REPORT.

Following is the reply:

The numbers of persons in pensionable employment in the Civil Service on the 1st April, 1934, the latest date for which figures are available, were approximately as follow:

	Non-Industrial.	Industrial.
Post Office ...	133,000	19,000
Other Departments	88,000	12,000

In the Defence Services the numbers of uniformed personnel in pensionable service are at present as follow:

Navy	37,000
Army	39,000
Air Force	8,000

I regret that similar information as regards local government service and the teaching profession is not available.

Mr. LINDSAY: In view of the fact that a large number—nearly 2,000 firms—of progressive employers have inaugurated pension schemes, including a number of trade unions and also Government Departments, will my right hon. Friend reconsider his decision as to the necessity for a departmental inquiry in order to get at the facts which are so difficult to obtain?

Mr. CHAMBERLAIN: I will consider it.

NATIONAL FINANCE.

ENTERTAINMENTS DUTY.

52. **Mr. SUTCLIFFE** asked the Chancellor of the Exchequer whether he is aware of the effect of the entertainments duty upon amateur dramatic societies, which in many cases are in financial difficulties because this tax is absorbing all the profits which would otherwise have gone to charity; and whether he will consider abandoning the tax in regard to these societies as he has done in regard to societies existing to promote interest in music?

Mr. CHAMBERLAIN: My hon. Friend is under a misapprehension in assuming that the entertainments duty has been abandoned in regard to societies existing to promote interest in music, but I presume that he has in mind the provision governing exemption from this duty on partly educational grounds under which performances given by a number of musical societies and amateur dramatic societies have recently qualified for exemption. The statutory condition governing this exemption is that the entertainment must be provided for partly educational purposes by a society, institution or committee not conducted or established for profit. Where this condition is fulfilled exemption is allowed irrespective of the character of the society, and no distinction is drawn between amateur dramatic societies and musical societies in this respect.

53. **Mr. SUTCLIFFE** asked the Chancellor of the Exchequer whether he is aware that the recently formed Crompton Stage Society, which voluntarily produces plays of educational value at cheap prices and the profits of which will go to charity, was charged £14 in respect of Customs and Excise in advance of its first production, and that, as a result of this and subsequent payments, no amount has yet been available for charity and the society is heavily in debt, and will in all probability have to close down; and whether he will take steps to prevent the incidence of this tax reacting upon the valuable work done by numerous dramatic societies throughout the country?

Mr. CHAMBERLAIN: I am aware that in the case of a recent performance by the society mentioned the statutory conditions governing the grant of exemption from entertainments duty were not fulfilled and that duty therefore had to be paid; with regard to the second part of the question, I do not consider that a case for legislation is established.

Mr. SUTCLIFFE: Will the right hon. Gentleman bear these societies in mind when he comes to remodel the entertainments duty in accordance with what he said about a year ago?

Mr. CHAMBERLAIN: I will consider all the relevant circumstances.

MEDALS AND DISCS (AUTOMATIC MACHINES).

56. **Mr. D. G. SOMERVILLE** asked the Financial Secretary to the Treasury whether he is aware that medals and discs issued for sale or distribution to the public are in some cases exactly the same size as coins required for use in automatic machines; and whether he will take steps to prevent the distribution throughout the country of large numbers of these discs, in view of their improper use?

Mr. COOPER: Some complaints to this effect have been received, and I am consulting the Departments concerned with a view to seeing if any new preventive measures can be taken.

Mr. BUCHANAN: Is the hon. Gentleman aware that the people who own these automatic machines "do" the public just as frequently as the public "do" them?

DARTON TOWNSHIP (STATISTICS).

57. **Mr. G. GRIFFITHS** asked the Minister of Health the number of the population and the rateable value in the township of Darton, near Barnsley, for the years 1930 and 1934, or the latest available dates?

Mr. SHAKESPEARE: The population of the twonship of Darton, which forms part of the urban district of Darton, was 7,346 according to the census of 1931. Later figures of population are not available. According to the valuation lists in force on 1st April, 1930, the rateable value of the township was £16,926. The corresponding amount in 1934 was £18,331.

HOUSING (SLUM CLEARANCE, BIRMINGHAM).

59. **Mr SMEDLEY CROOKE** asked the Minister of Health whether he is aware that, in accordance with the sanction of his Department, a part of Glover Street, in the city of Birmingham, has been scheduled as a slum-clearance area, and that a number of houses have been demolished and the tenants turned out; and whether, as this area is now waste land, he will take steps to secure the immediate erection on the site of suitable houses or maisonettes for the people's use to be near their work, in accordance with the undertaking given when the order was made?

Mr. SHAKESPEARE: The reply to the first part of the question is in the affirmative. As regards the second part, tenders for the erection of 26 maisonettes on this site have now been submitted to my right hon. Friend and were approved yesterday.

TIN REGULATION SCHEME.

60. **Major NATHAN** asked the Secretary of State for the Colonies by what legislative enactments or administrative orders the Governments of Malaya and Nigeria impose restrictions upon tin producers within their respective jurisdictions in order to enable such Governments to fulfil the engagements taken by them in the agreement comprising the tin regulation scheme?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): There are a number of enactments and rules in the various territories. The effect of these enactments and rules is to apply the scheme set out in the White Paper in the territories. If the hon. Member desires, I will send him a list of the enactments and rules.

61. **Major NATHAN** asked the Secretary of State for the Colonies which members of the advisory committee to the international tin committee are themselves participants in, or directors of companies which are participants in, the private tin pool?

Sir P. CUNLIFFE-LISTER I would refer the hon. Member to the answers which I gave him on 27th February. As I stated on that occasion, I was sure the House would appreciate that if private interests disclose to the international tin committee, or its chairman, their holdings in tin in order that this information, given in confidence, may be at the disposal of the committee, it would be most improper of me to make that information public even if I possessed it.

Major NATHAN: Will the right hon. Gentleman give us, not the amount of the participation but the fact of the participation of particular members of the advisory committee in the tin pool?

Sir P. CUNLIFFE-LISTER: Most certainly not. I am in the recollection of the House in the answers which I have given, and I think the whole House will agree that, while it is quite proper that persons who have private interests and who are acting in an advisory capacity should disclose those interests to the people whom they are invited to advise, it would make things impossible if this information, given in confidence, were to be stated in answer to fishing inquiries in the House.

Mr. HERBERT WILLIAMS: Is it not the case that this series of questions is calculated to bring about instability in the price of tin and therefore to facilitate the work of speculators?

Major NATHAN: Further arising out of the right hon. Gentleman's reply to me, may I ask him, in view of the fact that he has already informed the House that certain members of the advisory committee are interested in the tin pool, to inform the House which members are so interested.

Sir P. CUNLIFFE-LISTER: I think the House has fully appreciated the answer which I have given. I have no intention, as I have said, of disclosing, in answer to fishing inquiries, information given in confidence to a committee.

Mr. McENTEE: If those who are called upon to advise in this matter are themselves holders, does not the right hon. Gentleman think that that fact would influence their advice?

Sir P. CUNLIFFE-LISTER: No, Sir. No change has taken place in the character of the advisory committee since the Labour Government instituted it, with the exception that the consumers, the manufacturers, are now represented. Of course, if you wish to have technical advice in a matter of this kind, you must have people who know about the industry, and it is quite proper that people who have interests should disclose their interests to the committee whom they advise. But it would be utterly improper, as I think the House will agree, that I should be asked to disclose that information in this House, even if I had it.

63. **Major NATHAN** asked the Secretary of State for the Colonies the names of the members of the special committee charged with the management or control of the governmental buffer pool in tin and whom they represent thereon.

Sir P. CUNLIFFE-LISTER: As I understand that the composition of the Buffer Stock Committee has not been published, I do not think I can give the names of the representatives of foreign Governments, as that is a matter for the Governments concerned. The Malayan delegation appointed Sir John Campbell to represent the Malay States; the Nigerian delegation appointed Mr. J. Howeson to represent Nigeria. I am informed by the chairman of the International Tin Committee that Mr. Howeson expressed his desire that another person should be appointed in his place to represent Nigeria on the committee, before the Buffer Stock Committee engaged in any operations, as, although the Buffer Stock Committee must act in accordance with instructions given by the International Tin Committee, he felt there might be a possibility of some apparent conflict of interest between the buffer stock and undertakings in which he had an interest. The chairman informs me that the Nigerian delegation propose to accept this suggestion, and to appoint another representative.

Major NATHAN: May I ask if Mr. Howeson is still a member and if he retains his place on the Buffer Pool Committee?

Sir P. CUNLIFFE-LISTER: Before any operations are engaged in by that committee, I understand the Nigerian delegation propose to appoint another member. There has, I think, been no meeting of the committee.

PALESTINE.

64. **Colonel WEDGWOOD** asked the Secretary of State for the Colonies whether his attention has been called to outbreaks of new anti-Jewish agitation in Palestine; and whether he will inquire and give the House information as to this?

Sir P. CUNLIFFE-LISTER: It is a matter of public knowledge that Arab opposition to Jewish immigration into Palestine and the purchase of land by Jews is at present being ventilated freely

in the Arab Press of Palestine. On the 1st December last the High Commissioner received a deputation from the Arab Executive, who presented a memorandum concerning the sale of Arab lands and Jewish immigration. The High Commissioner, in a reply which was published, stated plainly the policy of the Government in relation to these matters. That policy is well-known, and I am sure the House has complete confidence that the High Commissioner will carry it out fairly. I do not think that any particular inquiry is called for.

Colonel WEDGWOOD: Are we to take it from that answer that the right hon. Gentleman has not heard of any new agitation recently; and may I ask whether it is a fact that the ex-Keidive of Egypt is buying land in Palestine or in Trans-Jordan, as he is no friend of this country? May I also ask whether the right hon. Gentleman reads regularly the confidential reports of the defence force in Palestine which are sent to him? I do not know what is in them, but I should be more satisfied if I thought that they were read by the right hon. Gentleman.

Sir P. CUNLIFFE-LISTER: I am afraid that I have no knowledge of the purchase of land or anything else by the ex-Keidive. I think that I read all relevant reports. I cannot say that I read every report, but my attention is drawn to anything of particular interest, and I receive very regular and full reports from the High Commissioner.

Colonel WEDGWOOD: I am speaking of confidential reports of the defence force, which would not naturally go to his department.

Sir P. CUNLIFFE-LISTER: I am sure that my department receives anything that is relevant to the administration of Palestine, whether it is in regard to the defence force or anything else.

Mr. CROSSLEY: Will effective steps soon be taken to stop illegal immigration which is the principal cause of the trouble?

BUSINESS OF THE HOUSE.

Mr. LANSBURY: May I ask the Lord President of the Council the business for Friday?

The LORD PRESIDENT of the COUNCIL (Mr. Baldwin): The business for Friday will be: Second Reading of the Cattle Industry (Emergency Provisions) Bill; Report stage of the Supplementary Estimates which were considered in Committee on the 25th February and the 1st March; Third Reading of the Post Office Telegraph (Money) Bill; and, if there is time, other Orders on the Paper.

BILLS REPORTED.

POST OFFICE (AMENDMENT) BILL.

Reported, with Amendments, from Standing Committee B.

Report to lie upon the Table, and to be printed.

Minutes of Proceedings to be printed.

Bill, as amended (in the Standing Committee), to be considered To-morrow, and to be printed. [Bill 41.]

INCREASE OF RENT AND MORTGAGE INTEREST (RESTRICTIONS) BILL.

Reported, with Amendments [Title amended], from Standing Committee C.

Report to lie upon the Table, and to be printed.

Minutes of Proceedings to be printed.

Bill, as amended (in the Standing Committee), to be considered upon Thursday, and to be printed. [Bill 42.]

REGIMENTAL CHARITABLE FUNDS BILL [*Lords*].

Read the First time; to be read a Second time upon Friday, and to be printed.

NAVY ESTIMATES, 1935.

Copy presented,—of Statement of the First Lord of the Admiralty explanatory of the Estimates [by Command]; to lie upon the Table.

WRITTEN ANSWERS.

NATIONAL FINANCE.

SPIRIT AND LICENCE DUTIES.

Mr. LIDDALL asked the Chancellor of the Exchequer (1) whether, in view of the serious decline of British spirits from approximately 18,000,000 proof gallons in 1919-20, after which there was additional taxation, to 8,500,000 proof gallons in 1933-34, and the hardship inflicted upon both industry and the general public by the present high taxation, he will consider making a reduction in the duty on spirits;

(2) whether, in view of the fact that the permitted hours of trading in licensed houses have for some years now been from eight to nine hours on weekdays as compared with from 17 to 19½ hours in 1909-10 when the present basis of licence duty was fixed, he will consider making a reduction in the licence duty?

Mr. CHAMBERLAIN: I have noted my hon. Friend's suggestions but he will not expect me to anticipate the Budget statement.

EXCESS PROFITS DUTY.

Mr. E. WILLIAMS asked the Financial Secretary to the Treasury the amount of inland revenue outstanding in respect of excess profits?

Mr. COOPER: I would refer the hon. Member to the answer which the Chancellor of the Exchequer gave on the 21st of last month to a question by the hon. Member for Eccles (Mr. Potter).

SCOTLAND (SUGAR-BEET FACTORY, CUPAR).

Lord SCONE asked the Secretary of State for Scotland whether he is now in a position to make a statement as to the future of the Cupar beet-sugar factory and on the general position of the sugar-beet crop in Scotland this year?

Sir G. COLLINS: I would refer to the reply given on 27th February to a question on this subject by the hon. Member for East Fife (Mr. Henderson Stewart) of which I am sending a copy to my Noble Friend.

TRANSPORT.

ROAD BRIDGES (ARCHITECTURAL DESIGN).

Sir J. PYBUS asked the Minister of Transport (1) whether he will at once reassure local authorities that they will rank equally for a grant in respect of bridges even if they prefer to submit their designs, not to the Royal Fine Arts Commission, but to some other acknowledged body of architectural or engineering experts;

(2) whether, before urging highway authorities in Great Britain to seek the advice of the Royal Fine Arts Commission as to whether new or reconstructed bridges are of pleasing design and suitable to their surroundings, he has taken cognisance of the fact that, when the London County Council adopted this course and submitted a design for a new Waterloo Bridge by Sir Giles Gilbert Scott, his then colleague on the Royal Fine Arts Commission, Sir Reginald Blomfield, strongly opposed the scheme on the ground of ugliness and unsuitability for its immediate environment and the neighbourhood of Somerset House?

Mr. HORE-BELISHA: Local authorities require, so far as I am aware, no reassurance in this matter. I have every reason to believe that they are most anxious to co-operate in securing the highest attainable standards. I am not, of course, concerned with individual differences of opinion, if such arise, about matters of taste, but I am anxious that questions of architectural design and suitability of the surroundings, which are matters of special importance in the case of road bridges, should receive the most careful consideration, and a reference to the Royal Fine Arts Commission seems to me appropriate and reasonable.

MOTOR CAB DRIVERS (OFFENCES).

Dr. O'DONOVAN asked the Home Secretary the number of motor cab drivers who were summoned by the police in 1932, 1933, and, if possible, 1934; can he give reasons for any notable increase these figures show; and during this time has the number of licensed cabs decreased or increased?

Sir J. GILMOUR: I can only give figures relating to the Metropolitan police district. Within that area the number of summonses issued against motor cab drivers for offences arising in the

course of their employment was 920 in 1932, 1,747 in 1933 and 2,319 in 1934. The number of cabs licensed during each of these years was 8,121, 8,025 and 8,181. The increase in the number of summonses during 1933 and 1934 is mainly accounted for by offences in connection with traffic light signals, which have been installed in increasing numbers during the last two years.

UNITED STATES CITIZEN (VISIT).

Mr. McENTEE asked the Home Secretary whether Mr. Jimmie Walker, the former Mayor of New York, has been registered as an alien since his arrival in this country; and, if not, whether it is proposed to take any action in the matter?

Sir J. GILMOUR: I am having inquiries made about this matter.

TRADE AND COMMERCE.

ITALY (COAL IMPORT QUOTA).

Mr. NORTH asked the President of the Board of Trade whether he is now in a position to state the effect of the new decree imposed by the Italian Government instituting a quota upon imports of coal into Italy; what will be the position of coal loaded, or ready for loading but not yet on its way, on 19th February; and whether it is proposed to take any retaliatory action against Italian imports into this country?

Mr. RUNCIMAN: The present position as regards coal imports into Italy is that licences will be issued to importers up to 31st March to the amount of 35 per cent. of their imports in the corresponding period of last year; coal destined for the State railways is however admitted without restriction. Coal which left port for Italy by 19th February will be admitted without restriction, but no reply has yet been received to the representations that have been made to the Italian Government regarding cargoes loaded or ready for loading but which had not left by that date. I am receiving a deputation from the coal industry to-morrow to discuss the situation.

WAR MATERIAL (EXPORT).

Mr. MANDER asked the President of the Board of Trade what arms were licensed for export during each of the last 12 months for which figures are available, to Abyssinia, Italy, Paraguay, Bolivia, Jugoslavia, Bulgaria, China, Japan, Rumania, Turkey, Czechoslovakia, Greece, Poland, Peru, Colombia, Chile, Brazil, Argentine and Uruguay?

Lieut.-Colonel COLVILLE: The following statement shows the war material covered by licences issued in each month during the 12 months 1st February, 1934, to 31st January, 1935, for export to Abyssinia, Italy, Paraguay, Bolivia, Jugoslavia, Bulgaria, China, Japan, Rumania, Turkey, Czechoslovakia, Greece, Poland, Peru, Colombia, Chile, Brazil, Argentina and Uruguay.

Country and month in which licences issued.	Material.
ABYSSINIA.	
September, 1934 ...	20,000 7.92 m.m. rifle cartridges.
ITALY.	
February, 1934	5 air vessels for torpedoes.
	4 air vessel ends for torpedoes.
April, 1934	2 depth and roll recorders.
	10,000 rounds 12.7 m.m. ammunition.
May, 1934	55,000 rounds 12.7 m.m. ammunition.
June, 1934	2 7.65 m.m. aircraft machine guns (en route for Peru).
	1 set interrupter gear (en route for Peru).
September, 1934 ...	2 7.65 m.m. aircraft machine guns (en route for Peru).
	2,000 7.65 m.m. Prideaux links (en route for Peru).
	2 link loading machines (en route for Peru).
October, 1934	600 rounds 3-in. A.A. ammunition (en route for Siam).
	6 3-in. A.A. equipments (en route for Siam).
	1 depth and roll recorder.
November, 1934 ...	1 air vessel for torpedo.
January, 1935	2 air vessels for torpedoes.
PARAGUAY.	
April, 1934	5,000,000 7.65 m.m. rifle cartridges.

Country and month in which licences issued.	Material.
BOLIVIA.	
February, 1934	30 recuperator pistons for 65 m.m. infantry gun equipments.
March, 1934	100 7.5 m.m. machine guns with spare parts.
April, 1934	5,000 percussion primers for 75 m.m. mountain gun equipment.
	800 250 rounds ammunition belts for 7.65 m.m. machine guns.
	100 sets condenser tubes for 7.65 m.m. machine guns.
	300 gun barrels for 7.65 m.m. machine guns.
May, 1934	2,600 rounds 75 m.m. ammunition with H.E. shell for mountain gun equipment.
JUGOSLAVIA.	
February, 1934	Spare parts for fire control instruments.
March, 1934	1,000,000 .303-in. rifle cartridges.
April, 1934	Sundry parts for 21-in. torpedoes.
BULGARIA.	No licences were issued for this destination.
CHINA.	
February, 1934	1 sound locater with equipment.
	1,205 lbs. of various samples of explosive powders.
May, 1934	220,500 lbs. T.N.T.
	12 6-ton tanks each equipped with one 47 m.m. gun equipment and one 7.92 m.m. machine gun.
	12 amphibian tanks each equipped with one 7.92 m.m. machine gun.
	3,200 rounds 47 m.m. ammunition.
June, 1934	Mine-laying and mine-sweeping equipment.
	Spare parts for .5-in. machine guns.
	20,000 lbs. T.N.T.
August, 1934	6,000 rounds 47 m.m. ammunition.
	6 belt filling machines.
	4 6-ton tanks each equipped with one 47 m.m. gun and one machine gun.
	4 light amphibian tanks each equipped with one machine gun.
	2,860 rounds 47 m.m. ammunition.
September, 1934 ...	2,000 7.92 m.m. rifle cartridges.
	50 20 m.m. machine gun cartridges.
October, 1934	Spare parts for 6-ton tanks and amphibian tanks.
January, 1935	4,000 rounds 47 m.m. ammunition.
	4 sighting telescopes.
	4 clinometers.
	2 anti-aircraft gun sights.
	60,000 13.2 m.m. machine gun cartridges.
JAPAN.	
March, 1934	4 wind-balanced aircraft gun mountings.
May, 1934	500 rounds 40 m.m. ammunition.
July, 1934	32 track roller assemblies for light armoured cars.
August, 1934	4 .303-in. machine guns with spare parts.
September, 1934 ...	3 7.7 m.m. machine guns with spare parts.
	1 machine gun mounting ring.
	1 set interrupter gear.
November, 1934	4 .303-in. aircraft machine guns with spare parts.
December, 1934	1,800,000 rounds 7 m.m. ammunition.
	90 7.7 m.m. aircraft machine guns with spare parts.
	30 .450-in. line-throwing guns.
	6,000 .450-in. cartridges.
January, 1935	20 empty 8 lb. practice bombs.
ROUMANIA.	
February, 1934	42 gas cylinders for .303-in. aircraft guns.
	15 gas chambers for .303-in. aircraft guns.
June, 1934	12 loaded warheads for torpedoes.
	10 21-in. torpedoes complete with pistols.
	560 loaded heater cartridges.
January, 1935	100 unfilled submarine mines.
TURKEY.	
March, 1934	5,000 7.9 m.m. rifle cartridges.

Country and month in which licences issued.	Material.
TURKEY—*Cont.*	
April, 1934	64 thermometers for A.A. equipments.
	1 pressure gauge for A.A. equipments.
	5 7.9 m.m. barrels for machine guns.
	3 firing pins together with blank firing attachments and spare parts for machine guns.
May, 1934	1,944 submarine mine electric detonators.
June, 1934	Material for pull-back gear for 75 m.m. A.A. equipments.
	1 7.92 m.m. machine gun.
	4 7.92 m.m. machine gun barrels.
	5,000 7.92 m.m. cartridges.
August, 1934	15 7.9 m.m. right-hand feed boxes for machine guns.
October, 1934	1 sectional model of base percussion fuse and gaine for 21 c.m. ammunition.
January, 1935 ...	7 Véry signal pistols.
	7 bomb sights.
CZECHOSLOVAKIA.	No licences were issued for this destination.
GREECE.	
April, 1934	4 1½lb. smoke bombs.
June, 1934	Spare parts for 6-ton tanks.
September, 1934 ...	4 empty 8-lb. practice smoke bombs.
	500 fuses for fire control gear.
October, 1934	Spare parts for torpedoes.
November, 1934 ...	Spare parts for 6-ton tanks.
December, 1934 ...	1 .303-in. rifle with bayonet (en route to Turkey).
POLAND.	
February, 1934... ...	1 aircraft gun mounting.
March, 1934	1 crank case assembly for 6-ton tank.
April, 1934	2 aircraft gun mountings.
May, 1934	2,000 .303-in. rifles and bayonets.
	50 left-hand feed blocks for .303-in. machine guns.
	Spare parts for 18-in. torpedoes.
June, 1934	2 80 h.p. engines for 6-ton tanks with spare parts.
October, 1934	Sundry spare parts for 6-ton tanks.
	36 sets of parts for 6-ton tanks.
November, 1934... ...	46 80 h.p. engines for 6-ton tanks.
January, 1935	Spare parts for torpedoes.
PERU.	
February, 1934	8 rangefinders.
May, 1934	15,000 20 m.m. machine gun cartridges.
	3,230 20 m.m. machine gun cartridge fuses.
September, 1934 ...	46 7.65 m.m. aircraft machine guns.
December, 1934 ...	48 tubular bomb carriers with release slips.
January, 1935 ...	12 sets interrupter gear.
COLOMBIA.	
May, 1934	5 clinometers.
	30 depth charges with pistols.
	24 smoke floats and igniters.
	6 .22-in. rifles.
	24 .455-in. revolvers.
	24,000 rounds .455-in. revolver ammunition.
	100,000 rounds .22-in rifle ammunition.
	500 rounds 4.7-in. ammunition with semi-armour piercing shell.
June, 1934	2 4.7-in. breech blocks.
CHILE.	
April, 1934	185 20 m.m. machine gun cartridges.
	25 20 m.m. machine gun cartridge fuses.
	6,000 7 m.m. rifle cartridges.
January, 1935 ...	1 7 m.m. machine gun with spare parts.
	3 7 m.m. machine gun barrels.
	4 aircraft gun mountings.
	2 sets interrupter gear.
	2 bomb sight mountings.

Country and month in which licences issued.	Material.
BRAZIL.	
August, 1934	2 7 m.m. machine guns with mountings 1 .303-in. machine gun with mounting. 15,000 rounds .303-in. ammunition.
September, 1934 ...	800 4-in. propellant charges.
October, 1934	1 7 m.m. machine gun barrel.
November, 1934 ...	Armament fittings for one aircraft.
December, 1934 ...	4 7 m.m. machine gun barrels.
ARGENTINA.	
September, 1934 ...	2,205 lbs. T.N.T. 4,410 lbs. picric acid.
November, 1934 ...	2 depth charge throwers.
December, 1934 ...	6 aircraft gun mountings. 5 sets interrupter gear. 2 7.65 m.m. aircraft machine guns. 1 bomb sight. 8 bomb carriers. 1 bomb sight mounting.
January, 1935	Spare parts for 7.65 m.m. machine guns.
URUGUAY.	
June, 1934	1 manual plotter for fire control gear. 1 bearing ring for record for fire control

BALANCE OF PAYMENTS.

Miss CAZALET asked the President of the Board of Trade why Government payments and receipts on loan account are included in the official calculations of the annual balance of payments; and whether he will arrange to base the calculations upon payments and recepits for goods, services, interest and other current trading items, as distinguished from capital items?

Mr. RUNCIMAN: In preparing the annual estimates of the balance of payments, it has been found impossible in the past to make any satisfactory division of receipts and payments in respect of inter-Government indebtedness between capital and interest, since the division would depend on assumptions to be made as to the rate of interest and as to the extent to which the capital was written down. It would be undesirable to sacrifice the comparability of the estimates over a period of years by altering the practice in regard to occasional isolated items.

EMPIRE TRADE.

Mr. LYONS asked the President of the Board of Trade the respective trade balances between this country and the countries of the Empire for the 12 months preceding the latest convenient date?

Mr. RUNCIMAN: The desired information is available from the particulars of the aggregate trade of the United Kingdom with each British country during the year 1934, which are set out on pages 182 to 190 of the "Accounts relating to Trade and Navigation of the United Kingdom" for January last.

TELEVISION SERVICE.

Mr. HUTCHISON asked the Postmaster-General whether it is intended to set up any special committee to inquire into the recommendations made in the report of the Television Committee that sponsored programmes should be permitted to assist towards the cost of any television service?

Sir K. WOOD: The Television Committee recommended that the permission given in the British Broadcasting Corporation's existing licence to accept certain types of sponsored programmes should be applied also to the television service. This recommendation has been approved; but the question whether advantage should be taken of the permission, and if so to what extent, will, as in the case of the existing service, be left to the Corporation to decide.

POST OFFICE (LETTERS, DAILY DELIVERY).

Mr. T. MORRIS asked the Postmaster-General whether, in view of the fact that

the first Victoria Jubilee was used for the introduction of a daily delivery of letters to every place throughout the whole country, he will endeavour to see that the coming Jubilee is utilised to ensure that effect is given to the original promise, which has never been thoroughly carried out in Wales?

Sir K. WOOD: In 1897 an undertaking was given that there should be a regular delivery of letters, though not necessarily a daily delivery, at every house in the United Kingdom. This undertaking was carried out, and in fact a daily delivery is given on the mainland except in a very small proportion of cases. I am looking further into the position in Wales, and I hope that it will prove possible to deliver daily at all but a very few houses where the circumstances are exceptional.

ADMIRALTY (MECHANISED METHODS).

Mr. WILMOT asked the First Lord of the Admiralty to what extent machines have been substituted for hand clerical labour in his Department; and what is the estimated annual saving deriving from the substitution, allowance being made for the purchase and/or renting of machines, maintenance thereof, and material used in connection therewith?

Sir B. EYRES MONSELL: Mechanical appliances are in use to the fullest extent possible in connection with the preparation of cost accounts at the Royal Dockyards and the Royal Naval factories and are in use at other establishments where they can suitably be employed. In the main, the introduction of the machines has been associated with entirely new systems of accounting, and no estimate can be given of the saving of clerical labour involved, there having been no substitution of mechanical for clerical methods merely to produce the same results.

BRITISH GUIANA (ASSYRIANS, SETTLEMENT).

Captain ERSKINE-BOLST asked the Secretary of State for Foreign Affairs whether any decision has been reached with regard to the settlement of Assyrians in British Guiana?

Sir J. SIMON: No, Sir. The Committee of the Council of the League which is dealing with the matter is to meet this week in Geneva to consider it in the light of the investigations which have recently been conducted in British Guiana by a League mission.

SMALLPOX (DEATHS).

Mr. GROVES asked the Minister of Health the number and ages of the deaths which occurred among the cases classified in the columns A, B, C, and D on page 22 of the Chief Medical Officer's report for *the year 1927*?

Sir H. YOUNG: I am sending the hon. Member a copy of the statement sent to him in connection with a similar question which he asked on 5th March, 1928.

Mr. GROVES asked the Minister of Health whether any deaths and, if so, how many occurred among the cases of smallpox recorded in columns A, B, C, and D, on page 46 of the Chief Medical Officer of Health's report for the year 1932; and whether he will supply similar information in respect of the table which appears on page 37 of the same officer's report for 1933?

Sir H. YOUNG: Two deaths occurred among the cases referred to in the first part of the question, and one among those referred to in the second part.

Mr. GROVES asked the Minister of Health whether the number of deaths shown in the table which appears in the following annual reports of the chief medical officer of his Department, namely the table on page 37 of 1924 report, the table on page 38 of 1925 report, and the table on page 39 of 1926 report, have since been revised; and, if so, will he supply particulars of the revised figures?

Sir H. YOUNG: The answer to the first part of the question is in the negative, and the second part therefore does not arise.

ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee [SIXTH DAY —*Progress 28th February*].

[Sir DENNIS HERBERT in the Chair.]

3.45 p.m.

Mr. CHURCHILL: I beg to move, "That the Chairman do report Progress, and ask leave to sit again."

I desire to put a question to the Secretary of State and to offer him an opportunity of giving some information to the Committee. I quoted the other night some extracts from speeches alleged to have been made in the Assembly of the Princes at Bombay, which seemed to show how wide, various, vital and fundamental were the amendments which they would require in the Government of India Bill. The Secretary of State had then no knowledge of what had occurred, but I wish to know whether, in what is practically a week since then, he has been able to obtain and is able to give us further information about the discussion which took place, whether those extracts were accurate, and whether he can tell us anything about the consequential effects which they will necessarily have on the Bill.

I see in the "Morning Post" to-day verbatim reports of speeches by Sir Akbar Hydari and Sir Ramaswami Aiyar which certainly disclose differences with the Government which, if they are to be met, will entail a complete remodelling of the Bill. They already affect Clauses 2, 6 and 8, and we have dealt with them. Unless entirely new information is forthcoming, a case is disclosed for a motion to recommit the Bill in respect of these Clauses, because it is perfectly clear that, if they stand in the form in which they have been passed by the Committee, the Princes will not accept the Bill. Then, according to the arguments of the Government, it is impossible that their scheme can go forward; that is the Government's case. I do not know how many Members have read the report which appears in the "Morning Post" to-day. It seems to me that there ought to be an official report in matters of this kind which become public in this country. Whether they should become public is another matter, but they have become public, and we are bound to judge the facts as they are presented to us. Anyone who has not read these two columns in the "Morning Post" should really do so without the slightest delay, because it is essential to an appreciation of all the matters which are under discussion. Anyone who has read them will see what a serious position we are in. Take the Clause we are now discussing, Clause 12. Sir Akbar Hydari says:

> "Then there are Clauses 12 and 127, by virtue of which the Governor-General can at any time really interfere in the internal administration of your States on the ground that you are not doing your federal duties."

That is what he is reported to have said. Did he say that? Is this an authentic speech, or is it invented from beginning to end? If it be true, then this is a most grave and serious matter. Perhaps the Government are not ready to answer to-day, but they should fix a day in the near future when they will be able to tell us what are the differences between them and the Princes on this Bill, what are the Amendments for which the Princes are asking, and whether, and if so to what extent, they are able to meet those differences. Otherwise, are we not simply wasting our time? Are we not debating the whole Measure upon a false footing? I am advised that the Princes require vital and specific amendments to Clauses 2, 6 and 8, Clause 12—that is the Clause before us this afternoon—paragraphs (*a*) and (*g*), Clauses 45, 99, 127, 145, 147 and 156.

Where do we stand? Where do the Government stand? I have no doubt that we can arrive at a perfectly amicable arrangement, because anyone can see the difficulty in which the Government have been placed. To use the words of the "Statesman," that friendly newspaper that always supported them, they have been "duped and misled." Those are the words of the "Statesman." But that may not be the fault of the Government. It is certainly their misfortune, and we have to be careful that it does not become our misfortune. It seems to me that a new situation has arisen, and that the Government should make a comprehensive statement. If these facts are true, they should tell us how they propose to deal with the situation; and if they are not true they should relieve the anxiety of their followers upon the matter at the earliest moment. I am sure it will

be much more simple to deal with this Bill when we know where we are. The Secretary of State said that it was desirable that we should know where we are at the earliest moment. When we know exactly what it is that the Bill is going to be we shall be able to give our attention to it. Meanwhile, I await with the customary respect, and even unusual interest, the answer which I invite from my right hon. Friend.

3.54 p.m.

Mr. ISAAC FOOT: May I put a question before the right hon. Gentleman replies? When he replies, can he give us any information as to the circumstances in which the debate by the Princes was carried on, and whether his attention has been drawn to the statement made by Sir Ramaswami Aiyar, appearing in the Press on Saturday, that no shorthand note was taken of the debate whatever, and that there was an agreement, before the discussion commenced, that the proceedings should be utterly and completely confidential, and that only the resolutions should be published. How was it in these circumstances that, on the day following the meeting, a part of the debate was purported to be quoted in this House by the right hon. Member for Epping (Mr. Churchill)?

3.55 p.m.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): My right hon. Friend has given me no notice of this question, though I do not in the least demur to that. I welcome, indeed, the opportunity of giving the Committee an immediate answer. Moreover, my right hon. Friend has made the speech he has just delivered three times, and I have given him three answers. I will now give him a fourth answer. I have received by air mail during the week-end a statement from the Princes' Ministers as to the points under discussion. My advisers and I carefully investigated those points, and I can tell my right hon. Friend at once that that careful investigation confirms me in the view which I have stated three times in the course of these Debates, and once at some length a week ago, that all of them can be adjusted. They confirm in every respect the account which I gave when my right hon. Friend moved the adjournment of the Committee a week ago. He gave the impression in his speech just now that he had discovered a long list of points at issue between the Princes and ourselves. I do not think he can have followed carefully what I said in answer to him a week ago. He will find, if he looks at my answer, that I set out almost detail by detail the points that he has just elaborated. Those are the points under discussion. I gave them to the Committee a week ago, and the Committee then, by an overwhelming majority, took the view that there was no reason why the discussion of those points should delay the further consideration of the Bill. The position to-day is exactly what it was a week ago, with this possible exception, that I have this confirmatory document from the Princes' representatives confirming—yes, I can say confirming in every respect the account that I gave to the House a week ago. My right hon. Friend seems delighted at his discovery in one of the journals to-day of what two of the Princes' representatives are supposed to have said at the Princes' meeting. The hon. Member for Bodmin (Mr. Isaac Foot) is quite correct in saying that that was a private meeting. No shorthand note was taken at that meeting.

Mr. CHURCHILL: I say that is directly contradicted.

Sir S. HOARE: Where?

Mr. CHURCHILL: In the "Morning Post."

Sir S. HOARE: I think I cannot do better than read the statements that have actually been made by the two Ministers whose speeches are supposed to have been reported in the "Morning Post" this morning. Here is Sir R. Ramaswami Aiyar:—

"Madras, 1st March. Accounts published in London of speeches by certain Princes and Ministers at the important secret meeting earlier this week in Bombay in which the India Bill was discussed were referred to by Sir Ramaswami Aiyar, one of those present, in an interview here to-day. 'I have noticed,' he said, 'that Mr. Churchill, in the House of Commons, purports to quote some remarks alleged to have been made by me and others. All I can say is, speaking for myself, that our speeches were, to my knowledge, not taken down in shorthand, and the proceedings, as apart from the resolutions, were agreed by everyone to be treated as strictly confidential. In these circumstances I am

[Sir S. Hoare.]

surprised at the so-called quotations made by Mr. Churchill in the House of Commons.' "

I come now to Sir Akbar Hydari:

"My speech at the confidential States meeting on Monday was entirely extempore, and I have neither passed nor even seen any record of it. Mr. Churchill's quotations have not been wired here, but I can emphatically deny the truth of any report which represents me as having been opposed to federation at that meeting or in the Ministers' meetings. On the contrary, I concluded my speech with emphatic and unequivocal remarks to this effect, that I was from the very beginning, and continued to be, a strong federationist, and if there were certain provisions in the present Bill that were not acceptable to us, I would press and press again upon the Government here and in England for their satisfactory amendment, so that Federation may materialise on the lines which we fully believed had already been agreed at the previous conferences and discussions. You can make use of this statement."

That, certainly, does not appear to be the statement of one of the Princes' representatives who regards the gulf between us and the Princes as being unbridgeable. It is obviously the statement of a man than whom none is better able to speak on the question of Indian Federation, the representative of the greatest State in India, the man who has taken a closer interest in All-India Federation than, probably, almost any Indian. It does not appear to be the statement of a man who does not regard the differences at issue as adjustable.

Mr. CHURCHILL: May I ask whether the right hon. Gentleman will tell us—perhaps he is going to deal with the point—whether the verbatim reports which appeared in the "Morning Post" are authentic or not?

Sir S. HOARE: I do not know so much as my right hon. Friend. He seems to know a great deal about this.

Mr. CHURCHILL: I know what I read in the newspapers.

Sir S. HOARE: Perhaps he can give us some further information on the subject.

Mr. CHURCHILL: Has my right hon. Friend read them?

Sir S. HOARE: I have. I know no more than my right hon. Friend; in fact, I am under the impression that I know a great deal less.

Mr. CHURCHILL: I have no knowledge at all except what appears in the public Press—none whatever. I was favoured with an advance copy the night before of what was to be published the next morning. I have no other knowledge at all. But here are verbatim reports of two columns' length in the greatest detail, and it seems inconceivable that they could have been fabricated or invented. I want to know whether they are true or not. If they are true, then the modest disclaimer to help the Government out of their difficulty and the Minister round the corner, has absolutely no relevance to the importance of the case disclosed.

Sir S. HOARE: There is no question of helping the Secretary of State round the corner or getting the Government out of their difficulty. It is the comment of the two men who have been quoted in the "Morning Post" as to what actually took place. I would have thought that they are much better qualified to give an accurate version of what took place than anybody else. Let us assume, to please my right hon. Friend, that these reports are accurate.

Mr. CHURCHILL: Hear, hear!

Sir S. HOARE: The right hon. Gentleman is delighted about that.

Mr. CHURCHILL: I did not say whether I was delighted or not.

Sir S. HOARE: I gathered from the expression on my right hon. Friend's face that he generally agreed. Anyhow, let us assume that they are accurate. That does not in the least alter the position I explained a week ago. They set out, detail by detail, the very points of which I informed the Committee a week ago, and with the general approval of the great majority of the Committee I stated that they were points which could be adjusted. I still maintain that position, and when we come to the Clauses in which these points occur, I can explain the position to the Committee. As to the earlier Clauses, Amendments may or may not be necessary as a result of our further discussions, but I do not at all accept the view that even if we adjusted all these details—and I hope we shall adjust them—it would be necessary to remodel the Bill. My whole position is that they are points which can and

ought to be adjusted within the framework of the Bill, and I have every hope that during the course of these discussions I shall be able to prove that to the Committee.

Mr. CHURCHILL: Will the right hon. Gentleman answer the question as to whether at this meeting of the Princes in Bombay the speeches were taken down in shorthand or not? There appears to be a direct conflict of testimony. The two Ministers he has quoted say that their speeches were not taken down. Some explanation is usually forthcoming in a case of discrepancy of that kind. Will the right hon. Gentleman also say whether these transcripts have been forwarded to the Viceroy? Surely he can inquire of the Viceroy whether it is true that he has received a report of what happened; and, if so, surely he can lay it before the House later on?

Sir S. HOARE: I will certainly inquire of the Viceroy, but I will tell my right hon. Friend now that, so far as my present information goes, no transcript was taken, and no transcript was sent to the Viceroy, but, as I say, I have no official knowledge of what actually happened at a meeting which was confidential and private. I will make further inquiries, but, as I say, according to the information at present at my disposal, I believe I am right and my right hon. Friend is wrong.

4.7 p.m.

Sir WILLIAM DAVISON: May I point out to the Secretary of State that what he has said to the Committee is a direct confirmation of the statement made in this morning's paper, because it is quite true that Sir Akbar Hydari, after saying in this speech that his objections were fundamental and referring to Clause 6 as an appalling Clause, or some such word, and he could not imagine how it could have been inserted in the Bill, he ends up quite a long speech by saying that he is still most desirous of having federation, and that he hopes the Government will see reason, and will remove these Clauses from the Bill, or entirely alter their effect. What the Secretary of State has said seems to me to confirm, on the face of it, what is reported in the paper which I have in my hand. We are not here discussing whether the "Morning Post" was entitled to publish this report or not, or whether it got it by illicit means. What the House is anxious to know is, are the statements correct or incorrect?

As a back bencher, I venture to suggest to the powers-that-be that the House is being placed in a very anomalous, and, I would almost say, farcical position in discussing these important Clauses before we know whether the Princes are going to accept them in this form or not. We were told that federation would never have been suggested had not the Princes agreed to come in. If that is so, surely we want to know before going on with this Bill what are the fundamental conditions in the present Bill to which the Princes object, and what are the terms in which they are coming in. Otherwise this procedure is being reduced to an absurdity. We ought to know what conditions the Princes lay down. We are told that Clauses 6 and 12 are quite impossible for them to consider without fundamental alterations, and we ought to know what are the fundamental alterations which the Princes demand.

4.10 p.m.

Mr. ATTLEE: We are going to be placed, I think, in a very great difficulty if after, as I understood, we all came to a decision with regard to the discussion of this Bill, we are to have a Motion to report Progress in order to discuss what appears in the "Morning Post." I am not aware of what appears in the "Morning Post," but I think we have had quite enough already about discussions in party meetings and party newspapers. I think it is an abuse of the practice of the House for the right hon. Gentleman to get up and again make, as I understand he has done several times already, a speech on a particular point. If so, we had better face the fact that the idea of carrying on the discussion so that various points of view can be put forward, is being entirely destroyed. There are several important points which my hon. Friends and I wish to put forward, but, if this kind of thing goes on, the whole arrangement will break down.

4.11 p.m.

Mr. ISAAC FOOT: I only want to ask that the House shall at least have justice done to it in this respect. On Thursday last the right hon. Gentleman quoted from certain typewritten papers. He quoted what were supposed to be

[Mr. Foot.]
statements made in the course of the Princes' meeting. That information was not then in the possession of the right hon. Gentleman the Secretary of State. We have heard since from two of the Princes, or at least two Princes' representatives who were then quoted, that they gave no authority for the publication of those statements, and, in fact, they made an express disclaimer. I thought when the right hon. Gentleman the Member for Epping (Mr. Churchill) rose to-day, he was rising to apologise to the Committee for occupying the time of the Committee with statements which should never have been issued, except as a result of a breach of faith on someone's part. It is quite clear, and it is stated in terms by Mr. Akbar Hydari and Sir Ramaswami Aiyar, that no shorthand notes were taken. Sir Akbar Hydari spoke extempore, and, apparently, they objected to statements being made on the Floor of this House which were directly attributed to them by the right hon. Gentleman. If he has these subterranean methods of communication with India, or any methods of communication—I will withdraw the word "subterranean"—I think it was his duty to-day to explain to the Committee why they had been misled in listening to speeches behind which there was no authority. Surely he, above all people, will recognise the difficulty of discussing any statements unless they are authorised. He himself has written to the "Times" to-day showing that the mere mistake—and very natural mistake—of using the word "study" instead of the word "state" reduces his statement to the House of Commons, in his own words, to nonsense. If such a mistake can be made here, surely he will see what difficulty there may be in a conflict arising out of reports which are repudiated by those to whom he has attributed them. Instead of occupying the time of the Committee with this further Motion, I think the best thing that he can do is to apologise for having misled the Committee, and promise that in future he will deal with the relevant questions which are before them.

4.14 p.m.

Mr. CHURCHILL: If I had misled the Committee, wittingly or unwittingly, I should certainly make my disclaimer and apologise, but I have done nothing of the sort. I quoted certain extracts which were placed in my hands. [HON. MEMBERS: "No."] They were given to me by the "Morning Post," and were to appear in the paper next morning. They appeared to be authentic and to be highly relevant to the particular Clause, and I thought at the time that I was not only justified in bringing them to the attention of the Committee, but was bound to do so. I do say, and, in fact, after a week has passed, it is found that these extracts are accurate and authentic. [HON. MEMBERS: "No."] If the hon. Gentleman would read the reported—the alleged—speeches, he would see that they bear the mark of genuineness and authenticity in every line. All that I have to ask is that the Government should say whether these speeches are authentic or not. The hon. Gentleman argued just now as though he did not care what was the truth. [HON. MEMBERS: "Oh."] Well, he argued as though he did not wish this point pressed as to whether these grave matters have in fact been said by the important Indian ministers to whom I have referred. We ought to know the truth. What are we debating here for, unless to find out the truth and to place our debates on a fair and reasonable basis?

I am far from having reached the end of this matter, and I hope and trust that when the report is in due course received by the Viceroy, to whom I am informed it has been sent, the right hon. Gentleman will endeavour to lay the facts before the Committee in a White Paper. Until he does, or until he contradicts this matter in the same definite manner in which the speeches are repudiated and we know exactly in what terms they are repudiated and what lines and what paragraphs are inaccurate, I shall accept them as accurate and true and shall argue upon that basis. I hope and trust that the right hon. Gentleman will endeavour to place the Committee at an early date upon that reasonable basis.

The hon. Member for Limehouse (Mr. Attlee) has been indisposed for the last 10 days. I am sorry if one of the symptoms of what we now see is a happy convalescence should be bad temper. If the hon. Gentleman had been fortunate enough to enjoy his usual health and to be present at the Debates

he would have seen how admirably they had been conducted, how sensible has been the feeling on every side that there was no obstruction, and also how admirably his colleagues have filled his place in his absence. He would then not have gone out of his way, on no information, and not having been in touch with the Committee and its work, to deliver such a very striking and dictatorial lecture to me. How much time has been taken up? Half-an-hour has been occupied in raising these extremely important matters, which he will find will be examined and reported in all parts of the country, and very much more than some of the orations with which the hon. Gentleman will presently favour us.

4.17 p.m.

Mr. ANNESLEY SOMERVILLE: On a point of Order. In the cablegram which has been read from Sir Akbar Hydari there was the statement that certain paragraphs in the Bill were not acceptable to the Princes. I suggest that we ought to know what those paragraphs are.

Sir S. HOARE: I had already stated them.

The CHAIRMAN: Let me deal with a point of Order. The right hon. Gentleman the Member for Epping (Mr. Churchill) moved to report Progress on grounds which I thought were quite sufficient and something quite different from the grounds or the continuation of the grounds upon which he moved a similar Motion about a week ago. That Motion was made and decided upon, and therefore there are two reasons why certain arguments are outside the present discussion, one is that the discussion should not merely be a repetition and the other is that it must not deal with a matter which has already been decided by the Committee.

Mr. SOMERVILLE: The position is altered, because the Secretary of State has received cablegrams from certain ministers to the Princes. Is it not in order to put a question to him in regard to those cablegrams? The question I was going to put is whether the Secretary of State knows the provisions mentioned by Sir Akbar Hydari, whether they are important or whether they are minor points capable of adjustment. In any case, I submit that it will be only fair—

The CHAIRMAN: That is the exact question debated a week ago.

4.20 p.m.

Mr. MAXTON: I do not want to take up time on this matter because, with the other parties to the agreement, I agreed to facilitate the passage of this Measure. I am not so impressed by what the Princes do or do not think; that will not influence the least little bit my judgment on the various Clauses of the Bill. Indeed, the things to which they object most would be those which I would be most inclined to do. The point I wish to raise with the Secretary of State—and I put this as a Member of the Committee—is how it comes about that on the last occasion when there was a Motion to report Progress, and again to-day, he, as Secretary of State for India, seems to be less well-informed upon what has actually happened upon the spot in matters vitally affecting the legislation which this Committee are discussing? He seems to be less well-informed and always some days behind an unofficial Member of the House, of great importance and with great influence in this House, who is showing a very active interest in the matter, yet not holding office and without the means of communication that are available to the Secretary of State, and without responsible officers on the spot such as are available to the right hon. Gentleman. His information, as he has told us, comes through a perfectly legitimate, if not very reputable channel, the "Morning Post." I want to ask the Secretary of State for India why it is, when we are honestly trying to use our judgment on this Measure, that we who are not tied to a mere voting machine but are willing to listen to the discussion of each issue and cast our votes as we are persuaded the greater amount of justice and common sense lies, cannot get from the Secretary of State on the day when the matter comes before the House, authentic and definite information as to what has been done by people who are actively concerned in the matter in India.

Is there something wrong with his staff? Has he not men on the spot, or was this meeting of the Indian Princes not a matter of sufficient concern for him to

[Mr. Maxton.]
take the step in reference to it that was taken by an English daily journal? If a group of Indian strikers in Bombay or Calcutta were holding a meeting, even though it were in secret, the Secretary of State for India, as we have had experience, would have knowledge of the matter. He can get right into the innermost secrets of trade union gatherings or gatherings of revolutionary agitators, but when it comes——

The CHAIRMAN: I would remind the hon. Member for Bridgeton (Mr. Maxton) of the very strict rule that when this Motion has been made the Debate must be strictly limited to the Motion.

Mr. MAXTON: I am sorry. The simple point that I was making—I conclude on it—is that we have had ample proof in our work that the Secretary of State for India is not devoid of means of getting exact information when he desires to get it. Why is it that such information is not available on this matter at the time when Members of the Committee can make use of it?

4.25 p.m.

Sir S. HOARE: I respond at once to the question of the hon. Member for Bridgeton (Mr. Maxton). There are some things that the Secretary of State cannot do. One thing he cannot do is to break confidence. This was a confidential meeting. I had no means of breaking into that privacy even if I had wished to do so. I can only deal with authorised information when it comes to me, and I am dealing with authorised information. I have had the authorised statement of the Princes' ministers and, as I said just now, I am dealing with it. If the Princes themselves communicate further with the Viceroy I shall deal with that communication. One thing that the Secretary of State cannot do is to deal with unauthorised information of this kind, and I do not believe that the hon. Member for Bridgeton would expect me to do so.

4.26 p.m.

Duchess of ATHOLL: May I ask the Secretary of State whether he does not see a considerable similarity between the report which he has read to us and what Akbar Hydari says in the report as published in the "Morning Post"? Might not what he read be a report watered down for public consumption of a much franker statement made at the meeting? Secondly, can the Secretary of State find in the statement which he read from Sir Ramaswami Aiyar any denial of the speeches reported in the "Morning Post"? I can find none. I have heard the extract which the right hon. Gentleman has read, and I read the speech when it was published in the "Morning Post." I can find no denial and no statement whatever that he did not make the statements attributed to him, but merely that he understood that there was no reporter present. That is not enough.

4.27 p.m.

Mr. CHURCHILL: I am going to ask leave to withdraw my Motion. I think this discussion has shown the usefulness of this procedure in bringing important matters into Parliamentary discussion. May I in doing so suggest to the Secretary of State a perfectly simple course that he can take. I suggest that he should take this good advice; when the English newspapers, or some of them, contain long reports purporting to be verbatim accounts of speeches delivered at this confidential meeting, those reports, if they are not true, should be contradicted, and if they are true he should decide whether it is not desirable that the whole of the proceedings should be published, or at any rate than an official report of the proceedings should be made and communicated to the Viceroy. The Secretary of State is in touch with the Princes; he should put this to them and point out that some of their confidential matters had been disclosed apparently and that it is desirable that we should have fuller information on the matter for Parliament.

Sir S. HOARE: I am not prepared, so long as I am in this office, to have my telegrams to the Viceroy drafted for me by the right hon. Gentleman the Member for Epping (Mr. Churchill). I have placed this matter frankly before the Committee, and I have nothing to add to what I said.

Mr. CHURCHILL: In spite of the refusal of the right hon. Gentleman to clear this matter up in any way, or to elicit more information which might be unwelcome to him, I beg to ask leave to withdraw the Motion.

Motion, by leave, withdrawn.

CLAUSE 12.—(*Special responsibilities of Governor-General.*)

4.29 p.m.

Mr. DAVID GRENFELL: I beg to move, in page 8, line 9, to leave out paragraph (*b*).

The Committee should examine the effect of the several special responsibilities which the Clause contains. We are dealing with the Federal Executive in these Clauses, and we find that executive power is limited and modified by special responsibilities on specific matters. We have heard a great deal during the debate in Committee about the list of subjects to which the Instrument of Accession do or do not apply, and there are a large number of special subjects for legislation by the Federal Government. We find many references to finance and that so far as federal finance is concerned the final authority rests not with the Federal Executive, not with the Federal Legislature but with the Governor-General in his own person. We find in Sub-section (2) that:

> "If and in so far as any special responsibility of the Governor-General is involved, he shall, in the exercise of his functions, exercise his individual judgment as to the action to be taken."

In this very important matter of the safeguarding of the financial stability and credit of the Federal Government, the Governor-General is the supreme authority. It is very difficulty to say how far the Federal Government has any real power if the Governor-General has the right to withdraw from their control a matter of such great importance as the protection of the financial credit of the Government. We have heard a great deal about responsibility at the Centre. We claim that responsibility should be placed at the centre of the Federal Government. The Federal Government consists of the Princes, the Rulers of Indian States, and representatives of provincial bodies.

I heard the quotation from the "Morning Post," which has occupied the time of the Committee, but I did not carefully follow the position attributed to the Princes on this point. It is certain, however, that the Princes have made special objections to paragraphs (*a*) and (*g*) of this Clause. It is difficult to understand how the Princes, having raised those particular points, could have omitted to object to paragraph (*b*), because without responsibility and authority in matters of finance there is no self-government in the real sense. There is no power. Power resides in the control of finance in India as in this country. The executive body of the Government in this country has authority because it controls public finance. Without that control it would have no authority; all the authority would rest with the Crown, and this House of Commons and Parliament would have no power.

We find that the Federal Government in India is to be denied the authority which gives real power to this House of Commons and to representative assemblies in all parts of the world. I am not able to follow all the details of the finance involved in the Bill, but I have read Clause 134 and the following Clauses, laying down the machinery for the regulation of federal revenues, the collection of federal revenues and for exercising control over federal expenditure, but I do not know exactly the conditions under which the Governor-General is to exercise his special responsibility. I have read his speeches, I have heard the speeches of the Secretary of State and I have read the Bill, and so far as I know we have not been offered any direct guidance on that point. We do not know when it is that the Governor-General will exercise special responsibility and take over the safeguarding, by special action of his own, of the financial stability and credit of the Federal Government. There is no indication in any way that this is a temporary safeguard. There is no indication anywhere in the Bill so far as I can see that this final authority is to be vested in the Federal Government. If there is no intention at any point in the development of India's march towards Dominion status and no provision in the Bill for the vesting in them of control over finance, then it is not rue to say that this Bill does confer Dominion status upon India. We shall be able to do justice to the Amendment when the Secretary of State has replied on one or two of these points. We are anxious that he should make perfectly clear to the Committee at this stage the circumstances under which the Governor-General is expected to assume this special responsibility in regard to safeguarding the finances and credit of the Federal Government.

4.37 p.m.

Sir S. HOARE: It is easy to put questions of this kind in the form of a dilemma. Either there is responsibility or there is not. If the Governor-General intervenes, it means that the Minister does not have responsibility. If, on the other hand, the Governor-General does not intervene, then it means that there is no financial safeguard. I have never admitted that kind of dilemma. I believe that it is perfectly possible for the financial Minister of the Federation to be responsible and at the same time for the Governor-General to have the power of intervention in certain circumstances. I feel, further, that in actual practice, assuming that there is going to be commonsense on both sides—I still go on assuming that position—this kind of difficulty is not going to arise, or if it is going to arise it will arise very seldom. In 99 cases out of 100 there will be no difference of opinion between the Federal Minister and the Governor-General.

I cannot understand how, short of Bedlam, an Indian Federal Minister would wish to do anything to shake the credit of India. If that would be the attitude of the Federal Minister, surely then there would be no need for the Governor-General's intervention for the protection of the credit of India. I cannot better describe the position than by reminding the Committee of the paragraph in the report of the Joint Select Committee on the subject. If hon. Members will look at paragraph 170—I do not need to read it at length—they will see set out very carefully and effectively the position as we envisage it, namely that we do not assume this gulf between the two sections of the Government. We do not think it is likely to arise. If, however, it does arise the Joint Select Committee very definitely take the view, and I agree strongly with them, that in the interests of India—I emphasise the interests of India—it is necessary that the Governor-General should have the right of intervention.

I believe that one of the greatest benefits that the British Raj has conferred upon India has been Indian credit, namely, the fact that India has been able to borrow money at incredibly low rates of interest compared with other countries in a similar economic position. That is to a great extent due to the caution with which Indian finance has been administered, and the fact that the City here, from which India draws its loans, has always had full confidence in India's financial stability. No greater calamity could happen to India than anything which would shake Indian credit and make it impossible in the future for India to meet the various maturities of its loans or to have to meet them at exorbitant rates of interest. Further than that, looking to the future I am convinced that one of the greatest problems for India is to provide itself with capital for economic development. There is an almost boundless field, looking to the future, for economic development in the Indian continent. The cardinal factor in dealing with that need is the need of sound credit and cheap money, and I am sure that in the interests of India—I am not saying anything of our own interests; I am not emphasising our own interests in the matter of loans, or in the matter of expenditure or the money for salaries or pensions—I am arguing the question on the interests alone of India—and in the interests of India it is absolutely necessary to have this special responsibility and to make it quite clear that there is no risk in the future of irresponsible or unwise action being taken that will endanger India's credit or the stability of Indian finance.

4.43 p.m.

Mr. OSWALD LEWIS: I am very glad that the Secretary of State proposes to resist the Amendment. I could not help feeling as I listened to the speech of the hon. Member who moved the Amendment that he was not giving sufficient weight to our responsibilities in this House with regard to this matter. We are proposing to hand over to our fellow subjects in India a larger share of the government of that country than they have had before. In doing that we cannot divest ourselves of our own responsibility for our past actions. We have in the past raised large loans on the credit of the Government of India. Those loans have been treated as trustee stock. They are largely held to-day by trustees. Many of our fellow countrymen have been employed as servants of the Crown in India, and it has been part of the terms of their employment that they would in due course enjoy certain pensions. I maintain that a very clear obligation rests upon this House and that we should take every step within our power to see that the

interests of those holders of Indian stocks and of those people who are enjoying pensions are effectively safeguarded.

The CHAIRMAN: The hon. Member must not discuss pensions on this Amendment.

Mr. LEWIS: I am sorry that I included pensions, which are not covered by the Clause. I will confine myself to the case of the Indian stocks. It seems to me that we have a very clear obligation to see that the claims of the holders of those stocks are met, and that the finances of India are so conducted that funds are available to meet them. As to the purely Indian aspect, the Secretary of State has already pointed out how vital, in the interests of India herself, it is that her credit should be maintained at the high standard at which it has been maintained in the past. That, I suggest to the Mover of the Amendment, is the answer to his question. The hon. Member expressed surprise that the Princes do not object to this Clause. I suggest that the reason is that they appreciate its value to India. On all these grounds I think that the Amendment would be most ill-advised.

4.46 p.m.

Mr. MORGAN JONES: There is a sense in which I think we can cordially agree with some part of the speech of the Secretary of State. Obviously we would all agree that it is necessary to safeguard the credit of India. That is an elementary proposition. But the proposition which is raised by our Amendment is as to whether the Governor-General should be the person who should have some special responsibility in regard to that matter. Of course, all through our discussions last week there has run, and probably in future there will run, the constant line of demarcation between right hon. and hon. Gentlemen opposite and ourselves. We naturally have a different philosophy, if I may call it that, from that of the Government. It was quite clearly brought out by the hon. Member who has just spoken. He spoke of the people of position who have invested in trustee securities, and so on. I am not at all anxious that they should suffer financially by this change—far from it. Our primary concern in this business, on this side of the Committee, is as to how far we can transfer to the Indian people responsibility for their own concern. That is our approach. Therefore, in approaching the problem we put the Indian position first and our position second. That is not to deny the importance of the proposition which the last speaker has put before the House. The question is, is it a wise proposition that the Governor-General should have this special responsibility?

I have repeatedly said in these discussions that I am exceedingly anxious that the Governor-General should be, so to speak, above the battle in India in future, that he should not be drawn into these controversies that are apt to be so violent and so bitter at times. From that point of view I am anxious to keep the Governor-General outside the ambit of these discussions to the utmost extent. Let us take the other side of the proposition. Suppose that we do leave the Governor-General out of the picture and do not give him these special responsibilities, can we then feel assured that the Indian people, if they were exercising full and complete control in this matter, could be relied upon to do their job efficiently without discredit to the credit of India? Really, what evidence is there in support of the suggestion that the Indian people are less gifted in the matter of financial ability than the people of England? All my study leads me to the conclusion, I say quite frankly, that the Indian people, those who engage in this kind of operation, show just as much capacity and just as much dexterity as the most dexterous people in this country. Is it supposed that the Indian people in control of India will be less concerned with the credit of India than has been the case in the past? Does anyone suggest that people suddenly in possession of self-governmental powers will act in such a foolish way as to prejudice the credit of their own country? Does anyone suppose that? Obviously their elementary duty would be so to discharge their task as to raise the credit of that country to the highest possible extent in the world.

Let me return to the first proposition. What exactly does special responsibility for the financial stability of India involve? I do not want to cover ground which has been covered before, but we must recall what has been said in our discussions. There is a very high proportion of expenditure in India now upon

[Mr. Jones.]

one subject, namely, defence. A new Indian government, either at the centre or in the Provinces, must necessarily want to give proof to its people that self-government means something of real value to the general mass of the people. Unless the future government can prove that self-government in India means the raising of the standard of happiness and contentment of the great mass of the people, to that degree it will fail to convince the Indian people of the efficacy of self-government. It may desire to spend more money on social services. Is that an occasion for the Governor-General to come in? Is that what is meant and implied? Is that what is meant by this paragraph? We ought to know.

It is a vital thing to a country of this sort, where the social problems are so present and insistent, that the government should be free, within the bounds of reason of course, to embark on social reforms without the danger of the Governor-General stepping in and saying, "No, you must not spend more rupees on that than you spend now, because if you do you will thereby prejudice the financial stability of your country. I must intervene and stop it." That is what we fear. This exceptional power of the Governor-General may, when there is a Governor-General who is particularly timorous, be used in the direction of keeping down every element that moves in the direction of advance in the matter of social reform. So we take our stand on two grounds: first on the ground of our philosophy, the right of the Indian people to determine as fully as they can the measure of their own self-government; and, secondly, having granted that principle, to give them as complete responsibility as possible to determine for themselves the rate of progress which shall be registered in the realm of social reform.

4.53 p.m.

Sir ARTHUR STEEL-MAITLAND: I have been roused by some of the remarks of the hon. Member for Caerphilly (Mr. Morgan Jones). I can only say, incidentally and in passing, how glad we are to know of the hon. Member's new-found care for the stability of the credit of India. We sincerely hope that in the months and years to come the value of good credit, which hon. Members opposite recognise so freely with regard to India, will become part not only of their principles but of their actions in this country also. I have perfectly valid reasons for saying that. The hon. Member for Caerphilly shakes his head, but he knows that as well as I do. Let me come to the concluding part of his speech. He asks, are we going, by maintaining this paragraph in the Bill, to prejudice the power of an Indian ministry to deal with the social needs of the people of India? Taking the whole question in a broad view, I would say that what we are safeguarding are the social needs of the people of India, because if the hon. Member considers the matter he will see how much of those social needs rests upon the credit of the country being first class. Hon. Members should also remember that India cannot provide for them fully from her own resources, probably for years to come. She must always be a borrower in foreign markets.

I am thinking, as the hon. Member thinks, of the interests of the Indians themselves. India is bound to be a borrower in foreign markets for further railway development, for reservoirs and waterworks, and if she is to have housing and building schemes. For all those purposes good credit and cheap credit is essential. In a country like India, which is poor, unwise action may very quickly mean that her credit would be damaged from the point of view of lenders outside, and once that damage is inflicted years would be required to repair it. Think of a difference of two points of credit. It might almost double the cost of houses, or of the water supply or of the railways. From all these points of view I am sure the hon. Member will see that the need to safeguard India's credit is vital.

Mr. MORGAN JONES: My point was whether the Indian people are less likely to have regard to that fact than the right hon. Gentleman himself.

Sir A. STEEL-MAITLAND: That was the hon. Member's other point, and I am going to deal with it. No one wishes, least of all myself, to say that there is any lack of individual ability in India. There is not. But it is true that at the outset there must be a lack of collective experience, and everyone in this Committee knows perfectly well how much we in this country in all parties owe to

the collective experience that we gain. Therefore, I support the inclusion of this paragraph, not because I would decry for a moment the power of intellect of any Indian, but just because my philosophy is different from that of hon. Members opposite. Their philosophy is static; my philosophy with regard to this matter is one of development. There ought to be safeguards at this stage of Indian development. They may not be needed later on, but in the early stages mistakes are easy, and the subject of finance is a peculiarly difficult one in which mistakes are most easily made. Mistakes are so easy with different schemes. There are so many of them, some of them good in themselves, some of them most powerful, and we all know the tendency there is to try to take them in hand if possible. For these reasons I say, from the point of view of the Indians themselves and from a quite justifiable philosophy, that to safeguard India in this matter during the years to come is highly necessary and desirable.

5.0 p.m.

Mr. COCKS: This Clause means that Indian ministers must be governed by orthodox views on finance. It means that they may not adopt a policy which is objectionable to the banks, to the Reserve Bank of India or to the Bank of England. But it is the policy of the banks which is being questioned nowadays in all quarters. We do not agree that financial dictation by the Bank of England has been so wise for many years past. Most of the mistakes made in the realm of finance have been made owing to the policy adopted by the Bank of England, by Mr. Montagu Norman, and, through him, by the Chancellor of the Exchequer.

The CHAIRMAN: I hope the hon. Member will not go off on that King Charles' head.

Mr. COCKS: It is not King Charles' head, Sir Dennis; it is Mr. Montagu Norman's head.

The CHAIRMAN: That, perhaps, is worse.

Mr. COCKS: Much worse, Sir Dennis, But suppose a finance minister in India wanted to adopt a different method of currency and to go in for inflation, what would the Governor-General do? The Governor-General of India, who would not be a financial expert himself, would only intervene because the Reserve Bank of India would say, "We do not agree with this; it is all wrong, and it will lead to disaster." So it really means—and I am sorry to bring in King Charles' head again—that Mr. Montagu Norman, besides being virtually King of England, will be virtually Emperor of India. The orthodox policy, which has led to disaster in this country, and not wholly in this country, but in other parts of the world, ought not to continue in India.

5.3 p.m.

Sir EDWARD GRIGG: I agree with the last speaker that it is desirable to prevent any fear that the finances of India are controlled in the interests of this country. It is undesirable to let it be supposed that their tariff policy is controlled in the interests of the British people. But the Viceroy has a financial adviser of his own, and it is to be assumed that the advice given to him by his financial adviser will be definitely in the interest of India, and not in pursuit of any financial policy suitable primarily to this country. The hon. Member for Caerphilly (Mr. Morgan Jones) suggested that by passing this Clause we should be making some reflection on the financial competence of leading men in India. I would hesitate very much to make any such reflection, because there is no question that India has produced financiers of very great ability. Indeed, some of them have shown greater prescience than some of our own in the last 15 years. But that is not the point. There is no reflection, it seems to me, in this Clause, because I think the hon. Member must have forgotten that only a few months ago we were discussing a situation in which a British Dominion was on the verge of default, not because it lacked among its own people men of financial ability—they were there—but because the political machine had got out of hand and because policies were pursued under political pressure which were obviously not wise from a financial point of view. In any inexperienced political system that is likely to happen, and this, so far from being a reflection on the people of India, seems to me to be a very wise precaution to prevent anything happening in India such as happened in Newfoundland. It is very desirable that the Viceroy, advised by his financial adviser, should

[Sir E. Grigg.]
be able to intervene at an earlier stage than the Secretary of State was able to intervene in the case of Newfoundland. Therefore, I shall most certainly oppose the Amendment.

5.5 p.m.

Mr. ANEURIN BEVAN: I have been ruminating about the financial policy that has been followed by this country in the last 10 years and about its effect upon the colonial world. One would have gathered from the last speech and from the speeches of my right hon. Friend the Member for Tamworth (Sir A. Steel-Maitland) and the Secretary of State for India that our financial policy had been so inspired, that the interests of the Colonial world for the last 50 or 100 years had been so wisely controlled by us, that its interests were best served by putting its financial policy under our control. What actually is the position? The position is that the Colonial world is practically ruined by the financial policy of this country, that only recently we compelled the Australians to accept a much lower standard of life in the interest of British bondholders, and that salaries were reduced universally——

The CHAIRMAN: We must not discuss that matter now.

Mr. BEVAN: I take exception. We are entitled——

The CHAIRMAN: The hon. Member will please obey my Ruling. I rule definitely that, although he may refer to a case as an example, he must not here discuss in detail this question of Australia.

Mr. BEVAN: But, Sir Dennis, I was using that in passing, as an illustration. It was not my intention to go into details, but merely to point out that the basis of the proposition advanced by the Front Bench is false and——

Sir E. GRIGG: The hon. Member seems to be arguing that the Commonwealth of Australia has not been responsible for its own finances for the last 30 years. It has been absolutely responsible.

Mr. BEVAN: My position is that in financial matters in many of the Dominions and Crown Colonies the City of London has had predominant control, and the hon. Member knows very well that one of the charges brought against Wall Street and against Threadneedle Street is that they have pumped money into the Dominions and the Crown Colonies unnecessarily, that they have used their financial influence to place loans where loans were not justified.

Sir E. GRIGG: Does the hon. Member really suggest that the Dominion of Australia is not self-governing?

Mr. BEVAN: It is our contention that no nation in which financial power rests in private hands is self-governing.

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): The hon. Member has made too important a statement to let it go by. Surely he must know, first, that, so far as the finance of any Dominion is concerned, the Dominion is absolutely responsible for it, and, secondly, that there is not a Dominion in the British Commonwealth which would not pay tribute to London for the facilities given to it. Incidentally, because of the facilities given, conversions have taken place that have relieved the Dominions of £2,700,000. I only intervene because my hon. Friend my be quoted in Australia, and it would not do to let misstatements pass.

Mr. BEVAN: That intervention of the right hon. Gentleman has added nothing to the information of the Committee and is entirely irrelevant. Everybody knows that the formal government of a Dominion is in the hands of the Dominion itself, but everybody knows that the reality of financial government is in the hands of financial interests, and the right hon. Gentleman has spent practically the whole of his lifetime until the present time in pointing it out. The proposition advanced here is that the credit of the new borrowing countries is safer in the hands of Great Britain than it is in the hands of those countries themselves. What is the present spectacle? World investment has practically broken down as a consequence of our control of it, as a consequence of the fact that the finances of the Colonial world have been dominated by the Western world and that the Colonial world has been impoverished by the financial policy of the Western world. The new nations are practically unable to borrow money in any quantity at the present time, and

if they were able to borrow it, if they were credit-worthy, our export trade would mount enormously. That is the position, and it is known to everybody, yet we have this Pecksniffian attitude that we have such geniuses in finance, that we have managed our financial relations with the new nations so competently, that India would suffer grievous disaster if she were allowed to manage her own financial affairs.

The proposition contained in the Bill is that Indian finance should be governed in the interests of the Indian money-lender. This Bill does not, as a matter of fact, hand over the Government of India to what are euphemistically called the irresponsible masses of India. The Bill only enfranchises the property owners of India, who are very much concerned about Indian credit and are vitally involved in the development of their own commercial concerns. Is it conceivable that those people would carry out a financial policy which would jeopardise their own properties and their own undertakings? It is fantastic. If you were handing over India to the Indian working classes, you would expect them to be slightly irresponsible about the propertied classes, but we are enfranchising only the property owners of India, and I imagined that that would be a sufficient guarantee. But no, the real conflict is between the property owners of India and the property owners of Great Britain, and you want that safeguard in the Bill in order to safeguard the property owners of Great Britain against the rivalry of the property owners of India, so that if any controversy arises in the future, the Viceroy can intervene on behalf of the property owners of this country.

I submit to the right hon. Gentleman the Secretary of State for India that in his discussion of dyarchy he really did not do justice to the facts. As I understand it, the Governor-General's veto may be exercised on every budget as it comes before the Indian Assembly. The Governor-General's safeguarding powers would be put forward every time. There will be pressure on many of the Indian legislatures to undertake expenditure in respect of social services, but they will have a splendid alibi. Whenever discussion takes place, what will they be able to say? "We cannot do this, because of the veto of the Governor-General." He has a veto on defence, so that he insists on a certain sum of money being always available in the budget. Under his obligation and responsibility to see to the defence of India, half the Indian budget goes there, and the rest, or a large part of it, is already pre-empted. If they propose to expend any additional money in order to improve the social services of the country, the Viceroy steps in, and if the Viceroy does not step in, he will not be doing his duty of safeguarding the credit of India. If the Viceroy does step in, then the British raj is again responsible for bad government in India.

That will be the contention, and, in order that the Governor-General's veto may be exercised, clever Indian politicians, anxious to make these safeguarding powers the football of Indian controversy, will put before the Governor-General proposals that he may have to veto; and that situation is going to occur year after year. I agree that this difficulty is implicit in dyarchy, but it is even more implicit and acrimonious in financial dyarchy, because this issue will be raised every year on the Indian Budget. I submit that it would be a legitimate prophecy to make that dyarchy in financial matters is going to be the most acrimonious element in Indian politics, because it involves just those questions which Indians are anxious to push forward for the improvement of their own people. In the interests of the reputation of Great Britain and of the British raj in India it would be far better to hand over the whole financial responsibility for the management of their affairs to the Indian people, and wipe our hands of any responsibility for it in the future.

5.17 p.m.

Duchess of ATHOLL: I think it is desirable very briefly to remind the Committee, while we are discussing these matters, that there are some special reasons for these words being in the Bill. I heartily endorse what my right hon. Friend the Member for Tamworth (Sir A. Steel-Maitland) and others have said as to the ability of many Indians, but we have to remember that India is a land where extreme opinions get much more chance than they do in this country, that it is a land of excitable tempera-

[Duchess of Atholl.]
ments and a good deal of ignorance, and that as a result of Congress activities for nearly four years past the Congress party have been committed to a policy of repudiation of the Indian public debt in whole or in part. It was on account of that policy that representatives of civil servants expressed grave fears to the Joint Select Committee, on the first day on which they gave evidence, as to whether their pensions would be safe. Since then the Congress party, which had been standing out of the Assembly for some years, again put forward representatives, who repeated this policy of repudiation of public debt in whole or in part. We know to-day that that is the strongest party in the Indian Assembly, and therefore this question is one which we have to keep very much in mind when we are considering the question of India's credit and financial stability. A policy of further depreciation of the rupee has been much talked of among Indian politicians. Depreciation to 1s. 4d., and, I am told, even sometimes to 1s. or 9d., has been talked of. That again, if carried through, would very seriously affect the retiring incomes or pensions of men who have given their lives, and very often their health, to service in India; and it would also affect the pensions that they may leave to their dependants.

I feel also that the words in the Bill are very necessary from the point of view of Indian interests, because India is a poor country. It has very few people whose incomes are at such a level that they have to pay Income Tax; the great mass of the taxation is on commodities. Men who have been living in close touch with the peasants have said to me quite recently that they simply do not know how the people live and manage to pay the taxes that are exacted from them. Therefore, economical administration of India's finance is tremendously important in the interests of her people. Nevertheless, we have evidence of considerably increased expenditure since 1921. We have the evidence of the Simon Commission as to the greatly increased expenditure on education, with very little improvement in literacy. We have evidence of a 20 per cent. rise in expenditure both in the Provinces and at the centre, exclusive of the Army, since 1921. Therefore it seems to me that nothing is more necessary in the interests of the welfare of the masses than that there should be a guiding hand at the top. That there should be a financial adviser to guide the Governor-General, so that he may safeguard the financial credit and stability of India, seems to me to be essential both for the welfare of the Indian people and for those who have to live on pensions charged on Indian revenue.

5.22 p.m.

Mr. ATTLEE: The Noble Lady has one Measure for this country and another Measure for India. She talked about the rupee, but she must have been well aware that there has been a big controversy, not by any means confined to India, as to the fixing of the value of the rupee. Many people think that a very grave error was made in that regard, but, after all, we made a similar error on the question of the Gold Standard, and why the Noble Lady should think that India would make a greater mistake than that which has already been made in this country I do not know. With regard to repudiation, the Indians, as the Noble Lady has said, are very clever—clever enough to imitate our Chancellor of the Exchequer, and, instead of repaying debt, make a token payment——

Duchess of ATHOLL: Does the hon. Gentleman deny that, if anything of that sort happened, it would create a very serious position for thousands of men who have retired after a life's hard service in India?

Mr. ATTLEE: That is a matter of contract, and again I would point out to the Noble Lady that the Government which she supports broke contracts made with all kinds of people—Civil servants, workers and others. There again she has one measure for this country and another measure for India. The Noble Lady talks about the deplorable poverty of the Indians, but we have had examples of deplorable poverty in this country, in South Wales and elsewhere. I think the Noble Lady's argument is one that she had better apply to this country first of all. If she says that India is incapable of mangaging her affairs, then *a fortiori* this country is. Finally, the Noble Lady is quite wrong in her suggestion that there is going to be extravagant expenditure on education and so forth under this Measure, because, as she knows, education and social services are provincial matters——

Duchess of ATHOLL: I never said that they were central; I merely pointed out that there are indications that expenditure, both central and provincial, has been rising in India, and that it is in the interest of the poor peasantry that administration at the centre should be as economical as possible.

Mr. ATTLEE: The Noble Lady gave no evidence of rising expenditure at the centre——

Duchess of ATHOLL: I did not mention any items, because I did not wish to trespass on the time of the Committee. I merely stated the fact that there has been a rise of about 20 per cent. in expenditure, both central and provincial, excluding the Army, since 1921. I pointed out that that is the trend of Indian finance, which I think we must watch very carefully in the interests of the people. I am well aware of the poverty that exists in this country; nobody could ignore it; but it must be borne in mind that in India there is no Poor Law, no unemployment insurance, and no health insurance—none of the safeguards that we have in this country.

Mr. ATTLEE: I would point out to the Noble Lady that the biggest item of central expenditure is the Army, and I am afraid that it is likely to go up. No doubt the Noble Lady has in mind the fact that this year there is going to be an increase of £10,000,000 in the expenditure in this country on the Army, Navy and Air Force, and, if she wants to go on precedents in this country, that is where a heavy deficit is likely to be seen.

5.27 p.m.

Mr. McGOVERN: Up to the present I have taken no part in the discussions on this Bill, and I may say in passing that that has been because I believe that the Bill will never operate in any way. No person in India seems to desire it. But as regards this proposal of the Opposition I think the position is perfectly clear. To-day the Noble Lady has voiced the policy of the die-hards in connection with India; on this occasion she is supporting the Government and the Bill, and resisting the Amendment of the Opposition. I agree entirely with the view of the hon. Member for Ebbw Vale (Mr. A. Bevan), that the desire is simply to safeguard the finances in the interests of the bond-holding section, as against the use of money in connection with social reforms, education and so forth in India. One must agree, in spite of the assurances given by the Secretary of State for the Dominions, that, if examples are to be cited from the past, the concern has always been for the bond-holders rather than for the interests of the common people. The general complaint in connection with the finances of Newfoundland was that interest and bonds had not been met, and that was the reason for the action taken in suppressing democratic Government in Newfoundland.

Mr. A. BEVAN: And the Newfoundland Government had been corrupted.

Mr. McGOVERN: Yes. As regards the point made by the Secretary of State for the Dominions, I was in Australia at the time—I only cite this as an example——

The CHAIRMAN: I hope the hon. Member will not carry this question too far.

Mr. McGOVERN: I only want to point out that, in connection with the safeguarding of the finances of Queensland at that time, the Government of this country demanded that legislation which had been enacted in that country should be put aside, or the money would not be found by the bond-holding section in this country with which to carry on the ordinary life of Queensland; and we saw Mr. Theodore coming to this country cap in hand and threatening to go to America to raise money because social legislation would not be permitted by the dominating governing influence of the ruling class in this country.

One point that comes out here is that the Bill narrows down the power to a small section of the propertied class. It is to that small section that power in India is being limited, but you are not prepared to entrust them with the handling of finance, because they might handle it to the detriment of the bond-holders and in the interests of the peasants and workers of India. The Noble Lady says that there is a tremendous amount of ignorance in India; I would extend that statement and say that there is a tremendous amount of ignorance in every country throughout the world. But because men have not

[Mr. McGovern.]

learned how to read and write, it does not necessarily follow that they are in a state of ignorance. The person who observes the natural things that happen in life may be more intelligent than one who has been to a university. I am not aghast at the idea that we have in India millions of people seeking to be entrusted with the financial dealings of their own country.

I say frankly that this Clause in the Bill will give power to the Governor-General to operate in every direction where it might be determined in that country to overstep a given line in financial dealings which would eliminate a certain amount of poverty that is in that country. The Governor-General would have power to say that shall not take place, because it would strike at the financial stability of this country. He would have a main eye on the guaranteeing of interest on bonds and, because of the fact that the finances of that country would not permit of the complete paying of the interest to the bondholders, social legislation has got to be suppressed in the interest of the people in this country who at a great distance are dominating and controlling that unhappy country. Therefore, I am prepared to believe that the ruling class of this country, which can put in commissioners in one area to prevent the working-class from getting its standard of life, will operate in the same way in India and prevent the natural development that ought to take place in a civilised community such as India. I am under no delusions. I have no great interest in the Measure at all, because I hope that by the time it passes there will have developed in India a revolutionary movement which will refuse to operate it and will seize India for the Indian people.

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

The Committee divided: Ayes, 312; Noes, 38.

Division No. 76.] **AYES.** **[5.32 p.m.**

Acland-Troyte, Lieut.-Colonel
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Lt.-Col. J. Sandeman (B'k'nh'd.)
Allen, William (Stoke-on-Trent)
Assheton, Ralph
Atholl, Duchess of
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (I. of Thanet)
Barclay-Harvey, C. M
Barrie, Sir Charles Coupar
Barton, Capt. Basil Kelsey
Beauchamp, Sir Brograve Campbell
Beit, Sir Alfred L.
Benn, Sir Arthur Shirley
Bernays, Robert
Blindell, James
Bossom, A. C.
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Buchan, John
Buchan-Hepburn, P. G. T.
Bullock, Captain Malcolm
Burgin, Dr. Edward Leslie
Burton, Colonel Henry Walter
Butler, Richard Austen
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Cautley, Sir Henry S.
Cayzer, Sir Charles (Chester, City)
Cayzer, Maj. Sir H. R. (Prtsmth., S.)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hon. Sir J. A. (Birm., W)
Chapman, Col. R. (Houghton-le-Spring)
Chapman, Sir Samuel (Edinburgh, S.)
Chorlton, Alan Ernest Leofric
Churchill, Rt. Hon. Winston Spencer
Clarke, Frank
Clarry, Reginald George
Cochrane, Commander Hon. A. D.
Collins, Rt. Hon. Sir Godfrey
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Courtauld, Major John Sewell
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Cranborne, Viscount
Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Cross, R. H.
Curry, A. C.
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Dawson, Sir Philip
Denman, Hon. R. D.
Denville, Alfred
Despencer-Robertson, Major J. A. F.
Dickie, John P.
Donner, P. W.
Doran, Edward
Drewe, Cedric
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eden, Rt. Hon. Anthony
Edmondson, Major Sir James
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Elmley, Viscount
Emmott, Charles E. G. C.
Emrys-Evans, P. V.
Erskine-Bolst, Capt. C. C. (Blk'pool)
Evans, Capt. Arthur (Cardiff, S.)
Everard, W. Lindsay
Fleiden, Edward Brocklehurst
Foot, Dingle (Dundee)
Foot, Isaac (Cornwall, Bodmin)
Fox, Sir Gifford
Fremantle, Sir Francis
Fuller, Captain A. G.
Galbraith, James Francis Wallace
Ganzoni, Sir John
George, Megan A. Lloyd (Anglesea)
Gibson, Charles Granville
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Gluckstein, Louis Halle
Glyn, Major Sir Ralph G. C.
Goodman, Colonel Albert W.
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Gretton, Colonel Rt. Hon. John
Griffith, F. Kingsley (Middlesbro', W.)
Grigg, Sir Edward
Grimston, R. V.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hammersley, Samuel S.
Hanbury, Cecil
Harris, Sir Percy
Hartington, Marquess of
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.

Henderson, Sir Vivian L. (Chelmsf'd)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hore-Belisha, Leslie
Hornby, Frank
Horne, Rt. Hon. Sir Robert S.
Horsbrugh, Florence
Hurst, Sir Gerald B.
Hutchison, W. D. (Essex, Romf'd)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing.-Com. A. W. H.
Janner, Barnett
Johnston, J. W. (Clackmannan)
Johnstone, Harcourt (S. Shields)
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Keyes, Admiral Sir Roger
Kirkpatrick, William M.
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Law, Sir Alfred
Leckie, J. A.
Lees-Jones, John
Levy, Thomas
Lewis, Oswald
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Lloyd, Geoffrey
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macpherson, Rt. Hon. Sir Ian
Macquisten, Frederick Alexander
Magnay, Thomas
Maitland, Adam
Mallalieu, Edward Lancelot
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Mason, David M. (Edinburgh, E.)
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shepherd
Moss, Captain H. J.
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Normand, Rt. Hon. Wilfrid
Nunn, William
Oman, Sir Charles William C.
Ormiston, Thomas
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Percy, Lord Eustace
Perkins, Walter R. D.
Peters, Dr. Sidney John
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickthorn, K. W. M.
Potter, John
Pybus, Sir John
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rathbone, Eleanor
Rawson, Sir Cooper
Ray, Sir William
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Remer, John R.
Rickards, George William
Roberts, Aled (Wrexham)
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel Sir Edward
Runciman, Rt. Hon. Walter
Russell, Alexander West (Tynemouth)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Simon, Rt. Hon. Sir John
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Skelton, Archibald Noel
Smiles, Lieut.-Col. Sir Walter D.
Smith, Bracewell (Dulwich)
Smith, Louis W. (Sheffield, Hallam)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spears, Brigadier-General Edward L.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Storey, Samuel
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Taylor, Vice-Admiral E. A. (P'dd'gt'n, S.)
Thorp, Linton Theodore
Touche, Gordon Cosmo
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour-
Wells, Sydney Richard
White, Henry Graham
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Windsor-Clive, Lieut.-Colonel George
Wise, Alfred R.
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE AYES.—
Sir Frederick Thomson and Sir George Penny.

NOES.

Addison, Rt. Hon. Dr. Christopher
Attlee, Clement Richard
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Brown, C. W. E. (Notts., Mansfield)
Cocks, Frederick Seymour
Cove, William G.
Cripps, Sir Stafford
Daggar, George
Davies, Stephen Owen
Edwards, Charles
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Griffiths, T. (Monmouth, Pontypool)
Hall, George H. (Merthyr Tydvil)
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Kirkwood, David
Lawson, John James
Leonard, William
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
Maclean, Neil (Glasgow, Govan)
Mainwaring, William Henry
Maxton, James.
Milner, Major James
Parkinson, John Allen
Smith, Tom (Normanton)
Thorne, William James
Tinker, John Joseph
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—
Mr. Groves and Mr. Paling.

Colonel WEDGWOOD: I beg to move, in page 8, line 11, to leave out "legitimate."

That will leave to the Governor-General the safeguarding of the interests of minorities. Those are the words of the

[Colonel Wedgwood.]

original Act of 1919. They have been altered in this Bill by the insertion of the word "legitimate." I do not know why the Government have put it in, but it seems to me, not speaking as a lawyer, that it is limitation. It means that it is not the duty of the Governor to look after the interests of minorities but only to look after their legal interests—interests which they have secured to them by law. The real difficulty is that in the Indian States there are no rights secured by law. In British India there is no discrimination against minorities. Before the law and before the police every man is equal; therefore the word "legitimate" does not matter so much. But it matters enormously in the case of the Indian States. There was a minority of Mohammedan Moplahs in the South of India who rose in rebellion. In every native State there are other minorities. We have had a very strong example lately of the Moslem minority in Cashmere which rose against oppression and had to be put down. These minorities have at present no legal rights. The inhabitants of the native States not being British Indians, have such rights as are allowed to them by the ruler. Their legal status and their legal rights, and therefore their legitimate interests must suffer if the Governor-General does not include the protection of minorities in those States as one of his special functions. The insertion of this word in the first place, therefore, is to eliminate the possible protection of the minorities in the Indian States from the purview of the Government so that a Prince will be able to say if any protest is made against his action that "these are not legal rights and legitimate interests, and therefore you have no right to interfere in the way I manage my own people."

Sir S. HOARE: May I ask for your Ruling, Sir Dennis. I apologise for interrupting the right hon. and gallant Member, but he is travelling, I suggest, a good deal wider than this rather fine point of the adjective "legitimate." Would it not be convenient to take a more general discussion and bring in these other matters at the same time as the right hon. and gallant Gentleman is already dealing inferentially with one or two of them?

The CHAIRMAN: The next Amendment on the Order Paper to be selected is also an Amendment in the name of the right hon. and gallant Gentleman, and, as it comes practically in the same place, it is obviously to some extent concerned with it, and I suggest that he should discuss both Amendments together.

Mr. ATTLEE: Do I understand that you are taking the Amendment to leave out "legitimate" with the insertion of "racial or religious?"

The CHAIRMAN: That is my idea. The whole of that line in the Clause can be discussed now, and the question which I should actually put to the Committee would be that the word "legitimate" should stand part, and then, if it be desired, the right hon. and gallant Gentleman or others concerned with him can move the insertion of the words "racial, religious and political" and take a decision on the question in the Committee without further discussion.

Mr. ATTLEE: The Amendments are directly contradictory. The first one endeavours to widen the scope of the special responsibility of the Governor-General, and the other is an endeavour to restrict the special responsibility of the Governor-General, and, therefore, they are not complementary but directly contradictory.

The CHAIRMAN: That shows all the more conclusively that we should discuss them together when we should hear both sides.

Colonel WEDGWOOD: They are quite different points, but I think that my hon. Friend is wrong in saying that the second Amendment is restrictive. The second Amendment extends the "minorities" by including the racial religious and political minorities. The word "minorities" is defined later in the Bill. There is no question of economic minorities.

I was explaining that I want to confine myself solely at the moment to the word "legitimate," and that the insertion of this word seems to prevent the Governor-General from interfering in the case of minorities in the native States and that those minorities in the native States have created a considerable amount of trouble, and have aroused a considerable amount of

sympathy in this House and in India in times past. It is certainly desirable that they should not be ruled out of the purview of the Governor-General, and that he should be able to protect these minorities even though the Princes might not wish that protection should be given. Before I depart from that subject, I feel that we are arguing here almost in the face of a blank wall. Really, we ought to be arguing with Sir Akbar Hydari and Mr. Ramaswami Aiyar. The House is apparently impotent unless they agree. It must have been at the instance of the Princes that that word has been inserted, and I think that while we may call ourselves a sovereign House and consider ourselves to be the arbiter of this Indian Bill, the discussion we have had in recent days about the powers of the Princes in this Bill makes it almost impossible that the Secretary of State should accept the Amendment.

The point of view I consider infinitely more serious is that this word "legitimate" may have been put in in order to sanction the form of treatment of minorities which would certainly be against their interest. We heard at Question time the other day from the Secretary of State for the Colonies of a certain law in Zanzibar, differentiating between Indians and other people in that Protectorate. It was justified, because there had been similar legislation passed in the Punjab whereby differentiation was made between Hindus and Mohammedans in the Punjab land ordinances. We are under this Bill setting up a new province of Sind. In that Province the Hindus will be in a very small minority. It will be almost inevitable that the land legislation which is now in force in the Punjab should be tried in Sind. Is the Governor-General to be in a position to stop that legislation or not? Is he to be in a position to protect the interests of the minorities by saying that such legislation must not be allowed, or is he by the insertion of the word "legitimate" to be ruled out from protecting British subjects against a form of discrimination which is utterly unknown elsewhere in the British Empire? The legislation quite simply is to prevent Hindus having the right to buy agricultural land whether it is in certain areas or wherever it is. Where that action is in force the Hindus may not buy land and may not foreclose on it and may not lend on a mortgage. The only purchasers are the Mohammedan landlords who can buy up the land very cheaply from the unfortunate ryots.

The Punjab land legislation has had a profound effect upon Hindu opinion all over India. It is the one piece of iniquitous legislation which they always bring up before you as an example of British injustice. Are we going to allow similar legislation elsewhere against Hindu or Moslem discriminating between the two religions and saying that either may not buy land? Are we going to allow that to injure the interests of minorities without allowing this House or the Governor-General to have any voice in the matter whatsoever? It all comes back to the communal issue which I will not go into now. The Hindus have no votes for the Mohammedans masters in Sind, and consequently no control over them. They are a minority without power and without votes. The only hope is that you will allow the omission of the word "legitimate," so that the Governor-General will still possess power to protect them from an iniquitous law in the sense that it is not equal between the two races. That one hope will be taken away from them if you change the wording of the original 1919 Act and substitute the new wording of this Act whereby the only interests which the Governor-General may protect are those interests which are established by law, and which are not interfered with by law.

The other point with which I will deal only very shortly is the question of the character and description of the minorities. What are the minorities? Later on you will see that they include certainly religious and communal minorities but not political minorities. Anyone who has realised the sort of constitution, the aggregation of property which is being set up as the great governing class of India under this Bill must realise that the people who will suffer will not be even the religious or the racial minorities, but above all the political minorities, the Communists and the Socialists. Some hon. Members know more or less what is going on in Japan at the present time and of the hopeless position of anyone accused of advanced doctrines there. You are establishing in India a Government quite as reactionary, and this House

[Colonel Wedgwood.]
is deprived of any voice or say in the way in which they may treat their political minorities. If they are going to have Communists all over India having their heads chopped off for the mere crime of being Communists, and, if they are going to set up in India a similar system of government which is so firmly established in Germany and in Japan, then I say that it is our duty as Englishmen, to protect the rights of all and to see that the political minority are saved from oppression, intolerance, and brutal legislation; it is our duty to see that the British Governor-General and the British Parliament still have the power to stop it. Therefore, I beg of the Committee to consider carefully before they reject either of these Amendments, the confining of protection to those who have legal rights and the exclusion from minorities of that noisy and somewhat turbulent element, to see that those people are not handed over bound hand and foot, and that we lose all chance of speaking a word in favour of justice.

5.59 p.m.

Sir S. HOARE: I will deal with the right hon. Gentleman's points in order and will begin with the Amendment to leave out the word " legitimate." I think he is attaching too much importance to this adjective. It does not in any way bring in the question of the Indian States. It will make no difference as far as the Indian States are concerned whether the word " legitimate " is in the Bill or whether it is not.

Colonel WEDGWOOD: Why is it put in?

Sir S. HOARE: It is put in for the same reason that the word " interests " is put in, to provide the services intended—at all our discussions in Committee with Indians there was never disagreement there—to make it clear that they should be reasonable interests. There is no question of having the restrictive almost pedantic meaning suggested by the right hon. and gallant Gentleman that it would mean only legal rights.

Colonel WEDGWOOD: Would you accept " reasonable " instead of " legitimate "?

Sir S. HOARE: I do not really think that there would be any difference. I am not splitting hairs. There is no substantial difference. " Legitimate " is the word which has been used in all these discussions, and it would only create anxiety in the minds of minorities as much as in the minds of other people if we change the word now. There is no part of the Bill in which there are so many touchy issues as there are in this part, and I am quite sure that it is unnecessary to make the change.

Colonel WEDGWOOD: Would the right hon. Gentleman consider the possibility of changing this word on report provided I can get the views of the Hindu Mahasabah on the matter, or provided he can get their views on the particular word?

Sir S. HOARE: I could not undertake to do that. Obviously, one would have to consult all these people, and, as far as I can remember, there has never been any question in our discussions about the word. It is true that some sections of the Indian people wished to carry it further, but we always resisted it, the Indian delegates, including the delegates of the Hindus and the representatives of the other communities, who were on the Committee, as well. The word has emerged from the earlier discussions, and I am quite sure that we should gain nothing in substance by making a change now.

Mr. ISAAC FOOT: Is it not the case that in our discussions the word " legitimate " was used in its general sense, not in the sense used by the right hon. and gallant Member; that is to say, it refers to general interests, not merely to legal interests?

Sir S. HOARE: The word is used to mean general interests in the sense explained by the hon. Member for Bodmin (Mr. Isaac Foot) and the Committee will remember that we deal with this question with great precision in the Instrument of Instructions. We explain how the Governor-General and Governors are to interpret these provisions in the Bill. If the right hon. and gallant Gentleman will look at Section 11 he will find that the Governor-General and Governors are definitely given the instruction not to put a kind of legalistic interpretation upon them, but to treat them in a broad and reasonable manner. That is the governing factor in the matter.

I come to the wider question raised by the right hon. and gallant Member: his proposal to extend the protection of minorities to political minorities. I feel sure that the more hon. Members think about this proposition the more impossible they will find it to be in practice. Obviously, it would strike at the root of representative government both in the Centre and in the Provinces if the Governor-General and the Governors were expected to intervene and set aside the decision of a majority on one day and put in its place a decision of the minority. Further, it would put the Governor-General in an almost impossible position. What is the minority to-day may be the majority to-morrow. The Governor-General would thus be in this position. In the first place, it would be impossible to carry it out, and, if he could carry it out, it would strike at the root of representative institutions in the Centre and in the Provinces, and would do the very thing we wish to avoid—namely, encourage irresponsibility in the Federal Legislature and in the Federal Executive. In this case, when dealing with minorities, we mean, first of all, the six minorities which have always been regarded as minorities in the phraseology we use, and, in the second place, we mean the backward races and backward communities, which for one reason or another cannot pull their weight under representative institutions. Those are the minorities we have in mind. We deal with them in the general phrase that the Governor-General must have latitude in his interpretation of his responsibilities, but we explain the way in which he is to exercise his responsibilities in the Instrument of Instructions, where we follow exactly the recommendations of the Joint Select Committee as set out in paragraph 79. Let me remind the Committee of the effective words in that paragraph:

"Nor do we think that any good purpose would be served by attempting to give a legal definition of 'minorities,' the only effect of which would be to limit the protection which the Governor's special responsibility is intended to afford. No doubt it will be the five or six well recognised and more important minorities in whose interests the Governor's powers will usually be invoked; but there are certainly other well-defined sections of the population who may from time to time require protection, and we can see no justification for defining the expression for the purpose of excluding them. We need hardly say that we have not in mind a minority in the political or parliamentary sense, and no reasonable person would, we think, ever so construe the word. Nevertheless to prevent misunderstanding, we recommend that the Instrument of Instructions should make this plain, and further that this special responsibility is not intended to enable the Governor to stand in the way of social or economic reform merely because it is resisted by a group of persons who might claim to be regarded as a minority."

Those reasons seem to be conclusive for keeping the definition as it is in the Bill and for not extending it on the lines suggested by the right hon. and gallant Member. It would undermine the whole structure of responsibility in the government and impose an impossible task on the Governor-General.

6.10 *p.m.*

Colonel GOODMAN: I have heard the explanation of the Secretary of State with regard to the word "legitimate," but there is one minority, perhaps the greatest of all minorities in India, who will be gravely affected if the word is allowed to remain in the Bill. I am speaking now of the untouchables or the scheduled castes. They are one of the religious minorities. They are regarded by every caste and religious class as entirely illegitimate, and I want to know exactly what their position will be in the States and in the Provinces. They are regarded by caste Hindus as being nothing, or less than nothing. In the Southern part of India they are not allowed to walk on the roads in which a Hindu lives. They are not allowed to draw water from the same well. Their children are not allowed to go to the same school. They must keep off the road if a caste Hindu comes along. They are, in fact and actually, considered by the Brahmins as less than nothing, and because of that I want the word to be deleted from the Clause. Indeed, in some parts of India, in the South-West in particular, it is not considered a crime for a Brahmin to kill an untouchable in some particular castes. If the word "legitimate" is allowed to remain in the Bill—those who rule will undoubtedly be Brahmins where you have a Hindu state—this so-called minority, which numbers between 50,000,000 and 60,000,000 people is not likely to get any consideration whatever.

If the word "legitimate" is left in I cannot see how the Governor-General is

[Colonel Goodman.]
going to interfere, and, in my view, before long the untouchables or the scheduled castes will revert to the position in which they were before the British came to India. Since the arrival of the British in India the untouchables have had recourse to fair play from the British and to courts of law, prior to that they had no hopes either in life or in after life. With the Brahmins as the ruling caste they will of necessity revert to the state they were in before the British came to India. I believe that the Sudra, the only "once born," will be kept in subjection and the Governor-General will not have any right to interfere on their behalf. Even the Sudras, who represent three-quarters of the whole of the castes of India, are not considered to be anything. The higher castes, the ruling castes, must be the Brahmins, the Ksyatrya, and the Vaishya and the lower castes, probably representing 75 per cent. of the population, possibly 150,000,000 of people, will be without any rights if they depend on the word "legitimate." I cannot see how the Governor-General is going to interfere on their behalf. Their legitimate interests will not be looked after when they are ruled by Brahmins. I hope on behalf of the great majority of the scheduled castes, the untouchables, that the word will be deleted.

6.15 p.m.

Major MILNER: I cannot agree with the hon. and gallant Member for North Islington (Colonel Goodman) that the depressed classes have had the protection or the attention which they ought to have received from the British Government during the last 150 years. The very fact that all the disabilities of which we have heard exist to-day as they existed 150 years ago is sufficient proof of that fact.

Colonel GOODMAN: I meant to suggest that while, 150 years ago, there were perhaps 200,000,000 of these people who were absolutely submerged, to-day, under British rule, at any rate a few millions of them are able to earn their own livings and some occupy high places in the country. The British have certainly not cured the condition of the whole 200,000,000, but they have done a lot of good, and my argument is that the good which they have done may be lost in this way, and these classes may be put back to where they were formerly.

Major MILNER: I do not desire to enter into a detailed discussion of the question, but I think the hon. and gallant Gentleman is wrong in his arithmetic. I certainly cannot agree with his general proposition. The representative of the scheduled classes, Dr. Ambedkar told me that, in spite of the fact that he was a graduate of a university in this country, of a university in the United States and of a university in Germany, in spite of the fact that he was a barrister-at-law with very high legal qualifications, he was not permitted to plead inside certain courts in India. He had to stand outside the court and plead through a window to the judges who were seated inside. That and other disabilities which have been mentioned, continue to exist to-day as they existed 150 years ago. But I do not wish to be drawn away from the principal point which I am anxious to make. I agree that the word "legitimate" ought to be left out of the Clause and, as the Solicitor-General is in his place, I hope that we shall have from him a legal definition of this word. I always thought that the word "legitimate" meant sanctioned or authorised by law, but according to the definition given by the right hon. Gentleman the Secretary for State it is to be taken as meaning "proper." I think we ought to have an authoritative statement from the Solicitor-General on the definition of the word.

We on this side desire to see a good deal more protection given to the minorities than the purely legal protection to which they are entitled by law. We submit that they are entitled to protection in a great many other respects. Who is going to say whether it is the legitimate interests of a minority which are being attacked in a paticular case? [HON. MEMBERS: "The Governor-General."] Then, are those interests to be purely legal interests or are they to include other interests? My own view and I think my party's view is that all interests of minorities as defined in the Instruments of Instruction, should be subject to the protection of the Governor-General. The second Amendment which stands on the Paper in the

name of the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) is, in substance, the same as one to which my name is appended except that the right hon. and gallant Gentleman has included the word "political." I think the object of those Amendments, at least the object which I have in mind, is largely met by paragraph 11, page 4, of the Instruments of Instruction, but I wish to ask the Secretary of State some questions on that point. It will be seen that here again the word "legitimate" appears. In our view it is a restrictive word and, subject to any advice which the Solicitor-General may give to us concerning it, I submit that it ought not to appear in this Clause.

I understood that the object of the Government and of the Joint Select Committee was to obtain protection for members of the community who, through lack of educational or material advantages, could not put their own case before those in authority. That description clearly applies to the depressed classes or as they are now described the scheduled classes. They have no representatives at all on the Council of State under the Government plan. They have only 19 representatives in the Assembly. Therefore I take it that they would without question come within the definition in the Instruments of Instruction. I am perfectly content that all those classes who cannot otherwise represent their views or have them represented, should be able to rely in the last resort on the Governor-General, but I wish to know whether this definition would also extend to the landlords, the taluqdars, who might have taxation placed upon them. Would they be regarded as proper subjects for the invocation of the Governor-General's powers. The Committee will remember that they have ample representation—as indeed have all the other classes possessing property and wealth—in the various legislatures. If I were satisfied that this protection was designed for those who have not the means of protecting themselves I, personally, should not be inclined to press the Amendment to a Division. On the other hand, if it is designed to give additional protection to those who are already amply protected and who are well represented in the various legislatures, then, very different considerations would apply.

There is another question which is of a rather legal character and with which, again, the Solicitor-General might assist us. If we limit the power of interference to racial or religious matters, would not that according to what is known as the *ejusdem generis* rule, limit the power of the Governor-General very considerably? Would it not be better to leave the matter wide open rather than restrict his powers in that way? I shall be guided in that matter by the Solicitor-General, but on the general question put forward by the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme I feel, and I think hon. Members on these benches would agree, that the Clause would be better without this word "legitimate."

6.22 p.m.

Mr. A. SOMERVILLE: We are dealing here with a very weighty and special responsibility of the Governor-General. Sub-section (2) of the Clause provides that the Governor-General shall in the exercise of his powers "use his individual judgment," and according to the definition given to us by the Solicitor-General last week, exercising his individual judgment means that before he comes to a decision he must consult his Indian advisers. The word "legitimate" may very easily cause difficulty to the Governor-General in such discussions. The discussion which we have just heard shows how the word may give rise to difficulties. The Secretary of State has drawn attention to paragraph 79 of the report of the Joint Select Committee. In that paragraph the phrase "legitimate interests" is described as a reasonable and suitable formula. It is also stated that the joint memorandum of the British India delegation wished to have the phrase strictly defined, but the Committee, wisely I think, refused to define it strictly because, as it stood, it allowed the question to be dealt with in the widest sense. In these Amendments it is desired to carry on that process and to allow the Governor-General to deal with this most important subject of the interests of minorities in the widest possible sense.

6.25 p.m.

Mr. CHURCHILL: I think my right hon. and gallant Friend the Member for Newcastle-under-Lyme (Colonel Wedgwood) was well advised to raise this ques-

[Mr. Churchill.]

tion. I am bound to say that when I read the Clause it did not occur to me that there was all this significance to be attached to the word "legitimate." Obviously, and on the face of it, we would not expect the Viceroy to protect the illegitimate interests of minorities, but after the explanation of my right hon. Friend the Secretary of State, it is clear that a definite and important significance is attached to the introduction of this word "legitimate." In the ordinary course, this sentence would have read simply "safeguarding the interests, etc." One would have thought that the Viceroy, on whom we are showering all these various functions, to whom we are entrusting this immense process of discrimination in all these matters and the power of deciding when to intervene and when not to intervene, on whom we are imposing these many extraordinarily subtle and complex tasks—one would have thought that this high functionary, this gifted being, would be able to distinguish between interests which were legitimate and those which were not legitimate, without the necessity of stating it in the terms of the Statute.

It seems to me that we are here in the presence of some understanding which has been reached with certain classes in India—and for what? My hon. and gallant Friend the Member for North Islington (Colonel Goodman) raised the question of the untouchables. What does the Secretary of State regard as the legitimate interests of the untouchables? We know what their interests in the ordinary sense are. Their chief interest is to be treated as human beings. But what are their legitimate interests? How much are their interests narrowed down by this word "legitimate"? I should have thought, now that British protection was going to be withdrawn from the minorities, in the first instance, that the Government would have been most anxious to confer upon the Viceroy the widest and most unfettered discretion in dealing with the minorities and giving them protection.

We have not heard from the Attorney-General or the Solicitor-General anything upon the legal aspect of this question but obviously, if ever such matters could be brought to examination in a court, the court would put a construction upon these words. I know that the acts of the Viceroy are not subject to examination by a court, but in so far as these words can be construed by a court, it is perfectly clear that a very definite construction will be put upon the word "legitimate." I say that this word has been put in to safeguard and to shelter abuses and oppressions which have lasted so long and are so deeply rooted and so widely spread that it is not found convenient to attack them. I should have thought that the Government, in making this charter for India, would have considered it worth while to write boldly and simply that the Viceroy was to be responsible for protecting the interests of minorities. The right hon. Gentleman the Secretary of State has, for purposes which have certainly not been made clear to this Committee, introduced this limiting word, and I trust that we shall hear from someone on the Front Bench a fuller explanation. We have been told to look into the Instruments of Instructions. It may be legitimate—I beg the Committee's pardon, I should say reasonable—to go to the Instruments of Instructions for guidance upon the point, but why is it necessary to write this word "legitimate" upon the face of the statute? I cannot understand it. There is evidently something obscure behind it and, in my view, the Government ought to offer the Committee a further explanation.

6.30 p.m.

Lord EUSTACE PERCY: My right hon. Friend the Member for Epping (Mr. Churchill) is always anxious to find some dark conspiracy in a word. I am as responsible for this word as the Secretary of State and I venture to assure him that I have been neither bribed nor corrupted, nor have I been retained by any interest to protect abuses which it is not convenient to remove.

Mr. CHURCHILL: I did not say that.

Lord E. PERCY: I do not know what other implication is to be gathered from my right hon. Friend's remarks. The remarks to which I wish to reply are those of my hon. and gallant Friend the Member for North Islington (Colonel Goodman). It is to be remembered that this Clause is the instruction which this House and Parliament are giving to the Governor-General. It lays certain re-

sponsibilities upon him which will be explained by His Majesty in the Instruments of Instruction. How can we lay on the Governor-General the responsibility of protecting the interests of minorities in words which would imply that it is his responsibility, imposed on him by Parliament, to protect all the interests of every minority? That would be clearly impossible. We want to tell him to protect those interests which he considers to be the important, equitable legitimate and reasonable interests.

Colonel WEDGWOOD: If that be the case, why was not this word inserted in the original Act?

Lord E. PERCY: I think that in the original Act it was a provision interpretable by the courts, if I remember aright. What must the Governor-General do in dealing with the depressed classes? Clearly the depressed classes as a minority have grievances of the most terrible kind; they have interests of the most important kind. Take, for instance, the Temple Entry Bill. That was a Bill introduced in the Central Legislature for compelling the higher caste communities to admit the scheduled castes to the temples. Was that a legitimate interest of the depressed classes. It was certainly strongly urged. Are you going to leave the Governor-General no discretion as to whether it is wise or desirable to legalise the rights of the depressed classes in such a way as to affect the conduct of Hindu public worship? That is the sort of question which the Governor-General has to decide in considering the word "legitimate." I have some acquaintance with the English language, and it never occurred to me that "legitimate" was not, on the whole, the most appropriate word that could be used for describing a distinction of that kind. When my hon. and gallant Friend and my hon. Friend the Member for Windsor (Mr. A. Somerville) says "A Brahmin minister, because of these words, will be able to prevent the Governor-General from protecting the depressed classes," it is clear, as my right hon. Friend the Member for Epping has pointed out, that no Brahmin minister or anybody in India will have the interpretation of these words. They are words to be interpreted by the Governor-General in his own discretion and by the Secretary of State as being responsible to this House, and by nobody else at all. The idea that the Governor-General will be hampered in discussions with his Ministers because this word is in the Bill is unreasonable—as unreasonable as it would be to argue, as I should never do, that the Governor-General would be hindered in discussing the Temple Entry Bill with the depressed classes if he were not backed up by some word like "legitimate." It is absurd to suppose that the sort of person whom His Majesty's Government will appoint as Governor-General will be unable to answer any unreasonable interpretation which may be placed upon this word by Indian ministers. That is the reason, I apprehend, for this word. It is simple and straightforward, and I am certain that, whatever word the linguistic purists may urge as an alternative to "legitimate," you must have some such word in if you are to give the Governor-General solemn instructions from Parliament as to his general line of conduct.

Mr. HERBERT WILLIAMS: The Noble Lord said that the Governor General would act in his discretion. The Clause says that he shall exercise his individual judgment.

6.36 p.m.

Colonel WEDGWOOD: The Noble Lord is a typical Brahmin, while I am a mere Sudra, only once born, and I trust I shall never be born again. The real point at issue in this Amendment is not what the Governor-General may or may not do, but what this House may or may not do. In this case we reserve to the Governor-General the right to protect minorities, but we reserve to ourselves the right to ask questions about the treatment of minorities.

Lord E. PERCY: I go further than that. We in this House are the interpreters of "legitimate" in our sole discretion.

Colonel WEDGWOOD: May I ask the Secretary of State two definite questions? Is it a legitimate interest of the outcasts that they should be allowed to be converted to Christianity? Would a law which prevented a Sudra from being converted to Christianity, or which made it punishable to be converted to Christianity, passed, it may be, in an Indian Province or an Indian

[Colonel Wedgwood.]

State, be a legitimate interest in which the Governor-General and this House could interest itself and protect the minority? The second question is whether it is a legitimate interest of the Hindu in Sind to be allowed to buy land as freely as any other inhabitant of that Province? These are the sort of cases that may crop up in which there would be some doubt as to what was the interpretation of the words "legitimate interests." If a law is passed, it seems to me it ceases to be a legitimate interest of the minority to resent the passage of that law and to say that in spite of it they ought to be treated like human beings. In the same way, if a law is passed in Sind similar to the Punjab legislation, depriving the Hindu of the rights he has enjoyed for generations to cultivate and buy land, does it cease to be his legitimate interest and does the Governor thereby cease to be able to interfere to stop such legislation?

6.40 p.m.

Sir S. HOARE: I can assure the right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood) that the word "legitimate" makes no difference at all. The Solicitor-General confirms me in the view that it has none of the legalistic meaning that the right hon. and gallant Gentleman thinks. The two questions which he put to me would be decided independently of the question whether there were legitimate interests or whether there was not. They would be taken on their merits, and the fact that "legitimate" is in the Bill would make no difference.

6.41 p.m.

Mr. CHURCHILL: If that be the case, if the word "legitimate" is not needed, why is it in the Bill? The right hon. Gentleman has stultified his other speech as far as I can understand and contradicted himself. Having consulted his legal advisers, he now says there is no virtue in the word. I never thought there was. It is one of those expressions which, apparently, have a soothing effect on certain people, but does not alter the character and meaning of the statute at all. Why do you want to put it in? The Bill is surely long enough without seeking to find excuses for interpolating superflous adjectives. There is no point in it at all. The right hon. Gentleman ought to accept the Amendment if it makes no difference and if he wishes to give some guidance to the Governor-General to say that, in protecting interests, it does not mean that he is to make himself the champion solely of those interests without regard to any other considerations. I hesitate to make any suggestion of a drafting character lest my right hon. Friend should retort on me with pontifical severity, but I would ask him, if this Amendment makes no difference, to accept it and leave out the word "legitimate."

6.43 p.m.

Sir S. HOARE: My right hon. Friend does not mean to be so, but he is really an unfair controversialist. I was attempting to answer the two questions put to me by the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood). I was not dealing with the more general point at all, which I thought had been conclusively answered by my Noble Friend the Member for Hastings (Lord E. Percy), as to whether "legitimate" is a good word to put in. I was dealing specifically with the two questions of the right hon. and gallant Gentleman. I have nothing to add to what my Noble Friend said. I think, on the whole, it is much beter to keep this word in.

Major MILNER: May I have a reply to my question in regard to landlords?

Sir S. HOARE: It will make no difference at all. The word would not be interpreted by the law courts, but by the Governor-General, and he is responsible to this House.

Question put, "That the word 'legitimate' stand part of the Clause."

The Committee divided: Ayes, 277; Noes, 69.

Division No. 77.] AYES. 6.45 p.m.

Acland-Troyte, Lieut.-Colonel	Assheton, Ralph	Belt, Sir Alfred L.
Agnew, Lieut.-Com. P. G.	Bailey, Eric Alfred George	Benn, Sir Arthur Shirley
Albery, Irving James	Baldwin, Rt. Hon. Stanley	Bennett, Capt. Sir Ernest Nathaniel
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Baldwin-Webb, Colonel J.	Bernays, Robert
Allen, William (Stoke-on-Trent)	Balfour, Capt. Harold (I. of Thanet)	Blindell, James
Amery, Rt. Hon. Leopold C. M. S.	Barclay-Harvey, C. M.	Boulton, W. W.
Apsley, Lord	Barton, Capt. Basil Kelsey	Bower, Commander Robert Tatton

Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd, Hexham)
Brown, Ernest (Leith)
Buchan-Hepburn, P. G. T.
Burnett, John George
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Cautley, Sir Henry S.
Cayzer, Sir Charles (Chester, City)
Cayzer, Maj. Sir H. R. (Prtsmth., S.)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hon. Sir J. A. (Birm., W)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Col. R. (Houghton-le-Spring)
Chapman, Sir Samuel (Edinburgh, S.)
Chorlton, Alan Ernest Leofric
Clarke, Frank
Clarry, Reginald George
Cobb, Sir Cyril
Cochrane, Commander Hon. A. D.
Collins, Rt. Hon. Sir Godfrey
Conant, R. J. E.
Cook, Thomas A.
Cooper, A. Duff
Courthope, Colonel Sir George L.
Crooke, J. Smedley
Croom-Johnson, R. P.
Cross, R. A.
Crossley, A. C.
Curry, A. C.
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Denman, Hon. R. D.
Denville, Alfred
Despencer-Robertson, Major J. A. F.
Dickie, John P.
Doran, Edward
Drewe, Cedric
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eden, Rt. Hon. Anthony
Edmondson, Major Sir James
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Elmley, Viscount
Emrys-Evans, P. V.
Evans, Capt. Arthur (Cardiff, S.)
Evans, David Owen (Cardigan)
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fox, Sir Gifford
Fremantle, Sir Francis
Fuller, Captain A. G.
Galbraith, James Francis Wallace
Ganzoni, Sir John
George, Major G. Lloyd (Pembroke)
George, Megan A. Lloyd (Anglesea)
Gibson, Charles Granville
Gillett, Sir George Masterman
Gluckstein, Louis Halle
Glyn, Major Sir Ralph G. C.
Grattan-Doyle, Sir Nicholas
Griffith, F. Kingsley (Middlesbro', W.)
Grigg, Sir Edward
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Z'tl'nd)
Hammersley, Samuel S.
Hanbury, Cecil
Harris, Sir Percy
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Horsbrugh, Florence
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Hutchison, W. D. (Essex, Romford)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing.-Com. A. W. H.
Janner, Barnett
Jones, Henry Haydn (Merioneth)
Kerr, Hamilton W.
Kirkpatrick, William M.
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Law, Sir Alfred
Leckie, J. A.
Lees-Jones, John
Leighton, Major B. E. P.
Lewis, Oswald
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
MacAndrew, Lt.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macmillan, Maurice Harold
Magnay, Thomas
Mallalieu, Edward Lancelot
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Martin, Thomas B.
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Major J. D. (New Forest)
Milne, Charles
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morris, Owen Temple (Cardiff, E.)
Morrison, William Shephard
Moss, Captain H. J.
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Penny, Sir George
Percy, Lord Eustace
Perkins, Walter R. D.
Peters, Dr. Sidney John
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilst'n)
Pickthorn, K. W. M.
Potter, John
Pybus, Sir John
Radford, E. A.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Ray, Sir William
Reid, Capt. A. Cunningham-
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Rickards, George William
Roberts, Aled (Wrexham)
Robinson, John Roland
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel Sir Edward
Runciman, Rt. Hon. Walter
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Selley, Harry R.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Simmonds, Oliver Edwin
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Skelton, Archibald Noel
Smith, Louis W. (Sheffield, Hallam)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spears, Brigadier-General Edward L.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Strickland, Captain W. F.
Stuart, Hon. J. (Moray and Nairn)
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, Rt. Hon. J. H. (Derby)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Touche, Gordon Cosmo
Train, John
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wedderburn, Henry James Scrymgeour-
White, Henry Graham
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE AYES.—Major George Davies and Dr. Morris-Jones.

NOES.

Atholl, Duchess of	Gardner, Benjamin Walter	Milner, Major James
Attlee, Clement Richard	Goodman, Colonel Albert W.	Nicholson, Rt. Hn. W. G. (Petersf'ld)
Balfour, George (Hampstead)	Greenwood, Rt. Hon. Arthur	Parkinson, John Allen
Banfield, John William	Grenfell, David Rees (Glamorgan)	Raikes, Henry V. A. M.
Blaker, Sir Reginald	Gretton, Colonel Rt. Hon. John	Rawson, Sir Cooper
Bracken, Brendan	Griffiths, George A. (Yorks,W.Riding)	Remer, John R.
Broadbent, Colonel John	Griffiths, T. (Monmouth, Pontypool)	Sandeman, Sir A. N. Stewart
Brown, C. W. E. (Notts., Mansfield)	Gritten, W. G. Howard	Sanderson, Sir Frank Barnard
Brown, Brig.-Gen. H. C. (Berks., Newb'y)	Hall, George H. (Merthyr Tydvil)	Smiles, Lieut.-Col. Sir Walter D.
Buchanan, George	Hartington, Marquess of	Smith, Tom (Normanton)
Cape, Thomas	Jenkins, Sir William	Somerville, Annesley A. (Windsor)
Churchill, Rt. Hon. Winston Spencer	Jones, J. J. (West Ham, Silvertown)	Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Cleary, J. J.	Jones, Morgan (Caerphilly)	Thorp, Linton Theodore
Courtauld, Major John Sewell	Kirkwood, David	Tinker, John Joseph
Cripps, Sir Stafford	Knox, Sir Alfred	Wayland, Sir William A.
Croft, Brigadier-General Sir H.	Lansbury, Rt. Hon. George	Wedgwood, Rt. Hon. Josiah
Daggar, George	Logan, David Gilbert	Wells, Sydney Richard
Davies, Rhys John (Westhoughton)	Lunn, William	West, F. R.
Davies, Stephen Owen	Macdonald, Gordon (Ince)	Williams, Edward John (Ogmore)
Dawson, Sir Philip	McEntee, Valentine L.	Williams, Thomas (York, Don Valley)
Dixey, Arthur C. N.	McGovern, John	Wise, Alfred R.
Donner, P. W.	Macquisten, Frederick Alexander	
Edwards, Charles	Maitland, Adam	TELLERS FOR THE NOES.—
Erskine-Bolst, Capt. C. C. (Blackpool)	Maxton, James	Mr. Paling and Mr. Groves.

6.54 p.m.

Sir S. HOARE: I beg to move, in page 8, line 13, after "to," to insert

"and to the dependants of, persons who are or have been."

Sir NAIRNE STEWART SANDEMAN: Is this Amendment quite right? Should it not read, "after 'members'" insert the new words?

The DEPUTY-CHAIRMAN (Captain Bourne): I think not.

Sir S. HOARE: I hope the Committee will agree unanimously with this Amendment. It is really a drafting Amendment, but it is meant to safeguard a very important point. The members of the Services were doubtful whether the wording of the Bill covered the rights not only of members of the Services before the operation of the Federation measure but whether it also covered the rights of retired members of the Services and the dependants of past and present members. It was always intended that the provisions should cover past and present members of the Services and their dependants. The case that particularly caused anxiety in the minds of some members of the Services was that of pensioners. They were afraid that under the original draft it might appear that the Governor-General was not entitled to insist upon adequate sums being provided, not only for the Services, but also for the pensions of the dependants of the various officials. The object of this Amendment is to make quite clear what has always been in the minds of the Joint Select Committee and the Government, that the safeguard is intended to cover the rights of all those persons whom I have just mentioned. Lastly, let me emphasise the point, and I do so with the purpose of reassuring the Services, that the responsibility for seeing that the money is provided for these various Service claims will be upon Parliament and the Secretary of State. The responsibility will be upon our shoulders to see that the Governor-General provides a sufficiency of funds from Indian revenues. I say that with emphasis for the purpose of removing suspicions which have been, quite unnecessarily, raised in the minds of many persons.

6.57 p.m.

Mr. MORGAN JONES: I do not rise to oppose this Amendment, but I should like to ask whether we can be assured that nothing in it implies the creation of any new interest at all, that there is nothing except what is now understood to be the rights of civil servants in the Indian Service—that no new vested interest is created.

Sir S. HOARE: No, no new vested interests.

Sir N. STEWART SANDEMAN: May I ask how the paragraph will read with the addition of the proposed words?

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): The paragraph will read as follows:

"The securing to, and to the dependants of, persons who are or have been members of the public services of any rights provided for them by or under this Act."

Sir STAFFORD CRIPPS: May I suggest that it would be much easier to put the word "members" back again, making it read:

"securing to members and to the dependants of persons who are or have been."

If the word "members" is repeated it is easier and better drafting.

Sir S. HOARE: I will look into this question, and, if necessary, put it right at a later stage.

6.59 p.m.

Duchess of ATHOLL: As my name is down to a similar Amendment, which I think is better worded than the Amendment of the Secretary of State, I should like to say that we welcome very much the fact that the Secretary of State has now made the position very clear. It was not clear to a number of people that persons who had ceased to be members of the public service and the dependants of those persons were included in the original wording, and I am very glad that that has now been put beyond the possibility of doubt; but, as regards what my right hon. Friend said about the Governor-General having the power to see that funds were made available for this purpose, may I remind the Committee that the Governor-General will not be collecting the revenues. He will have no control over the collecting of revenues, and it is quite possible that there may be conditions which may make the collection of revenue very much less efficient than it is at present.

The DEPUTY-CHAIRMAN: I allowed the Noble Lady to make a reference to that because the matter was mentioned, but we cannot go into a debate on this Amendment.

Duchess of ATHOLL: I only wish to ask the Committee not to take it for granted that it is perfectly easy for the Governor-General to assure that the funds are there for the purposes mentioned here, because he does not control the collection of revenue and, therefore, it is quite possible that the revenue may not be forthcoming when it is needed.

Amendment agreed to.

Further Amendment made: In page 8, line 14, after "provided," insert "or preserved."—[*Sir S. Hoare.*]

7.2 p.m.

Mr. D. G SOMERVILLE: I beg to move, in page 8, line 22 after "Kingdom," to insert "British Empire."

My reason for moving this Amendment is that the Sub-section which gives the Governor-General power to deal as he thinks fit with any action which may penalise or discriminate against imports from the United Kingdom or from Burma does not appear to give him power to deal with any such action which may be imposed against Colonial or British Dominion imports. That seems rather a serious point, as public opinion to-day is so strongly in favour of inter-Empire trade. Should such action be taken against imports from any of our great Dominions, Australia, New Zealand or Canada, or any of our Crown Colonies, it would arouse a prejudice, and in view of the fact that at the Ottawa Conference India was represented, I think that any impediment or any prejudice which was aroused would be very much against the interests of the British Empire.

7.3 p.m.

Mr. AMERY: This Amendment is one that, on the face of it, would naturally appeal to most of us in this House, but there is a back history to this question which, I think, will put a somewhat different complexion on it. Feeling in India in the past has been very strong indeed against discrimination exercised in various parts of the Empire against Indian goods, whether in the stopping of emigration or the exercise of citizen rights or even, as in South Africa, in the limitation of trading rights. There has been continual difficulty as between the Dominions and the British Government by the appeal on behalf of the Indians to exercise a modifying influence and to endeavour in some way or other to modify Dominion policy. It was not until the Ottawa Conference of 1931, that, with the full agreement of Indian representatives as well as of the Dominions, the matter was left on the footing that these were essentially questions to be dealt with directly between India and the Dominions. Ever since then the mutual Indian and Dominion relations have been greatly improved.

The fact that India has the right to retaliate against discrimination of Indian goods and Indian subjects has improved and not deteriorated those

[Mr. Amery.]
relations, and has diminished a certain inferiority complex; it has worked on the whole in the right direction. I believe that would apply equally here. For us in this House who are, after all, not directly concerned with defending Dominion interests to do so would, I think, possibly create prejudice in India, and would not help the improvement of economic relations. Ever since the Ottawa Conference, economic relations between India and the Dominions have been on a very good basis, and there is every prospect of those relations increasing. I think the same also applies to the relations between India and the Colonies. I would suggest that whatever may be the theoretical appeal of my hon. Friend's Amendment, in practice the interests of Empire trade will be better guarded by not endeavouring to include a provision which has a particular historical origin arising from the intimate economic and general partnership between this country and India, and a particular justification in the case of Burma where the Governor will exercise a particular discretion *vis-a-vis* Burmese discrimination. In these circumstances, I think it is possibly wiser not to press the Amendment.

7.6 p.m.

Mr. WISE: I do ask the Committee seriously to consider this Amendment, because if anything could convince me of its necessity the speech of the right hon. Gentleman who has just preceded me would do so. I never thought to hear from him in this House that the trade of the Empire was not our primary concern in this House. I never thought to hear from him the suggestion that the rights of the Dominions should not be safeguarded as jealously as the rights of this country—the right to trade with an Empire which, after all, they did assist to build up. It may be tactless to remind the Government that the British Empire exists; in fact, we have frequently felt that it is so, but I never expected this heresy from the right hon. Gentleman. If it is necessary to safeguard United Kingdom trade against discrimination, is it not just as necessary to safeguard Canadian or Australian trade? We are looking for considerable reciprocal benefit from these Dominions in future, if ever we adopt an Imperial policy, and if we look for these benefits we must give them something in return, some protection. It is true, as the right hon. Gentleman has said, that there have been cases at issue between India and the Dominions, but they have not been cases of trade, but mainly of emigration and of the rights of Indians in various Dominions.

Australia frequently prohibits the admission to her territory of Asiatic races for reasons which seem good to the Australian Government of whatever political colour, it may be Socialist or United Australia. South Africa has its own problems with the admission of Asiatic population, but are we to allow this new Indian federal government to make these matters, which stand on a plane entirely of their own, the basis of a trade war by their own discrimination? It seems that if there is to be any safeguard at all it must be a reserved province of the Governor-General. We all know that in any assembly of Asiatics tempers are apt to run high, and very frequently they give vent to opinions in which they do not really very much believe. We have been assured on several occasions recently by the right hon. Gentleman the Secretary of State that such responsible people as the Indian Princes do not really mean what they say and, if so, how much more will this elected Federal Assembly be tempted into action which they may subsequently regret? If we are to have safeguards of any kind whatever, this is one of the most reasonable which can be inserted in the Bill, and there is no argument for refusing it if we believe that there is such a thing as the British Empire. If we believe that Imperial interests should be considered and treated by what is still the Imperial Parliament and not the local governing body for the British Isles, we must insert this provision.

7.11 p.m.

Mr. DONNER: I wish to ask the Secretary of State whether the Dominions have been consulted in this matter, and whether any of the High Commissioners in London representing the Dominions have been approached and asked what their point of view is in this regard. I was shocked to hear the statement of the right hon. Gentleman the Member for Sparkbrook (Mr. Amery). He said that we were not

concerned to defend the interests of the Dominions in this House. That was not the point of view held by the Dominions during the Great War, and it is not, I hope, the point of view that will ever be taken by the Imperial Parliament if any of the Dominions in the British Empire happen to be directly involved with a foreign Power. I should like to know if the Secretary of State would be good enough to answer whether the Dominions have been consulted or not, and what will be their point of view if they are left in the lurch as is now proposed. I submit that to leave them entirely to look after themselves is contrary to the spirit of our Imperial policy.

7.13 p.m.

Sir S. HOARE: Hon. Members must not assume that those who support the Bill are less Imperialistic in their sentiments. I rather demur at the kind of insinuations that have been made as to our not being interested in the Empire. Let us get rid of prejudice of that kind. Let us approach the question on its merits. The position is that British trade with India is so extensive, and has existed for so many generations and has conferred so many benefits on India, that it has undoubtedly claimed special treatment. The basis of our proposal is this long partnership between British and Indian trade. That is the justification for the special safeguards that we propose for British trade, namely, no discrimination and reciprocity of treatment. The justification for this provision is this partnership between Great Britain and India, the immense extent of British trade with India and the interests that have grown up as a result of them.

No such state of affairs exists in other parts of the Empire. The Dominions on the whole have not very much trade with India. It is not a trade which, by any stretch of the imagination, could be compared either in extent or in character with British trade. I suggest to the Committee that on that account the justification for the special treatment of British trade does not apply to Empire trade generally. Secondly, I suggest that it would be a mistaken policy for us to undertake this obligation. As my right hon. Friend the Member for Sparkbrook (Mr. Amery) has just reminded the Committee, the chapter on Indian relations with other parts of the Empire has a long history. As Secretary of State for India I have very strong views as to the justice of certain Indian claims which have not always been accepted in every part of the Empire. I am not going to be drawn into the merits of those controversies, but some of us have entered into those controversies in the past, and justice has by no means been on one side. I say, in view of that history, that it is much wiser to let the future Government of India negotiate their own treaties with other Dominions.

Mr. CHURCHILL: Have there been any discrimination or penal tariffs against any of the Dominions so far, in reprisal for the restrictions on Indian immigration to those Dominions.

Sir S. HOARE: My right hon. Friend will see at once that the question does not end with tariff restrictions. It would mean, if we deprived India of the power of negotiation in dealing with other parts of the Empire, that India would be without any lever in dealing with questions such as that of immigration.

Mr. CHURCHILL: Yes, I know, but has the tariff weapon ever been used by Indians in retaliation for the immigration dispute?

Sir S. HOARE: I could not say offhand whether that has been used, but it would be unfair upon India to debar her for all time from using an instrument of that kind. The effect of debarring India from using it would be to arouse very bitter controversy, to create a lot of trouble in India and incidentally to weaken the case for special treatment for British trade and, further, to do what I should have thought every member of the Committee wished to avoid, namely, to draw us into controversies between India and other parts of the Empire. My very strong advice, therefore, to the Committee is not to accept this Amendment, but to leave India free to carry on its own negotiations.

Duchess of ATHOLL: May I ask—without going into the merits of the question—whether it is not a fact that at present under the Fiscal Autonomy Convention the Secretary of State has power to veto a tariff that would bring India into conflict with other parts of the Empire or

[Duchess of Atholl.]

would cut across the general line of Empire policy? Does, therefore, the omission of any reference to the Empire in this Clause not mean that we are renouncing a power which we at present possess, and which has come to have some definite meaning since the Empire at Ottawa outlined a general policy of Imperial preference?

7.20 p.m.

Mr. RAIKES: I am sure that many Members of the Committee must be disappointed at the reply which we have had from the Secretary of State for India. We do not yet know whether the Secretary of State has consulted the Dominions or not on this matter. Beyond that is the further point that we have been told that this special matter of giving rights to British trade is included because that trade has existed, and been very large, over a very great period of years. I can understand that argument, but is there any reason to suppose that Empire trade with India might not become very much greater in future? Not only that, but Empire trade with India is very much greater than appears on the surface. We have had an intense immigration in recent years into Africa, and the Indians there send their money back into India year by year. If that is not a form of trade, I do not know what it is. We are definitely dealing with a discrimination of Burmese goods or British goods, yet not touching Empire goods. The fact lies before us that we have this power in regard to the defence of British interests, but we have no power in regard to the Empire. It might very well be, in future, that in the early days of their enthusiasm Indian politicians might set up heavy discriminatory trade against the Empire, at a time when many of us believe that the future of this country and of India lies in the economic unity of the Empire. What is the use of talking confidently about the need for the closer relations between Great Britain and the Empire and not taking the one simple and easy step to make sure that in the future India, the Empire and Great Britain shall have the same privileges in matters of this sort? I very much hope that my hon. Friend will not withdraw his Amendment, but will go into the Lobby in support of it.

7.23 p.m.

Mr. CHURCHILL: Surely the speech of the Secretary of State is at once revealing and disquieting. It was quite clear why the words "United Kingdom," are to be retained and the words "British Empire" are not included. It is because the Secretary of State desires to give to the new Indian Assembly the power of striking at Canada and Australia through the medium of trade, if they are not satisfied with the treatment of Indians who have emigrated to those Dominions. The Secretary of State seemed even to relish the prospect that in the near future India would have an opportunity of dealing with those delinquent Dominions. That is a serious thing, and it is an extremely dangerous thing that that should be said. This is, in fact, a Bill to give to the Indians the power, among other things, of imposing discriminative and penal trade restrictions against Canada, South Africa and Australia. It is hardly possible to have anything more uncomfortable than that. I agree with my hon. Friend who asked whether the high commissioners have been consulted in this matter. The Secretary of State did not answer that question.

There is a certain weight in the argument that negotiations, commercial treaties and so forth should be conducted between the Government of India and the individual Dominions; also the question of immigration and so forth can be a matter of discussion and of reciprocity to some extent between them, and the Government in many matters are well advised to stand out, but here you have an Empire Government placing a new power in the hands of a new assembly, a power which they have not exercised up to the present, and that power is capable of being used—as it is intended to be used—to enable each of those Dominions to be proceeded against by India. What will happen when this process begins, and when the new Indian Assembly, if it ever comes into being under this Bill, starts out to punish South Africa for their treatment of Indians in Natal? I imagine that South Africa will feel that we have brought this new evil upon them, and that they will be very much inclined to find fault with the Imperial Government, and possibly will themselves retaliate against our trade.

I feel that this Amendment is very well based. I am astounded at the naked candour with which the Secretary of State for India has practically avowed, not merely with sombre acquiescence but with an actual appetite, that the new Indian Government can make use of the new powers to spread ill-feeling and trade restrictions throughout the British Empire.

7.28 p.m.

Major HILLS: I would quite agree with my right hon. Friend the Member for Epping (Mr. Churchill) if there were not a reciprocity in the Dominions, but the point he overlooks is that we here have the power to impose certain liabilities upon India and have not the same power to prevent the Dominions from imposing discriminatory or penal legislation against India. We are no longer a mother hen which can control all her chickens. I would ask the right hon. Gentleman to see how India would be affected if this Amendment were accepted. India would be prevented from penal or discriminatory legislation against Dominion trade. To some extent India has had this power and has never exercised it, but that we should put it in here so that she never could exercise it would mean that we should still allow the Dominions to discriminate against Indian trade in any way they liked, and not give India any power to retaliate.

Mr. WISE: If it is the case that India, in fact, has this power under the Fiscal Autonomy Convention, are there not other powers of control reserved to the Viceroy under the Fiscal Autonomy Convention?

Major HILLS: My point is a very short and simple one. If you want to say that India is to have no power to retaliate against the Dominions, you are not acting in line with modern Imperial theory. We leave the self-governing parts of the Empire to settle these matters between themselves, and it would be a step backwards if we were to attempt to settle such a matter for one particular part of the Empire. It would be denying to India any chance of reaching dominion status. We cannot concede dominion status without giving the opportunity, the power to retailiate against another part of the Empire if need be. By the Amendment we should be putting India into a special category and not giving her the power which is essential for her to occupy that position in the Empire which I hope she will occupy. Moreover, it would be putting a burden upon India which no other part of the Empire has ever had to bear.

7.31 p.m.

Mr. ISAAC FOOT: We object to the Amendment. When the Indian delegates were present they laid great emphasis upon this point, and when they left this country they left behind them a memorandum which was very important, which was signed by men of different creeds and men of different outlook in Indian affairs. In that document they laid the utmost emphasis on freedom in regard to this matter. I regard any further restriction as being a serious invasion of their rights. Whatever their attitude may be towards the Bill, as it stands at present, if this Amendment were carried it would very largely jeopardise the possibility of the Bill being worked. On what ground can we deny to India what is given to the other parts of the Dominions?

Mr. CHURCHILL: We are doing so, in safeguarding the United Kingdom commercially.

Mr. FOOT: That has been explained on the ground that there has been a very long commercial partnership between India and ourselves, and the philosophy behind the Bill is that we seek to maintain the legitimate interests that have been established. The argument for the Bill is that during 150 years certain interests have been established, and those interests are not to be put in jeopardy as a result of the Bill. The Amendment seeks to put upon India a liability that rests upon none other of His Majesty's Dominions. To that extent it is untenable and would be repudiated. Let me put this question to those who are supporting the Amendment. Suppose an injustice were done to India by another Dominion and India were never able to invoke this fiscal defence. Why should we deny that right to India? A certain incident arose in the British Empire not long ago when difficulty arose between Ireland and ourselves, and it was thought in this House, and the view was supported by the right hon. Gentleman oposite and his friends that Ireland was doing an unjust thing to this country. At that time as between two different

[Mr. Foot.]
parts of the British Dominions fiscal discrimination was resorted to by this House. That was done in the British Commonwealth of nations, and it was looked upon as being a perfectly legitimate course. What answer can we give to India if we deny to her fiscally the right which only a short time ago this House, by a large majority, thought it fit to exercise?

Vice-Admiral TAYLOR: Was not the fiscal discrimination against Ireland exercised for the purpose of collecting money that Ireland would not pay otherwise?

Mr. FOOT: That was the explanation given, and probably it was the right explanation. Let us assume that circumstances like those might arise between India and another part of the British Dominions in years to come. If similar sets of circumstances arose, why should we deny to India the freedom that we want to be able to exercise ourselves? Surely, there is no one in this House who would consent to depriving this House of its power to impose a discriminatory tax if a wrong course were taken by any one of the Dominions. If we hold on to that power, why do we seek to deny it to India and why should the time of the House be occupied in debating Amendments which are intended to limit the self-government which some of us think is limited enough already?

7.36 p.m.

Mr. H. WILLIAMS: The argument has been devoted to the question of the Dominions. There is some substance in the argument against the Amendment when we are dealing with the Dominions, but it is of no substance when we consider the Crown Colonies. The Crown Colonies to-day are a larger market for British goods than India is, and the continued existence of the Crown Colonies is in some respects more important to us than the continued existence of India. I can well see that for the purpose of injuring British trade a conceivably hostile ministry at Delhi—we are only contemplating the case of the possible hostility that might arise—could use their power against us not by attacking us directly but by attacking us through one or more of the Crown Colonies. Therefore, I think there is a case to be met. The hon. Member for Bodmin (Mr. Isaac Foot) says that India ought to have this power of discrimination. When he says "India," what does he mean? Does he mean the transferred government or the reserved government? Does he think that India ought to have the right to discriminate against France?

Mr. FOOT: I should as far as possible give to India the same power that we should have if we thought it right to discriminate against France.

Mr. WILLIAMS: Then the hon. Member is in favour of the transfer of external powers to the Ministry?

Mr. FOOT: I look upon the limitation of external powers as being a temporary matter. I look forward to the day when under Dominion status India will have not only the power of defence but also control of all her own external affairs.

Mr. WILLIAMS: The hon. Member has voted in support of the principle that external powers shall be a reserved service. Therefore, he has already voted that India shall not have the power to discriminate against France. Yet he wants India to have the power to discriminate against Canada.

Mr. FOOT: Do I understand that the hon. Member's interpretation of the Bill is that the Governor-General would not assent to discrimination against France if circumstances arose that made that proposal necessary in the interests of India? Is that his contention?

Mr. WILLIAMS: It is not a question of the Governor-General assenting. External affairs are not matters on which he has to receive advice from his Ministers. It is no good saying what we have done under the old system of government. We are dealing with present policy. We are considering the conditions in this Bill. The difficulty in regard to the Dominions has been explained, and I believe there is some substance against the Amendment in that respect, but there is no substance in the argument when you come to the Crown Colonies, because they are not free agents, and I do not see in what way the Secretary of State for the Colonies could protect them. We have to do something to protect the Crown Colonies. My view is that the Amendment as it stands is not entirely satisfactory, because it may be necessary to have discrimination against another part of the

Empire; but I think it is necessary to have a new paragraph dealing entirely with the situation of the Dominions, and possibly another one dealing with the Crown Colonies, because the circumstances are not the same as in the case of the United Kingdom. In any event it is absolutely deplorable that it should be said that India should be free to do things against Empire countries which they are prohibited from doing against foreign countries.

7.40 p.m.

Sir E. GRIGG: The argument in favour of the Amendment has shifted from the Dominions to the Crown Colonies. So far as the Dominions are concerned, they certainly have shown themselves quite able in the past to protect themselves against India, and I doubt whether they would wish in any way to be taken under our wing in relation to the Indian Empire. So far as the Crown Colonies are concerned, I would say to the hon. Member for South Croydon (Mr. H. Williams) that if I as Governor of Kenya had been asked whether I wished this Amendment to be included in the Bill or not, I should have said "No." The African Colonies are constantly afraid of the argument that because we have a special position in India we are therefore to do something or other in Africa which on the merits in Africa we would much rather not do. I am afraid that the argument might be extended and that it might be said to the African Colonies: "We have secured for you a special position and special rights in India. We are defending you in the Indian Constitution which we have passed, and on that account we ask you to adopt certain policies or pass certain measures which on the merits in Africa your governments might not desire." It is far better in these matters to leave the different parts of the Empire to deal with each other on the merits of each case and not to complicate the thing by the kind of general protection which has been argued for by many of my hon. Friends in this Debate. I can only say seeing that the special position of the Crown Colonies has been raised, that from my experience of them I would much rather they were not protected in any way under this Clause.

7.42 p.m.

Mr. A. SOMERVILLE: One must listen to the hon. Member for Altrincham (Sir E. Grigg) on the question of the Colonies with the greatest respect, but I was very much surprised to hear him use the argument which he did. The point raised by the hon. Member for Croydon, South, is of the greatest importance. Under the provisions of the Bill the Secretary of State for the Colonies loses the right to interfere in any question of tariffs or trade regulations as between the Colonies and India. Take the case of Tanganyika. Tanganyika does a large trade with India, especially in cotton, and there are difficulties between them in regard to immigration. Are we to rest content with a position where we allow India to make her own arrangements and bring pressure to bear on Tanganyika in the matter of migration and trade, while the Secretary of State for the Colonies and the Government are to have no say whatever in the matter? It seems to me an impossible position.

Earl WINTERTON: Tanganyika is a mandated territory.

Mr. SOMERVILLE: Yes, but to all intents and purposes it is part of the British Empire and ought always to remain so. The Bill provides against discrimination against the United Kingdom. To all intents and purposes the Crown Colonies are part of the United Kingdom. Therefore, if we provide this safeguard against discrimination against the United Kingdom the same arguments should apply in providing safeguards against discrimination against Colonial trade.

7.45 p.m.

Mr. BRACKEN: I think the Secretary of State ought to give more consideration to the suggestion of my hon. Friend the Member for South Croydon (Mr. H. Williams). The Government should reconsider the Clause. There are several ways of losing an Empire and the Secretary of State is choosing a particularly bad way. Just imagine if this Government at any time were to launch out upon some great scheme of Empire development. We were told by the Secretary of State for the Dominions, and then by the Secretary of State for the Colonies, that the whole future of British trade depends upon the development of the Empire. This House has no control over the Dominions, but it has active control over the Crown Colonies. Sup-

[Mr. Bracken.]

pose, for the sake of argument, that we prepare some very broad scheme to increase trade between the various Crown Colonies and Great Britain, and suppose that the Indians cared to wreck that trade by imposing penal tariffs on the Colonies with which we were anxious to form trade associations. It is a very important matter.

The hon. Member for Bodmin (Mr. Isaac Foot) says that you cannot bind India, and the late Secretary of State for the Colonies says that you cannot bind the Indians. But you have bound the Crown Colonies to this Island, and they have to accept any trade policy that you impose upon them. Why, when you have these people bound, should you allow them to be the target of Indian politicians? There is a great Imperial issue at stake and the House should very carefully consider it. I am not going to touch upon some of the remarks made by the right hon. and gallant Member for Ripon (Major Hills) who talked about the modern Imperial spirit. I do not quite know what it is. But I will tell the Committee how it will be interpreted in the Dominions and Colonies. First of all the Dominions may say, " You are not a very great country, seeing what very great selfishness you have shown in this matter." That is the first danger—that you are going to have a lot of criticism in the Dominions about this unilateral arrangement with India. But the Crown Colonies are very important indeed. Many of us believe that those centred around Malaya contain one of the greatest markets in the world. You tell the Malayans, " We force you to follow a certain line of trade, but we will not protect you against the discriminating politicians in India."

Mr. ISAAC FOOT: Why should there be protection given in relation to India and not given in relation to Canada, Australia or any other parts of the Dominions?

Mr. BRACKEN: The hon. Member with his encylopaedic knowledge forgets one thing. Canada is not bound by anything that we do in this House in relation to trade, but the Crown Colonies are. I know that the hon. Member is a little Englander and that he does not care about these matters, which mean nothing to him. He is anxious to break up the British Empire. But if he is so keen about the rights of various parts of the Empire let me put to him this point. He is much more a representative of the Crown Colonies in this House than he can ever be of India. We are responsible for the Crown Colonies in this House and we can impose upon them any trade measures that we like. They to a certain extent might be the victims. We are anxious to stand up for these Crown Colonies, which may be very seriously prejudiced if the Indian politician is allowed to attack them and they are to act, in a sense, as the whipping boy of the Indian politician.

I hope that the Secretary of State is at least going to answer the question about the Crown Colonies. He ought to consult with his colleague the Secretary of State for the Colonies, because there are very great issues at stake in the matter. When one considers that this is a Government which boasts of its anxiety to develop and build up the Empire, it seems rather absurd at this stage that they should treat the Crown Colonies in such an unfair way. They are not prepared to give the Crown Colonies any rights in India. This is the glorious Imperialism of the Secretary of State for India and of the late Secretary of State for the Colonies. I am sure that many people will greatly regret that the right hon. Member for Sparkbrook (Mr. Amery), who has constituted himself the special caretaker of the Dominions and Colonies, should, because of his desire to support this Measure, prejudice the interests of the Crown Colonies and treat the Dominions in a way that they will not thank him for in the future.

7.51 p.m.

Sir W. DAVISON: Those who are supporting the amendment of the Bill have reason to complain of the way in which they are treated by the Government, for any Amendment, whether it is simple or not, is resisted in the same way. It must be the Bill, the whole Bill and nothing but the Bill. From this discussion a very important point has emerged with regard to the Crown Colonies not receiving adequate protection. It certainly seems to any reasonable man that if the trade of Great Britain is not to be discriminated against we should certainly take precautions that trade with the Crown Colonies is in the same position. The Secretary of State said that there

was a long history of trade between India and Great Britain, and the same thing did not apply to the Crown Colonies. But this is a new constitution, not dealing with the past but dealing with the future. It is true that it is founded on the past, but that is the only reason for it. It is dealing with the future, and we all hope that the bonds which unite the Empire will become closer and closer in future. Surely it is desirable that the Governor-General should have these powers to prevent penal treatment and discrimination with regard to the Empire countries and most certainly with regard to the Crown Colonies.

7.53 p.m.

Sir S. HOARE: I rise simply to deal with one or two questions that I did not refer to in my speech. Of course, I have been in full consultation both with the Secretary of State for the Colonies and the Secretary of State for the Dominions on this matter. These proposals have been published for many months. Indeed they were in the original White Paper. We have received no kind of protest from any of the Dominions. Some hon. Members seem to assume that the Crown Colonies will be at the mercy of an unscrupulous Indian Government. As a matter of fact, looking at the fiscal relations between India and the Crown Colonies, it seems to me that the Crown Colonies will have most of the cards in their hands. The markets in Africa are markets of immense value, and I should have thought that in any negotiations the Crown Colonies, so far from being at the mercy of India, would have the best instruments for negotiation in their own hands.

As for the general question of the Crown Colonies, no better answer can be given than that of the hon. Member for Altrincham (Sir E. Grigg). No one is better qualified to speak on the subject than he, particularly because of the fact that he was Governor of a Colony where in the past there have been a good many points of dispute with India. That being so, I hope that the Committee will defeat the Amendment and will adopt the wise course of leaving the Indian Government to deal in these matters with the Dominion and Colonial Governments.

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

The Committee divided: Ayes, 49; Noes, 274.

Division No. 78.] AYES. [7.55 p.m.

Acland-Troyte, Lieut.-Colonel	Dawson, Sir Philip	Rawson, Sir Cooper
Apsley, Lord	Donner, P. W.	Ray, Sir William
Atholl, Duchess of	Emmott, Charles E. G. C.	Reid, David D. (County Down)
Bailey, Eric Alfred George	Erskine-Boist, Capt. C. C. (Blackpool)	Remer, John R.
Balfour, George (Hampstead)	Gretton, Colonel Rt. Hon. John	Sandeman, Sir A. N. Stewart
Blaker, Sir Reginald	Gritten, W. G. Howard	Sanderson, Sir Frank Barnard
Boyd-Carpenter, Sir Archibald	Hartington, Marquess of	Somerville, Annesley A. (Windsor)
Bracken, Brendan	Keyes, Admiral Sir Roger	Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Broadbent, Colonel John	Knox, Sir Alfred	Thorp, Linton Theodore
Brown, Brig.-Gen. H.C. (Berks., Newb'y)	Levy, Thomas	Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Burnett, John George	Macquisten, Frederick Alexander	Touche, Gordon Cosmo
Carver, Major William H.	Maitland, Adam	Wayland, Sir William A.
Churchill, Rt. Hon. Winston Spencer	Marsden, Commander Arthur	Wells, Sydney Richard
Cobb, Sir Cyril	Nicholson, Rt. Hn. W. G. (Petersf'ld)	Williams, Herbert G. (Croydon, S.)
Courtauld, Major John Sewell	Nunn, William	Wise, Alfred R.
Croft, Brigadier-General Sir H.	Oman, Sir Charles William C.	
Davison, Sir William Henry	Perkins, Walter R. D.	

TELLERS FOR THE AYES.—Mr. D. Somerville and Mr. Raikes.

NOES.

Addison, Rt. Hon. Dr. Christopher	Bernays, Robert	Butt, Sir Alfred
Albery, Irving James	Bevan, Aneurin (Ebbw Vale)	Cadogan, Hon. Edward
Allen, Lt.-Col. J. Sandeman (B'k'nh'd.)	Blindell, James	Campbell, Vice-Admiral G. (Burnley)
Allen, William (Stoke-on-Trent)	Boulton, W. W.	Campbell-Johnston, Malcolm
Amery, Rt. Hon. Leopold C. M. S.	Bower, Commander Robert Tatton	Cape, Thomas
Aske, Sir Robert William	Bowyer, Capt. Sir George E. W.	Caporn, Arthur Cecil
Assheton, Ralph	Braithwaite, J. G. (Hillsborough)	Cautley, Sir Henry S.
Attlee, Clement Richard	Brass, Captain Sir William	Cayzer, Sir Charles (Chester, City)
Baldwin, Rt. Hon. Stanley	Briscoe, Capt. Richard George	Cayzer, Maj. Sir H. R. (Prismth., S.)
Balfour, Capt. Harold (I. of Thanet)	Brocklebank, C. E. R.	Cazalet, Capt. V. A. (Chippenham)
Barclay-Harvey, C. M.	Brown, C. W. E. (Notts., Mansfield)	Chamberlain, Rt. Hn. Sir J. A. (Birm., W.)
Barton, Capt. Basil Kelsey	Brown, Col. D. C. (N'th'l'd., Hexham)	Chamberlain, Rt. Hon. N. (Edgbaston)
Batey, Joseph	Brown, Ernest (Leith)	Chapman, Col. R. (Houghton-le-Spring)
Belt, Sir Alfred L.	Burghley, Lord	Chapman, Sir Samuel (Edinburgh, S.)
Benn, Sir Arthur Shirley	Burgin, Dr. Edward Leslie	Chorlton, Alan Ernest Leofric
Bennett, Capt. Sir Ernest Nathaniel	Butler, Richard Austen	Clarke, Frank

Clarry, Reginald George
Cleary, J. J.
Cochrane, Commander Hon. A. D.
Cocks, Frederick Seymour
Collins, Rt. Hon. Sir Godfrey
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Cove, William G.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Crossley, A. C.
Daggar, George
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Edward C. (Montgomery)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davies, Rhys John (Westhoughton)
Davies, Stephen Owen
Denman, Hon. R. D.
Denville, Alfred
Despencer-Robertson, Major J. A. F.
Dickie, John P.
Drewe, Cedric
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eden, Rt. Hon. Anthony
Edwards, Charles
Elliston, Captain George Sampson
Emrys-Evans, P. V.
Evans, Capt. Arthur (Cardiff, S.)
Evans, David Owen (Cardigan)
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fox, Sir Gifford
Fremantle, Sir Francis
Fuller, Captain A. G.
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gardner, Benjamin Walter
George, Major G. Lloyd (Pembroke)
George, Megan A. Lloyd (Anglesea)
Gibson, Charles Granville
Gillett, Sir George Masterman
Glossop, C. W. H.
Gluckstein, Louis Halle
Grattan-Doyle, Sir Nicholas
Grenfell, David Rees (Glamorgan)
Griffith, F. Kingsley (Middlesbro', W.)
Griffiths, George A. (Yorks, W. Riding)
Grigg, Sir Edward
Grimston, R. V.
Groves, Thomas E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hall, George H. (Merthyr Tydvil)
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zti'nd)
Hammersley, Samuel S.
Hanbury, Cecil
Harris, Sir Percy
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Horsbrugh, Florence
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Hutchison, W. D. (Essex, Romf'd)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing.-Com. A. W. H.
Jenkins, Sir William
Johnston, J. W. (Clackmannan)
Johnstone, Harcourt (S. Shields)
Jones, Henry Haydn (Merioneth)
Jones, J. J. (West Ham, Silvertown)
Jones, Morgan (Caerphilly)
Kerr, Hamilton W.
Kirkpatrick, William M.
Kirkwood, David
Lamb, Sir Joseph Quinton
Leckie, J. A.
Leighton, Major B. E. P.
Leonard, William
Lewis, Oswald
Lindsay, Kenneth (Kilmarnock)
Lister, Rt. Hon. Sir Philip Cunliffe-
Llewellin, Major John J.
Loftus, Pierce C.
Logan, David Gilbert
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
Macdonald, Gordon (Ince)
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEntee, Valentine L.
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
Maclean, Neil (Glasgow, Govan)
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Maxton, James
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Major J. D. (New Forest)
Milne, Charles
Milner, Major James
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morris, Owen Temple (Cardiff, E.)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shephard
Moss, Captain H. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
Orr Ewing, I. L.
Paling, Wilfred
Palmer, Francis Noel
Parkinson, John Allen
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Percy, Lord Eustace
Peters, Dr. Sidney John
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickthorn, K. W. M.
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pownall, Sir Assheton
Pybus, Sir John
Radford, E. A.
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Rankin, Robert
Rathbone, Eleanor
Rickards, George William
Roberts, Aled (Wrexham)
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Shef'ld, B'tside)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Selley, Harry R.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Simmonds, Oliver Edwin
Smiles, Lieut.-Col. Sir Walter D.
Smith, Sir J. Walker- (Barrow-in-F.)
Smith, Louis W. (Sheffield, Hallam)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smith, Tom (Normanton)
Smithers, Sir Waldron
Somervell, Sir Donald
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Stourton, Hon. John J.
Strickland, Captain W. F.
Stuart, Hon. J. (Moray and Nairn)
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thomson, Sir Frederick Charles
Tinker, John Joseph
Titchfield, Major the Marquess of
Train, John
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wedderburn, Henry James Scrymgeour-
Wedgwood, Rt. Hon. Josiah
White, Henry Graham
Wills, Wilfrid D.
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'oaks)

TELLERS FOR THE NOES—
Sir George Penny and Sir Walter Womersley.

8.4 p.m.

Mr. GEORGE HALL: I beg to move, in page 8, line 24, at the end, to insert:

"unless such action is proposed as a protection against the subjection of goods of Indian origin to discriminatory or penal treatment."

As was seen in the discussion on the last Amendment, this paragraph (*f*) is a very important one, and I should say that,

notwithstanding the fact that there is no Amendment for its deletion, those of us on this side do not like the paragraph at all. It gives into the hands of the Governor-General very important powers in dealing with trade. It gives him the right to prevent any

"action which would subject goods of United Kingdom or Burmese origin imported into India to discriminatory or penal treatment."

As the paragraph reads, it is very one-sided. It gives to the Governor-General a very important power, and the purpose of the Amendment is to limit that power in the event of any discriminatory power being used against Indian goods imported into this country or into Burma. We have had some discussion concerning the import of Indian steel into this country. I can quite understand that, if there was a very large increase of that import, there would be a cry from those who have always advocated the protection of the steel industry that they should have a tariff against Indian steel. Under the paragraph as it stands, if a contingency such as that should arise, it would still give the Governor-General power to restrict any action which might be taken by the Indian Legislature against any action which might be taken in this country in that way, and we say that in those circumstances the paragraph is one-sided.

No one desires anything like a trade war between this country and India, but at the same time it must be remembered that these important powers are given to the Governor-General, taking out of the hands of the Indians themselves the right to deal with this matter. It was very interesting to listen to the discussion on the last Amendment, when hon. Members wanted the Governor-General to have this power as far as the Dominions were concerned, but there was no suggestion that the Indians should have the right to use the same power against any of the Dominions which discriminated against Indian goods. That is where we stand, and we think the Amendment should be passed. It is really reciprocal. What is good enough for us ought really to be good enough for the Indians, and that is all that the Amendment asks.

8.8 p.m.

Mr. BUTLER: It may be for the convenience of the Committee if I state at once our point of view on the Amendment. I quite see the reasons which prompted the hon. Member for Aberdare (Mr. G. Hall) to move it, but we feel that in its present form it is not satisfactory. We think it is not satisfactory to put in the Statute, in this place, such a declaration that it is possible to imagine a contingency in which this country would adopt some discriminatory action against Indian goods. We do not like to contemplate the possibility of discriminating against Indian goods, and I fear that it might be possible to deduce from the Amendment that it is quite possible to imagine such a contingency in the future, which we do not care to contemplate. It is very important in these matters of trade, which depend so much on good will between the two countries, that no discussion here should encourage the idea that we in this country intend to take the opportunity in future to discriminate against Indian goods, and I should like to be emphatic about that at the outset.

I think the hon. Member would really find that his views were better met if he relied on the Instrument of Instructions rather than upon the insertion of an Amendment of this sort in the body of the Bill. The Committee will remember that this question and this particular special responsibility were carefully considered by the Joint Select Committee, which, in paragraph 345 of its report, recommended that particular description should be given in the Instrument of Instructions as to the manner in which affairs were to be conducted under the provisions of this special responsibility. I should like to read the last paragraph of paragraph 14 of the draft Instrument of Instructions, which states:

"At the same time in interpreting the special responsibility to which this paragraph relates Our Governor-General shall bear always in mind the partnership between India and the United Kingdom within Our Empire which has so long subsisted and the mutual obligations which arise therefrom."

We should much prefer that hon. Members opposite should not press the Amendment, and in return I should be ready to give an undertaking to consider the terms of the draft Instrument, and if hon. Members do not feel that those particular words or the whole paragraph which must be read in connection with them bring out sufficiently what we have in mind, that we should, when we come to consider the Instrument itself, be certain that this point of view is fully

[Mr. Butler.]

preserved. I hope, in view of that statement, that hon. Members opposite will not press the Amendment, however important they may consider it to be.

Mr. G. HALL: In view of the statement and the undertaking of the Under-Secretary of State, I ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

8.12 p.m.

Brigadier-General Sir HENRY CROFT: This Clause, as the Committee will realise, is one of very great importance, and I only wish it were possible to discuss it at such length as really to go into the whole merits of the case, but I think everyone will realise that it is a Clause which, in a normal Bill, a great Bill such as the Home Rule Bill that we knew, would very likely have had two or three days' discussion, as it involves such very great issues. There are only two points, in order to save time, that I wish particularly to refer to, and the first is with regard to paragraph (*c*) in the special responsibilities, referring once more to this question of "the legitimate interests of minorities." I frankly confess that, like many other Members of the Committee, I was not satisfied with the statement of the Secretary of State with regard to the word "legitimate," and I want to ask the Under-Secretary of State or the Attorney-General how far this word is meant to go. The Committee is aware that there is a very real dread among Anglo-Indians in India that they may be gradually eliminated from all those posts to which they are best suited and in which they are most efficient. I refer particularly to railways, posts and telegraphs, and I want to know whether the Governor-General in this case of paragraph (*c*) is only going to intervene if there is some spectacular, wholesale dismissal of this articular minority from their posts and duties, or whether in fact he will be able to insist, unless there is very grave reason to the contrary, that the proportion of Anglo-Indians employed shall continue as in the past. I shall be very glad to hear that the same proportion will be maintained.

Another minority who come under this Sub-section are the Indian Christians, numbering 6,000,000 inhabitants of India. There has already been a foretaste of discriminatory action in the State of Travancore. I only give that as a brief instance of what might conceivably happen to Christians in British India. There are more Christians in Travancore than in any other part of India. They were there before the Moslems came, and they claim to have been there even before the Hindu religion became an organised force. In Travancore to-day the Christians find themselves under definite disabilities with regard to their churches, with regard to their cemeteries, with regard to the freedom of the Press, and also with regard to the number of representatives allowed to them in the local Government. There are in Travancore 16 lakhs of Christians and 13½ lakhs of high-caste Hindus; and yet in the Upper House the proportion of Christians is only seven to 24, and in the Lower House only two out of 17; while the total number of Christians employed in the Government service is only 4,000, as against 18,700 high-caste Hindus. I only give these figures as an illustration of how discrimination against Christians might be found in other parts of India as well. May we be quite certain that, under the Governor-General's responsibility, the safeguarding of legitimate interests will really mean that he will be able to intervene should discriminatory action of any description take place on a larger scale, depriving Christians of their legitimate rights as citizens of the province or under the Federal Government?

The other point to which I desire to refer, and which is much more important to the people of this country, is with regard to paragraph (*f*), which deals with discrimination or penal treatment in trade, on which we have just heard a word from the front Opposition bench. The hon. Gentleman, in moving his Amendment, said that what he wanted was reciprocal treatment. I wish he had meant what he said, and was really prepared to see to it that there should be a reciprocal basis. I want to ask the Under-Secretary whether this responsibility of the Governor-General includes power to prevent any attempt to harass traders in selling what they desire to sell to willing buyers, such as occurred under the boycott. On the occasion of

the famous boycott we found, although it is hard to believe it, that a picket—a single individual—was allowed to squat down outside each shop where British textiles were sold, and no effort whatever was made to prevent that disgraceful interference with the liberties of the subject. May we be assured that under this responsibility the Governor-General will prevent any similar denial of freedom to traders in selling what they desire, and to private citizens in purchasing what they need?

I regret the whole tone of the responsibility, and for that reason I shall vote against the Clause, because really the responsibility is purely negative; it amounts only to the prevention of measures for penalising British goods. Many of us protest very strongly against this miserable policy, which is so foreign to the whole tradition of British Imperial rule in the past. After all, we are writing to-night on a clean slate, and there is nothing, if we have the will to do it, provided that it be just and fair, which we are not at liberty to do in this Measure. Why is it not the declared function of the Governor-General to do everything in his power to promote the spirit of partnership which is spoken of again and again in the White Paper, in the Report of the Joint Select Committee, ond in the Instrument of Instruction? Why is it that the note struck between the two countries is not that of the spirit of partnership between the two countries in promoting inter-Imperial trade between Great Britain and India on a reciprocal basis? Surely, if we wish to interpret that ideal of partnership which is laid down as the basic principle of the White Paper, it is not a question of India and Great Britain discriminating against each other; we should be considering how we can discriminate in each other's favour for the benefit of the whole Indian people and for the benefit also of the people of this country, who in days gone by carried on, to their mutual advantage, such a colossal trade.

The Clause speaks, as we heard on a previous Amendment, of the responsibility of the Governor-General in preventing discrimination against the goods of Great Britain or of Burma, and I wish once more to protest that this Bill is so out of keeping with the whole spirit which we thought emanated from Ottowa. Surely, if it was thought desirable to lay down certain terms with regard to British trade, we ought to try to bring the whole Empire in. If we cannot bring in the whole of the Dominions, surely we ought to use all our power and influence to bring the Crown Colonies of the Empire into the scheme, so that we may have the greatest possible amount of mutual trade and prevention of discriminatory action against trade in any part of the Empire where we have any control. Under the so-called fiscal convention, the Secretary of State had power to intervene, but, as far as we in the House of Commons know, he very rarely did intervene. I am not speaking only of the present Secretary of State, but of recent holders of that office. Even since I have been in the House, before the War, I can remember, 25 years ago, the whole of the ranks of the extreme defenders of Liberalism, and also, I think I am right in saying, such members of the Labour party as were then in the House, standing up and insisting that there should be no high tariff measures in India as against Lancashire, not with any apology, but because it was believed that that was our right—a right which I hope to prove in a moment.

The Secretary of State did not intervene even last week, or when the last Indian Budget was being prepared, and in that Budget, while we have been told to rely upon good will we find that the duties on Lancashire textiles still remain at 25 per cent. Thus we start this new story in India with what appears to be a stabilised penal duty—for so it is regarded by Lancashire—against all these goods, and especially those which are peculiar to Lancashire. I want to point out, however, especially to hon. Gentlemen above the Gangway, that it is quite conceivable that Indian fiscal measures mightbe directed against, say, a whole range of high-class textiles, and in reality that might fall almost entirely upon Lancashire, because, as hon. Members know, it is the competition of the cheaper Japanese goods that we have to face particularly in that quarter. Surely now is the opportunity, while we are discussing this Bill—which in many respects, I am afraid, will have to be reconsidered, and possibly recommitted—to ask His Majesty's Government to consider once more the whole question of British trade interests. It is our one opportunity, when we may start this great new chain

Sir H. Croft.]

tween India and ourselves as commercial friends with the nearest possible approach to a common arrangement. The two or three gentlemen who are left in the Liberal party have gone out to sustain their strength. Even their permanent semi-centurion is not here to take part in the Debate. They have been deliberately declaring that it was desirable, when the Bill was produced, that it should be on the basis of mutual free trade, or as near as you can possibly get to that, always allowing each country to impose revenue duties. Where are those sincere champions of that doctrine now? They used to put up a tremendous fight. I used to think their insistence on the Excise duty equalling the Customs duty was almost unjust, but it has all gone by now. Here we are deliberately agreeing to the idea that the best we must do is not to take steps if there are penal duties against us.

This responsibility as stated in the Clause is a surrender of Britain's indisputable right to trade on favourable terms in a great market which she has created and developed and protected and which she still intends to defend, possibly for many years to come. As one who has taken for many years a very great interest in the question of Lancashire trade, if I read these fateful words correctly, applying to them such knowledge as I possess with regard to the true attitude of Lancashire's trade rivals in India, I can only say that to my mind they are the death rattle of Lancashire's trade in India. Think what it means. We are abandoning for all time the right established for more than a century to sell our goods in this territory which is under our flag on terms which we should naturally expect, and we are relying on that good will which the overwhelming majority of the Legislative Assembly only last month registered against in a strong form of repudiation, that good will which the Indian Budget just published has announced with shattering effect is not so present in the breast of India to-day that they are going to reduce their duties from the very high level of 25 per cent., though it was generally believed in Lancashire that there was every hope under the agreement that they would be reduced to 20 per cent. Under this paragraph we go crawling like whipped dogs to the Governor-General and we whine and say, "Please do not let India discriminate against British goods. Do not let them treat us worse than they do foreign countries." It seems to me that this is a betrayal of all that we stand for and all that we have ever done for British trade. As one who went into political life purely and simply because I believed that Mr. Joseph Chamberlain's ideal of promoting the whole strength and unity of the Empire on a reciprocal basis was something worth giving one's life to, and realised that many other men were moved similarly, I cannot understand the spirit which to-day says that Britain has no right to demand reciprocal free trade measures in India.

I have some legitimate reason for talking about British rights. Have we not given India credit cheaper than that which any country in the world possesses except ourselves, and has not that been a great Imperial gift to the whole construction of the civilisation of India, that vast country whose great seaboard has been saved from aggression by the might of the British Navy, whose frontiers have been defended on many occasions by British arms under British leaders, a country from which famine and disease, with their toll of scores of millions of lives, have been purged by British genius and British engineering; and now we are to go cringing and begging that Britain's traders should not all be kicked out of India, because that is exactly what the new spirit embodied in this Clause amounts to. This paragraph (*f*) announces a new epoch. It is a retreat from Imperial trade. It is the first time that we have ever really consented to march away from our great destiny, which means so much to the common interests of this country and of India.

I know that the Secretary of State is not alone responsible for this policy. I know that he was assisted on the Select Committee by a majority which included elder statesmen who were too old to take any part in the War in 1914 and who now, 21 years afterwards, are still young enough to sign their signatures to a report which, in my opinion, if this Treaty is carried out, means practically the decimation of Lancashire's trade in the days to come. I beg the Committee to think not once or twice but many times before consenting to the spirit that is embodied in this Clause.

I know we may have one or two opportunities, but not many, later on of raising the whole question. When we see the devastating effects on Lancashire since we first allowed ourselves to slip away from the idea of the mutual promotion of trade, since we allowed this great and increasing wall of tariffs to be raised since Mr. Edwin Montagu's time against Lancashire goods, when we see the savage attack upon our markets by the very efficient competition of Japan, if the best that we can ask for any country in the British Empire when we have the chance of starting afresh is that we shall not be penalised, and if we are going to forsake the idea that the subjects of His Majesty of whatever colour and race will go forward on a reciprocal basis, do not let us mock ourselves further by talking of this Assembly as the Imperial Parliament.

8.34 p.m.

Mr. MORGAN JONES: We are all trying to work to a time-table, and I shall be as brief as possible. I hope, when the time comes when we have to examine the measure of time consumed by various sections of the House, we on this side will be exonerated from any blame for consuming an undue share of the Committee's time. It is necessary to make that point, because we are now only at Clause 12, and I believe, according to the time-table, we should be somewhere around Clause 40. On behalf of myself and my friends we repudiate altogether any responsibility for the very exaggerated amount of time devoted to these early Clauses. I do not say they are unimportant—they are very important—but we really must try to keep a little closer to the arrangement.

Sir H. CROFT: I think that, if the time is counted up to-day and in the last two sittings, the hon. Gentleman will find that there is not much in it.

Mr. JONES: I am prepared to allow the mathematicians to work out the problem themselves, and I shall be satisfied with the result that they evolve. I want to say a few words on the question that the Clause stand part. My hon. Friend the Member for Gower (Mr. D. Grenfell), in moving the first Amendment in our name to-day, recalled to the Committee that there are some eight points with which this Clause deals. Those are points reserved as special responsibilities for the Governor-General in future. If we put them together they cover an extraordinarily wide field of administration and of legislation. There is very little left outside the confines of these eight points if you put them together. There is "peace or tranquility" which is a pretty wide term to begin with, and then there is the question of "financial stability" which also touches administration at all sorts of points. Who can precisely define what is connoted by the phrase "interests of minorities"? There again you may be touching at innumerable points in your administration and in your legislation. Then there are the interests of the "members of the public services." They touch at various points, and so I could go through the whole list.

Our first objection therefore is that we consider that these eight points disclose far too great a lack of trust and of faith in the good sense of the future legislators in the Indian central parliament. If we are going to give some measure of self-government to these people, it can only be successful in the long run if we start them off in the belief that we think they are capable of exercising the functions which would devolve upon them. But all the time throughout this Bill we find it is a question of giving with one hand and taking away with the other. Look at the phrase "in his discretion" which appears over and over again, and which appears here, not in that particular form, perhaps, but in a collateral form, namely, "to exercise his individual judgment," which practically means the same thing. A friend of mine counted the phrase "in his discretion" for me as a matter of interest, and I believe that the phrase appears in the Bill over 200 times. This shows how we hedge round the freedom of the Indian people in the exercise of these new responsibilities. May I put another side to this problem which perhaps has not been put before. Hon. Gentlemen who have made some study of Indian political history in recent years, and indeed not in recent years only but in more remote years, will know that from time to time difficult and perplexing religious problems have come up through the medium of political legislation. For instance, take the question of

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child marriage. There is a perplexing problem, and that and other similar problems have had their root, as it were, in religious conceptions which give rise to very violent animosities from time to time. What is our history with regard to legislation that touches upon those problems? Broadly, it is that we have, generally speaking, avoided touching them lest by touching them we may give rise to these communal differences and disagreements. Let me take paragraph (*c*) of the Clause:

"the safeguarding of the legitimate interests of minorities."

Suppose a Bill dealing with child marriage were proposed by the Government of the day in the Central Parliament, it would be easy for the minority violently opposed to such legislation to create such a row about it as to make it inevitable for the Governor-General to say, 'I cannot allow this Bill to go on, because, if I do, the peace and tranquillity of India will equally be upset." My point is that by drafting somewhat loosely these eight items in this way we are putting the Governor-General in a position of transcendent difficulty. I have said repeatedly in this House—and I repeat it again, and hope that hon. Members will forgive me for so doing—that my conception of the Governor-General in India in future is not a conception of a person who will be perpetually poking his nose into those local concerns. I want him to be there as the representative of His Majesty the King and nothing more. I do not want him to be constantly putting his finger into this and that pie and interfering here and there, and thereby bringing upon himself criticism that ought properly to be reserved to the administration itself. If he is going to butt in—I cannot use a better expression than that—to prevent this legislation or that because he apprehends some danger to the peace or tranquillity of India, or to minority interests, or because he sees some financial interests are going to be prejudiced thereby—if he is going to have that special responsibility thrust upon him, he will be brought inevitably right into the centre of the arena of public controversy. It is the greatest injustice you can do to the Governor-General or to the Governor, who, after all, are there to represent His Majesty the King, to bring them in to the centre of their own controversies, peculiar as they are in character.

Therefore, my hon. Friends and I take a very strong objection to the wide way in which this Clause has been drafted. It places upon the Governor-General the duty of interfering on innumerable occasions, and it will be easy for designing people—and I am sure that no one will controvert this—who want to prevent certain legislation from being carried through the Central Legislature to manufacture the occasion that will make it impossible for the Governor to withhold his interference. Once you do that the other side will say, "There is the Governor-General butting in again to protect people's interest other than ours." That is the gravest possible injustice to the office of the Governor-General, distinguished as it must be in the new circumstances in India.

We have indicated also our view concerning the question of reciprocal trade. Let me repeat once more that we do not believe that you can safeguard Lancashire's interests by any artificial method such as hon. Members below the Gangway and on the opposite side of the House sometimes suggest. The only way of safeguarding the trading interests of Lancashire with India and of India with Lancashire is along the path of good will and understanding. There is no other way. If you give the Governor-General the right to interfere when he presumes that the Indian Legislature is doing something which is inimical to the interests of Lancashire, then we say, and we are entitled to say it on grounds of logic, that the Indians also ought to be able to look to the Governor-General to protect the interests of India in the event of their being prejudiced by any action taken by this country. The Under-Secretary asked us to believe that it is impossible to contemplate that this country would designedly seek to carry through this House legislation which would discriminate against India. I accept that statement; but he is not equally ready to assume that India will not discriminate against England. Those Indians who were members of the Joint Select Committee invited us to believe that it was never their intention to use any power they may possess of discriminating against Lancashire——

Sir H. CROFT: They are doing it.

Mr. JONES: The statement they made to us was that it was not their desire when they had been granted self-government to discriminate against Lancashire. I accept their statement. But if you assume, as you do in this Clause, that India may use the power to discriminate against Britain and give the Governor-General the right to intervene, then I say that India has an equal right to expect you to give to the Governor-General the power to intervene in the contrary case, whenever it may be presumed that this country may discriminate against Indian goods. It should be applied both ways fairly. We have stated our view over and over again that in our judgment you destroy very largely the moral value of this gesture you are making to the Indian people through this legislation by hedging round the powers of self-government which are granted to the Indian people. If you give self-government give it frankly. If you do not want to give self-government do not call it self-government, but say that it is more in the nature of limited self-government. You cannot call it self-government as long as it is possible for the Governor-General, in a thousand and one ways, to interfere with the full expression of the Indian people.

8.49 p.m.

Mr. WISE: The hon. Member for Caerphilly (Mr. Morgan Jones) objects to the Clause on the ground that it erects the Governor-General into the position of a permanent dictator, with the most unlimited powers, to use the hon. Member's alliterative phrase, to be perpetually poking his nose into every form and activity of the future Indian Government. Our objection to the Clause is exactly the opposite. We think that the Clause is as hollow a sham as are any other safeguards contained in the Bill. We think that all these special responsibilities of the Governor-General in fact mean nothing at all. He is entitled to use his individual judgment to interfere on a certain number of occasions, to safeguard the rights of minorities, in connection with any trade discrimination, and to preserve peace and tranquillity, but he has no means of knowing when and how he can interfere. He is deprived of any form of advice other than that of the Government with whose activities he is supposed to interfere, and it is hardly likely that he is going to receive advice from ministers who have so misconducted the affairs of the State that he has had to step in at once. One cannot imagine any ministerial body acting in so self-sacrificing a way.

Indeed, the Governor-General will be left high and dry with no means of knowing when peace and tranquillity are in danger until the whole of India is blazing with revolution. Probably the first intimation he will have of the outbreak of disorder is when hand grenades are thrown through the windows of the viceregal lodge. The first intimation of trade discrimination will be after the discrimination has taken place. Under the Clause he has no power of anticipation. To be perfectly logical, if India is fitted for self-government these powers are unnecessary. If they are fitted only for limited self-government they are fit for complete self-government. In any case it is going to fail whatever you may do, and you may just as well try the experiment out properly and let it fail properly. Those who hold that some form of control is necessary are surely logical in insisting that the control shall be effective. Unless the Clause is amended so as to ensure that the Governor-General shall have more chance than his own powers of imagination give to find out if there is anything wrong, or we can get some promise of a subsequent amendment, there is no other course left to us but to oppose it. Surely it is possible that the relations between the Federal Assembly and the Governor-General may be as confidential as the relations between the Chamber of Princes and the Secretary of State. It may be that the Governor-General will be just as ignorant of the proceedings in the Federal Assembly as the Secretary of State appears to be of the proceedings of such an assembly as took place recently.

Mr. BUTLER: May I ask the hon. Member if he realises that the meeting of the Chambers to which he refers was confidential. That is if he is referring to the recent meeting in India.

Mr. WISE: When this question was raised in the House I can remember the Secretary of State saying extremely acidly that my right hon. Friend had sources of information to which he himself had not access, which must have meant not that the proceedings were

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confidential but that he did not know. We must in fairness to the Secretary of State assume that sometimes he says what he means and that the sentences he uses in the House are to be construed as they are read in the English language. He definitely told us that he had not access to the same sources of information. It may be that the Governor-General, possibly not so great a man as the Secretary of State, may be equally deprived of access to the necessary sources of information. Indeed, it is more than probable that he will be, especially when we consider the enormous field he has to cover. In the field of trade discrimination alone there may be multitudinous instances in which trouble will arise between the Indian Federal Assembly and the Government of this country.

Hon. and right hon. Gentlemen opposite succeeded in extracting from the Under-Secretary a promise that a particular Amendment which they had in view on the question of discrimination on our side against Indian trade would be dealt with, not by the simple process of accepting the Amendment, but by monkeying about with the Instruments of Instruction afterwards. I would remind hon. and right hon. Gentlemen that they are on a path of some danger in accepting that policy. We are enthroning in India a permanent government. It is not a question of our having any further control over their social legislation. We are abandoning that for good and all with the exception of these extremely vague powers which are being given to the Governor-General. That permanent government is not the enlightened democratic government which hon. Members opposite would like to see. It is, in fact, an oligarchy, a plutocracy of the most extreme kind, and more than likely it is going to be very neglectful of the conditions of the industrial workers in India.

If that be so, and if the process of industrialisation spreads in India—which is surely going to be the case—we may find ourselves faced with the necessity for special duties against goods produced by coolie labour. It may well be that duties will have to be imposed on Indian goods coming into this country which are not imposed on goods coming from other Dominions, not because it is a question of discrimination but simply because we cannot expose our people to open competition with labour which is working under social conditions humanly impossible in this country. The moment we start imposing such duties, trouble is bound to arise with this new Indian Federal Assembly, and the whole thing will be thrown back at once on the Governor-General who has no real powers to deal with the matter. On paper he has most arbitrary power but in practice almost none. When it comes to safeguarding the rights of minorities the Governor-General has no power whatever. The minorities have no power of making representation to him, except by public petition which would, presumably, have to go through his ministers, and hon. Members who know the habits of Asiatic ministers know well enough, that no inconvenient petition would ever get to the Governor-General through them.

Then, as I have said there is the question of peace and tranquillity. Under previous British Governments we succeeded in maintaining peace and tranquillity because there was a centralised authority which had control of all the forces necessary to maintain peace. We are to have no such centralised authority when the worst happens under this Clause. The Governor-General is deprived of all means of maintaining peace and tranquillity other than the army which is the last instrument that ought ever to be used for the enforcement of peace. Armies are not meant for quelling civil disturbance but for the protection of nations against outside enemies, and throughout our Imperial history we have always endeavoured to use our army for that purpose. Under the Bill, all means of preserving internal order other than the army are removed from the Governor-General and put under the control, actually, of the Provincial Assemblies. They are not even under the Governors.

When it comes to the pinch, when law and order have to be enforced with what is the Governor-General to do it? With his own office staff? With the Criminal Invsetigation Department? He will be deprived of the use of police, railways, posts and telegraphs and all other aids to the maintenance of law and order. Yet we say to him that he is responsible in the long run for the preservation of peace and tranquillity. It is a contradiction in terms. Surely we cannot entrust the

head of the State—and that is what the Governor-General will be—with these responsibilities and, at the same time, deprive him of the means of fulfilling them. It is for these reasons that I feel that the Clause as it stands must be unacceptable to the Committee. It lays down powers but gives no means of enforcing them. It omits any question of an advisory council to assist the Governor-General as to when he is to exercise his powers. In fact it is a muddle from the first word to the last and the sooner we dispose of it the better. It is true that if this Clause were removed it would probably wreck the Bill, but as this is a bad Bill I do not think the Committee ought to be deterred by that consideration.

9.0 p.m.

Colonel WEDGWOOD: I note that among the special responsibilities of the Governor-General is "the protection of the rights of any Indian State." By "Indian State" you mean "Indian Prince." It is a special responsibility of the Governor-General to protect the rights of the Indian Princes, although the Indian Princes themselves form part of the alternative responsible body. But, among all the special responsibilities of the Governor-General, there is no responsibility for the protection of the inhabitants of the Indian States against their Princes. Yet the alternative protection, is protection of a body over which these Indian Princes themselves will dominate.

9.1 p.m.

Miss RATHBONE: I am not sure why my right hon. and gallant Friend the Member for Newcastle - under - Lyme (Colonel Wedgwood) assumes that the words of paragraph (*g*) which include in the special responsibilities of the Governor-General "the protection of the rights of any Indian State" necessarily exclude the rights of the subjects of the State. The subjects are surely part of the State, and I, at any rate, wish to assume, in what I am about to say, that the words do bear that interpretation. It is I think unfortunate that although we have been for hours and weeks discussing this Bill and although we shall be spending the greater part of our time up to Whitsuntide in considering it in every kind of relation as it affects the Princes and as it affects the people of British India, there is hardly a single Clause in it, except this one, which enables us to consider how the Bill and the arrangements of which it forms part will affect the welfare of the people of the Indian States. The obligation of this country towards the Indian States has always been mainly an obligation to protect the Princes but that has carried with it, as Lord Minto pointed out

"a certain degree of responsibility for the general soundness of their administration."

Lord Minto also said:

"It naturally followed that the Imperial Government would not consent to incur the reproach of being the indirect instrument of misrule."

We ought to ask ourselves: How is that responsibility of ours affected by the Bill and especially by this Clause? In what sense will the Governor-General interpret his responsibility, and how will he be able to exercise it? The Under-Secretary a few days ago tried to reassure my right hon. and gallant Friend the Member for Newcastle-under-Lyme, when he raised the question of how the Bill affected the subjects of the States, by telling us that it made no difference at all. I suggest, however, that it does affect that question. It affects it to some extent directly and formally but to a much greater extent indirectly and actually. Take first the direct effects. The Under-Secretary I think will admit that Sir Kailas Haksar generally admitted to be one of the ablest men in the service of the States, is a pretty good authority on how this Bill will affect the interests of those whom he serves. In an article in the "Twentieth Century" Sir Kailas Haksar investigates the whole question of the effects of the Bill upon the States and what he says reads very curiously after what has happened during the last few days. After enumerating several other ways in which the Bill improves the position of the States, he says: ...

"It seems an implicit irony of the situation that certain provisions of the Joint Parliamentary Committee's report which have been most strongly attacked by British Indian politicians . . . actually provide more effective safeguards of the rights and interests of the States than any provision for the specific incorporation of which in the coming Act their imaginative caution or intuitive prudence had led them to ask."

He goes on to say:

"One of the statutory responsibilities of the Governor-General himself will be the

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'protection of rights of any Indian State' "—

the very paragraph that we are discussing—

"The force of the word 'any' is apt to be overlooked. . . . Its implication seems to be that any State may satisfy the Viceroy that its rights are in danger of being adversely affected, and he would have to extend to it the necessary protection. . . . It will, therefore, depend upon the States what measure of protection they can extract out of the proposed constitution. . . . There is here alone a safeguard more extensive than anything implied in the special declaration of the Chamber of Princes or in the 'essential or important conditions' formulated by them to be satisfied by the constitution."

Then we see that this very distinguished exponent of the views of the Princes himself admits that their position is strengthened under this Bill, and especially under paragraph (*g*) of this Clause. In the same article he gives a rather illuminating instance of the way in which the position of the Princes will be strengthened. He says:

"At present the States are helpless against the inroads of mischievous persons in British India. Under the reform scheme it would be possible for the States to strengthen their position considerably in the matter of inter-provincial migration."

In other words the Bill will make it even easier than at present to prevent the healthy wind of publicity blowing upon the States and prevent the people of the States forming contaminating contacts with progressive forces of British India. I think that that shows that in the eyes of Sir Kailas Haksar this Bill does make a difference in the relations between the States and the Governor-General and a difference to the advantage of the Princes. I pass to the indirect and real, as opposed to the legal and formal, effects of the Bill upon the position of the Princes which are, I think, much more serious. I want to ask how this particular function of the Governor-General is going to be affected in the interpretation that the Governor-General would have to put upon it by that remarkable statement which the Secretary of State made last Tuesday, when he told us that one of the things about which the Princes were dissatisfied was that there was no mention of their treaties and sanads in the Bill, and that though they were not in the Bill it was intended to reaffirm them in the most formal and solemn manner.

I know that I must not discuss the treaties and sanads at length because they are outside the Bill, but it is surely relevant to what we are discussing to ask how they affect the situation, if they do change it, because clearly the treaties and sanads are part of the rights of the States which the Governor-General is to be entrusted with the duty of enforcing. I sometimes wonder whether Members of the Committee realise quite to what the treaties and sanads pledge us. I am not going to enlarge on that, but in a sentence may I remind the Committee that one of the things incorporated in the treaties and sanads is the paramount power and duty of protecting the Princes from their rebellious subjects, even if rebellion is caused by misgovernment or by desire for another form of Government, subject to certain conditions, such as that after very flagrant and gross misgovernment or bitter discontent the Princes will be asked to take such steps as will allay that discontent before the paramount power introduces armed force into the country to suppress the rebellion. I think that that fact makes it a very serious thing that we should be reaffirming these treaties. It may be said that it makes no difference because among honourable people treaties are always inviolate, but, as a matter of historic fact, is it true that treaties last for ever and are eternally binding? It is one thing to let these treaties, many of them made over a century ago, go on indeterminately until there is some strong reason for putting an end to them. It is quite another——

The CHAIRMAN: The hon. Member is now getting far beyond the Clause.

Miss RATHBONE: I was coming immediately back, and in a dozen words I should have reached again paragraph (*g*) of this Clause.

The CHAIRMAN: The hon. Member must skip the few words between what she was saying and the time of her reaching the Clause again.

Miss RATHBONE: There is a new situation now. We are making a bargain with the Princes, and the reaffirming of the treaties is part of the bargain. I will not enlarge on that, but it is clear that when you make a bargain there are two sides to it. Hitherto the Princes have

leant on us, and in future we are going to lean on the Princes. The Princes themselves have shown the importance they attach to getting the treaties and sanads reaffirmed. Suppose the Governor-General tries to exercise the particular responsibilities which we are laying upon him of protecting the interests of any State, and suppose he does it in the sense, not of protecting the Princes, but of protecting the peoples of the States against oppression by the Princes. At every turn this bargain will be thrown in our faces——

The CHAIRMAN: The hon. Member is again getting beyond the Clause.

Miss RATHBONE: I am trying to keep strictly within order. The point I am making is that by this Clause and paragraph (*g*) in it, we are making it one of the special responsibilities of the Governor-General to protect the interests and the rights of the Indian States. The point in my argument is that it will be difficult for the Governor-General to exercise that responsibility when it is a question of protecting, not the Princes against their people, but the people against the Princes.

The CHAIRMAN: I think the hon. Member has just shown that she is going beyond the scope of the Clause. This Clause deals with protecting the rights of the State; and not with the question of disputes or quarrels within those States.

Miss RATHBONE: The Governor-General has a duty to protect the rights of the States. Is it not the case that one of the rights of the States which the Governor-General in his capacity as Viceroy has been bound to protect is the right of the Princes to be protected against the rebellion of their subjects, and does not that carry with it a counter right of the subjects to be protected against oppression by the Princes?

The CHAIRMAN: That certainly does not arise on this Clause, because the Clause does not refer to the treaties in any way.

Miss RATHBONE: I will say no more about that, and pass to another point. I suggest that the whole working of this Sub-section will be affected indirectly by the necessity that the Governor-General will be under of conciliating Princes. If hon. Members ask themselves why it is that the whole Bill, not merely the federal part, but the provincial part, is to depend upon the Princes coming in——

The CHAIRMAN: The hon. Lady is getting far beyond this Clause, and I must ask her to keep her remarks quite strictly to the Clause, and not to discuss either the treaties or the Princes. All we have to deal with in this particular Clause is the States as States.

Miss RATHBONE: I find it very difficult to conceive of the States as States if I am not allowed to mention either the Princes of the States or the subjects of the States. What is a State?

The CHAIRMAN: The hon. Lady must not discuss my Ruling. I am afraid that her difficulty is that she wants to say something which I cannot allow her to say.

Miss RATHBONE: I am honestly trying not to evade your directions but to discuss the problem. It seems to me the real problem raised by this Sub-section——

The CHAIRMAN: The problem as the hon. Lady sees it is something which I say has nothing to do with this Clause.

Lord E. PERCY: Is it not true that this Sub-section deals only with the relations of the States with other units in the Federation, and it is that which the Governor-General has to protect and that alone?

Miss RATHBONE: If that is the case I should very much like to know why the Clause does not say so. After all, we in this Committee are not dealing with the report of the Joint Select Committee, we have finished with that, and are dealing with the Bill, the whole Bill and nothing but the Bill.

The CHAIRMAN: At the moment, only with one Clause.

Miss RATHBONE: Yes, one Clause, and I am dealing with one Sub-section of one Clause, and with the words of that Sub-section as they are written in the Bill, and not with the gloss which the Noble Lord wants to put upon them. The Sub-section says that part of the duties of the Governor-General is to protect the rights of any Indian States; it does not

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say merely in the relations of a State to other federal units, but the rights of any Indian States. I do not want to detain the Committee, and I do not want to override your Ruling, Sir Dennis, and so I say no more than this. I would beg you to extend a little latitude in this matter. I am not going to try to override your Ruling, but do remember this—throughout all these Debates we are dealing with the men and women of British India and with the Princes of the Indian States and there are people in the Indian States besides the Princes——

The CHAIRMAN: I am very sorry, but I must warn the hon. Lady that she is definitely disregarding my repeated Rulings.

Miss RATHBONE: I am sorry, I did not mean to do that, and I will say no more. I have felt a great responsibility in this matter, because this is one of the few parts of the Bill where it did seem possible to raise a matter which lies very heavily on my conscience and which should lie heavily on the consciences of every man and woman in this House, because we must consider what we do as it affects human beings, men and women, and not merely as it affects thrones and princes.

9.20 p.m.

Mr. HAMILTON KERR: The hon. and gallant Member for Bournemouth (Sir H. Croft), in discussing the future trade relations of India and Great Britain, stressed the spirit of partnership. I would like to say, in passing, that Lancashire has given a magnificent example of good will. Thanks to the efforts of the Lancashire Indian Cotton Committee, Lancashire has more than doubled its purchases of Indian cotton in the last year. The hon. Member for Smethwick (Mr. Wise) stressed what he regarded as the inadequacy of the Governor-General's powers to prevent commercial discrimination, and I would like, in one or two minutes, quite fairly to examine those powers. Let us imagine the Constitution in being, and the Governor-General with his three advisers delegated to their separate subjects. Let us imagine some obvious case of discrimination to arise, and some hostile Hindu Minister coming to the Governor-General and saying, "Your Excellency, unless you reduce the Army Budget by so many crores, my party will unfortunately be compelled to pass 100 per cent. duties against Lancashire cotton goods." According to the hon. Member for Smethwick, the Governor-General would have no warning of such a move, but Subsection (4) of Clause 17 lays upon both the Minister and the appropriate secretary the duty of warning the Governor-General of such a possibility. Therefore, he would have had previous warning, and what my hon. Friend pictured in his interesting speech would not occur.

A case of obvious discrimination inspired by political motives therefore comes under this Clause, paragraph (*f*) "dealing with the prevention of action." Likewise, paragraph 345 of the Report of the Joint Select Committee lays down the principle that the Governor-General would have power to act where discrimination was threatened in fact if not in form. If, for instance, 60 per cent. of certain commodities imported by India came from this country and the remaining 40 per cent. from other countries, a crushing duty against that commodity would obviously affect this country in fact if not in form.

Therefore, What field lies open to any hostile Indian Minister to discriminate against Lancashire's goods? We know that the majority of the federal revenues are derived from import duties, but in the Federal Assembly about 80 per cent., I believe, of the subjects under discussion will be under the purview of the Governor-General and, therefore, non-votable. The Assembly will merely have power to discuss the remaining 20 per cent. of the subjects. Therefore, the only opportunity a hostile Assembly would have of pressing for these increased duties on Lancashire goods would merely be the excuse of increased Army expenditure. It is for these reasons that I think the Governor-General does, in fact, possess powers of considerable importance, which are designed to meet any eventualities which might from time to time arise.

9.24 p.m.

Mr. BUTLER: I think it is not unreasonable that I should try to answer some of the points raised in the course of this interesting Debate on a very important Clause in this Bill, and I think it would be not unreasonable if, in view of the necessity to progress, we attempted

to come to a decision, without, of course, wishing to check anybody who is vitally interested in the Clause from expressing an opinion. The hon. and gallant Member for Bournemouth (Sir H. Croft) raised a question in connection with the special responsibility for minorities. He raised the point in connection with the Anglo-Indians, and asked whether there was any provision for securing that the posts which Anglo-Indians have held in the Services would be secured to them in future by the power which is vested in the Governor-General in his special responsibility for minorities. I think this point is actually met in paragraph XI of the Instruments of Instructions, which instructs the Governor-General to interpret his special responsibility as requiring him to secure:

"a due proportion of appointments in Our Services to the several communities, and he shall be guided in this regard by the accepted policy prevailing before the issue of these Our Instructions."

That means that the Governor-General will be instructed to keep as part of the system of appointments in the services in India the arrangements in force for the operation of the Act, and I may remind the Committee that the Government of India has already issued a scheme under which a definite proportion of these appointments in the services are reserved for this particular community. The hon. and gallant Member raised also several points which we had discussed and which my right hon. Friend had answered in previous consideration of the Clause, and I think the best course for the Committee to take in attempting to understand the special responsibiliies would be to read the paragraph previous to the one I have just read, which attempts to define what we mean by the special responsibilities.

The hon. Member for Caerphilly (Mr. Morgan Jones) described the need for special responsibilities as implying a great lack of trust on our part in Indian statesmen. We have always maintained that this scheme is one which will be a partnership between our two countries, and this scheme of special responsibilities has been understood from the very start in our discussions with representatives of Indian opinion over these several years, and I think the spirit in which these special responsibilities will be worked is as fully understood by Indian statesmen as it is in reality by the hon. Gentleman himself, and as it certainly is by the Government. The hon. Gentleman was frightened lest the Governor-General in intervening in this sphere should tend to block social reform. The Government have repeatedly stated that one of our main objectives in this Bill is to give an opportunity for Indians themselves to tackle some of those abuses which, there is no doubt, are in existence in India at the present time, and which are engrained in the life of India and in the social and religious customs of India. I cannot, therefore, believe that it would be in the interests of the Governor-General or of this country that he should deliberately block social reform. The hon. Member for Smethwick (Mr. Wise), whose speech I think was answered so excellently by the hon. Member for Oldham (Mr. Hamilton Kerr), raised several important points. I think his most searching point of attack was that the Governor-General would be deprived of advice and have no power of anticipation, and that he would live in ignorance, and therefore all his powers would be of no avail. This point was successfully answered by the hon. Member for Oldham in saying that under Sub-section (4) of Clause 17 full information would, in fact, be available to the Governor-General.

The hon. and gallant Member for Bournemouth raised the question of whether boycotting would be able to be checked under the provisions of this Bill. I think probably that this question falls more under special responsibility (*e*) than under special responsibility (*f*). In fact, it really falls to be considered more in detail under Part V, Chapter 3, of this Bill; but I will say in general terms at this stage, without wishing to anticipate the discussion on that particular chapter, that if intimidation and economic boycotting involve discrimination, as they would, the words of the Amendment which the hon. Gentleman wished to move would be unnecessary. I am sure that this very important point will be considered when we come to that chapter. It is our belief that rather than attempt to achieve this end by coercion, we should attempt to do so by the spirit of good will. I think it would be suitable if I said that in the latest trade figures it may be noticed that the policy of good will has had a very considerable success. It may be noted that the imports from the United Kingdom into India have

[Mr. Butler.]
been the highest last year since 1930 when they reached the figure of 74 crores of rupees. Although I realise the very great importance of the cotton trade, which is so well represented by so many right hon. and hon. Gentlemen in this House, we must take into consideration the general importance of Indian trade. The hon. and gallant Member for Bournemouth referred to myself and my friends on this side of the House as whipped dogs.

Sir H. CROFT: I am sure that the Committee will bear me out when I say that I never implied that to the hon. Gentleman. I said that we have got to go to the Governor-General as whipped dogs to ask that we are not kicked out of India.

Mr. BUTLER: Whether that is so or not, I feel proud that the hon. and gallant Gentleman should have added to the description "ignoble pygmies," that of "whipped dogs." I am sure that all the members of the Joint Select Committee, including one friend of the hon. Gentleman himself, who comes from Lancashire, who agreed to the special responsibility being inserted in the Bill—I hope that he will not refer to his friends in such opprobrious terms—realise that this safeguard is inserted because we have the interest of Lancashire at heart. The right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood) and the hon. Member for the English Universities (Miss Rathbone) raised the questions which will arise out of special responsibility (*g*), the protection of the rights of any India State. I think probably, the Committee appreciated the intense feeling of the hon. Lady with regard to the possibilities of social reform in the Indian States, but that subject does not arise on this Clause. The question here is the operation of the special responsibility of the Governor-General in the ministerial field. In any case in which ministerial action would be likely to infringe or jeopardise the right of an Indian State the Governor-General would have the right to intervene. The affairs of Indian States come, of course, under the question of paramountcy, which would be outside the consideration of the Committee at the present time, and any other social question in which the hon. Lady was rightly interested would depend on the accession of a State in regard to any particular item in the federal or the concurrent list.

Miss RATHBONE: Do I understand then that it would not be in the power of a State or of a Prince to apply to the Governor-General for help in repressing rebellious subjects?

Mr. BUTLER: Not under this Clause and under sub-head (*g*) of the Clause, which deals solely with the case where some ministerial action would affect the right of an Indian State and the Governor-General would consider it necessary to invoke one of his special responsibilities and intervene. It would be possible under paramountcy to intervene in the affairs of an Indian State, but it would not be in order on this Clause to discuss that. In conclusion the hon. Member for Smethwick (Mr. Wise) used a phrase that this Clause was muddled from the first word to the last. Without wishing in any way to criticise the speech of the hon. Member for Smethwick, I think what he said would apply to the words which he addressed to the Committee rather than to the Clause which we are considering. The hon. Member was fully answered, but when he debated the questions of peace and tranquillity and said that the Governor-General would have no opportunity of controlling the various other pieces of machinery necessary to ensure peace, he forgot, in his enthusiasm, paragraph (*h*), which deals with

"the securing that the due discharge of his functions with respect to matters with respect to which he is by or under this Act required to act in his discretion, or to exercise his individual judgment, is not prejudiced or impeded by any course of action taken with respect to any other matter."

That gives him an opportunity to intervene in cases where his special responsibility for peace and tranquillity may be threatened. After this explanation I hope that it may be possible for the Committee to come to a decision on this important Clause.

9.36 p.m.

Mr. A. SOMERVILLE: The Under-Secretary has just said that the scheme before us represents a partnership and the provisions in this Clause some of the conditions of that partnership. May I ask him whether he regards it as a full and permanent partnership, or does he

agree with the hon. Member for Bodmin (Mr. Isaac Foot), who looks upon these safeguards as temporary?

9.37 p.m.

Mr. RADFORD: I think, as a Lancashire Member, who has consistently supported the Government on this Bill, that the Clause which we are now considering is probably about the most important in the whole Bill. It is beyond question that although in this House and in Lancashire there is great dissatisfaction that greater provision has not been made to safeguard the interests of British trade and of Lancashire's trade in particular. I think I am right in saying that in the whole Bill the only mention of trade is in the particular duty which is charged upon the Governor-General in this Clause, in the following words:

"The prevention of action which would subject goods of United Kingdom or Burmese origin imported into India to discriminatory or penal treatment."

I apologise to the Committee for prolonging the discussion, but I have sat throughout the Debate and I certainly cannot give a silent vote on the Clause. The first question which I have to ask myself as a representative of the people of Lancashire is, have our Government power to insert additional safeguards for British trade? I believe that is a fundamental point, and one in regard to which I gather my hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) and I take different views. For the last 13 years our trading relations with India have been bounded and regulated by the Fiscal Autonomy Convention which was recommended by a joint select committee in 1919—another joint select committee, and the predecessor of the last one—and they recommended definitely the fiscal convention which *de facto*, as the lawyers say, conferred fiscal autonomy upon India.

Whether those gentlemen were right and were wise and statesmanlike in the recommendation they then made is not for me to say, but they were men of great eminence, seven of them being Members of this House and seven Members of another place. They unanimously recommended a fiscal autonomy convention. One thing is certain however, and that is the trail of ruin and misery that the Convention has left in Lancashire. Reference has been made to the necessity for good will between Lancashire and India as being more sure and certain for the preservation of trade than any provision that could be inserted in an Act of Parliament. Reference was made by the hon. and gallant Member for Bournemouth to the fact that Lancashire in particular had lost a tremendous amount of trade which she used to enjoy in India. Whereas Lancashire's exports of cotton peace goods to India in terms of sterling were, for the four years ended in March, 1914, £32,000,000 per annum, for the year ending 31st March, 1934, the figure was only just over £6,000,000. As far as yardage is concerned, the figure of 2,600,000,000 yards of cotton goods was the average delivered during the same four-year period, whereas for the year ended 31st March, 1934, the figure was only 426,000,000 yards.

Lancashire is already gravely dissatisfied with the position, but we have to be realists, and in my humble way I shall endeavour to be a realist. I ask myself whether the Government have power to do anything more in this Bill for the trade of Lancashire. I am afraid that under the terms of the Fiscal Autonomy Convention the Government have no power. [*Interruption.*] I am putting my view. If it is not possible for the Government to do more in the way of limiting what tariffs the Indian Government may put on British goods, we are back in the position of to-day. I ask myself whether this country, and my county, will be worse off under the Government of India Bill than under the Fiscal Convention, and I have come to the conclusion that, although I would like to see additional safeguards if they were possible, this country's trade with India, and the trade of Lancashire, are likely to be better and on a surer and safer foundation under the terms of the Bill than under the terms of the Fiscal Convention.

The CHAIRMAN: I hope the hon. Member will remember to keep within the terms of the Clause, and that we are not discussing the whole wide question of Lancashire trade with India.

Mr. RADFORD: With great respect, I am endeavouring to the best of my ability to show why I feel myself justified, as a Member for Lancashire, in voting in favour of a Clause which has caused great dissatisfaction in that

[Mr. Radford.]

county. We have been told to rely on good will, but so far as Lancashire is concerned she might use words similar to those of Rudyard Kipling:

"If sacrifice be the price of Indian good will,
Lord God we have paid in full."

We see the empty mills of Lancashire and the empty warehouses in Manchester. In my own division I know managers, warehousemen and clerks who used to occupy sound positions in the trade with India, but who are now thrown out of employment. They get no benefit from insurance schemes, and there is no doubt about their distress. So far as the future of our trade is concerned—I will cut this as short as possible for the sake of other Members of the Committee—there are sound reasons outside that of good will why we can look forward to better trade between our country and India in the future. During the Debates on this Bill I have never heard the fact referred to that the balance of trade between Britain and India has entirely altered during recent years. There was a time when India was far and away Britain's best customer, but that day has gone. Taking the year before the War and ended March, 1914, we sent £78,000,000 worth of goods to India and only bought £38,000,000 from India. That was a tremendous balance in our favour. The figures now are practically balaneed at £35,000,000 each way. Great Britain, and particularly the Empire, are far and away India's biggest and best customers. We have something there which is more tangible than the mere question of good will. If our representatives in their dealings with a self-governing India, when this Bill has been passed, sufficiently emphasise to the representatives of the Indian Government the balance of trade, the way it has changed from a preponderating one in favour of this country to one which is self-balancing, and point out that we are continuing to buy from India as much as we bought 20 years ago, when India was buying more than twice as much from us as she is doing to-day, we shall have a solid argument which will go far to influence the Federal Government to see that Great Britain has a better share of India's trade than she enjoys at the present time.

9.46 p.m.

Mr. BAILEY: I will not keep the Committee very long. The last thing I want to do is to give offence, but we Lancashire Members have a duty to those we represent, and I would rather discharge that duty and offend everyone here, if necessary, than feel that I had failed in my duty to the people of Lancashire. When two Lancashire Members rise to support the policy of the Government on this question, I think it is high time that one Lancashire Member spoke what I believe firmly to be the mind of the county on what the Government are doing. I listened with interest and sympathy to the observations of the hon. Member for Caerphilly (Mr. Morgan Jones) on the question of good will. I agreed with those observations. I listened with interest and sympathy to the observations of the hon. Member for Oldham (Mr. H. Kerr), and I listened with sympathy also and great interest, because his division adjoins my own, to the hon. Member for Rusholme (Mr. Radford), on good will. The commentary on that good will is our declining trade with India from £36,000,000 to £6,000,000 in cotton goods. That is the reward of our good will. It is an earnest of the good faith we may expect in the future, and some of us are not prepared by mere phrases to harmonise our conscience to what we believe is going to mean the disappearance of that remaining £6,000,000 of our cotton trade.

I agree that good will is the keynote of this question, but under this Clause the contention of some of us and the contention of the majority of the people of Lancashire, who have learned by bitter experience from the mistakes of politicians is this, that good will will not have a chance under this Clause. We believe that the people of India have plenty of good will, but we do not believe that the Indian politicians have good will. We believe that it is the politicians who are going to wag the tail of the dog. That is what will invalidate the argument of my hon. Friend the Member for Rusholme in regard to the balance of trade. If the Indian politicians could act for the whole of India, which is impossible, a bargain might be struck, but where you are dealing with embittered politicians, who will sacrifice their own countrymen rather than do any good to Lancashire trade,

the vague and ambiguous safeguards in this Clause are quite insufficient.

The Under-Secretary was good enough to say that the speech of my hon. Friend the Member for Smethwick (Mr. Wise) was muddled. I have always found that when you cannot answer your opponent, the next best thing is to abuse him. I would not say that the speech of the Under-Secretary was muddled, but I think it was charmingly ambiguous. He availed himself of Parliamentary skill and evaded in an admirable way the salient points that some of us have been trying to raise. He said that the appropriate time to discuss this question would be on some other Clause, but when we come to that Clause I suppose we shall be told that we have missed our opportunity. It is a delicate game of shuttlecock, by which the Government are always able to postpone or to advance the time when they are going to give an answer. I should like to put one simple proposition. No boycott in India would succeed so far as the good will of the people of India is concerned. The boycott succeeded because until Lord Willingdon was sent out intimidation was allowed. One of the proofs of that statement is the fact that there were innumerable lawsuits shortly after the boycott, in which complaints were made that Indian goods had been passed off as Lancashire goods.

If the people of India had wanted to buy those Indian goods instead of the boycott of Lancashire goods, it would not have been necessary to pass off those Indian goods as the very goods that were supposed to be unwanted by the people of India. It was only when the ordinance prevented intimidation that the boycott lapsed. That is the exact opposite to what is commonly put forward by the advocates of the Government. The boycott did not collapse because of renewed good will on the part of the Indian politicians. It collapsed for the very good reason that we allowed good will to have free play, and for once in a way we told the Indian politicians where they had gone off the line. If we had not done that the boycott would have been going on to-day. That is why some of us are very anxious that this Clause should not be left in its present vague state.

We have heard much about the instrument of instruction. No words could be designed more to confuse language. It is extraordinarily obvious that in practice it would be almost impossible to know when to exercise the discretion. We have penal treatment going on to-day, and every one in Lancashire knows it. The 25 per cent. tariff is not bringing revenue to India, but it is depriving the vast mass of the Indian people of goods that they want. If you dare not stop that penal discrimination now, how will you dare to do it when this misguided Measure is on the Statute Book? One hon. Member has said that if you could govern the world by phrases, the right hon. Member for Epping (Mr. Churchill) might be dictator. If we could govern the world by phrases this Bill would work, but not otherwise. If the Government are anxious to protect Lancashire, if they are anxious to secure our right to safeguards, why should they not put the thing clearly in the Bill so that we should not have to ferret it out. Why should they not say in unambiguous language what we regard as a cardinal point, namely, that discrimination against British industry, whatever be the intention of those who discriminate against British as well as Indian goods, whether it be by boycott or legislation, is not to be allowed, and that measures will be taken to stop it? Why not put that in plain English so that in the future no doubt can arise as to what are our intentions?

It is impossible to see how the Governor-General can act, looking at this Clause. If we do not know that, are the people who are going to be called upon to act in great difficulties in the future likely to know? Certainly not. I believe that this desertion is not for the benefit of India. If it were for that, I would sacrifice Lancashire to-morrow, because Lancashire has no right to have prosperity at the expense of India. If I thought that this thing we are doing was for the good of India, if I thought that what we were offering in status, dignity or freedom was for the real good of India, I should be the last person to support the line that we are taking on these benches. But I say that we are forging a weapon which has been used brutally and which will be used brutally to torture the people of Lancashire at the expense of the people of India. That is what the Government are doing.

[Mr. Bailey.]

We who represent Lancashire would indeed be failing in our duty if in the strongest possible terms we did not condemn what is being done. I know that we are only a handful in this House. I know that the Government can call their legions to vote us down. The only thing they are anxious to do, apparently, is to vote us down as quickly as possible. But one thing they cannot do. Lancashire will never forget and never forgive what the Government are doing. Never forget that the majorities here may one day melt away like smoke. I hope they will not do so. Never forget that a Government backed by a large majority and able to impose its will in face of reasonable criticism will one day possibly have to pay the price. I am not in the least anxious that it should, because I might be part of that price. At any rate, I should have the satisfaction of knowing that while I was here I had done my duty. Without saying any more I have stated the argument why we in Lancashire are strongly opposed to this Clause. It is not a question of our selfish trade interests. We are opposed to it because we believe that our opposition is based upon a desire for the common good of India and of Great Britain alike, and if I have in any way elucidated that point I make no apology to the Committee for having occupied a certain amount of its time.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided: Ayes, 244; Noes, 76.

Division No. 79.] **AYES.** **[9.57 p.m.**

Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, William (Stoke-on-Trent)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Assheton, Ralph
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (I. of Thanet)
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Belt, Sir Alfred L.
Benn, Sir Arthur Shirley
Bernays, Robert
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Buchan, John
Buchan-Hepburn, P. G. T.
Burgin, Dr. Edward Leslie
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Cassels, James Dale
Cayzer, Sir Charles (Chester, City)
Cayzer, Maj. Sir H. R. (Prtsmth., S.)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hon. Sir J. A. (Birm., W)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Col. R. (Houghton-le-Spring)
Cochrane, Commander Hon. A. D.
Collins, Rt. Hon. Sir Godfrey
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Crossley, A. C.
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Edward C. (Montgomery)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Denman, Hon. R. D.
Denville, Alfred
Dickie, John P.
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Dunglass, Lord
Eden, Rt. Hon. Anthony
Edmondson, Major Sir James
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Evans, Capt. Arthur (Cardiff, S.)
Evans, David Owen (Cardigan)
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fremantle, Sir Francis
Ganzoni, Sir John
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Gluckstein, Louis Halle
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W.)
Grimston, R. V.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hanbury, Cecil
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Horsbrugh, Florence
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing-Com. A. W. H.
Johnston, J. W. (Clackmannan)
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Hamilton W.
Kirkpatrick, William M.
Lamb, Sir Joseph Quinton
Leckie, J. A.
Leighton, Major B. E. P.
Lewis, Oswald
Lindsay, Kenneth (Kilmarnock)
Lister, Rt. Hon. Sir Philip Cunliffe-
Llewellin, Major John J.
Lockwood, John C. (Hackney, C.)
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mallalieu, Edward Lancelot
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Milne, Charles
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Morris, John Patrick (Salford, N.)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, William Shepherd
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
Orr Ewing, I. L.

Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Penny, Sir George
Percy, Lord Eustace
Pickthorn, K. W. M.
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Sir John
Radford, E. A.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rankin, Robert
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Rickards, George William
Roberts, Aled (Wrexham)
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Selley, Harry R.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Simmonds, Oliver Edwin
Smiles, Lieut.-Col. Sir Walter D.
Smith, Sir J. Walker- (Barrow-in-F.)
Smith, Louis W. (Sheffield, Hallam)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Stourton, Hon. John J.
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Titchfield, Major the Marquess of
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wedderburn, Henry James Scrymgeour-
White, Henry Graham
Whyte, Jardine Bell
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—
Sir Frederick Thomson and Mr. Blindell.

NOES.

Acland-Troyte, Lieut.-Colonel
Atholl, Duchess of
Attlee, Clement Richard
Bailey, Eric Alfred George
Banfield, John William
Batey, Joseph
Broadbent, Colonel John
Brown, C. W. E. (Notts., Mansfield)
Burnett, John George
Cape, Thomas
Carver, Major William H.
Cleary, J. J.
Cobb, Sir Cyril
Cocks, Frederick Seymour
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cripps, Sir Stafford
Critchley, Brig.-General A. C.
Croft, Brigadier-General Sir H.
Daggar, George
Davies, Rhys John (Westhoughton)
Davies, Stephen Owen
Davison, Sir William Henry
Dawson, Sir Philip
Donner, P. W.
Edwards, Charles
Emmott, Charles E. G. C.
Erskine-Bolst, Capt. C. C. (Blk'pool)
Everard, W. Lindsay
Fleming, Edward Lascelles
Fuller, Captain A. G.
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Gritten, W. G. Howard
Hall, George H. (Merthyr Tydvil)
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Keyes, Admiral Sir Roger
Kirkwood, David
Knox, Sir Alfred
Lansbury, Rt. Hon. George
Leonard, William
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
Maclean, Neil (Glasgow, Govan)
Macquisten, Frederick Alexander
Mainwaring, William Henry
Maxton, James
Milner, Major James
Nunn, William
Oman, Sir Charles William C.
Parkinson, John Allen
Raikes, Henry V. A. M.
Rawson, Sir Cooper
Ray, Sir William
Reid, David D. (County Down)
Remer, John R.
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Smith, Tom (Normanton)
Somerville, Annesley A. (Windsor)
Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Tinker, John Joseph
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Touche, Gordon Cosmo
Wayland, Sir William A.
Wells, Sydney Richard
Williams, Edward John (Ogmore)
Williams, Herbert G. (Croydon, S.)
Williams, Thomas (York, Don Valley)
Wise, Alfred R.

TELLERS FOR THE NOES.—
Mr. Paling and Mr. Groves.

CLAUSE 13.—(*Provisions as to Instrument of Instructions.*)

10.6 p.m.

Mr. MORGAN JONES: I beg to move, in page 8, line 39, to leave out "the draft of."

This is the first of four Amendments standing in our names, the most important of which is last of the series, which, in line 42, proposes to leave out from "Governor-General" to the end of the Sub-section. If these Amendments were carried, the Clause would read:

"The Secretary of State shall lay before Parliament any Instrument of Instructions which His Majesty may issue to the Governor-General."

We want to see, not a draft instrument, but the final form in which the Instrument of Instructions must issue from the Secretary of State. The second and third Amendments are consequential upon the first, and I will apply myself to the fourth. As it now stands, the Clause would involve that, whenever any subsequent Government, by virtue of changed circumstances, might desire to effect some change in the Instrument of Instructions, it would have to do so, and it could only do so, after an Address had been presented to the House of Commons and had been approved by it. I want to be perfectly frank with the Com-

[Mr. Jones.]
mittee. I am thinking in terms of a Government of my own political complexion, and I am assuming that such a Government might desire, in view of certain changed circumstances that might have supervened in India, to effect an alteration in the Instrument of Instructions.

We argue that our Government should be entitled to effect such alterations as it thought fit, but under present Parliamentary circumstances, whatever the complexion of the Government in this House might be, there would be another Government of another complexion across the way, and so a Labour Government, in seeking to make any alteration in the Instrument of Instructions, would be held up, not by a majority in this House, because that, of course, would be of its own complexion, but by a majority at the other end of the corridor, which has been, and I suppose always will be, opposed to a Labour Government. We say that that is an unfair barrier to impose upon a future Labour Government. In effect, it works out in this way, that the Tory party, not through its work in this House, but in another place, would be able to exercise a permanent bar upon the freedom of a Labour Government in its relation to the administration of affairs in India, and it is in order to emphasise the right of a future Government to freedom in this matter, that we propose these Amendments.

10.11 p.m.

Sir S. HOARE: The hon. Member for Caerphilly (Mr. Morgan Jones) has raised two points. There is, first of all, the point about the draft Instrument of Instructions, and there I can reassure him. The Instrument of Instructions is in draft because it is a prerogative document issued by the Crown, and this and another place must therefore describe the document that they have before them as "the draft," even though in actual practice it may be the final form. There is, therefore, if I may say so to the hon. Member, no substance in that point. The bigger point is as to whether the Instrument of Instructions and future amendment should be subject to parliamentary sanction or not. It is a point which we have touched on more than once before, and I submit that in the case of a type of document as important as this Instrument of Instructions obviously is, there should be the safeguard of parliamentary sanction.

Obviously, from the speech to which we have just listened, there is in the minds of hon. Members opposite the possibility of making drastic alterations, and if that be so, surely there should be parliamentary sanction behind them. Changes as big as that ought to be undertaken only by the medium of an amending Bill or by formal Resolution of both Houses of Parliament. Indeed, it is interesting to remember that more than once the Select Committee attached importance to the safeguard of parliamentary sanction, for the reason that in these Instructions there are several paragraphs—the paragraph, for instance, about the gradual development of responsible government and the paragraph about the Indianisation of the arm—that are regarded as most important from the Indian point of view; and so far as I can remember it was Sir Tej Bahadur Sapru who himself originally suggested, in view of the importance of the Instrument of Instructions, that there should be Parliamentary sanction behind it. That being so, we could not accept the Amendment, and once again I must reaffirm the need of having behind a document so comprehensive and so important as the Instrument of Instructions evidently is the parliamentary sanction of a Resolution of both Houses.

10.15 p.m.

Mr. CHURCHILL: Could the right hon. Gentleman enlighten us a little further on this aspect? I understand that the Instrument of Instructions can only be varied by an Address from both Houses—that there would have to be a majority in a single division in each of the two Houses of Parliament to justify any alteration, or any serious alteration, because I presume that the entire Instrument could be redrafted and altered in 50 different ways, and a single division in each House of Parliament would carry this out. It is not a question of every Amendment having to be passed through, as in the case of a Bill. The right hon. Gentleman seems a little to associate these two processes, but nothing could be more different than the process we are now going through, of passing a Bill through Parliament, and a mere vote by a temporory majority in the House of Commons. They are two entirely

different things. The right hon. Gentleman talks about an amending Act—if there were large alterations in the Instrument, there would be an amending Act. But there is no means of enforcing that on the Government of the day in possession of a temporary majority. They can redraft the Instrument of Instructions in such a way as completely to transform the emphasis and character of the Bill, and a single division, a majority of 20 or 10, will be enough in this House. What happens in the House of Lords? This is a very important point, and raises very far-reaching constitutional issues. I wonder how it strikes the Lord President of the Council, who, I see, is in his place. Both Houses of Parliament have to concur in the alteration; you have to have a majority in the House of Lords. The right hon. Gentleman is very proud of his majority in the House of Lords at the present time.

Mr. ISAAC FOOT: You were hoping for it.

Mr. CHURCHILL: I am always hoping for the support of the respectable elements in our community in defence of the main assets and glories of the British Empire. Sometimes those hopes are not fully borne out by events, and the hon. Gentleman has the pleasure of exulting on those occasions. The point that I want to put to the Government, the Secretary of State, and the Lord President, turns on this veto of the House of Lords. As far as I make out, the passing of an Address by the House of Lords is not a matter covered by the Parliament Act—I mean that it is not a matter amenable to the procedure of passing the Address through the House of Commons in three successive Sessions in the space of not less than two years. It is not a question of a mere time veto; it is an absolute veto that is being provided in this respect in the House of Lords. The absolute veto of the House of Lords is being revived in this matter. I see that a great constitutional revolutionary wishes, with legal authority, to instruct us, and I gladly give way.

Sir S. CRIPPS: The right hon. Gentleman will agree that you can pass a Bill to abolish the House of Lords.

Mr. CHURCHILL: That has nothing to do with the fact, because we have not passed that Bill yet.

Sir S. CRIPPS: Under the Parliament Act you can. If they refuse in a matter of this sort, you can abolish them, and then they could refuse no longer.

Mr. CHURCHILL: The hon. and learned Gentleman talks about abolishing the House of Lords, but it is very much easier said than done. The House of Lords are like a great many things that he wishes to abolish; they have a vitality and power of resistance that has never yet dawned upon our budding Socialist lawyer. The point that I put to His Majesty's Government is this: At the present time we are entrusting a first-rate function, one of the most responsible decisions, to the House of Lords without even the Parliamentary time limitation which was enforced by the Parliament Act, thus reverting to the pre-Parliament Act situation. That is what is called strong meat. It seems to be a formidable assertion for the Government to make, and particularly for the Lord President, who has so long refused to do anything to reform the Second Chamber in accordance with the Schedule to the Parliament Act. An unreformed Chamber, vulnerable as it has been found to be in the past, happens to be working with you at the present time in your policy. This body is to be put into the forefront of politics and, if in 15 months time a Socialist Government is in power, it proposes to remodel the Instrument of Instruction and to do various other things under the Bill which are to be done by a simple Address to the Crown.

I suppose the Conservative party are invited to lay comfort to their souls by the fact that they can rely upon a veto—none of your whittled down Parliament Act vetoes. This is a good pukka veto. Are not the Government deluding their fellowers? Are not they inviting them to take their stand upon a most precarious and most insecure platform? Is it not clear that it would be most unfair to ask the House of Lords to take the responsibility of standing up against a widespread Indian demand supported by a majority in the House of Commons? In that case, where is security at all? Whichever way you look at it, whether you take the point of view of reverting to the earlier form of veto which was abolished 20 years ago—[AN HON. MEMBER: "By you."] Certainly, and

[Mr. Churchill.]

no Measure that I have supported do I feel has better stood the test of time than the Parliament Act. It is true, as the hon. and learned Gentleman said, that it is open to the Socialist party, if they obtain a majority, immediately to introduce an amending Bill cutting out the whole of these safeguards or any other provisions in the Measure that they do not like, and run it under the Parliament Act for three Sessions in two years and it becomes law automatically. At the same time they can carry a Bill abolishing the House of Lords altogether, but still two and a half years is a certain security. The point that I invite the Government to pronounce upon is the old unlimited veto of the House of Lords, and I hope we shall have an authoritative answer from either the Lord President or the Secretary of State before we go much further in the Debate.

10.25 p.m.

Earl WINTERTON: I was under the impression, until I heard the speech of the right hon. Gentleman the Member for Epping (Mr. Churchill) that nobody but the Socialist party objected to this proposal. I say that in no wounding terms about that party. They have every reason, holding the views they do, to object to it. It is true, as the Secretary of State has said, that, from the part India has played in this matter as represented by delegates at the Round Table Conference, they are in favour of this proposal. At the commencement of the right hon. Gentleman's speech I think I was in rather the position of agreeing with him, but I soon saw that it was by no means the case. I thought for a moment that I was back in the 1906 Parliament in opposition on the benches opposite, and that the right hon. Gentleman, with that command of argument to state the facts which has always distinguished him, was arguing in favour of the Parliament Act, and then I gathered that he was in fact doing so. In fact, in doing so he was embarrassing his own family party by arguing in favour of the Parliament Act, and for the first time almost since these Debates began they were reduced to silence.

Is it not really rather useless for my right hon. Friend to draw the distinction which he endeavours to draw? It is a simple proposal and is no trap. It simply says that before there could be an alteration of the Instruments of Instructions it should be put to the resolution in both Houses of Parliament. There is no mystery about the matter. It is true that the Parliament Act did not abrogate the right of the other House to pass an Address, and there is no need to ask the Government to answer that question. I am surprised that the right hon. Gentleman, considering his responsibility with regard to the Parliament Act, should desire to ask the question, and I would take this opportunity of saying that the majority of the Conservative party differ entirely from his views on the effects of the Parliament Act. If he does not agree with that he had better go accompanied by his henchman, Sancho Panza——

Mr. BRACKEN: As the Noble Lord has referred to me, or has pointed in a geographical direction towards me, perhaps I may be allowed to suggest to him that I shall be no more successful in following the right hon. Gentleman than he will be in achieving the place he wishes to occupy upon the Front Bench.

Earl WINTERTON: If the hon. Gentleman objects to my description of him, which seemed appropriate, as Sancho Panza, I withdraw. With regard to the statement he has just made, I have not the least hesitation in describing it as entirely inaccurate and without any foundation of any sort. Knowing the hon. Gentleman I do not suppose that he is prepared to withdraw it.

Mr. BRACKEN: I am perfectly willing to withdraw it, but if the right hon. Gentleman tries to be offensive he must expect a response.

Earl WINTERTON: My hon. Friend apparently suffers from the same disease from which his right hon. Friend the leader suffers—if I may so describe his relationship with the right hon. Gentleman the Member for Epping—in that he is very willing to make wounding and injurious remarks about others but is very indignant when they are applied to himself. I will not pursue the matter any further. I do not think that the right hon. Member for Epping has any

justification for saying that this is not a real safeguard against an attempt of a government to alter these excellent instructions without a proper appeal to the constituted authorities, that is, this House and the House of Lords.

10.31 p.m.

Sir S. HOARE: In a sentence may I reply to the right hon. Member for Epping (Mr. Churchill). Resolutions of this kind are not subject to the Parliament Act. The right hon. Gentleman talked as though it were some revolutionary proposal in our constitutional system. This is the ordinary practice which has been in operation for years; and there is nothing new in it at all.

Mr. MORGAN JONES: I desire to ask leave of the Committee to withdraw the Amendment and to say that we do not propose to move the next two Amendments but, with your permission, to take a Division on our Amendment to leave out from the word "Governor-General" to the end of the Sub-section.

Amendment, by leave, withdrawn.

Mr. MORGAN JONES: I beg to move, in page 8, line 42, to leave out from "Governor-General," to the end of the Sub-section.

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

The Committee divided: Ayes, 283; Noes, 37.

Division No. 80.] **AYES.** **[10.32 p.m.**

Acland-Troyte, Lieut.-Colonel
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, William (Stoke-on-Trent)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Assheton, Ralph
Atholl, Duchess of
Bailey, Eric Alfred George
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Balfour, George (Hampstead)
Balfour, Capt. Harold (I. of Thanet)
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Bateman, A. L.
Belt, Sir Alfred L.
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Blindell, James
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Bracken, Brendan
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Buchan, John
Burghley, Lord
Burgin, Dr. Edward Leslie
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Cayzer, Sir Charles (Chester, City)
Cayzer, Maj. Sir H. R. (Prismth., S.)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chapman, Col. R. (Houghton-le-Spring)
Churchill, Rt. Hon. Winston Spencer
Cochrane, Commander Hon. A. D.
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cranborne, Viscount
Craven-Ellis, William
Critchley, Brig.-General A. C.
Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Crossley, A. C.
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Edward C. (Montgomery)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Dawson, Sir Philip
Dickie, John P.
Donner, P. W.
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Dunglass, Lord
Eden, Rt. Hon. Anthony
Edmondson, Major Sir James
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Emmott, Charles E. G. C.
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine-Bolst, Capt. C. C. (Blackpool)
Evans, Capt. Arthur (Cardiff, S.)
Evans, David Owen (Cardigan)
Everard, W. Lindsay
Fielden, Edward Brocklehurst
Fleming, Edward Lascelles
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
George, Major G. Lloyd (Pembroke)
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Gluckstein, Louis Halle
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W.)
Grimston, R. V
Gritten, W. G. Howard
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hanbury, Cecil
Harris, Sir Percy
Hartington, Marquess of
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heligers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Horsbrugh, Florence
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
Jackson, J. C. (Heywood & Radcliffe)
James, Wing-Com. A. W. H.
Johnston, J. W. (Clackmannan)
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Hamilton W.
Keyes, Admiral Sir Roger
Kirkpatrick, William M.
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Leckie, J. A.
Leighton, Major B. E. P.
Lewis, Oswald
Lindsay, Kenneth (Kilmarnock)
Lister, Rt. Hon. Sir Philip Cunliffe-
Llewellin, Major John J.
Lockwood, John C. (Hackney, C.)
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macpherson, Rt. Hon. Sir Ian
Magnay, Thomas
Mallalieu, Edward Lancelot

Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Milne, Charles
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Morris, John Patrick (Salford, N.)
Morris-Jones, Dr. J. H. (Denbigh)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
Nunn, William
O'Donovan, Dr. William James
Oman, Sir Charles William C.
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Percy, Lord Eustace
Pickthorn, K. W. M.
Potter, John
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Sir John
Raikes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rankin, Robert
Rathbone, Eleanor
Rawson, Sir Cooper
Ray, Sir William
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Remer, John R.
Rickards, George William
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney).
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Selley, Harry R.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Simmonds, Oliver Edwin
Smiles, Lieut.-Col. Sir Walter D.
Smith, Sir J. Walker- (Barrow-in-F.)
Smith, Louis W. (Sheffield, Hallam)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Stourton, Hon. John J.
Strickland, Captain W. F.
Stuart, Hon. J. (Moray and Nairn)
Stuart, Lord C. Crichton-
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Touche, Gordon Cosmo
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Sir John (Dunfermline)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Watt, Major George Steven H.
Wedderburn, Henry James Scrymgeour
Wells, Sydney Richard
White, Henry Graham
Whyte, Jardine Bell
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—
Sir George Penny and Lieut.-Colonel Sir A. Lambert Ward.

NOES.

Banfield, John William
Batey, Joseph
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Cripps, Sir Stafford
Daggar, George
Davies, Rhys John (Westhoughton)
Davies, Stephen Owen
Edwards, Charles
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Hall, George H. (Merthyr Tydvil)
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Leonard, William
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
Maclean, Neil (Glasgow, Govan)
Mainwaring, William Henry
Maxton, James
Milner, Major James
Parkinson, John Allen
Smith, Tom (Normanton)
Tinker, John Joseph
Wayland, Sir William A.
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—
Mr. Paling and Mr. Groves.

Clause ordered to stand part of the Bill.

CLAUSE 14.—(*Superintendence of Secretary of State.*)

10.41 p.m.

The SOLICITOR-GENERAL (Sir Donald Somervell): I beg to move, in page 9, line 11, to leave out from "shall," to "be," in line 13.

This and the following Amendment are purely drafting. This omits words in the body of the Clause, and the next inserts them in a new Sub-section in a slightly clearer form.

Amendment agreed to.

Further amendment made: In page 9, line 19, at the end, to add:

"(2) Before giving any directions under this Section the Secretary of State shall satisfy himself that nothing in the directions requires the Governor-General to act in any manner inconsistent with any Instrument of Instructions issued to him by His Majesty."—[*The Solicitor-General.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 15.—(*Financial adviser to Governor-General.*)

Mr. NUNN: I beg to move, in page 9, line 28, at the end, to insert:

"(3) The Governor-General's financial adviser shall have access to all records, documents and information contained in or possessed by any department of the Federal Government."

I move this Amendment with the intention of securing to the financial adviser

to the Governor-General the completest possible powers. Anyone who has had experience of the work of an adviser working under conditions such as obtain, and will obtain, in India, will know that that work is not so easily conducted in the East as it might be in our less difficult climate. Anyone having had that experience will know that it is not infrequent that documents mysteriously disappear and are kept out of the way, and that the person who is most anxious to give his advice is deprived of the opportunity of doing it. If this financial adviser's duty is to be conducted properly with benefit to the Government of India and to the Governor-General, it is highly desirable that he should be supplied with the fullest possible powers. It is no reflection upon the Indian people that one should envisage difficulties arising in the execution of the duties of the financial adviser, because all through the debates on this Bill those possibilities have been envisaged not only by the opponents of the Bill but on the Government Bench. Indeed, the safeguards which are found throughout the Bill are provided for the sole purpose of setting up some barrier against opposition to the full working of the Measure. So I do not apologise for suggesting that obstacles might be raised by the various members of the Indian administration to the financial adviser conducting his duties as he might wish to conduct them.

If I follow the advice given the other day by the Noble Lord the Member for Horsham (Earl Winterton) and attempt to state the arguments on the other side as well as the arguments which I, myself, find most impressive, perhaps I may be able to move the heart of my hon. Friend the Secretary of State, who, so far, has not shown any great tendency towards softening of the heart in dealing with the Amendments which have been put forward. It may be said that the financial adviser will have his duties confined to what may be called the higher Imperial issues. That may be an argument against furnishing him with these powers, but even if he is dealing with the higher Imperial issues and not with the routine work of day-to-day administration, it will still be necessary for him to be able to put his hands upon all the information which is available in the Government Department. It may be said that these powers will follow automatically from the general measures of the Bill. If that is so, and if it is intended that the financial adviser should have these powers, I feel that there can be no objection to providing them specifically in the Bill. After all, finance is one of the most important questions with which the Governor-General will have to deal, and I feel, from a certain amount of personal experience of this sort of work, and from what one knows will go on, that these powers should be specifically provided.

10.48 p.m.

Sir S. HOARE: I hope in two or three sentences to be able to satisfy the Committee that this Amendment is not necessary The Governor-General, whom the financial adviser will serve, has full powers under Clause 17 (4) to give directions for any papers or any information to be sent to him if he so desires. The Governor-General, therefore, has the fullest possible powers to give instructions to the Ministry that all or any papers he desires should be regularly sent to him, and sent to him through the financial adviser if he so desires.

Mr. CHURCHILL: He can do that?

Sir S. HOARE: He can do that. That makes the position completely clear. The proposal in the Amendment would have this great danger, that it would look as though we were constituting the financial adviser into a rival Finance Minister. That is not our intention, and if it were our intention it would be a very foolish intention. The financial adviser is definitely the servant of the Governor-General, and it is for the Governor-General to give instructions as to what papers are to be sent to him and what information is to come to him, and through what channels. I can assure my hon. Friend that the position is quite safe and that the alternative he suggests would have considerable difficulties inherent in it.

Mr. NUNN: May I ask whether the financial adviser is covered in the words "requiring ministers and secretaries to the Governor-General to transmit, etc." The financial adviser is certainly not a Minister, and he hardly seems a secretary to the Governor-General.

Sir S. HOARE: The hon. Member is confusing two things. The direction to

[Sir S. Hoare.]
the Ministers is a direction of another kind. The financial adviser is the Governor-General's servant. The Governor-General can direct the Ministers and secretaries to send all the papers he requires and to send them if necessary to the financial adviser.

Mr. NUNN: I do not wish to press the Amendment. I am not entirely satisfied. I think the Government are making a mistake, but I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

10.52 p.m.

Mr. H. WILLIAMS: I beg to move, in page 9, line 40, to leave out from "discretion," to the end of the Clause.

This relates to the proviso which lays it down that the Governor-General before appointing a financial adviser must consult his Ministers. The object of the financial adviser is to enable, among other things, the Governor-General to exercise his financial powers under Clause 12. In other words, the financial adviser is intended to be a watchdog of the Ministers, and therefore in these circumstances it seems that the position is going to be diminished if the Ministers are to be consulted with regard to his appointment. I certainly take the view that the Governor-General ought to act entirely in his discretion without reference to his Ministers in relation to his advisers.

Mr. MORGAN JONES: May I ask a question as to the meaning of the word "consult"? Does it mean that the appointment can only be made on the advice of the Minister, or is he not obliged to accept the advice?

10.53 p.m.

Sir S. HOARE: I hope my hon. Friends will not press this Amendment. It would, in my view, be a great mistake for the Governor-General not to consult the federal ministers in an appointment of this kind. The ultimate appointment rests with him. There is no question of that at all, but it must be remembered that the financial adviser is intended to be something much more than a watchdog upon the federal ministers. I hope very much that he will be in the closest possible contact with them, and he will be helping them with his advice, given them of course, of their own will, for he will have no statutory authority to tender advice. It is very desirable to have a a man who is accessible to both sides in the Government, and I do not think that that need in any way detract from the clear, unblurred responsibility of the Governor-General, and from the position of the financial adviser as directly under the Governor-General. I hope that, in view of these circumstances, the hon. Member will not press the Amendment.

Mr. CHURCHILL: Would it not be much better if it were put in the Instrument of Accession?

Sir S. HOARE: I think it is much better to have it here.

Mr. CHURCHILL: A statutory obligation to consult has a very definite and far-reaching significance.

Mr. H. WILLIAMS: I do not differ in principle from the Secretary of State, but I think any sensible Governor-General would consult. That is a very different thing from being compelled to consult. If he is compelled to consult, it must put him under some obligation in respect of a matter in which he ought not to be put under an obligation. I regret that the Secretary of State is not willing to accept my point. I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

10.55 p.m.

Sir S. CRIPPS: Before the Committee parts with this Clause I should like, on behalf of my hon. Friends and myself, to say that we do take a very strong objection to this appointment of someone whom the right hon. Gentleman describes as rather more than a watchdog, that is to say, handing over the whole control of the finances of India, and thereby the control of the Indian ministers, to someone who is not necessarily at all acceptable to those ministers.

It is rather worse than the Chancellor of the Exchequer's position in the Cabinet in this country. You will have someone who, quite apart from any of the democratic side of the Government, will be able to step in on every conceivable issue and say that anything that

is proposed to be done may interfere with the financial stability and credit of the Federal Government, in much the same way as was indicated by the Lord President of the Council the other day when he said that the credit of the country was jeopardised because someone in the City thought there might be a Labour Government in the future. Any rumour or feeling of that kind which may evince itself in India will apparently be a good cause for this gentleman who is the Governor-General's financial adviser to go to the Governor-General and say, "You must stop this minister or that carrying through this or that bit of policy," which otherwise the minister would have the right to carry through.

From our experience of the sort of financial adviser who has gone to different parts of the Empire in the not very distant past, it is probable that he will be the type of person who will try to curtail every social service because of his quite genuine belief in the very orthodox system of capitalist finance. Therefore, you will have a splendid method by which to shut down the whole of the effective work which might otherwise be done by the Indian ministers For those reasons, we protest against this Clause and shall divide against it.

Question put, "That the Clause stand part of the Bill."

The Committee divided: Ayes, 260; Noes, 34.

Division No. 81.] **AYES.** **[10.59 p.m.**

Acland-Troyte, Lieut.-Colonel
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Sir J. Sandeman (L'pool, W.)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Assheton, Ralph
Atholl, Duchess of
Bailey, Eric Alfred George
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (I. of Thanet)
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Bateman, A. L.
Belt, Sir Alfred L.
Blindell, James
Boulton, W. W.
Bowyer, Capt. Sir George E. W.
Bracken, Brendan
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Brown, Brig.-Gen. H.C. (Berks., Newb'y)
Buchan, John
Burghley, Lord
Burgin, Dr. Edward Leslie
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Cayzer, Sir Charles (Chester, City)
Cayzer, Maj. Sir H. R. (Prtsmth., S.)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chapman, Col. R. (Houghton-le-Spring)
Churchill, Rt. Hon. Winston Spencer
Cochrane, Commander Hon. A. D.
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cranborne, Viscount
Craven-Ellis, William
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Crossley, A. C.
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Edward C. (Montgomery)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Dawson, Sir Philip
Dickie, John P.
Donner, P. W.
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Dunglass, Lord
Eden, Rt. Hon. Anthony
Edmondson, Major Sir James
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Emmott, Charles E. G. C.
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine-Bolst, Capt. C. C. (Blk'pool)
Evans, Capt. Arthur (Cardiff, S.)
Evans, David Owen (Cardigan)
Everard, W. Lindsay
Fielden, Edward Brocklehurst
Fleming, Edward Lascelles
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
George, Major G. Lloyd (Pembroke)
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Gluckstein, Louis Halle
Glyn, Major Sir Ralph G. C.
Graves, Marjorie
Griffith, F. Kingsley (Middlesbro', W.)
Grimston, R. V.
Gritten, W. G. Howard
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hanbury, Cecil
Harris, Sir Percy
Hartington, Marquess of
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Horsbrugh, Florence
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Janner, Barnett
Johnston, J. W. (Clackmannan)
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Hamilton W.
Keyes, Admiral Sir Roger
Kirkpatrick, William M.
Lamb, Sir Joseph Quinton
Leckie, J. A.
Leighton, Major B. E. P.
Lister, Rt. Hon. Sir Philip Cunliffe-
Llewellin, Major John J.
Lockwood, John C. (Hackney, C.)
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mallalieu, Edward Lancelot
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Milne, Charles
Molson, A. Hugh Elsdale
Morris, John Patrick (Salford, N.)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
Nunn, William
O'Donovan, Dr. William James
Oman, Sir Charles William C.
Orr Ewing, I. L.

Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Penny, Sir George
Percy, Lord Eustace
Petherick, M.
Pickthorn, K. W. M.
Potter, John
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Sir John
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rankin, Robert
Rawson, Sir Cooper
Ray, Sir William
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Remer, John R.
Rickards, George William
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney).
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Simmonds, Oliver Edwin
Smiles, Lieut.-Col. Sir Walter D.
Smith, Sir J. Walker- (Barrow-in-F.)
Smith, Louis W. (Sheffield, Hallam)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A (Windsor)
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stevenson, James
Stones, James
Stourton, Hon. John J.
Strickland, Captain W. F.
Stuart, Hon. J. (Moray and Nairn)
Stuart, Lord C. Crichton-
Suetor, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Touche, Gordon Cosmo
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Watt, Major George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour-
Wells, Sydney Richard
White, Henry Graham
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Worthington, Dr. John V.

TELLERS FOR THE AYES.—Lieut.-Colonel Sir A. Lambert Ward and Dr. Morris-Jones.

NOES.

Banfield, John William
Batey, Joseph
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Cripps, Sir Stafford
Daggar, George
Davies, Rhys John (Westhoughton)
Davies, Stephen Owen
Edwards, Charles
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Hall, George H. (Merthyr Tydvil)
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Leonard, William
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
Maclean, Neil (Glasgow, Govan)
Mainwaring, William Henry
Maxton, James
Milner, Major James
Parkinson, John Allen
Smith, Tom (Normanton)
Tinker, John Joseph
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—Mr. Paling and Mr. Groves.

CLAUSE 16.—(*Advocate-General.*)

Mr. SPENS *rose*——

It being after Eleven of the Clock, The CHAIRMAN *left the Chair to make his report to the House.*

Committee report Progress; to sit again To-morrow.

GAS UNDERTAKINGS ACTS, 1920 TO 1934.

Resolved,

"That the draft of a Special Order proposed to be made by the Board of Trade under the Gas Undertakings Acts, 1920 to 1934, on the application of the Andover Lighting and Power Company, which was presented on the 6th day of February and published, be approved."

Resolved,

"That the draft of a Special Order proposed to be made by the Board of Trade under the Gas Undertakings Acts, 1920 to 1934, on the application of the Falmouth Gas Company, which was presented on the 28th day of January and published, be approved."

Resolved,

"That the draft of a Special Order proposed to be made by the Board of Trade under the Gas Undertakings Acts, 1920 to 1934, on the application of the Pontypool Gas and Water Company, which was presented on the 7th day of February and published, be approved."—[*Dr. Burgin.*]

The remaining Orders were read, and postponed.

ARMAMENTS MANUFACTURE (INTERNATIONAL INSPECTION).

Motion made, and Question proposed, "That this House do now adjourn."—[*Captain Margesson.*]

11.8 p.m.

Mr. MANDER: I desire to call attention to the situation at the meeting of the Commission of the Disarmament Convention at Geneva which is dealing with the American draft proposals on the

manufacture and trade in arms, and the information disclosed as to the attitude of the representative of the British Government, Lord Stanhope. When the Debates took place in this House in December last the spokesman of the Government gave us every reason to believe that the representatives of the British Government were going out to the discussions in Geneva full of enthusiasm and determination to play a leading and active part in co-operating and supporting the American Government in order to make a real success of the proposals that the Americans had brought forward. It is, therefore, very disappointing to find that quite a different situation has actually developed during the past two weeks. Lord Stanhope has put down a number of amendments, and in opening speech he dealt with the views of the British Government. I admit that he put forward certain proposals that are a definite improvement on the present draft, but, apart from that, his whole effort on behalf of the British Government seems to have been to weaken and remove useful points and to whittle away the main advantages of the scheme.

I cannot help feeling that if the attiture of the British representatives is persisted in to the end—I can hardly believe that it will be—it may prove fatal to any agreement being reached on this useful piece of work. The first point to which I would refer is the attitude of the British representatives with regard to the setting up of a permanent disarmament commision. In that case they are proposing that it should not form part of the present Protocol at all, and they are suggesting that it should be set up with very limited powers in a separate convention that may be signed no one knows when. They are further proposing as amendments to Article 7 that the information to be supplied to Geneva about the categories, numbers, and particulars of the different armaments manufactured shall be severely limited. Instead of giving the actual totals for each individual article, there are to be total values only—information which will be very much less useful than that in the original proposals. But the main objection, which I think has caused a good deal of dismay in many circles in this country, some of them by no means unfriendly to the Government, is to the persistent attitude so far taken up in opposition to the American proposal for international inspection of armament factories. I should like to read an extract from the speech of Lord Stanhope, in which he sets out clearly the general position of the Government on this matter. He said:

> "Let me deal with the question of supervision, which forms the subject of Chapter 4 of the United States draft. That chapter makes provision for an elaborate system of permanent and automatic supervision. The attitude of His Majesty's Government towards such a system in connection with a disarmament convention is set forth in their memorandum of 29th January, 1934. Let me quote the actual words of their statement, as I wish to avoid any misunderstanding on the matter:
>
> > 'His Majesty's Government affirm their willingness, if general agreement is reached on all other issues, to agree with the application of a system of permanent and automatic supervision, to come into force with the obligations of the convention'
>
> that is, a convention for a reduction and limitation of armaments."

If that really is the ultimate view of the British Government, it seems a little unfortunate that Lord Stanhope, speaking one day in Committee, should have used these words about that point, that it was necessary to have confidence in the sincerity of the contracting States, and added that if that confidence did not exist, it was no use trying to conclude a convention. If that argument is sound, that is an argument against the major policy of the Government itself in agreeing to international inspection in a general convention. He has used arguments which were entirely contradictory, and he has been taking up that attitude on a point which had already been conceded by the British Government more than a year ago. The seriousness of the position lies in the fact that the United States Government, not always co-operating in the most useful way, or restricted by their constitutional difficulties in working with us, have on this occasion taken an admirable initiative, under President Roosevelt's instructions at Geneva, and are very keenly and sincerely doing their best to put an agreement through in this limited sphere. That being so, I should have thought His Majesty's Government would have desired to do everything in its power to work closely and in agreement with the American Government, particularly when no principle was involved. The United States are supported in their attitude on this point, and on

[Mr. Mander.]

others, by France, Russia, Spain, Czecho-slovakia, China, and indeed all the important States which are taking part in the discussions at the present time.

The only State that is giving us any support and sympathy is Italy. I do not know what the motive of the Government may be. Possibly they want—I have heard it suggested—to keep this up their sleeve for some bargaining purpose later on, but I hope they will take a wider view, whatever they may think of the merits of the proposal. Seeing that no point of principle is involved, it is more important to be in close co-operation, contact and sympathy with the American Government. For that reason alone they ought to make concessions on this point, and recognise the general feeling of practically all the States who are now entering into the discussion.

The Government have recently done very much better in the realm of foreign policy. They have had a great success in the Saar issue; they have brought forward the hopeful proposals which concern the Air Pact and all the other schemes that go with it. That may be a little clouded by the unfortunate blunder of the White Paper, but, however that may be, I would make an appeal to the Government to recognise the unanimity of feeling in Geneva and the importance of co-operating with America. I hope that my right hon. Friend will be able to say that the last word has not been said at Geneva, and that the Government are willing, as the discussions go on, if there is a preponderance of feeling, to fall in with the views of the other Powers.

11.17 p.m.

The LORD PRIVY SEAL (Mr. Eden): I make no complaint of the hon. Member raising this matter to-night, particularly as I think there is some misapprehension on the subject, perhaps inside the House, and certainly outside; and I should like to remove that misapprehension if I can. His Majesty's Government are certainly not opposed to the setting up of a Permanent Disarmament Commission. On the contrary, we should like it to be set up forthwith. The only question is whether it shall be set up under a separate protocol or as part of a protocol dealing with arms traffic. As a practical measure we thought it better, and it was, if I recollect aright so thought in the Bureau when it discussed the problem, to set up the commission separately from the protocol on arms traffic, for a reason which will appeal to the House, namely, that the permanent commission would, we hope, have to deal with many subjects outside the arms traffic and trade in arms. Therefore, we propose a separate protocol. It is not an issue of any magnitude, nor should we wish to hold out against any unanimous view to the contrary.

There remains the problem of what is generally called permanent and automatic supervision. A system of supervision can be said to consist of two parts, a basis and a superstructure. The basis is in the main documentary; it takes the form of returns made by Governments to a Permanent Disarmament Commission at Geneva. These documents would be examined, collated and checked by the Permanent Disarmament Commission, who could of course question Governments upon them, either through their representatives or in any other way. His Majesty's Government are agreed that some system of supervision such as I have described is an essential part of any convention, whether it deals with the wider issue of disarmament or with the limited object of regulation and the trade in and manufacture of arms.

Now we come to what I call the superstructure of supervision, that is to say periodic inspection on the spot by visiting supervisory committees, despatched by the Permanent Disarmament Commission from Geneva, to check by examination of persons and documents, the accuracy of certain returns made on the instructions of the Permanent Disarmament Commission. That is what I call the superstructure of supervision and that might well form an essential part in a Disarmament Convention. It is only natural that if the nations should agree among themselves to reduce or limit their armaments they should wish to be assured that the terms which are so vital to their national defence are being fully carried out by everyone. If, for instance, we had all agreed that there should be no more six-inch guns constructed in the world, it would be natural that nations should wish to ensure as far as possible, by some system of inspection that no one was providing himself with guns in excess of six inch calibre. I would certainly not contest that view, and the Government

have in fact already, as long ago as January of last year, stated their willingness to agree to the application of a systematic and permanent automatic supervision as part of a disarmament convention. I can assure the hon. Member that there has been no change in our position in that respect.

But the purpose of the Articles of the Convention now being discussed at Geneva is quite different. They have nothing to do with Disarmament, they do not involve a reduction or limitation of armaments in any way at all. They are concerned solely with the trade in and manufacture of arms. It is clear, surely, to us at any rate, that for this limited purpose what I call the basic part of supervision is required. The only difference, if difference there is, between the hon. Member and myself is whether for the inevitably limited and wholly different purpose of the Articles now being discussed at Geneva, a simplified or more limited form of supervision is called for. I share with the hon. Member his belief in the need for some international supervision, some supervisory mechanism in connection with any convention to deal with the trading and the manufacture of arms. We need, I think, to make sure that the mechanism that we apply to this purpose is not too elaborate or too complicated for its successful operation. The type of supervision called for in connection with the disarmament convention is not necessarily the same as that required for a convention dealing solely with the trade in and the manufacture of arms. The hon. Member appeared to be a little critical of us for our action in putting down Amendments to the draft articles though some of them much enlarged the scope of what was originally proposed. The procedure we are following is perfectly normal. These draft articles have only been taken by the Committee as the basis of discussion, and a number of Governments, including the United States Government, have in fact handed in amendments for discussion during what I may call the committee stage, which is now about to begin. Nor would I like the House to think that we are alone taking the view that I have just described in respect of the type of supervision to be applied to this type of convention. The view of the Italian Government is very close to our own, and the Polish Government has also taken an attitude somewhat similar to our own.

I must make it clear that we are in full accord with the underlying purpose of the draft articles which are now being discussed. The purpose embodied in our Amendments is to simplify the means by which the objective aimed at in these Articles can be realised without impairing the effectiveness of the final result. Some little experience of negotiations in these matters at Geneva has convinced me that the simpler are the methods used to achieve the objective we desire to achieve, the more likely we are to succeed in realising them. The House must not overlook the fact that the proposals now under discussion at Geneva, if amended in the form suggested by us and approved by certain other delegations, would none the less constitute a most important contribution in dealing with this problem of the manufacture of and trade in arms.

I would ask the House, in conclusion, to note that the question at issue is not whether there shall or shall not be supervision but whether the supervision to be applied shall be of a simpler or of a more complicated nature. In dealing with this traffic of the trade in and the manufacture of arms, I suggest that in the course of the discussion at Geneva it will be found that the reasons we have advanced are not unimportant in securing the practical result which we are seeking.

11.26 p.m.

Sir HERBERT SAMUEL: I hope that His Majesty's Government will consider this matter again. I confess that the speech of the right hon. Gentleman did not carry great conviction. He said that if it were a large convention for limiting arms in general, for example, for prohibiting the manufacture of six inch guns, it was necessary to be assured that it was being carried out. If inspection is necessary to make sure that a larger proposal is being carried out, is it not equally necessary to make sure that a smaller proposal is being carried out?

Mr. EDEN: Can the right hon. Gentleman tell us what for?

Sir H. SAMUEL: In order to make sure that the returns are correct.

Mr. EDEN: There are no limitations.

Sir H. SAMUEL: No, but it is expected that arms to be manufactured should be declared as such. It is the purpose of this Convention that there should be publicity. Suppose that a return is sent from some country, and it is thought that it is misleading and that, as a matter of fact, three times as many arms are being manufactured and being sent surreptitiously to some other country; what power is there to investigate on the spot in order to make sure whether that is true or not? That is the point at issue. The right hon. Gentleman used the word simplification. It is a charming word, but may not simplification mean nullification. It is difficult to see why if a particular form of procedure is necessary for the larger purpose it is not necessary for the smaller purpose. The fact that His Majesty's Government are only supported by Chili and Poland among the nations, and that we are taking a directly opposite attitude from that of the United States and many other Powers, is in itself rather significant that His Majesty's Government are not necessarily in the right in this matter. However, the whole question is still in a fluid state, the matter is still under discussion, Amendments are still being considered, and I reiterate the hope that the matter will receive further consideration at the hands of His Majesty's Government.

Question put, and agreed to.

Adjourned accordingly at Twenty-Nine Minutes after Eleven o'Clock.

HOUSE OF COMMONS.

Wednesday, 6th March, 1935.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock, MR. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

Coventry Canal Navigation Bill,

Medway Lower Navigation Bill,

Oxford Canal Bill,

Rochdale Canal Bill,

Read the Third time, and passed.

ORAL ANSWERS TO QUESTIONS.

CHINA.

1. **Captain FULLER** asked the Secretary of State for Foreign Affairs what is now the position in the Burma-Yunnan border dispute with China?

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir John Simon): The question of setting up a Sino-British frontier commission under a neutral chairman to investigate the problem and submit recommendations is at present under discussion with the Chinese Government.

Captain FULLER: Is it not a fact that the boundary commission has been appointed, but there has been delay in the appointment of the chairman? Since this is under the League of Nations, could not something be done to hasten this appointment in view of the approaching monsoon?

Sir J. SIMON: I was not aware of those features, but I will inquire. As regards the last observation, I think it is the case that in any event one would have to wait until late in the year.

2. **Mr. NUNN** asked the Secretary of State for Foreign Affairs whether he can make a statement as to the projected loan to China; and whether it is intended that the machinery of the consortium shall be used for this purpose?

Sir J. SIMON: Tentative proposals were put forward in December for a loan, but they did not appear to His Majesty's Government, after a careful examination, to provide a satisfactory remedy for the situation. His Majesty's Government are watching the financial situation in China closely and they attach great importance to co-operation between the Powers primarily concerned, including, of course, China, and they are in touch with those Powers. No project for a loan to China is, however, at present before His Majesty's Government, and the last part of the question therefore does not arise.

4. **Mr. MANDER** asked the Secretary of State for Foreign Affairs whether he is aware that the Japanese terms to China in the present negotiations involve the appointment of 1,400 Japanese warrant officers to train the Chinese army, the engagement of Japanese nominees by the Chinese National Economic Council in the place of the present Western advisers supplied by the League of Nations and various states, the funding of all or part of the unrecognised Japanese loans to China, including in particular the Nishihara loans, and in return a Japanese loan to China; whether any proposals are under consideration for a League of Nations or other loan to assist China in her present difficulties; and what steps in general the Government are taking to deal with the situation?

Sir J. SIMON: I have no information to support the suggestions contained in the first part of the question. So far as I am aware, the question of a loan to China is not under consideration by the League or by any Power. The present financial and economic situation of China is, however, receiving the earnest attention of His Majesty's Government who are in touch with the Chinese and other interested Governments.

Mr. MANDER: Is the right hon. Gentleman able to say anything about recent conversations with the American Government on the subject of a possible loan?

Sir J. SIMON: The American Government is one of the Governments to which I referred when I said we were in touch with other Governments, including the Chinese.

Viscountess ASTOR: Will the right hon. Gentleman guarantee to touch the Chinese Government a little lighter than we have touched Germany in the last few days?

ROYAL NAVY.

CONSTRUCTION COSTS.

6. **Mr. GEORGE HALL** asked the First Lord of the Admiralty whether he will give the cost per standard ton of His Majesty's Ships "Nelson" and "Rodney," and all ships due for completion in 1934-35, giving each type separately; and the cost per standard ton of the same types in 1913-14, and for each of the last 10 years?

The FIRST LORD of the ADMIRALTY (Sir Bolton Eyres Monsell): As the information is in tabular form, I will, with the hon. Member's permission, circulate it in the OFFICIAL REPORT.

Following is the information:

(1) *H.M. Ships Nelson and Rodney.*

	£
Nelson—cost per standard ton	177
Rodney—cost per standard ton	175

(2) *Ships completed or due to complete* 1934–5.

		Cost per standard ton. £
Cruiser ...	Ajax (*a*)	204
Flotilla-Leader	Exmouth	235
Destroyers ...	Echo	212
	Eclipse	212
	Electra	213
	Encounter	213
	Escapade	215
	Escort	215
	Esk	213
	Express	213
	Fearless	213
	Forester	213
Submarines ...	Shark	355
	Sealion	341
	Salmon	348
	Severn	253
	Clyde	251
Sloops ...	Halcyon	128
	Harrier	123
	Hussar	123
	Skipjack	128
	Grimsby	159
	Leith	159
	Lowestoft	154
	Wellington	154

(*a*) will not actually complete until 5th April, 1935.

(3) *Ships completed in* 1913–14 *and in each of the last* 10 *years: Average cost per ton.*

Year of Completion.	Battleships.	Light Cruisers and Cruisers.	Flotilla Leaders.	Destroyers.	Submarines.	Sloops.
	£	£	£	£	£	£
1913–14 ...	78	71	—	108	132	—
1924–25 ...	—	206	275	302	328	—
1925–26 ...	—	222	277	—	404	—
1926–27 ...	—	—	—	—	390	—
1927–28 ...	176	200	—	259	316	—
1928–29 ...	—	212	—	—	231	106
1929–30 ...	—	199	—	200	255	—
1930–31 ...	—	207	207	198	224	138
1931–32 ...	—	212	—	201	287	158
1932–33 ...	—	228	210	203	308	152
1933–34 ...	—	209	—	—	362	—

All the figures in table (3) are exclusive of the cost of first outfit and reserves of guns, torpedoes and ammunition.

CONTRACTS (FAIR WAGES CLAUSE).

9. **Mr. LEONARD** (*for* **Mr. NEIL MACLEAN**) asked the First Lord of the Admiralty whether he is making inquiries into the complaint from Greenock that Messrs. Hamilton and Messrs. Lithgow, contractors to the Admiralty, are not observing the fair-wages clause in the treatment of apprentice electric welders?

The PARLIAMENTARY SECRETARY to the ADMIRALTY (Lord Stanley): I understand that a strike of apprentice electrical welders has been in progress since the 4th February, and I am asking the Greenock Trades Council for further information about the recognised conditions of the industry. It is, however, contrary to the practice of the Admiralty to intervene in a labour dispute when a strike is proceeding.

AUSTRIA (SOCIALISTS).

3. **Colonel WEDGWOOD** asked the Secretary of State for Foreign Affairs whether the question of the treatment of Socialists in Austria was raised by him during the Austrian Chancellor's visit?

Sir J. SIMON: The House has already been informed that the visit of the Austrian Chancellor to this country was not official and it was agreed that no communiqué should be issued. I may say, however, that judging from my conversations with Austrian Ministers when in London, I have no reason to doubt that they appreciate the interest shown by British public opinion in this matter.

ITALY AND ABYSSINIA.

5. **Mr. MANDER** asked the Secretary of State for Foreign Affairs whether he will consider the advisability of proposing that a special meeting of the Council of the League of Nations should be summoned to deal with the dispute between Italy and Abyssina, in view of the failure of Italy to pursue negotiations as arranged at the last meeting of the Council in the spirit of the Italo-Abyssinian Arbitration Treaty of 1928, and her action in endeavouring to use military force as a means of national policy?

Sir J. SIMON: I have been informed by the Italian Ambassador that direct negotiations between the Italian and Ethiopian Governments have in the last few days resulted in an agreement for the establishment of a neutral zone in the disputed area.

TIN REGULATION SCHEME.

11. **Mr. JOHN WILMOT** asked the Secretary of State for the Colonies whether he considered the opinion expressed by the following bodies regarding the tin buffer stock scheme; the council of the Federated Malay States Chamber of Mines, the Singapore Chamber of Commerce, the Federated Malay States Chamber of Commerce, the Straits Settlements Association, the Selangor Miners' Association, and the London Metal Exchange; and whether any and, if so, which of these bodies expressed opposition to the scheme?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): The answer to the first part of the question is in the affirmative. All the bodies mentioned passed resolutions opposing the buffer stock scheme.

Mr. WILMOT: Was due consideration given to their point of view when this scheme was introduced?

Sir P. CUNLIFFE-LISTER: Yes, most certainly, due consideration to their point of view and to the very strong opinion expressed by the majority of tin users and, above all, to the great interest which consumers had in the institution of this pool.

Mr. WILMOT: Do not the bodies which the right hon. Gentleman says expressed opposition to the scheme represent the bulk of the British Empire producers?

Sir P. CUNLIFFE-LISTER: No, certainly not. They do not. The majority of producers, I think all over the world, were in favour of this scheme. But what seems to me much more important even than that where you have a Government involved is the interest of consumers, and I know quite well the great importance which consumers, including the United States Government, attached to a plan of this kind.

Captain PETER MACDONALD: Are not the opponents of this measure speculators on the Stock Exchange who have some representatives in this House?

Mr. WILMOT: May I ask your guidance, Sir? If I understood the hon. and gallant Gentleman aright, he made a statement that implied that I myself was a speculator in tin.

Mr. SPEAKER: I did not hear what the hon. and gallant Gentleman said.

Mr. WILMOT: Might I be allowed to say that such a suggestion is entirely without foundation.

12. **Major NATHAN** asked the Secretary of State for the Colonies whether the Colonial Office or the Governments of Malaya or Nigeria or the International Tin Committee were informed beforehand of the intention to create the private tin pool; and, if not, when the fact of its existence was first made known to them?

Sir P. CUNLIFFE-LISTER: The Colonial Office and the Governments of Malaya and Nigeria were not informed beforehand. I understand from the chairman of the International Tin Committee that the fact that certain companies engaged in tin production had decided to endeavour to stabilise the price of tin by operating on the London Metal Exchange was communicated to him in July. As I have already informed the hon. Member, the chairman was subsequently kept informed of the operations undertaken by the group.

Major NATHAN: Do I correctly understand the right hon. Gentleman to mean July, 1934?

Sir P. CUNLIFFE-LISTER: Last July.

KENYA.

13. **Captain GUEST** asked the Secretary of State for the Colonies whether he will state the specific recommendations made by the Joint Select Committee on Closer Union in East Africa, issued in 1931, regarding the claim of Kenya taxpayers to secure the right to control their own financial affairs?

Sir P. CUNLIFFE-LISTER: As I reminded the hon. and gallant Member in reply to his question last week, the Joint Select Committee advised in paragraph 75 of their report that

"Conditions in East Africa demand the maintenance of an effective power of intervention by the Crown in all matters of local legislation and administration. This power will be exercised by His Majesty's Government acting through the Secretary of State."

The Committee went on to point out in paragraphs 96-98 that the wishes of the Governor and, if necessary, of the Secretary of State are carried out, and must continue to be carried out, by the existence of an official majority in the Legislative Council.

Captain GUEST: Are not opinions expressed in December, 1934, of greater force than opinions expressed in 1931?

Sir ROBERT HAMILTON: Is it not a fact that the finding of the Joint Select Committee was generally accepted in Kenya?

Sir P. CUNLIFFE-LISTER: The opinions expressed by some of the elected members in Kenya were fully considered by the Joint Select Committee which represented all parties in both Houses. The report of the Joint Select Committee was unanimous, and I think it was fully debated and unanimously accepted in both Houses of Parliament.

Captain GUEST: That was in the period before the four years of deficit which have since ensued.

Sir P. CUNLIFFE-LISTER: No. I should say the position to-day, financial and economic, is better than when the Commission reported.

ZANZIBAR.

14. **Colonel WEDGWOOD** asked the Secretary of State for the Colonies whether, in view of the expressed determination of the India Office to raise presently the case of the discriminatory land legislation in Zanzibar, he wishes to make any further statement on the matter raised by the right hon. Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood)?

Sir P. CUNLIFFE-LISTER: I am obliged to the right hon. Member for putting this question, as I inadvertently misled him in a supplementary answer, for which I apologise. The facts as regards communication between the India Office and my office are as stated in the reply of the Secretary of State for India on the 4th of March. The land

alienation decree is not "discriminatory," and the right hon. Member will see from Mr. Menon's report that, while criticising the decree in certain respects, Mr. Menon expresses the view that the objections of the Indian community rested, to some extent, on a basic misconception, and that India could not logically object to such legislation, which was based on an Indian model.

Colonel WEDGWOOD: Will the right hon. Gentleman make a fresh inquiry in Zanzibar as to whether this legislation is not in fact discriminatory?

Sir P. CUNLIFFE-LISTER: No. I have given the most careful consideration to that, and I have had reports, and I think, if the right hon. Gentleman studies the decree and, what is more, the way it is administered, he will see that it is neither in terms nor in practice discriminatory.

AVIATION.

PILOTS (TRAINING).

16. **Mr. EVERARD** asked the Under-Secretary of State for Air whether, in view of the large annual wastage of "A" licence pilots because their licences are not renewed, he will adopt an additional method of subsidies to the clubs on hours flown or provide some other means of cheaper training facilities?

The UNDER-SECRETARY of STATE for AIR (Sir Philip Sassoon): This matter is under consideration with a view to reducing the large annual wastage of "A" licence pilots, to which my hon. Friend draws attention, if possible. I should, however, add that the chief object of the Light Aeroplane Club subsidy is to stimulate the training of new pilots, and that the continuance in flying practice of pilots once they have received their initial training, whilst of importance, must be regarded as secondary to this main consideration.

Mr. EVERARD: Will the right hon. Gentleman be able to give consideration to this before the Air Estimates?

Sir P. SASSOON: Certainly. A subcommittee of the Light Aeroplane Association of Clubs have the whole matter under consideration and will furnish a report before very long.

Lord APSLEY: Will the right hon. Gentleman study the Belgian and French systems of subsidy with a view to ascertaining their relative merits in respect of the number of machines and pilots encouraged thereby compared with the corresponding cost to their respective Exchequers?

WEATHER REPORTS.

17. **Mr. EVERARD** asked the Under-Secretary of State for Air when it is proposed to increase the number of stations who transmit weather reports; and where the new stations will be situated?

Sir P. SASSOON: It is proposed to increase the number of such stations during the current year. I am not yet, however, in a position to state the localities, since the final siting of these stations will be subject to the results of an investigation by the Meteorological Office which is now proceeding.

Colonel WEDGWOOD: Will the right hon. Gentleman bear in mind, in fixing the sites of these stations, the advantage of having some of the stations on the derelict coalfields where there are empty pits where petrol can be stored?

Sir P. SASSOON: Yes, certainly, but the most important thing is that these stations should be situated where their position is accessible.

DIRECTIONAL WIRELESS STATIONS.

18. **Mr. EVERARD** asked the Under-Secretary of State for Air when it is proposed to increase the number of directional wireless stations in Great Britain; where the new stations will be situated; and whether preference will be given to those municipalities who are prepared to establish a station without recourse to Government funds?

Sir P. SASSOON: Arrangements to augment direction-finding facilities are well advanced, and new stations will be brought into operation gradually, commencing next month. Subject to the satisfactory completion in certain cases of negotiations with the aerodrome owners, it is anticipated that facilities will be provided in the following localities amongst others—Heston, Hull, Renfrew, Bristol and Plymouth. As regards the last part of the question, the fact that a municipality is prepared to bear the cost will certainly be taken into account, but the overriding consideration must be

[Sir P. Sassoon.]
the fitting of the stations as a whole into the national network of air routes which is in process of being built up.

Mr. EVERARD: Will my right hon. Friend give consideration to a station in the Midlands, as it is very important to have one in the centre of England?

Mr. KIRKWOOD: May I ask the right hon. Gentleman whether the station to be put down at Renfrew is to be equipped with all the most modern and up-to-date appliances?

Sir P. SASSOON: Yes, these are the most up-to-date wireless appliances.

AIR SERVICES (SOUTH AMERICA).

19. **Mr. SIMMONDS** asked the Under-Secretary of State for Air whether he is aware that there now operate in or to the South American continent air lines belonging to France, Holland, Germany, and the United States of America; and whether, in the interests of Anglo-South American trade, he will take steps to secure the formation of a British air line to South America?

Sir P. SASSOON: The answer to the first part of the question is in the affirmative. As regards the second part, the Air Ministry is anxious to encourage, so far as practicable, any scheme for the operation of British air lines to South America which offers reasonable prospect of success. The far-reaching expansion of our Empire air services now under consideration must, however, take priority, and it is unlikely that, in present circumstances, the necessary finance could be found to assist in the organisation of a fifth competing national air line to South America, however desirable this project intrinsically.

Mr. SIMMONDS: In view of the desire of the Government to encourage Anglo-American trade and the very prejudicial effect the absence of any British air line to that continent is having, does not my right hon. Friend think that the Government ought to take some initiative in this matter and not wait for somebody else to do something?

PALESTINE (AIRPORTS).

10. **Mr. SIMMONDS** (*for* **Mr. LYONS**) asked the Secretary of State for the Colonies whether he has now received any report from the fresh investigation on the desirability of establishing a new airport in Palestine for use in that country and on the Croydon-India service; whether the site in Tel-Aviv has been re-examined and is now considered satisfactory; and whether, as this location is more convenient and useful than Gaza, any action is now contemplated in the matter?

Sir P. CUNLIFFE-LISTER: After expert inquiry and careful consideration of possible alternatives, sites at Lydda and Haifa have been selected for development as airports, and approval has been given for the purchase of the land.

PARIS-BRINDISI RAIL JOURNEY (ELIMINATION).

15. **Mr. SIMMONDS** (*for* **Mr. LYONS**) asked the Under-Secretary of State for Air whether he can now intimate the date upon which the Paris-Brindisi rail journey will be eliminated from the regular Empire services of Imperial Airways?

Sir P. SASSOON: The final elimination of the rail journey from Paris to Brindisi must wait on the augmentation of Imperial Airways present fleet, which has had new and heavy demands made upon it in recent months by the decision to duplicate the services to Calcutta and the Cape, which has been considered as the most urgent objective. I am hopeful, however, that it may be possible to organise an interim service by air from London to Brindisi by lighter aircraft, primarily for the carriage of mails, within the next few weeks.

Mr. SIMMONDS: Can my right hon. Friend say whether all formalities between the French Government and the British Governemnt are now completed in this matter?

Sir P. SASSOON: The conclusion of formalities is expected almost immediately.

ROYAL AIR FORCE.

ACCIDENT.

20. **Captain HAROLD BALFOUR** asked the Under-Secretary of State for Air whether he can state definitely that a report will be issued on the investigation into the cause of the recent Royal

Air Force autogyro fatal accident; and, if so, when such a report will be expected?

Sir P. SASSOON: My Noble Friend hopes to be in a position to issue a statement to the public in regard to this accident in the early future.

SHORT-SERVICE COMMISSIONS (MEDICAL EXAMINATIONS).

21. **Captain BALFOUR** asked the Under-Secretary of State for Air what percentage of young men applying for short-service commissions in the Royal Air Force fail to attain the required medical standard?

Sir P. SASSOON: Full information regarding the medical examinations of candidates for commissions is published annually in the report on the health of the Royal Air Force. I am sending my hon. and gallant Friend a copy of the latest issue.

TRANSPORT.

RAILWAY LEVEL CROSSING, WORMLEY, HERTS.

22. **Rear-Admiral Sir MURRAY SUETER** asked the Minister of Transport whether in view of the legal position in regard to level crossings as it affects the Wormley, Herts, railway accident, which position is stated in the case of Jenner v. South Eastern Railway Company, as reported in 105 Law Times Reports, page [illegible] he will take the matter up with the South Eastern Company to see that they discharge their duty in the interests of public?

The MINISTER of TRANSPORT (Mr. Hore-Belisha): I am already in communication with the company.

MOTORING OFFENCES (PENALTIES).

23. **Mr. WEST** asked the Minister of Transport whether he is aware of the case where an Oxford undergraduate who recently ran down and killed a miner riding on a bicycle has been acquitted of a charge of manslaughter and of two other charges of negligence and dangerous driving, although the undergraduate admitted that he had been driving at 50 or 55 miles per hour; and, in view of this case and of others to which attention has been directed and other similar cases, will he take steps to strengthen the law so that in cases of this description a severe penalty shall be imposed?

Mr. HORE-BELISHA: Whatever may be the facts in this case, Magistrates have been endowed by Parliament with powers to protect the public, but it is difficult to see how any further increase of these powers would be of effect in cases where Magistrates decide not to convict.

Mr. WEST: Is the hon. Gentleman aware that the justification in this case for not sending the man to prison was that it might ruin his career; and does he realise that these very light penalties which are inflicted are not tending to decrease the slaughter on our roads at the present time?

Mr. HORE-BELISHA: The question relates to an acquittal, and it is not proper, I think, that I should comment upon it.

Mr. WEST: Is not the hon. Gentleman aware that evidence was given by the police——

Mr. SPEAKER: We cannot go into details.

Mr. RHYS DAVIES: Is the hon. Gentleman aware that there is a feeling abroad that if a miner had killed an undergraduate, it would have been quite a different matter?

RAILWAY PASSENGER SERVICE (LEYTON).

24. **Sir WILFRID SUGDEN** asked the Minister of Transport what action he is taking to provide proper facilities for the travelling public by the London and North Eastern Railway Company from Liverpool Street to Leyton between the hours of 5 p.m. and 7 p.m. during the working days of the week; and whether he is aware of the increased danger arising through the present overcrowding of the carriages in this section at those times?

Mr. HORE-BELISHA: Parliament has not conferred upon me any powers of control over the travelling facilities to which my hon. Friend refers. No instance of danger has been brought to the notice of the company or myself.

Sir W. SUGDEN: May I ask my hon. Friend to note that the people are being carried as though in cattle trucks on the [illegible]

[Sir W. Sugden.]
am I to understand that his Department permit such a thing to obtain without any supervision?

Mr. HORE-BELISHA: My Department are bound to permit what we have no power to restrict, and I have made it plain to my hon. Friend that Parliament has not conferred on me any powers of control over the traffic facilities in question.

Sir W. SUGDEN: Do I understand that my hon. Friend has cognisance of this matter and that he is not prepared to apply to Parliament for powers of supervision?

Mr. HORE-BELISHA: Parliament considered this matter and decided not to give me the powers.

ROAD SAFETY DEVICES.

26. **Miss WARD** asked the Minister of Transport whether, in the interest of promoting greater road safety, he will consider the compulsory use of microphone-amplifiers on lorries, the use of tow-signs, and the desirability of painting yellow lines to indicate an approach to a main road?

Mr. HORE-BELISHA: I have no evidence that the compulsory use of microphone-amplifiers or of tow-signs would reduce road accidents. The "Major Road Ahead" sign is already authorised for the purpose of indicating the appoach to a main road.

Captain Sir WILLIAM BRASS: Is my hon. Friend aware that it is the law in France for all new lorries to carry these amplifiers at the back in order that the drivers may know when a car is about to overtake them?

Mr. HORE-BELISHA: That may be the law in France, but I have no evidence before me that it would restrict accidents in this country. If any evidence is brought before me, I think my hon. and gallant Friend knows that I should be only too happy to consider it.

Sir W. BRASS: Will my hon. Friend consider sending someone from his Department over to France to study the matter?

TRAFFIC CONGESTION (MANSION HOUSE).

27. **Sir BROGRAVE BEAUCHAMP** asked the Minister of Transport what steps, if any, he is taking to move the authorities in the City of London to ameliorate the traffic congestion opposite the Mansion House underground station; and, to this end, whether he will consider the early removal of the small island site at the western approach?

Mr. HORE-BELISHA: As my hon. Friend will be aware traffic light signals have been erected at this junction. I am advised that the refuge to which my hon. Friend refers is necessary to divide the traffic and for the safety of pedestrians. If my hon. Friend has any other suggestions, I will be glad to consider them.

ROAD SURFACE ADVERTISEMENTS.

28. **Mr. GARDNER** asked the Minister of Transport whether he is aware that extensive advertising is taking place on road surfaces in the Metropolitan area, advertisers using whitewash and other similar materials to print information in large letters; that many of these advertisements are placed across the ends of streets giving on to main thoroughfares; that these advertisements may distract the attention of motor drivers while driving and of pedestrians while crossing the roads; and whether he will issue an instruction that all such advertisements must be in line with and near the kerb so that they may be easily read by passers-by from the footpath?

Mr. HORE-BELISHA: While I deprecate the practice of advertisements being painted or otherwise marked on road surfaces, I have no statutory power in the matter, but am informed that responsible highway authorities have powers to make by-laws to deal with any abuse of the highway.

HIGHWAY CODE.

29. **Lieut.-Commander TUFNELL** asked the Minister of Transport whether, in redrafting the Highway Code, any steps will be taken to clarify the position with regard to the conduct of those in charge of led horses on the highway; and, if so, what is the nature of the alterations it is proposed to make in the existing code so far as it affects this matter?

Mr. HORE-BELISHA: Yes, Sir, but I would be obliged if my hon. Friend would await the exact wording of the new Highway Code.

RAILWAY AGREED CHARGES.

30. **Mr. NOEL LINDSAY** asked the Minister of Transport how many agreed charges have been referred to the tribunal under Section 37 of the Road and Rail Traffic Act, 1933; and how many have been approved?

Mr. HORE-BELISHA: 271 applications (including applications for approval for a further period) have been made to the Railway Rates Tribunal for the approval of agreed charges, 229 applications have been approved, four have been withdrawn, and 38 have yet to be heard.

Mr. LINDSAY: In view of the extreme importance of this subject, will my hon. Friend consider circulating this information in a handy and compact form with greater detail?

Mr. HORE-BELISHA: If my hon. Friend will consult with me I will see what can be done.

BRIDGE SCHEME, SELBY.

34. **Mr. THORNE** asked the Minister of Transport whether he has received any communication from the Selby Urban District Council with regard to a toll-free bridge at or near the site of the present toll bridge; and what action he proposes to take in the matter?

Mr. HORE-BELISHA: Yes, Sir. Proposals for a new bridge and by-pass at Selby are the subject of investigation by consulting engineers, and when I receive their report I shall be in a position to make a decision.

TRAFFIC CONDITIONS, KENNINGTON OVAL.

35. **Mr. HARVEY** asked the Minister of Transport whether his attention has been called to the dangerous conditions prevailing at the Oval gates at the junction of Harleyford Street and Kennington Oval; and what steps he proposes to take to mitigate the danger?

Mr. HORE-BELISHA: Yes, Sir, and I am to-day issuing a grant towards an improvement scheme which provides for the widening of Harleyford Street at its junction with Kennington Oval. This will enable the kerb radius to be substantially increased, the tramway lines to be splayed, and two refuges to be provided between the tramway tracks.

SCHOOL CHILDREN (SAFETY INSTRUCTION, COMMITTEE).

36. **Mr. MORGAN JONES** asked the Minister of Transport whether he has under consideration any proposals for promoting road safety among school children?

Mr. HORE-BELISHA: Yes, Sir, I have been in consultation with my right hon. Friends the President of the Board of Education and the Secretary of State for Scotland, on this very important question. We are in agreement that it is necessary to discover what form of instruction is most suitable for the purpose, and we have accordingly decided to set up two inter-departmental committees, one for England and Wales and one for Scotland, with the following terms of reference:

"To consider and advise what steps can best be taken with a view to promoting road safety among school children and what forms of instruction in the matter are best adapted for children of different ages as a regular part of the school curriculum."

The composition of the Committee for England and Wales is as follows:

Chairman: The Rt. Hon. Sir Arthur Griffith-Boscawen.

Board of Education: Mr. H. R. V. Ball, H.M.I.

Ministry of Transport: Mr. A. Matheson, D.S.O., O.B.E.

Home Office: Mr. J. C. MacIver.

Local Authorities: Mr. W. R. Nottidge, Chairman, Kent Education Committee; Mr. A. L. Binns, M.C., Director of Education, Ealing; Miss Gertrude Sanson, M.B.E., Inspector of Infants' Methods under the London County Council.

Teachers: Mr. E. Barlow Butlin, Headmaster, Harrow Weald County School for Boys and Girls; Mr. A. E. Baxter, O.B.E., J.P., Headmaster, Queen's Road Council School, Wimbledon; Miss H. M. Pavey, Headmistress, Ashburton Junior Mixed and Infants' School, Croydon.

Secretary: Mr. S. Lamplugh, H.M.I., Board of Education.

The composition of the Committee for Scotland will be announced at an early date.

Mr. JONES: Can the hon. Gentleman say whether the sittings of the committee will be in public or in private?

Mr. HORE-BELISHA: I will consider that question in consultation with the chairman of the committee.

Viscountess ASTOR: Will the hon. Gentleman see that he has the advice of women who know something about school children? It is very important when you have a chairman like that that you should have a good woman, who really knows.

Mr. HORE-BELISHA: I agree with my Noble Friend and I will consider her suggestion.

Sir FRANK SANDERSON: Does the hon. Member not consider that the best remedy would be to teach the children to regard the roads as rivers which ought to be crossed either by subways or by bridges?

Captain STRICKLAND: Will the hon. Member consider the appointment on the committee of a representative of one of the motor organisations who could indicate some of the dangers that arise in the act of driving a car?

Mr. HORE-BELISHA: No, Sir. This is a committee to consider the education of school children, and it will take evidence from motoring organisations and other bodies. I might inform the Noble Lady that there are two ladies on the committee.

Sir W. BRASS: Will the hon. Member consider using the cinema in the schools to illustrate the danger?

Mr. HORE-BELISHA: Yes, Sir.

BUILT-UP AREAS (SPEED LIMIT).

37. **Sir W. BRASS** asked the Minister of Transport whether he can give the House an approximate estimate of the number of de-restriction signs which will have to be exhibited on the by-pass roads in and around London, on which he has decided the 30 miles an hour speed limit shall not apply, as a result of paragraph 2 of his direction dated 4th January, 1935, issued in pursuance of Section 1 of the Road Traffic Act, 1934?

39. **Sir GIFFORD FOX** asked the Minister of Transport whether he can state what is the estimated number and cost of 30 miles per hour speed-limit de-restriction signs which are to be placed on by-pass roads under the proposed arrangements in the London area by which certain by-pass roads are to be exempted from the speed-limit despite the fact that they are illuminated?

Mr. HORE-BELISHA: Four thousand signs at an estimated cost of £1,700.

Sir W. BRASS: Is the hon. Member aware that not a single sign has been put up so far on any of these roads?

38. **Sir W. BRASS** asked the Minister of Transport whether he will state, with reference to the Traffic Sign (Speed Limit) Provisional Regulations now lying upon the Table of the House, what part or parts of the sign illustrated in Diagram 1 are to be fitted with reflectors or reflecting material, as prescribed by Regulation No. 6 (1)?

Mr. HORE-BELISHA: Either the figures and the surrounding ring may be fitted with reflectors, or the whole face of the sign, with the exception of the figure 30, may be made to reflect light.

Sir W. BRASS: That is not an answer to the question. I asked which part was going to be reflected. Will the hon. Member consider the advisability of putting examples of these signs in Westminster Hall with some lamps on them, at a distance, in order to enable us to judge whether they are efficient?

Mr. HORE-BELISHA: I do not think it is necessary to fix a speed limit of 30 miles in Westminster Hall.

Sir W. BRASS: In order to see whether the signs are efficient or not.

44. **Mr. GROVES** asked the Minister of Transport whether he is aware that the speed of vehicles operating upon the Beckton Road and Silvertown Way, within the county borough of West Ham, is unrestricted; and whether, as the West Ham Highways Authority have carefully considered the matter and recommended that a maximum of 30 miles per hour be there imposed, he will, in the interest of public safety, have the whole matter reconsidered and accede to the desires of the local authority?

Mr. HORE-BELISHA: I have reviewed the proposals with regard to the application of the speed limit to the thorough-

fares mentioned by the hon. Member in the light of the representations made by the highway authority and I have now decided that the speed limit should apply to both Beckton Road and Silvertown Way.

47. **Mr. TURTON** asked the Minister of Transport whether he is aware that many of the small signs denoting the end of the speed limit under Section 1 of the Road Traffic Act, 1934, are being placed on existing lamp-posts and are for that reason rendered more difficult to be distinguished by the average user of the road; and whether he will take the necessary steps to secure that all signs denoting the beginning or end of the speed limit under the said Section are either placed upon existing traffic signs or upon standards specially erected and conspicuously marked for that purpose?

Mr. HORE-BELISHA: I will certainly consider my hon. Friend's suggestions if difficulties are found to arise in practice in connection with the signs to which he refers.

49. **Sir W. BRASS** asked the Minister of Transport how he proposes to indicate to drivers a de-restricted section of road under Sub-section (4) of Section 1 of the Road Traffic Act of 1934 where the system of street lighting is by overhead lamps, or by lamps attached to tramway standards, or by lamps attached to telegraph poles instead of by lamp-posts as described in paragraph 2 of his directions, dated 4th January, 1935?

Mr. HORE-BELISHA: The directions provide that on a de-restricted road these signs shall be erected upon the lamp-posts. There seems to be no reason why a pole or standard to which a lamp is attached should not be regarded as a lamp-post.

Sir W. BRASS: Do I understand that a telegraph pole at the side of the road and hidden from the driver, is considered to be a lamp-post, and that tram standards are to be lamps? All drivers will have to look on both sides of the road in order to find whether they are in a built-up area or not.

Mr. HORE-BELISHA: I should like to satisfy my hon. and gallant Friend that everything that it is open to me to do is being done to facilitate his passage.

TRAFFIC SIGNS.

40. **Captain BALFOUR** asked the Minister of Transport whether he is aware of the difficulty to motorists in telling whether traffic lights are registering green, amber, or red when, in certain lights, the sun is shining straight on the glass colour faces; and whether he will consider an auxiliary arm indicator to work in conjunction with the lights, as is used in the United States of America, or some other means to overcome this difficulty?

Mr. HORE-BELISHA: If my hon. Friend will give me the location of any particular installation of signals where such difficulty arises, I will have the signals inspected at once.

Captain BALFOUR: Is the hon. Member aware that this difficulty can occur at any of the traffic lights under certain conditions in sunlight? Will he ride down the Great West Road about midday on a bright sunny day, and he will be unable to see whether the lights are registering amber, green or red, unless he stops the car?

Mr. HORE-BELISHA: There are, unfortunately, difficulties in the way of the complete success of any system, but I do not think that the difficulty is as widespread as my hon. and gallant Friend thinks.

48. **Mr. SIMMONDS** asked the Minister of Transport whether he will arrange for a suitable sign to be erected at all road junctions which are controlled by a police officer and where a free left turn is permitted?

Mr. HORE-BELISHA: A special form of road marking is authorised for use where filtration is permitted, and, further, police normally indicate to drivers where a left-hand turn is permitted. If my hon. Friend has any particular junctions in mind and will let me know of them, I will at once have further inquiries made.

Mr. SIMMONDS: Will the Minister bear in mind that where there are traffic lights there is always an arrow pointing to the left, but that where police officers are standing on duty motorists do not realise that a free left is still open, and block the highway.

MOTOR INSURANCE.

41. **Mr. BURNETT** asked the Minister of Transport whether he will take steps so to amend the regulations with regard to the insurance of motorists against third-party risks that insurance companies in a state of insolvency are debarred from continuing to accept premiums?

Mr. HORE-BELISHA: Immediately the court orders an insurance company to be wound up on grounds of insolvency, it becomes unlawful for the company to accept premiums. I have no power by regulation to alter the statutory provisions as to authorised insurers, but I would refer my hon. Friend to the answer given by my right hon. Friend, the President of the Board of Trade, on 19th February to the hon. Member for Westhoughton (Mr. Rhys Davies) of which I am sending him a copy.

Mr. THORNE: Does the hon. Member not think that the remedy for this defect is for the Government themselves to set up an insurance scheme?

FORTH BRIDGE SCHEME, QUEENSFERRY.

42. **Mr. BURNETT** asked the Minister of Transport whether in any scheme for a road bridge across the Forth at Queensferry, steps will be taken to plan the bridge-heads in respect of their approaches pari passu with the development of designs?

Mr. HORE-BELISHA: Yes, Sir.

43. **Mr. BURNETT** asked the Minister of Transport whether, before any steps are taken to carry out the project for the building of a road bridge across the River Forth at Queensferry, steps will be taken to consult the Royal Fine Arts Commission for Scotland with regard to the design of the bridge?

Mr. HORE-BELISHA: Yes, Sir.

CANALS AND WATERWAYS.

46. **Mr. TINKER** asked the Minister of Transport how many miles there are of waterways, canals, etc., that were formerly used for carriage of goods that are no longer used and have fallen into disuse; and whether his department have any plans in consideration of what shall be done with them?

Mr. HORE-BELISHA: I regret that I am unable to state what mileage of canals or inland waterways, which have at some time been used for the carriage of goods, are no longer used. In cases where waterways have ceased to be used for navigation, they are often required for drainage purposes, but otherwise their utilisation or disposal is a matter primarily for the owners of the site.

Mr. TINKER: Seeing that canals now are passing out altogether, could not some department make an examination in order to see what could be done with them?

Mr. EVERARD: Will the Minister of Transport bear in mind before doing anything in this matter that this water is very valuable to agriculturists who live alongside the canals.

EAST LONDON RAILWAYS (ELECTRIFICATION).

31. **Mr. HUTCHISON** asked the Minister of Transport whether the decision of the railway companies serving East London against electrification on the ground that it would not be a profitable investment is accepted as final by the London Passenger Transport Board?

Mr. HORE-BELISHA: I am informed by the London Passenger Transport Board that while they are in agreement with the railway companies serving East London that owing to the great cost of widening the track, and the character of the traffic to be carried, it would not be a profiable investment to electrify the railways, the whole problem is having the careful consideration of the Standing Joint Committee.

MOTOR VEHICLES (ADVERTISING).

32. **Mr. HUTCHISON** asked the Minister of Transport whether he will consider redrafting the regulation issued under the London Traffic Act, 1924, which prevents the use of motor vehicles for the purposes of advertisement, in order to make it clear that it applies only to such vehicles which, by reason of their special construction or conduct, cause danger or obstruction to other traffic?

Mr. HORE-BELISHA: The Regulations to which my hon. Friend refers provide that in the area within three miles of Charing Cross and in certain specified important thoroughfares outside that area, within the Metropolitan Police District, no person shall drive a vehicle either wholly or

mainly for the purposes of advertising. I am informed by the Commissioners of Police that proceedings are taken only when the vehicles appear to be likely to be a source of danger or to cause obstruction to traffic.

Sir PERCY HARRIS: Does that statement apply to vans used for electioneering purposes?

ELECTRICITY SUPPLY.

25. **Miss WARD** asked the Minister of Transport what representations he has received from local authorities deprecating their lack of control over the erection or installation of high-tension electrical devices?

Mr. HORE-BELISHA: If my hon. Friend will give me information as to what high-tension electrical devices she has in mind I shall be very pleased to make inquiries.

33. **Mr. STOURTON** asked the Minister of Transport whether his attention has been called to the wide variation between 3d. and 8d. per unit charged for light by the electricity companies in the Metropolitan area; and whether, in the public interest, it is proposed to take steps to bring pressure upon the companies concerned to secure uniformity in charges to the consumer?

Mr. HORE-BELISHA: I am aware of the lack of uniformity between electricity supply undertakings both municipal and company as to methods and amount of charges throughout the Metropolitan area, although I am not aware of any electrical company undertaking in this area whose charges for lighting alone are either so high or so low as those refered to by my hon. Friend. I should welcome in the public interest as wide a measure of uniformity as practicable, although, of course, it must be realised that charges in any particular case must depend on the nature of the demand and financial position of the undertaking.

Mr. STOURTON: Is my hon. Friend aware that we lag behind other European countries in electricity consumption because cheap current is not made available to the public?

Mr. WISE: Is the hon. Gentleman aware that some consumers on one side of a street are charged 3d. while consumers on the other side are charged 50 per cent. more, and that the only difference in the supply is that one is municipal and the other comes from a private company?

Sir P. HARRIS: Cannot the Electricity Commissioners use their powers to bring about uniformity?

Mr. HORE-BELISHA: No, not in this case.

Mr. MAXTON: Is it not time the Minister took steps to enlarge his powers in this matter?

NAVAL AND MILITARY PENSIONS AND GRANTS.

50. **Mr. GUY** asked the Minister of Pensions the number of Scottish war-pension cases which were remitted to an independent medical specialist during the year covered by the last annual report?

The MINISTER of PENSIONS (Major Tryon): Two Scottish cases were so referred during the year ended 31st March last.

Mr. GUY: Will the Minister of Pensions consider extending the use of this independent medical inspection to every case?

Major TRYON: The year to which the hon. Member refers appears to have been altogether exceptional. Over 100 Scottish cases have been referred to these independent specialists, and we are making use of them wherever desirable.

51. **Mr. GUY** asked the Minister of Pensions the total number of appeals which were heard by the pensions appeal tribunals during the year covered by the last annual report; and in how many cases the appeals were successful?

Major TRYON: The total number of appeals heard was 964, of which 227 were successful.

52. **Brigadier-General NATION** asked the Minister of Pensions whether he is aware that Annie Earl, of 10, Florence Avenue, Hull, daughter of the late Gunner John William Earl, No. 118603, Royal Garrison Artillery, who was killed in action in July, 1918, has, since birth,

[Brigadier-General Nation.]
suffered from mental deficiency and is permanently and totally incapable of contributing towards her own support; and whether, having regard to this fact, he will authorise the re-issue of war orphan's allowance, or, alternatively, will he apply to the Treasury for special sanction?

Major TRYON: The reasons which preclude me from authorising the re-issue of the allowance which ceased under the terms of the Royal Warrant when the young person referred to reached the age of 21 years, were explained in the reply which I gave on the 5th February to the hon. Member for Rhondda, East (Mr. Mainwaring), of which I am sending my hon. and gallant Friend a copy.

Mr. SMEDLEY CROOKE: Will the hon. and gallant Member consider the latter part of the question and obtain from the Treasury discretionary powers to enable him to continue allowances in these distressing cases, as he does in a similar type of cases where the mother is also dead?

Major TRYON: I refer the hon. Member to the answer I gave to him on that point quite recently.

TRADE AND COMMERCE: ITALY (BRITISH MOTOR-CYCLES).

53 and 54. **Captain STRICKLAND** asked the President of the Board of Trade (1) whether he is aware that the Italian Government has imposed a quota of 25 per cent. of the normal trade on British motor-cycles and motor-cycle parts imported into that country; and whether that 25 per cent. is to be subject to the recent heavy increase in import duties?

(2) on what date his Department first received information of the intention of the Italian Government to increase the duties and to impose a quota on British motor-cycles and motor-cycle parts; what steps have been taken to assist the industry; and with what result?

Lieut.-Colonel J. COLVILLE (Secretary, Overseas Trade Department): The first intimation of the Italian Government's decree increasing the duties on motor-cycles and motor-cycle parts was received by the Board of Trade on the 29th December, 1934. A request for the admission at the previous rate of duty of motor-cycles and parts en route at the date of the increase was made to the Italian Government, but they did not see their way to agree. Under the Italian decree of 16th February last, quotas were imposed on practically all goods imported into Italy as from 19th February. In the case of motor-cycles and parts the quota up to the 31st March is 25 per cent. of the imports in the corresponding period of last year. The increased import duties will apply to all imports of the goods in question which fall within this permitted percentage. The whole question of the new import restrictions is being actively pursued with the Italian Government.

Captain STRICKLAND: May I ask whether the hon. and gallant Member is perfectly satisfied that there has been no discriminatory tariff in this connection, and whether he also realises that a loss of 75 per cent. in trade is a very serious matter to such cities as Coventry?

Lieut.-Colonel COLVILLE: The loss of trade is a serious matter. As regards discrimination, if the hon. and gallant Member will refer to the answer given by the President of the Board of Trade yesterday, he will see that this matter is under examination, and in the event of there being discrimination active steps will be taken.

JAMES AND SHAKESPEARE, LIMITED (INQUIRY).

55. **Mr. MANDER** asked the President of the Board of Trade whether he will represent to the liquidators of James and Shakespeare, Limited, the desirability of investigating the circumstances under which speculators in the tin gamble spent upwards of £2,000,000 in attempting to corner shellac and accumulated 300,000 cases of lac, four or five years' supply; and to what extent they were knowingly supported by the banks in doing this?

The PARLIAMENTARY SECRETARY to the BOARD of TRADE (Dr. Burgin): The attention of the Official Receiver will be drawn to the matters referred to by my hon. Friend.

CUMBERLAND MARKET ESTATE (RENTS).

58. **Mr. MITCHESON** asked the Minister of Agriculture the minimum rent, exclusive of rates, being asked for the

three- and four-room flats on the Cumberland Market Estate, St. Pancras?

The MINISTER of AGRICULTURE and FISHERIES (Mr. Elliot): The minimum rents, exclusive of rates, paid in respect of three and four-room flats on the Cumberland Market Estate are 12s. 6d. and 15s. 1d., respectively.

59. **Mr. MITCHESON** asked the Minister of Agriculture the number of four-room flats now vacant on the Cumberland Market Estate, St. Pancras?

Mr. ELLIOT: There are twelve four-room flats now vacant, all at Windsor House, but arrangements have recently been made with the St. Pancras Borough Council which it is anticipated will result in the gradual letting to approved tenants nominated by the council of any vacant flats not required by old tenants on the Crown Estate.

CHWILOG WATER SUPPLY (INQUIRY).

60. **Major OWEN** asked the Minister of Health why it has been found necessary to associate the Ministry's general inspector for Wales with the engineering inspector appointed to hold the inquiry on the 12th March next into the scheme for a water supply for the village of Chwilog, Carnarvonshire?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): This arrangement has been made to meet the wishes of the local authority for a Welsh-speaking inspector, and will no doubt commend itself to the hon. and gallant Member.

Major OWEN: Is it not a fact that out of 18 engineering inspectors employed by the Ministry not one of them has any knowledge of the Welsh language and that in consequence an unofficial inspector, a highly paid individual, has had to be employed for the whole day on this particular work, spend two days travelling there and back, thus involving the country in a much larger expenditure than is actually necessary?

Mr. SHAKESPEARE: It is quite exceptional for the Ministry to have a demand for a Welsh speaking engineering inspector. In the last few years we have tried to find engineering inspectors who can speak Welsh wherever a vacancy has occurred, but not one with the suitable technical experience has so far been found.

Major OWEN: I can find the hon. Member a dozen engineering inspectors with a knowledge of the Welsh language who are quite fit to carry on this work. Is it not a fact that it is part and parcel of the policy of the departments in London to ignore the wishes of the Welsh people, with the result that in every case additional expenditure is placed on the taxpayers of this country?

Mr. SHAKESPEARE: I never said that there were no engineering inspectors with suitable qualifications. All I said was that engineering inspectors have not applied when vacancies occur. We are anxious to appoint one if the hon. and gallant Member can find one.

Major OWEN: Will the Parliamentary Secretary give me instances where vacancies have been made public and where no applications have been received from Welsh speaking inspectors?

Mr. SHAKESPEARE: There were six occasions last year.

JUVENILE EMPLOYMENT.

61. **Viscountess ASTOR** asked the Secretary of State for the Home Department whether in view of the influx of juveniles into the labour market, he can offer any prospect of legislation to control the hours and conditions of work of the 300,000 juvenile workers left outside the scope of the Shops Act, 1934?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): I am afraid that no such legislation will be practicable during the current Session, and I am not in a position to make any further statement at present. I can, however, assure the Noble Lady that the matter has not been and will not be overlooked.

Viscountess ASTOR: Will the right hon. Gentleman bear in mind that when we were in Committee on the Children Bill the Government practically promised that they would bring in legislation to deal with this matter. There are 300,000 of these juveniles in unregulated trades, some working as many as 74 hours per week. Will he also remember that the House is in favour of dealing with these

[Viscountess Astor.]
children and that there is a moral obligation on the Government to deal with the matter.

Sir J. GILMOUR: I have tried to make it clear to the Noble Lady that these matters are under consideration. I cannot make any definite statement regarding it, but I can assure the hon. Member that the matter is under consideration.

Viscountess ASTOR: It has been under consideration for at least five years.

Mr. LAWSON: Is the right hon. Gentleman aware that employers can always get the better of regulations unless there is a strong trade union to look after them.

Viscountess ASTOR: What a thing to say.

JUVENILE OFFENDERS.

62. **Mr. TURTON** asked the Home Secretary whether he will issue a circular to all benches of magistrates to the effect that, when a child is charged jointly with an adult, the provisions of the Children and Young Persons Act of 1933 relating to proceedings in court shall be observed?

Sir J. GILMOUR: If my hon. Friend will let me know what particular provisions he refers to, I will consider his suggestion.

Mr. TURTON: May I ask whether the right hon. Gentleman does not think it a grave anomaly that if a child is charged with an offence the name and address is not given, while if the child is charged jointly with an adult there is no check upon publicity?

UNEMPLOYMENT (LAND DRAINAGE SCHEMES, WORCESTERSHIRE).

63. **Sir JOHN WARDLAW-MILNE** asked the Minister of Labour whether his attention has been drawn to the land drainage schemes which have been carried out in the past three years by the Worcestershire County Council for the relief of unemployed agricultural labourers; and whether it is his intention to put the Unemployment Assistance Board in a position to make a grant to the council to enable these valuable schemes to be continued?

The PARLIAMENTARY SECRETARY to the MINISTRY of LABOUR (Mr. R. S. Hudson): I understand that the Worcestershire County Council have been in correspondence with the Unemployment Assistance Board on this subject, and that it is hoped that arrangements will shortly be made for the matter to be discussed between representatives of the council and the board's officers.

Sir J. WARDLAW-MILNE: Does not the hon. Member agree that very valuable work has been done by the main drainage committee of the county council?

Mr. HUDSON: Yes, but the persons engaged on this work belong to a class which would only come under the care of the Unemployment Assistance Board on the second appointed day. Owing to the postponement of the second appointed day the matter is not one of urgency.

Mr. LAWSON: Is it a fact that the Unemployment Assistance Board are giving money grants to land drainage schemes?

Mr. HUDSON: No, Sir.

HIS MAJESTY'S SILVER JUBILEE.

45. **Mr. T. SMITH** (*for* **Mr. GRUNDY**) asked the Prime Minister whether it is the intention of the Government to take steps, in cases where the employers do not, or cannot, pay the day's wages for the Jubilee day holiday, to assist the workpeople by payment of their wages so as to prevent hardship or privation owing to the loss of such income?

The LORD PRESIDENT of the COUNCIL (Mr. Stanley Baldwin): No, Sir. I am afraid that the Government cannot accept this proposal.

SCOTLAND (FISHERY VESSELS).

56. **Mr. LEONARD** (*for* **Mr. MACLEAN**) asked the Secretary of State for Scotland whether he can state the number of junior officers in the employ of the Scottish Fishery Board who possess a master's certificate?

The SECRETARY of STATE for SCOTLAND (Sir Godfrey Collins): There are 10 officers below the rank of commander

in the employment of the Fishery Board for Scotland who hold Masters' certificates.

57. **Mr. LEONARD** (*for* **Mr. MACLEAN**) asked the Secretary of State for Scotland whether he is aware that the Fishery Board is re-employing a captain who had already retired from the service of the Fishery Board as captain of one of the drifters which the board has commissioned as an additional cruiser; and whether he can state the period he has been so re-employed, and why none of the junior officers employed on the cruisers of the Fishery Board who holds a master's certificate was promoted to this position?

Sir G. COLLINS: A retired officer of the Fishery Board for Scotland has been re-employed since December, 1933, to command one of the four vessels which have been temporarily hired for fishery protection duty. The remaining three hired vessels are commanded by officers detached from service with the regular cruisers; and in the existing circumstances the withdrawal of another experienced officer from the regular cruisers was not considered to be in the best interests of the fishery protection service.

Mr. LEONARD: Will the right hon. Gentleman state why one of the 10 officers referred to was not promoted to the position of commander of the ship?

Sir G. COLLINS: We had regard to the capabilities of all the different officers. The one who is referred to in the question is not drawing any pension.

Mr. LEONARD: Does that mean that some of these officers who have a captain's certificate are not capable of being captains?

Sir G. COLLINS: I would not like to say that they were not capable of being captains. That would be a reflection on them. It would be drawing too much upon the present officers in the fishery service if we chose four for these temporary duties. The matter was fully considered before the appointment was made.

MEAT IMPORTS (GOVERNMENT POLICY).

Mr. HASLAM (*by Private Notice*) asked the Secretary of State for Dominion Affairs whether his attention has been called to the recent announcement by the acting Prime Minister of the Commonwealth of Australia regarding the proposals made by His Majesty's Government in Great Britain to His Majesty's Government in the Commonwealth as to imports of meat into the United Kingdom, and whether he is prepared to make a statement on the subject?

The SECRETARY of STATE for DOMINION AFFAIRS (Mr. J. H. Thomas): Owing to a misunderstanding the suggestions as to future policy in regard to the importation of meat which His Majesty's Government in the United Kingdom recently communicated to the Commonwealth Government and to the other Governments concerned have been interpreted by the Commonwealth Government as including the maintenance of the restrictions upon foreign imports of meat laid down in the Ottawa Agreements, whereas what His Majesty's Government in the United Kingdom had desired to convey was that they were prepared to agree, by general consent of those Governments that all restrictions upon the importation of meat should be removed and the position of the United Kingdom producer should be safeguarded by a levy upon all imports of meat with a preference to the Dominions. It is regretted that a misunderstanding should have occurred, but I am sure it will be agreed that a discussion as to the causes of that misunderstanding would be profitless. The important thing is that it has now been cleared up. In order that the House may be fully informed as to the suggestions now under consideration and as to the reasons which prompted His Majesty's Government in the United Kingdom to make them, a White Paper on the subject will be laid before the House forthwith.

Sir R. HAMILTON: When the right hon. Gentleman uses the word "levy" does he mean "duty"?

Mr. THOMAS: My hon. Friend will be able to see the exact situation set out in detail in the White Paper that will be available.

Mr. THORNE: Does that statement come into conflict with the views of the right hon. Gentleman the Minister of Agriculture?

Mr. THOMAS: On the contrary, it shows the unanimity of the Government on the matter.

Sir P. HARRIS: Has the right hon. Gentleman consulted the President of the Board of Trade about this levy, seeing that the President of the Board of Trade gave a pledge to the electors that he would not agree to a tax on meat?

Mr. THOMAS: The White Paper, which I am sure that the hon. Baronet will read with profit, includes the views of the President of the Board of Trade.

Mr. MANDER: Is it the same kind of unanimity as exists between the Prime Minister and the Foreign Secretary?

GERMANY (MINISTER'S VISIT).

Mr. LANSBURY (*by Private Notice*) asked the Secretary of State for Foreign Affairs whether he has any statement to make as to the postponement of his visit to Berlin?

Sir J. SIMON: The German Foreign Secretary informed His Majesty's Ambassador in Berlin yesterday that the German Chancellor, having caught cold during his visit to the Saar, was suffering from great hoarseness and that on his doctor's orders the conversations arranged to take place this week with British Ministers in Berlin would therefore, to the German Government's great regret, have to be postponed to a later date.

Mr. LANSBURY: Is there any idea as to when the meeting will take place?

Sir J. SIMON: I am in communication with the German Government on the subject.

Mr. LANSBURY: On that point, would the Foreign Secretary advise his colleagues to withdraw the White Paper until after the conversations?

Sir J. SIMON: No, Sir. Certainly not. I can hardly imagine that anyone would wish to take seriously the suggestion that if you have a statement to make you should reserve it until after the conversations.

Mr. LANSBURY: Arising out of that, may I ask the right hon. Gentleman whether he really thinks that it is conducive to friendly negotiation to issue so unfriendly a document as that which the Prime Minister initialled?

Sir J. SIMON: That is a matter which will, I dare say, come under discussion on another occasion.

Mr. COCKS: Will the right hon. Gentleman take this opportunity of visiting Moscow, where they have not lost their voices?

WRITTEN ANSWERS.

ROYAL NAVY.

TUBERCULOSIS.

Mr. PIKE asked the First Lord of the Admiralty the latest statistics of tuberculosis among members, all ranks, of His Majesty's Navy, the numbers of cases in which the disease was decided to have been latent upon enlistment, and the numbers that have contracted the disease while serving; and what steps are being taken to counteract a spread of the disease before and after contraction?

Sir B. EYRES MONSELL: The latest available statistics are for the year 1933. In that year there were 176 cases of tuberculosis in the Royal Navy. With present medical knowledge, it is not possible to differentiate between cases latent upon enlistment, and those contracted while serving. Methods employed to prevent the occurrence of the disease include constant medical inspection of naval personnel, physical training, instruction in personal hygiene, supervision of living accommodation, diet and ventilation, and regulation of the temperature of His Majesty's ships. In order to prevent the spread of the disease after contraction, all cases of tuberculosis are taken to hospital and the usual processes of disinfection are carried out in the ship or establishment concerned.

BOY RECRUITS (MEDICAL REJECTIONS).

Mr. PIKE asked the First Lord of the Admiralty the number of boy naval recruits for the year ended 31st December, 1934, whose applications were accepted compared to those rejected; and the reasons given by His Majesty's medical

advisers to the Admiralty for such rejections?

Sir B. EYRES MONSELL: The total number of applications was 13,894, and the number required and entered was 3,063. Of those who were not entered, the number rejected on medical examination was 1,940. The list of reasons for the medical rejections is appended. Defective vision and defective teeth accounted for considerably over half the number.

Under standard		51
Poor physique		61
Disease of heart (organic) ...		11
Disease of heart (functional) ...		88
Tachycardia		6
Defective vision	558	
Defective colour vision ...	272	
Defective teeth	261	
		1,091
Defective speech		10
Disease of skin		12
Disease of ears		74
Disease of eyes		3
Disease of lungs		3
Disease of glands		6
Hernia		29
Flat feet		70
Knock knees		70
Varicose veins		16
Pyorrhoea		13
Enlarged tonsils		102
Phimosis		28
Bronchitis		14
Hammer toes		13
Old operations		2
Old injuries		7
Deformities		26
Spinal curvature		8
Undescended testicle		5
Hydrocele		11
Varicocele		33
Incontinence of urine		10
Haemorrhoids		2
Albuminuria		23
Other defects		42
Total		1,940

CHINA.

Captain ERSKINE-BOLST asked the Secretary of State for Foreign Affairs whether the British Government still regard as valid the policy of the Consortium in relation to China?

Sir J. SIMON: Yes, Sir.

GOVERNMENT DEPARTMENTS.

MINISTRY OF HEALTH (MECHANISED METHODS).

Mr. WILMOT asked the Minister of Health to what extent machines have been substituted for hand clerical labour in his Department; and what is the estimated annual saving deriving from the substitution, allowances being made for the purchase and/or renting of machines, maintenance thereof, and material used in connection therewith?

Sir H. YOUNG: Apart from typewriting and neostyling machines, 118 machines of various types are used in my Department in substitution for hand clerical labour. Forty-four of these are calculating and adding machines and most of the remainder are punching, sorting, duplicating and addressing machines. I fear that it would be quite impossible to arrive at even an approximately accurate estimate of the annual saving due to the use of these machines.

UNESTABLISHED GRADES (GRATUITIES, RETIREMENT).

Sir H. JACKSON asked the Financial Secretary to the Treasury whether he will give early and favourable consideration to the recommendation of the Tomlin Commission to the effect that members of the "P" class and "PU" class and of the temporary clerical and typing classes who have been debarred from admission to the established grades on age grounds should receive gratuities on retirement at the rate of two weeks' pay for each year of service?

Mr. COOPER: This recommendation by the Royal Commission on the Civil Service referred to members of the classes in question who were debarred on age grounds from admission, not to the established grades, as stated by my hon. Friend, but to the contributory Superannuation Scheme B, which the commission suggested for these classes. The proposal to bring these classes under a contributory superannuation scheme was not adopted by His Majesty's Government. Instead, subject to certain conditions, they were established under the non-contributory superannuation system applicable to established civil servants in general. It follows that those of them who were over age for establishment must be dealt with like other unestab-

lished civil servants, for whom the Royal Commission did not recommend any change in regard to retiring gratuity, and the individuals concerned were notified accordingly on appointment to the appropriate permanent grade in an unestablished capacity.

COASTAL TRAFFIC (MOTOR VESSELS).

Mr. T. MORRIS asked the President of the Board of Trade how many motor-driven coastal vessels have been constructed in the shipbuilding yards of this country in each of the last three years; and whether he has any information as to the extent to which the coastal traffic on the East Coast is being captured by Dutch vessels of this type specially built to operate in our waters?

Dr. BURGIN: The number of motor vessels between 100 and 1,000 gross tons constructed in this country in each of the last three years is as follows:

1932	12
1933	16
1934	26

Dutch vessels competing in the coastal traffic of the east coast amount to less than 1 per cent. of the tonnage operating in that trade.

TRADE BALANCES.

Mr. LYONS asked the President of the Board of Trade whether he can give the respective balances of trade with all countries with which agreements have been negotiated since the dates thereof up to the nearest convenient time?

Dr. BURGIN *pursuant to his reply* [OFFICIAL REPORT, 13th February, 1935; col. 1926, Vol. 297], *supplies the following statement:*

The following Table shows the total declared value of merchandise imported into and exported from the United Kingdom in trade with the undermentioned countries during the periods specified, together with the balance of imports or exports.

Country from and to which consigned, date on which the Trade Agreements came into force, and period to which the figures relate.	Imports into the United Kingdom.	Total Exports from the United Kingdom.	Excess of Exports (+) or Imports (—).
	£'000	£'000	£'000
Germany (8th May, 1933):			
April, 1933—December, 1934	53,803	41,391	(—) 12,412
Denmark (20th June, 1933):			
July 1933—December, 1934	51,020	20,444	(—) 30,576
Iceland (28th June, 1933):			
July, 1933 –December, 1934	377	956	(+) 579
Sweden (7th July, 1933):			
July, 1933—December, 1934	27,731	14,255	(—) 13,476
Norway (7th July, 1933):			
July, 1933—December, 1934	12,075	9,710	(—) 2,365
Argentina (8th November, 1933):			
October, 1933– December, 1934	56,210	18,313	(—) 37,897
Finland (23rd November, 1933):			
October, 1933—December, 1934	18,893	5,043	(—) 13,850
Soviet Union (21st March, 1934):			
January—December, 1934 (*a*)	17,277	7,563	(—) 9,714
France (1st July, 1934):			
July—December, 1934	10,017	10,519	(+) 502
Lithuania (12th August, 1934):			
October—December, 1934	360	302	(—) 58
Estonia (8th September, 1934):			
October—December, 1934	367	233	(—) 134
Latvia (12th October, 1934):			
October—December, 1934	669	354	(—) 315

(*a*) Figures for the whole year have been given, as an essential feature of the Agreement was the regulation of the balance of payments during calendar years commencing 1st January, 1934.

Note:—Particulars of the trade with the Netherlands have not been included, as the Agreement with that country, which came into force on 1st August, 1934, was confined to the stabilisation of quotas.

EXECUTIONS.

Mr. RHYS DAVIES asked the Home Secretary the names and ages of persons executed in England and Wales during the year 1934; and the dates on which and the prisons at which each execution took place?

Sir J. GILMOUR: The particulars are as follow:

Name.	Age.	Date of Execution.	Prison.
Gregory, Roy	28	3rd January ...	Hull.
Brown, Ernest...	35	6th February ...	Leeds.
Hamilton, Lewis	24	6th April ...	Leeds.
Hinks, Reginald Ivor...	32	3rd May	Bristol.
Parker, Fredk. Wm.	24	4th May	Wandsworth.
Probert, Albert	26	4th May	Wandsworth.
Tuffney, Harry	36	9th October ...	Pentonville.
Stockwell, John	19	14th November ...	Pentonville.
Major, Ethel Lily	40	19th December ...	Hull.

FOREIGN AIR TRANSPORT COMPANIES.

Mr. SIMMONDS asked the Under-Secretary of State for Air the number of foreign European air lines using British and the number using American air liners?

Sir P. SASSOON: On 31st December last, four foreign air transport companies in Europe were using British aircraft and two were using United States aircraft.

ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee. [SEVENTH DAY—*Progress 5th March.*]

[Sir DENNIS HERBERT in the Chair.]

CLAUSE 16.—(*Advocate-General.*)

3.42 p.m.

Mr. SPENS: I beg to move in page 10, line 5, at end to insert:

"Provided that such person is a barrister of England or Northern Ireland of at least ten years standing or a member of the Faculty of Advocates in Scotland of at least ten years standing, or has been for at least ten years a pleader of a High Court in British India or in a Federated State or of two or more of such courts in succession."

This Amendment proposes to insert a proviso to the effect that the same qualifications shall apply in the case of the Advocate-General as those which apply to judges of the Federal Court. The Amendment seems to be necessitated by the fact that at the end of Sub-section (2) it is provided, quite rightly, that the Advocate-General is to have the right of audience in all courts in British India and in any Federated State. There are two grounds on which I suggest that, in those circumstances, the Advocate-General should have these qualifications. In the first place the right of audience in the courts is as jealously guarded in India as it is in this country. It follows that associations of persons who are entitled to the right of audience in the courts in India will look carefully into this Clause and if it remains as it stands they will find that any person irrespective of qualifications can be appointed Advocate-General—though of course no one could imagine the appointment of a wholly unqualified person. But they will naturally desire that qualifications at least similar to those of a judge of the Federal Courts should be inserted in the Clause.

There is a further and a much more important point. It is a trite saying that federalism always means legalism. Every federal constitution carries in its train constitutional questions of great importance. The Federal Constitution contemplated in the Bill will, as much as, if not more than every other Federal Constitution in this Empire involve such questions. The Bill proposes that those who are to deal with the solution of those constitutional questions when they arise, namely the judges of the Federal Court, must have certain legal qualifications. I submit that prevention is better than cure and as the Governor-General will be dependent on the legal advice of the Advocate-General in taking steps in many cases to prevent these questions from arising at all, it is most important that he should be properly advised. I suggest that it is a necessary precaution to provide that the Advocate-General must at least have the same qualifications as the judges who are to deal with these questions when they have arisen.

3.44 p.m.

The SOLICITOR-GENERAL (Sir Donald Somervell): We are grateful to my hon. and learned Friend for having put down this Amendment. For the reasons which he has given, we agree that it is desirable that the qualifications for this post should be specially inserted in the Bill. If he will be satisfied with that undertaking for the present, we would like to consider further the exact form of words to be employed, and also whether the qualifications for the office of federal judge should be followed literally in this case. We will, however, undertake to put in qualifications on the lines of his Amendment at a later stage.

Mr. SPENS: While thanking the hon. and learned Gentleman may I express the hope that the qualifications will not be less than those required for the judges of the Federal courts. It seems to me that the importance of the Advocate-General is almost greater than that of the judges who will have to deal with these questions when they have arisen. On the hon. and learned Gentleman's undertaking I beg leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

3.45 p.m.

Sir REGINALD CRADDOCK: I beg to move, in page 10, line 9, after the word "him," to insert "by the Governor-General."

The object of this Amendment is to make clear that the duties of the Advocate-General shall be assigned to him by the Governor-General.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): I am quite willing to accept this Amendment.

Amendment agreed to.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

3.46 p.m.

Mr ATTLEE: We had an Amendment down to this Clause to leave out Sub-section (4), but as that Amendment has not been called, I would like to draw the attention of the Committee to the point involved. It relates to the dismissal and appointment of the Advocate-General being absolutely in the power of the Governor-General. In our view there is no reason why the Advocate-General should not be appointed by the Governor-General on the advice of his Ministers. We see no reason why this official should be something apart from the Government. I take it that his duties are not wholly different from those of the Law Officers of the Crown in ths country who form part of the Government of the day. Before we pass from this Clause I should like to hear from the Secretary of State why it was considered necessary that the Advocate-General should be appointed by the Governor-General acting on his individual judgment.

3.48 p.m.

Major MILNER: I would point out that the Advocate-General is the Advocate-General of the Federation, that is to say, he is acting for the Government of India and is, in no sense, the personal adviser of the Governor-General. As my hon. Friend has pointed out, he is like the Attorney-General or the Solicitor-General in this country; he is the legal adviser to the Government. It is, therefore, for the Government to exercise the powers set out in this Clause. Furthermore, with regard to Sub-section (4), we take exception to what has so frequently been described as government from Whitehall. The phrase, "the Governor-General shall exercise his individual judgment" means in effect, according to Clause 14, that the Governor-General shall be under the general control of, and comply with the directions, if any, which may from time to time be given to him by, the Secretary of State. Therefore, the position is that this officer, who gives advice to the Government and not to the Governor-General, is to have his appointment made and determined and his remuneration fixed by the Secretary of State in this country.

In the short time that I was in India, as I think I have already stated, one of the strongest points made by those Indians to whom I spoke was that they might not have much objection to a Governor-General provided by this country, but that they had the strongest objection to India being governed from Whitehall. Here is a typical instance where that will continue in the future as in the past. The matter of the appointment of an Advocate-General is not a very important one, and surely it might well be left to the Governor-General to act upon the advice of his Ministers and it ought not to be in the last resort the prerogative of the Secretary of State in this country, who cannot possibly have the local or the particular knowledge which the Governor-General personally may have. Unless the Solicitor-General can satisfy us, I think we must take objection to this Clause.

3.52 p.m.

Major-General Sir ALFRED KNOX: I understand that the Advocate-General is a new appointment, because at present these duties are carried out by the Advocate-General in Bengal, and I want to know where provision is made for a salary for this new appointment. Is it included in the £520,000 that we are told is to be the extra cost of Federation?

Major MILNER: May I add that the remuneration of this officer is paid for, not by this country, but by India and the Indians, and for that additional reason, in our view the Government of India should have the say as to his appointment, dismissal, and remuneration.

3.53 p.m.

The SOLICITOR-GENERAL: If I may deal first with the question put by my hon. and gallant Friend the Member for Wycombe (Sir A. Knox), I think it would be so included, but I have not all the items before me. It is quite right to say that at present the Advocate-General in Bengal acts as Advocate-General to the Central Government, and under this scheme there will be an Advocate-General for the Federal Government as well as an Advocate-General for Bengal. There

[The Solicitor-General.]

will, therefore, be two offices. In the part of this Clause referred to by the hon. Member for Limehouse (Mr. Attlee) and the hon. and gallant Member for South-East Leeds (Major Milner), we are following the recommendation of the Joint Select Committee, which says, with regard to the Federal Advocate-General:

> " Here also we think it essential that the Advocate-General should hold his office on a settled tenure and should have no political associations with the Federal Ministry."

Therefore, I think it was under some misconception of the position that my hon. Friend referred to him as performing functions similar to those of the Law Officers here. No doubt he will perform functions performed by Law Officers here, but he will have no political affiliation with the Ministry, and so far as Ministers require a law officer in the political sense, that is to say, a man who will assist them in their Bills and political work, he will not be the Advocate-General, but he will be a different individual who will assist them in their parliamentary work. Both hon. Members are right in saying that the Advocate-General will be the adviser of the Federal Government, but, of course, the Federal Government includes the reserved departments, and therefore he will advise the Governor-General and his councillors on those reserved departments with which the Ministry will not be concerned.

There is another point which is of importance. It being provided that this office shall go on even though the responsible Government may change, it is, of course, of the utmost importance that the person selected for it should be a person who will command the confidence of successive Governments. We do not anticipate that conflicts will always or necessarily ever arise, but having regard to those two facts, first, that he will advise as to the reserved departments, and, secondly, that it is of vital importance that we should have a man who will command the confidence of the successive Ministries, we have provided that the Governor-General will have the controlling voice in the unfortunate circumstances of any difference arising as to who should be appointed to the Ministry. The hon. and gallant Member referred to this as an example of government from Whitehall, but the Governor-General is on the spot and will know the people likely to be suitable for this office, and I should think it would be very unlikely that there will be any coercion by my right hon. Friend or any successor of his in this matter. I hope my hon. Friends will see their way to withdraw their objection to this Clause.

3.57 p.m.

Mr. HERBERT WILLIAMS: The Advocate-General has the right of audience in all courts in British India and in the Federated States, and that introduces rather a novel conception. I can imagine that some of the Princes might desire to exempt from their conditions on their accession the automatic right of the Advocate-General to appear in their courts. What is the intention of the Government should any Prince raise an issue of that kind?

The CHAIRMAN: I do not propose to prevent a short reply to that question, but it must not be debated at length.

The SOLICITOR-GENERAL: The issue never has been raised, and I do not think there is likely to be any objection such as my hon. Friend imagines.

Question put, and agreed to.

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 17.—(*Conduct of business of Federal Government.*)

3.58 p.m.

The SOLICITOR-GENERAL: I beg to move, in page 11, line 7, after " under," to insert " Sub-sections (2), (3) and (4) of."

This is a purely drafting Amendment. As the Clause stands, it might have been suggested that Sub-section (5), which says that in the discharge of his functions under the Clause the Governor-General shall act in his discretion after consulting with his Ministers, applied to Sub-section (1), which refers to all executive actions of the Federal Government. It is only intended to apply to Sub-sections (2), (3) and (4), and this Amendment makes that clear.

Mr. H. WILLIAMS: I do not understand why there must be consultation with the Ministers with regard to the matters raised in Sub-section (2). It does not seem to arise in that way, though

I understand the significance of the Amendment in respect to Sub-sections (3) and (4).

The SOLICITOR-GENERAL: Sub-section (2) is, in a sense, a procedural matter dealing with the ordinary business of the department, namely, "orders and other instruments made and executed." I think it is in the same category as the other two Sub-sections in that it is a matter on which you should be quite clear that the Governor-General has the final discretionary power, after consulting with his ministers.

Mr. WILLIAMS: But these rules may relate to reserved business, and I do not see why in reserved business he must act after consultation with his ministers.

Sir S. HOARE: I think it is inevitable that he should act in consultation with his ministers. After all, the business will not be in completely watertight compartments. It will be essential to consult with the Ministers as to how the rules should be drawn up. It does not in the least detract from the Governor-General's responsibility.

Mr. ANNESLEY SOMERVILLE: The words "in his discretion" usually mean that the Governor-General acts without consultation, but here it says "in his discretion after consultation."

Sir S. HOARE: Certainly, for the reasons I have just given.

Amendment agreed to.

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 18.—(*Constitution of the Legislature.*)

4.3 p.m.

Mr. ATTLEE: I beg to move, in page 11, line 15, to leave out from "and", to the second "the", in line 16, and to insert "a Chamber to be known as."

This Amendment is designed to deal with the proposal for two Houses at the centre. There are a good many reasons why we should not require two Houses at the centre. Let us first see what kind of a gathering together of legislators is proposed at Delhi for the Federation. It is proposed to have 260 members in an upper House, and 375 in a lower House—a collection of 635 legislators. That involves, necessarily, a great deal of expense. It also means that there is to be a smaller number in the lower House on account of the unnecessarily large number in the upper House. It might well be argued that for the representation of India you require 635 representatives at Delhi, but, in fact, by segregating them in two Houses, you are actually giving a smaller representation to the people of India. I am aware that in these Debates it is very unusual to talk about the people of India. We are generally talking about the Princes.

The total of 635 legislators is a very large number in any case, and when you look at the amount of business to be done at the centre you will find that it is extraordinarily small. The administrative field is very slight. Apart from finance, some Board of Trade business, a very indirect control of the railways, and some control over the Post Office, there is very little in the way of administration. The amount of business we are accustomed to see in this House under the proposed constitution is mainly relegated to the Provinces. There will, therefore, be 635 idle legislators, and I think it is generally regarded as a function of Satan to find work for idle hands to do. I suggest that if there are 635 legislators at the centre, they are going to be very idle, and probably very troublesome.

Then what reason can there be for having an upper House at all? It may be contended that it is desirable to get what is called representation of the stable and vested interests. All second Chambers, in my experience, are based on the idea of giving special weight either to vested interests, to conservatism or to old age. I do not intend to take up the time of the Committee in arguing with any Conservatives on the question of second Chambers, because it is a conservative institution, and Conservatives naturally support it. But I should hope to get some support from the Liberal benches, because in the past there have been great contests in the House on the question of the powers of an upper Chamber, notably in 1910. In spite of the complete silence of the Liberal representatives on this matter, I am hoping that, with their great enthusiasm for real representation at the centre, they may join with us against this second Chamber.

Mr. ISAAC FOOT: Will the hon. Gentleman take the opportunity, also, of

[Mr. Foot.]
showing the result of his action on indirect election? He has given a second Chamber a very much higher prestige, and has entrenched it as an example of capitalism.

Mr. ATTLEE: I have done nothing of the sort.. I should be quite out of order if, on this Amendment, I tried to discuss the question of direct and indirect election. I shall be perfectly willing to give my views when we come to the Amendment of the right hon. Member for Darwen (Sir H. Samuel), but I cannot understand why this extraordinary enthusiasm for direct election was not shown by the hon. Member on the subject of the second Chamber, because the second Chamber is to be indirectly elected, and that in a second degree, because the proposal is to form it from representatives elected by second Chambers in the Provinces. There are great reasons against this, but we had no support from the hon. Member. We also stood for the abolition of the second Chamber with no support from the hon. Member. He was perfectly prepared to swallow the representatives from the second Chambers in the Provinces, and they are going to be representative of vested interests. When we come to the unicameral Provinces, there is to be a special assembly of persons holding certain qualifications, and there is to be a sort of indirectly elected chamber, and then indirect election again to the Federal Legislature. These persons so indirectly elected are to join together with the representatives of the second Chambers to form this second Chamber.

The Liberal party in old times objected to the House of Lords, and endeavoured to curb their powers, but the powers of this second Chamber are to be far greater than those of the House of Lords. They are to have equal powers with the lower Chamber, and complete powers over finance, and, in the event of differences between the two chambers, there is a provision for a joint sitting. You are loading the central legislature with 104 representatives of the Indian States, and 156 representatives indirectly elected from the second Chambers, persons of wealth and vested interests. It is quite certain, therefore, that in this section of the central legislature you will have a completely conservative body. I have examined the conditions of many second Chambers in many parts of the world, but I do not think you can beat this for reaction.

The hon. Member below the Gangway is very interested in direct election. One of the difficulties of direct election at the centre is that of the very large constituencies. They would be smaller if there were a larger number. Therefore, if, instead of having the second Chamber, you enlarged your lower Chamber, you could have direct election without it being so greatly composed of the wealthy, as is inevitable in a large constituency. The hon. Member is quite content with 250 representatives in the lower House to be directly elected by constituencies about the size of Scotland, or perhaps Wales. I cannot argue that point at the moment, but it is an additional argument which I should have thought might induce the hon. Member to support the abolition of the second Chamber, as you would then, possibly, be able to enlarge the lower Chamber.

What, after all, is the object of the second Chamber? You are merely going to have representatives of the States sitting, it may be, with a certain alteration between the representatives of the States in the upper and lower Chambers which may be convenient, but, so far as I can see, there is no reason for any difference in the States' representatives as regards that side of the constitution. As far as the representation of British India is concerned, you are merely giving increased representation to the interests. This House has been very much concerned of late in discussing the question as to whether this Bill will be accepted by the Indian States, and very little concerned, as far as I can see, as to whether the Bill will be accepted by the Indian people. The arrangements at the centre are such as to make it certain that the live political movement in India will never get effective representation at the centre. Whether it is direct election or indirect election does not affect the matter, because in every case they are to be kept in check all the time by this second Chamber—a second Chamber with equal power, and which is to meet the first Chamber in joint meeting in the event of any dispute.

It is certain that those who represent anything like political thought in India are never to have control at the centre.

It beats me why hon. Members who agree with the right hon. Member for Epping (Mr. Churchill) should be so alarmed at this central legislation, because it will be composed almost entirely of reactionary elements. It will be composed of the Princes and the wealthy people. The methods of election show clearly that you will only get the very wealthy people in, and nothing like an adequate representation of the masses. The result will be that the central legislature will inevitably be reactionary, and that will set up a strain in the whole federal system. The working of a federal system depends very largely on there being the possibility of something like agreement in general outlook between those who are governing in the federal units and those governing at the centre. It is possible that in some of the federal units you may get ministries and governments representing the live forces of Indian political thought, but at the centre you will get nothing of that sort.

I have heard no argument which satisfies me that there is any need whatever for the second Chamber at the centre. At the best it is a kind of fifth wheel to the coach. If we are to have a federal system and to make it representative of the fedaral units, a case, of course, can be put up for getting the representatives of the federal units in one House and the representatives of the people at large in the lower House, but that is not being done. This system will not only be expensive, but it will prevent any really effective representation of India in her central Government. That is one of those things which makes this Bill absolutely hopeless from the point of view of expecting the political forces of India taking part in the Government of the country.

4.16 p.m.

Colonel WEDGWOOD: I have an Amendment later which I do not propose to move because I think it can be discussed adequately on this Amendment. The hon. Member for Limehouse (Mr. Attlee) has missed out one point which is adequate to justify the Amendment. I allude to the fact that the second Chamber is paid. My Amendment would substitute for that Chamber a hereditary House of Lords as being cheaper and as useful. I think that it requires considerable strength of argument to support the proposal in the Bill of a second Chamber elected on almost exactly similar lines to the lower Chamber, for it would still further strengthen the reactionary tendency of the Legislature which, even in its manifestations in the lower House, would probably be more reactionary than any legislature we have seen in this country. The real objection is one which it is of great importance that we should observe. Is it necessary to have so many paid jobs in the Central Legislature? The lower House will be paid and the upper House will be paid. They will be paid fairly handsomely, and the burden on India will be very heavy. It is not a question whether legislation will go through; joint sessions are of very little moment in connection with this issue.

The real question is whether we need nearly 600 paid people in order to do the work of the Central Legislature. My own feeling is that there will not be very much work for the Federal Legislature to do. At present there are 160 members—I am not certain of the number—in the Assembly at Delhi who are paid—the Chamber of Princes is not paid—and these paid members do the work adequately and their sessions are extremely short. That body is to a certain extent representative and, therefore, has a certain status and a certain zest in its work, which is not generally possessed by a chamber which is not directly elected. It is unnecessary from the point of view of the Indian people that their charge for the Central Legislature should be so enormously increased, as it will be. Is it necessary from the point of view of safety first that there should be two such Houses instead of one? Must we have so many paid posts which people will be anxious to fill? I do not know whether the Committee observed that after the report of the Joint Select Committee was published there was a telegram from India saying that a great many people had arrived at Delhi—I think the number was given as 500—who had professed their willingness to work the scheme. It would be remarkable if that were not so because there are so many paid posts in this Bill and the possibility of being nominated to one of these posts in either Legislature, whether by the Princes or by the Government.

[Colonel Wedgwood.]

I do not think from our experience that when the Legislature can be managed by an executive it is necessary to have so many of these paid posts. The real success of our English Constitution is the beautiful balance between the Legislature and the Executive. In every other Parliament of the world the executives are completely aloof, but here we almost know them, the members of the Executive, by their Christian names. The constant touch between the governing body and the representatives of the people for the last 600 or 700 years in this country has made democracy work, and there is a great deal to be said for having the Executive constantly in touch with the representatives of the people. The Executive is continually being influenced by the elected element, and, what is more important and more to the point, the elected element is continually influenced by the Executive. Governments, whether tyrannies, or free Governments such as ours, do not possess by terror the power they wield. They do not frighten me or the hon. and learned Member for East Bristol (Sir S. Cripps). They do not coerce Parliament by terror in the very least.

I do not think there is the slightest fear in any man's mind that his party will not come to his help at the next election as it did at the last, but the power to control the Legislature really depends on the hope of reward on the part of the elected members. The hope of reward is the balance of democracy. We have the rebel element elected, which would otherwise make Government impossible, and we have the Executive itself gradually controlling it until we get the beautiful balance which we have in this country between the members who want governorships and the people who have governorships at their disposal. This balance works here in this country. Is it really necessary to increase this patronage to such an unlimited extent as is provided for in this Bill? The two Houses, both consisting largely of nominated elements, is a form of patronage larger than any in the world to-day, and my argument in favour of this Amendment to leave out the Second Chamber is that it would be cheaper for India, that the Executive could get along in India perfectly well without it, and that the work to be done would be so small that the composition of the lower and the upper Chambers would be very largely decorative and nothing else. If you want a decorative Chamber, what could we have better than our House of Lords?

4.25 p.m.

Sir S. HOARE: One of the most pleasant features of our discussions is the unexpectedness of some of the arguments to which we listen from time to time. I certainly never thought that I should live to see the day when a right hon. Gentleman on the Labour benches would propose in place of an elected Chamber a hereditary House of Lords, and would come out with such force and feeling against the payment of Members. Truly we live and learn. Indeed, I felt inclined to beckon the right hon. and gallant Gentleman across to these benches. It is not often one hears such truly eighteenth century Toryism as that to which he has given voice. Let me come back to the speech of the hon. Member for Limehouse (Mr. Attlee). There is a great deal of back history behind this question. At one time the British Indian representatives wished to have a much bigger representation at the centre even than the representation that we have in the provisions of the Bill. Several of them proposed that there should be 700 or 800 members in the lower House and only one House for British-India alone. In the course of our discussions we pointed out the obvious fact that that would have made an unmanageable Legislature at the centre and that, judged by the kind of tests which we apply here in the field of representation, it would not really be an effective representation, as we count it, of the 280,000,000 scattered people in the Indian sub-continent.

Then, again, there was a proposal at the other end of the scale, which originated from one or two of the representatives of the Indian States, that there should not be two Chambers, but only one much smaller in size than the Chamber we propose. The proposal, as far as I remember, was for a single Chamber of about 100 Members. When the Joint Select Committee came to consider that proposal, two facts were at once obvious. First, there was a very strong body of opinion in India in favour of two Chambers; I will come to the reason why in a moment. Second, that

with a single Chamber of that kind and size it would be impossible to get even a small representation for many of the important interests both in British India and in the Indian States. The result was that by a process of elimination first the Round Table Conference, and next the Joint Select Committee, came to the view that two Chambers were inevitable, and that although there was a great deal to be said for a smaller membership of the two Chambers in the Constitution of India, it was inevitable that we should have Chambers of about the size that we propose. Without Chambers of this size it would be impossible to give the representation that is needed in both British India and the Indian States. Moreover, if the Committee accepted this Amendment, one of the essential factors of the All-India Federation would in actual practice be destroyed. Time after time certain of the Indian sections have created the condition that there should be two Chambers. The Princes, in particular, made this a condition.

Mr. ATTLEE: Surely some of the Princes were in favour of single-Chamber government?

Sir S. HOARE: The hon. Member is quite right. It is to that proposal that I was referring earlier in my speech.

Mr. ISAAC FOOT: May we hear what the hon. Member for Limehouse (Mr. Attlee) said?

Sir S. HOARE: The hon. Member for Limehouse said "Surely some of the Princes were in favour of a single Chamber," and I at once said that I had been referring to that when I remarked that a section of Indian opinion had asked for a single and a smaller Chamber, but it was evident by the opinion of the other Princes that even those representatives of the Indian States who had originally asked for a single Chamber of this size eventually dropped the proposal. The Committee may therefore take it from me that if there is to be an All-India Federation two Chambers are an essential feature of the Federation. If there is to be an All-India Federation in which there is to be representation of the various interests concerned, and particularly of the various interests represented by the Indian Princes, with so many States large and small, it is essential, whatever may be the theoretical arguments on the other side, to have two Chambers of about this strength. I therefore have to say to the hon. Member for Limehouse, who I know has taken a great interest in this question, and has often laid the same arguments before us, that it is impossible to accept the Amendment, and I hope this Committee will accept the recommendation of the Joint Select Committee.

4.32 p.m.

Mr. ISAAC FOOT: I should not have intervened but for the opportunity taken by the hon. Member for Limehouse (Mr. Attlee) to address some rather lecturing words to these benches. I do not know that it has been part of the Liberal creed to be against a second Chamber—necessarily; and, further, I think that in this matter the governing principle was that we had to reach a common body of opinion. If there had been insistence upon a single Chamber we should not have reached that common body of opinion that made this Bill possible. As far as I had the opportunity of meeting Indians, not merely at the Round Table Conference or the Joint Select Committee, but in what was very often just as important, the other conversations that took place, I could not trace any strong objection to a second Chamber, and certainly in the efforts I have made to follow the expression of Indian opinion since the publication of our report, I have not seen to any large extent—I can hardly recall it at all—among the protests received any protests against a second Chamber at the centre. That being so, I saw no reason why I should support the Amendment that was brought forward. I certainly agree with the hon. Member as to the constitution of the Council of State, but we can deal with that when we come to the question of direct election.

I should like to address one question to the hon. Member if I am at liberty to do so. I am one of the Members of this House and, indeed, one of the members of the general public, who are under heavy obligations to those who carried out the inquiry of the Statutory Commission. I think its work has never been fully acknowledged in this country. It was an inquiry over very wide ground, and I have taken an earlier opportunity in this House to express my indebtedness to those who gave so much time and thought to this question. One of those who served on the Statutory Commission was the

[Mr. Foot.]

hon. Member for Limehouse. The recommendations of the Commission as to a second Chamber will be found on pages 124 and 125 of Vol. 2 of their report, and I do not know that there is any qualification to those recommendations. The question of a Council of State at the centre is discussed and it is pointed out that if there is to be a federal system a Council of State would be practically necessary. The concluding words are under the heading "Reasons for its retention":

"There are, on the other hand, weighty reasons for retaining the Council of State as an integral part of the Central Government. It contains members of experience and distinction who have made valuable contributions to the discussion of public affairs. The Council of State has been a steadying influence during a difficult transitional period. We are also impressed"—

and as far as I know the "we" included the hon. Member for Limehouse—

"by the fact that no demand for its abolition has been brought to our notice. In the stage upon which India is now entering she will need all her resources of statesmanship and experience. There is much to be said against abolishing on purely theoretical grounds a piece of constitutional machinery which has worked well at a time when great changes are being introduced, the effect of which cannot at present be estimated. We are therefore of opinion that the Council of State should be retained with its present powers."

It may be that since that report was signed some new light has dawned upon the hon. Member for Limehouse. I think it was perfectly open for some other member of his party, in particular the hon. Member for Caerphilly (Mr. Morgan Jones), to have put his name to this Amendment, but I really do not understand how the hon. Member himself could identify himself with an Amendment which contradicts at every point the recommendations which he made to the House as a member of the Statutory Commission; and it is only because I thought that perhaps he had an uneasy conscience when he turned in our direction that I intervened in the Debate, because I attach great importance to what is said by the hon. Member for Limehouse and not less to the written recommendations he made a few years ago.

4.38 p.m.

Mr. COCKS: I imagine that the hon. Member for Bodmin (Mr. Isaac Foot) has also had a struggle with his conscience, because when he was quoting from the report of the Royal Commission he was evidently quoting the words with approval, and, evidently, the great principles of the Liberal party in 1906 are now reduced to mere theoretical considerations.

Mr. ISAAC FOOT: The words "theoretical considerations" were not mine, and I did not say that I approved of those words. I said that I attached great importance to them.

Mr. COCKS: I imagine the hon. Member would not have quoted them if he did not approve of them.

Mr. FOOT: I quoted them in order to answer what was said directly to me and my friends by my hon. Friend the Member for Limehouse.

Mr. COCKS: We shall see when the Vote is taken whether the hon. Member still thinks they are theoretical considerations or whether he still holds them as a matter of principle. The ordinary federation provides logical reasons for two Chambers, because in all federations until the present one was thought of there was a first Chamber, a lower Chamber, to represent the people as a whole, and the second Chamber to represent the respective Provinces. That is the whole theory of two Chambers in a federation, but that consideration has been swept away in this case, because under the Government proposals there is no lower Chamber to represent the people as a whole, both Chambers representing the Provinces, the lower Chamber representing the lower Chambers of the Provinces and the upper Chamber representing the upper Chambers of the Provinces, or the people who would form the upper Chamber where there is not one. Therefore, the logical reason for this particular second Chamber has been swept away. The Secretary of State said that whatever theoretical reasons could be put forward for one Chamber there was one overriding reason why two Chambers were necessary, and that was that the Princes want it. Apparently, the House of Commons is to be blackmailed by the Princes into accepting something they would not accept otherwise.

Sir S. HOARE: I should accept it anyhow. I like second Chambers.

Mr. COCKS: I have no doubt the right hon. Gentleman does, and I know he agrees with the Princes in this matter, but if the Government or the Joint Select Committee had decided on a single Chamber I am not so sure that he could not have persuaded their Highnesses to come in. After all, the two greatest States were in favour of single-Chamber government. Sir Akbar Hydari, of the State of Hyderabad, and Sir Mirza Ismail, Prime Minister of Mysore, both advocated a single Chamber at the centre, and therefore if the Government and the Joint Select Committee had decided in favour of a single Chamber I think it would have been possible to remove the objections put up against it by some of the smaller Princes. What the other interests were which demanded it I do not know. I would point out to the House that this particular Chamber will undoubtedly be the most reactionary second Chamber in the world. As my hon. Friend the Member for Limehouse has pointed out, it is elected by only the very rich men in the Provinces—that is so far as the British India Provinces are concerned, and on the other side the members are nominated by the Princes. I cannot imagine a more reactionary Chamber. Further, the methods of election on the British-India side are open to very grave objection.

The CHAIRMAN: The hon. Member has been all right so far, but I do not think he can go much farther. The composition of the Chamber comes later.

Mr. COCKS: It was not exactly the details of the composition of the Chamber that I was dealing with. Of course, I would not venture to dispute your Ruling, but I would like to point out, just as an example, that 20 members are to be elected by 56. But I will leave that point. We have members of the Council of State elected by three persons per representative. This Chamber, although it would be able to deal with factory legislation, which is on the concurrent list, cannot possibly have upon it any member of the Labour party in India or representative of the industrialists, and although it can also deal with marriage and divorce, which are in the concurrent list, it cannot, except by some miraculous intervention, have upon it any Indian woman, as a mathematical analysis would show. I would also point out to my Liberal friends that this second Chamber will not be a revising or delaying Chamber, but one vested with equal powers to those of the lower Chambers on everything, even the sacred subject of finance. I thought it was a matter of high principle with the Liberal party that power over finance should be vested only in lower Chambers, but here we have a second Chamber which will be able to reject the Budget, and amend the Budget, and in cases of dispute prevent a joint sitting. I was very much disappointed with the speech made this afternoon, but are we to understand from the action of my hon. Friend the Member for Bodmin on the Committee, when he allowed all these things to go past without any protest whatsoever, that the great days of Campbell-Bannerman and the Parliament Act have gone altogether. Not even the power of the Parliament Act, giving the lower Chamber the supreme voice in regard to financial legislation, is embodied in this Bill.

Mr. CHURCHILL: Sir Henry Campbell-Bannerman had nothing to do with the Parliament Act.

Mr. COCKS: I thank the right hon. Gentleman for putting me right on that point of history. I have been very disappointed with the attitude of the Liberal party in this matter, but there is still room for repentance even at this last moment. As the poem says:

> "Betwixt the stirrup and the ground,
> Mercy I askt, mercy I found."

Perhaps between now and the time that the Division takes place the hon. Member and his leader will decide to repent in this matter and come with us into the Lobby. If the hon. Member were here I would like him to follow the example of his great leader and big hero, Oliver Cromwell, and to say, so far as this second Chamber is concerned, "Take away that bauble."

4.47 p.m.

Major MILNER: I do not desire to enter into the dispute between my hon. Friend the Member for Broxtowe (Mr. Cocks) and the hon. Gentleman on the Liberal benches, but to draw the attention of the Committee to the reason given by the hon. Gentleman below the Gangway as to why the Liberal party are in favour of a second Chamber. The reason he gave was that he was desirous of fall-

[Major Milner.]
ing in with the common body of opinion; that is to say, he and those associated with him are willing to compromise on this point. We have heard it said before on other matters that the Liberal party fall in with the majority and have no principles of their own. In my opinion, and I believe in the general opinion of the country they have no fixed principles, but they oscillate here and there, and nobody knows where they are. On one question they are with the Government, and on another they are against the Government. They are all things to all men. I think that might very well be their motto.

On this question of the second Chamber I should have thought that the few remaining remnants of the Liberal party would have agreed with us because the Princes will be able to sway the second Chamber as they please. The Princes will be there in perpetuity, and no provision is made in the Bill for any alteration at any future time of the proportions of the representation of the Princes, who represent wealth and privilege. One of the strongest reasons why there should not be a second Chamber in the Federation as provided in the Bill was mentioned more or less incidentally by the hon. Member for Broxtowe and that is that clearly there can be no representation of Labour or of the masses of India on the Council of State. I imagine that I should be under the mark if I said that the masses of India, the working people and the peasants, represent 97 per cent. of the population. Yet they are to have no representative in the Council of State and there is no possibility of them having a representative. An arithmetical calculation will show that, without aid from some other body or some other political party, it will be impossible for Labour or the masses of India to have any representation on the Council of State. That reason, and other reasons put forward by the hon. Member for Broxtowe, should convince the Committee, as they have convinced us, that we should vote in favour of the Amendment.

4.51 p.m.

Miss RATHBONE: I want to point out the actual effect upon the chances of progressive legislation in India with this kind of upper Chamber composed in this way. Other hon. Members have pointed out that there may not, and probably will not, unless by the intervention of the Governor-General—he has only six nominations—be a single representative of Labour, of women or of the depressed classes upon this Council of State.

The CHAIRMAN: I do not know whether the hon. Lady was present when I gave my Ruling upon the kind of argument upon which she is now embarking, but I have ruled that the constitution of the Council of State cannot be discussed upon this Amendment.

Miss RATHBONE: I did not know that you had ruled that, because several other hon. Members have alluded to it. I will not say a word more about it. I merely want to point out the results. Suppose there is a conflict of opinion between the Council of State and the Assembly on any of the questions, say, in the concurrent list, which includes such things as marriage and divorce, and labour and factory legislation. What will happen? It will be no doubt what the Govenor-General chooses, unless he chooses a joint session between the two bodies. *Ex-hypothesi* the Council of State have already turned down a piece of progressive legislation, which may be one that the Provinces strongly desire. It is then referred to a joint session of the two bodies.

The CHAIRMAN: The hon. Lady may not discuss the question of a joint session.

Mr. ATTLEE: On a point of Order. If we are to decide whether there is to be a second Chamber, surely it is in order to make some reference to the effect of a second Chamber? I submit that that is very germane to any discussion of a second Chamber. It is difficult to consider the question of a second Chamber unless you consider both its effect and its composition.

The CHAIRMAN: That is just why I have allowed certain references to those matters which I say cannot be discussed. It is obvious that the Amendment on the Order Paper deals with only one aspect of the question; moreover, the question of the composition of the Chamber arises upon a later Clause. I cannot allow the composition of the second Chamber to be discussed now because we shall have to discuss it when we come to the Clause.

Mr. ATTLEE: May I put this point to you? If the Committee have actually decided that there are to be two Chambers, he cannot then reopen the question as to whether there is to be one Chamber only or two Chambers, because that is passed and done with. We can merely go on to the question of the composition and powers of the second Chamber. Surely it is a different matter when we are discussing the question of one Chamber or two, because we must be able to argue what the powers of these Chambers are to be, their composition and their relationship to each other in order to argue the question of bilateral or unilateral Chambers.

The CHAIRMAN: Perhaps there is room for difference of opinion between the hon. Gentleman and myself, particularly as to the extent to which these matters may be referred to but not discussed. I am afraid that in this case it is my opinion which must be accepted.

Miss RATHBONE: It is difficult to discuss whether there should be a Council of State or not if one is ruled out from giving the reasons which seem to make a Council of State desirable. I have not been keeping the Committee more than two minutes on the subject, and that can hardly be called discussion, and I referred much more briefly to it than other Members have done by way of making a point which they had not made. I do not believe it would have been possible to do it in briefer words than I tried to do. I end in a single sentence. By constituting this upper Chamber, so composed, and giving not merely delaying powers but the kind of powers which are proposed, it is possible, absolutely and for all time, so far as I can see, to block any kind of progressive legislation in India, however strongly that legislation might be desired by the Provincial Legislatures, perhaps in every Province in India, and there is no remedy; and that is done by people of whom one-third are to say what they like about progressive legislation and social reform in India and to say not a word about the kind of legislation which prevails in their own States and among their own subjects.

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

The Committee divided: Ayes, 280; Noes, 38.

Division No. 82.] **AYES.** **[4.51 p.m.**

Acland-Troyte, Lieut.-Colonel
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Allen, William (Stoke-on-Trent)
Anstruther-Gray, W. J.
Assheton, Ralph
Astor, Viscountess (Plymouth, Sutton)
Atholl, Duchess of
Bailey, Eric Alfred George
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Balniel, Lord
Barclay-Harvey, C. M.
Barrie, Sir Charles Coupar
Beauchamp, Sir Brograve Campbell
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Belt, Sir Alfred L.
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Blindell, James
Bossom, A. C.
Boulton, W. W.
Bower, Commander Robert Tatton
Boyce, H. Leslie
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Brig.-Gen. H.C. (Berks., Newb'y)
Buchan, John
Bullock, Captain Malcolm
Burnett, John George
Burton, Colonel Henry Walter
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Cayzer, Sir Charles (Chester, City)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hon. Sir J. A. (Birm., W)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Sir Samuel (Edinburgh, S.)
Chorlton, Alan Ernest Leofric
Cobb, Sir Cyril
Cochrane, Commander Hon. A. D.
Collins, Rt. Hon. Sir Godfrey
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Courtauld, Major John Sewell
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Cranborne, Viscount
Critchley, Brig.-General A. C.
Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Crossley, A. C.
Culverwell, Cyril Tom
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davison, Sir William Henry
Dawson, Sir Philip
Denville, Alfred
Donner, P. W.
Drewe, Cedric
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eden, Rt. Hon. Anthony
Emrys-Evans, P. V.
Evans, David Owen (Cardigan)
Fermoy, Lord
Fielden, Edward Brocklehurst
Fleming, Edward Lascelles
Foot, Dingle (Dundee)
Foot, Isaac (Cornwall, Bodmin)
Fuller, Captain A. G.
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gibson, Charles Granville
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Gluckstein, Louis Halle
Goodman, Colonel Albert W.
Grattan-Doyle, Sir Nicholas
Greene, William P. C.
Grigg, Sir Edward
Grimston, R. V.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hanbury, Cecil
Hannon, Patrick Joseph Henry
Hartington, Marquess of
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Heligers, Captain F. F. A.
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Horsbrugh, Florence
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hurst, Sir Gerald B.

Hutchison, W. D. (Essex, Romford)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Janner, Barnett
Jennings, Roland
Johnstone, Harcourt (S. Shields)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Kerr, Hamilton W.
Kirkpatrick, William M.
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Law, Sir Alfred
Leckie, J. A.
Lees-Jones, John
Leighton, Major B. E. P.
Levy, Thomas
Lewis, Oswald
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Lloyd, Geoffrey
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macpherson, Rt. Hon. Sir Ian
Macquisten, Frederick Alexander
Magnay, Thomas
Makins, Brigadier-General Ernest
Mallalieu, Edward Lancelot
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Mitchell, Sir W. Lane (Streatham)
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Normand, Rt. Hon. Wilfrid
Nunn, William
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Owen, Major Goronwy
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Petherick, M.
Pickthorn, K. W. M.
Potter, John
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Sir John
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Ratcliffe, Arthur
Rawson, Sir Cooper
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Remer, John R.
Rhys, Hon. Charles Arthur U.
Rickards, George William
Roberts, Aled (Wrexham)
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Scone, Lord
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shute, Colonel Sir John
Simon, Rt. Hon. Sir John
Skelton, Archibald Noel
Smiles, Lieut.-Col. Sir Walter D.
Smith, Louis W. (Sheffield, Hallam)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Sotheron-Estcourt, Captain T. E.
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Storey, Samuel
Strickland, Captain W. F.
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Taylor, Vice-Admiral E. A. (Pd'gt'n, S.)
Thomas, Rt. Hon. J. H. (Derby)
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Touche, Gordon Cosmo
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour-
Weymouth, Viscount
White, Henry Graham
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Wise, Alfred R.
Womersley, Sir Walter
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE AYES.—
Captain Sir George Bowyer and
Major George Davies.

NOES.

Attlee, Clement Richard
Banfield, John William
Bevan, Aneurin (Ebbw Vale)
Cleary, J. J.
Cocks, Frederick Seymour
Cove, William G.
Cripps, Sir Stafford
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Edwards, Charles
Gardner, Benjamin Walter
Grenfell, David Rees (Glamorgan)
Hall, George H. (Merthyr Tydvil)
Janner, Barnett
Jenkins, Sir William
Jones, J. J. (West Ham, Silvertown)
Jones, Morgan (Caerphilly)
Kirkwood, David
Lansbury, Rt. Hon. George
Lawson, John James
Logan, David Gilbert
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Mainwaring, William Henry
Maxton, James
Milner, Major James
Parkinson, John Allen
Rathbone, Eleanor
Salter, Dr. Alfred
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Thorne, William James
Tinker, John Joseph
Wedgwood, Rt. Hon. Josiah
West, F. R.
Williams, Thomas (York, Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—
Mr. Paling and Mr. Groves.

The CHAIRMAN: Sir Herbert Samuel.

5.8 p.m.

Mr. CHURCHILL: On a point of Order. I rise, Sir Dennis, to ask your guidance for the benefit of the Committee on the question at what point in the discussion of the Amendments to the Clause questions relating to alterations in the number of members to be included in either branch of the Legislature can be discussed.

The CHAIRMAN: The question of the constitution of the lower Chamber will certainly come later on. I cannot say

at the moment to what extent it will come later on in the Clause or on the Schedule, but I think it will be mainly on the Schedule. As to the upper Chamber, I do not think the constitution of that Chamber will arise again on the Committee stage of this Clause.

Mr. CHURCHILL: Further on the point of Order. I thought that, when the hon. Lady the Member for the English Universities (Miss Rathbone) was proposing to discuss the composition of that Chamber, she was referred to a later Amendment. When is that later Amendment?

The CHAIRMAN: That is on the first Schedule dealing with the question of the constitution of both Houses.

Mr. CHURCHILL: Do I understand that we are to settle these important questions of the composition and character of the second Chamber and of the first Chamber without being allowed to discuss the composition of those Chambers until we reach the Schedule, many weeks or months hence? Is that the position?

The CHAIRMAN: Not entirely. I am not responsible for the arrangement of the Bill. I think I am right in saying that certain questions in connection with the constitution of the second Chamber arise directly on this Clause, but at the moment I do not think there is a point of Order.

Mr. CHURCHILL: With very great respect, I understood that in selecting Amendments you selected the Amendments best calculated in the most convenient manner to enable the Committee to discuss the points. Where there were a good many, you would naturally choose the best ones. But do I gather that you interpret this duty in the sense of excluding altogether an important point of principle from any direct decision by the Committee during the Committee stage?

The CHAIRMAN: I am not aware that I have done so.

Mr. CHURCHILL: Surely there are, both on page 632 and on page 633, seven or eight Amendments proposing to add members for this or that purpose to the second or to the first Chamber.

The CHAIRMAN: I think we must take the two Chambers separately; they are totally different things.

Mr. CHURCHILL: There is the Amendment standing in the name of my right hon. and gallant Friend the Member for Newcastle-under-Lyme (Colonel Wedgwood)—in page 11, line 18, to leave out from "of" to "and," in line 21, and insert:

"the hereditary Princes of India and such others as the Governor-General may from time to time nominate";

and there is also the Amendment of my hon. and gallant Friend the Member for Chichester (Major Courtauld)—in page 11, line 21, after "States," to insert:

"and eighteen additional members chosen by the Governor-General in his discretion, of whom not more than nine shall be persons holding office under the Crown."

Certainly it seems that we might have some opportunity of endeavouring to alter the composition of these Chambers, if we feel very strongly about it, at some point or other, and it was on that point that I wished to ask your guidance.

The CHAIRMAN: I must be a little careful, in giving guidance to the right hon. Gentleman, that I do not infringe my regular rule of not giving reasons for not selecting Amendments; but the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood), speaking just now on an Amendment, discussed the subject of his later Amendment, which he said he was not proposing to move, and, in the exercise of my power, I have decided not to select the Amendment which he said he did not wish to move, nor the following Amendment, with regard to numbers, in the name of the hon. and gallant Member for Chichester (Major Courtauld).

Mr. CHURCHILL: With great respect, I am sure you will permit me to recall to your memory the case of the hon. Lady opposite, who wished to suggest that provision should be made for, we will say, a representative of the women of India or a representative of Labour being added to the Assembly, and who was told that she must wait until later. When is later?

Sir S. HOARE: May I make a suggestion, with great deference? It is that points such as this, which have not come

[Sir S. Hoare.]
up in this discussion, you might be inclined to allow to be discussed on the Schedule.

The CHAIRMAN: I have already informed one or two Members that Amendments which are down here should come on the Schedule. If the right hon. Gentleman reads with care this Clause and the Schedule, he will see that the arrangements for the constitution of the Chamber—I am speaking of the upper Chamber now—are all in the Schedule, subject to the framework which is set out in the Clause that we are now discussing. I think, therefore, that it is quite easy to draw a distinction as to what points can be properly raised here on the Clause and what points can be raised on the Schedule.

Sir NAIRNE STEWART SANDEMAN: Can we discuss on the Schedule the question of increasing the number of members?

The CHAIRMAN: Yes. I have just stated that I have already considered that matter. There has been discussion on that question, and I have decided not to select these further Amendments on the Order Paper.

5.13 p.m.

Mr. ISAAC FOOT: I beg to move, in page 11, line 21, to leave out from "States" to the end of the Sub-section, and to insert:

"(3) The Federal Assembly shall consist of two hundred and fifty representatives of British India, elected on a direct franchise by territorial constituencies constituted for that purpose, and not more than one hundred and twenty-five representatives of the Indian States."

It will be remembered that on the Second Reading of the Bill, as well as in the discussion on the Report of the Joint Select Committee, we raised the question of direct and indirect election to the Federal Assembly. At that time we had some doubts whether we should put down an Amendment to the Second Reading, such considerable importance did we attach to the alterations that had been made in the terms of the White Paper by the majority of the Joint Select Committee. I think it is generally understood that we on these benches are anxious to secure the passage of the Bill itself, and we did not want to take that course, which might have been regarded as an attempt to wreck the Measure. I only want to suggest, in submitting this Amendment, that at this point we have come to deal with a subject of very grave importance. I hope that, seeing that this country has spent so much of its time during the last century in discussing matters relating to the franchise, they will not consider it out of place to spend some time in considering what shall be the vote possessed by nearly 300,000,000 of people in British India—whether it shall be direct or indirect.

I want to acknowledge right away how strong is the case for indirect election. I am not unmindful of the arguments that have been used, I have read with very great care what was said by the Statutory Commission on the matter, and I suppose most hon. Members are seized of the arguments presented not merely in the first volume of that report, but also in the second. I am prepared to admit to the full every argument that is used in the report of the Statutory Committee. I know it is a subject in which the right hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain) has taken a great interest, and I understand that he is to take part in our debate later on. I sincerely hope so. I had the opportunity of hearing his statement of the case for indirect election. I want to admit all that right away.

As far as I can see, the case for indirect election at the centre, summarised, is that under the direct system you have huge constituencies and an immense electorate, and, as a result, there is inevitable dissociation between the electorate and their representatives, that there is an unreality of representation, emphasised by the added complications of the communal division that exists in India, and that there ought to be a close relationship between the provincial Parliaments and the central Legislature, that there is some advantage in the contact between public representation in the Provinces and public representation at the centre, and there is the statement of Sir Walter Layton when presenting his financial report as part of the Statutory Commission that there are certain substantial financial advantages arising from the indirect system.

When we hear of these geographical difficulties I am going to ask the Com-

mittee to regard this argument as being not strictly relevant for three reasons. Whatever may be the difficulty of the vast areas—if they are as large as Scotland or Wales that will be only in a very abnormal case—they obtain in the great Federation that exists to-day, and comparable conditions can be found in Australia, in America and in Canada. If, therefore, you are to deny to India a direct system of election based on that ground, you deny it on a ground that excludes the consideration of the other great Dominions as well as the United States. The second reason why this argument of the geographical area is irrelevant is that you have the conditions in India to-day. The area of India will not be enlarged by the passing of the Bill. The Indian Ocean will still wash its shores where it washes them to-day. Nothing is to be added to the territory. You have the Federal Assembly being elected to-day and you have had that Federal Assembly existing for a great number of years and, whatever may be the difficulty of the geographical areas under the Bill, that difficulty exists to-day and has existed for many years past. There is a further reason why any talk about the difficulty of the geographical area is irrelevant. Whatever may be the geographical difficulties in India to-day, those difficulties will be at once halved under the Bill. Under the present system there are 105 elected members of the present Assembly. Under the new system there will be 250. The same area is to be represented and, therefore, as a result of the passing of the Bill, assuming that the present figures are retained, the geographical difficulties that exist are reduced by something more than 50 per cent.

We are discussing a matter that has occupied the mind of Parliament for 16 years. I have taken some trouble to see what happened when this Parliament first decided to deal with the question. The Southborough Committee inquired into it as far back as 1919. It has already been quoted as having reported against the direct system. That is not strictly true. They recommended the indirect vote but only as a temporary expedient. They said:

"We appreciate the objections to this method. The danger of entrusting the election of All-India representatives to a small number of electors is too obvious to need elaboration. We trust that in the progress of time a growing sense of political organisation will enable indirect election to be superseded by some direct method, but for the present we see no alternative but to face the difficulties inherent in the indirect system."

I think generally we have assumed that the Southborough Committee can be invoked in support of the indirect system, but we cannot invoke it in view of that recommendation. They were establishing this central representative system for the first time. They said that, in view of the fact that there was no machinery, they must set up for the time being an indirect system, but it must make way as soon as circumstances permitted for the direct system.

The next step was taken by the Government of India which, when considering the report of the Southborough Committee in 1919, expressed very grave doubts about the indirect vote. This is their report at that time:

"The majority of us are prepared to accept the Committee finding. We do so with regret, for we look upon direct election as the only system that is compatible with true responsibility to the voters. And we do not accept any argument which would relegate the creation of a direct electorate for the Assembly to an indefinite future. We consider that it will be the clear duty of the Government of India to devise such an electorate before the enquiry of the first statutory commission."

When the Joint Select Committee of 1919 came to consider the matter, they struck out the proposals for indirect election. They would not submit to the House a report that contained the proposal, although it had been represented to them how great the dangers were and how difficult was the setting up of machinery for the purpose. When the House in 1919 passed its Government of India Bill, they gave to the people of India at the centre, in respect of their lower Chamber, the direct vote and that direct vote has been exercised and enjoyed by them for the last 13 or 14 years. I made a reference to that in an earlier debate and an hon. and gallant Gentleman behind me spoke of the conditions that obtained in the electorate. It may be that you have illiteracy there, but that is irrelevant, because, if there is illiteracy, it must apply to the Provinces as well as to the centre. If an illiterate man is unable to vote, he must not be able to vote for the very considerable matters

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of importance in the Provinces just as much as he is excluded from the centre.

Sixteen years ago this House said it would not take the responsibility of setting up a central Parliament in India and denying to the people there a right which the people of this country would never consent to forgo. I think it will need a great deal of argument to justify a reversal of that policy. I should have thought that in 14 years our stature was greater and that the principles of representative government had strengthened and not weakened. It is a pitiful commentary upon the advance of representative institutions if after 14 years we take away a vote which was deliberately given after much controversy and exhaustive inquiry 15 years ago. As to the exercise of the vote, evidence was given before the Joint Select Committee that in most cases it was exercised just as freely by the people of India as by the people in the constituencies in this country. There are, generally speaking, more people going to the poll in India than go when there is an election for the management of the County of London. There is a higher polling record, although vast distances have to be covered, and in spite of the intricate difficulties of machinery, than in the greatest city of the world. [An HON. MEMBER: "It is a novelty."] They have had the novelty for 14 years, and they have had provincial elections and district boards. I hope we can discuss a matter of such grave importance as this without what I suggest are irrelevant interruptions. That was the position in 1919.

The next step was that the Statutory Commission was sent out. I have had an unexpected opportunity earlier in the debate of paying tribute to the work of the Statutory Commission. I have not waited until to-day to do that. I had an opportunity of doing it in the presence of the Foreign Secretary when he was Member for Spen Valley and was sitting on these benches when we were considering the report of the First Round Table Conference in the early part of 1931. I do not want to use a word that derogates from the importance of their recommendations, but I am going to ask the Committee, when they have put on one side of the scale the recommendations of the Statutory Commission as well as the geographical difficulties to which reference has been made, to see what is on the other side. The Statutory Commission made their report. What happened next? The Government of India, immediately after the Statutory Commission gave this report, issued their Despatch. I suggest that any Member who casts his vote to-night, or whenever the vote is taken, who has not acquainted himself with what was said by the Government of India in 1930 in their Despatch upon the report of the Statutory Commission, is depriving himself of a full opportunity of deciding upon a matter of very great importance. I have the report here. I will only refer hon. Members to the pages of the report, commencing at page 116 and running right on to page 125, and I ask them to consider this.

The Statutory Commission made their report, which was one of great importance and attracted attention throughout India and throughout this country and the world, and the Government of India, in accordance with their duty, sat down and presented a comment upon that report. Having considered all that the Statutory Commission had to say, and with a knowledge that was not second surely to the Members of the Statutory Commission, because they were there, and the Members of the Statutory Commission were only there for a comparatively short time as compared with the continuing Government of India, the Government of India, in gross and in detail, considered the whole matter. They dealt one by one with the contentions of the Statutory Commission, they answered those contentions one by one, and, in the end, said that they still stood for the direct vote at the centre. I do not think that that would be questioned by anyone, and I do not want to delay the Committee by quoting their statements, but the case could not be put in stronger terms than they did. All our case as we now present it to the House was very largely stated by the Government of India then. They said practically—and this was the most important thing—"You are going to take away from the people of India a constitution which has served its purpose and which has grown with the growth of the last decade. You are taking away a vote which is the focus of the national allegiance, and we should regard any step in that direction with grave apprehension." They spoke of corruption, and

they spoke of the arguments which will be familiar to this Committee before this Debate is concluded. I put this fact because I think that it is a question to be considered irrespective of any party. This House cannot afford to set aside the deliberate, considered and exhaustive judgment of the Government of India, dealing as they did with the recommendations that were made by the Statutory Commission. When they concluded their remarks they said that they were quite aware of the differences of opinion, but they also said:

"But in any case we feel that the method of election is essentially a matter on which the considered judgment of Indian opinion should have great weight. We would ourselves be much influenced by the trend of discussions at the Round Table Conference upon them."

That is how they concluded their suggestions. They asked that two things should be done. They said that they had this division of opinion, and they would like to consider now what India and the Round Table Conference had to say about it. If that is the court of appeal, the decision must be in favour of this Amendment. Upon that there can be no doubt, because immediately afterwards there was summoned the first Round Table Conference which considered this matter among others. There was set up under the First Round Table Conference a Federal Structure Sub-Committee, and that is very familiar to the right hon. Gentleman the Secretary of State for India because he was serving upon it at that time, and he will remember the debates that took place. The Federal Structure Sub-Committee presented a report. I had to recover it from the cellar here; it is not upon our ordinary shelves. The Federal Structure Sub-Committee was constituted of some of the most distinguished men in this country, and certainly some of the ablest constitutional lawyers in India. They discussed it not merely hour after hour, but day after day, and there was this remarkable result, that whatever else were the differences ,they were all agreed that the only policy for India at the centre was the direct vote.

The Mohammedan was just as strong as the Hindu. Sir Muhammad Shafi, who unhappily is no longer with us, but who led for the Mohammedans at that time, took the strongest possible line on this matter, just as strong as Sir Tej Bahadur Sapru. Mrs. Subbarayan, speaking for the women, said that they could not contemplate any other decision. Dr. Ambedkar for the depressed classes said that there would be no hope for them unless there was a possibility of the people being able to exercise through their own vote their own influence upon the centre. This view was approved by the Chairman, Lord Sankey, who was then as now the Lord Chancellor of this country. It was approved by one spokesman after the other, and it was a very remarkable thing that whatever else were the differences and the cleavages, all those differences and cleavages were forgotten in the demand, absolutely and unequivocally expressed, that there should be a direct vote at the centre. Not only was there agreement, but there was this expressed statement, that no other system would be workable and that any attempt to impose an indirect system of voting in respect of the centre would arouse the fiercest antagonism of Indian opinion, and would make unworkable any scheme of reform that was built upon that basis. That was the decision of the first Round Table Conference.

The Second Round Table Conference came to the same conclusion, because it was discussed there largely by the same people, and the same opinions were expressed. It is true that at the second Round Table Conference there was a speech of some difficulty and ambiguity made by Mr. Gandhi, but I think the reason most people had some difficulty in deciding just what his position was upon the matter was because he went into a labyrinth of philosophy at that time; but the rest, speaking in other language, made their position quite clear. Then there came the most important step, and a decision that ought to leave this House absolutely in no doubt as to the course it ought to take. There was set up the Franchise Committee under the chairmanship of Lord Lothian. It was initiated when the Second Round Table Conference thought that inquiry should be made upon certain matters. The Prime Minister, who was then the Prime Minister in the last Government, made the announcement that such a committee was to be set up, and it was formed under the chairmanship of Lord Lothian. It was a most effective committee. There were 20 members of the committee, eight of whom were Members of this House or

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representing this country, and 12 were Indians. Its members included Sir John Kerr, the man at the India Office best qualified to advise upon this matter, and who had behind his recommendation the advantage of practical experience of those matters. It also included the Assistant Postmaster-General in the present Government, the present Under-Secretary of State for India, my hon. and gallant Friend the Member for South-East Leeds (Major Milner) and Miss Pickford, unhappily no longer with us. The committee had an enormous advantage even over the Statutory Commission. The Statutory Commission when they went out some time before had to survey the whole field of Indian constitutional affairs. This was a committee charged with a specific inquiry. The Statutory Commission had the disadvantage of being boycotted in many parts of India. The committee had the advantage of whole-hearted co-operation, and there was set up in all the Provinces of India other committees upon which served the most eminent men in those several Provinces, and who all co-operated with the committee presided over by Lord Lothian to consider this matter. They were sent out, and travelled many thousands of miles, and went into many parts of the country, and, having considered the matter, made their case out in the course of many pages. A large part of this report is directly associated with the problem of indirect and direct election, and they say in page 166:

> "We have come to the conclusion, therefore, that in the case of the Federal, no less than of the Provincial Legislatures, we must proceed on the basis of the direct vote of the individual elector."

That was the report. It is signed by two members of His Majesty's Government. There was a report unanimously presented to this House, and I submit that any argument that must be used against the Amendment that we have to-day must reckon with that authority, with which no one in this House can compare. Who, in this House had the advantage enjoyed by members of that committee, had that opportunity of inquiring into Indian opinion and Indian conditions? Following upon the presentation of that report—and I am taking the history of it—there came the Third Round Table Conference which came to the conclusion—again by a majority, because I think some of the British representatives still demurred—that a system at the centre in India must be upon the basis of the direct vote for the lower House. It was as a result of all that inquiry that the Government presented the White Paper in which, taking all the inquiries and all the result of the investigations over many years, they deliberately put before this House and before the country the direct vote at the centre for the lower Chamber. That was the Government's policy. The White Paper stood for the direct vote. I am asking for the reversion of the Government policy that was adopted as a result of all the inquiries. The Joint Select Committee was set up and for the greater part of its history—and it sat for the greater part of two years—proceeded on the assumption of the direct vote at the Centre.

Sir AUSTEN CHAMBERLAIN: In what sense did the Committee proceed upon that assumption? The assumption was challenged from the first.

Mr. FOOT: I do not think that there was objection taken, but I think the right hon. Gentleman will see that I am stating the facts, and what was said in the other Chamber by the Noble Lord the Marquess of Salisbury. What happened was that from the beginning—and the record of the questions will bear this out—the right hon. Gentleman the Secretary of State, when he was questioned upon the matter, took the line: "I quite agree about the difficulty, but the objections to the indirect vote are too formidable." I am not quoting anything that is private. I am quoting what was published. That question was put all along. The right hon. Gentleman will agree with me that up to the time when the Indian delegates ceased their conference with us the assumption was, or, at any rate, the contention of the Government was, that the direct vote must stand. Suppose the Secretary of State for India when he went into the witness box had not given that statement, had not said that he was standing by the direct vote, because the objections to the indirect vote were so formidable, does the right hon. Gentleman not think that the examination and cross-examination would have taken an entirely different turn? When the Indian delegates left—and they had left

long before we had setled down to the actual preparation of our report—they left certain papers behind them of a highly valuable character. There was the letter written by Sir Tej Bahadur Sapru—it was expressly stated in the records that that letter represented the views of himself and Mr. Jayakar, and Mr. Joshi and several other delegates. He said that the question of the indirect vote might come up, and he stated there and then the arguments for the direct vote. He said that any attempt to impose a system of indirect vote on India would mean putting the whole scheme of reforms in jeopardy and would be resisted by Indian opinion.

There was another important paper which was left by the Indian delegation, which is specially mentioned in Volume 3 of the records, in the pages that run up to page 224, a report was left by the Indian delegation, signed by the Aga Khan and others. The last name in the 10 or 12 names of other members was that of Mr. Joshi. This memorandum drew attention to this issue and asserted that any attempt to impose an indirect system of voting in the Centre would be contrary to Indian opinion. The remarkable thing was that that record of the delegation was signed by representatives of all classes and thought in India. What happened in the Joint Select Committee has been dwelt upon in the Debate in the other House. Towards the end of our discussion in the Committee most of us assumed that the Government policy in regard to the direct vote was to stand, but in the end there was a majority against it. Let me remind hon. Member of what happened. On 6th July, 1934, the report of the chairman had been presented, and there was an Amendment standing in the name of the Marquess of Lothian, the Marquess of Reading and myself. That Amendment sought to set aside the chairman's report, which recommended indirect election. Our Amendment was in favour of the direct system. The voting on that occasion was 18 to five. The five Members who voted for the Amendment were the Marquess of Reading, the Marquess of Lothian, the hon. Member for Broxtowe (Mr. Cocks), the hon. Member for Caerphilly (Mr. Morgan Jones) and myself. The whole of the case that we wished to put before the Committee was set out in that Amendment and will be found in five pages, giving the case for direct election. Later on, when the report itself came up for consideration, we challenged the report and it was then carried by 21 votes to six. The six who voted against it were the Marquess of Reading, Lord Snell, the hon. Member for Broxtowe, the hon. Member for Caerphilly, and myself. Lord Lothian was away in America at that time but it was very well known that he took the same line as ourselves. The Archbishop of Canterbury also voted for the Amendment.

The FIRST COMMISSIONER of WORKS (Mr. Ormsby-Gore): Was it *not a very big majority?*

Mr. FOOT: No, but hon. Members have the figures and they can see what they were.

Sir A. CHAMBERLAIN: Will the hon. Member give the figures over again?

Mr. FOOT: On the first occasion the Amendment was defeated by 18 votes to five. On the second occasion, when the report came up for consideration and we challenged paragraph 200, which dealt with this matter, the report was carried by 21 votes to six.

Sir A. CHAMBERLAIN: That could not be said to be a small majority.

Mr. FOOT: If I used that phrase I ought not to have done so. What I had in mind was that there were not many of us who were involved in arriving at that very important decision. When you are dealing with a subject of such vast importance it seems to me that there were very few of us who had to take such serious responsibility. At any rate the minority included men of different parties, including the Archbishop of Canterbury, who is not associated with any party.

The difficulty was that having taken that decision a consequential arrangement had to be made with regard to the constitution of the Council of State. Up to that time the scheme of the White Paper had said that the Council of State should be elected by the provincial representatives and that the lower House was to be elected by the people themselves. When this change was made and it was decided that there should be indirect re-

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presentation at the centre, it was found that the constituency for the Council of State had gone. The Marquess of Salisbury said that the constituency had been pinched. I say that the constituency had gone. At the last moment, when there was not an opportunity for weighing this grave consideration, the Committee, at the 11th hour, had to decide how they would find a constituency for the Council of State and they said: "We will take it from the second Chambers of the Provinces." But after that solution had been suggested it was found that several of the Provinces had not any second Chambers. Then they had to decide that in the unicameral Provinces they would have to fall back upon for the constitution of electoral colleges, elected by the people just as if they were electing the Provincial upper House.

Criticism has already been made in public. Let me refer to what was said by the Noble Marquess when the debate was initiated in the House of Lords. He is against us and he said that he was in favour of the indirect vote, but he spoke about the hurried arrangement and said that the contingencies had not been properly weighed. That is how the thing happened, and it is a matter of regret that the Secretary of State did not adhere to the position that had been taken up in the White Paper. What has happened since? The report has been published. Great care was taken to see that the publication in India should synchronise with the publication here. What has been the answer of India in regard to this recommendation? Is there any doubt about Indian opinion? The "Times" newspaper, in its report from its correspondent, said that the greatest outcry was being made—I am not sure of the actual words—but the fact upon which they had seized in India as being the most significant was the change from the direct to the indirect vote.

Then there is the letter written by Sir Tej Bahadur Sapru, in which he says that next to the question of Dominion status the thing that has affected Indian opinion more than anything else is this change in regard to the vote. If any hon. Member has any doubt about that let them turn to what was said by Pandit Hirday Nath Kunzru, who was President of the National Liberal Federation of India. That federation considered this matter on 28th December, and in a speech which in its philosophy could rank with some of the great speeches of our political history, Pandit Kunzru stated the case against the indirect vote. He said in effect: "If you take away the right of the direct vote you take away the symbol of our national consciousness. If you take this away you rob us of what is essential to our political life." He said that it was a matter of life and death politically to the people of India and rather than consent to any Measure which took away the right of the direct vote, which they at present have, which took away this symbol of their national consciousness, he would reject the scheme altogether.

Have hon. Members had sent to them a statement of what has been said by the Servants of India Society? They direct their criticism upon this change in the vote and say that the direct vote should never have been taken away. Have hon. Members had sent to them the report of the last conference of the Indian Christians? Their meeting was held on the 2nd February of this year and they say that they are opposed to this change and demand the restoration of the direct vote, the vote which they have so long enjoyed. Have hon. Members noted the position taken up by the Deccan Labha? I am not able to follow the Indian papers but I know that every society about which I have been able to get any information has asked for the direct vote and has condemned this part of the Government's policy. I should like to have this point dealt with specially by the Secretary of State and an Answer given on behalf of the Government. I understand that the First Commissioner of Works may deal with the matter. Is he able to point to any representative body in India that has approved the alteration made? There are a great many societies, some holding most responsible positions. Is he able to point to any society which, having considered this report, welcomes the change made by the Joint Select Committee from the declared policy of the Government in the White Paper?

There is something of even more importance and that is the position of the Government of India on this question of the direct vote. We require enlightenment on this point. During the

sittings of the Joint Select Committee the information given to us every time was that the Government of India believed in the direct vote. They did in 1919, they have done so all along and they did so following upon the Statutory Commission. The other day I saw in the "Times" this report of what was said by the Viceroy when he addressed the Assembly:

> "There was no sinister motive underlying direct election to the central legislature. The Viceroy and his Government favour direct election but they recognise there are cogent arguments on the other side."

In spite therefore of the report of the Joint Select Committee, the Viceroy, measuring his words, went to the Assembly and said that the Government of India stood by the direct vote. I took the opportunity on the Second Reading of the Bill to ask the Secretary of State for India, who had treated us with great candour in this matter, if he would put the House in possession of the present opinion of the Government of India on this matter. The importance of that is that after we had had the Statutory Commission the Government of India's dispatch was made public. Is it not just as important that we should be put in possession of the opinion of the Government of India on what has been recommended by the Joint Select Committee? That is a request with which, I think, most hon. Members will agree.

Let me summarise our objections to this scheme. We are opposed to indirect election because it is contrary to the opinion of the man on the spot. We are opposed to indirect election because it is contrary to Indian sentiment. It may be said that there is a chance to reverse it, that our Amendment was accepted saying that it might be changed. But suppose there is no change and it goes on for 10 years, you are going to provoke an agitation immediately you commence these reforms. In the course of a few years vested interests will grow up, and if someone comes along and proposes to dispossess them they will not look with any favour on the proposal. Once you establish this system you will find very great difficulty in trying to break it down. We are opposed to indirect election because it involves a reconstruction of the upper Chamber at the centre, and gives it an authority and prestige which was never intended in the first instance. It deprives Indians of a right which they have enjoyed for the last 14 years, and is contrary to the whole principle of representative institutions. The argument for giving people the vote all along has been that by so doing you educate the electors. Why should it not be applied to India?

We are opposed to indirect election because it is contrary to the whole principle of federation. There is no federation in the world which is not constructed upon the principle of the upper House representing the federating units and the lower House representing the people at large. Further, it confuses provincial and federal issues. It will mean now that if Congress or some propagandist and extreme body wants to capture the centre, they must capture the Provinces, and you are going to bring into the Provinces issues and arguments which should never be there. Under this system you take away from the Governor-General the power of dissolution. If the Governor-General has to deal with the Provinces and the Provinces make an arrangement among themselves, and then one Province tries to bring pressure to bear in the interests of its Province, you may have the Governor-General having to stand up against these sectional interests.

To whom under this Bill can he appeal? Upon his head you have placed a fruitless crown, and put a barren sceptre in his grip. He may say that he must stand by the people of India against these sectional interests, but there is nobody to whom he can appeal. He dissolves the legislature, and what happens? The State representatives go back to their masters. They will be asked, "Where do you come from?" "From Delhi, because there is a dissolution." They are told to go back again, and the Governor-General after having dissolved the Assembly will find the same people back again. What do the British Indian members do? They go back to the small provincial groups, those six or seven people who are invested with the duty of electing a representative assembly, and will be sent back again by the same small groups, and if the groups are not there, you will have at the centre people who will represent nobody in the whole wide world. That is an argument which should weigh

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with those who believe that the Governor-General should be invested with some authority.

There is the argument of corruption. Every Indian has appealed to us upon this matter. It has been stated in the course of our Debates, in Congress and in the documents to which I have made reference, and we have been asked how it was that we could take the risk of giving a handful of people the power to elect representatives. What happened in this country years ago when six or eight people were able to send members to this House of Common would happen in India. It would be impossible to resist corruption. The proposal is not only dangerous, but strikes at the unity of India. Our aim has been to achieve the unity of India, and anything which strikes at the unity of India is a risk too deadly to contemplate. If anyone will read Mr. Pannikars book on "The New Empire," he will find that the root difficulty in India is a tendency for its forces to dissipate and its unity to be broken. If we lose that unity India, he says, will go back to the condition in which England found her. That is the opinion of Mr. Pannikar. He also said that under the federation system we were strengthening the forces which make against unity, and that at this time we propose to take away the only symbol there is in India of national consciousness. I make an appeal to those hon. Members who have been associated with our party not to vote against an Amendment which secures to other people the vote which we would never surrender for ourselves. I make an appeal to the right hon. Gentleman for West Birmingham, who has shown great magnanimity in the course of his political life, not to set his views against the considered opinions of those who have made a most exhaustive inquiry and against those who will have to live under this constitution.

I make an appeal to the Secretary of State, who has to make decisions on this matter as great as ever made in the history of this country. He knows the difficulties. There are difficulties in India to-day. Their main objection is that they are not framing the government under which they will have to live, a sentimental objection it may be, but it is one which we should ourselves feel. We have shown ourselves anxious to meet the claims of the Princes. Last week we made an offer to meet their claims, perfectly legitimately expressed in this House. The people of India ask us not to take from them a right which they have enjoyed, and yhich we should never surrender ourselves without civil war. If we could meet their case the gesture would do more than anything els to give these proposals a chance of being worked out to a fruitful conclusion.

6.10 p.m.

Sir A. CHAMBERLAIN: The hon. Member in his opening sentences did his best, and a very good best, to state fairly the case of those who support indirect election in the circumstances of India, rather than direct election. Afterwards, I thought, he dealt rather cavalierly with their arguments. A majority of more than three to one which disagreed with the hon. Member became an insignificant majority——

Mr. FOOT: I used a phrase which really did not represent my mind. I did not mean that they were unsubstantial, but that a big responsibility was committed to a few people.

Sir A. CHAMBERLAIN: At any rate, almost all the available members of the Joint Select Committee voted upon it, and, after all, the large responsibility which was submitted to that Committee now rests on every Member of the House of Commons. In approaching a question of this kind hon. Members have to ask themselves, after listening to such a speech as that which we have just heard, what they conceive to be their duty. We are bound to give careful attention to any representations of Indian opinion, the Princes, the Hindus, the Moslems, or any of the many other sections into which Indian opinion is divided. But I hold that though we should give careful consideration to their opinion and due weight to their arguments, in the last resort the responsibility is ours, and I am no more willing to accept a system because it has a majority of Indian political feeling in its favour, which I believe to be unworkable and unreal in the conditions of India and the constitution we are now giving to India, than I was willing the other day to enter into an auction for the support of the Princes.

We have to take our own responsibilities. It is not sufficient to say that Indian opinion, this or the other section, holds this or that view. We must consider in the light of all the arguments which are put before us what is the best constitution we can offer to India.

This is a question on which two views have been held, and probably will continue to be held. The original proposal under the Montagu-Chelmsford reforms was indirect election. The Joint Select Committee of that day substituted direct election. The Simon Commission, with an experience of the working of direct election, reported most strongly against it and in favour of indirect election. The Round Table Conference was unwilling to accept indirect election, because it was undemocratic. What is democratic representation? It is one which gets a true reflection of the views of the people and establishes a real nexus of responsibility between a member and his constituency. None of us here are mere delegates from our constituencies. But when we come here we have a responsibility of our own; although elected we conform broadly to the lines of the dominant thought of our own minds. It is essential that there should be that sense of responsibility of the individual member to his constituents if representative institutions are to be anything but a sham.

What is it that the Simon Commission reported about the working of the present system? I must trouble the House with one or two extracts. They point out the immense areas which, even with such numbers as are proposed for the lower House of the Central Legislature under this Bill, would constitute the electoral divisions—not merely that you might have an area the size of the county of Norfolk and with its population as a single constituency, but that owing to the difficulties created and the necessity to respect the communal differences, your constituency may become as big as Scotland with a population as big as that of Wales, and in a country without the communications of either Scotland or Wales, and in the midst of a population which, whatever you may say, has not the political experience or knowledge which the electors of this country have. It seems to me to subordinate all reality to abstract theory to tell us "Well, there are these large areas in the United States of America. There are these vast constituencies in the Commonwealth of Australia." There are, but I am not aware that either constitution works better on that account. I should have thought it was rather an inevitable weakness in their system than an advantage. But if it does work well there, that is surely no argument that it can work well in the totally different constituencies in India. The Simon Commission went on to say:

> "All the evidence goes to show that at present the actions of a member of the Assembly are not, and in the nature of things cannot be, subject to any real control on the part of his constituents. The issues at Delhi are too remote and unfamiliar for the average elector to apprehend. Under the plan which we propose the representative at the Centre will know that his actions will be subject to the criticism of a body of provincial legislators, and the result will be the creation of an enhanced sense of responsibility in a member, and an increasing probability that good work faithfully done will be rewarded by the increasing confidence of the Province in its central representative."

I submit that there will be found no satisfactory answer in all the documents which the hon. Member for Bodmin cited—I think he cited every document he could cite, and very properly, in favour of his argument—to the case stated by the Statutory Commission, that if you have these vast constituencies in the present circumstances of India there will be no real responsibility of the member to his constituents, and no real education of the constituents by contact with the member.

I remember that in the course of the evidence before the Joint Select Committee it was stated that members of the Indian Legislature found no difficulty in getting at their constituents through the organised bodies which exist. But from our experience would that be a wholly satisfactory form of representation to us? I represent a crowded industrial area in the centre of a great town. If I could approach my constituents only by means of the trade union council, I should not have the honour of a seat in this House. My chance of being elected rests upon the possibility of making a direct appeal to the electors, and my chance of carrying them with me on the larger issues of policy rests upon the same thing. But that kind of contact in the circumstances of India, with its

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lack of communications and vast area, is impossible between the member and a direct elector. That kind of responsibility can only be established by election at one remove.

I think that in the present circumstances of India the best form is indirect election through the provincial legislatures. I do not say that the system is without disadvantage. I recognise that. I do not say that the system will always prevail. It was the hope of many of us, when we first approached the consideration of the question, that we might find some possibility of developing the electoral system through the village Punchayats and bodies of that kind. There are no such bodies existing widely enough in India at the present time, and communal differences are so fierce that even among the villages you would find many which would not need to have separate communal representation. But I believe that that probably is the most fruitful development which could take place in the future of the Indian franchise. At present we must have resort, in order to maintain the responsibility of the elected to their electors, to this system of indirect election through the provincial legislatures.

The hon. Member said that the Joint Select Committee proceeded on the assumption that direct election was to be maintained. He stated that my right hon. Friend the Secretary of State defended direct election all through. That was mainly because my right hon. Friend in spite of the views which he had himself expressed at the Round Table Conference, felt that in this matter, as Secretary of State for India, he ought to express quite definite Indian opinion. But he never spoke dogmatically, and he never gave any sort of pledge that this was a question upon which the Government could accept no other decision. Very early clear indications were given, in the presence of the Indian representatives who sat with us, that this was a matter which was by no means a settled issue for many members of the Joint Committee. There can be no question of taking them by surprise.

Mr. ISAAC FOOT: Does the right hon. Gentleman not think that if there had been an indication of the Government accepting indirect election the questions during the long cross-examination would have taken another course? The Indian delegates asked very few questions about it.

Sir A. CHAMBERLAIN: I thought that my right hon. Friend the Secretary of State was asked every conceivable question. My memory for that sort of thing is not very good, but my recollection is that in the course of the 10,000 questions that were put to him every conceivable subject was covered.

Mr. FOOT: But there were other witnesses.

Sir A. CHAMBERLAIN: They were examined on the same subject. I happen to know, because I remember examining some of them myself. There was no concealment, and it would be doing a wrong to the Joint Committee and creating a false impression if there were any suggestion that this matter was only stirred after the Indian representatives had left the Joint Committee. The hon. Member for Bodmin (Mr. Isaac Foot) says that this proposal involves a reconstruction of the Centre. So it does but it is not merely a reconstruction, but an improvement. The scheme which has emerged from the Joint Select Committee is not the scheme which I most favour. I would have preferred election to the lower Federal Chamber to be by the single transferable vote in the provincial legislatures and election to the upper Chamber to be by the upper Chambers in the Provinces made easier by the addition of two Provinces to those which were to be without upper Chambers, and by electoral colleges composed very much of the people who would have been electors for the upper Chamber if there had been one in the Province where no such upper Chamber will exist. I think the combined result of those two changes made in the central legislature and in the provision which they facilitate for the upper House being renewed by one-third every three years, instead of being subject to dissolution like the lower Chamber, do give an additional stability and continuity of purpose and policy to the central government, the absence of which was one of the great defects of the scheme in the White Paper.

The hon. Member for Bodmin goes on to say that the scheme of the Bill will deprive the people of a right which they have exercised. He spoke of the vote as a right. You may treat it as a civic

duty. But if you make control of the representatives more effective you make their representative character more real, and you serve democracy and do not injure it, and no theory ought to prevent you from doing so. The hon. Member says that the scheme affects the unity of India. I think it does. I think it may lead to consolidating that unity. When you create these 10 to 11 provincial governments, the centrifugal tendencies will be very real and there will be the possibility of conflict between the provincial governments and the central government will constitute a serious danger unless they are directly related. If that conflict came, and both appealed to the general electorate over the whole of India and both claimed equal and indeed practically the same authority to speak for the people of India, the conflict might become incapable of solution, however dangerous it was to the safety of India. I think it tends to the unity of India that there should be these elections from the provincial Houses, upper and lower, and that the upper and lower Houses of the Central Legislature itself should be strictly linked with the Provincial Legislatures and with the governing opinion and feeling existing in the Provinces. I have told the Committee that I do not think we have found or that we can find to-day the ultimate solution of this question. The hon. Gentleman talked as though he and his Liberal colleagues had proposed an Amendment on the Joint Select Committee which pointed that out.

Mr. ISAAC FOOT: I did not say that.

Sir A. CHAMBERLAIN: At least he will allow me to say that I welcomed that idea the moment it was suggested. I do not pretend that we are finding a final solution to-day. I have indicated where I hope a final solution may be sought in later years by Indians themselves. But I do say that if you strike indirect election out of the Bill and reaffirm the sanctity of direct election; if you give your approval to the statement of the hon. Gentleman that direct election is the only form of election that counts and is the only thing worthy of a nation, then you make it impossible for yourselves or anyone else ever to change that system however badly it may work. You have an opportunity now of reversing the hasty decision—as I think it—of 1919 and of trying another experiment from which you could move back to direct election if, in after years, you should think that desirable. If you now reaffirm direct election you saddle India with a system which becomes more and more unreal and impossible to work with every extension of the franchise in that country and, to use the term in the report, you go into a cul-de-sac from which there is no issue, as democratic institutions grow and the democratic vote increases.

Miss RATHBONE: Will the right hon. Gentleman tell us his answer to the objection that such tiny constituencies as will be inevitable under the indirect system may lead to corruption. That is such an important point that we are naturally curious to know his answer.

Sir A. CHAMBERLAIN: My answer is twofold. In the first place, it is admitted that there is corruption in Indian public life to-day and as long as you have no political standards sufficiently high and strong to punish that kind of thing corruption will exist. Will it be increased if you have small bodies of marked men chosen from the Provincial Legislatures for your electoral colleagues?

Mr. ISAAC FOOT: Who can vote as they please.

Sir A. CHAMBERLAIN: I think not. The results of their vote will be known, and they can be held responsible for what they do. Are you more likely to be able to lay your hands on corruption and stamp it out, when it is a question of bribing six or a dozen marked men than when it is a question of bribing a large constituency as, we are told, they are often bribed to-day.

6.35 p.m.

Mr. MORGAN JONES: The Committee has been favoured with admirable statements on both sides of this question. The hon. Member for Bodmin (Mr. Isaac Foot) has stated with great cogency the case for direct election and the right hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain) has stated with equal cogency the case for indirect election. I rise to say a few words on behalf of my hon. Friends on these benches and perhaps the Committee will forgive me for making at the outset one personal reference. I think it is known to hon. Members that my hon. Friend the Member for Limehouse (Mr. Attlee) does

[Mr. Jones.]

not share the views which the rest of us entertain on this question of direct or indirect election. I hold my hon. Friend in the highest esteem and I regard his difference from us on this matter as one which arises from a desire on his part which we all share to serve the Indian people in the best way possible. We differed on the Joint Select Committee; we retain our differences to this moment and I am afraid they must continue until we have taken a division at the end of this discussion. But although I disagree with my hon. Friend I can say that he has been consistent on this question throughout. He was a member of the Statutory Commission, he subscribed to the decisions and findings of that Commission and he maintained the same view on the Joint Select Committee. Having said that I may be allowed to pass away from that personal note.

My hon. Friend the Member for Bodmin will forgive me if I remind him that this is not a Bill for electoral reform in India. It is a Bill of many Clauses and deals with many aspects of the constitutional problem of India's development. I may say that I was staggered to discover my hon. Friend exhibiting such remarkable eloquence on this particular point and as far as I can see on this point only. I do not wish to be unkind in my references but in the Committee Room my hon. Friend seemed to have imposed upon himself the vow of a Trappist monk. He was as silent as the grave until the question of direct election came up and even then the person who presented the case in regard to direct election was the Marquess of Lothian.

The right hon. Gentleman the Member for West Birmingham opened his speech with an observation on a point which I have sought to raise several times already. He contended that we were under no obligation to accept the final view of the Indians themselves upon this matter and, of course, so long as it is before the House of Commons that is technically true. But I have repeatedly said in these discussions that, as far as we on these benches are concernd, we take the view that we ought to be guided in our decisions, so far as we can arrive at decisions, by the opinions of the Indian people. It is true that sometimes we have difficulty in discovering unanimity among Indians upon this or that problem but on this question of direct or indirect election there is a very remarkable measure of agreement among all classes and creeds in India. The right hon. Gentleman has not, I am sure, overlooked or forgotten the memorandum presented to the Joint Select Committee by the delegation representing British India. I understood him to say that there had been no reply to the conclusions of the Simon Commission upon the comparative efficacy of direct and indirect election. The memorandum to which I refer contains the following passage which I ask leave of the Committee to quote:

> "The first two arguments have been answered in the following passage from the Government of India despatch on a similar proposal in the Statutory Commission's Report."

It is in large measure an answer to the contention of the Simon Commission. The passage from the Government of India despatch cited in the memorandum is as follows:

> "First, the central elector has exercised the franchise with increasing readiness and at least as freely as the elector to provincial councils. A great deal of the business of the central legislature is as intimate to the elector and is as fully within the scope of his understanding as the business of the provincial councils. We need cite only such matters as the Sarda Act, the income tax, salt tax, railway administration and postal rates. Even more abstruse matters such as the exchange ratio and tariffs interest large sections of the electors."

I wonder how far that can be said about our English electorate?

> "Second the electoral methods natural to the social structure of India may be held to some extent to replace personal contact between candidate and voter, a contact which adult suffrage and party organisations make increasingly difficult in western countries. The Indian electorate is held together by agrarian, commercial, professional and caste relations. It is through those relations that a candidate approaches the elector and in this way political opinion is the result partly of individual judgment but to a greater extent than elsewhere of group movements. These relations and groups provide in India a means of indirect contact between voter and member, reducing the obstacles which physical conditions entail."

They then proceed to a consideration of the change effected some 10 years ago. It is meet that we should recall once again what happened in the committee room. The Secretary of State fairly and frankly said that he was reflecting the

view of the Indian Government when he said that they were in favour of direct election. The right hon. Gentleman the Member for West Birmingham spoke in favour of indirect election and I am not sure that the right hon. Gentleman's conversion did not start from that point. From that moment there was a terrific drive in the committee, repeated day after day almost, and to my mind that was in order to convert the Secretary of State to the method of indirect election. The Secretary of State stood firm for some time, but the majority of the Government supporters obviously were in favour of indirect election.

Sir A. CHAMBERLAIN: I think the hon. Member is referring to discussions which I thought were strictly confidential.

Mr. JONES: I am not aware that I am bound not to make a reference to a matter of obvious public interest like this. I am within your Ruling, Captain Bourne, and I do not want to do anything wrong, but it seems fair to——

Mr. ISAAC FOOT: I am sorry to interrupt, but I raised the matter in the first instance. I think the published records show what the position was. It was dealt with in public on the first day of the Debate in the other House by the Noble Lord, the Marquess of Salisbury, who said that a direct vote held the field until the latter part of the session of the Joint Select Committee, and I thought that, inasmuch as that rested upon published questions and answers, one was not dealing with anything that was confidential.

Sir A. CHAMBERLAIN: I make no complaint of anything said by the hon. Member for Bodmin (Mr. Isaac Foot). What I doubted was—it was not a question of order for this Committee—but we did have confidential discussions in the Joint Select Committee, and I thought it was agreed among us all there that those confidential discussions should not be alluded to. No record was taken of them, and we may get involved in a great deal of controversy among ourselves if we do allude to them.

Mr. JONES: If the right hon. Gentleman's point of view is to be maintained, we can make no reference at all to the discussions inside the Committee.

The DEPUTY-CHAIRMAN (Captain Bourne): I think the position is that all that the House is in possession of is the published evidence and minutes of proceedings in the Joint Select Committee, and it would be better that Members should make any speeches they wish to make about the proceedings in the Joint Select Committee on those documents to which all Members of the House have access.

Mr. JONES: This is really a most surprising situation, and if it is to be maintained, it is clear that none of us can refer to the alignments of party and so on inside the Committee room. The only personal reference that I have made so far was to the right hon. Member for West Birmingham, and his position is well known. Therefore, I think I am not doing anything that is violating the traditions of the Joint Select Committee.

Mr. ISAAC FOOT: I hope the hon. Member will not forget that he called me a Trappist monk.

Mr. JONES: That is not even recorded on the minutes. I think that I am not stating what is not available to anyone who cares to study the division lists. The right hon. Gentleman the Secretary of State maintained steadily his position, and the Committee instructed him to take the view of the Indian Government again. A second time the right hon. Gentleman returned, and a second time he returned with the view of the Indian Government that they were in favour of direct election. Again he was instructed to take the view of the Indian Government, and a third time, of course, the right hon. Gentleman could not but come back and see that the vast majority of his Committee were against him, and he said, "Very well, we must accept the decision." I say that the decision of the Committee was taken—I do not say wrongly—in the teeth of the repeated presentation to the Committee, not of the views of Indians, but of the view of the Indian Government itself, and that view of the Indian Government was based upon some 10 years or more of the system of direct election.

For our part, we take the strongest possible objection—I speak now for the majority of my party—to the change that has now taken place. We have been told

[Mr. Jones.]

over and over again by the Secretary of State that there is nothing sacrosanct about a fixed period of years. Indeed, it has been held to be a very risky thing to set any time period in connection with these matters. We are fobbed off none the less, in connection with this change, with the sort of consolation that after all, in 10 years' time, you can return from indirect to a direct method of election if you like. How can you anticipate that in 10 years' time you can easily readjust the system from indirect to direct election? How can it be done? It can be done literally, I have no doubt, but look at the almost insuperable obstacles you are erecting against such a change. On the other hand, the evidence at your disposal all points to the fact that within a limited period of 10 years direct election has worked in India, and in any case you accept that as a final judgment and guide so far as elections in the Provinces are concerned. You have your vast electorate in the Provinces. Very well, if you are prepared to take the risk of direct election in the Provinces, over vast areas, what is the insuperable objection to applying direct election similarly at the centre?

I have heard this afternoon a sort of suggestion—I do not know that it was a definite statement—that there is some corruption and so on prevalent in India. Let me once again say categorically that I challenged an ex-Indian civil servant who made that allegation in the Committee room, and I invited him to give evidence in support of it. The moment he had given his reply three ex-Viceroys, one after the other, were appealed to by Sir Tej Bahadur Sapru to give their views on the question of this alleged corruption in India.

Duchess of ATHOLL: The appeal that Sir Tej Bahadur Sapru made to the three ex-Viceroys was with regard to the charge of nepotism.

Mr. JONES: The Noble Lady was not there, and I was there. It is quite true that nepotism was one of the charges, but it was mixed up with the whole general charge of corruption, and I think I am strictly within the truth when I say that when Sir Tej Bahadur Sapru addressed this question to the ex-Viceroys, he had the whole charge made by the person concerned in his mind. Let us get rid of these repeated insinuations. However corrupt or otherwise the Indian people may be, I am quite certain that a system of indirect election is much more liable to lead to corruption on a grand scale than the sort of corruption you get in association with direct election. We on this side regard it as an infringement of the democratic rights of the people of India to revert once again, after this 10 years' experience, from the method of direct election to the method of indirect election. I am quite sure, as the hon. Member for Bodmin said, that it has had a very bad effect on Indian public opinion, and as the years go by and they see the effects of this indirect system in operation, I rather tend to the belief that the objections to it will grow rather than diminish. I regret very much that the Secretary of State felt it necessary to give way to my colleagues on the Committee in this matter. May I say, in conclusion, that I understand the First Commissioner of Works will reply on this Debate, and we shall be, of course, very glad to hear his views on this matter, but I would equally be interested to hear the defence of the Secretary of State personally, because, after all, it was he who gave way in this matter and abandoned the case of India in the Committee room, and it is he, it seems to me, who ought to be called upon to defend that decision on the Floor of this House.

6.57 p.m.

The FIRST COMMISSIONER of WORKS (Mr. Ormsby-Gore): I understand that it is the intention of my right hon. Friend the Secretary of State to say a few words in winding up the discussion on this Amendment, but I think it is rather hard that the hon. Member should insist that on every single Amendment and Clause in this Bill the Secretary of State should always be here and answer for the Government. My right hon. Friend is carrying a very heavy burden. It is clear that on this issue there has been a very great controversy from the very beginning of Indian constitutional reform, and I well remember —I think I am the only Member of this Committee who was a Member of the Joint Select Committee of 1919—that then we had before us both the Montagu-Chelmsford Report and the Southborough

Commission's proposals, both recommending indirect election. There were few subjects that exercised more the then Joint Select Committee than this proposal, and eventually the direct system was adopted by a majority. The discussion turned in favour of direct election almost entirely because of two arguments—first, the argument that there was in India, provided you had a strictly limited franchise, I will not call them a class, but a strata of educated Indian opinion who were more interested in central questions, particularly law, tariffs, and the central subjects, than they were in provincial questions, while there was a far larger strata of Indian society, cutting in both cases across communal and racial divisions, and embracing a far larger strata of society, much more interested in education, agriculture, public health, and social services falling within the provincial sphere, and that it was therefore possible, provided you had a strictly restricted franchise for the centre, to have two different electorates, to have a limited direct electorate at the centre, and a larger and more democratic electorate in the Provinces. The second argument, which prevailed, I think, on the majority of the members of the committee, was that this demand had behind it the weight of the very type of people whom the hon. Member for Bodmin (Mr. Isaac Foot) quoted this afternoon—all the Allahabad lawyers, all the pundits, all the constitutional lawyers were anxious to follow very strictly Western or English forms and to have direct election to the centre on a strictly limited franchise.

It is true to say that on a restricted Indian franchise there has been a slowly increasing and finally quite considerable exercise of that limited franchise; but it is limited. The practical problem of electoral methods becomes a matter that has got to be faced up to the moment you attempt to get beyond the franchise that was given in 1919. It is wrong to say that the constituencies of the size of Scotland or Wales are exceptions. It is true that they were picked out, individual ones, by the Statutory Committee's Report, and even by the Joint Select Committee. But I have been provided with a table of averages, and the figures really are very formidable indeed. This document has been drawn up on the basis of the White Paper proposals. It is dated early last year. One does find that even in what are called the general constituencies, that is, the Hindu constituencies, the average area of them in Madras and Bengal is between 7,000 and 8,000 square miles. Wales is 8,000 square miles. They run up to 16,000 square miles. The Mohammedan constituencies, of course, range to far bigger figures, and you have in the central Provinces Mohammedan constituencies actually larger than the whole of Scotland and the islands. The geographical facts have got to be faced, and they are the biggest part of this argument. I quite agree with the hon. Member for Bodmin that the ideal thing for a democratic development is the direct vote. I quite agree with him that the indirect vote has not got quite the same quality. But we are faced by the actual facts in India to-day.

Mr. ISAAC FOOT: Is it not a fact that whatever may be the geographical difficulties under the Bill, they are far less than the geographical difficulties under the existing legislature? Are we not having 250 members instead of 105, and does not that mean that the geographical difficulties are to some extent lessened?

Mr. ORMSBY-GORE: You are also at the same time increasing the membership, and, given these geographical figures, how can a candidate during an election get in touch with a fraction of his constituency?

Miss RATHBONE: By broadcasting.

Sir A. CHAMBERLAIN: The right hon. Gentleman mentioned the average sizes of constituencies. I understood him to say that they were not the present constituencies, but the constituencies if you have the increased number of members in the legislature, and that there would still be many constituencies the size of Wales.

Major MILNER: Is it not a fact that the future constituencies will be less than the present constituencies?

Mr. ORMSBY-GORE: Certainly.

Major MILNER: Is it not much easier to get into touch with an electorate if it consists of 60,000 people than with an electorate of 6,000 people as it exists at present, by broadcasting and so on.

[Major Milner.]
You can surely get into touch with 60,000 people in a defined area more easily than 6,000 as at present.

Mr. ORMSBY-GORE: We all know that the bulk of this electorate in India under the old system is overwhelmingly landowning and urban, and you can get into touch with them because the landowner can afford to come into the centre. The urban voter has been predominant, and under the existing franchise for the centre in 1919 practically no Indian villagers were enfranchised. The right hon. Gentleman said that the Joint Select Committee sought a system of indirect election which many of us thought would have been suited to Indian conditions, namely, from the villages. That is too late, and is indeed complicated by the destruction during the last 200 years of the social and political structure of the old Indian village, and above all by the introduction into the villages of the communal division. These are the facts. I want to make it quite clear what the Government's position is.

We do not regard the decision and the recommendation of the House to support the Joint Select Committee's proposal as closing the door for all time to the working out of some more practical scheme of direct election. But geographical and practical reasons are our first difficulty about direct election. The second is a different argument altogether, and that is the argument in favour of indirect election; and it is what most convinces me by reason of the substitution that we propose of a new federal constitution for the existing unitary constitution. The hon. Member for Bodmin talked about the retention of a direct vote as a symbol. You want something much more than a symbol to maintain the unity of India. You do want for the successful working of federation, as we conceive it, the most direct contact possible between the executive and the legislatures in the autonomous Provinces, on the one hand, and the legislature and responsible centre in the centre. From the beginning of this controversy I admit I have always opposed provincial autonomy; I opposed it when the Statutory Commission's Report first came out. What always attracted me was above all a real federation, and if I saw no hope of federation I could not personally go a yard in the direction of provincial autonomy. That has been my position throughout the last three years, and, in view of that, I attach a great deal of importance to this stage of Indian constitutional development being worked out on a basis of the closest relations between the provincial legislatures and the central legislature.

What attracts me most about the proposal of indirect election is the dependence of the representatives of the central Provinces in the central legislature on the legislatures in the Provinces. It seems to me essential at this stage. I do believe that without that close link you will get a great tendency for, not only the Provinces to go off centrifically one from another, but you will get difficulties, friction and misunderstandings certainly less freedom, unless you have close personal knowledge and a close link between the representatives of the people of Madras in the provincial legislature and the responsible representatives of Madras Province in the centre. It seems to me vital at this stage, and I base my chief case on the fact that the practicability of wider franchise is a matter of dispute, and above all, on the urgent importance for the successful working of our conception of federation of this intimate link which we get in the proposals of the Joint Select Committee between the Provincial Legislatures and the Central Legislature.

7.15 p.m.

Colonel WEDGWOOD: Originally, in 1919 I was a very strong supporter of direct election for the Central Legislature. I think that at that time I was to a certain extent responsible for that direct election, and I wish that my conversion should be understood by my colleagues and by the Liberals in the House, because I am certain that the system of indirect election has its merits at the present time. It so happens that that conversion was caused principally, so far as I am concerned, by the arguments adduced by Mrs. Besant who brought forward an India Home Rule Bill, which the Labour party introduced into this House about nine years ago. That was a really carefully prepared Bill in which the whole system of representa-

tion was built up from the bottom. There was direct election for the village councils. The village councils elected as an electoral college representatives on the district boards, and the district boards elected the representatives to the Provinces, and so on. It was based upon the fundamental Indian idea of the unity of the village community and of self-government being built up from the bottom.

I think that all our liberalism throughout history has really been based on decentralisation of as much power as possible, letting the people who are sufferers from bad administration be in the position to see for themselves the result of their own good or bad management. At present the Indian people view the Government merely as a sort of combination of God and the tax collector. They do not appreciate in the least the benefit of the taxes they pay. They regard them just as they regard rent, as something which goes into some one else's pocket. The whole basis of the idea of building up the structure from the bottom is that it will teach people the difficulties and advantages of governing themselves, instead of starting on top and hoping that education, which hardly exists in India, will somehow work down. On the broad principle, I believe that for India indrect election based upon the village as its unit would be far the best. The difficulty is that the bureaucrat in India will tell you, as they told me until I was sick of it, that the Indian village no longer exists. It ought to have been our business all along to reconstruct the village community and to try and get back to it instead of trying to put an end to it by this system of convenient uniformity. It ought to be reconstructed from the bottom. I believe, that if my right hon. Friend the First Commissioner of Works had been on the Joint Select Committee, and had put his back into reconstructing village life and supporting the idea of indirect election based upon the village, instead of accepting facilely the official interpretation that villages are split into communities, we should have got a far better Bill than we have before us.

That is only one part of the question. The speech of the hon. Member for Bodmin (Mr. Isaac Foot) was a long and powerful speech. It takes a man who agrees with the hon. Member to differ from him successfully, and I am going to differ from him. His long speech of three-quarters of an hour was entirely based on the cult of authority. There was hardly an argument in favour of direct election, but there was a list of great and good people who had been in favour of direct election. To my astonishment he began his list of authorities with the Government of India. *Timeo Danaos et dona ferentes.* He should have remembered that the Government of India is a sound school of liberal thought. He went on to quote Sir Tej Bahadur Sapru who is more of a diehard than anyone on the benches opposite. He went through all those gentlemen who came from India and sat on the Committee with him. For authority I would prefer him to the whole of those gentlemen who were supposed to represent India on the Committee.

Mr. ISAAC FOOT: Would the right hon. and gallant Gentleman include in his ban and anathema the Franchise Committee that was set up by this House under the chairmanship of Lord Lothian?

Colonel WEDGWOOD: Certainly I would. Even Lord Lothian was once Mr. Philip Kerr. What Mr. Gladstone laid down in 1866 ought not really to weigh with us. What we want are the arguments which Mr. Gladstone used in 1866. What I want really to make clear to the hon. Member is that it is not Liberalism to quote authority. He and I are Nonconformists; we have got where we are by defying authority, by differing from authority, and depending on our own conscience and judgment.

Mr. FOOT: And our own votes.

Colonel WEDGWOOD: And our own votes in a free constitution. The real difference between all of us is that some of us are authoritarians and others of us are libertarians, and until this day I hoped that the hon. Member for Bodmin was a libertarian instead of an authoritarian. I know that his conscience will prick him when I say that it appears to me that he has now surrendered for a long time the soubriquet of Cromwell under the disguise of Strafford. His authorities were not impressive, but the "Servants of India"

[Colonel Wedgwood.]

whom he quoted is a very good authority of Indian opinion. I deny entirely, however, that the main objection of the "Servants of India" to this Bill is the absence of direct election. When the hon. Member quotes the "Times" correspondent in India as reflecting Indian opinion, I do wish he would recollect that the section of Indian opinion represented by the "Times" correspondent is much more bureaucratic opinion than the opinion of the Indian people. I think the Committee understands what has happened. There has been a revulsion of feeling against this Bill, and naturally, faced with that revulsion of feeling, all those Liberals in India who supported this Bill have to show cause for their change of view. On the Committee they supported it and when they were cross-examining me they were the most enthusiastic supporters of it. I imagine they were children born and bred of the Round Table Conferences who had a vested interest in the success of this Measure.

Mr. ISAAC FOOT: The right hon. and gallant Member referred to the "Servant of India." They published a resolution which was unanimously passed and which embodies the society's views in regard to the Select Committee's Report. The resolution says

"that the Report of the Joint Select Committee, which is to furnish the basis of the Government of India Bill, is in several respects more reactionary than even the White Paper, which had met with thorough condemnation at the hands of all progressive political schools in India, e.g.—"

The first instance they give is the substitution of indirect for direct election to the Federal Lower House which, they say, strikes at the root of popular power.

Colonel WEDGWOOD: That was the opinion of the "Servants of India," but it has rapidly changed. The hon. Gentleman says he does not read the Indian papers, but I read the "Servant" every week, and I hear from the editor every other week—thanks for differing from the hon. Member. It is obvious that those unfortunate Liberals who are to a certain extent committed to this Bill suddenly find that opinion in India will not stand the Bill at any price. They say, "You have left Indian status out of the Preamble and you have changed the system of election to the centre and therefore we have changed our mind." But if you ask in India what the opinion of India about the Bill is they will not worry their heads about whether it is direct or indirect election but about communal representation or about a constitution which will commit them, bound hand and foot, to the millionaires and Princes of India. These gigantic constituencies are caused not because the population is so enormous but because of the communal representation which the hon. Member is helping to force on this unfortunate country.

I am glad the Bill is now defended by a man who at least knows what democracy means; he is the person responsible for the Ceylon constitution —perhaps Dr. Drummond Shiels was more responsible than anyone else, but the present First Commissioner of Works was the Minister in charge who saw the Bill through. In Ceylon there is no communal representation at all. The bitterness of the communal problem was as great in Ceylon as it is in India, perhaps even greater. There are more castes. The Cingalese were divided into two castes who never spoke to each other, and up country Cinghelese would have nothing to do with those of the low country. Communal feeling in Ceylon was exceedingly bitter. What we did was to say, "We do not believe in communal representation, you shall have what we think best," and they took it. It was the single electorate. If we had had that system in this Bill we should not have had such gigantic constituencies, and although the constituencies would have been five times as large as ours here, probably ten times as large, they would not have been of the enormous size they would be under this scheme if there were direct election. Hon. Members must realise that to get a seat on that central Indian legislature has been the aim and object of every millionaire in India. The money spent on elections to the old Assembly was perfectly colossal. Fifty thousand pounds was spent in getting yourself—not elected, but nominated. Such a state of affairs is a denial of any sort of representation of the people themselves.

Mr. ISAAC FOOT: It is an easier job now.

Miss RATHBONE: If the millionaires are so anxious to get on to the Central

Assembly, will they not find it rather easy to bribe these 250 little rotten boroughs?

Colonel WEDGWOOD: Possibly. We shall have more of them, and not less. But that is not the point of my argument. The real thing is that with these enormous constituencies a member or a candidate cannot possibly know where the villages are or anything about his constituency, and if there is to be this enormous expense to get nominated we shall not be giving them our system of "representation of places" but simply "representation of parties." It is the German system. The party funds can find the man a seat. It is out of the question for any independent man or for any person who has not got large funds behind him to find a seat in the central Indian legislature, and therefore there is party representation and not local representation. I believe we are sitting here in this Parliament to-day because we have not represented parties but represented places. The German Reichstag was allowed to die without a sigh from Germany because the members represented merely parties and not places. If the whole of this House were wiped out to-morrow it would not be our relations who would weep; it would be our unfortunate constituents, who would no longer have a channel through which their complaints could be voiced. To my mind the whole system of democratic representation depends upon the Member knowing his electorate and the electorate knowing him, and using him as a channel for all grievances and a means whereby they can get justice. If we give that system to India we shall have to give it not to the whole of India but to the Provinces. We must start with the smaller units, and use them as the machinery of democracy.

The alternative, as the hon. Lady for the English Universities (Miss Rathbone) has said, is electing people indirectly by the provincial councils. The provincial councils are to elect a small number of the members to the Federal Assembly. Apparently it is now the idea that that will involve more corruption, that there will be bribery among those anxious to get elected to the Federal Assembly. I do not believe it for one moment. As a matter of fact, there will not be so much desire to get to this Assembly at Delhi because its powers are so curtailed. Every enthusiastic politician in India will want to get on to the councils in the Provinces, but not at the centre, because the centre cannot do anything. Weighted as it is with Princes and all the other interests, it becomes rather like our House of Lords. If any Indian is ambitious of helping his country or making a career in politics he will do it now through the Provinces. Therefore, we shall get the provincial councils selecting one among them to go up, as it were, on to the aldermanic bench. I do not say we shall not find people ready to go there, but there will not be that intense desire to get on the new Assembly in Delhi that there was to get on the old Assembly, because it will not have any powers.

Mr. ISAAC FOOT: Does the right hon. and gallant Member suggest that the powers that will be vested in the new Assembly are less than the powers exercised by the present Assembly?

Colonel WEDGWOOD: No, but the powers exercised by the new Assembly will be less than the powers used by the present Assembly. It is a purely conservative and decorative body. There will be little possibility of legislation, and the administration will be almost entirely in the hands of the Executive. Also the establishment of provincial autonomy takes a great deal of power from the centre. I do not think there will be the same object in getting there, and in any case those people who are elected to the legislative councils will be the people least likely to be bribed. I imagine that in nine cases out of 10 they will elect one of themselves, and therefore outside money will not be of much use. Inside the family we do not bribe each other. Experience of human nature teaches me that there will be a certain amount of log-rolling, a certainly amount of "taking it in turn," and it is much more likely that the senior councillor will get nominated automatically. When at Delhi they will be much better representatives of the people, and certainly better representatives of the Provinces, than people elected on a narrow franchise by a party list and going to Delhi to advocate party views. They will naturally look after the interests of their Provinces. The "provincial in-

[Colonel Wedgwood.]
terest" of nearly all Indian provinces is the question of how much money can be got out of the centre. It is not the eternal squabble between Hindu and Mohammedan. The question is, "How can we finance things and get money out of headquarters?" With that as the principal political issue I think the men from the provincial councils will be the best for the purpose. For all these reasons there is a good deal to be said for the authority of the Simon Report as opposed to the authority of the Government of India.

Mr. ISAAC FOOT: I thought you did not like authorities?

Colonel WEDGWOOD: There are some which I prefer, and others which I dislike. I mentioned which to please the hon. Member. May I conclude by saying once more than the real objection of India is to the communal franchise, and that that, and not this form of election, divides India for all time? It is the irrevocability of the communal franchise that they hate. The Government are giving India the opportunity in 10 years time—though they will not take it—to change from indirect election to direct election. Is it still impossible to persuade the Government—I know it is easy enough to persuade the right hon. Gentleman but can be persuade the Government?—to give India the same opportunity to change, either in the Provinces or at the centre, from separate electorates to one simple, straightforward electorate such as we enjoy in this country?

7.39 p.m.

Mr. AMERY: I cannot share the strong feeling of my right hon. and gallant Friend the Member for Newcastle-under-Lyme (Colonel Wedgwood) against communal electorates, but I agree with him entirely that the existence of communal electorates, with the vast scattered electoral areas they create, does add to the difficulties and to the objections to direct election for India as a whole. I would add that I agree with what I think was in his mind, that community elections are much better than communal elections, and that if we can restore the old community village life of India, and perhaps at some future date balance it by kindred community life in the cities, we shall get a much truer basis of Indian life. And having got rid of communal representation—which, after all, is the second best, even if I do not regard it as so good a second best as he does—knowing what has been done to restore indirect rule in a country like Tanganyika, where it had died out, I do not believe it will be at all impossible, with the present movement that is so alive in India for the restoration of village interests and village life and village self-government, to restore the village system where it has largely died out, and to make that, in another decade or two, the sound foundation for a system of indirect election which shall also be acceptable to those who are so anxious about a system of representing India as such at the centre.

Colonel WEDGWOOD: My right hon. Friend recognises, does he not, that if we pass this Bill we are making that impossible for all time so far as we are concerned?

Mr. AMERY: I am not at all sure. I think we leave the question of the future electorate of India as a whole open. A situation may well arise when the communal system may be displaced by a system of community election, and if it is displaced at the centre things may righten towards its displacement in the Provinces also. Anyhow, we are dealing now not with the best ideal system for the future but with the most practicable and most desirable system in the immediate present situation. The well-known argument for direct election to a federal assembly is that the representatives there represent the nation as such, whereas in the Provinces they represent the provincial interests. In most federations, in fact all the federations that I know of, the lower House is, it is true, elected directly by constituencies all over the federal area. That is in order to represent a national unit, a national unit from the point of view of national functions, and those are very largely, and certainly primarily, national functions towards the outside world. A representative of the whole of the United States in Congress or in the Australian or Canadian Parliaments is there dealing with America, Canada or Australia *vis-a-vis* the outside world. He controls its defence and its foreign policy.

That situation does not apply to the Federation which we are now setting up. It may at some future date, but we are

now dealing with a Constitution in which these primary aspects of national life are reserved to the Viceroy and Governor-General, and where the task of the central Legislature is very largely the task of co-ordinating the social and economic problems that affect the Provinces. For that task, especially in the earlier days of the Federation, it is vital, to my mind, that we should have the closest and the most continuous contacts between the legislators at the centre and the executive and legislative authorities in the Provinces. We shall have that in the States. The States representatives are in continuous—almost daily through the telephone—and regular contact with the authorities nominating them. How can the legislators at the centre, if they have been elected by vast areas as large as several English counties, remain in any sense in contact with those areas, or be able to deal, through those areas, with the many questions in regard to which the Centre comes into contact with the Provinces? The very smallness of the electorate which results from indirect election from the provincial centres is, for this purpose, among the advantages. I believe that when the system is in operation, there being no power for the selection of a provincial legislator for the Central Legislature, the representatives of each Province will in fact be a delegation from the Provincial Assembly to the Central Executive.

Mr. ISAAC FOOT: If the representatives at the centre are in direct touch with those who make them their delegation, will the right hon. Gentleman tell us what will happen when the Provincial Parliaments are wiped out in the meantime? Whom will then these gentlemen at the centre represent, when the Provincial Parliament changes?

Mr. AMERY: That is a separate question. I imagine that with the assistance of the communal system of representation there will not be a complete change in the Provincial Assembly, such as we have here. Those at the centre are not actually nominees of the Provincial Legislatures; they will still be there representing the provincial interests. For two years before that provincial election happens, they will have been fighting the battles of the Provinces, as has already been stated, on all sorts of difficult questions. They may be representing the views of their Provinces on fiscal questions. They are not likely to differ widely from the new Provincial Assembly, any more than that Assembly differs from the old. The advantages of that sort of contact cannot be over estimated, in the early days of the Federation.

The last thing you want, in this stage of Indian political life, is the representation of self-contained parties existing for their own ends or largely for communal or religious ends, and the more you can break that kind of conception of bringing in community interests, and the more you can get a delegation containing Mohammedans, Hindus, untouchables or even Christians, representing all interests, rather than the interests of party or of community, the better hope there is of making India a unit and a real nation. Therefore, I feel that, whatever may be the ideal system of Indian representation, the immediate interest of India, to enable the Federation to work and to establish a true relationship between the Centre and the Provinces, is to break, if we can, that obsession of India, and to create conditions for the establishment of the conception of party in the true sense, party based on principles, on a different economic conception, or on social reform. The more we give that kind of thing a chance, the better will be our hope that we shall ultimately simplify things by creating a direct representation at the centre for all India, on a basis the conditions of which do not yet exist.

7.50 p.m.

Sir JOHN WARDLAW-MILNE: I would like to address a few words to the Committee on this subject as I must at once admit to being a convert in this matter. I spoke—I do not remember the actual vote—upon the Joint Select Committee in favour of direct election as I had done in this House in previous years, and I am still strongly in favour of the principle of direct election. I am a complete convert, so far as this Bill is concerned, and I thought it was only right that I should put before the Committee the reasons for my conversion. The speeches to which we have listened in the last two or three days, and with a great deal of which I agree, have rather tended to give me the impression that the members who have spoken are supporting indirect election because they think that,

[Sir J. Wardlaw-Milne.]

for the time being at any rate, it is a good system. I do not support it for that reason. I support it because I think it is the only practical system at the present time. That does not alter in any way my belief that the direct system is the only reasonable and proper one for us to aim at in the future.

The hon. Member for Bodmin (Mr. Isaac Foot), who put the case in the clearest possible manner, dealt with all the authorities who have written or spoken in favour of direct election. I would ask whether he was not impressed to the extent that I was by the enormous difficulties in India at this moment of putting into force a system of direct election, which means two different elections by an electorate which is suddenly to grow from 7,000,000 to 35,000,000. I ask the Committee to consider the position. For every person who votes to-day, five will vote, in the provincial constituencies alone. It is admitted that the electorate is, and must be for some time to come, illiterate to a certain extent, and is certainly inexperienced, and we are putting upon them the burden of electing members to the provincial centres. On top of that, you cannot fairly at this moment put on them this second business of electing people to the central Parliament. That is the practical difficulty of working the direct system.

I am sorry that there has grown up in some quarters in India an idea that there is something sinister behind this recommendation of the Joint Select Committee. I hope and trust that India will get that idea out of their head once and for all. There is nothing whatever sinister about this proposal, which is based merely upon the fact—so far as I am concerned and I believe that this was also in the minds of a great many members of the Joint Select Committee—that there are practical difficulties which, at the present moment, are insuperable. The time will come, and I hope that it will come soon, when India will be able to bring to this House a request for the reconsideration of the position and when she will be able to have a system which will make direct election possible. I am strongly in favour of direct election and feel strongly that that must come. India would be wise to realise that there is no sinister motive behind this proposal, which is the only practical scheme which we can see at the present time. It would be wise for the new electorate to get a few years' experience; ten years in the life of an electorate is nothing. On that experience we might build up a system of direct election and then be in the position mentioned by my right hon. Friend the Member for West Birmingham (Sir A. Chamberlain) of being able to change from the temporary system of indirect election to the direct system.

I do not intend to go into all the details, which have been so ably dealt with from the Government Front Bench, as to the size of these constituencies, nor do I wish to deal with the very strong arguments put forward by the hon. Member for Bodmin. It is not, as I see it, a practical scheme to put without notice two huge systems of election upon a new and untried electorate which has suddenly jumped from 7,000,000 to 35,000,000. If India will realise that that is the only reason for this recommendation, I believe that she will accept it and will wait, and that she will put forward her own system before many years have gone by.

7.52 p.m.

Major MILNER: I am glad to have the opportunity of speaking upon this matter which is a point upon which I feel very strongly. The hon. Member for Kidderminster (Sir J. Wardlaw-Milne) has based his case for indirect election upon a difficulty he foresees in dealing with the increased electorate. If we are honest in our proposal to transfer responsibility little by little to India, this is precisely the way to do it. The limited electorate which we have to-day must grow bigger until such time as there is adult suffrage, and there is no ground for refusing to proceed by the method of direct election, which is in existence to-day or why the system which is also in existence to-day of two elections should not be continued. On the Franchise Committee we went with the utmost particularity into the question of the practicability or otherwise of increasing the electorate. I have no hesitation in saying that a much greater electorate, certainly so far as the towns are concerned, might be coped with quite well by means of the facilities which are in existence. I do not think that the right hon. Gentleman who spoke from the Government Front Bench is likely to contradict me in that. I believe that

the hon. and gallant Member for Kidderminister completely erred in the premise on which he based his decision.

Sir J. WARDLAW-MILNE: The Franchise Committee came to a certain conclusion. Unfortunately, we have re-examined the matter, and there is merely a difference of opinion. We think that that Committee were wrong and that we are right.

Major MILNER: It is not a mere difference of opinion between the hon. Member and those who think like him on the one hand, and the Committee of which I had the honour to be a member. I do not propose, except in passing, to deal with the authorities quoted by the hon. Member for Bodmin (Mr. Isaac Foot), all of whom were in favour of direct election. The direct system has been followed for 17 years with increasing success and the figures show that up to 60 per cent. of those entitled to vote exercise their franchise. What possible justification can there be for changing from that system, which has worked well for 12 or 15 years, to a different system altogether? To my mind the change is unsupported by any evidence.

I am sorry that the right hon. Member for West Birmingham (Sir A. Chamberlain), whose opinions I respect at all times, is not now in the Committee. The right hon. Gentleman, who is apparently the spearhead of this attack on direct election, is quite misinformed on a number of matters. I do not know if he has been in India lately, or, indeed, at all. I am extremely sorry that he is not here now; he was here a moment ago. As I understood him, he argued, first, that there must be a direct nexus between the electorate and the member, and, secondly, that there must be a sense of responsibility. Supposing that he were elected by a number of members of a county council in this country, to represent the county or a portion of it in this House, would he think that that was a more direct connection than if he had been elected directly by the electorate living in the county? Unquestionably all of us would choose here, and would similarly choose in India, to be elected and to represent our constituents directly rather than through the intervention of a third body.

What is the position with regard to indirect election? Members are sent to the Legislative Assembly elected by seven or eight members of a provincial council, and their only responsibility is to the members of that provincial council; they have no direct responsibility to the electorate. All that they have to do is to carry out the mandate or request of seven or eight members of that provincial council. Suppose that I were sent here by half-a-dozen members of the West Riding County Council, and merely had to report and represent their views, what an intolerable position that would be. Where would be the nexus, for which the right hon. Member for West Birmingham is so anxious, between myself and the electorate in that case? There would be no representative government of any kind. Then the right hon. Gentleman spoke about there being no possibility of a direct appeal to the electorate. As I have said, I do not know whether he has been in India lately, but India to-day has railways, telegraphs, and newspapers published in most remote places; it has motor omnibuses proceeding here and there—not, it is true, in the numbers that we have in this country, but increasing in numbers year by year; undoubtedly there are means of communication in India to-day, which even in the days of the Simon Commission, were not available. It has been suggested, too, that broadcasting facilities might be made greater use of in India, and it is certainly not correct to say that there is no possibility of a direct appeal to the electorate.

The right hon. Gentleman and the First Commissioner of Works spoke of there being great difficulties owing to the area involved; but, as I pointed out in an interjection, the area in the future will be less than it has been in the past. Matters have worked well in the past with a larger area than is proposed in the future; how can it be said that, when the area is going to be smaller, there can be any objection on that ground? The electorate is going to be increased five or six times. Assume that the area is as large as Wales. Is it not going to be easier to get your policy or programme over to 60,000 people than it is at present to 2,000, or 3,000, or 4,000 people spread over the whole of that area? These 60,000 people will have their mutual associations, they will meet in their villages and towns, and it is much more likely that there will be opportunities for the

[Major Milner.]

members of the Assembly to meet their constituents directly and to give them their views and obtain their approval for them. There is nothing in the objections to direct election which have been put forward by the right hon. Member for West Birmingham or by the hon. Member for Kidderminster.

I hesitate to refer to myself more than is necessary, but, when I went to India as a member of the Franchise Committee, I went there determined in the first place, if it was humanly possible, to assist in devising a scheme for adult suffrage. I found in the first three or four weeks that that was, in present circumstances, an administrative impossibility so far as the whole country was concerned, though it was possible, in my view, in the towns. Therefore, I turned my energies, as the Under-Secretary will agree, to endeavouring to devise a system of indirect election which would enable all adults to take part as members of a group in the election of their representatives, or of members of an electoral college who would in turn elect someone to represent them in the provincial or, in this case, the central Assembly. For reasons which are stated in the report of the Franchise Committee, every member of that committee, without a dissentient, agreed, and I eventually had to agree, that it was probably impossible, and certainly undesirable, unworkable, and unsatisfactory, to have an indirect system of that kind.

Both the Under-Secretary and the Assistant Postmaster-General, who have been here this afternoon, agreed that an indirect system would be unsatisfactory, yet we have not heard a word from either of them, nor have they been able to prevail upon the Government to accept that view. We were in India for four months, and we, so to speak, flogged this question to a thread at every possible opportunity. We cross-examined every witness with regard to it, and we were all satisfied that it was not a satisfactory system in the circumstances of the case, and that the right course was to recommend direct election. There was no dissentient, either among the Members of the House on that committee, or among the Members of another place on that committee, or among the 10 or 12 Indian colleagues who sat with us. In view of that body of opinion, in view of the fact that the Southborough Committee recommended it, and that the Government of India to-day, as I believe, unless some pressure or influence has been brought to bear upon them, and every Province and every Governor in India to-day, would support direct election and prefer it to indirect election, how can the Government ask the Members of this Committee to agree with their proposal? The evidence is wholly in favour of direct as against indirect election.

Something has been said about sinister motives. I am bound to express my view. I do not call it a sinister motive, but my own personal view is that the right hon. Member for West Birmingham, and eventually the Government, have seen in the change of view from direct to indirect election a method of putting, so to speak, another cog in the wheel, another difficulty in the way of Indians having responsibility for their own affairs. In effect, this change of view as expressed in the Bill represents another safeguard which the Government have introduced, and the very fact that not a single Member of the group led by the right hon. Member for Epping (Mr. Churchill) has raised his voice on this matter is conclusive proof to my mind, if any further proof were wanted, that this change is perfectly satisfactory to what is known as the die-hard element in this matter. That, in my view, is the reason for the change. The right hon. Member for West Birmingham saw in it an opportunity for strengthening the reactionary powers in the Bill, an opportunity for putting another cog in the wheel, another safeguard which would prevent responsibility being obtained by the Indian people. That was taken up eventually by the Government, and to-day is presented to us in the form of a Bill. In view of the fact that, as far as I am aware, every section of Indian opinion is in favour of direct election, this is almost the most serious, if not the most serious, blot on the Bill. There is no excuse for it, there is no evidence to support it, and I still hope that the Government may think it right to change that policy.

In any event I shall be glad to hear, if possible, some expression of view

from the Under-Secretary and from the Secretary of State himself as to why, in the fifty-ninth minute of the hour, this change of policy has taken place. I am informed, with what truth I do not know, from certain sources, that until quite recently the Government of India stood firm on this matter, that the Secretary of State sent, I do not know how many communications, but more than one, to them pressing them on this matter, and that it is only in response to the great pressure put upon them by the Secretary of State that the Government of India have let it be known that they might favourably consider, or be willing to work, indirect election. So far as I am aware, every Government in India, including the Viceroy's Government, has stood firmly for many years for the principle of direct election. I think some explanation is due to the Committee, to Indian opinion and to the country generally as to why at the last minute a change so disastrous, as I think, took place.

8.15 p.m.

Mr. de ROTHSCHILD: We have just listened to a most interesting and cogent speech, and I very much regret that there were not more present to hear it. It was very interesting to me because we have heard a member of the Franchise Committee attempt, fairly successfully, to blow skyhigh the contention that has been put forward over and over again that it is practically impossible for administrative reasons to hold direct elections in India at present. It is said that we must have indirect election for a few years, possibly a decade, and that after that some means will be found of reverting to the system advocated in the White Paper. That was advocated by the hon. Member for Kidderminster (Sir J. Wardlaw-Milne), the right hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain) and the right hon. Gentleman the Member for Sparkbrook (Mr. Amery). If it be temporary, why adduce any reasons beside that in order to prove that it is also a good measure? The hon. Gentleman who spoke for the Government welcomed it because all through the last three years he had advocated federation and was not himself interested in provincial government. He thought that this mode of indirect election would favour federation versus provincialism. If that be so, why does he hope in a few years time to alter this mode of election and to have some other method which would be more in touch with the electorate, would still possibly be an indirect mode of election by groups, but would be very much akin to the direct election which exists to-day?

Our contention is that any method of indirect election such as is put forward by the Government and by the Joint Select Committee would lead to disruption instead of federation. All forms of federation have been constituted by joining up different political entities. If we leave matters as they stand at present in the Bill it will have the effect of strengthening provincialism and not federation. It will strengthen the provincial outlook and provincial patriotism. Unless we can be quite certain that the general mass of the people are encouraged to take a direct interest in the problems that affect the whole of India as a nation, we shall create a position which will have a fissiparous and centrifugal influence on government. If this provincialism be allowed to grow unchecked, it will lead inevitably to placing provincial interests before every national interest. There will be a jealous guarding by every Province of its own individual rights, and then we shall have the disintegration of such unity as exists at present. Indeed, provincial jealousy has always characterised federal governments. In America it is possible that the Civil War was really caused because the prestige of the central Government was so weakened by conflicting interests, slave States and anti-slavery States each standing firmly by their own State interests.

The Indians, who have national consciousness, are anxious to avoid this provincialism, and they want to guard their national unity. This can only be done by giving each voter a direct interest in all Indian affairs, and this can only be done by direct election. Provincial Legislatures will be elected without thought of any national issue. Their members will be chosen simply on provincial questions, and these will determine the composition of the central Chamber as well, which ought to deal with all-India questions. They may entirely misrepresent the will of the Indian

[Mr. de Rothschild.]

people on all-India questions. Indeed the system of *ad hoc* bodies which has been provided in unicameral States is preferable to this, because those new electoral colleges will be chosen for the special purpose of electing representatives to the central Chamber, so that the representatives that they choose will really represent general policy and not parochial interests.

There is another issue that I should like to raise which is a very important feature of the proposed system and which may easily lead to misrepresentations of the people's will. That is the time factor. When the right hon. Gentleman the Member for West Birmingham adduced the evidence of the Simon Commission or the Statutory Commission and pointed out how they had whole-heartedly gone against any measure of direct election and favoured indirect election, he laid down this very important point. Unless the central and provincial elections are coincident the central Chamber may entirely misrepresent the will of the people. The Simon Commission made provision for this. Suppose the provincial Assemblies elected the Central Assembly and then dissolved or expired a month later. That newly elected Central Assembly may still be in power five years hence, yet after only a month new provincial Assemblies may be elected of a different political complexion. No provision whatever was made to deal with this matter by the Joint Select Committee, but the Simon Report had recognised these difficulties and had suggested that a fresh election should take place in any Province whose Assembly was more than two years' standing before a Central Council election. It also suggested that the Governor should have power to extend the life of a Provincial Assembly up to two years if it was of less than two years' standing at the time of the central election in order to make its next dissolution correspond with the federal election. But the proposals of the Simon Commission would not work in this Bill, because it contemplated fixed quinquennial central elections, and this Bill provides that the Federal Assembly is subject to dissolution, and this makes the correlation quite impossible. Why did not the Joint Select Committee deal with this important question? Because the question of election was only considered at a late stage of the deliberations. We have heard this mentioned before and we are all anxious to know what the Secretary of State will say.

The Joint Select Committee missed another point. The election for Provincial Assemblies practically nullifies the Governor-General's power of dissolution of the Federal Assembly, because when the Federal Assembly is dissolved the composition of the Provincial Assemblies will remain the same, unless they are all severally dissolved too. The Provincial Assemblies, as has been shown in previous speeches, will therefore probably return most, or all, of the same members who sat in the previous Federal Assembly. Although the Simon Commission recommended indirect election, they were contemplating a different set of circumstances altogether. They did not envisage a central federal form of government with central responsibility. They contemplated unicameral legislatures and a central assembly not subject to dissolution. Those are the many objections we are trying to advance to indirect election.

As I have said, there is only one serious objection advanced by the Government and by the Joint Select Committee to direct election, and that is the administrative difficulty. The Viceroy and the Government of India said that direct election is practicable and preferable. Surely we should have to-night some explanation of this and should know why and in what way the Government of India differ on this point, and what their opinion is to-day. We on these benches do not believe that difficulties of administration are a sufficient reason for giving India a form of government with no representation of the people, and no real responsibility in either chamber at the centre. The lower House should represent not the States as States, but the people as a whole. Let me remind the Committee of the letter which the Prime Minister wrote to Lord Lothian, the chairman of the Franchise Committee, in which he said:

> "The principle of a responsible federal government subject to certain reservations and safeguards has been accepted by His Majesty's Government. . . . In these circumstances it is clearly necessary so to widen the electorate that the legislatures to which responsibility is to be entrusted should be representative of the general mass of the population."

This very indirect system of election does not ensure any real and true representation of the general mass of the population. By adopting this system we are sacrificing the greatest asset of the Federation—the spirit of Indian nationhood. The Secretary of State has declared for indirect election on the ground that you cannot go back to direct election. The main gist of the only serious argument that he put forward in his report to the Joint Select Commitee was that it was more difficult to go back from direct to indirect election. Yet I submit that that is precisely what we are doing at the present time, and if we are doing it to-day, surely it can be done at a later date when the electorate of India is more educated and bigger, and has graduated in the school of democracy.

The decision to which the Government come to-night is going to affect vitally and fundamentally the whole future of the Indian national community. The Secretary of State has a very grave and serious responsibility in this matter. I appeal to him once more to weigh this question carefully, because his voice in this matter is the voice of a large majority of this House. His voice is the voice of the Government and his eyes and ears are the eyes and ears of the Government, and therefore of this country. The whole aim of this policy has been to set up this magnificent edifice of a federated and unified India, and it is in his hands to foster, or to alter or destroy the acceptance of this unity, of this great dream of the many people who have gone from this country and have worked for this vast federation in India. I appeal to him in the name of the many men and women who have given their lives on the frontier, or while sweltering on the plains during the last 100 or 200 years. They laboured not for the village, or the town, or the Province in which they lived, but they laboured and gave their lives for the unity of the Indian nation, and that is really and truly the glory of the British Raj, and it is one for which we should be prepared to fight and to preserve.

8.31 p.m.

Duchess of ATHOLL: This is one of the questions on which I find it very difficult to make up my mind, and I am afraid that anything that I say must necessarily be rather the nature of indeterminate, because I see so many disadvantages on both sides. I had a natural disposition towards indirect election when I originally read the proposal made by the Statutory Commission to that effect, but it seems to me that the position is quite different now from what it was when the Statutory Commission reported. They were recommending a system under which we should have retained control at the centre, and now that control in the main goes except for defence and the Viceroy's special responsibilities. I cannot help seeing very clearly the disadvantage of the indirect system in that it may make it impossible for the Viceroy to have a dissolution at a time when he may be having serious differences with his Ministers. For that reason I do not think that it is quite to the point to quote the recommendation of the Simon Commission in this matter, because the situation has completely changed since their report. On the other hand, I cannot help feeling that a good many of what, I understand, are, and necessarily, in many ways, must be the characteristics of direct election, have been left out of account in the Debate so far. We have had emphasised the vast size of many Indian constituencies. Everybody sees the disadvantage of that, but we have had little said about the illiteracy of a large proportion of the voters, and we have heard nothing as to the intimidation to which they can be exposed in an election.

A few weeks ago someone sent me a copy of an Indian newspaper, I think it was the "Indian Mirror," in which there was what I can really describe as a pathetic instance of how a party of orthodox Hindus set out to vote for a member of their community, but were waylaid on the way to the polling booth by a party of Congressmen. They were so bullied and intimidated on the way to the polling booth and in the polling booth that they said it was quite impossible to vote for the man of their choice, so that they either did not vote at all or else they voted for the Congress candidate. There are many other instances which, I believe, could be quoted. Again, nothing has been said as to the influence of the moneylender and the power he may exercise over the voter. Nothing has been said as to the corruption that prevails in elections. A well-known Indian in public life said to me 18 months ago that the corruption at elections there is awful, and he pro-

[Duchess of Atholl.]

ceeded to give me an account of an election in which the rival agents of the candidates had quite openly and for a whole day been bidding against each other for the votes of a whole village. They bid so long against each other that no decision had been reached before the polling booth closed, so that the candidates went without their votes and the voters went without their money. That is something that has to be taken into account when we are discussing the question of direct election.

Major MILNER: Has not that sort of thing happened in this country?

Duchess of ATHOLL: No one denies that we are legislating for the future of India and that the best way to help India is to help her to get the best out of herself. It does not necessarily help India to make the best out of herself if we make the conditions such that her people vote otherwise than they would wish. Do not let us think that it is easy for the rank and file of the Indian voters to express what they really want. In connection with this matter, I would refer to what the hon. Member for Caerphilly (Mr. Morgan Jones) said earlier in the Debate. He mentioned this matter of corruption and said that three ex-Viceroys on the Joint Select Committee had repudiated the idea of anything of the kind. I intervened and asked if it was not true that what the ex-Indian Viceroys repudiated was any knowledge of nepotism on their executive councils. I was told by the hon. Member that my recollection was at fault, and that I was not a member of the Joint Select Committee. I have looked up the point in the evidence, and I find that my memory was not at fault. In Question 2578, Sir Tej Bahadur Sapru put a question with regard to nepotism and favouritism. He said:

> "We Indians attach so much importance to this charge of nepotism and favouritism that is being levelled against us that, in fairness to ourselves and in fairness to our countrymen, we must be allowed an opportunity of testing it."

He went on to protest that the charge was a most unfounded one, and appealed to the three ex-Viceroys to say whether he or any of his colleagues in their executive council ever approached them at any time in such a manner that they could be charged with nepotism and favouritism. I thought it worth while to make that point clear. I do not wish to detain the Committee further. I only wish to say that the disadvantages I see in both courses bring home forcibly to me how very difficult it is to apply a really democratic system to India under present conditions, and that I feel more than ever that we must be very careful that we do not go too far, and that we must go at a much more cautious pace.

8.39 p.m.

Sir ROBERT HAMILTON: The Noble Lady has, I think, decided on the same grounds as the Joint Select Committee decided, that she is afraid of taking the step of direct election. I would remind the Committee that direct election was first decided on when we passed the Government of India Bill in 1919. It was then an experiment and it was a very courageous thing that the House of Commons at that time, in face of the advice given by the Southborough Committee, decided, with true Parliamentary instinct, that if India was to be taken further into a measure of progress along the road of responsibility she must be given the system of direct election. It is very important to remember that, because the keynote of the whole of this controversy goes back to the Government declaration of 1917. I would remind the Committee of what was said at that time. What the Government were anxious for was—

> "A measured progress towards responsible government."

India has enjoyed for a number of years direct election which was given to her by the Government of India Act in 1919, which we described as measured progress towards responsibility. Measured progress means going forward, perhaps slowly, but always going forward, and it seems to me terrible to think that this Parliament of 1935 should be less courageous and should show less statesmanship in this matter than did the Parliament of 1919, when it was definitely making an experiment. We have had the advantage of the experience of all these past years, and it should not be forgotten that throughout the Government of India and the Viceroys of India have steadily taken the view that India must be given the responsibility of direct election. Could there be any stronger argument than that?

It was only a few months ago that the right hon. Gentleman presented his White Paper to Parliament, containing a system of direct election. What is it that has changed the situation? What are the new arguments that have been put before the country to change the situation? That is what is bothering me. It looks to me as if there has been some bargain and someone has been bought over. Are we not to consider India in this matter? Is not the voice of India to count? India says: "We have enjoyed this system since you gave it to us in 1919, and now you take it away from us and at the same time tell us that you are setting up a system under which we can develop full responsibility in the future." It is a contradiction in terms. The Government of India are the people who will have the responsibility of seeing the system of direct election working, and they have no fear about it. They realise that it is difficult, and we all admit the mechanical difficulties are very great, but the people who will have responsibility for giving effect to it say that they can do it. There is no argument why we should go back, like the hon. Member for Kidderminster (Sir J. Wardlaw-Milne), who says that in theory direct election is all very well, but that it is impracticable to be brought into effect at the present time. The hon. and gallant Member for South-East Leeds (Major Milner), who was a member of the Franchise Committee, has shown very clearly how the Franchise Committee, on which were several members of the present Government Front Bench, came clearly to a unanimous conclusion in favour of direct election.

There is another point, to which insufficient attention has been given. My hon. Friend the Member for Bodmin (Mr. Isaac Foot) referred to it in his admirable speech, in which he put forward his arguments with the greatest clearness. If those arguments had been put before any jury of plain citizens they could have come to no other decision than that to which we have come, on the argument and the weight of evidence. This House has to decide what is just, reasonable and politically sound. Is there anything in direct election which is unjust, unreasonable or unsound politically? If there is the right hon. Gentleman would not have put it forward in the White Paper. In this matter I ask whether we are wise in flouting the unanimous opinion of India, so far as it can be expressed, in favour of direct election, or in flouting the opinion of those who will have to work it. The reception which has been given to the proposed Constitution in India has not been too enthusiastic, and I believe that the Secretary of State would obtain a far greater welcome for the Measure by making the alteration we propose; with which I believe he in his heart agrees.

Are we wise in disregarding the advice of those upon whose shoulders will rest the responsibility of giving effect to this proposal? Surely we should ask what it is that India really wants, and, then, whether what India wants and asks for is a thing which we can give, whether it will be good for the future of the country. Every argument that has been put forward in India has been put forward solidly and without change in favour of direct election, and I think we should be unwise to decide in a contrary direction. Is it not true that indirect election will seriously impair the responsibility of electors and elected? The most important consideration in India is that we can look forward to a growth of responsibility. We should do everything we can to foster it, and avoid introducing into the new Constitution anything which would cut at the roots of the growth of increasing responsibility. Indirect election is bound to do that. By direct election you will get a centre where the true feelings and aspirations of India can be focussed and where the grievances of the people can be voiced, but instead of being a living organisation it will become a sort of fossilised assembly without any real responsibility to the electors, who should always be in close touch with their elected representatives.

There is one matter to which insufficient attention has been paid during the course of the Debate, and that is the curious result which comes from the adoption of the system proposed in the Bill. The system in the White Paper is election to the Federal Assembly by territorial constituencies, with representatives of the Princes and representatives chosen from the Legislative Assemblies in the various Provinces. If the system in the Bill is put into force, it will have the most extraordinary result, the electorate procedure in the upper House will disappear altogether, and you will have to

[Sir R. Hamilton.]

come to the remarkable expedient of forming a new electoral college in order to have a body which can choose the members of the upper House. In an endeavour to obtain close contact between the representatives and the electors you are running the danger, where a provincial assembly may be dissolved, that the representatives in the Federal Assembly may represent nobody at all. That seems to me to widen rather than narrow the gap between the electors and their representatives.

In reading the report of the Joint Select Committee I notice how they reiterate that a movement in the direction of giving direct election was impossible, it was a blind alley, and there was no alternative but a system of indirect election. The remarkable thing is that on the next page they say that there is a possibility of India changing the system and going over from indirect to direct election. That is a curious contradiction in terms. I want to appeal to those hon. Members who are basing their faith on the findings of the Joint Select Committee and to put this point before them. If the Joint Select Committee thought it was possible in the near future that India may go over from indirect election, which they propose, to direct election, would it not be much wiser for this Parliament here and now to be courageous enough to say, "We will not take away the franchise you have hitherto enjoyed, but we will give you a wider franchise, and take steps to see that the Federal Assembly is a place which will be responsive to the desires and opinions of the people of India."

8.53 p.m.

Lieut.-Colonel Sir WALTER SMILES: In speaking of this matter I go back in mind to Delhi in 1929, when the committees of the various Provinces met together to report to the Simon Commission. At that meeting, the question of direct and indirect election was discussed. I do not want to refer to any meeting or document which is not available to hon. Members, but if they will turn to Volume III of the Simon Commission Report they will find that two Provinces at any rate in some part were in favour of indirect election, Bihar and Orissa and the Punjab. There were also people in the Province of Assam who realised many of the advantages of indirect election. The hon. and learned Member for South-East Leeds (Major Milner) spoke as though India had completely changed her opinions since 1929.

Sir R. HAMILTON: Is it not a fact that the Franchise Committee pointed out that many of those Provinces which had been in favour of indirect election had changed their views at the time when the Franchise Committee went out?

Sir W. SMILES: I have heard it said that these people are supposed to have changed their mind. It was only on 11th February that I left India. I met a good many friends at Delhi and in Assam and discussed this question with them. I realise that in this House one must be very careful indeed in quoting any interview one has had with any individual without mentioning the name. But I do not think it was fair of the hon. Member for Caerphilly (Mr. M. Jones) to say that opinion in India is unanimously in favour of direct election. On the contrary, I gathered that there was a considerable number of people who were still in favour of indirect election to the Central Legislature. When I was in Delhi discussing this matter with my friends I made no secret of the fact that I considered that this indirect election from the Provinces to the Central Legislature was an improvement. I argued with one or two of them, and not all disagreed with me. I am not illiberal in my views for I was among the first to advocate adult suffrage or, failing that, household suffrage in India, and also the transfer of the police. But I cast my mind back from theory to the actual practice at elections. I remember the first three elections after the Montagu-Chelmsford Reforms. I remember perfectly that at the first election we were advised by the Deputy Commissioner that we ought to encourage those employed on our gardens to go to the poll and vote. Several Indians who were entitled to vote I gave leave to go to the polling booth. They went and I did not influence them in any way. I went myself with the European assistants at the gardens who were also entitled to vote. We cast our votes. Next day I asked th emen how they had voted. They did not know the candidate's name. I said, "How did you manage then"? They said they were given an order by a Babu how to vote but they

did not know the name of the person they voted for. That is not the case that exists to-day.

I can also remember the second election for the provincial legislature. I said to these men "You know that an election takes place to-morrow. I will give you leave if you want to go." They replied that they did not want to go, and added "We did not get any pay for going the last time." However, it would be fair to say that the Indian people now are going more to the poll. I believe that the people throughout India are generally getting far more politically-minded. Turning again from theory to practice I think of the members that went up from Assam to the Legislative Assembly at Delhi. As far as I can remember there were one European and two Indians who went up to the Assembly, and one Indian to the Council of State. I took some interest in Indian politics, but I cannot now remember the name of our member on the Council of State, and the Indian member who represented Assam I only saw once. We were not in touch with our member. In Delhi I talked with some of my Assam friends, and I asked them "Would you know the name of your representative in the Legislative Assembly? If you meet 100 people going to the bazaar on Sunday and you asked them 'Who is your representative on the Legislative Assembly?' would one of them be able to tell you?" They replied "We do not think one in a thousand would know his name, or what views he represented."

For that reason I think that indirect election from the provincial assembly to the central would be very much better. At any rate, you would know who your representative was. A member would be responsible to someone, and if he did not do what suited you in the provinces you would be able to put your finger on him. It is all very well to say that that does not encourage the unity of India. After all, every province has different matters which it wants to have considered at the federal assembly. Let me give one instance. Not every province in India has cotton mills and manufactures cotton goods. Many provinces are purely agricultural, and they have to export their products into the markets of the whole world; but when they buy their clothes they have to pay the high prices which may result from a 25 per cent. or 40 per cent. duty. It is right that the people who go up from these agricultural provinces to Delhi should represent those views. It is with that idea in my mind that I am strongly in favour of indirect election.

9.2 p.m.

Lord SCONE: When the Debate on this Amendment began I was in the rather unusual position of having a completely open mind on the subject, but now that I have listened to the majority of the speeches made this afternoon, I have come to the conclusion that those in favour of indirect election certainly have the advantage over those in favour of direct election. That is not to say that I look upon indirect election as being, *per se*, a desirable thing in India. To a great many of us it would seem that any form of representative government and the type of election that must accompany it, are not desirable in India. But that, unfortunately, is not what we have to choose to-day. We have to choose which of two methods is likely to be the more satisfactory, or perhaps, the least unsatisfactory. Despite the fact that the hon. Member for Bodmin (Mr. Isaac Foot), in an admirable if somewhat unnecessarily long speech, laid before our eyes the undoubted disadvantages which do accrue from a system of indirect election, I cannot but feel that the advantages which accrue to it also are much greater than the advantages of direct election.

I am partly influenced by the remarks of the First Commissioner of Works, who pointed out that, while it is comparatively easy to change from indirect election to direct election, the reverse process would be of extreme difficulty, if indeed it were practicable at all. Indirect election may, I fear, bring about a great many abuses, particularly in the direction of bribery and corruption, but at the same time when one considers the ignorance on political affairs that there is, even among our own electors here in this country, where we have had representative government for centuries, one cannot but realise that the vast constituencies which are to be set up in India are now, and are likely for many years to come, totally unsuited for any system of direct election. Here it is difficult enough to get in touch with one's electors. In India it would be absolutely impossible, and we should have a system of

[Lord Scone.]
block voting in which it is almost certain that Congress, or whatever form of desperados succeeded Congress, would be likely to carry the day. Taking one consideration with another, and weighing this question as impartially as possible, I have come to the definite conclusion that on this occasion I must support the Government on the principle of indirect election.

9.5 p.m.

Sir HERBERT SAMUEL: I think everyone who has listened to this long Debate has been impressed with the gravity of the issue which the Committee is called upon to decide. We are dealing with a great question and the course which is to be taken upon it may go far towards making the difference between success and failure in the great constitutional enterprise on which we are engaged. I am sorry to learn from the Noble Lord the Member for Perth and Kinross (Lord Scone) that, having listened to the Debate with a more or less open mind, he has come down finally on the side of indirect election. Since he has not been converted to the other view by my hon. Friend the Member for Bodmin (Mr. Isaac Foot) who presented his case with such powerful eloquence and logical force I fear that my effort to convert the Noble Lord may be in vain. Still, I shall do my best and I propose to point out to him and to other hon. Members certain considerations.

Let us clearly recognise, in the first place, that if we support the Bill as it stands, that is the system of indirect election, we are going definitely and deliberately contrary to Indian desires and opinions. The hon. and gallant Member for Blackburn (Sir W. Smiles) mentioned one or two casual instances of observations made to him by individuals who expressed views in favour of indirect election. We must, however, take the evidence presented to us by those who are qualified to speak on this subject and to influence our views. The right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) said that my hon. Friend the Member for Bodmin was merely resting upon authority which was a very illiberal thing to do; that he had presented his case as being dependent upon views expressed, first by this body and then by another body and, in particular, by the Government of India. But it is not the fact that my hon. Friend was basing himself upon authority. He was quoting evidence which is entitled to be heard.

Here we are within these four walls, Members selected by British constituencies, legislating for people who are 6,000 miles away from us. We cannot judge individually of what their opinions are on this matter, with regard to the Constitution under which they will be governed and which they will have to work through their own political activities. We must depend upon the information conveyed to us by those in whom we have confidence. There is, first, our own committee which was sent out to India, the Lothian Committee on the franchise consisting of Members of both Houses of Parliament. They examined the question and gave a unanimous report to the effect that Indian opinion was overwhelmingly in favour of direct election. That is an important fact. The right hon. and gallant Gentleman the Member for Newcastle-under-Lyme quoted particular instances but he cannot cite his evidence as outweighing that of the Lothian Committee. Sir Tej Bahadur Sapru has been frequently quoted. In his memorandum to the Joint Select Committee he said:

> "I think the view taken by the Lothian Committee correctly represents the mass of Indian opinion."

When the British India delegation came here to meet the Joint Select Committee they made a statement on this matter which was practically unanimous. There was only one member of the delegation who said that for the time being he thought indirect election might be tried. All the rest of the delegation supported the system of direct election. We come finally to the Joint Select Committee itself. After an investigation extending over almost two years and after hearing much evidence from India that committee presented a report which naturally carries the highest authority. Divided as the committee was on many other matters and intending as it did to recommend by a majority indirect election it nevertheless reported:

> "Direct election has the support of Indian opinion and is strongly advocated by the British India delegation in their joint memorandum."

In face of that weight of evidence we must definitely proceed on the assumption that in voting as the Government desire us to vote on this question, we shall be running counter to the express wishes of the Indian people.

Brigadier-General Sir HENRY PAGE CROFT: Although I am inclined to agree to some extent with the right hon. Gentleman's argument, may I ask him whether he would extend that argument to the views of the Indian Legislative Assembly—the fullest expression of Indian opinion—on these reforms generally?

Sir H. SAMUEL: In regard to these reforms generally many other considerations arise and, taking the report as a whole, I can well understand that there are objections in the mind of many Indians to the Bill now presented. But I am at present dealing with the question which is before the Committee and I am not to be tempted by the hon. and gallant Gentleman into taking up an irrelevant issue. We have to decide whether we are to vote for direct or indirect election. My proposition is that Indian opinion is in favour of direct election. If you choose to flout Indian opinion you can do so. How far the Indian Assembly is to be regarded as representative of India and in what respects they agree or disagree with the form of the present Bill is another question. I should like to ask the hon. and gallant Gentleman whether he would support a Bill of the character that would be supported by the Indian Assembly?

Sir H. CROFT: The right hon. Gentleman and his party have always advocated that we should bow to the will of the people, whatever it was. I merely asked whether he would apply the principle which he is now applying to the question of indirect or direct election, to the question of whether the *status quo* should remain or whether we should go on with the reforms.

Sir H. SAMUEL: That, of course, is mere evasion. The Secretary of State a few days ago, dealing with the question of whether the Centre should be dealt with simultaneously with the Provinces, made certain observations with regard to Indian opinion and I would ask him why should they not be relevant to the present issue? The right hon. Gentleman said:

> "I think the reason that has weighed with a great many of us, and it is a reason which we ought not to ignore, is the present position of Indian feeling on the subject. There is no doubt whatever but that Indian feeling—when I speak of Indian feeling I mean Indian feeling both in the States and in British India; I mean feeling among all sections, the right, the centre as well as the left wing, is very strong upon the need of dealing with the Centre simultaneously with the Provinces."

In a further sentence the right hon. Gentleman said:

> "That feeling is very deep and very universal, and if it is deep and if it is universal it means that it is a mistake to ignore it."—[OFFICIAL REPORT, 20th February; col. 399, Vol. 298.]

That is his view upon another issue but if that be true in the one case, why is it not true in the other case? Would the right hon. Gentleman deny that feeling upon this question is deep and is nearly as universal as any opinion ever is in any nation upon any political subject? If so, is it not in this case also foolish to ignore it? Another point which the Committee would do well to bear in mind is this. By taking the course which the Government now invite us to take we shall be destroying an electoral system which now exists and has existed for 14 years. I do not know of any instance in modern history except in countries which have adopted some form of absolutism, as in Central Europe, where a legislature based upon a broad system of election has been converted into one in regard to which no person has the right to direct franchise. The First Commissioner of Works justified this proposal on the ground that the present electorate which selects members of the Legislative Assembly in India is comparatively small and that the new electorate would be considerably greater. But the new electorate would still be a very limited one in proportion to the whole population of India, and there is this further point to be remembered on the other side, that the new Parliament, having much greater powers than the present Assembly, will probably evoke a much larger measure of political interest throughout the country, and that there will be far keener political life in India with regard to central legislative matters than exists to-day.

[Sir H. Samuel.]

The right hon. Member, in his speech this afternoon, said this system of election had already been tried. It has been tried, and it has not been condemned. If hon. Members could come here and say that, this system having been tried for 14 years, no one would wish to perpetuate it, that would be an argument which would no doubt carry weight. If it could be shown that it was corrupt, or ignorant, that the people did not know what they were doing, that would be an argument which would carry weight. But here again we must look at the report of our own Joint Select Committee, which, after long investigation, made this statement unanimously:

"It has been the system in India for the last 12 years and has worked on the whole reasonably well enough."

It points out that that is with the more limited electorate which now exists, but still, so far as it has been tested, our own Joint Select Committee was bound, on the facts, to say that the system had worked "reasonably well enough." The strange thing is that now, in a Bill which purports to extend self-government in India, which we tell the Indians and the world is to enlarge Indian liberties, we are destroying this very franchise which has existed for so long and the experience of which is on the whole favourable. Let the Committee clearly realise what we are doing. We are saying to the people who, election after election, for half a generation, have voted for their central Parliament, "These elections henceforth will stop, and you will go to the polls no more to elect a Parliament."

The next point with which we have to deal is the argument advanced in favour of the abolition of the existing system. There is only one argument in favour of the scheme now proposed. All the others are unimportant. There are many arguments in favour of direct election, and only one argument in favour of indirect election, and that is the admitted difficulty that arises from these very large constituencies, with great numbers of electors. That is clearly a disadvantage, and the right hon. Member for West Birmingham (Sir A. Chamberlain) based his case entirely upon that. He said that what is needed at the present time is personal contact between a member and his constituents, and that with electorates of this size, covering geographical areas so vast, that would not be possible. What is meant by personal contact? Is there really personal contact, in a country like this, between the 50,000 electors in one of our own constituencies and the member? In some respects, no doubt, there is, but when the great Reform Bill was under discussion in 1832, the opponents of that Bill had the one argument that with the electorate proposed to be established it would be impossible to maintain personal contact between the member and his electors such as had existed previously.

The right hon. Member for West Birmingham said there must be a real nexus between the member and his constituents. That nexus in those days was very often what Carlyle called a "cash nexus," and the ending of corruption of that kind in Great Britain was effected by increasing the electorate, by ending that kind of personal contact between the member and his constituents, and in those days electorates such as we have to-day, with 40,000 or 50,000 electors, would have been regarded as utterly inconceivable and unworkable, yet in fact we are able to work these things very well. Instances have been given in the Committee to-day of other countries in which there are very large electorates and very large areas, and it has been said that they are not relevant to India, that what happens in the United States, Canada, or Australia, where there are constituencies fully as large as those that would be involved by a method of direct election in India, is different from what would happen in India. Here we have to go to authorities, to those who know, and we have the assurance of the Government of India itself. We in this Committee cannot judge these matters. It is very easy for hon. Members like the right hon. Member for West Birmingham to say that it is impossible to work constituencies of this size, but that is not the view of the Government of India, because when the Statutory Commission reported, the Government of India carefully investigated every aspect of all the questions that had been raised, and they sent home to the Secretary of State of that day a very long despatch, covering some 250 printed pages and examining everything with the utmost care and after prolonged consideration. They said, in regard to this matter:

"The real point at issue is whether the physical conditions of India in fact make direct election ineffectual."

And they point out that in their view it does not. They say:

"The electoral methods natural to the social structure of India may be held to some extent to replace personal contact between candidate and voter, a contact which adult suffrage and party organisations make increasingly difficult in western countries."

The hon. Member for Caerphilly (Mr. Morgan Jones) quoted a part of this document, but as it is the vital point and this is the supreme authority in such a matter, namely, the Government of India itself, I hope the Committee will forgive me if I quote some of it again. It goes on:

"The Indian electorate is held together by agrarian, commercial, professional and caste relations. It is through these relations that a candidate approaches the elector, and in this way political opinion is the result partly of individual judgment, but to a greater extent than elsewhere of group movements."

For that reason the Indian Government, with the fullest knowledge of all the facts, came definitely to the conclusion that on the whole direct election was preferable to indirect election. It is sometimes said that the franchise may be extended in the future, and that if the franchise is to be extended in the future, then constituencies which would be too large already in the number of their electors would become altogether, overwhelmingly, impossible. That argument was advanced in the report of the Joint Select Committee, but let it be remembered that if in 10, 20, or 30 years there was a strong movement for extending the franchise in India towards manhood suffrage, or even universal suffrage, by that time other processes would have been going on simultaneously in India. Education, we hope, would have been largely extended, communications throughout the country would have been greatly improved, broadcasting might have become a feature of the ordinary life of the country; and, while, on the one hand, it may be true that in the next generation the franchise may have to be extended, it does not therefore follow that this system will be made unworkable, because simultaneously other matters making it more workable than now will probably have come into operation.

Of course, every system of election, in India or elsewhere, has its disadvantages, whether it is direct or indirect, and systems of no election at all have their disadvantages as well. When you are dealing with a country in which 350,000,000 people have to be represented in one Parliament, the difficulties, of course, must be very great, but the question is, What is the alternative? Admitted that there are these difficulties, ought we to endeavour to overcome them or ought we to adopt an alternative such as that suggested in the Bill? Does the Committee realise what we are doing in this Bill, the kind of system of election which we are establishing? Does the Committee realise that each of these members of the central Assembly is going to be chosen by a group of from five to eight individuals? It is not a question of saying that to have 100,000 electors is too many; better to have 10,000, or 8,000, or 800, or even 80. That is not what is proposed. Five to eight individuals meeting in a room are to choose the Members of Parliament for all India. Talk of pocket boroughs and 1832! Talk of individual patronage! Such a system as this has been unheard of in the whole history of the world. Talk again about the contact between the member and his constituents being close! The contact in this case will be far too intimate, and no member of the Indian legislature will be able to move a step without consulting his five or six patrons who are the group in one of the provincial legislatures to whom he owes his seat. When we remember the kind of measures the central Legislature will have to deal with, think of the dangers involved in a system such as this.

Do not let the Committee think that I am going into tariff questions, but among the other functions of the central legislature is the fixing of the Indian tariff. Everyone knows how dangerous it is for a legislative assembly to have to deal with the fixing of individual duties which affect directly the fortunes of individual interests throughout the country, and may make to particular persons all the difference between affluence and poverty. All these members when they come to consider the tariffs will be conscious that they are elected by groups of five, or six or eight, and that they depend actually on these persons for their seats. Do you think that is a healthy state of things in a parliament of All-India?

[Sir H. Samuel.]

Another point has been referred to in the despatch from the Government of India. The Governor-General may at times find himself faced with a difficult assembly. There may be divisions of opinion, and crucial questions may arise. Here in this country a Parliament can be dissolved, and that is a great safeguard. It gives a certain amount of control—necessary control—in regard to those who are popularly elected. That is the great difference between our constitution and that of France, and in our view it is the superiority of the British constitution that there is the power of dissolution in a time of crisis. That power will still exist in the Governor-General of India, but what use will be a dissolution to him? Each Member goes back to the five or six people who elected him and, of course, there will be no change and they will send him back. Dissolution will be perfectly futile, and members will not have to go back to great constituencies and face the troubles and the perils of a new election. They will go back to the room where they were elected, and they will be sent back again, and the power of dissolution will be a useless weapon in the hands of the Governor-General of the day.

That has been pointed out by the Government of India themselves in their despatch. Further in this connection, the individual members of the Legislative Assembly are elected by the members of Provincial assemblies. Suppose the Provincial Assembly is dissolved, and fresh members come in of a different colour. What becomes of the moral value of the member of the central legislature who has been elected by a group in the dissolved Parliament, the Parliament that is dead and dissolved in the Provinces? What a confusion in the constitution between central and provincial legislatures. Furthermore, this system of indirect election will, in effect, upset the whole system of provincial government. It will mean that in the Provinces the individual electors and the candidates, instead of dealing with provincial questions and getting a clear-cut decision on some great issue—education it may be, or perhaps some religious issue—will be obliged not only to consider these points, but to consider whom they are indirectly electing to the central assembly to be charged with the vast issues of Indian government. Sir Tej Bahadur Sapru wrote:

"This system will tend to make the Central Legislature a pale reflection of the majority of the provincial legislatures."

Mark the effect of this on finance. The right hon. and gallant Gentleman the Member for Newcastle-under-Lyme said very truly that it will make the question of how much the Provinces can get out of the central funds the leading issue in Indian politics. In any case it will undoubtedly be a great issue in Indian politics. The central legislature will have command of large revenues. The Provincial assemblies will all try to get the most they can out of the central funds, and, in particular, in matters of All-India defence the central Government will find itself, under this system, pulled by a series of Provincial groups who are trying to lessen what may be necessary expenditure on defence in order to provide more and more money for the Provincial legislatures who will be represented by these various groups in the central Parliament.

I feel deeply that in making this decision we shall be committing a grave error not only for all the practical reasons I have given, but also because it affects most closely the whole psychology of the question. The imponderables are the most important elements in this great issue. The Indians want their country to be one unit. They want their country to be visibly one great nation. The main achievement of British rule during the last two centuries has been that for the first time it has created a united India in some degree. That is an unchallengable achievement of the British connection, which is welcomed by Indians of all shades of opinion. As the right hon. Member for Sparkbrook (Mr. Amery) said, they want an Assembly which will represent India as such, and the First Commissioner of Works applauded that observation. This is not a Measure which will secure the representation of India as such, a united, a single India, a great nation standing visibly one and indivisible in the face of the whole world. It will be merely a collection of representatives of 10 or 12 different Provinces. That is what the Indians do not desire, and that is the chief and underlying reason why the Central Legislature

should be directly created by an All-India electorate and should be chosen on All-India issues. That is why the Government of India, in the despatch I have quoted on several points, said that the present Assembly has succeeded because it has appealed to the sentiment of India. You are substituting for that an assembly chosen by groups of six or eight individuals in a provincial parliament. Should we endure such a parliament in this country? Would any European country endure it? It is for these reasons we have urged this Amendment on the Committee to-day, and whatever may be the decision of the House of Commons in this connection, I feel certain that, in the long run, it will be inevitable that the view we now express should prevail.

9.34 p.m.

Sir S. HOARE: I find myself in the most vulnerable of any position in which a Secretary of State could find himself. I am in the middle position. I am now going to be shot at by both sides. I have never been able to take the view expressed by the hon. Member for Bodmin (Mr. Isaac Foot) or the right hon. Gentleman the Member for Darwen (Sir H. Samuel) that this is a great question of principle; nor have I been able to take the view of my right hon. Friend the Member for West Birmingham (Sir A. Chamberlain) that with this question stands or falls the whole stability of the federal structure. I have frankly regarded this as a question of machinery. I have never been able to regard it as a question of principle at all. I admit to the Committee that more than once I have changed my views about it. At the first two Round Table Conferences I made what I thought to be a devastating argument against direct election, but again—and I frankly admit it—I was impressed by the strong Indian opinion in favour of direct election, and I veered round the other way. Then came the long and protracted discussions in the Joint Select Committee, and, on the whole, putting the arguments on one side against the arguments on the other, I have come to the view with some hesitation that, treating the question as a question of machinery and not of principle, and treating it also as an experiment and not as a final permanent settlement of the electoral machinery of India, on the whole the wise course is to accept the report of the majority of the Joint Select Committee.

I do not regard direct election as the visible test of the unity of India. I take the view that the unity of India is dependent upon much bigger issues and that it does not matter much one way or the other so far as the unity of India is concerned whether we adopt direct or indirect election. Other questions are of much more importance, in my view, such questions, for instance, as the civil and criminal code, the unity of the railway administration in India, and the unity of the Customs administration. I think that the Federal Government, whatever may be the system of election, is much more likely to maintain that unity. I have never been able to believe that any question of principle is at stake. I know that hon. Members who are representatives of the Liberal party have always regarded this question of electoral machinery as a question of high principle. They live or die on proportional representation. I have never been able to take that view. Perhaps I approach the issues rather cynically. I have always felt that it does not much matter what system of election you have you get very much the same kind of people returned. They are very much the kind of people that the country, at a particular moment, prefers. I take that view, so far as this question is concerned, with regard to India. I do not believe that the world is going to be materially different whether we adopt one system or the other. I am aware of the fact that many people in India, having had the experience of 14 years of direct election, would like to retain that system. It is also a fact that the Government of India and, not all the Provincial Governments, but the majority, would prefer to continue the system as it is to-day. I have tried to give full attention to that view, and I think it would be a great mistake if unnecessarily we raised any opposition in India in this matter. I have never ignored the Indian point of view or the point of view of the Government of India.

The reasons that have prompted us to accept the majority view of the Committee are three. First, the more I considered the details of this Constitution—necessarily very complicated—the more I became anxious to simplify it in any way in which simplification was possible. It seemed to me to be a great advantage if

[Sir S. Hoare.]

we could get rid of what is now going to be a very difficult factor in the Constitution, namely, the elections to the federal centre. They are obviously open to many of the objections raised by my right hon. Friend the Member for West Birmingham. There are these great constituencies, quite unlike any we have here. There is the fact that in the federal centre the questions at issue, speaking generally, will not be the kind of questions that interest the ordinary man in the Indian village, but will be very remote questions of a technical character. There are, again, the questions of expense and of the difficulty of the machinery. All these difficulties loomed larger and larger in my mind the more I considered the inevitable difficulties of a federal constitution of this character. That was the first reason that drove me along the road of indirect election.

Secondly, there was the question of federal finance. I do not take the view just expressed by the right hon. Member for Darwen that the adoption of indirect election is going to make the problem of federal finance more difficult. I take the other view that the closer contact you can make between the Provinces and the centre the more you can make the centre definitely a federal centre and the less likely you are to have disputes between the Federal Government and the Provincial units. I attach great importance to that reason. Thirdly, I was convinced by the arguments urged more than once by my right hon. Friend the Member for West Birmingham that a centre composed upon these lines was much more likely to be stable than a centre composed upon any other lines, a centre that is permanent and is not based upon a rather shadowy and remote electorate, but upon a direct representation formed by the very live Provincial Legislatures.

Mr. de ROTHSCHILD: If that is the reason for establishing this method of election, why is it that the right hon. Gentleman, and the right hon. Gentleman who spoke before him for the Government, say this is only a temporary measure—when he wants a permanent basis?

Sir S. HOARE: If the hon. Member will allow me to develop my argument in my own way, I shall come to that point in a moment. For the moment, let me say that I believe a system based upon indirect election is likely, on the whole, to be more stable than a system based upon direct election. Now let me come to the point just raised by the hon. Member for the Isle of Ely (Mr. de Rothschild). I admit that none of us can dogmatise upon this question, and I do not like to say that my view is necessarily infallible, just as I do not think the view which he or his hon. and right hon. Friends has expressed is infallible. I think that these methods of electoral machinery are very much experimental methods, and that nobody in this Committee can say to-day exactly how they are going to work out. That is one of the main reasons that makes me think that, upon the whole, the wiser course is to start with the experiment of indirect election. It is frankly an experiment, from which we can depart if it fails and adopt the principle of direct election. Of one thing I am sure, that if we embark upon direct election there will be no means within any compass of time that we can see of reverting to indirect election. The vested interests behind direct election would become so strong that there would be no chance of changing the system. On the other hand, I believe that if we start with the experiment of indirect election, frankly admitting that it is an experiment, we can watch it, we can follow Indian opinion on the subject, and if it fails or is liable to develop any of the faults and failings of which we have heard this afternoon, we can change it and revert to direct election.

Sir A. CHAMBERLAIN: Or to another form of indirect election.

Sir S. HOARE: Or revert to another form of indirect election. I wish we could have adopted another form of indirect election here and now. In the Joint Select Committee many of us started with a sincere desire to adopt a system of village electorates that would have made it possible to have a primary electorate on a broad basis and a system of secondary electors based upon it. Unfortunately, we found that there were no foundations, or at any rate only inadequate foundations, upon which we could build. We found, further, that the communal trouble had eaten so much into the life of India that if we had attempted to adopt here and now a system of that

kind we should have brought the most bitter communal troubles into every village in India. But while we set aside that expedient for the present, we did not set it aside for the future, and I hope myself that if we now adopt the system of indirect election set out in the Bill, and leave the Indians to experiment with that system, that in the future they may be able to build up a system of village electorates of the kind which we desire, and that at some time in the future—from my own point of view the sooner the better—we may be able to have a system of indirect election based not upon the provincial councils at all but upon the villages and local communities of India itself. These are the reasons that make me, without attempting to dogmatise, take the view that on the whole the wise course is to make the experiment, frankly admitting that it is an experiment, upon the basis of indirect election. Let us admit all the difficulties and the dangers, but let us make the experiment upon those lines, let us see how it works, and let us be ready to make an alteration if experience shows us that a better system is available.

9.50 p.m.

Sir H. CROFT: After listening to my right hon. Friend's speech, it seems to me that he has brought still greater confusion into all our minds about the whole of these reforms. If ever an argument was delivered with force showing what the form of Indian self-government should have been, surely it is found in the concluding sentences of the right hon, Gentleman. There he spoke in a manner which must have convinced almost everybody that we are turning the pyramid upside down, that from the very start we ought to have gone forward along the lines of establishing village councils, county councils, rural district councils and urban district councils, as in this country, in order that the Indians might have had some opportunity of graduating through the various forms of self-government before we put those 350,000,000 people in the hands of their legislators. When the right hon. Member for Darwen (Sir H. Samuel) said, not once, but, I think, seven times, that the reason he and his friends were supporting this Amendment against the Government's policy was that they found Indian opinion was in that direction, I was frankly staggered. The right hon. Gentleman and his friends, and all the Members below the Gangway on this side, have held very different views in these Debates. We have had the Legislative Assembly giving overwhelming votes upon certain proposals without being listened to by any of the supporters of the Government here; and it is idle to say that a few witnesses before the Select Committee are Indian opinion and conveniently to forget that the elected representatives in the Legislative Assembly have, by an overwhelming majority, told us that they do not want these reforms at all. To anyone who wants to see reforms of some kind working in India this has been a most difficult Debate to follow, but one thing is clear, that if we have direct election we are dealing with an electorate which is quite unfit to carry out its duties.

Mr. ISAAC FOOT: For the Provinces?

Sir H. CROFT: No, for the whole of India—though everybody who has studied the question knows that in the Provinces to-day there is the wildest confusion among the electorates as to what they are voting for. I am only supporting the Provinces because we can stand still with the Provinces. I did not want to be deflected from my argument, but as the hon. Gentleman asked a question I was entitled to answer him. I am one of those who has never believed that it was wise to go right forward giving so much power to the people in the Provinces, but I thought there was a hope of getting a national settlement in this country. When the Statutory Commission reported in favour of provincial self-government I said, "Wild though the experiment may be let us see whether we can make it a success," because had it broken down it would not have been irreparable; but to go forward with self-government at the centre at one leap is, I venture to say indeed madness, as I think was the right view of the Simon Commission. As to the indirect electorate as suggested in the Bill, although I prefer that to the other mad scheme it must be realised that we are for all time, as long as this reform lasts in India, permanently dividing Moslem

[Sir H. Croft.]

and Hindu. I think we are making permanent that division in India which Britain and Britain alone has been able to bridge. The Bill is so bad anyhow that I am in doubt how to vote on this issue. I think if one votes for indirect election he is doing something which is making permanent that division, and that if he votes for direct election he is voting for something which the Indian people are incapable of carrying out. The best thing that His Majesty's Government can do is to reconsider the whole position.

The CHAIRMAN: The hon. and gallant Baronet cannot pursue that line of argument.

Sir H. CROFT: I beg your pardon. I will not pursue the argument any longer. I regret that those words fell from my lips. I will only say that I think it would be better that the Clause should be dropped.

Question put, "That the words proposed to be left out to the end of line 21, stand part of the Clause."

The Committee divided: Ayes, 262; Noes, 57.

Division No. 83.] AYES. [9.55 p.m.

Acland-Troyte, Lieut.-Colonel
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Allen, William (Stoke-on-Trent)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Assheton, Ralph
Bailey, Eric Alfred George
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Balfour, George (Hampstead)
Barclay-Harvey, C. M.
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Beit, Sir Alfred L.
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Bevan, Stuart James (Holborn)
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Brown, Brig.-Gen. H.C. (Berks., Newb'y)
Buchan-Hepburn, P. G. T.
Burgin, Dr. Edward Leslie
Burnett, John George
Butler, Richard Austen
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Caporn, Arthur Cecil
Carver, Major William H.
Cautley, Sir Henry S.
Cayzer, Maj. Sir H. R. (Prtsmth., S.)
Cazalet, Thelma (Islington, E.)
Chamberlain, Rt. Hon. Sir J. A. (Birm., W)
Chapman, Sir Samuel (Edinburgh, S.)
Clarke, Frank
Cochrane, Commander Hon. A. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Craven-Ellis, William
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Culverwell, Cyril Tom
Dalkeith, Earl of
Davison, Sir William Henry
Dawson, Sir Philip
Denman, Hon. R. D.
Denville, Alfred
Dickie, John P.
Donner, P. W.
Drewe, Cedric
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eastwood, John Francis
Ellis, Sir R. Geoffrey
Elmley, Viscount
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Everard, W. Lindsay
Fielden, Edward Brocklehurst
Fox, Sir Gifford
Fremantle, Sir Francis
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gillett, Sir George Masterman
Gledhill, Gilbert
Glossop, C. W. H.
Gluckstein, Louis Halle
Glyn, Major Sir Ralph G. C.
Goodman, Colonel Albert W.
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Greene, William P. C.
Grenfell, E. C. (City of London)
Grimston, R. V.
Gritten, W. G. Howard
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hammersley, Samuel S.
Hanbury, Cecil
Hannon, Patrick Joseph Henry
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter, Capt. M. J. (Brigg)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Johnston, J. W. (Clackmannan)
Jones, Sir G. W. H. (Stoke New'gton)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kimball, Lawrence
Kirkpatrick, William M.
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Law, Sir Alfred
Leighton, Major B. E. P.
Lewis, Oswald
Lindsay, Noel Ker
Llewellin, Major John J.
Lloyd, Geoffrey
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morrison, G. A. (Scottish Univer'ties)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
Nunn, William
O'Neill, Rt. Hon. Sir Hugh
Ormiston, Thomas
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Perkins, Walter R. D.
Petherick, M.
Pickthorn, K. W. M.
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Procter, Major Henry Adam
Pybus, Sir John
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay T. B. W. (Western Isles)

Ramsbotham, Herwald
Ramsden, Sir Eugene
Ratcliffe, Arthur
Rawson, Sir Cooper
Ray, Sir William
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Robinson, John Roland
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Runciman, Rt. Hon. Walter
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, M. R. A. (W'ds'wth, Putney).
Scone, Lord
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Skelton, Archibald Noel
Smiles, Lieut.-Col. Sir Walter D.
Smith, Louis W. (Sheffield, Hallam)
Smith, Sir Robert (Ab'd'n & K'dine,C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Sotheron-Estcourt, Captain T. E.
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Todd, A. L. S. (Kingswinford)
Touche, Gordon Cosmo
Tree, Ronald
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour
Wedgwood, Rt. Hon. Josiah
Wells, Sydney Richard
Weymouth, Viscount
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Windsor-Clive, Lieut.-Colonel George
Wise, Alfred R.
Womersley, Sir Walter
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—Major George Davies and Dr. Morris-Jones.

NOES.

Addison, Rt. Hon. Dr. Christopher
Astor, Viscountess (Plymouth, Sutton)
Banfield, John William
Batey, Joseph
Churchill, Rt. Hon. Winston Spencer
Cleary, J. J.
Cocks, Frederick Seymour
Curry, A. C.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Edwards, Charles
Evans, David Owen (Cardigan)
Evans, Capt. Ernest (Welsh Univ.)
Evans, R. T. (Carmarthen)
Foot, Dingle (Dundee)
Foot, Isaac (Cornwall, Bodmin)
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffith, F. Kingsley (Middlesbro',W.)
Griffiths, George A. (Yorks,W. Riding)
Hall, George H. (Merthyr Tydvil)
Harris, Sir Percy
Holdsworth, Herbert
Jenkins, Sir William
Jones, Henry Haydn (Merioneth)
Jones, Morgan (Caerphilly)
Kirkwood, David
Lansbury, Rt. Hon. George
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Mainwaring, William Henry
Maitalieu, Edward Lancelot
Maxton, James
Milner, Major James
Owen, Major Goronwy
Paling, Wilfred
Parkinson, John Allen
Rathbone, Eleanor
Remer, John R.
Roberts, Aled (Wrexham)
Rothschild, James A. de
Samuel, Rt. Hon. Sir H. (Darwen)
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Smith, Tom (Normanton)
Thorne, William James
Tinker, John Joseph
West, F. R.
White, Henry Graham
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John
Wood, Sir Murdoch McKenzie (Banff)
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE NOES.—Sir Robert Hamilton and Mr. Hracourt Johnstone.

10.6 p.m.

Colonel WEDGWOOD: I beg to move in page 11, line 21, after "of," to insert: "six representatives of the British Parliament and".

The object of this Amendment is to broach the question of making this Parliament an Imperial Parliament. I put the issue before the Joint Select Committee more fully. I desire a smaller assembly, with representation in it of both Houses of Parliament, coupled with the presence in the British Parliament of an equal number of Indian representatives. The Committee will be aware that the principal Indian objection to our rule in India is that the greatest difference of caste in India is not between one brand of Hindu and another, or even between Hindu and Mohammedan, but between Indian and Englishman, and that the main desire of the Indian people is not so much to govern themselves as to be on an absolutely equal footing with Englishmen. Mr. Gandhi has often put it quite clearly by saying that all that is needed in India is a change of heart on the part of the English people there. I know, and I think the Committee know, that the best way to break down caste is to have in the same democratic assembly people of both castes. In this country caste has been broken by our Parliamentary institutions. The very fact that we had knights of the shire and burgesses sitting together did more to break caste in England than anything else, and I wish to see the same principle applied in India. There is no doubt that these English Members of Parliament, sitting in the Indian Assembly, would be welcomed with open arms by that Assembly——

Viscountess ASTOR: Would the right hon. Gentleman guarantee that two of them would be women?

Sir H. CROFT: Might I make to him the particular request that one of them may be the hon. Member for Plymouth?

Colonel WEDGWOOD: I am certain, from my experience of this Debate alone, that there would be no lack of candidates for the position. A very large number of Members of the House of Commons would be only too glad, not to surrender their seats here, but to be delegates of this Assembly in the Indian Assembly. When they were sitting on the benches with Indians, they would learn the Indian point of view; they would be able to support British interests, and at the same time to join in the common feelings of the Indian people. Their meeting together, speaking together, mixing as we do in this House, would break down all barriers between these two races; and how much more should we benefit by having six Indians sitting in this House?

The CHAIRMAN: Order! I was glad to see that the right hon. Gentleman, although he has another project in mind, has confined his Amendment to what is in order. Otherwise, I should not have been able to call it. But he must not deal with the constitution of this Parliament.

Colonel WEDGWOOD: No; I must not deal with the constitution of this Parliament; but the idea of having English representatives in the Indian Parliament cannot be complete without reciprocity on our part. If such reciprocity were available, the Indian people would be only too glad to respond, and we should have the foundation here of a real Imperial Parliament. Over and over again I have advocated in this House that Newfoundland and Kenya should be represented——

The CHAIRMAN: I am afraid the right hon. Gentleman will not be able to develop that side of his plan.

Colonel WEDGWOOD: I must confine myself, then, to arguing the advantages of having English representation in the Indian Assembly. They are that our members who went there would learn the Indian point of view, would break down the barriers between Englishman and Indian, and would form a safeguard which would be infinitely less objectionable to the Indians than those provided in this Bill. The only real safeguard is to have a community of interest and people mixing together as we have here. This proposal was put before the Joint Select Committee, and was also sent to India. In India it was heartily accepted; it met with contemptuous indifference on the part of the Select Committee. I am certain that the Empire will depend in the future upon a union of Parliaments, and I believe that to create that spirit would be a real step forward, not only in Imperial development, but in the unity of the human race.

10.13 p.m.

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): I quite appreciate the genuine feeling that my right hon. Friend has in moving this Amendment, and I feel sure that no proposal of his could have been treated with contemptuous indifference by anybody, least of all by the Joint Select Committee or, I am perfectly certain, the Imperial Parliament. Indeed, there seems to be, on the other hand, a great welcome for his proposal, and great competition among Members to have the honour and privilege of serving in the Indian Assembly; while I think there is probably an equal anxiety on the part of some colleagues of hon. Members who wish to have the opportunity of nominating colleagues who would be absent from this House in the future. Perhaps the right hon. Gentleman would take this invidious choice out of the hands of hon. Members, and put down the names of those whom he would like to go in a Schedule to the Bill. We are not very far behind our time-table, and I know that right hon. and hon. Members look forward to discussing many matters on the Schedules. I feel sure that this question would arouse a great deal of interest, and that there would be a great deal of competition to insert new names. The right hon. Gentleman perhaps has not developed sufficiently how these members will be chosen, whether by indirect election by this House and, if so, whether this question of corruption——

Colonel WEDGWOOD: I pointed out in my speech that election by this House or by a council could not possibly involve corruption.

Mr. BUTLER: Perhaps we might ask the right hon. Gentleman if a Member of this House receiving the emoluments that hon. Members do receive should be entitled to an extra allowance if he proceeded to India. Perhaps the right hon. Gentleman will develop the point later. It is a very important question to some of us. Taking the point seriously, I think we should remember that this would cut across the whole principle of responsible government that is being set up and that the result of accepting the Amendment instead of breaking down barriers would be to create confusion in India and in this country and, therefore, we are unable to accept it.

Amendment negatived.

10.16 p.m.

Major COURTAULD: I beg to move, in page 11, line 24, at the end, to insert:

"and forty additional members chosen by the Governor-General, in his discretion, of whom not more than twenty shall be persons holding office under the Crown."

The main intention of this Amendment is to maintain in some small degree the system now obtaining of nominated members which has been carried on in India for many years. I think it would probably be to the advantage of everyone if it were maintained to this extent. It would enable the Governor-General to appoint to the Federal Assembly distinguished, knowledgeable, able Europeans who would help in the legislation and in the governing of India as a whole. One aspect of the case which presents itself immediately is that in the Federal Assembly as at present proposed there will be definite groups of members nominated by the Provincial Governments and by the ruling Princes if that happy event ever happens. One may assume it for the sake of argument. The Federal Assembly is likely to be split up into many groups seeking to look after the interests of their own Provinces, or possibly of their own States. If one had this body of opinion nominated by the Governor-General one would have at least 40 members definitely concerned only with the welfare of India as a whole, and not concerned with any particular partisan views or with the interests of any particular group.

Another aspect is that, as I take it, the whole principle of the Bill is a partnership of Great Britain and India. We are told that this great Measure will cement the friendship between the two countries, and make a permanent partnership. As the Federal Assembly is to be constituted by the Bill, the partner which has been predominant in the past, Great Britain, is virtually not represented at all. The number of 40 added to the number of 375, which is the sum total proposed in the Bill, is not very large, and it may be that some hon. Members might say that it should be larger. If my right hon. Friend the Secretary of State does not agree that it is large enough, I shall be delighted to hear that he wants to increase the number. I think that 40 is a reasonable number, that there would not be any definite combination against that number, and that those members would be able to serve with advantage.

Those are the chief arguments which one can advance in favour, although there are many others. On the other side, I realise that it will probably be submitted by the official Opposition, and almost certainly by the Liberals, that to have nominated members at all in this new Assembly will be, as my hon. Friend the Under-Secretary has just said, cutting across the whole principle of democracy. I think very little of that argument, and it may be that it will not be evolved. If it were one would have to consider that the Federal Assembly is in no sense an elected body. It is not anomalous to have nominated members at all. The members from the Provinces of what are to-day British-India will be nominated by the Provincial Assemblies, and the members from the Indian States will be nominated by the ruling Princes. Therefore, surely, it is no anomaly but only carrying out the spirit of the assembly, as it is proposed to constitute it, to have also a limited number of members nominated by the Governor-General. I have every hope, naturally, that the Conservative portion of this Committee will approve and accept this Amendment. I am in very high hopes that we have found my right hon. Friend the Secretary of State, as indeed he has proved to be, in a mellow and conservative mood. Therefore, when I say that I really would reasonably expect this Amendment to be treated seriously and very likely to be accepted, I hope that I am not being too optimistic.

10.23 p.m.

Mr. BUTLER: Let me, first of all, assure the hon. and gallant Member for Chichester (Major Courtauld) and the Committee that this Amendment will be taken seriously, and, if I give some reasons why the Government are not able to accept it, I hope that he and the Committee will realise that we have given this suggestion very serious consideration. The first argument I should like to advance is to consider with the Committee what the reception of the acceptance of the Amendment would be likely to be in India in the circles in which this Bill will be worked. There is no doubt that this proposal would be looked upon by Indian opinion with very great suspicion, and, if there were any merit in the proposal, its initial operation would take place in an atmosphere of such suspicion that any benefit which the mover of the Amendment or his friends would imagine would derive from its operation would immediately be denied it by the fact that it would be operated in an extremely unfriendly and unfavourable atmosphere.

Indians have for a very long period looked with great suspicion upon the continuance of what is known as the official bloc, and this Amendment in fact suggests a continuation of the official bloc. The Statutory Commission when they recommended autonomous government in the Provinces did not suggest a continuation of the official bloc. At this hour of the evening I will not take up the Committee's time by putting forward the arguments that they used against the continuation of the official bloc. It is true that in the Centre, where they did not recommend exactly the form of Government which is in this Bill, there is a proposal with regard to nominated members in the Federal Assembly, but their arguments on the subject of the continuation of the official bloc in a Government which is a responsible form of Government are, I think, conclusive, and as we are including in this Bill provisions for that form of Government in the Central Assembly their arguments against the continuation of the official bloc undoubtedly hold good.

These 40 members I presume would, as the Amendment says, be 20 nominated by the Governor-General, who would be non-official, and 20 who would hold office under the Crown. The general experience of the operation of the official bloc in India during the last 14 years has been that the official bloc becomes the servant or the ally of the Government of the day, and that is not very surprising, because the Governor in the case of a Province or the Governor-General in the case of the centre would appoint the official bloc and naturally would not expect them to go against the Government of which he was the head, particularly if 20 of the members, as is proposed in the Amendment, are actually expected to hold office under the Crown.

At first sight I was interested in the arguments put forward, but when one explores further the experience of the official bloc in India, one sees that it is natural that those who hold office under the Crown, who are themselves nominated by the head of the Government would find it impossible to vote against any Government of the day the head of which had appointed them. It would render the position impossible if, say, the secretary of a particular minister was voting in a division lobby different from that of the minister himself. If 20 of these members are to be those who hold office under the Crown, that sort of position would arise, unless the normal development ensued, which would be that the official bloc would become the ally and supporter of the Government of the day. If they were to become solely the ally and supporter of the Government, I do not think the objective which my hon. and gallant Friend and his friends have in view would be achieved. For these reasons, and because of the fact that I am afraid we cannot accept an Amendment which would put these additional members on the Federal Council, we are unable to accept the Amendment.

10.28 p.m.

Mr. MORGAN JONES: Throughout the discussion hon. and right hon. Members opposite have continuously brought to our attention the grievances of the depressed classes and workers of India. Yet here they are moving an Amendment in which they propose to add 40 members to the Council of State.

The CHAIRMAN: I think the hon. Member is mistaken as to the Amendment we are discussing. The Amendment relates to the Federal Assembly and not to the Council of State.

Mr. JONES: I am obliged for the correction. There are to be 40 additional members nominated to the Federal Assembly, 20 of whom are to be representatives of those who have served India in an official capacity. Do the supporters of the Amendment really think that that is a fair proposition to make? If they will look at the allocation of seats to the depressed classes, to labour and women, they will realise that to give an additional 20 seats to those who have already served officially in India, as compared with the seats allocated to the classes I have cited, would be out of all proportion. I do not argue the question whether it is wise to go back to nominated members. I suggest that it is not in keeping with the claims of hon. Members opposite to suggest this disproportionate representation of those who have served India and forget an adequate representation of the depressed classes and of labour.

10.31 p.m.

Sir A. KNOX: Contrary to what the hon. Member for Caerphilly (Mr. Morgan Jones) has said our object in moving the Amendment is to give a chance to the people in India who will not be properly represented under this system. We think that the Governor-General could nominate 40 members, 20 of them officials, not necessarily all, who would really look after the interests of the lower classes and the depressed classes far better than the assembly proposed under this Bill. The principal argument of the Under-Secretary of State against the Amendment was that that would not be pleasing to the political classes in India. That is quite a different argument to that which we heard from the right hon. Member for West Birmingham (Sir A. Chamberlain) to-day, who told us that although we should try to do our best to satisfy the Indian political classes yet we have to decide in this House what is best for India. Now we have gone back to the old argument that we must try and please the political classes in India, who do not represent the mass of the people.

Let me point out how very recent is the electoral system at the centre in India. No one was elected to the centre of India until the year 1892, that is 43 years ago, and the Assembly then was a one chamber assembly, in which four people were elected out of 26. The Morley-Minto Reforms came 17 years later, in 1909, and the total number of members in the Assembly at the Centre was 60. Out of that 60, 28 were officials, five were nominated by the Viceroy and 27 were on an elected basis. Out of the 27, 18 were elected by various groups and only nine were representative of the peoples of India. Unfortunately the leaders of the Conservative party to-day have rushed in where radicals like John Morley feared to tread, and propose to give away the whole position. I contend that this is a democratic Amendment to try and bring in people who will look after the interests of the masses of the common people, who would not otherwise have any representation at all.

10.34 p.m.

Mr. CHARLES WILLIAMS: In spite of the best will in the world I find it a little difficult to follow the Government into the Division Lobby on this matter, and particularly so after the speech of the Under-Secertary of State. We have been told over and over again by those who have studied this subject that it is essential not to take too much notice of what is said in India, but the Under-Secretary said that the principal reason against the Amendment is that it would have a bad reception in India. Good Heavens, nothing in this Bill has had a good reception in India, and nothing is likely to have a good reception. That argument, therefore, goes if it was meant to be a serious argument. The Under-Secretary of State also said that the Government bloc is not popular in India. Are we to set up something which is popular in India rather than something which will make for good government in India? The whole basis of the argument of the Secretary of State is that we should gradually bring them up to good government. I want to make an appeal to the Secretary of State. Here you have a new Assembly; and undoubtedly a system of nominated members which has worked comparatively well in India, at least as well as anything else has worked. You are not laying down that 20 should be persons holding office under the Crown; it says, not more than 20. So that objection breaks down. We have to remember the tremendous feeling of doubt there is among many Members of this Committee on this matter, and to realise that this

[Mr. Williams.]
Amendment would give the Governor-General some sense of direct power and influence in the Chamber. These nominated Members, with their advice, if they were well chosen and men of good knowledge and good sense, must carry weight. They would allow the Governor-General to have a special voice and influence in the Chamber.

Many of us in listening to these Debates realise that we do not want the extreme powers of the Governor-General to be exercised unless necessary, and if we had these representatives in the Chamber I believe there would be many occasions when the Governor-General would get round difficulties which might otherwise compel him to use his extreme powers. If the Secretary of State cannot accept the Amendment now, I ask him to consider it seriously before Report. Insertion of the Amendment would do a great deal to relieve the anxiety of many of us who were converted reluctantly to the central system, but who at the same time think there is a possibility in this kind of Amendment of strengthening that system and making it more adequate for the representation of the people in India. This Amendment would give the Governor-General power to right many anomalies, by giving representation in the Chamber to people who otherwise would not have adequate representation, such as Labour or the trade unions or anything else you like, and an hon. and gallant Friend who is such a gallant advocate of the rights for women on all occasions reminds me that it would give representation to women as well.

10.38 p.m.

Mr. CHURCHILL: I feel bound to support this Amendment, because it seems to maintain as far as possible the *status quo* at the centre. I expect that the federal part of this Bill will fail and that the centre will continue for the time being, probably for a good many years, in its present condition, which is not satisfactory, though we might go further and fare a great deal worse. I therefore vote for the Amendment to preserve the nominated element at the centre, just as I voted to preserve to the Indian electors their direct election to the centre, of which they have been deprived by this Bill. We are in fact depriving the electors on the one hand of the method of direct election, to which they have become used and which they value, and at the same time we are depriving the Governor-General of the forces of stability represented by the nominated element.

In every way you are making the Central Assembly much poorer. It is a Central Assembly which will be based not upon election by the people but upon indirect election by the Provincial legislatures. All the more necessary is it that there should be nominated element which will redress the balance and provide what is left out by these close corporations. I feel that we ought to press this question without any hesitation at all because undoubtedly it will serve to emphasise the importance of maintaining successfully the experiment which has hitherto been made—so far as it has gone—in India of a body at the centre which, although it is full of faults and shortcomings has nevertheless maintained a certain existence and identity for a period of time. If we are to strip it on the one hand of its popular pretensions, and on the other hand of its nominated element we are creating a condition of affairs far more unsatisfactory than anything of which we have had experience up to the present.

10.42 p.m.

Lord EUSTACE PERCY: My right hon. Friend the Member for Epping (Mr. Churchill) is at any rate consistent in this matter. Having voted for a directly elected assembly, he may now argue in favour of putting into that assembly or retaining in it a nominated class. But I would point out to hon. Members who have voted in favour of indirect election that a nominated bloc added to an assembly, the whole purpose of which is to represent the units of the Federation, makes an impossible combination. To say that this body is to represent the units and that, for instance, Madras is to have 20 members in it and then to say that the Governor-General is to have 40 members, is impossible. How could you have a body formed on those lines? The Statutory Commission which proposed this very form of lower House distinctly and emphatically reported that an official bloc in that House was an impossibility and they never dreamt of retaining an official bloc in a House constituted in that way. I am not arguing for or against an official bloc in itself but

in this type of assembly it would be impossible to have a nominated official bloc without destroying the whole purpose for which the assembly is constituted.

10.44 p.m.

Sir WILLIAM DAVISON: My Noble Friend's speech seems to me entirely illogical and I do not propose to follow it. I wish to deal with the two reasons given by the Under-Secretary for opposing the Amendment. He said that even if it were good in itself it would not be looked on with favour by Indian political opinion, or words to that effect. We have pointed out repeatedly that every section of political opinion including, as we now know, even the Princes, is against the Bill, and at this hour of the day to tell us that the Government are rejecting this Amendment, not on its merits, but because it will not be received with favour by political opinion in India seems very far-fetched. The second reason was that those who held office under the Crown would always support the Government which had appointed them. We have repeatedly urged on the Government that if they refer to recent appointments in India it will be found that those holding them are all in favour of the present proposals just because they are recent appointments and do not desire to oppose the Government which has appointed them.

The CHAIRMAN: That is not in order.

Sir W. DAVISON: I thought it well to urge that on the Committee.

The CHAIRMAN: It is not in order.

Sir W. DAVISON: No, Sir Dennis, and I will not pursue it, but I hope the Committee will bear it in mind. In any event, I urge that the reasons which we have had for the rejection of the Amendment are quite inadequate. With regard to the second reason, it is not one that can be urged by the Government, and with regard to the first, it applies to every Clause in the Bill.

10.46 p.m.

Duchess of ATHOLL: I do not wish to detain the Committee, but I feel bound to point out that my right hon. Friend the Member for Hastings (Lord E. Percy) was not correct in what he said as to the recommendation of the Simon Commission in regard to nominated members in the Central Assembly, and as I did not vote for indirect election in the last Division, I am perhaps free to speak on this matter. I understood my right hon. Friend to say that the Simon Commission did not recommend that there should be any nominated members in the Central Assembly, but I am afraid his memory is at fault, for the Simon Commission recommended as follows:

> "In addition to the members representing the Governors' Provinces, the minor Provinces and the exluded areas, there will be an official element. Members of the Governor-General's Council will be *ex-officio* members, and we consider that the Governor-General should have power to nominate not more than twelve other officials, chosen because of their connection with the departments of the Central Government, in order that the point of view and experience of the Administration may be adequately represented."

I do not think it can therefore be maintained that it is impossible to have nominated members in a Federal Assembly primarily intended to represent the units of that Assembly. I should like to add that the argument used by my hon. Friend the Member for Chichester (Sir W. Smiles) seems to me very strong, namely, that these members are bound to be people who will be taking cognisance of the interests of India as a whole. Their view will not be limited to one Province or unit, and in view of all that has been said by the supporters of the Bill as to the fear of sectional views and separatist tendencies on the part of the Province, that seems to me a consideration of very great importance.

10.48 p.m.

Miss RATHBONE: As there has been about eight speeches in favour of the Amendment, I think it is about time that someone on this side spoke a few plain words about this proposal. I call it a preposterous Amendment. One of the arguments used by the Under-Secretary of State for refusing it on behalf of the Government was, as he pointed out, quite rightly, the bitter resentment which it would arouse in India. What is the reply of the supporters of the Amendment to that argument:—It amounts to this: "Well, Hoare has chastised you with whips, we will chastise you with scorpions." The suggestion is that because the present Bill has been re-

[Miss Rathbone.]

ceived with almost universal disfavour in India, that is a reason for turning it into something infinitely more revolting to Indian opinion, and then forcing it upon India. That is the view taken by a large section of the Tory party of government by consent. I should have thought that 100 years ago we had a pretty good example, in the case of the American Colonies, of what came of forcing upon a country a constitution which was repudiated with loathing, and yet the very body that pretends to repudiate this constitution on the ground that India does not like it, wants to make it something infinitely more revolting to India—a true Tory sentiment.

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

The Committee divided: Ayes, 42; Noes, 264.

Division No. 84.] **AYES.** **[10.50 p.m.**

Acland-Troyte, Lieut.-Colonel	Dawson, Sir Philip	Sandeman, Sir A. N. Stewart
Atholl, Duchess of	Emmott, Charles E. G. C.	Scone, Lord
Bailey, Eric Alfred George	Erskine-Bolst, Capt. C. C. (Blackpool)	Somerville, Annesley A. (Windsor)
Balfour, George (Hampstead)	Everard, W. Lindsay	Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Boyce, H. Leslie	Goodman, Colonel Albert W.	Touche, Gordon Cosmo
Bracken, Brendan	Greene, William P. C.	Wayland, Sir William A.
Broadbent, Colonel John	Hartington, Marquess of	Wells, Sydney Richard
Brown, Brig.-Gen. H. C. (Berks., Newb'y)	Hunter, Capt. M. J. (Brigg)	Williams, Charles (Devon, Torquay)
Burnett, John George	Jones, Sir G. W. H. (Stoke New'gton)	Williams, Herbert G. (Croydon, S.)
Carver, Major William H.	Keyes, Admiral Sir Roger	Windsor-Clive, Lieut.-Colonel George
Churchill, Rt. Hon. Winston Spencer	Kimball, Lawrence	Wise, Alfred R.
Courtauld, Major John Sewell	Knox, Sir Alfred	Wolmer, Rt. Hon. Viscount
Craddock, Sir Reginald Henry	Nunn, William	
Croft, Brigadier-General Sir H.	Rawson, Sir Cooper	TELLERS FOR THE AYES.—
Davison, Sir William Henry	Remer, John R.	Mr. Donner and Mr. Raikes.

NOES.

Addison, Rt. Hon. Dr. Christopher	Cooke, Douglas	Groves, Thomas E.
Agnew, Lieut.-Com. P. G.	Cooper, A. Duff	Guest, Capt. Rt. Hon. F. E.
Albery, Irving James	Copeland, Ida	Gunston, Captain D. W.
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Courthope, Colonel Sir George L.	Guy, J. C. Morrison
Allen, William (Stoke-on-Trent)	Craven-Ellis, William	Hall, George H. (Merthyr Tydvil)
Amery, Rt. Hon. Leopold C. M. S.	Cripps, Sir Stafford	Hannon, Patrick Joseph Henry
Anstruther-Gray, W. J.	Crooke, J. Smedley	Haslam, Henry (Horncastle)
Aske, Sir Robert William	Crookshank, Capt. H. C. (Gainsb'ro)	Headlam, Lieut.-Col. Cuthbert M.
Assheton, Ralph	Croom-Johnson, R. P.	Heligers, Captain F. F. A.
Attlee, Clement Richard	Crossley, A. C.	Hills, Major Rt. Hon. John Waller
Baillie, Sir Adrian W. M.	Daggar, George	Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Baldwin, Rt. Hon. Stanley	Dalkeith, Earl of	Holdsworth, Herbert
Balfour, Capt. Harold (I. of Thanet)	Davies, David L. (Pontypridd)	Hore-Belisha, Leslie
Banfield, John William	Davies, Maj. Geo. F. (Somerset, Yeovil)	Hornby, Frank
Barclay-Harvey, C. M.	Davies, Rhys John (Westhoughton)	Horsbrugh, Florence
Bateman, A. L.	Dickie, John P.	Howard, Tom Forrest
Batey, Joseph	Duggan, Hubert John	Howitt, Dr. Alfred B.
Beaumont, Hon. R. E. B. (Portsm'th, C.)	Duncan, James A. L. (Kensington, N.)	Hume, Sir George Hopwood
Belt, Sir Alfred L.	Dunglass, Lord	Hunter, Dr. Joseph (Dumfries)
Bevan, Stuart James (Holborn)	Eastwood, John Francis	Hunter-Weston, Lt.-Gen. Sir Aylmer
Boulton, W. W.	Edwards, Charles	Inskip, Rt. Hon. Sir Thomas W. H.
Bower, Commander Robert Tatton	Elliot, Rt. Hon. Walter	Jackson, Sir Henry (Wandsworth, C.)
Bowyer, Capt. Sir George E. W.	Ellis, Sir R. Geoffrey	James, Wing-Com. A. W. H.
Boyce, H. Leslie	Elmley, Viscount	Jenkins, Sir William
Braithwaite, J. G. (Hillsborough)	Evans, David Owen (Cardigan)	Jennings, Roland
Brass, Captain Sir William	Evans, Capt. Ernest (Welsh Univ.)	Jesson, Major Thomas E.
Briscoe, Capt. Richard George	Evans, R. T. (Carmarthen)	Joel, Dudley J. Barnato
Brocklebank, C. E. R.	Fielden, Edward Brocklehurst	Johnston, J. W. (Clackmannan)
Brown, Col. D. C. (N'th'l'd., Hexham)	Foot, Dingle (Dundee)	Johnstone, Harcourt (S. Shields)
Brown, Ernest (Leith)	Foot, Isaac (Cornwall, Bodmin)	Jones, Henry Haydn (Merioneth)
Buchanan, George	Fox, Sir Gifford	Jones, Lewis (Swansea, West)
Burghley, Lord	Fremantle, Sir Francis	Jones, Morgan (Caerphilly)
Butler, Richard Austen	Ganzoni, Sir John	Ker, J. Campbell
Butt, Sir Alfred	Gardner, Benjamin Walter	Kerr, Lieut.-Col. Charles (Montrose)
Cadogan, Hon. Edward	Gillett, Sir George Masterman	Kerr, Hamilton W.
Campbell, Vice-Admiral G. (Burnley)	Gledhill, Gilbert	Kirkpatrick, William M.
Caporn, Arthur Cecil	Glossop, C. W. H.	Lamb, Sir Joseph Quinton
Cayzer, Maj. Sir H. R. (Prtsmth., S.)	Gluckstein, Louis Halle	Lansbury, Rt. Hon. George
Cazalet, Thelma (Islington, E.)	Gower, Sir Robert	Leckie, J. A.
Chamberlain, Rt. Hon. Sir J. A. (Birm., W)	Graves, Marjorie	Leighton, Major B. E. P.
Clarke, Frank	Greenwood, Rt. Hon. Arthur	Lindsay, Noel Ker
Cleary, J. J.	Grenfell, David Rees (Glamorgan)	Lister, Rt. Hon. Sir Philip Cunliffe-
Cochrane, Commander Hon. A. D.	Grenfell, E. C. (City of London)	Little, Graham-, Sir Ernest
Cocks, Frederick Seymour	Griffith, F. Kingsley (Middlesbro', W.)	Llewellin, Major John J.
Colville, Lieut.-Colonel J.	Griffiths, George A. (Yorks, W. Riding)	Lloyd, Geoffrey
Conant, R. J. E.	Grimston, R. V.	Lockwood, John C. (Hackney, C.)

Loder, Captain J. de Vere
Loftus, Pierce C.
Logan, David Gilbert
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Lunn, William
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
Macdonald, Capt. P. D. (I. of W.)
McEntee, Valentine L.
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mainwaring, William Henry
Maitland, Edward Lancelot
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Maxton, James
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Milne, Charles
Milner, Major James
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Donovan, Dr. William James
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Paling, Wilfred
Palmer, Francis Noel
Parkinson, John Allen
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Petherick, M.
Pickthorn, K. W. M.
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Sir John
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rathbone, Eleanor
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Roberts, Aled (Wrexham)
Robinson, John Roland
Ropner, Colonel L.
Rosbotham, Sir Thomas
Ross Taylor, Walter (Woodbridge)
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney).
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Skelton, Archibald Noel
Smiles, Lieut.-Col. Sir Walter D.
Smith, Louis W. (Sheffield, Hallam)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smith, Tom (Normanton)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Soper, Richard
Sotheron-Estcourt, Captain T. E.
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Strickland, Captain W. F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Tinker, John Joseph
Titchfield, Major the Marquess of
Todd, A. L. S. (Kingswinford)
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Ward, Irene Mary Bewick (Wallsend)
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wedderburn, Henry James Scrymgeour-
Weymouth, Viscount
White, Henry Graham
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Willis, Wilfrid D.
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE NOES.—Lieut.-Colonel Sir A. Lambert Ward and Mr. Blindell.

It being after Eleven of the Clock, The CHAIRMAN *left the Chair to make his report to the House.*

Committee report Progress; to sit again To-morrow.

ROAD TRAFFIC ACTS, 1930 AND 1934.

11.3 p.m.

Captain Sir WILLIAM BRASS: I beg to move,

"That an humble Address be presented to His Majesty praying that the Provisional Regulations, dated 4th January 1935, made by the Minister of Transport in exercise of the powers vested in him under and by virtue of Section 48 of the Road Traffic Act, 1930, and Section 1 of the Road Traffic Act, 1934, and entitled the Traffic Signs (Speed Limit) Provisional Regulations, 1935, be annulled."

First, I wish to apologise to the House for keeping it so late, but this is the only way under our procedure in which these Regulations, made by the Minister of Transport, can be discussed. It is a very unpleasant thing for a member of the National Government to have to oppose the Minister, as I have to this evening, and I must apologise for having to do so, but at the same time this is a subject on which I feel very deeply. I propose to raise two points. The first deals with the signs which the Minister of Transport proposes to put up at the beginning and at the end of a speed limit area under the Road Traffic Act, 1934. The second point is concerned with the position of a Member of Parliament who is jealous of the rights of this House, and that I shall deal with later. I wish to tell the House that I have nothing on earth to do with the motor trade. I am not in any way connected with it. I have no share in any company connected with the motor trade, and the only reason why I bring this matter forward is because I have been a driver for over 30 years and I have had a little experience, having driven more than 500,000 miles in various countries of the world.

I have studied this particular question for a long time. I was on the Committee of the 1934 traffic Bill. I am sorry that my hon. Friend the Minister of Transport was not there at the time. His predecessor, the then Minister of Transport,

[Sir W. Brass.]

was on that Committee, and during one of the Debates a description of a built-up area was given. The 30-miles speed limit was decided upon, and it was decided that that limit should apply to certain roads, roughly about 50,000 miles of road out of the 175,000 miles of road in the country. This speed limit is to be applied to what is called a built-up area, which is a place where a system of street lighting exists. That is the description of a built-up area.

I want, if I may, to say a few words about the signs. I take no objection to the sign that is proposed for the beginning of a built-up area, that is, the beginning of a speed limit aea, because it is the same sort of sign as is used on the Continent, although it is smaller, being only 18 inches instead of 24. My objection is chiefly to the derestriction sign. The derestriction sign is only 8 inches instead of 18 inches, so that a driver knows when he comes into a built-up area, but does not know when he is going out of it because he cannot see the 8-inch sign so well as he can see the 18-inch sign. That is one reason why I object to it. There is another reason, and that is that it is only black and white. We know that the Minister has marked his beacons with black and white. Black and white is put up to indicate caution. The black and white sign which the Minister proposes to put up at the end of a built-up area indicates that the driver can go as fast as he likes because he has come out of the restricted area. The colour of it is therefore wrong.

I want to examine the history of these signs. In June last year the Minister circulated the signs, and they were, I understand, objected to, certainly by the Automobile Association, which ought to know something about it. I am not sure whether I am correct in saying that the other motoring organisations objected also. The Minister will correct me if that is wrong. Later on he published Circular No. 407, which he sent to all the local authorities, and that circular was also objected to. It was objected to by the urban district councils, who objected to the very same sign as that to which I object, that is, the de-restriction sign. The Urban District Councils' Association, curiously enough suggested—I did not know this at the time—the very same sign which I have suggested in a circular which I have sent round the House, and that is that you should have the same sign at the exit as you have at the beginning of a speed limit area, but instead of having it red you should have it green, and should cross out the "30" to show that the 30-mile limit no longer exists. I asked the Minister a question just before Christmas, pointing out to him that this particular kind of sign with a bar across it conflicted with the international sign. The answer I got indicated, I think, that my hon. Friend did not realise that a bar without anything else was a restrictive sign, and not a permissive sign, on the Continent. On the 6th February I asked another question, and the answer I got from my hon. Friend was as follows:

"The proposed signs were placed in the Tea Room of the House"—

for which I thank him, because I asked him to do it—

"some time ago, and no objections were received from hon. Members. The original proposals for the design of the signs have met with a large measure of approval"—

about which, no doubt, he will tell us—

"and I have decided not to modify the signs in the light of the criticisms received . . . ."—[OFFICIAL REPORT, 6th February, 1935; col. 1125, Vol. 297.]

That was the answer that I got, but I was convinced, from conversations with various hon. Members in the Tea Room who had seen these signs, that Members of the House did not agree with that de-restriction sign, but thought it was too small and not satisfactory. Therefore, I decided that I would send a little letter to every Member of the House, including the Minister, showing the sign which I proposed should take the place of his sign, and the international sign as well. The response to the referendum which I sent to Members of the House was very surprising to me. I did not expect to get nearly such a large number of answers, and I am most grateful to hon. Members for answering the questions which I sent out. I received 262 replies, which I think it a great compliment. The number in favour of the green sign with the "30" crossed out was 237. There were 181 Members who gave no particular opinion on the subject, but did me the honour of answering the letter. There were only seven replies in favour of the Minister's proposal, and here I was rather interested, because, among the replies in favour of the Minister's sug-

gestion, there was one which had no name on it, and I was wondering whether it was my hon. Friend who did me the honour of sending me that reply.

I think I have said sufficient about the signs, and I now want to deal with the second point, which is that, as a Member of Parliament, I am jealous of the rights of Members of this House. During the Committee stage of the Bill of 1934, the late Minister of Transport used these words in connection with the signs:

"It is clear that, whatever signs are to be prescribed, they must be prescribed by regulation and not by the Bill."

Regulations of this character would be laid before the House, but of course they would not be subject to an affirmative Resolution, but subject to the Parliamentary procedure of a negative resolution, and it is a negative resolution which I am moving this evening. I want to quote the relative Section of the Act of 1930, Section 111:

"Any regulations made by the Minister under this Act shall be laid before both Houses of Parliament as soon as may be after they are made, and if an Address is presented to His Majesty by either House of Parliament in the next subsequent 28 days on which the House has sat after any such regulation is laid before it praying that the regulation shall be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of any new regulation."

That is the Clause in the Act of 1930, which controls the Act of 1934, because in the Act of 1934 the signs are prescribed signs. That, in fact, was the Amendment which I moved in Committee and which was accepted by the then Minister. The effect of making a prescribed sign was that it had to be placed on the Table for 28 days. What is the position now? The Minister, instead of relying on the 1930 Act, which he should have done, has pleaded emergency under the Rules Publication Act of 1893, which, in Section 2, states:

"Where a rule making authority certifies that on account of urgency or any special urgency any rule should come into immediate operation it shall be lawful for such authority to make any such rules to come into operation forthwith as provisional rules."

That is how the Minister has brought in his regulations, and this is what I complain about. The late Minister did exactly the same thing. He did not bring them in under the 1930 Act but under the 1893 Act. The present Minister brought in his regulations about beacons under the 1893 Act again. He presented the House with beacons that were already up. The only thing we could do was to pass a Resolution annulling the regulations. The only effect of that would have been that my hon. Friend, who had already put up his beacons, would have had to pull them all down again, and we should have had to pay the expense of putting them up and pulling them down. That is because he stressed emergency and he did not wait for the 28 Parliamentary days in order to bring it in under the 1930 Act, which he ought to have done, and exactly the same thing has happened again. These regulations are brought in as provisional regulations under the 1893 Act, which was passed long before the Ministry of Transport ever existed and I think before the present Minister was born. We should protest against this Act being used. We passed an Act in 1930 which lays down that the regulations shall lie on the Table for 28 days. He has ignored it altogether and has presented us with a *fait accompli*. He tells us that some of these signs are already up. I do not think he has any right to put them up. He has no right to do that. What is the urgency in this matter? It is only a question of 28 Parliamentary days. He has to wait 28 Parliamentary days when he can bring it in under the ordinary procedure. This is becoming a common way of bringing in Regulations by the Minister of Transport. I have taken the trouble to look up Regulations which the Minister has brought in during this Session and I find no fewer than 15 Regulations have been brought in under the 1893 Act instead of the 1930 Act under which they ought to have been brought in. The House should protest. It is not too late. There are very few of these signs up in the country. I have heard that there are some in the North Riding of Yorkshire, and that they have been seen up there.

Mr. TURTON: No signs have been seen in the North Riding of Yorkshire. There are some up but they are quite indiscernible.

Sir W. BRASS: I am very grateful for the interruption of my hon. Friend.

Sir JOHN PYBUS: If you cannot see them, how do you know they are there?

Sir W. BRASS: My hon. Friend has made the point that they are almost invisible. It really is not too late to have this design of sign altered. A very large majority of the Members of this House are anxious to have this done. I do not want to go to a division on this Motion, but if the Minister cannot give some assurance on the matter, I propose to take it to a Division. I want to say to him that his predecessor at the Ministry of Transport, the present Minister of Labour was big enough to admit not very long ago that he had made a mistake and he was quite ready to admit it—and I hope that the Minister of Transport is big enough to admit that he has made a mistake, and that he will admit it, with the overwhelming majority of the House against him, as far as these signs are concerned. I hope he will realise that he has made a mistake and will withdraw the regulations, and that he will not insist and compel me to press this Motion to a Division.

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[For Continuation of Proceedings see Official Report for Thursday, 7th March, 1935.]

HOUSE OF COMMONS.

Tuesday, 12th March, 1935.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER *in the Chair.*

PRIVATE BUSINESS.

Private Bills (Standing Orders not previously inquired into 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 following Bills, referred on the Second Reading thereof, the Standing Orders not previously inquired into, which are applicable thereto, have been complied with, namely:

Southern Railway Bill.
London and North Eastern Railway Bill.
Newcastle and Gateshead Waterworks Bill.

Bills committed.

Private Bills (Substituted Bills),

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That in the case of the following Bills, introduced pursuant to the provisions of the Private Legislation Procedure (Scotland) Acts, 1899 and 1933, the Standing Orders, which are applicable thereto, have been complied with, namely:

Glasgow Corporation Bill (Substituted Bill).
Lanarkshire County Council (Substituted Bill).

Private Bills [*Lords*] (Substituted Bill),

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That in respect of the following Bill, intended to be introduced pursuant to the provisions of the Private Legislation Procedure (Scotland) Acts, 1899 and 1933, which the Chairman of Ways and Means had reported as intended to originate in the House of Lords, they have certified that the Standing Orders have been complied with, namely:

Ayr County Water Bill [*Lords*] (Substituted Bill).

ORAL ANSWERS TO QUESTIONS.

TRADE AND COMMERCE.

FOREIGN IMPORT QUOTAS AND DUTIES.

1. **Mr. MALLALIEU** asked the President of the Board of Trade whether he can supply the names of the countries which have made changes in the import quotas of British goods since January, 1934, in each case stating whether such changes were increases or decreases?

The PRESIDENT of the BOARD of TRADE (Mr. Runciman): Changes in import quotas, affecting United Kingdom goods to a greater or less degree, have been made since January, 1934, in a large number of countries, including Austria, Belgium, Denmark, France, Greece, Hungary, the Irish Free State, Italy, the Netherlands, Netherlands East Indies, Persia, Roumania, Spain, Switzerland and Turkey. The general tendency of the changes made abroad has been to reduce imports from this country of the articles affected, but there are certain exceptions, particularly in the case of countries with which trade agreements have been concluded.

Mr. MALLALIEU: Is the right hon. Gentleman able to say which of the countries are now taking more of each of those British goods than they took in 1931?

Mr. RUNCIMAN: I could not reply without notice. If the hon. Member will put a series of questions on the Paper, I shall be glad to get the information.

Mr. HANNON: Will my right hon. Friend tell the House whether in cases of this nature an exchange of views takes place between this country and the country concerned before any reduction or increase of quota takes place?

Mr. RUNCIMAN: I cannot say that there is an exchange beforehand, but immediately there is an opening we take advantage of it.

2. **Mr. MALLALIEU** asked the President of the Board of Trade whether he can supply the names of the countries which have made changes in their Customs duties on British goods since January, 1934, in each case stating whether such changes were increases or decreases?

Mr. RUNCIMAN: Since January, 1934, there have been more or less important alterations in Customs duties, which have affected United Kingdom goods, in Belgium, Bulgaria, China, Estonia, France, Germany, Italy, Latvia, Lithuania, Mexico, the Netherlands and Netherlands East Indies, Switzerland, Turkey, United States, some South American Republics, most of the self-governing Dominions and India. Minor changes have also been made in many other countires, including some of the colonies. In most cases the general tendency was in an upward direction. In Empire countries, however, except the Irish Free State, and in Estonia, Latvia and Lithuania, the changes in duties on United Kingdom goods were generally in the direction of reductions. The same will be true of Poland when the new Trade Agreement comes into force. It is unfortunately true that in recent years the general tendency throughout the world has been to increase Customs duties; but the Trade Agreements with the Ottawa Dominions and with foreign countries have resulted in numerous ameliorations in favour of this country. Moreover, in many other instances the countries concerned undertook not to increase Customs duties on United Kingdom goods.

Mr. MALLALIEU: Does not the right hon. Gentleman think that that rather indicates that the late Mr. William Graham was more successful than he in reducing tariffs and other restrictions on our goods?

Mr. RUNCIMAN: The only comment I make is that, unless we had these trade agreements, things would be a good deal worse than they are.

Mr. HANNON: May I again ask the President of the Board of Trade how this increase of Customs duties is brought about? Are there representations made to the Government of this country first before the duties are imposed, and is it the case, when an agreement is signed, that no increased duties can be imposed?

Mr. RUNCIMAN: So far as the trade agreements are concerned, the foreign countries which are signatories must abide by the conditions. It is not customary to give notice beforehand of any increase of duty.

Mr. HANNON: Then these foreign countries impose these duties on our goods without giving any notice to this country at all?

Mr. RUNCIMAN: Not only upon our goods, but upon the goods of other countries too.

Mr. T. WILLIAMS: Is there any inconsistency between the action of foreign Governments and the action of this country towards other countries?

RUSSIA (BRITISH CONTRACTS).

3. **Mr. KIRKWOOD** asked the President of the Board of Trade how many contracts for Russia were executed by West of Scotland firms during the past year, and their total value; what were the comparative figures for 1933, and if, in addition to Messrs. Colvilles, Limited, and the Steel Company of Scotland, there are any other firms engaged on contracts for Russia; the total value of contracts for Russia carried out in Scotland during the past 10 years; and whether it is the policy of the Board of Trade to encourage trading between both countries, with a view to reducing unemployment and facilitating commercial development?

Mr. RUNCIMAN: I regret that detailed information regarding contracts for Russia is not available. As regards the last part of the question the object of the temporary commercial agreement concluded a year ago was the improvement of commercial relations between the United Kingdom and Russia.

ITALY (IMPORT RESTRICTIONS).

4. **Mr. GEORGE HALL** asked the President of the Board of Trade whether he can now make a statement as to the result of the representations made to the Italian Government against the restrictions placed upon coal and other goods imported into that country?

Mr. RUNCIMAN: I regret that I cannot at present add to the replies previously given on this subject. Discussions with the Italian Government are actively proceeding and I hope to be able to make a further statement very shortly.

CHINESE EGGS.

7. **Mr. HANNON** asked the President of the Board of Trade to state the quantities of Chinese eggs imported into this country in the first two months of the

years 1933, 1934 and 1935 in the shell and in liquid or frozen condition in respect of these periods?

Mr. RUNCIMAN: All the desired information will appear in the issue of the accounts relating to Trade and Navigation of the United Kingdom for February, 1935, which will be published on Thursday next. The particulars for the first two months of 1933 and 1934 are shown in the issue of the accounts for February, 1934.

Mr. HANNON: Would my right hon. Friend say whether the import of this article is on the increase or otherwise?

Mr. WEST: Is it true or not that these Chinese eggs are produced under most filthy conditions, and, if it is true, will the right hon. Gentleman consider the prohibition of these imports?

IMPORT DUTIES (INDUSTRIAL RESEARCH).

45. **Mr. MANDER** asked the Chancellor of the Exchequer to what extent the Import Duties Advisory Committee insists on an industry making adequate provision for research before recommending the imposition of the duty?

The CHANCELLOR of the EXCHEQUER (Mr. Chamberlain): I understand that it is the practice of the Import Duties Advisory Committee to inquire as to the provision made for research, and the progress achieved, by industries which ask for a new or increased duty; and they naturally take account of these considerations in deciding whether to make a recommendation.

Mr. MANDER: Is it not possible to get more precise information as to the situation in each individual industry?

Mr. CHAMBERLAIN: If the hon. Member is interested in any particular industry, and will address a question to me, I will try to get him the information.

Mr. LOUIS SMITH: Is it not a fact that some industries find it impossible to command the necessary resources for research work in order to obtain information on matters connected with the industry, and that so soon as adequate protection is granted more research is able to be undertaken?

BRITISH SHIPPING (LOSSES AT SEA).

5. **Mr. LOGAN** asked the President of the Board of Trade whether he is aware that in connection with the loss of the steamship "Blairgowrie" with all hands there is evidence that the ship was not seaworthy, and that although it was over 3,000 tons gross it carried only two able-bodied seamen; and whether he proposes to institute a thorough inquiry into the loss of this vessel?

Mr. RUNCIMAN: May I first take this opportunity of expressing my deep sympathy, in which I am sure that the House will join, with the relatives of those lost in this disaster. Preliminary inquiries are being made by my Department, and whether a formal investigation is to be held will be decided in the light of those inquiries. The question of the seaworthiness of the ship will, of course, be examined, but I may say at once that her deck complement was one man in excess of the minimum requirements.

Mr. LOGAN: Is it not possible, in view of the great number of ships that have disappeared with a total loss of lives, for a searching inquiry to be made?

Mr. RUNCIMAN: I have no doubt that the formal investigation to which I have referred will throw what light can be thrown on these disasters.

Mr. NEIL MACLEAN: Will the right hon. Gentleman say whether in this inquiry he will invite representatives from the union of seamen and firemen to be present also, so that they can have a watching brief in the case of the men who were on these vessels?

Mr. RUNCIMAN: In the case of a formal investigation of this kind, anyone who can throw any light on the circumstances will be present.

Dr. ADDISON: Will any inquiry into seaworthiness be made by the committee before subsidy grants are made to tramp ships?

Mr. RUNCIMAN: It is taken for granted that all vessels which come under the Merchant Shipping Acts and which are on our register are subject to examination, and of course only those are open to receive the subsidy.

Dr. ADDISON: When is such examination made?

Mr. RUNCIMAN: It is made from time to time and continuously.

Mr. BUCHANAN: Is the right hon. Gentleman aware of the deep uneasiness in the public mind, particularly in the Liverpool district, on this matter, and, apart from the formal inquiry, does the right hon. Gentleman not think that a thorough public inquiry ought to be held in order to clear the public mind on the matter?

Mr. RUNCIMAN: What is called a formal investigation is a full inquiry. All the circumstances of the case will then be inquired into.

6. **Mr. GREENWOOD** asked the President of the Board of Trade whether he is aware of the recent loss of life and vessels at sea in circumstances where it can be shown that the vessel was either unseaworthy or undermanned, or both; and what steps he proposes to take to prevent further avoidable loss of life by ensuring that vessels are seaworthy and efficiently manned before going to sea?

Mr. RUNCIMAN: The answer to the first part of the question is in the negative. As regards the second part, in the cases of recent losses in which inquiries have been completed there was no evidence that the vessels were unseaworthy or undermanned. As regards the cases of the "Blairgowrie" and the "Usworth," in which inquiries are still proceeding, the question of seaworthiness will, of course, be examined, but there is no doubt that the vessels were adequately manned. I may add that a formal investigation will be held into the loss of the "Usworth."

Mr. GREENWOOD: Does the right hon. Gentleman really think that in the case of the "Blairgowrie" two able-bodied seamen, that is one in excess of regulations, are sufficient manning?

Mr. RUNCIMAN: No, Sir. If I were to accept the statement of the right hon. Gentleman I should give a wrong impression to the House. The deck hands did not consist only of two able-bodied seamen.

Mr. GREENWOOD: That is perfectly true. The deck hands consisted of four other people of 21 years of age or under. Has the right hon. Gentleman received copies of correspondence which passed between the captain of the "La Crescenta," lost with all hands recently, and his wife and brother, and, in view of the circumstances, does he consider the boat to have been seaworthy?

Mr. RUNCIMAN: I am not expressing any opinion as to whether a boat is seaworthy or not. We must abide by the judgment of the formal investigation. When that decision is given due publicity will be given to it.

Mr. GREENWOOD: The right hon. Gentleman has not answered the second part of my question.

Mr. SPEAKER: We cannot debate the matter now.

Mr. GREENWOOD: In view of the unsatisfactory nature of the answer, I beg to give notice that at the end of questions I shall ask permission to move the Adjournment of the House.

BRITISH ARMY.

RECRUITING (STANDARD).

8. **Viscountess ASTOR** asked the Financial Secretary to the War Office the number of men who offered themselves as recruits for the Regular Army during the present year but were rejected?

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Douglas Hacking): The latest figures available are those for the first quarter of the recruiting year beginning on 1st October, 1934. Out of a total of 10,766 men who were served with notice papers during this period, 4,822 men were rejected.

Viscountess ASTOR: Will the right hon. Gentleman bear in mind the report of the Chief Medical Officer of Health in regard to school children, in which he says that many of the diseases with which children end their elementary school careers would be entirely eliminated if we had a proper system of open-air nursery schools?

Mr. HACKING: I think that question had better be addressed to another Department.

Viscountess ASTOR: Is not the health of the recruits a matter of vital interest to the whole nation?

Mr. HACKING: It is a matter of vital importance, but I would point out to the Noble Lady that children are, in the first place, looked after by the Ministry of Health?

Mr. T. WILLIAMS: Is the number of rejects increasing or decreasing; and is the standard higher or lower, or does it remain constant?

Mr. HACKING: The standard which we require is, as everyone knows, a very high one. It is as high as, or higher, than that which would be demanded by any insurance company for a first-class life. The answer to the other part of the question is that the standard is certainly improving and the number of rejects is going down. Whereas in 1931 they were 60 per cent., in 1933 they had fallen to 50 per cent., and the figure is now only 45 per cent.

Mr. MACQUISTEN: In view of the unsatisfactory nature of the men who are now offering themselves for service, and of the fact that women to-day are demanding a women's police force, would it not be possible to admit them to the Army also, seeing that they now have the vote?

OFFICERS TRAINING CORPS.

9. **Brigadier-General NATION** asked the Financial Secretary to the War Office whether it is proposed to take any steps to restore the strength of the officers training corps, junior division, which has declined by over 4,000 in the last four years?

Mr. HACKING: No, Sir. It is true that there has been a large decrease in the total strength of these corps since 1930, but in spite of that fact there has been practically no decrease at all in the numbers of cadets who have proceeded to commissions in the Territorial Army and the Supplementary Reserve. The precise figures for commissions were 512 in the year ending 30th September, 1930, and 506 in the year ending 30th September, 1934.

Brigadier-General NATION: Do the War Office contemplate disbanding any further units?

Mr. HACKING: No, Sir, as my hon. and gallant Friend knows, certain units have been disbanded and certain replacements have been made, but it is not the intention of the War Office, for the present at any rate, to alter the existing position.

ROYAL MILITARY ACADEMY, WOOLWICH (ADDRESS).

10. **Duchess of ATHOLL** asked the Financial Secretary to the War Office whether he is aware that the President of the Board of Education has recently addressed the cadets of the Royal Military Academy at Woolwich on the subject of the proposed Indian constitutional reforms; and whether he will give a similar opportunity to a critic of these proposals?

Mr. HACKING: I should be very sorry to take any step which imported any political flavour into the addresses given to the cadets of the Royal Military Academy. The arrangement of these addresses is a matter within the discretion of the commandant.

Duchess of ATHOLL: Is it not the case that a political flavour has already been introduced by an address being given by a member of the Government on a Bill which has not yet become law?

Mr. HACKING: The Noble Lady is misinformed. I am told by the comwandant that there was no political flavour at all in the address.

Major-General Sir ALFRED KNOX: Is it not monstrous that a protagonist of this Bill should be invited to give an address in the Royal Military Academy at Woolwich at all?

RIFLE CLUBS.

11. **Sir NICHOLAS GRATTAN-DOYLE** asked the Financial Secretary to the War Office whether, having in view the deficiency in the number of officers and men in the Territorial Force, he will consider the organisation under military supervision of rifle clubs in Great Britain upon the lines of rifle clubs in Australia, with a view to the development of reserves available in case of emergency?

Mr. HACKING: Certain proposals to meet the deficiency on the Territorial Army are now under consideration, and I will bear the suggestion of my hon. and gallant Friend in mind, although I doubt whether such a scheme is best suited to our particular needs.

SCOTLAND.

EDUCATION (LEAVING CERTIFICATE EXAMINATION).

12. **Mrs. SHAW** asked the Secretary of State for Scotland whether he has been able to arrange for the earlier issue of the results of the leaving certificate examination?

The SECRETARY of STATE for SCOTLAND (Sir Godfrey Collins): I am glad to be able to answer in the affirmative. In previous years the results have been issued in instalments starting in the middle of June and concluding by the end of July. This year arrangements have been made which should make it possible to issue all the results by the middle of June, that is, six weeks sooner than the conclusion of the issue in previous years.

Sir MURDOCH McKENZIE WOOD: May we take it that this will not prevent the reports from the teachers from being given fully, in deciding the results of these examinations?

Sir G. COLLINS: I am very glad to give that assurance. In no way whatever has the standard of this certificate been lowered.

SPECIAL AREAS (SCHEMES).

13. **Mrs. SHAW** asked the Secretary of State for Scotland what proportion of the £2,000,000 allocated for expenditure in the special areas has been sanctioned for Scotland?

Sir G. COLLINS: Schemes involving an estimated expenditure of approximately £106,000 by the Commission for the Special Areas in Scotland have already been approved, subject in some instances to adjustment of details, and other schemes which would entail a large increase on this expenditure are under active consideration.

Mr. KIRKWOOD: How many men has the Commissioner put into employment up to date?

Sir G. COLLINS: I am afraid I could not answer that question without notice.

Mr. KIRKWOOD: Is the right hon. Gentleman in a position to tell the House whether the Commissioner has been able to put any man into employment in Scotland?

Sir G. COLLINS: I shall be very glad to answer that question if the hon. Member will put it down. With such information as I have, I am unable to answer it at the moment.

LOCAL GOVERNMENT ACT.

15. **Major Sir ARCHIBALD SINCLAIR** asked the Secretary of State for Scotland whether he is aware of the dissatisfaction widely felt in Scotland with the working of the Local Government (Scotland) Act, 1929; whether he has considered the report on the subject by the small burghs committee of the Convention of Royal Burghs; and whether he proposes to appoint a committee to inquire into the administration of the Act and to make recommendations for its amendment?

Sir G. COLLINS: I am not satisfied that there is such a desire throughout Scotland for a general inquiry of this kind as would justify the setting up of a committee at this time. The views recently expressed by the small burghs committee of the Convention of Royal Burghs are presently under consideration and reports have been called for from the Departments on the matters in question. As regards the financial questions involved, early steps will be taken, as required by the Act of 1929, to investigate its financial working in consultation with local authorities before the expiry of the second fixed grant period on 15th May, 1937.

Sir A. SINCLAIR: Is the right hon. Gentleman aware that the Prime Minister when head of the previous Government said that there should be an inquiry into the working of this Act as soon as sufficient time had elapsed to enable experience of it to be gained; and has not the time now arrived for such an inquiry, seeing that the small burghs themselves want it?

Sir G. COLLINS: Public opinion on this matter has moved considerably within the last two years. I have in view all the circumstances of the case and the opinions presently held in Scotland, and I think the answer that I have given represents the view of the Government on the matter.

POLICE PENSION FUNDS.

16. **Mr. KIRKWOOD** asked the Secretary of State for Scotland whether he is

aware that police pension funds were abolished under the Police Pensions Act, 1921; whether any list has ever been prepared showing the assets of the police pension funds so abolished; and whether, as the assets of the Glasgow police pension fund, so abolished, now amount to £363,337, he will give directions as to the best utilisation of these assets, either towards meeting present police pensions payable in Glasgow, or otherwise in meeting the heavy expenditure in Glasgow on account of unemployed and other social schemes?

Sir G. COLLINS: The reply to the first part of the question is in the affirmative; and the reply to the second part is in the negative. As regards the last part of the question the assets referred to were transferred, under the Police Pensions Act, 1921, to the Glasgow police fund and they continue, in accordance with that Act, to be held by the police authority as investments of the police fund. The income derived from these investments is paid into the police fund, from which the expenses of the Glasgow Police Force, including pensions to former members of the force, are paid. I have no power to allocate any of this money for social schemes.

BARLINNIE PRISON, GLASGOW (DISTURBANCES).

17. **Mr. LEONARD** asked the Secretary of State for Scotland whether the inquiry into the disturbances at Barlinnie Prison, Glasgow, is being conducted independently by Sir George Rankin or in conjunction with the Scottish Prison Department?

Sir G. COLLINS: I appointed Sir George Rankin to hold an independent inquiry and he alone will be responsible for the report. Arrangements were, however, made for him to receive such assistance as he might desire from the head of the Prisons Department for Scotland and the assistant secretary at the Scottish Office in charge of prisons administration.

MENTAL TREATMENT.

18. **Mr. LEONARD** asked the Secretary of State for Scotland whether he is aware that mental defectives, inmates of the State institution for mental defectives, are associated in recreation and exercise with the inmates of the criminal lunatic department; and whether he can state the acreage of ground allotted for exercise and recreational purposes?

Sir G. COLLINS: The reply to the first part of the question is in the affirmative. As regards the last part of the question the area of ground available for exercise and recreation is just over an acre in extent.

Mr. LEONARD: Does not the right hon. Gentleman consider it advisable to separate the exercise periods for these two types of people?

Sir G. COLLINS: The matter is presently under my consideration, and I hope to make an announcement at an early date.

SMALLHOLDERS, LONGFORGAN (HOUSING).

19. **Lord SCONE** asked the Secretary of State for Scotland whether he is aware that a number of the houses occupied by smallholders at Longforgan, Perthshire, are no longer weatherproof, some being dilapidated to the point of being scarcely habitable; and whether he will cause an investigation to be made?

Sir G. COLLINS: The question of the repair or replacement of the houses referred to has been under consideration for some time and I hope that it will be possible to reach a decision at an early date. My Noble Friend is aware that the matter is not free from difficulty as the tenants concerned are landholders, and, as such, are responsible for the maintenance of their houses.

Lord SCONE: May I request the right hon. Gentleman to expedite his researches so that these unfortunate people may have houses in which to live as soon as possible?

Mr. KIRKWOOD: Can the right hon. Gentleman inform the House how many landlords' houses in Scotland are dilapidated?

MILK MARKETING BOARD (POINDINGS).

20. **Lord SCONE** asked the Secretary of State for Scotland the number of cases, in Scotland and Perthshire, respectively, in which cows, other live stock, agricultural implements, or furniture have been poinded at the instance of the Scottish Milk Marketing Board, together with the total number of cows poinded, and the average value placed upon each cow?

Sir G. COLLINS: I am informed that the total number of cases in which poindings have been carried out is 64, including 22 in the county of Perth. The total number of cows poinded is 320, including 67 in the county of Perth. The average value placed upon the cows by the sheriff's officers is £10 2s. 3d. and the average for the county of Perth is £10 7s. 8d. I may add that in a great many of the cases where poindings have been executed the producers concerned have now come to an arrangement for payment of their debts by reasonable instalments, and it is hoped that similar arrangements will be made in the other cases. In only one case so far has a sale of poinded effects been instructed.

Lord SCONE: Can the right hon. Gentleman inform the House whether the Milk Marketing Board is willing to accept a reasonable system of instalment payments for the overdue sums?

Sir G. COLLINS: I will communicate the request of my Noble Friend to the Marketing Board, but I am sure that in all things they are willing to consider the interests of the people concerned.

Mr. MACQUISTEN: Does the right hon. Gentleman realise that the methods of the Milk Marketing Board appear to be much less honest than were those of Rob Roy in the 17th century.

21. **Lord SCONE** asked the Secretary of State for Scotland whether he is aware that in many recent cases when cows have been poinded at the instance of the Scottish Milk Marketing Board, such cows have been valued at only a fraction of their real worth; and if he will request the board to repay to the owners any excess over the value put on them at poinding, which may be obtained when the cows are subsequently sold?

Sir G. COLLINS: I cannot express an opinion on the point raised in the first part of the question, but I have received an assurance from the board that in the event of their obtaining from the sale of poinded cows an amount in excess of the value put upon them on poinding, the surplus after allowing for expenses will be repaid to the producers concerned.

BRACKEN.

22. **Duchess of ATHOLL** asked the Secretary of State for Scotland what steps he is taking to reduce bracken?

Sir G. COLLINS: The committee appointed last year to test the possibility of controlling the spread of bracken by improved methods of cutting and spraying have not yet been able to arrive at a definite opinion on the merits of the various methods employed, and they propose to continue experiments in the current year.

LAND SETTLEMENT (GIFT).

23. **Miss HORSBRUGH** asked the Secretary of State for Scotland whether he is in a position to make any statement regarding recent developments relating to the provision of small holdings and plots for cultivation by unemployed persons in the neighbourhood of Dundee?

Sir G. COLLINS: It gives me great pleasure to announce that the Department of Agriculture for Scotland have received from Mr. James Mathew, a well-known citizen of Dundee, the offer, as a free gift, of the farm of Dryburgh extending to 188 acres near Dundee for the purpose of placing unemployed men from Dundee and district on the land. He has also gifted £7,000 for purposes connected with the scheme. In addition he proposes to create a trust fund estimated at between £25,000 and £30,000 for the furtherance of land settlement projects making a total provision by the donor of over £50,000. I am sure that the House will wish me to express cordial thanks to Mr. Mathew, on behalf of the Government, for his handsome and generous gift.

Miss HORSBRUGH: Can the right hon. Gentleman give sufficient publicity to this gift so that this trust may be added to by other citizens of Dundee or elsewhere who may also want to help in this cause?

Sir G. COLLINS: I am sure that that expression of opinion and the spirit of the House this afternoon will be conveyed to the minds of the public in the ordinary way.

Dr. ADDISON: May I ask whether the Government will exercise their own powers in this matter instead of being dependent upon the charity of public-spirited individuals?

Sir G. COLLINS: The right hon. Gentleman appears to be unaware of the intention of the Government in driving forward land settlement in Scotland.

Dr. ADDISON: Have the Government exercised their powers in any measure whatever under the 1931 Act?

Mr. SPEAKER: That has nothing to do with this question at all.

UNEMPLOYMENT.

AGRICULTURAL WORKERS, SCOTLAND.

14. **Sir A. SINCLAIR** asked the Secretary of State for Scotland whether he proposes to take steps to ascertain at first hand the wishes of the farm servants of Scotland in regard to the adoption of the proposed scheme for bringing agricultural workers within a scheme of unemployment insurance?

Sir G. COLLINS: I presume that the right hon. and gallant Baronet has in *mind the possibility of a plebiscite.* I doubt whether anything in the nature of a plebiscite would be practicable; but since the publication of the report of the Unemployment Insurance Statutory Committee I have been making inquiries with a view to ascertaining the views of Scottish farm servants and I also understand that their views were represented before the committee.

Sir A. SINCLAIR: Is the right hon. Gentleman aware that he is quite wrong in supposing that I mean a plebiscite; and is it not possible to get effective consultation with these farm servants; and when are his inquiries likely to be completed so that action may follow?

Sir G. COLLINS: I have been making inquiries from those who are in a position to inform me on the subject. As to the latter part of the question, I am afraid I cannot add anything to what the Government have already said on this method.

Sir IAN MACPHERSON: Will the right hon. Gentleman consider the desirability of receiving a deputation from the farm servants?

Sir G. COLLINS: I shall be very glad at any time to receive a deputation on the subject.

Mr. BUCHANAN: Before doing anything, will the right hon. Gentleman seriously consider avoiding any differentiation in this matter between farm servants in Scotland and those in England?

Lord SCONE: Is the right hon. Gentleman aware that there is a great body of farm servants in Scotland who are definitely opposed to any such scheme?

Mr. KIRKWOOD: May I ask the right hon. Gentleman a further question——

Mr. SPEAKER: We have had several questions already on the subject.

TRAINING CENTRES.

31 and 32. **Mr. MAINWARING** asked the Minister of Labour (1) what was the total initial cost of acquiring, including the equipment, the premises now utilised as training, instructional, or conditioning centres under his Department, together with the average annual cost of *equipment and maintenance;*

(2) what is the total annual cost, on account of salaries and wages, of persons in charge of training centres, &c., and of those engaged for instructional purposes?

The MINISTER of LABOUR (Mr. Oliver Stanley): The total initial cost of acquiring and equipping the premises now utilised as training, instructional, &c., centres, was about £400,000. Details of the estimated cost of salaries and wages, and of equipment and maintenance for 1934 and 1935 are given in the Estimates for the Ministry of Labour for 1935 (page 25 of H.C. 50). The provision for equipment is largely dependent upon the number of new centres to be opened during the year.

33. **Mr. MAINWARING** asked the Minister of Labour what is the total estimated cost of maintenance, on all accounts, per trainee per week at each of the instructional and conditioning centres under the Ministry?

Mr. STANLEY: I am having figures extracted and will circulate them in the OFFICIAL REPORT.

OLD AGE PENSIONS.

40. **Mr. LECKIE** asked the Minister of Health what action he proposes to take on behalf of the 106,000 unemployed persons whose right to old age pensions at 65 will be invalidated if the effective Clause in the Act of 1932 is allowed to expire this year?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): My right hon. Friend is not yet in a position to make any statement on this matter.

Mr. BUCHANAN: In view of the anxiety felt in every quarter of the House, cannot the hon. Gentleman give us a definite date, or an approximate date, when he will be able to make a statement, instead of always putting us off?

Mr. SHAKESPEARE: It is impossible to give a date, but the matter is very important, and we shall deal with it at the earliest possible moment.

Mr. LAWSON: Are not the facts in this case worse than was originally expected, and does not that make this an urgent matter?

Captain Sir WILLIAM BRASS: Is it not a fact that all these things are being very carefully considered at the present time?

Mr. BUCHANAN: Is it not many months since the hon. Gentleman's chief stated in the House that the matter was under active consideration; is the hon. Gentleman aware of the great anxiety among poor people in regard to this matter and that legislation may be necessary and will he not, therefore, give some kind of idea when the report will be considered and a decision made?

Mr. SHAKESPEARE: I have told the House in my reply that this must depend upon the final report of the Government Actuary, and I do not control the time of the report.

Mr. RHYS DAVIES: Is not the hon. Gentleman fully aware that all this has arisen because of the passing of the amending Act of 1934?

Mr. BUCHANAN: In view of the unsatisfactory nature of the reply, may I give notice that I shall, if possible, raise this question with the Under-Secretary on the Adjournment to-morrow night?

COAL INDUSTRY.

CANNOCK CHASE (RE-ORGANISATION).

24. **Mrs. WARD** asked the Secretary for Mines whether he is now able to give any information about the proposed reorganisation of the coal mines in the Cannock Chase coalfield?

The SECRETARY for MINES (Mr. Ernest Brown): The preparation of a scheme involving 11 companies is necessarily a very difficult and detailed matter, and although I understand considerable progress has now been made, I am unable to add anything to the answer I gave to my hon. Friend on 13th November last.

Mrs. WARD: Can the hon. Gentleman state what this re-organisation will cost and who will bear the cost?

Mr. BROWN: I cannot say at this stage.

Mr. MANDER: Is any difficulty being found in obtaining the necessary information from the mineowners?

Mr. BROWN: I should want notice of that question if the hon. Member requires a detailed answer.

WAGES.

25. **Mr. T. SMITH** asked the Secretary for Mines the total amount paid in wages in the mining industry for each of the last six years, the average earnings per annum per person employed, and the separate figures for South and West Yorkshire, respectively?

Mr. E. BROWN: As the reply involves a statistical statement, I will, with the hon. Member's permission, circulate it in the OFICIAL REPORT.

Mr. WEST: Is the hon. Gentleman aware that, although wages have declined in the last six years and output has largely increased, the price of coal has not altered?

Mr. BROWN: I am not aware of anything of the kind. The total wages were higher in 1934, at £88,000,000, than in any year since 1931; and the average earnings, at £116 per annum, are higher than any year since 1929.

Mr. SMITH: Can the hon. Gentleman say what the figure was in 1930?

Mr. BROWN: It was £105. In 1931 it was £93; in 1932, £87; in 1933, £84; and in 1934, £88.

Mr. DAVID GRENFELL: Will the hon. Gentleman inform the House of the figure by which the aggregate earnings have declined in the same period?

Mr. BROWN: If the hon. Gentleman will put a question down, I will give him a detailed answer.

Mr. MAINWARING: With reference to one of the hon. Gentleman's earlier replies, in which he said the average earnings in 1934 were higher than those of 1929, is that not contradicted by the fact that some of the men——

HON. MEMBERS: Speech.

Mr. SPEAKER: The question only asks for some figures.

Following is the statement:

Year.	Estimated Total Wages Bill (excluding the value of allowances in kind).	Average Earnings per annum per person employed (excluding the value of allowances in kind).
	Great Britain.	
	Million £	£
1929 ...	110	118
1930 ...	105	114
1931 ...	93	112
1932 ...	87	109
1933 ...	84	110
1934 ... (provisional)	88	116
	Yorkshire.*	
	Thousand £	£
1929 ...	20,068	119
1930 ...	19,165	115
1931 ...	17,374	109
1932 ...	16,042	107
1933 ...	14,984	109
1934 ... (provisional)	15,734	114

* Separate figures for South and West Yorkshire are not available.

OVER-WINDING (INQUIRY).

26. **Mr. T. SMITH** asked the Secretary for Mines when the departmental committee appointed to inquire into precautions against over-winding is likely to issue its report?

Mr. E. BROWN: The committee has presented me with a unanimous report which is now in the Press, and which will be published as soon as possible—I hope before the end of the month.

INDIA (COMPENSATION, RULER OF BHOR).

27. **Colonel WEDGWOOD** asked the Secretary of State for India whether with regard to the partial handing-over by the Government of Bombay of certain villages to the Bhor Durbar the inhabitants have made any protest; and whether they will lose their status or rights as British-Indian subjects?

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): I understand that the right hon. and gallant Member is referring to the circumstances a few years ago in which the ruler of Bhor was given landlord's rights, but not sovereignty or jurisdiction, over certain villages in British India in compensation for the portion of his territory which was taken over by the Government for the construction of the Lloyd Dam at Bhatgar. The status and rights of the inhabitants as British-Indian subjects were in no way affected, and I am not aware that they made any protest.

WOMEN MAGISTRATES.

28. **Viscountess ASTOR** asked the Attorney-General whether he can give an assurance that the opposition of a Lord-Lieutenant would not be a bar to the appointment of women magistrates in any area?

The SOLICITOR-GENERAL (Sir Donald Somervell): The Lord Chancellor has never known a case where a Lord-Lieutenant has opposed an appointment solely on the ground that the person proposed was a woman. If such a case occurred, my Noble Friend would regard such opposition as an insufficient reason for withholding the appointment.

Viscountess ASTOR: Does the hon. Gentleman realise that in counties where there are backward-looking Lords-Lieutenant there are few women magistrates, whereas in counties like Devonshire, where there is a forward-looking Lord-Lieutenant, there are many women magistrates?

INDUSTRIAL DISEASES (COTTON DUST).

29. **Sir JOHN HASLAM** asked the Secretary of State for the Home Department whether any decision has yet been arrived at by his Department as regards scheduling as an industrial disease under the Workmen's Compensation Act illnesses caused by excessive dust in cotton mills?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): I would refer my hon. Friend to the reply which I gave last Thursday to a question by the hon. Member for Westhoughton (Mr. Rhys Davies).

Sir J. HASLAM: In thanking the right hon. Gentleman for the energetic action of his Parliamentary Secretary in visiting Lancashire and investigating this matter, may I ask whether we may have some decision in the immediate future, as this is a very pressing problem?

Sir J. GILMOUR: I hope we may be able to have a fairly early decision, but I cannot give any date.

EGG PRICES.

30. **Mr. T. COOK** asked the Minister of Agriculture whether he has any statement to make in regard to the recent fall in the price of English eggs?

The MINISTER of AGRICULTURE (Mr. Elliot): There is usually at this season a fall in egg prices, and the fall since the beginning of this year corresponds closely to the fall in the same period of 1934. I am, however, keeping the position under close observation.

Mr. WEST: Will the Minister consider the desirability of publishing a list of the British importers of these foreign eggs?

Mr. BUCHANAN: Does the reference in the Minister's answer to keeping the position under observation mean that he will interfere with the supply of cheap fresh eggs for the poorer people of this country?

Mr. ELLIOT: I have no hesitation in doing my——

Mr. SPEAKER: Order. That supplementary question had nothing to do with the question on the Paper.

IMPERIAL YEOMANRY (SOUTH AFRICAN WAR FUNDS).

34. **Mr. R. J. RUSSELL** asked the hon. Member for Bosworth (Sir W. Edge), as representing the Charity Commissioners, what has been done with the funds raised during the South African War for the assistance of members of the Imperial Yeomanry; and if he is aware that some of those who served in that war are to-day in need of help?

Mr. BLINDELL (Lord of the Treasury): I have been asked to reply. The only fund raised specifically for the Imperial Yeomanry of which the Charity Commissioners have knowledge is that known as the Imperial Yeomanry Benevolent Fund, administered under the provisions of a Declaration of Trust dated the 28th July, 1903, as varied by a Scheme of the Court dated the 30th July, 1930. There is also a South African Fund for soldiers disabled in the Boer War administered by Lloyds Patriotic Fund. Accounts of the income and expenditure of both these funds are rendered to the Commissioners in accordance with the Charitable Trusts Acts and are open to inspection at the Commissioners' office. The Commissioners do not themselves administer charities and have no official information beyond that given in the accounts as to how far men who served in the South African War are still in need of assistance.

Brigadier-General NATION: Can the hon. Member say how many men who served in the Imperial Yeomanry in the South African War are alive to-day, or where that information can be obtained?

Mr. BLINDELL: I think the answer definitely states that the Charity Commissioners have no knowledge of that.

Mr. MANDER: May I ask where the hon. Member for Bosworth (Sir W. Edge) is, and why it is not possible for him to be here to answer questions?

POST OFFICE.

GATEHOUSE-OF-FLEET, KIRKCUDBRIGHTSHIRE.

35. **Mr. McKIE** asked the Postmaster-General whether, in view of the dissatisfaction among residents in the area, he will reconsider his decision regarding the postal direction of Gatehouse-of-Fleet, Kirkcudbrightshire?

The ASSISTANT POSTMASTER-GENERAL (Sir Ernest Bennett): As my right hon. Friend stated in his answer to my hon. Friend's question of the 25th of February, the change was made as part of a general policy, and he regrets there-

fore that he cannot alter the decision, which was only arrived at after careful consideration.

Mr. McKIE: Is the hon. Gentleman aware that considerable anxiety on this point is felt among the residents in this highly attractive place, which has many visitors in the summer?

Sir E. BENNETT: All the facts of the case have been taken into consideration.

GLENWHILLY, WIGTOWNSHIRE.

36. **Mr. McKIE** asked the Postmaster-General whether he can make any statement regarding the working of the postal service to Glenwhilly, Wigtownshire, since the change in the direction two years ago?

Sir E. BENNETT: The change, which greatly improved the postal service, has been fully justified; but if my hon. Friend has any complaint, I shall be glad to make inquiry.

NATIONAL PARKS (COMMITTEE).

38. **Mr. MANDER** asked the Minister of Health whether he can state the present position with regard to the carrying into effect of the recommendations of the Committee on National Parks; and whether the Advisory Committee on Town Planning recently appointed have as yet given consideration to the matter or made recommendations?

Mr. SHAKESPEARE: The report of the National Parks Committee has received consideration, but while my right hon. Friend is in sympathy with the objects which the committee have in view, he cannot at the present time hold out any prospect of putting their recommendations into operation. Local authorities, by means particularly of planning schemes under the Town and Country Planning Act, 1932, are making steady progress in the reservation of land for both public and private open spaces and in the control of premature building operations and will continue to receive all the help and encouragement in these matters which my right hon. Friend is able to give them. My right hon. Friend has not received any recommendations in the matter from the advisory committee on town planning.

Mr. MANDER: Is it not possible to find the small sum of £10,000 a year for this purpose in view of the fact that £10,000,000 a year can be found for armaments?

Mr. MACQUISTEN: In connection with this proposed national park is there any suggestion that there should be a charge of 2d. a seat for sitting down in it?

NATIONAL HEALTH INSURANCE.

39. **Mr. KIRKWOOD** asked the Minister of Health whether he is aware of the large numbers of members of approved societies who are now out of health insurance owing to prolonged unemployment, and so must apply to the Poor Law medical officers instead of the panel doctors; what is being done to prevent these medical officers being unable, through overwork, to deal efficiently with their large numbers of new patients; and whether he will take steps forthwith to enable all such persons to regain medical benefit with the panel doctors?

Mr. SHAKESPEARE: A number of persons have ceased to be entitled to benefits under the scheme of national health insurance by reason of prolonged unemployment and a proportion of these are having recourse to the public assistance authorities when in need of medical attendance. As regards the second part of the question, it is for the public assistance authority to see that their medical service is adequate for the needs of the area, and my right hon. Friend has every reason to believe that the authorities generally are alive to their responsibilities. As regards the last part, my right hon. Friend has already stated that the whole position will be considered in the light of the first report of the Government Actuary on the financial operation of the Contributory Pensions Acts.

Mr. T. SMITH: Can the hon. Gentleman say when we are likely to have this report?

Mr. RHYS DAVIES: Can the hon. Gentleman say that his Department really cannot distinguish between the amount a man loses in connection with medical benefit under National Health Insurance and the amount he loses in respect of contributory pension under the other scheme, and may not the report he is expecting have nothing to do with the amount lost in respect of medical benefit?

Mr. SHAKESPEARE: They are linked together, and the whole matter is receiving active consideration.

Sir W. BRASS: Is it not possible for those who need medical benefit to see panel doctors?

Mr. KIRKWOOD: Will the hon. Gentleman ask the Minister of Health to see to it that those individuals who have been cut off as a result of long unemployment are allowed to go to panel doctors instead of to Poor Law doctors, because they feel that it is degrading and they do not want to be degraded any further?

Mr. SHAKESPEARE: That is one of the chief points we have under consideration.

Mr. LOGAN: Do I take it that it is the intention of the Minister to re-establish the Prolongation Act, in order to give an opportunity for panel cases to be dealt with?

SOUTH DOWNS (MOTOR RACING TRACK, PORTSLADE).

42. **Mr. MANDER** asked the Minister of Health the present position with regard to the erection of a motor racing-track at Portslade; and what steps are being taken for the protection of the remainder of the South Downs?

Mr. SHAKESPEARE: My right hon. Friend understands that permission to construct the proposed motor-race course has been given by the Portslade-by-Sea Urban District Council. As regards the second part of the question, schemes are in preparation, and development is subject to control by the local authorities, over the whole of the South Downs.

Mr. JOHN WILMOT: Has not the Minister power to take action to protect the amenities of the Downs?

Mr. SHAKESPEARE: There are powers conferred by town planning legislation, but unfortunately the joint committee are not functioning. We are using all our influence to get that committee to function again.

STREET NOISES AND VIBRATION (PNEUMATIC DRILLS).

43. **Mr. TINKER** asked the Minister of Health whether his attention has been called to the noise and vibration caused by the use of the pneumatic drill in the breaking up of roadways; and can he say what steps his Department is taking to find out what effect it has on the health of those who have to work it and those who reside in the vicinity?

Mr. SHAKESPEARE: The answer to the first part of the question is in the affirmative. With regard to the second part, the general question of the effects of noise and vibration is under investigation by the Industrial Health Research Board, and my right hon. Friend has not considered it desirable that separate inquiries should be instituted by his department.

Mr. TINKER: Is the point mentioned in this question one that will come before the commitee of inquiry?

Mr. SHAKESPEARE: Oh yes, certainly.

Captain STRICKLAND: Does the Minister consider that this matter is of less importance than the sounding of motor horns to avoid accidents?

CONTRIBUTORY PENSIONS ACT.

44. **Mr. GROVES** asked the Minister of Health whether he is aware that the serial numbers connected with applications for contributory pensions have arrived at over seven figures and that this figuring causes confusion to applicants; and whether he will consider a simpler system of identification?

Mr. SHAKESPEARE: I would refer the hon. Member to the reply given on the 19th July, 1934, to a similar question by him.

Mr. GROVES: Is the hon. Gentleman aware that since he gave me that other reply his department have increased the numbers on the circulars and have added at the top a further list of four numbers; that on the postcard it says "Please, in reply, quote the number nearest your address," and that this innovation is causing anxiety among the old people; and is it not better for old people to have simple numbers to reply to?

Mr. SHAKESPEARE: I will look into the matter.

STAMP DUTY.

46. **Sir FRANK SANDERSON** asked the Chancellor of the Exchequer whether, in view of the fact that the 1 per cent. stamp duty on deeds of transfer for stocks and shares was imposed as a war-time measure, that the conditions prevailing at that time no longer obtain, and that this high stamp duty is hampering business, he will consider reverting to the pre-war stamp duty of one-half per cent.?

Mr. CHAMBERLAIN: My hon. Friend will not expect me to anticipate my Budget statement.

Mr. MACQUISTEN: Will the right hon. Gentleman, in framing his Budget proposals, take into account the price of whisky and the ordinary commercial principle, which is if you charge too much you do much less business and then you lose.

PALESTINE (ILLEGAL IMMIGRATION).

47. **Colonel WEDGWOOD** asked the Secretary of State for the Colonies whether the two Jewish women who have been hunger striking in Bethlehem Gaol for a week without the news being allowed to transpire are now at liberty; how long they had been gaoled at Bethlehem before they struck, and were they convicted or awaiting sentence; and will he find out whether the officer in charge of the prison was English, Arab, or Jew?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): I have no information on the subject, but I will write to the High Commissioner for a report.

Colonel WEDGWOOD: When the right hon. Gentleman is writing to the High Commissioner could he indicate to him that the continuing imprisonment of innocent people is raising considerable opposition in this country?

Sir P. CUNLIFFE-LISTER: I have no reason to suppose that the courts in Palestine are imprisoning innocent people.

Colonel WEDGWOOD: Does the right hon. Gentleman think that people are guilty who go to Palestine because there is nowhere else to go?

Sir P. CUNLIFFE-LISTER: If they are persons who, knowing quite well the immigration law, deliberately enter Palestine by forged and improper means, they are certainly guilty.

DEFENCE ESTIMATES (DEBATE).

Wing-Commander JAMES (*by Private Notice*) asked the Prime Minister whether, in view of the impossibility of adequately discussing the Estimates of three defence Services under the present system of separate votes, and in view of the manner in which the day that the Government had set apart yesterday for a general debate upon the Estimates became diverted into other channels, he will consider taking the Army and Air Votes upon the same day, and allotting the day thus saved for a debate upon the defence Services as a whole?

The LORD PRESIDENT of the COUNCIL (Mr. Baldwin): I am afraid my hon. and gallant Friend's suggestion is not practicable. An opportunity was given yesterday for a debate upon defence as a whole, and, as my hon. and gallant Friend is aware, there will be other occasions during the session when the subject of defence can be debated.

Wing-Commander JAMES: In view of the representations that have been made from all parts of the House that this system should be changed, will the Government give this matter their earnest consideration before another year?

Sir EDWARD GRIGG: Will the right hon. Gentleman make some representations to the Committee which is dealing with the allotment of time for the Government of India Bill, in order to find out if it will be possible to take one of the Committee days of that Bill in order to deal with this important question of Imperial defence?

BRITISH SHIPPING (LOSSES AT SEA).

At end of Questions—

Mr. GREENWOOD: I beg to ask leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely:

'Mr. Greenwood.]'

" the loss with all hands of the steamships 'La Crescenta' and 'Blairgowrie' through unseaworthiness, or under-manning, or both."

Mr. SPEAKER: As I understand, this question is *sub judice* at the present moment, and an inquiry, if not already started, is about to be held. It is not therefore a matter that can be raised under Standing Order No. 8.

Mr. GREENWOOD: So far as I understand, no inquiry has been promised with regard to the " La Crescenta " at all.

Mr. RUNCIMAN: No question has been put to me on the Paper with regard to the " La Crescenta." If such a question had been put, the answer would have been that an inquiry would certainly be instituted, and, if necessary, as a result of that inquiry, we might be called upon to make a formal investigation.

Mr. GREENWOOD: This is a matter of urgent and definite public importance. We have had losses of ships during the past winter. This inquiry may dawdle on, and ships may leave port to-day and go down with all hands. We have had no undertaking from the right hon. Gentleman either that he is prepared to establish an efficient standard of manning or that he is prepared to institute a system of supervision to prevent unseaworthy ships from going to sea.

Mr. SPEAKER: I am afraid that, notwithstanding all those points, the subject would not be one which could be raised under Standing Order No. 8 and on which I could allow the Adjournment to be moved.

Dr. ADDISON: In view of the fact that these two ships have been sunk in these circumstances, and in view of the fact that this House has voted £2,000,000 as a subsidy for these ships, is it not a matter of urgent importance that the House should be informed more fully as to the ships that are lost in these undesirable circumstances?

Mr. SPEAKER: It is no doubt a matter of great importance, but it is not a matter of such a nature that it would come under Standing Order No. 8.

PERSONAL EXPLANATION.

Mr. GURNEY BRAITHWAITE: I ask leave of the House to make a personal statement. In the Debate in this House on Thursday last, on the subject of recent dealings in commodities in the City of London, during which there was a good deal of plain speaking, I used the following words:

" Let us remember also that there is something else which is not in my view worthy. Suppose you know that someone or some group of persons has become heavily involved in pepper, that they are also bulls, or holders of large quantities of tin, and that in order to meet their pepper commitments they will have to realise upon that tin. Knowing these facts you promptly sell short on tin, and having sold short you flood the market with propaganda, pointing out the likelihood of a fall in the price of tin; a propaganda upon which the House may have the guidance and assistance of the hon. Member for North Lambeth (Mr. G. R. Strauss)."

I ought to add that at that point I produced a document published by the firm of which the hon. Gentleman is a director, which document I believed to be directed to depressing the price of tin. At that moment the hon. Member rose. I gave way to him, and he said this:

" I have been following the hon. Member during the last minute or two and I gather that he is making certain suggestions as regards my business of selling short on tin, and so on. I have not interrupted him because I did not know whether he was referring to me or not. May I assure him that the facts which he has put before the House are utterly untrue. They have no foundation whatever. If he desires to go on—I know that he does not wish to mislead the House—let me tell him that his facts have absolutely no foundation whatever."—[OFFICIAL REPORT, 7th March, 1935; col. 2192, Vol. 298.]

After certain other verbal exchanges, with which I will not weary the House, the hon. Member raised the matter again on a point of Order at a later stage of the Debate, when I said this:

" The hon. Gentleman has made a categorical statement, and of course in this House we always accept personal statements of that character. If, after reading the OFFICIAL REPORT, the hon. Member considers that I have said anything to his personal detriment or against his interest, or which accuses his firm of any improper conduct, I will take the first opportunity of publicly withdrawing it. I think, however, he will find, on reading my speech, that I have not done so."—[OFFICIAL REPORT, 7th March, 1935; col. 2206, Vol. 298.]

I heard by letter yesterday from the hon. Member, and I think I ought to

point out to the House that the delay was due to his confusing me with my hon. and gallant Friend the Member for Buckrose (Major Braithwaite). I received yesterday from the hon. Member a letter in which he said that, having read the OFFICIAL REPORT, he still feels that my words contained an imputation of improper conduct. I am not clear that the ethics of the City would regard "bear" operations in tin, or propaganda with a view to depressing the price of a commodity, as improper; but in any case no charge against the firm of which my hon. Friend is a director of selling short was intended. He has assured me that the document which I produced was not issued from any such motive, and I am most anxious that the hon. Member should not labour under any sense of grievance or feel that I have made an unfair attack within the shelter of privilege. In these circumstances I have the greatest pleasure in carrying out the undertaking which I gave the House last Thursday by asking leave to withdraw the allegation of which the hon. Member for North Lambeth complains.

Mr. G. R. STRAUSS: I only desire to say that I naturally resented the statement of the hon. Member at the time, and I am indeed grateful for the complete withdrawal which he has indicated to the House.

BUSINESS OF THE HOUSE.

3.29 p.m.

Mr. LANSBURY: May I ask the Lord President of the Council what the business is for Friday?

Mr. BALDWIN: In the event of the Committee stage being taken to-morrow night, we shall take the Third Reading of the Cattle Industry (Emergency Provisions) Bill as the first Order on Friday. The other business to be taken on that day will be the Report stage and Third Reading of the Post Office (Amendment) Bill, the Second Reading of the Superannuation Bill, of the Northern Ireland Land Purchase (Winding-up) Bill, and of the Regimental Charitable Funds Bill [*Lords*], and the Committee stage of the necessary Money Resolution. If there is time, other Orders will be taken.

Mr. LANSBURY: May I ask the Lord President of the Council a question about the Motion for suspending the Eleven o'Clock Rule to-day? Will he tell the House what business he proposes to take?

Mr. BALDWIN: We are suspending the Rule for the same reason that we suspended it the other day—because we are rather behindhand in the programme that we hoped to carry out. We hope that, by having a little easement of time at the end of the day, we may be able to make a little more progress, and, therefore, facilitate our summer holiday.

Mr. LANSBURY: We are all for good long holidays, but I would ask the right hon. Gentleman, as I asked him last week, whether this is going to be regular? If we are going to suspend the Rule for the Government of India Bill on two days a week, it does really rob Members of the privilege of raising questions on the Adjournment, and it is rather a breach of the understanding. We may have to accept the decision of the majority, but we should not voluntarily accept the position that the Government of India Bill, which we all agreed to discuss in a friendly way, should be taken after eleven o'clock at night, and I shall vote against the Motion, but I think we shall have to enter a rather more emphatic protest if the Government propose to do this more or less regularly. We think that the time allotted ought to have been sufficient within the ordinary Parliamentary day.

Mr. BUCHANAN: The Lord President of the Council talked about facilitating a long holiday. If we guarantee facilities for the Government of India Bill, will he guarantee to facilitate an early date for a General Election?

Mr. BALDWIN: I entirely agree with what the right hon. Gentleman has said, but I would remind him that this is only the second occasion in the eight days of the Committee stage. I should have the strongest objection to its becoming a regular procedure, but I think the House must remember that we are working for the first time under an arrangement which I still hope and believe will work out satisfactorily before long, and there must be a little elasticity, a little give and take, in the first two or three weeks

[Mr. Baldwin.]

before it gets going. We are—not, I think, owing to any particular fault of any particular party—some little way behind the point where we hoped to be, and we hope to rectify that to some extent by what we are doing to-night. I hope very much that before many days are passed we may find the arrangement working as smoothly as we all hoped it would when it was come to.

Mr. CHURCHILL: How far does the right hon. Gentleman hope to get to-night?

Mr. BALDWIN: I do not think I can give an answer to that question. Probably, if the question were put to him, my right hon. Friend in charge of the Debate might be able to say something about it. I would rather not commit myself, as I am not sufficiently familiar with the details of the Bill.

Mr. MAXTON: Will the right hon. Gentleman remember, when the Government ask the House to suspend the Eleven o'Clock Rule, that practically all private Members' time has been taken away, and all private Members' opportunities have been taken away, so that the only way that remains to private Members who have important matters to raise is the Adjournment time from 11 till 11.30. That was taken away from us last night by three Divisions which the Government forced upon the House—[*Laughter*]—I mean by bringing forward a proposal which was absolutely unnecessary from the point of view of the Opposition; and to-night also that opportunity is to be taken away. I am not complaining at this juncture. I entered into the agreement under which it was understood that occasionally the Eleven o'Clock Rule might have to be suspended. But I would ask the right hon. Gentleman to bear in mind the fact that the Adjournment time is practically the only private Members' time that is left, and not to take it away without good cause.

Mr. BALDWIN: I entirely agree; what the hon. Member has said is true; but I am inclined to think that there have been a large number of evenings on which subjects could have been raised and no advantage has been taken of them.

Motion made, and Question put,

"That the Proceedings on Government Business be exempted, at this day's Sitting, from the provisions of the Standing Order (Sittings of the House).—[*Mr. Baldwin.*]

The House divided: Ayes, 264; Noes, 42.

Division No. 90.] AYES. [3.52 p.m.

Acland, Rt. Hon. Sir Francis Dyke	Brown, Ernest (Leith)	Davies, Maj. Geo. F.(Somerset,Yeovil)
Acland-Troyte, Lieut.-Colonel	Brown, Brig.-Gen.H.C.(Berks.,Newb'y)	Davison, Sir William Henry
Adams, Samuel Vyvyan T. (Leeds, W.)	Browne, Captain A. C.	Denman, Hon. R. D.
Agnew, Lieut.-Com. P. G.	Buchan, John	Donner, P. W.
Albery, Irving James	Buchan-Hepburn, P. G. T.	Doran, Edward
Allen, Sir J. Sandeman (Liverp'l, W.)	Burnett, John George	Duckworth, George A. V.
Allen, William (Stoke-on-Trent)	Butler, Richard Austen	Dugdale, Captain Thomas Lionel
Amery, Rt. Hon. Leopold C. M. S.	Cadogan, Hon. Edward	Duggan, Hubert John
Anstruther-Gray, W. J.	Caporn, Arthur Cecil	Duncan, James A. L. (Kensington, N.)
Assheton, Ralph	Carver, Major William H.	Dunglass, Lord
Atholl, Duchess of	Castlereagh, Viscount	Eady, George H.
Bailey, Eric Alfred George	Cautley, Sir Henry S.	Elliot, Rt. Hon. Walter
Baillie, Sir Adrian W. M.	Cayzer, Sir Charles (Chester, City)	Ellis, Sir R. Geoffrey
Baldwin, Rt. Hon. Stanley	Chamberlain, Rt.Hon.Sir J.A.(Birm.,W)	Elmley, Viscount
Balfour, Capt. Harold (I. of Thanet)	Chamberlain, Rt. Hon. N. (Edgbaston)	Emmott, Charles E. G. C.
Barclay-Harvey, C. M.	Chapman, Col.R. (Houghton-le-Spring)	Emrys-Evans, P. V.
Barton, Capt. Basil Kelsey	Christie, James Archibald	Evans, Capt. Ernest (Welsh Univ.)
Beauchamp, Sir Brograve Campbell	Churchill, Rt. Hon. Winston Spencer	Everard, W. Lindsay
Beaumont, Hon. R.E.B. (Portsm'th,C.)	Clarke, Frank	Foot, Isaac (Cornwall, Bodmin)
Beit, Sir Alfred L.	Cobb, Sir Cyril	Fox, Sir Gifford
Benn, Sir Arthur Shirley	Colfox, Major William Philip	Fremantle, Sir Francis
Bennett, Capt. Sir Ernest Nathaniel	Collins, Rt. Hon. Sir Godfrey	Fuller, Captain A. G.
Blaker, Sir Reginald	Colville, Lieut.-Colonel J.	Galbraith, James Francis Wallace
Blindell, James	Cook, Thomas A.	Ganzoni, Sir John
Borodale, Viscount	Cooke, Douglas	Gillett, Sir George Masterman
Bossom, A. C.	Cooper, A. Duff	Gilmour, Lt.-Col. Rt. Hon. Sir John
Boulton, W. W.	Courtauld, Major John Sewell	Gledhill, Gilbert
Bowyer, Capt. Sir George E. W.	Craddock, Sir Reginald Henry	Glyn, Major Sir Ralph G. C.
Boyce, H. Leslie	Cranborne, Viscount	Goodman, Colonel Albert W.
Boyd-Carpenter, Sir Archibald	Croft, Brigadier-General Sir H.	Grattan-Doyle, Sir Nicholas
Braithwaite, J. G. (Hillsborough)	Crooke, J. Smedley	Gretton, Colonel Rt. Hon. John
Brass, Captain Sir William	Crookshank, Col. C. de Windt (Bootle)	Grigg, Sir Edward
Briscoe, Capt. Richard George	Crookshank, Capt. H. C. (Gainsb'ro)	Grimston, R. V.
Broadbent, Colonel John	Cross, R. H.	Gunston, Captain D. W.
Brocklebank, C. E. R.	Culverwell, Cyril Tom	Hacking, Rt. Hon. Douglas H.
Brown, Col. D. C. (N'th'l'd., Hexham)	Davidson, Rt. Hon. J. C. C.	Hamilton, Sir R.W.(Orkney & Z'tl'nd)

Hanbury, Cecil
Hannon, Patrick Joseph Henry
Hartington, Marquess of
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Heneage, Lieut.-Colonel Arthur P.
Hepworth, Joseph
Herbert, Major J. A. (*Monmouth*)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Horsbrugh, Florence
Howard, Tom Forrest
Hudson, Robert Spear (Southport)
Hunter, Dr. Joseph (Dumfries)
Hunter, Capt. M. J. (Brigg)
Hurst, Sir Gerald B.
Hutchison, W. D. (Essex, Romf'd)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Jesson, Major Thomas E.
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Kerr, *Hamilton* W.
Kirkpatrick, William M.
Knight, Holford
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lennox-Boyd, A. T.
Levy, Thomas
Lewis, Oswald
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lister, Rt. Hon. Sir Philip Cunliffe-
Lockwood, Capt. J. H. (Shipley)
Loder, Captain J. de Vere
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McConnell, Sir Joseph
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Mallalieu, Edward Lancelot
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Mitchell, Sir W. Lane (Streatham)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Morgan, Robert H.
Morris, Owen Temple (Cardiff, E.)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Nicholson, Rt. Hn. W. G. (Peterst'ld)
Normand, Rt. Hon. Wilfrid
Nunn, William
Oman, Sir Charles William C.
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Pearson, William G.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilst'n)
Pickthorn, K. W. M.
Pownall, Sir Assheton
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rathbone, Eleanor
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rickards, George William
Ross, Ronald D.
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel Sir Edward
Runciman, Rt. Hon. Walter
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Sanderson, Sir Frank Barnard
Savery, Samuel Servington
Scone, Lord
Shaw, Helen B. (Lanark, Bothwell)
Simon, Rt. Hon. Sir John
Sinclair, Maj. Rt. Hn. Sir A. (C'thness)
Smith, Louis W. (Sheffield, Hallam)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somerset, Thomas
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Soper, Richard
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'moriand)
Stewart, William J. (Belfast, S.)
Stones, James
Strickland, Captain W. F.
Sueter, Rear-Admiral Sir Murray F.
Sutcliffe, Harold
Tate, Mavis Constance
Taylor, Vice-Admiral E. A. (P'dd'gt'n, S.)
Thomas, Rt. Hon. J. H. (Derby)
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wedderburn, Henry James Scrymgeour-
White, Henry Graham
Williams, Herbert G. (Croydon, S.)
Willoughby de Eresby, Lord
Wills, Wilfrid D.
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Wragg, Herbert
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—
Sir Frederick Thomson and Sir George Penny.

NOES.

Addison, Rt. Hon. Dr. Christopher
Attlee, Clement Richard
Banfield, John William
Batey, Joseph
Buchanan, George
Cleary, J. J.
Cocks, Frederick Seymour
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Dobbie, William
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Jenkins, Sir William
Jones, J. J. (West Ham, Silvertown)
Jones, Morgan (Caerphilly)
Kirkwood, David
Lansbury, Rt. Hon. George
Lawson, John James
Leonard, William
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Maclean, Neil (Glasgow, Govan)
Mainwaring, William Henry
Maxton, James
Parkinson, John Allen
Salter, Dr. Alfred
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Thorne, William James
Tinker, John Joseph
Wedgwood, Rt. Hon. Josiah
West, F. R.
Williams, David (Swansea, East)
Williams, Thomas (York., Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—
Mr. Paling and Mr. Groves.

STANDING ORDERS.

Resolution reported from the Select Committee:

"That, in the case of the Sunderland Corporation, Petition for Bill, the Standing Orders ought to be dispensed with:—That the parties be permitted to proceed with their Bill, provided that the powers to construct so much of Tramway No. 2 as is situate outside the borough are struck out of the Bill:—That the Committee on the Bill do report how far such order has been complied with."

Resolution agreed to.

MESSAGE FROM THE LORDS.

That they have agreed to—

Herring Industry Bill, with Amendments.

That they have passed a Bill, intituled, "An Act to provide for the abandonment of the tramways of the Norwich Electric Tramways Company; to extend the Company's powers of running public service vehicles; to change their name; and for other purposes." [Norwich Electric Tramways Bill *[Lords.]*

NORWICH ELECTRIC TRAMWAYS BILL. [*Lords*]

Read the First time; and referred to the Examiners of Petitions for Private Bills.

LONG LEASES (SCOTLAND) BILL,

"to amend the law of Scotland with regard to long leases," presented by Mr. James Reid; supported by Mr. Stevenson, Mr. Albert Russell, and Mr. Milne; to be read a Second time upon Monday next, and to be printed. [Bill 44.]

HERRING INDUSTRY BILL.

Lords Amendments to be considered To-morrow, and to be printed. [Bill 45.]

SELECTION (STANDING COMMITTEES).

STANDING COMMITTEE B.

Mr. William Nicholson reported from the Committee of Selection; That they had discharged the following Member from Standing Committee B: Sir Robert Hamilton; and had appointed in substitution: Mr. McKeag.

STANDING COMMITTEE C.

Mr. William Nicholson further reported from the Committee; That they had added the following Ten Members to Standing Committee C (in respect of the Salmon and Freshwater Fisheries Bill): Mr. Barclay-Harvey, Colonel Broadbent, Mr. Charles Brown, Mr. Elliot, Mr. Gluckstein, Mr. Kingsley Griffith, Major Hills, Sir Gerald Hurst, Mr. Liddall, and Lieut.-Colonel Muirhead.

Reports to lie upon the Table.

WRITTEN ANSWERS.

NAVY WEEK (ORGANISATION, STAFF).

Mr. RHYS DAVIES asked the First Lord of the Admiralty the reasons why it has become necessary to appoint an Admiralty Navy Week liaison officer between the committee and the Press in addition to the usual Admiralty staff for dealing with the Press and the nature of his duties; whether this officer is on the active or retired list; whether full-time for the year; and what is the salary paid from Navy Week funds and the pay from Navy funds?

Sir B. EYRES MONSELL: It has been the practice hitherto to employ outside publicity agents to secure a liaison between the Navy Week organisation and the Press. It has been found desirable to change this arrangement, and employ a naval officer on this duty. His duties are full time. The present holder of this appointment is on half pay, but retires on 22nd May on a pension of £405 per annum. He will receive from Navy Week funds a sum of £250 per annum.

Mr. DAVIES asked the First Lord of the Admiralty when the first Navy Week secretary was engaged at Portsmouth; and what are his duties, whether full-time or otherwise, salary from Navy Week funds, and retired pay?

Sir B. EYRES MONSELL: The first Navy Week secretary at Portsmouth was engaged on 1st February, 1931. The duties of Navy Week secretary are to act as general organising secretary for Navy Week, and in particular to be responsible for the conduct of business and other arrangements which affect equally the Navy Week organisations ta each of the three home ports. His duties are full time, and the salary of the present holder consists of £350 per annum from Navy Week funds, together with retired pay as Paymaster-Captain of £540 per annum.

Mr. DAVIES asked the First Lord of the Admiralty the reasons why it has now become necessary to appoint a Navy Week secretary at Devonport and Chatham and an assistant secretary at Portsmouth; the nature of their duties, whether full time for the whole year;

and the salaries paid from Navy Week funds and the pay or retired pay from Navy funds?

Sir B. EYRES MONSELL: The appointment of local Navy Week secretaries at Devonport and Chatham, together with an assistant secretary at Portsmouth, has been made with a view to placing the local Navy Week organisations on a more satisfactory basis, and thereby, it is hoped, obtaining greater efficiency. Hitherto this work has been carried out by active service officers stationed at home ports, in their spare time. It was found impossible to continue this arrangement, as the work in connection with Navy Week imposed too heavy a strain on the officers concerned, taken in conjunction with their normal duties. The duty of the assistant secretary at Portsmouth is to assist the general secretary, and supervise the detailed local organisation. The duties of the local secretaries at Devonport and Chatham are to act as organising secretaries of the local Navy Week committees. The duties of all three officers are full time. The salary of the local Navy Week secretary at Devonport consists of £200 a year paid from Navy Week funds, together with retired pay £97 10s. The salary of the local Navy Week secretary at Chatham will be £200 a year, paid from Navy Week funds together with retired pay. (This post has not yet been filled, so retired pay cannot be stated.) The assistant secretary at Portsmouth, a pensioner chief petty officer writer, receives £3 per week from Navy Week funds, plus £1 15s. 8d. pension.

MIGRATION (COMMITTEE'S REPORT).

Sir A. SINCLAIR asked the Secretary of State for Dominion Affairs whether copies of the report of the Committee on Migration have been sent to the Dominions; whether their observations on the report have been invited; from which Dominions replies have been received; and when these replies will be published?

Mr. THOMAS: The answer to the first two parts of the question is in the affirmative. Only two replies have so far been received, namely, from New Zealand and South Australia. It is proposed to defer consideration of the question of publication of the replies until a later stage.

OMNIBUS LICENCES.

Mr. HUTCHISON asked the Home Secretary the number of omnibus licences held by omnibus companies in each of the years from 1923 to 1935, inclusive; and how many licences in each of the years mentioned were new or additional licences granted by the Commissioner of Police for the Metropolitan area?

Captain ERSKINE-BOLST asked the Home Secretary the number of omnibus licences held by omnibus companies in each of the years from 1923 to 1933, inclusive; and how many licences in each of the years mentioned were new or additional licences granted by the Commissioner of Police for the Metropolitan area?

Sir J. GILMOUR: The licensing of omnibuses was transferred from the Commissioner of Police of the Metropolis to the Traffic Commissioner for the Metropolitan Area with effect from 1st July, 1933. I am, therefore, in a position to give information only in respect of the period up to 30th June, 1933. The number of omnibus licences granted and the number of new or additional licences, i.e., in respect of vehicles licensed for the first time, are shown in the following table:

Year.	Licences granted.	New or additional licences (included in total in second column).
1923	5,117	1,433
1924	5,384	1,061
1925	5,478	654
1926	5,420	377
1927	5,837	394
1928	5,949	197
1929	5,873	118
1930	5,953	966
1931	5,966	1,374
1932	5,807	402
1933 to 30th June	3,113	143

STERILISATION.

Mr. POTTER asked the Minister of Health whether he is in a position to state in how many cases was the operation of sterilisation carried out on male and on female patients in hospitals subject to his inspection in the counties of London and Middlesex in 1934?

Sir H. YOUNG: I am not in a position to state the number of operations performed in these hospitals during 1934 which may have resulted in sterilisation, but I am informed that in no case was an operation of sterilisation performed with the object of preventing the propagation of unsound offspring.

MERCANTILE MARINE (MEDICAL STORES).

Mr. T. MORRIS asked the President of the Board of Trade whether his medical advisers recommend the use of atebrin as a prophylactic against malaria; and whether, in that case, the medical stores of ships trading in the tropics carry supplies of this drug?

Mr. RUNCIMAN: The medical advisers of my Department are in close touch with research which is being made into the use of atebrin and other synthetic remedies intended for prophylactic use against malaria, but at the present stage they are not prepared to recommend such remedies for compulsory inclusion in ships' medical stores.

STEAMSHIP "BLAIRGOWRIE."

Mr. T. MORRIS asked the President of the Board of Trade whether he can make any statement as to the official inquiry into the loss of the S.S. "Blairgowrie"?

Mr. RUNCIMAN: Preliminary inquiries are being made by my Department, but are not yet completed. The question whether a formal investigation is to be held will be decided in the light of those inquiries.

GOVERNMENT DEPARTMENTS (SALARIES)

Major HILLS asked the Financial Secretary to the Treasury the usual age of entering, starting salary rate, and annual increments, respectively, for the following grades: Writing assistants, clerical, administrative and executive: and the average number of years' service before reaching a salary of £900 a year?

Mr. COOPER: Particulars of age of entry, starting salary, and increments for the classes mentioned will be found in the table below. The scale of pay shown is that for the basic recruiting grades; members of each grade are eligible for promotion to classes or grades carrying higher remuneration. I regret that information is not available in regard to the latter part of the question.

Grade.	Examination age limits.	Starting Salary.	Increments.
Administrative	22–24	£277 16s. p.a.	*Men:* By 2 annual increments to £325 9s. 0d. p.a. Thence by 11 increments to £634 19s. 0d. p.a. *Women:* By 10 increments to £515 18s. 0d. p.a.
Executive ...	18–19	£152 9s. p.a.	*Men:* By 3 increments to £190 5s. 0d. p.a. Thence by 18 increments to £515 18s. 0d. p.a. *Women:* By 20 increments to £396 17s. 0d. p.a.
Clerical ...	16–17	£93 p.a.	*Men:* To £124 p.a. at age of 18. Thence by— 4 increments to £155 p.a. 2 increments to £178 10s. 1d. p.a. 2 increments to £215 3s. 0d. p.a. 10 increments to £337 7s. 0d. p.a. *Women:* To £124 p.a. at age of 18. Thence by— 8 increments to £178 10s. 0d. p.a. 8 increments to £252 15s. 0d. p.a.
Writing Assistants.	16–17	27s. 11d. per week	*Women:* To 31s. per week at age of 17. Thence by 8 increments to 56s. 5d. per week.

Note.—The above rates are at present subject to an abatement as shown in Appendix I to Civil Estimates, 1935.

TRADE AND COMMERCE.

SUBSIDIES AND FINANCIAL ASSISTANCE.

Mr. HOLDSWORTH asked the Chancellor of the Exchequer the amount of the benefit received by each separate industry as a result of direct and indirect grants from the Exchequer, relief from taxation, or in any other way, due to Government action, during the year 1934 or during 12 months from the most recent convenient date?,

Mr. CHAMBERLAIN, *pursuant to his reply* [OFFICIAL REPORT, 14th February, 1935; col. 2075, Vol. 297], *supplied the following statement:*

STATEMENT OF INDUSTRIES OR PROCESSES RECEIVING FINANCIAL AID OR SUBSIDY FROM THE EXCHEQUER IN THE CURRENT FINANCIAL YEAR.

Industry or Process.	Amount (estimated). £
Grants under Part I of the Development (Loan, Guarantees and Grants) Act, 1929:	
Railway Companies	490,500
Dock Companies	500
Canal Companies	17,500
Gas Companies	33,000
Water Companies	26,000
Electricity Companies ...	62,000
Light Horse Breeding	5,000
Mechanical Transport	1,100
Civil Aviation	432,000
Slate Quarries	2,000

Industry or Process.	1st January, 1934, to 31st December, 1934. £
Grants made by the Department of Scientific and Industrial Research to Research Associations of the following industries (calendar year 1934):	
Automobile Engineering ...	1,875
Boot, Shoe and Allied Trades	1,200
Cast Iron	3,550
Cocoa, Chocolate, Sugar Confectionery and Jam Trades	1,270
Cotton	11,000
Artificial Silk	887
Electrical and Allied Industries	5,877
Food Manufacture	570
Laundering	1,800
Leather Manufacture ...	1,621
Linen	1,622
Non-Ferrous Metals	7,774
Paint, Colour and Varnish Manufacture	2,200
British Refractories ...	1,848
Rubber Manufacture ...	3,103
Scientific Instruments ...	7,002
Wool	5,750
Iron and Steel	8,150

Industry or Process.	1st January, 1934, to 31st December, 1934. £
Beet Sugar Subsidy	4,450,000
Cattle Subsidy (Payments to Producers)	2,100,000
Milk	1,444,725
Herring (excluding cost to the Exchequer under the Herring Industry Bill) ...	31,950
Field Drainage (Scotland) ...	6,700
Agricultural Marketing Board:	
Bacon (England)	144,000
Scottish Boards	17,000
Western Highlands and Islands Transport Services	31,000
Cunard White Star	2,011,000

This table does not distinguish between grants and loans: several of the items shown, e.g., advances to Cunard White Star, are repayable.

The English advances and £16,000 of the Scottish advances to Agricultural Marketing Boards will be repaid by the end of the financial year.

INDIA AND DOMINIONS (UNITED KINGDOM GOODS).

Sir A. SINCLAIR asked the President of the Board of Trade (1) in respect of what classes of goods India and each of the Dominions have imposed new duties, or increased existing duties, or imposed quota restrictions on imports from Great Britain since 1st January, 1933; and which Dominions have altered the value of their currencies relative to the £ sterling since January, 1933, and in each case by what percentage;

(2) in respect of what classes of goods exported from Great Britain each of the Dominions and India have removed duties altogether, reduced duties, and abolished quota restrictions, respectively, on exports from Great Britain since 1st Jannary, 1933?

Mr. RUNCIMAN: The changes made since 1st January, 1933, in the Customs duties imposed on United Kingdom goods in the Dominions and India have been very numerous, and a full statement of them would be too lengthy for inclusion in the OFFICIAL REPORT. Full details of them have, however, been published from time to time in the Board of Trade Journal. On 1st January, 1933, there were no quota restrictions on United Kingdom goods in the Dominions or India. In November, 1934, a quota

restriction was imposed by Australia on sheet glass, and since September, 1934, certain classes of goods have been made subject to quotas on importation into the Irish Free State. These quotas are still in force. Since January, 1933, the only substantial changes in exchange rates on sterling occurred in Canada and New Zealand. The Canadian dollar stood at $3.77 to the £ an 2nd January, 1933, and at $4.84 on 1st March, 1935; the New Zealand pound stood at 10 per cent. discount on 2nd January, 1933, and at 25 per cent. discount on 1st March, 1935.

CAUCASIAN (TCHERMOEFF) OILFIELDS, LIMITED.

Mr. GLOSSOP asked the Secretary of State for Foreign Affairs whether he has made representations to the Russian Government regarding the claims of British shareholders in the Caucasian (Tchermoeff) Oilfields, Limited; and whether he can make any statement regarding the negotiations?

Mr. EDEN: No special representations have been made regarding this claim. The second part of the question, therefore, does not arise.

ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee. [EIGHTH DAY—*Progress 6th March.*]

[Sir DENNIS HERBERT in the Chair.]

4.1 p.m.

The CHAIRMAN: I would like to make a brief observation or two to the Committee as to the arrangements under which we are working. It will be remembered that I was appointed Chairman of the Committee responsible for the allocation of time. That Committee remains in being, and I hope will meet again on Thursday, but I was unable to arrange a meeting before to-day's sitting as I wished to do, and therefore I consulted one or two Members of the Committee, and I thought it might be useful to give this Committee an idea of how we stand. This is the 8th allotted day, and therefore at the end of the sitting we shall have used up two more days than those which were allocated to the end of Clause 45. If I may say so, I do not think that there is any great harm in that, or any great danger to the arrangement. I think the spirit and idea of the arrangement has been loyally carried out in all quarters. The position, of course, is that at present we have used two of the spare days.

I have gone very carefully into this Bill and all the Amendments on the Paper, and it is quite clear that we shall want considerable discussion on certain parts of the Bill later on, but I hope it will be possible to save one day, perhaps, on some other part of the Bill.

The position, therefore, looks rather as if we had just about time, but none too much to spare, and I have discussed particularly with the Whips of the Opposition and of hon. Members below the Gangway on the Opposition side the position of the Amendment Paper with regard to to-day, and I am glad to say that I think that they agree with me that it is not unreasonable to hope, perhaps at some time between 11 o'clock and midnight to-day, to get to the end of Clause 45. There will be, I know, some discussion on Clause 18 which we are now on. Although there are a good many Amendments to be called on following Clauses, most of them should not take very long to discuss, except on Clause 30, which raises a question of financial procedure, and possibly Clauses 38 and 40. Therefore, I venture, if I may, to appeal to hon. Members to try to carry on the arrangement in the same way as they have done, and save as much time as possible over the shorter Amendments, so that we may discuss the more important Clauses and finish Clause 45 to-night.

4.4 p.m.

Mr. CHURCHILL: In respect of the guidance you have been good enough to give us, might I venture, first of all, to say that I think it is over-sanguine to expect that we should conclude Clause 45 this evening? There are several Clauses of considerable importance and many of great interest, and I should have thought that to-morrow we should be certain to be clear of this most important Chapter of the federal part of the Bill; but, naturally, we must do the best we can in view of what you have said. I had been thinking that it would be necessary for us to-day to ask for a more general statement from the Government as to our position on this Bill, either on a Motion to report Progress or on a Motion to recommit the Bill in consequence of the very great uncertainty which exists as to the permanency of all the work we are now doing, but I feel that in view of this friendly arrangement which we all wish to see a success, and a precedent for future House of Commons procedure, it would be better to accomplish Clause 45 and finish this part.

I gather from an answer which my right hon. Friend the Secretary of State for India gave, or which was given on his behalf, that he will to-morrow be in a position to make some statement as to laying Papers before the House in regard to the later developments of the negotiations with the Indian Princes. If that were so, and we could accomplish Clause 45 satisfactorily this week, and perhaps get some little way beyond it, it would appear most desirable that we should have a general review of the position on the first day this Bill is taken next week, because otherwise we are discussing the Bill upon a basis which seems to be very ill-related to realities. May I add how glad we are to see the Secretary of State back and recovered in his health? I earnestly hope that if we are to sit up till 12 o'clock to-night, he will not feel that his presence is necessary.

[Mr. Churchill.]
I am sure that we shall not make less progress if he finds it necessary to withdraw.

4.7 p.m.

Mr. ATTLEE: We are glad to see the Secretary of State again in his place. I should like to say that we want to carry out the friendly arrangement that has been made. While we have some very important Amendments to-day, and do not under-estimate the importance of this section, we must enter a caveat, because there are very important sections, Schedules and so forth coming later on which we have to raise some matters quite as important which concern the people of India as well as the Princes. I enter that caveat now.

The CHAIRMAN: Perhaps the right hon. Gentleman regards me as an optimist, but I know that I shall have his good will to support my optimisim.

CLAUSE 18.—(*Constitution of the Legislature.*)

4.9 p.m.

Mr. RAIKES: I beg to move, in page 11, line 37, at the end, to add:

"Provided that the Governor-General may extend the life of the Assembly in pursuance of a resolution to that effect passed by both Houses of Parliament."

This Amendment I can move very briefly, although it is an important one. Its object is to give the same power to the Governor-General as the Viceroy possesses at the present time, if necessary to extend the life of the Assembly by a resolution to that effect passed by both Houses of Parliament. The object is a very obvious one. It may, indeed, happen —it happened in the past—that at a time when the Assembly would naturally be dissolved, there might be a state of unrest in the country, and it might be unwise to have a general election at such a time for fear of party intimidation. As a result of what has happened earlier on this Bill, this Amendment assumes perhaps greater importance than it has ever had before. The result of this Committee deciding on the principle of indirect election *versus* direct election at the Federal centre, whenever there is an election it will mean that a comparatively small number of persons will have the privilege of electing once again those who are to serve at the centre, and whatever may be the merits of indirect election, undoubtedly the fewer the electors the more easy and possible it is for them to be intimidated by various powers from outside. We all know that, not only in India but even at home. Efforts of intimidation are sometimes made, and we are most anxious that if ever this Bill passes into law, which I very much doubt, the Indians themselves should have every opportunity of using their unfettered and free judgment when it comes to these elections. Therefore, I do ask my right hon. Friend to melt his stony heart just a little this afternoon, to think of those unfortunate electors who may be facing the storm and stress of intimidation, and to say that once in a way he will look in a very generous spirit at an Amendment which is merely asking that the Governor-General shall have power in time of riot so that the Assembly shall be prolonged until it is safe, reasonable and proper for an election to be held in the interests of the electorate, and in the interests of India itself.

4.12 p.m.

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): The Committee will have a fellow-feeling for the hon. Member for South-East Essex (Mr. Raikes) this afternoon, but I am afraid that in answer to his Amendment I shall not be able to exhibit those feelings of tender heatedness for which he appeals. I must give the Committee one or two reasons why we have to be comparatively stony-hearted on this Amendment. The Assembly, under the terms of this Measure, will have a life of five years, which I may remind the Committee is two years more than the life of the Assembly as at present, which is three years. Moreover, the Government at the centre will be, according to the terms of this Bill, a responsible Government subject to the various provisions of the Bill as we know them, and we do not think it desirable, under the system of government we are setting up at the centre, to make it different from that which prevails ordinarily in responsible government in this country. We believe, therefore, that it would be unwise to include a provision of the sort proposed. When we come to examine the actual terms of the Amendment we see that it is to be done

"in pursuance of a resolution to that effect passed by both Houses of Parliament."

I think it would be very inappropriate to demand a resolution of both Houses of Parliament to deal with this particular form of emergency, even if we had thought it wise to include it in the provisions of this Measure. We think that it is much better to leave this provision to the man on the spot. Therefore, we think the terms of the Amendment inadvisable and inappropriate, and I regret very much that we are unable to accept it.

4.14 p.m.

Lord SCONE: One of the chief reasons put forward by the Under-Secretary against this Amendment, namely, that it is not in a form which the Government can approve, I think falls to the ground by its own weight, because it is obvious that the Government might do something if they felt inclined. As regards the other point, I would like to supplement what the hon. Member for South-East Essex (Mr. Raikes) has said as to the causes which might bring such an emergency about. It need not be merely a question of intimidation. It might well be that, despite all the efforts made to avoid these disasters by the British Government during the last few years, we might again be faced by wholesale famine or an outbreak of something like malaria or plague throughout India. Can it be suggested as desirable that a general election should be held in such circumstances, and thereby, undoubtedly, very greatly increase the risk of disturbance and cause disaster to assume still more widespread proportions? I cannot say that the arguments brought forward against the Amendment are of a very substantial nature. I should prefer that the Government would give us some indication that they have real reason for opposing the Amendment and that they are not merely instigated by the reasons given by the Under-Secretary, one of which falls to the ground and the others of which I respectfully submit, are not by any means of any great weight.

4.16 p.m.

Mr. AMERY: My hon. Friend the Noble Lord has overlooked the fact that elections to the Central Legislature are indirect. There is therefore no danger of a general election involving contact with cholera during time of plague, or involving general disturbance. All that would happen would be that the candidates would get into touch with the members of the Assembly in the provincial capitals and the elections would be far less disturbing and difficult than now. I am afraid therefore that that part of his argument has no great force.

4.17 p.m.

Mr. OSWALD LEWIS: It seems to me that the point raised by the hon. Member for South-East Essex (Mr. Raikes) is of considerable constitutional importance. In order to understand it we have to get rid of the false analogy that may be made between the position of the British Parliament in this country and the other Parliaments within the Empire. His Majesty the King and the Lords and Commons acting together are a truly sovereign power. Therefore, it follows that the British Parliament cannot bind its successors. Take the case made by the hon. Member. Suppose this Parliament were to pass a law that no future Parliament should have the power to prolong its own life. The very next Parliament could if it wished repeal that law. That is an attribute of a sovereign power, but it does not follow that because the British Parliament has the power of prolonging its own life it is necessary or desirable as a part of a parliamentary system. We have it because in effect we cannot get rid of it. If we look at the other Parliaments in the Empire, the Parliaments of the great self-governing Dominions, we do not find that power, and I do not see why that power should be given to India when it is withheld from the Parliaments of the self-governing Dominions.

The hon. Member urged the question of a state of unrest. He thought that the time of the election might come along and be unfavourable because of a state of unrest. That brings one to the principal argument against the Amendment. The very fact that a popular assembly has to be dissolved within a limited number of years is a very useful safety valve for the Parliamentary system. Let us take, for example, the position of the Opposition in this House. We always know that within a comparatively few years they will have an opportunity of putting their case before the electors and there will be a chance that, if they do it well enough, they will take the place of the Government in power. I regard that as a vital feature of Parliamentary govern-

[Mr. Lewis.]
ment, and it is most important that it should be conserved in the Constitution that we are giving to India. It would be a great mistake to prevent that safety valve from acting. I would further observe that where in other countries of the world this safety valve is not allowed to operate, as is commonly observed, for example, in South American Republics, where the Government of the day succeeds by some means or other in preventing the Opposition from getting a fair chance and the Government of the day seeks to prolong the period of its own life, there is a violent upheaval, which often causes the downfall of that Government. That is a striking illustration of the value of this safety valve and the necessity of a periodical verdict of the electors. I hope the Committee will insist upon that condition being upheld in the Government of India Bill.

4.21 p.m.

Mr. COCKS: This Amendment would be very undesirable. If both Houses of Parliament were put into the position of being able to pass a resolution prolonging the life of the Indian Parliament, they might take it into their heads to pass a resolution prolonging the life of this Parliament. That is something to be guarded against. We oppose the Amendment.

Amendment negatived.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

4.22 p.m.

Vice-Admiral TAYLOR: Before we give power to set up this Federal Legislature it is only reasonable that we should be fairly certain that the particular form of legislative machinery that we are setting up is one that is best suited to Indian needs and Indian mentality. The only data we have to guide us in this matter is the operation of the Act of 1919. In the opinion of the Statutory Commission that Act has not been in force for a sufficient length of time for any real judgment to be formed as to whether the particular legislature that has been given under that Act is one that is best suited to Indian needs and Indian mentality. It is necessary therefore before we duplicate what is being set up in the Provinces that we should be reasonably certain that it is the best form of legislative and administrative machinery. The Statutory Commission in reporting on this matter said that before proceeding with Federation we must be reasonably certain that the form of government now in force is the right one.

The CHAIRMAN: The hon. and gallant Member must recollect that this is not the occasion for making a Second Reading speech on the Bill. The question of Federation has been definitely discussed and decided upon. The hon. and gallant Member must confine his remarks strictly to the contents of Clause 18 and avoid discussing those questions on the Clause which have already been fully debated such, for instance, as the issue of direct or indirect election.

Vice-Admiral TAYLOR: I accept your Ruling, but as we are setting up this Federal Legislature I thought that I was entitled to argue that India was not ready to accept the particular form which we intend to set up.

4.24 p.m.

Mr. COCKS: Before we pass from this Clause, I should like to say a few words on it. I think the Clause embodies one of the greatest mistakes that the Joint Select Committee made in departing from the original scheme of the White Paper. In that White Paper, as a result of the Round Table Conferences, the scheme was very different from this one. We had a lower Chamber directly representing the people of India and we had a revising Chamber representing the lower Chambers of the Provincial Legislatures? All that has gone. The original upper Chamber has become the lower Chamber, and in place of the lower Chamber we have a Chamber representing the Princes and the upper Chambers of the Provinces. We have there reaction doubly enthroned.

Mr. ISAAC FOOT: Surely the question of whether the Council of State shall be constituted by the votes of the upper Chambers of the Provinces will not be discussed on this Clause, but will come up for discussion on the Schedule. I want to reserve the right to discuss that matter later. If it were dealt with now we might be precluded from discussing it later.

Mr. COCKS: I did not intend to say any more than to make that statement. We have in the proposed second Chamber all the interests and all the despotisms. We have the money Barons and the Maharajas sitting cheek by jowl and turban to turban, and they will present an insuperable barrier to social reform and progress.

The Secretary of State is a very difficult man to argue with. For the last two years when I have listened to him in the Joint Select Committee I have come to the conclusion that he is a reasonable being. When I have heard him arguing with the right hon. Member for Epping (Mr. Churchill) I have thought that he acts as a very reasonable man, but when we try to move him with the voice of sweet reason he is quite a different person. He then turns on us a stern and implacable front. When he is arguing with the right hon. Member for Epping I sometimes forget that he is a Conservative, but when he argues with us I see that he is one. Then, what I thought was reason hardens into prejudice and what I thought was logic hardens into authoritarianism, and he falls back on his majorities. That being the case, I do not think that it is any use arguing on this Clause any longer. I simply want to put it on record from our point of view that we regard the change which the Bill has made from the original scheme of the White Paper as a great mistake, and we believe that the future history of India will show that we are right.

4.28 p.m.

Mr. CHURCHILL: I find myself in general agreement with the condemnatory epitome of this Clause which has fallen from the lips of the hon. Member for Broxtowe (Mr. Cocks). It is one of the most important Clauses in the Bill, because it presents to us the structure of the new Assembly which is to exercise responsible government over all India. I have asked myself whether, upon the whole, the scheme of this Clause, set where it is in the general articulation of the Bill is not the worst legislature that ever was planned. Perhaps I ought to abate a little the rigour of my assertion, because no one can have an exhaustive knowledge of all the legislatures that ever have been planned, but certainly this is the worst that I have ever seen brought before this House and the one least likely to give contentment or proper government to the persons for whom it is designed. What the hon. Member for Broxtowe has said seems to be true. The Government have taken away from the people of India, from the electors, 1,500,000 of them, direct election to the existing Assembly, and in place of that they have substituted indirect election, which the Secretary of State opposed, which the Government of India opposed, which the White Paper opposed and which was introduced into the Joint Select Committee as the result of all kinds of negotiations, over which the veil of hitherto unviolated secrecy had been thrown.

I certainly was told that one of the reasons which weighed with the Commissioners who went out there in advocating direct election was the danger of a caucus, the danger of corrupt influences being brought to bear on the comparatively small number of people who now will choose. That danger resumes itself in all its force, and at the same time the salutory relief of a dissolution, is practically robbed of its efficacy. The same answer will to a large extent be returned even if the Assembly is sent about its business. One of the greatest safeguards of parliamentary institutions is the power of dissolution, the certainty, that assemblies can be scattered to the winds, and there is what is called a new deal operating in parliamentary and political affairs. But for that destruction would overtake all legislative assemblies. They would become odious to those in whose name they presume to act. In this system you will have an assembly increasingly hide-bound and stable. You will take away altogether from your Indian polity that indispensable device—namely, a dissolution, and a new set of men, which has everywhere been found necessary for parliamentary procedure.

As for the second Chamber, I suppose it will be about the richest body in the world, man for man. It will certainly be a chamber which will be well able to protect the rights of property, I do not mean the rights of British property, but Indian property. They may not take a very high view about the interests of British merchants and manufacturers, or of the Lancashire traders, but I think it will be very strong in interpreting the rights of property when it is a question of the interests of the Ahmenabad or

[Mr. Churchill.]

Bombay mill-owners, who are large subscribers to the funds of the dominant party in India. It will be strong in enforcing the sanctity of contracts and the interests of the money-lending classes, and will no doubt take a robust view of the interests of landed proprietors. In religious matters it is highly probable that their bias will be strongly conservative. As for the general questions of social legislation and so forth, it is unlikely that any strong initiative will come from this body. And remember that this institution which you are now imposing on India, which you are now ramming down the throats of Indians, whether they like it or not, will be largely unalterable. There they will be, and there they will remain. You are riveting the shackles of the worst aspects of capitalism without its progressive reforms, and without its continued elections and refreshed assemblies. And you are riveting these shackles upon the people of India for an indefinite period.

Compared with the present Assembly this new federal structure is at a serious disadvantage. We are told how much stronger it is to be, and how we are escaping from the defects of the present weak Assembly. It has not worked so ill. The people have got used to it, they have voted for it, and have associations with it. It is true that the Government defer too much to it, although not perhaps too much, having regard to the tolerant working of British rule in India. In its place you are substituting this new body in Clause 18, this new organism, with what are called responsible powers. I think that the Government have throughout proceeded upon a wrong assumption in regard to the part which will be played in the Chamber by the Princes. All through our Debates we have heard the suggestion that you can safely dispense with the official bloc; that you can safely entrust what is called responsible government to the new Assembly because of the representatives of the Princes of India who will be there, who are expected to sustain British interests and give stability and responsibility to the structure. We are asking the Princes to become as it were the champions of British action in the Assembly and the defenders of the prerogatives of the Governor-General and the safeguards. That is a strain to which it is very unfair to expose them in the eyes of their fellow countrymen.

I believe also that you are putting a burden on the Princes which they will not accept, even if they come in. Nothing is more remarkable than the quickness with which solidarity has been established between the Princes and political forces in India. The Secretary of State and the Conservative party who are going forward on this issue, suppose that they are going to have a bulwark and security in the Princes which will counteract the subversive and violent forces which exist in India. I think they will find that they are on very insecure foundation. You are asking more than you ought of the Princes in asking them to undertake such responsibilities. In principle this abstraction, which you are clothing with reality and which you call the Indian nation, will act together in all matters or in almost all matters on which the cleavage is between Indian national aspirations and the safeguards retained by the British executive.

I have not had time to count the numbers accurately, but I think there are some 600 gentlemen, or 615, who will be gathered at Delhi. I agree with the hon. Member for Limehouse (Mr. Attlee) that they will have very little to do. What are they to do? You have only to read Clause 12 and see what they may not do to realise that it utterly destroys the reality of responsible government. No one can read that Clause and the Clauses which immediately follow, which enable the Governor-General himself to legislate by ordinance or by proclamation, or to take over at any time the entire Constitution, in conjunction with Clause 18, and imagine that what is being given to this new body, to these institutions, is responsible government or anything like it. It is a farce and a mockery on the name of responsible government. When we are told that the Princes insisted on responsible government and now say that they will not come in, they have a right to say that the condition of responsible government has not been made good.

You are not giving them responsible government. What are you giving them? You are giving them something which is more dangerous than responsible government; you are giving them the power to

extort responsible government by all the weapons of Parliamentary procedure. They will have very little to do except to find fault, to press for the abolition of the safeguards. They will have very little to do except to carry out those tariff wars against South Africa and Australia, to which the Secretary of State referred the other day in terms from which a suspicion of gusto was not wholly excluded. They will be able to deal with tariffs—they are under their control—so long as they do not discriminate against British trade; and by raising their tariffs they will be able to bring endless pressure to bear on the Governor-General by maltreating Lancashire trade and British trade until he accepts their point of view or the Government dispenses with these indispensable safeguards. And you are inducing the Conservative party to become the draught animals to drag this Bill through. It is not responsible government.

The Clause sets up an arena of strife, in which will be fought a controversy not novel in the world, a struggle which we went through in the 16th and 17th centuries, between representative institutions, which had one set of ideas, and the prerogative of an almost potentially absolute monarch on the other. The friction will be endless. This will be an assembly given over to politics. It will occupy its time with politics. It will seek to gain for itself those attributes of that responsibility which you have pretended to confer upon it, and in that process you are inaugurating a decade of friction, tumult, disturbance, disorder, irritation and anger in India, at a time when the healing processes of constructive economy and of industry should repair the depression through which the country is passing and make some definite inroad upon the awful poverty in which the great masses of the Indian people are plunged.

We see in this Clause a bad piece of work. Happily I do not think that it will come to fruition. I do not think that it will ever emerge from the paper form in which it has darkened the pages of this bulky Bill into actual operation. I predict that that will not be so. The Princes will not come in, and, if they do not, then obviously the whole of the structure is meaningless and invalid. The Lord Chancellor said some time ago that the Princes would not dash the cup from the parched lips of India. They have dashed the cup from the parched lips of India, from one end of the country to the other, and drawn forth a chorus of jubilation hailing them as deliverers. The policy of the Government, the aim and the ideal they set before themselves, is a united India. We may congratulate them. They have united India from one end to the other, from Karachi to Rangoon, from the Khyber Pass to Tuticorin, from rajah to ryot, from untouchable committee to mahasabha. All, without exception, have joined together, united, speaking with one voice and one heart, and repudiating this scheme of which Clause 18 is one of the central and perhaps the most peccant part.

4.46 p.m.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): The hon. Member for Broxtowe (Mr. Cocks) referred, more in sorrow than in anger, to my dual personality, and I am not quite sure in which capacity I am addressing the Committee at this moment.

Mr. McGOVERN: We will see as you go on.

Sir S. HOARE: Yes. Let me for a moment turn from the pessimistic prophecies of my right hon. Friend the Member for Epping (Mr. Churchill), to the wording of this Clause, which sets up the Federal Legislature. There is one serious question at issue between the various sections of the Committee, namely, the question between direct and indirect election, and we have discussed that in some detail. Apart, however, from that, there has been through all the long discussions which we have had on the constitutional question a remarkable body of agreement about the structure of the Federal Legislature generally. It seemed to me, listening to my right hon. Friend the Member for Epping, that he did not realise the kind of legislature which we were setting up, namely, a federal legislature. A federal legislature differs in many respect from a unitary legislature. A federal legislature has a definite sphere of activity, in this case to a great extent of a technical or semi-technical character, and it is essential that a federal legislature should be in the closest touch with the feder

[Sir S. Hoare.]

units. That is the justification for the structure of this Legislature, firstly, that it is a legislature with certain definite duties, unlike this Parliament, with authority over all the field of legislation, and, secondly, that it is a legislature which it is much more important to keep in the closest possible touch with the federal units, namely, the provincial Legislatures, than with a rather shadowy central electorate in a great continent like the Indian continent.

Mr. HERBERT WILLIAMS: Can my right hon. Friend tell me of any other important federation like this one which it is proposed to set up?

Sir S. HOARE: The hon. Member very often asks that question, and my answer is always the same. The case of India is indeed in many ways unique. I do not want to refer to the arguments, which we have all heard over and over again in the course of these discussions, but that is the main justification for the structure of the Federal Legislature. Now let me come to the speech of my right hon. Friend the Member for Epping. We are getting used to that type of speech. It is obvious what my right hon. Friend is trying to do. He is trying, on each and every occasion, to put up scarecrows to warn various sections of Indian opinion against any possible acceptance of this Bill. We had a very good instance of his endeavour this afternoon, when he came out as the great champion of the rights of the small people and held up the Federal Assembly as a body that was going to rivet the shackles of the worst aspects of capitalism on India for ever. That was a scarecrow set up to warn the smaller people in India against the acceptance of this Clause or this Measure. Then my right hon. Friend had a word about the Princes. There again he had his scarecrow for them. He was really addressing the Princes, if I may say so, much more than he was addressing this Committee this afternoon. He was in effect saying to them: "Do not have anything to do with this accursed Clause, because, if you do come in, you will be swept on by these nationalist waves, and your presence will not be of any value to a body of this kind. Keep away from it."

Well, we all understood that, and so, I feel sure, do the Indian Princes; so, I feel sure, do most of the other sections of Indian opinion. They do not take my right hon. Friend's advice at its face value. They know what he is after, and that is, at any cost, by any means, by any brick taken from any heap that he can find gathered together, among hon. Members opposite or any other section of this Committee, to destroy the Bill. In the course of these Debates we have got used to this endeavour of the right hon. Gentleman, which he is making day in and day out, in season and out of season. We have got used to his arguments, and I am quite sure that nobody in India takes him seriously. I am quite sure that there is nothing that he has said to-day that will have the least influence upon either Princes or persons in India, and I am equally sure that the pessimistic prophecy that he made at the end of his speech, namely, that the Princes have already destroyed Federation, will be proved to be totally without foundation.

Mr. CHURCHILL: Surely the right hon. Gentleman is going to try to answer some of the arguments which I have put forward? He has not answered one.

4.53 p.m.

Mr. AMERY: I want to say a word about the arguments that the right hon. Member for Epping (Mr. Churchill) addressed to us in a very long speech. I have been trying throughout these Debates to discover what is the principle of opposition to this Bill upon which my right hon. Friend acts. There was a time, earlier in the discussions, when I thought his principle was a determined vindication of the recommendations of the Simon Commission as an almost divinely inspired document. Of course, it was thrown over when it was unanimous on the subject of law and order, and on other occasions, and now we find that it is thrown over equally on the subject of indirect election, which is treated as entirely preposterous and impossible. What other principle is there? At one time we were assured that the only principle was the authority of Parliament; at another it is the authority of Congress. I am really at a loss to discover any principle in my right hon. Friend's criticisms, except this, that every Clause and every line of a Bill promoted by this Government must be bad and must afford justification for a long speech of a por-

tentiousness to which few of us can attain and which some of us sufferers find a little difficult to sustain. I only wish, on behalf of a considerable body of Members of this Committee, that we might sometimes have one grain of constructive criticism to a bushel of the purely destructive.

4.55 p.m.

Mr. DONNER: I only rise to make one or two observations arising from the speech of my right hon. Friend the Member for Epping (Mr. Churchill). I am sure that my right hon. Friend is more than capable of defending himself, but if he will allow me to say so, I think the attack delivered on him just now by the right hon. Member for Sparkbrook (Mr. Amery) was unjust—and I am within the recollection of the Committee—in view of the fact that the speech just delivered by my right hon. Friend did not extend beyond a quarter of an hour, which is surely not too long a speech on this vitally important Clause. The point that I wish to raise arising out of that speech is the position of the Princes in the eyes of the Government. They are regarded as a great stable and Conservative element in the Assembly which is to be set up by this Clause, an element on which we can in fact rely rather than upon the old official bloc which is now to disappear. My right hon. Friend drew attention to the fact that it was wrong to expect the Princes to pull our chestnuts out of the fire for us—a phrase used some months ago by the Noble Lord the Member for Aldershot (Viscount Wolmer)—and surely if we regard this subject, we must realise the truth of that contention. By glancing at the map of India we see what we are asking the Princes in this Assembly to do. Most of these States in India are surrounded by British India, are surrounded, in fact, by territory dominated by Congress and Congress wallahs, and it will be simple for Congress agitators to cross the borders of the States and to cause riot and agitation in the States against those Princes who are following a policy in the Assembly with which they disagree. It is a well known policy, and they have a name for it, the word *Jatha*, which describes an agitation started in British India and then carried across the border and waged against the ruler of one of the States.

If any ruler in the Assembly were to take the line which His Majesty's Government hopes they will pursue, a pro-British or stable policy, then it will be perfectly simple for these agitators to go across the borders into his State and cause as much commotion as they please. It will be easy enough to do so, particularly where the ruler belongs to a different religion from that of the majority of the population of the State, and, as the Committee knows, inter-racial antagonism is a powerful element to which to appeal. I think the Government are putting an undue strain on the Princes and placing them in an invidious position which no Government has a right to put them in. I have always understood that we, as the paramount Power in India, are called upon to defend the Princes both from external aggression and internal commotion, but if you set up this Assembly and ask the Princes to carry out the duties which you are now imposing upon them, you are not carrying out your obligation to save them from internal commotion, even if you are defending them from external aggression.

4.58 p.m.

Colonel WEDGWOOD: I do not entirely agree with hon. Members opposite that this Clause would be a very serious injury to the Princes in India. I should say that they have a great deal to get out of this Bill and this Clause, but I think the Clause should not go through without some expression of the feeling of the Indian people about this matter. There are only two things that the Indians really object to strongly in this Bill. One is communal representation and the other is the Federation, involving this strange new chamber. We all know that Federation has a magical attraction, as if this were a proper Federation, as if this new House that we are setting up to rule India at the Centre were indeed a Federation such as we have in Australia and South Africa. If that were the case, it would indeed be a very different attitude that we should find in India to-day, but the difficulty is that they have just discovered that this Federation, with all its apparent attractions, really means the establishment of an upper and a lower Chamber at Delhi which are a contradiction of everything that we understand by democracy.

[Colonel Wedgwood.]

While it is useless to continue to express that opinion indefinitely in this House the Government should realise that in passing this Clause they are creating a permanent, a fatal position in India. We know perfectly well that this is a substitute for the official bloc. The official bloc nominated by the Secretary of State is an infinitely preferable system to this facade which obviously involves a certain amount of difficulty on our part, and which, moreover, involves us not merely in India but throughout all the world in the charge of insincerity and hypocrisy. We are not giving something to India; we are simply substituting for a fairly honest form of British control a new form of control by people who have not our standards and traditions, who may be everything that Indians should be, but who cannot by the very fact of the form of their representation, by the fact that they are irresponsible, have the real good of India at heart, and ought not to be put on a par with Indians who do legislate for themselves and who represent either by nomination or election some people in India.

My consolation in the whole thing is that I think both upper and lower Chambers will not be very important bodies. The importance in India will gradually shift over to the Provinces, and the mere reporting of speeches in the Assembly will gradually die out. An Assembly which legislates less and less becomes more and more a function and a display of costumes. An Assembly of that sort will as time goes on sink in relative importance with the various Provincial Councils throughout India. It is inevitable that it should be so. Their powers of control over the Provinces are not very extensive as they are, and they will get gradually less. It will be more and more impossible for a central body chosen in this way to get their way if they are in opposition to a directly elected provincial council. The legislation they will undertake will be more and more circumscribed. Fewer people will seek a career by going to that Chamber. From that point of view, I think it is all to the good. We shall have the opening of the Assembly and the great processional road into Delhi will be filled with chariots and elephants. We shall see our friend Sir Akbar Hydari on an elephant, followed by his henchmen; Sir Tej Bahadur Sapru in his Rolls Royce; Mr. Joshi with his attendant satellites. It will be a great and magnificent procession. White parasols and elephants—these are the flowers of Constitution.

Earl WINTERTON: Shall we see Socialists and Conservatives in conjunction as we do in this House?

Mr. CHURCHILL: I hope not. Do not make it too bad.

Colonel WEDGWOOD: I am perfectly certain we could do as well if we had the proper leader. I look forward to the time when the procession of elephants and what-not will be led by a proper Viceroy. It will be an official assembly I hope that the right hon. Gentleman will have. With all that magnificence to show, it is a fairly impotent body you will establish. It will have the solid virtue that it will always be predominantly Conservative. That virtue is, unfortunately, one that the Indian people can dispense with, for they think it is more in accordance with British ideas of democracy and constitution.

5.9 p.m.

Mr. ISAAC FOOT: I should very much regret if the picture drawn by the right hon. and gallant Gentleman is realised in the history of India. If it is, I am bound to say that that result will be largely attributable to the indirect vote which has been decided upon by this House. The only matter we are deciding in Clause 18 is that we set up this Federal Chamber, with a second Chamber and the Assembly, and we are deciding that they should sit for five years. I hope we are not deciding, by the passing of this Clause, that we are going to have a Council of State constituted in the manner outlined later on in the Bill. I assume when we come to that part of the Bill it will be open to the discussion of the House, and we are not committing ourselves in any way to the constitution of the Council of State on the lines which have been condemned by the right hon. Gentleman. We have decided one matter in this House. We have decided in the discussion of this Clause something that is not within the Clause; that is, indirect election. That is in consequence of the Amendment put down. It was important that that Amendment should be put down early, and we have to accept the deci-

sion of the House. I understand it is not in order to discuss the merits of direct and indirect election, and we are accepting the ruling upon that. But a reference has been made, and that reference has brought me to my feet.

The Secretary of State said just now that one of the reasons for the substitution of indirect election for direct election was that there should be this close association between the federal units and the centre. I cannot accept that argument. There would have been an association between the federal units and the centre under the White Paper, until the alteration was made by the majority of the Joint Select Committee. That association would have been in the representation through the Provincial Parliaments to the Council of State. That would have maintained an association which certainly is desirable. If it is suggested that this additional association is needed, and that was the point of the right hon. Gentleman's speech in advocating indirect election for direct election, I put this question to the House: Assume that your members have been elected by these little groups of people in the Provinces and these groups disappear, as they might, in Province after Province. A new election might take place in a Province and the group that sent representatives on to the centre has gone. What this House has never answered in the course of the Debate, and what has not been answered to-day is: Who will these people at the centre represent in that event? Someone has elected them, but the electorate consisting, it may be, of six, seven, eight or nine people in a room in the Provinces has gone, in consequence of the disappearance of the Provincial Parliament in the meantime. You are left at the centre with central representatives at the Assembly who have no constituencies at all.

Colonel WEDGWOOD: The hon. Gentleman ought to grasp the fact that the people we are responsible to are not the pople who elected us but the people who may re-elect us next time. I do not pay the slightest attention to the people who elected me last time; it is the people who are going to elect me next time I am after.

Mr. FOOT: The right hon. and gallant Gentleman cannot brush aside the argument in that fashion, because the difficulty I put was the difficulty present in the mind of the Government of India. If the right hon. Gentleman will read what was said in the Government of India dispatch in 1930, following on this recommendation of the Statutory Committee, he will see they attached great importance to it. There is no parallel whatever between the right hon. Gentleman representing a constituency that does exist right through the time of this Parliament, and the member at the centre in India representing a group which has since disappeared as a group. He will admit that in whatever he does now he is responsible to someone, who can watch his actions. There is no one in the circumstances that I have assumed who can watch the actions of the member at the centre, and you can have a system in which there may be a number of members at the centre who represent nobody at all. If the argument is set aside as being unimportant because I have submitted it, I would ask those who are concerned in this question to give their attention to it, because it was present to the mind of the Government of India——

The CHAIRMAN: Is not that matter dealt with in the Schedule?

Mr. FOOT: The matter was raised by the Secretary of State. It was mentioned by the earlier speakers. Am I doing anything wrong in commenting on a statement made earlier?

The CHAIRMAN: No. Again, there is a case in which references may be made, but they cannot be followed up. I think the hon. Member will see what I mean. I interrupted him in the form of a question because he knows as well as anybody in the Committee what is in the Schedule, and the time to discuss that is when the Schedule comes before us.

Mr. FOOT: I quite agree. I will not go into all the merits of indirect and direct election, but when the point was put on the Floor of the House to-day that the indirect method would secure that connection between the centre and the Provinces, I thought as one who had been responsible for the Amendment discussed earlier it was my duty to refer to the point. I was interrupted by the right hon. Gentleman below me, and, if I went too far in answering his interruption, I accept your correction. Without

[Mr. Foot.]
going into the merits of that vast issue, I can only express my very deep regret that the decision was on the lines the House took last Wednesday. I believe that the biggest opportunity we have had, in the course of these discussions, of conciliating Indian opinion was missed, and although I do not doubt the sincerity of the great majority who voted against that Amendment, I am afraid that the history of these proposals and of this Measure in the years to come will show how serious was the mistake that we made in the vote that we took.

5.15 p.m.

Mr. ANNESLEY SOMERVILLE: My right hon. Friend the Member for Sparkbrook (Mr. Amery) told us that he could not discover why hon. Members opposed this Bill. I am presumptuous enough to be opposed to the Bill because in my humble opinion it will never work. The right hon. Member for Epping (Mr. Churchill) and the right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood) have drawn attention to the anomalies that exist in the constitution of this federal parliament, and my hon. Friend the Member for Bodmin (Mr. Isaac Foot) seems to think that these Chambers are vitiated by the principle on which they are elected, to which, of course, I cannot refer. The anomalies inherent in this Clause, in this constitution, were very present to the minds of the Joint Select Committee. When they had completed their scheme and looked upon it and found it good, they wrote a brilliant survey, which fills one with admiration but regret. When they came to the consideration of the constitution of these Chambers they said:

> "We have here an obvious anomaly, a federation composed of separate constituent units in which the powers and authority of the central government would differ as between one constituent and another."

They were conscious of the anomaly. But they argued the matter, and chiefly for fiscal and economic reasons they decided in favour of the scheme before us. In my humble opinion the balance comes down on the other side. We have here two categories of members. We have elected members from British India and nominated members—two categories of differing status and powers. I ask the Committee, how long will the elected members from British India tolerate the 125 nominees of the lower Chamber having a full voice in the affairs of British India while the elected members from British India have a very small voice in the affairs of the States?

I would remind the Committee that it was considerations of that sort that killed the Home Rule Bills of 1885 and 1893. I heard Mr. Gladstone introduce the Home Rule Bill of 1893, and he was answered brilliantly by Sir Edward Clarke. The Bill proposed to bring in 80 members to vote on Irish questions but not upon Imperial questions, and when it was shown that these members would vote on the question of a vote of confidence the Bill was killed. I would that Sir Edward Clarke were here to deal with this Bill. It would take the combined genius of Alexander Hamilton and Lord Durham and Bismarck to make this Constitution work. There is another point, the communal point. What is the great question in India? It is the communal difference. It should be the object of statesmanship to try to construct a Constitution that will solve and eventually cause to disappear that great communal cleavage in India. But this scheme stereotypes that difference. You have your constituencies founded upon the communal question.

The CHAIRMAN: We have not yet reached that subject.

Mr. SOMERVILLE: I am sorry if I was wandering outside the Clause. Both for constitutional reasons and communal reasons, I find that this Federal Constitution which the Bill proposes at the centre contains in itself the germs of disruption. I believe it will never work. That being so, I find there is an air of unreality about the whole of our discussion. In order to make things real we ought to have a declaration by the Government of the exact position of the Government.

5.22 p.m.

Duchess of ATHOLL: I am very sorry to have to say it, but on many occasions in these Debates I have listened with great surprise to statements made by the right hon. Gentleman the Secretary of State, and on more than one occasion I have felt it my duty to point out that some of his statements would not bear examinations. I must say that to-day I listened with almost greater

amazement than ever before to the attack that he made on my right hon. Friend the Member for Epping (Mr. Churchill). It does seem to me that it ill becomes one who has at his back the faithful and dumb legions of the Conservative party and of the Liberal party to doubt the sincerity of someone who for over four years, with at first very few colleagues to support him, has stood up against these proposals. I claim that no one has the right to doubt the sincerity of any Member who will face the opposition of the Secretary of State. I am very glad indeed to remember that the Lord President of the Council, when he spoke in this House in December, repeatedly and emphatically said that he did not doubt the sincerity of those who differed from him in this matter. I would add that if there are people in India who to-morrow will read a report of this Debate, what it seems to me is bound to occasion most surprise on the part of the Princes will be to find the Secretary of State again ignoring the very strong indications that we have had of the opposition to these particular proposals of the Bill. It has been said that no shorthand notes were taken at the meeting of the Princes. We know now that that is not the case, and therefore there is reason to suppose that the accounts published are not at all far from the truth.

I entirely agree with my hon. Friend the Member for Windsor (Mr. A. Somerville) as to the unreality in which we are arguing this question. On many occasions I have felt that unreality, but never more so than now. My right hon. Friend the Member for Epping expressed doubts as to whether the Princes' representatives would be able to become a stabilising element in the Federal Legislature—the stabilising element on which the Government, we know, base their hopes. I would remind the Committee that the Princes themselves have shown their view as to whether their representatives will be able to play that very important part, because their representative before the Joint Select Committee spoke of the desire of the Princes that there should be a confederation of their own order, which they wished to see every Prince enter if possible before entering the Federation, and it was shown that the reason for that confederation was that their representatives might go to the Federal Legislature pledged to act and vote as one. What does that mean? Obviously it means that the Princes are afraid that if there is not some compulsory pooling of votes in the Federation their representatives will not act together to form a solid bloc.

Recent divisions that have taken place in the present Assembly show the power of the Hindu Congress party to command votes, even of Moslems. Figures supplied by the Secretary of State to my hon. Friend the Member for the English Universities (Sir R. Craddock) show that in some of the important recent divisions there were Moslems who voted with the Hindu Congress party. If that party can attract to itself Moslem votes when we know how bitterly divided these two communities are, does it not stand to reason that it may be very difficult for Hindu representatives of the States to stand out against the Congress and against the extreme nationalist opinion coming from British India? It is particularly important to remember that Hindus are in a much greater majority in the States than in British India, and that therefore the great majority of representatives of the States must inevitably be Hindus, who, as things are now as between Hindus and Moslems, may find it extremely difficult to avoid giving a general support to the policy advocated by the Hindus.

I feel that it is very unfair to put on the Princes the burden of standing up to the extreme views that are likely to be advanced by the politicians from British India, particularly as autocratic States may very well be in a very weak position. They have much to fear if their representatives really take a strong line in standing up to extreme opinion from British India. I feel that the Government are building on a foundation of sand in expecting the Princes' representatives to form a stabilising element in the way that we would all like to see.

5.27 p.m.

Sir WILLIAM DAVISON: I associate myself entirely with what the Noble Lady has just said, and I wish to protest most strongly, not only on my own behalf but on behalf of a number of my friends, at the way in which this Clause and a great many other Clauses

[Sir W. Davison.]

have been justified to the Committee, not on their merits but by continued and persistent personal attacks on my right hon. Friend the Member for Epping (Mr. Churchill). This is not a personal matter. It is a matter far transcending any personalities, and it is beneath the proper function of a Government to belittle this immensely important question of the Government of India by this continuous baiting and attacking of my right hon. Friend, who has most consistently on this question, for four years past, represented a minority in this House and a majority in the country. I can only suppose that the Government are beginning to get rattled at the reception of the policy of the Bill in the country and in India. It is an old saying that when you have no case you abuse the plaintiff's attorney. I suppose that my right hon. Friend the Member for Epping may be considered one of the foremost advocates on our side in this matter. Therefore the Government abuse our attorney instead of dealing with the Bill.

What is this Clause? It is a Clause setting up a Federal Assembly in India. The Assembly is to consist of 156 representatives of British India and not exceeding 104 representatives of the States. The Secretary of State and other Members of the Government have again and again stated that this Assembly is an impossibility without the representatives of the States. In fact it never would have been thought of by the Government had not certain conversations taken place and certain statements been made by certain Princes at one of the Round Table Conferences. I protest that it is beneath the dignity of the House of Commons to pass this Clause setting up a Federal Assembly when we know that the States are not prepared to go into that Federal Assembly unless the provisions of the Bill relating to it are altogether altered.

Only the other day the Chancellor of the Chamber of Princes declared that the Federation sought to be imposed upon them and which was being "rushed through the British Parliament"—those are his words, not mine—without even waiting for their criticism, had nothing in common, except in name, with the scheme which in general outline they accepted at the first Round Table Conference. Is it not idle to go on saying that the Princes represent the fundamental basis of this institution, when the Chancellor of the Chamber of Princes himself declares that the Government proposals have nothing in common with the scheme which they accepted? He also said addressing his colleagues:

> "I appeal to you not merely as the Chancellor of the Chamber, which high office I hold by the suffrage of my brother Princes, but also as the ruler of Patiala, to say in the most unequivocal terms that this Bill is utterly unsatisfactory and cannot be accepted."

The House of Commons is being put into an impossible position when this Committee is asked in view of such statements as that to pass a Clause setting up in India a Federation of which the Indian Princes are supposed to be not only an integral, but a necessary part. I could read other statements of the same kind. The Nawab of Bhopal said:

> "The present proposals do not meet our requirements and are wholly unacceptable."

The great Princes are not prepared to accept these proposals. We know that they are not prepared to come into this Federal Assembly, at any rate as the Bill is at present drawn. Therefore, I hope that the Committee will decline to pass a Clause which is unreal and has no meaning.

5.33 p.m.

Mr. H. WILLIAMS: The major objections to this Clause have been so well stated already that I shall not attempt to restate them. The Secretary of State chided the right hon. Gentleman the Member for Epping (Mr. Churchill) on the ground that the right hon. Gentleman was forgetting that we were setting up a Federal Assembly. I ventured to interrupt the Secretary of State, and to ask him whether he could point to any Federation elsewhere which was at all comparable with these proposals, but instead of pursuing his argument he said in effect, "Oh, no, but this relates to India." The purport of his comment was that the right hon. Gentleman the Member for Epping had forgotten the principles of federation but when I asked him what those principles were, as illustrated in other countries, he said that had nothing to do with the matter because we were dealing with India.

I sought to put a further point to him by way of interruption but he said quite properly that he desired to continue his

speech and it was quite right and I suppose also quite convenient that he should have claimed that privilege at that time. The Secretary of State spoke as if it were necessary that there should be contact between the Federal Assembly and the Provincial Assemblies, but that is by no means generally the case in other federations. In the United States there is not the slightest connection between the House of Representatives and the lower Houses in the State Assemblies. I am not sure whether every State Assembly there has two chambers or not, but at any rate there is no connection of the kind indicated. The House of Representatives is elected by the people in the various States and not by the State Assemblies. The same is true of Australia and Canada and also, I think, of the modified form of federation in the Union of South Africa. In fact I do not think there is a single analogy to justify the retort of the Secretary of State to the right hon. Gentleman the Member for Epping.

I wish to deal, however, with a point of practical electioneering. The Clause provides that the Federal Assembly is to run for five years or less, and elsewhere in the Bill it is provided that the Provincial Assemblies are to run for five years or less. When the system starts, one presumes that the newly-elected Provincial Assemblies, in so far as they are the electoral colleges for the creation of the Federal Assembly—they are not entirely so but they are partly so—will be reasonably fresh and will elect a Federal Assembly which we can call representative of the opinions of the provincial legislatures, these in turn being representative, as far as the franchise makes them representative, of the views of the electorate. That is at the outset. But after a few years there may be a dissolution say in Madras, for some reason or other—before the five year period has elapsed—and perhaps a dissolution in Bombay and the dates of the dissolutions in the different Provinces will be spread out so that there may be one or two provincial elections occurring every year.

Now we come to circumstances which call for the dissolution of the Federal Assembly, either on some special occasion or through the effluxion of time. The Provincial Assemblies will then proceed to elect a new Federal Assembly, but in a large number of cases the people who will then elect the Federal Assembly will be people who no longer retain the confidence of the provincial electors. They will be people who at the next provincial election will lose their own seats. If we assume that responsible representative government in India is going to reveal the same symptoms as responsible representative government elsewhere, then we shall have that mysterious thing called the swing of the pendulum which is simply the measure of the fact that every party at one time or another disappoints the electors by giving rise to excessive hopes. In that case you are going to have an extraordinarily anomalous situation, and you are never going to have the kind of Federal Assembly which you ought to have, unless it is proposed to reinforce the Federal Assembly each time a provincial election takes place, that is to say, unless when a provincial election takes place, those who represent the Provincial Assembly on the Federal Assembly automatically cease to be members of the Federal Assembly, their successors being appointed after the provincial election has taken place.

I do not see in what sense this Federal Assembly can be responsive, in the way that every elected assembly ought to be in some degree responsive, to public opinion. This difficulty does not arise primarily out of indirect election, but out of the way in which indirect election is to be managed in this case. I am not discussing whether direct election or indirect election is right. I am only showing that under the system proposed we may create the most unresponsive assembly which it would be possible to conceive, and I hope that that point may yet be examined.

5.40 p.m.

Miss RATHBONE: I should not have spoken in this discussion at all had it not been for the fact that the preponderating part of the criticism on this Clause has come from a group in this Committee with whose opinions on this subject I am usually little in accord. I should not like it to go on record that the only section in the Committee which has objections to this Clause is that led by the right hon. Gentleman the Member for Epping (Mr. Churchill). I see two grave objections to the Clause. The first is the extraordinarily reactionary

[Miss Rathbone.]
character of the proposed upper Chamber. Whatever may be the motives of the right hon. Gentleman the Member for Epping—and the Secretary of State appeared to throw some doubts upon them—nobody can question the truth of what he said, that this Chamber is going to be one of the most plutocratic bodies the world has ever seen. It will be almost exclusively representative of great vested interests. There seems to be all the less justification for setting up that kind of second Chamber since the change in the method of election to the lower Chamber from direct to indirect. As it is, the lower Chamber itself will be a body very largely representative of vested interests and any sort of contact that it has with the poorer electors will be through the medium of the provincial assemblies. If there is to be that kind of lower Chamber I cannot see that the arguments which are usually employed to justify the sort of upper Chamber proposed here, can continue to have any weight.

The second objection is this. If there is to be this amazing kind of upper Chamber, why is it necessary to give the Princes the heavy representation which is given to them in the lower Chamber? I agree with the hon. Member for Windsor (Mr. A. Somerville) who doubted whether British India would long stand a form of central legislature in which the representatives of the Princes are to be so numerous in both Chambers and are to be permitted to interfere in many affairs which affect the poor. We all know the range of legislation which this legislature may dominate, and it is difficult to believe that British India would long endure such interference as is possible by the representatives of the Princes with all these subjects, while the representatives of British India themselves are not permitted even to ask questions about the way in which these same subjects are being dealt with in the Princes' own States. The whole influence of the Princes seems to me to be far weightier than the facts justify and far weightier than is fair to British India. When the Joint Select Committee thought it necessary to change the mode of election from direct to indirect I wonder that they did not at the same time recognise that that change, whatever its merits, did away to a large extent with any necessity for the kind of second Chamber which we are setting up under the Bill, or for such a large representation of the Princes in the lower Chamber.

5.44 p.m.

Mr. CHURCHILL: I wish to take the Committee to witness and also the larger public out of doors, that although for over two hours arguments have been used against this Clause from every quarter and every section of the Committee not the slightest attempt to answer any of those arguments has been made. The Secretary of State contented himself with the imputation of motives and with vague generalities. In no way did he attempt to meet the serious case, as I submit it will be found, which I unfolded upon this subject and which has been reinforced from almost every part of the Committee. Of course, when you have a majority of 200 gentlemen waiting in the Library and Smoking Rooms whom you can summon, you do not need, I suppose, to go into arguments and to deal with serious contentions when they are advanced. You merely call for your legions and invite them to perform what the Lord President of the Council once extolled as footwork—and so you move forward. At each stage of this weary process we shall endeavour to point out to the country at large that the ordinary processes of reason have ceased to operate on the side of those who are driving forward this policy and are simply relying on the remaining momentum and force of what I expect will be found to be a moribund majority.

I see that my right hon. Friend the Member for Sparkbrook (Mr. Amery) has returned, and I must refer to one note which he struck to which I must take exception. It was when he appeared to voice the opinion of a great many Members that I should not address the Committee so often or at such length. Let me say that any intolerance of that kind on his part would not at all facilitate the speed with which this Bill is being carried through. We had great hopes of making considerable advance to-day and to-morrow, and I should very much deprecate this perfervid supporter of the Government introducing an element of warmth and even of acrimony which has so far found only a feeble echo in the speeches of the Ministers

themselves. There is one thing which my right hon. Friend said for which I am very grateful to him. He referred to the length of my speech, which was only a quarter of an hour, and he warned me on that point. I can assure him that on any question where I might be in danger of boring the Committee I will gladly refer to him for his advice and assistance, for I cannot feel that one can possibly have a greater expert authority on such a subject.

5.49 p.m.

Sir S. HOARE: I have only two or three sentences to add to what I said earlier in the afternoon. I have no intention whatever, and I know that my right hon. Friend knows that that is the fact, of imputing any motives to anybody. What I did say, however, seemed to me to be a fair criticism of his speech, for he used a whole series of totally contradictory arguments all, however, with one objective, namely, an attack upon this Clause in particular and the Bill in general. To give a single instance: at one moment he was supporting the Statutory Commission and at another moment he was attacking indirect election with bell, book and candle. That is one of the many instances that seemed to pervade his speech this afternoon. As to the main issue upon this Clause, I hoped that on the Amendments that have been moved I had made my position and the position of the Government clear, and I do not want to repeat arguments which I have already used.

Let me, however, say once again that, apart from the question of direct or indirect election, there has been a very general agreement behind the structure of the Legislature set out in this Clause. For several years past we have discussed the question of one or two chambers, of the kind of chambers that they should be, and the number of members; and there is a general body of Indian agreement behind our proposals. That, I venture to think, is a solid answer to a good many criticisms that have been made. I do not think I need go into further details as to many of the other criticisms. In the course of this Debate speech after speech has cancelled many of them out. For instance, my right hon. Friend talked to us extolling property and privilege. Then we had other speeches taking a diametrically opposite line. We had my right hon. Friend taking the view that we were putting all sorts of excessive powers under the control of the Legislature, and then a right hon. Gentleman on the benches opposite said that it did not matter much because this Legislature would have very little power and would degenerate into nothing more than a ceremonial body. I was under the impression that arguments of that kind had been cancelled out time after time in our discussions. I have no intention of taking up the time of the Committee further this afternoon, but I did feel it necessary to make my position clear to my right hon. Friend on these two points.

5.51 p.m.

Mr. BERNAYS: Before we pass this Clause I should like to make clear my deep regret, in company with my hon. Friend the Member for Bodmin (Mr. Isaac Foot), that it contains provisions for indirect election. I do not think that——

The CHAIRMAN: That has already been settled and cannot be discussed again.

Mr. BERNAYS: The hon. Member for Bodmin——

The CHAIRMAN: He made a reference to it, but it cannot be discussed now.

5.52 p.m.

Mr. LANSBURY: I would not have risen but for the speech of the hon. Member for the English Universities (Miss Rathbone) and the speech of the right hon. Gentleman the Member for Epping (Mr. Churchill) in which he indulged in pleasantries with the right hon. Member for Sparkbrook (Mr. Amery). When the right hon. Gentleman the Member for Epping was a Minister we had exactly the same experience of knowing that a couple of hundred Members were hidden away and could come out and vote us down every time. All Oppositions have to face that, and I think it is rather stupid of the right hon. Gentleman to complain about it.

Mr. CHURCHILL: The right hon. Gentleman ought to be on the front Government Bench; why does he not go?

Mr. LANSBURY: Because I am a realist. I am not stupid enough to com-

[Mr. Lansbury.]

plain as the right hon. Gentleman did. When my friends get there they will do just as effectively what the present Government are doing. While it may be true that some people have agreed to the proposals in Clause 18, we are most emphatically against them. We are against the Council of State, not because of indirect election or anything of that kind, but because we do not want this sort of Council of State to be set up. We also think it is an outrage on what is called the democratic Constitution which the Government are bestowing on India that they should give such enormous powers to the Princes. Those are the main reasons why we are voting against the Clause. The right hon. Gentleman seemed to infer that there was no difference of principle. There is a strong difference of principle between ourselves and the Government concerning this Clause.

Mr. BERNAYS: On a point of Order. When the question of direct and indirect election was discussed last Wednesday, I was not present owing to illness. It appears in the OFFICIAL REPORT that I had voted for the principle of indirect election. I was not here and had I been here I should have voted against it. I felt I ought to have the right to make that clear.

The CHAIRMAN: The hon. Member has had the opportunity of making his position clear, but it is beyond my power to enable him to make now the speech which he would have made then.

Question put, "That the Clause stand part of the Bill."

The Committee divided: Ayes, 273; Noes, 87.

Division No. 91.] **AYES.** **[5.56 p.m.**

Acland, Rt. Hon. Sir Francis Dyke
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Allen, William (Stoke-on-Trent)
Amery, Rt. Hon. Leopold C. M. S.
Anstruther-Gray, W. J.
Assheton, Ralph
Baldwin, Rt. Hon. Stanley
Balniel, Lord
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Beauchamp, Sir Brograve Campbell
Beaumont, Hon. R. E. B. (Portsm'th, C.)
Beit, Sir Alfred L.
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Blindell, James
Borodale, Viscount.
Bossom, A. C.
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Buchan, John
Buchan-Hepburn, P. G. T.
Bullock, Captain Malcolm
Butler, Richard Austen
Cadogan, Hon Edward
Campbell, Vice-Admiral G. (Burnley)
Caporn, Arthur Cecil
Cautley, Sir Henry S.
Cayzer, Sir Charles (Chester, City)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hn. Sir J. A. (Birm., W.)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Sir Samuel (Edinburgh, S.)
Christie, James Archibald
Clarke, Frank
Clarry, Reginald George
Clayton, Sir Christopher
Colfox, Major William Philip
Collins, Rt. Hon. Sir Godfrey
Colville, Lieut.-Colonel J.
Cook, Thomas A.
Cooper, A. Duff
Courthope, Colonel Sir George L.
Cranborne, Viscount
Crooke, J. Smedley
Crookshank, Col. C. de Windt (Bootle)
Cross, R. H.
Crossley, A. C.
Culverwell, Cyril Tom
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Denman, Hon. R. D.
Denville, Alfred
Doran, Edward
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eady, George H.
Eden, Rt. Hon. Anthony
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Elmley, Viscount
Emrys-Evans, P. V.
Evans, Capt. Ernest (Welsh Univ.)
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fox, Sir Gifford
Fremantle, Sir Francis
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
George, Megan A. Lloyd (Anglesea)
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Gledhill, Gilbert
Glyn, Major Sir Ralph G. C.
Goff, Sir Park
Goldie, Noel B.
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Griffith, F. Kingsley (Middlesbro', W.)
Grigg, Sir Edward
Grimston, R. V.
Gunston, Captain D. W.
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir George (Ilford)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hammersley, Samuel S.
Hanbury, Cecil
Hannon, Patrick Joseph Henry
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Heneage, Lieut.-Colonel Arthur P.
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hore-Belisha, Leslie
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Hudson, Robert Spear (Southport)
Hunter, Dr. Joseph (Dumfries)
Hurst, Sir Gerald B.
Hutchison, W. D. (Essex, Romf'd)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Janner, Barnett
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Johnston, J. W. (Clackmannan)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kirkpatrick, William M.
Knight, Holford
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lindsay, Noel Ker
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)

Macdonald, Sir Murdoch (Inverness)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macmillan, Maurice Harold
Makins, Brigadier-General Ernest
Mallalieu, Edward Lancelot
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Sir W. Lane (Streatham)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morgan, Robert H.
Morris, Owen Temple (Cardiff, E.)
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shepherd
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Owen, Major Goronwy
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilst'n)
Pickthorn, K. W. M.
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Sir John
Radford, E. A.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rankin, Robert
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rickards, George William
Roberts, Aled (Wrexham)
Ropner, Colonel L.
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel Sir Edward
Runciman, Rt. Hon. Walter
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Simon, Rt. Hon. Sir John
Smiles, Lieut.-Col. Sir Walter D.
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Soper, Richard
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Hon. J. (Moray and Nairn)
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, Rt. Hon. J. H. (Derby)
Thomas, James P. L. (Hereford)
Thomas, Major L. B. (King's Norton)
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wedderburn, Henry James Scrymgeour
White, Henry Graham
Willoughby de Eresby, Lord
Wills, Wilfrid D.
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—Sir George Penny and Dr. Morris-Jones.

NOES.

Acland-Troyte, Lieut.-Colonel
Atholl, Duchess of
Attlee, Clement Richard
Banfield, John William
Batey, Joseph
Blaker, Sir Reginald
Bracken, Brendan
Broadbent, Colonel John
Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Buchanan, George
Burnett, John George
Cape, Thomas
Carver, Major William H.
Churchill, Rt. Hon. Winston Spencer
Cleary, J. J.
Cobb, Sir Cyril
Cocks, Frederick Seymour
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cripps, Sir Stafford
Critchley, Brig.-General A. C.
Croft, Brigadier-General Sir H.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Davison, Sir William Henry
Dixey, Arthur C. N.
Donner, P. W.
Everard, W. Lindsay
Fuller, Captain A. G.
Gardner, Benjamin Walter
Greene, William P. C.
Grenfell, David Rees (Glamorgan)
Gretton, Colonel Rt. Hon. John
Groves, Thomas E.
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Hartington, Marquess of
Hepworth, Joseph
Hunter, Capt. M. J. (Brigg)
Jenkins, Sir William
Jones, Sir G. W. H. (Stoke New'gton)
Jones, J. J. (West Ham, Silvertown)
Jones, Morgan (Caerphilly)
Keyes, Admiral Sir Roger
Kimball, Lawrence
Kirkwood, David
Knox, Sir Alfred
Lansbury, Rt. Hon. George
Lawson, John James
Lennox-Boyd, A. T.
Leonard, William
Levy, Thomas
Lockwood, Capt. J. H. (Shipley)
Logan, David Gilbert
Lunn, William
McConnell, Sir Joseph
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
Maclean, Neil (Glasgow, Govan)
Mainwaring, William Henry
Marsden, Commander Arthur
Maxton, James
Milner, Major James
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Nunn, William
Parkinson, John Allen
Raikes, Henry V. A. M.
Rathbone, Eleanor
Reid, David D. (County Down)
Salter, Dr. Alfred
Scone, Lord
Smith, Tom (Normanton)
Somerset, Thomas
Somerville, Annesley A. (Windsor)
Taylor, Vice-Admiral E. A. (P'dd'gt'n, S.)
Thorne, William James
Tinker, John Joseph
Touche, Gordon Cosmo
Wayland, Sir William A.
West, F. R.
Williams, David (Swansea, East)
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John
Wragg, Herbert

TELLERS FOR THE NOES.—Mr. Bailey and Mr. Herbert Williams.

CLAUSE 19.—(*Sessions of the Legislature, prorogation and dissolution.*)

The CHAIRMAN: I have not selected any Amendments on this Clause or on the following Clauses down to and including Clause 24, and as there is no Motion on the Order Paper to leave out any of these Clauses I propose to put them *en bloc*.

Clauses 19 to 24 ordered to stand part of the Bill.

CLAUSE 25.—(*Vacation of seats.*)

6.6 p.m.

Mr. D. D. REID: I beg to move, in page 14, line 35, to leave out Subsection (3) and to insert:

"(3) If for a continuous period of sixty days a member of either Chamber is absent from all meetings thereof except on account of illness or the service of the Crown without permission of that Chamber that Chamber may declare his seat vacant.

Provided that in computing the said continuous period of sixty days no account shall be taken of any period during which the Chamber is prorogued or adjourned."

This is little more than a drafting Amendment, and I hope the Minister will see his way to accept it. The Clause provides that:

"If for sixty days a Member of either Chamber is, without permission of the Chamber, absent from all meetings thereof, the Chamber may declare his seat vacant."

It is not quite clear during what period the sixty days are to be computed, and whether a man can be absent one day and present another and the absent days are to be added together, or whether there has to be a period of continuous absence. The Amendment proposes to state definitely that there must be absence for a continuous period of sixty days, except on account of illness or the service of the Crown, without the permission of the Chamber before the seat is declared vacant, and also provides that no account should be taken during those sixty days of any period during which the Chamber is prorogued or adjourned.

6.8 p.m.

The SOLICITOR-GENERAL (Sir Donald Somervell): On the point first mentioned by my hon. Friend, I think it would be quite clear to anyone who looked at the proviso that the period of sixty days would be construed as being continuous. Still, my hon. Friend's Amendment does make that point quite clear. It raises, however, a further point in excepting illness and absence owing to service of the Crown. My right hon. Friend definitely thinks there are points in this Amendment which should be considered, and, without giving any undertaking, he will certainly agree to consider it, and, if necessary, move a form of words on the lines of the Amendment at a later stage. I hope in view of that statement that my hon. Friend will be prepared to withdraw his Amendment.

Mr. REID: I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause ordered to stand part of the Bill.

CLAUSE 26.—(*Disqualifications for Membership.*)

6.10 p.m.

Mr. D. D. REID: I beg to move, in page 15, line 10, to leave out paragraph (*d*).

I submit that this paragraph is very vague and that it is difficult to know what it is meant to do. I assume that it is designed to deal with any question of bribery or other matters such as come under the Corrupt Practices Act in this country, but instead of specifying the offences provision is made for defining offences by an Order in Council or an Act of the Federal Legislature. I suppose the provision as to the Order in Council has been inserted in case the Federal Legislature should think it better to have no legislation at all, and to leave every candidate a free hand. I feel that it would be better either to leave this paragraph out altogether or to put in some provision showing what the offences are to be which will disqualify a member.

6.11 p.m.

The SOLICITOR-GENERAL: This paragraph has to be in the Bill because the Bill is saying what persons shall be disqualified. It necessarily cannot be in a completely final and detailed form, because if abuses do appear the Federal Legislature has to pass fresh legislation creating fresh election offences, and therefore it is worded in such a form as to show that disqualification attaches to a person if he has been guilty of any offence relating to elections which has been declared by Order in Council or by an Act of the Federal Legislature to be an offence conviction whereof is a disqualification. The effect of leaving out the paragraph would be that offences directly related to elections would not be a disqualification, and we have to have in this Constitution a paragraph of this kind which will cover future legislation dealing with election offences. In view of that explanation, I hope that my hon. Friend will not press the Amendment.

Amendment negatived.

6.12 p.m.

Mr. LANSBURY: I beg to move, in page 15, line 21, to leave out paragraph (*e*).

The CHAIRMAN: The next Amendment on the Order Paper, standing in the name of the hon. Member for Chertsey (Sir A. Boyd-Carpenter), the hon. and gallant Member for Portsmouth (Sir R. Keyes), and the hon. and gallant Member for Wycombe (Sir A. Knox)—in page 15, line 27, to leave out from "years," to "has," in line 29—is one which, I think, could be discussed on this Amendment, if they wish to do so, and they could have an opportunity of taking a Division on it afterwards.

Mr. LANSBURY: I do not know whether the other hon. Members will wish to discuss their Amendment, but I only wish to discuss the omission of paragraph (*e*). That paragraph says that a person shall be disqualified from being chosen as and for being a Member of either Chamber:

> "(*e*) if, whether before or after the establishment of the Federation, he has been convicted of any other offence by a court in British India or in a State which is a Federated State and sentenced to transportation or to imprisonment for a period exceeding twelve months, unless a period of five years, or such less period as the Governor-General, acting in his discretion, may allow in any particular case, has elapsed since his release."

My hon. Friends who, with me, have put down this Amendment have chosen me and others to speak on this subject, because we are in the position that many of our people both in this country and in India have been and are likely to be in. There are, or there were, in India during our administration of affairs there, some tens of thousands of persons imprisoned for long periods and short periods, some without trial and others after trial. I am aware that this paragraph states that the person shall be disqualified if he has been convicted of

> "any other offence by a court in British India or in a State which is a Federated State."

I am not suggesting that if a person has not been brought to trial he would be disqualified, but this is not as easy a matter as some hon. Members might imagine. This House has witnessed men who have been sentenced and who have served terms of penal servitude. On one occasion a Member of this House had been sentenced to death for high treason. No one who knew Michael Davitt who was sentenced to penal servitude, or who knew my good friend Colonel Lynch, would for a moment say that either of them should have been excluded from membership of this House or from standing for election.

In addition to that, there have been a very large number of men who have committed political offences. Most of the people who will be covered by this paragraph will be persons who have been in prison because of political offences; that is, they have offended either by speech, writing, public meeting or in some other way against the law. That has been the position of people in this country, certainly of Michael Davitt and Colonel Lynch. I take their cases because they are so thoroughly well known. No one would say that they had committed anything but political crime—if there is such a thing as political crime. In the case of the 33 Poplar councillors who went to prison—[An HON. MEMBER: "They should have left them there!"] Probably they should have left us there, but they sent me here instead, and they put me in the Government. I do not know which was worse. Some people do not get their deserts by going to prison and other people are sent there who ought not to be sent there.

The point I am making is that political offences are widespread in India just now, and have been for some years past. To have a paragraph like this saying that a large number of men and women shall be ineligible for election is dealing out to the Indians what I am quite sure would not be the law in this country. [An HON. MEMBER: "What about Ireland?"] I should not think it was so in Ireland.

This House has had experience of that sort of Member. In the two cases I have mentioned the men were sentenced for what appeared to be terrible crimes, but when they came here they were recognised as good citizens whose only crime was that they were a little in advance of their time. We have now given Home Rule to Ireland. Michael Davitt wanted to abolish the land laws of Ireland, but it was left to a Tory Government under the late Mr. Wyndham practically to wipe them out. We bought them out, and the great row now is as

[Mr. Lansbury.]

to who should pay for them. That is only by the way. What Michael Davitt agitated for became the law, and everybody recognised that it was right, but it did not happen to be recognised as right when he joined the Fenian movement. [An HON. MEMBER: "He was a dynamitard!"] No, he was sentenced to penal servitude long before the dynamitards. Michael Davitt was sentenced for what was then a crime but was afterwards accepted by all parties in this House as a rational proposition. Colonel Lynch wanted a South African Republic; I believe he fought for it, and then was put on his trial. A very short time afterwards, the Liberal Government of the day established the South African Federation as we know it now.

One can use the same argument in regard to those Indians who are now fighting for their national freedom. They sometimes do many things which people who have got old and respectable, like myself, think they ought not to do, but here is this House of Commons, with the assistance of the Minister, about to give them a constitution. The right hon. Gentleman wants reforms in the administration of affairs in India, and many of those men want to do the same thing. I am not arguing for assassination and that sort of thing and I do not want to be told that I am supporting it. I am not. I am supporting the proposition that men and women—there are women as well as men in this—who have been found guilty of offences against the law during the period before India has obtained self-government should not be debarred because of those offences from standing for election or sitting in the new Indian Parliament. There are thousands of women in this country who deliberately broke the law, as the right hon. Gentleman the Member for Epping (Mr. Churchill) knows quite well, and thousands of them are sent to prison, but none of us would say that they were guilty of the sort of crime that would prevent them, or ought to prevent them, from sitting in this Parliament, or in any other Parliament. I want the Indians to be treated in exactly the same way, and this paragraph taken out.

6.23 p.m.

Mr. CHURCHILL: I do not often find myself the recipient of support from the right hon. Gentleman who leads the Opposition, who indeed hardly ever misses an opportunity of opposing me in the ordinary course of business. The Government should give us some explanation of the form in which they have cast this Clause. *Prima facie* it seems to affect two very large principles. The first is that a man who has served his sentence has purged his offence. If the offence has been a very grievous one the sentence will have been a very long one. There has always been a broad principle on which we have worked here that when the full time of servitude has been undergone, that is the end of the story. Just as a man is innocent until he is proved guilty, so, after he has satisfied the severe and dread demands of the law, he is cleared. That is a large principle, and I should like to hear from the Attorney-General or the Secretary of State why it is necessary to frame this Clause in a way to overset that principle.

Then there is the principle of the right of the elector to choose freely. It is true that in by-gone days, in Ireland and elsewhere, the electors have chosen men who have served terms of penal servitude for political offences or for grave offences connected with political agitation, and have sent them up to this House just because of what they had done. I am sure my right hon. Friend would not take so gloomy a view of the healing effects in India of his legislation as to suppose that anything like that will occur in these new legislative bodies. I am accused sometimes of taking a gloomy view, but that would strike a knell which would extinguish what little hopes I have. If he imagines that after those Indians have received the Constitution, are exercising all their rights of responsible government and have the whole of the advantages that are offered to them, they are going to pick out persons of criminal record and send them up to the legislature for the purpose of making a grimace at the British Government and the high authorities, and that that is a matter which requires to be so seriously legislated for, that is a revealing sidelight on the interior feeling of the Government as to the character and constitution of their legislation.

If the Government say that this is really necessary for the safety of India and to the efficiency of their institutions, and that otherwise they would be overrun by

people from the Andaman Islands—there will almost be a migration from those remote and, I am told, beautiful islands to the legislature at Delhi—and if they really think that the danger is so formidable, I should not feel justified in giving a vote in the Lobby against them. It occurs to me that a better way of dealing with the position—I throw out the suggestion—would be to attach loss of civic rights to a particular sentence, as is done in many other countries. Loss of civic rights for so many years is made part of the original sentence. That seems to be a way to avoid debasing this Act of deliberation with a Clause which has quite a clang of the authoritarian chain about it.

6.28 p.m.

Mr. ISAAC FOOT: The Committee would welcome from the Minister an explanation to show that we are not getting into difficulty in passing this paragraph. I agree with what has been said by the right hon. Gentleman the Member for Epping (Mr. Churchill). This House has always insisted that the right of the elector should not be affected by the supposed offence of a man who has been brought under trial of the law. That was an essential principle during the struggles of John Wilkes, out of which struggle arose the establishment of a great deal of our Parliamentary and constitutional liberty. There must be many in India who have been brought into conflict with the law for the prosecution of what they believe to be their rightful aims. We hope under happier auspices and better conditions that many of them will be taking their share of the economic upbuilding of their country, when we have rid that country of sterile political controversies.

The Committee would like that assurance from the Minister, because prison itself is not a sinister bar. If we took into consideration those who would have been disqualified by the mere fact of imprisonment we should have to think of Mr. John Burns as well as of John Wilkes, Sir Robert Walpole, who was Prime Minister in this country, Sir John Eliot, whose statute I hope will one day be erected within the precincts of Parliament, John Hampden, and even the Apostle Paul. In these circumstances, seeing that sometimes to-day imprisonment is an honour rather than a mark of shame, I hope the Minister will give the assurance, if this Amendment cannot be accepted, that at any rate the protest which has been made is one to which he will have regard.

6.30 p.m.

Sir REGINALD CRADDOCK: It will be remembered that the White Paper contains no provision for the exclusion of persons convicted of crimes of this kind. The question was considered by the Joint Select Committee, who decided by a vote that the law on that subject, which has existed for a considerable number of years, should be retained. It must be remembered, first of all, electors in India take quite a different view of these crimes from a British electorate, so that a man who had been committed of a disgraceful crime might, in the absence of a provision of this kind, be elected by an electorate in India.

The second point is that, in pursuance of what is called a political object, very dangerous and savage crimes are sometimes committed. For example, the terrorists are not always committing the crime of murder, but both they and other revolutionaries resort to a system of political dacoities for the purpose of raising money for their cause. In the course of these dacoities they torture people to get them to show where their property is, and very often tie up their hands in cotton wool, put kerosene on it, and make torches of them for the better lighting of the hut or house in which the dacoity is committed. Undoubtedly we have to make people of that kind ineligible for election, because in India the check of the electorate is not nearly so potent as it would be here.

One recognises, however, the kind of crime to which the Leader of the Opposition has referred, and for that purpose the period of disability does not extend to more than five years. It only deals with people who have been sentenced for a year or more, and the disability remains only for five years after that. Then in order to meet the kind of cases about which the right hon. Gentleman has spoken, the Governor-General, in his discretion, may in any particular case allow the disability to be removed in a lesser period. It seems to me that the Clause as drafted meets all the necessities of the case. It provides for those cases in which, naturally, desperate and dangerous criminals would not be

[Sir R. Craddock.]

elected in this country, but might be elected in India. These are debarred from getting into the Legislature for a long period. It provides also for persons whose offences are of a minor nature, involving no real moral turpitude, and who can be exempted from this disability after such shorter period as the Governor-General may determine. That having been already the practice under the Morley-Minto and Montagu-Chelmsford constitutions, it seems to me that it might well be continued under the new Constitution, having regard to all the circumstances which distinguish India from England in this matter.

I can give one instance to show the kind of difference in feeling that there is. I was instrumental at one time in getting a man convicted of a very gross forgery. In order to deprive another man of a field, he forged a complete set of accounts, which were absolutely bogus, and that was followed by a forged bond. He was sentenced to seven years, and when he was released a year before that time, on account of good behaviour, a very respectable banker met him at the gaol gate and offered him a new appointment, though he had not known him before. That shows clearly that people in India do not take the view of these matters that is taken here, and therefore, I suggest that the Clause be left as it is.

6.36 p.m.

The SOLICITOR-GENERAL: It may be for the convenience of the Committee if at this stage I say a word or two regarding the Amendment. As to the history of the matter, I think that under the Morley-Minto reforms of 1909 there was a similar disqualification, but it was for life, though it could be removed by the Governor. At the time of the Act of 1919 and the Southborough Committee, the period was reduced to five years, but I think there was no dispensing power. By 1925 the dispensing power was introduced, and the Sub-section which the Amendment seeks to leave out perpetuates in effect the present position. As my hon. Friend the Member for the English Universities (Sir R. Craddock) told the Committee, we are in this matter following the recommendation of the Joint Select Committee, who said they thought it would be unwise to abandon, as the White Paper proposed, this disqualification—which under the existing rules is subject to a dispensing power—on conviction for a criminal offence involving a sentence of imprisonment exceeding one year. The right hon. Gentleman rather suggested that this was being imposed on India by an authoritarian exterior force, but that is not so; the statement gives quite a wrong impression. If one looks at the constitutions of the Dominions, one finds a similar provision in the British North America Act, in the Constitution of Australia, and in the South Africa Act. The South Africa Act imposes a disqualification for five years after the imprisonment has expired, and it provides a dispensing power, but only in the case of an amnesty or free pardon. Being limited in that way, it is rather less wide than the dispensing power proposed in the present Bill.

Miss RATHBONE: Is the minimum disqualifying period of imprisonment one year?

The SOLICITOR-GENERAL: I did not want to complicate the matter with too much detail, so I said that there was a somewhat similar provision. The South Africa Act provides that a candidate shall be disqualified if at any time he has been convicted of any crime or offence for which he shall have been sentenced to imprisonment without the option of a fine for a term of not less than 12 months. Our own Local Government Act contains a somewhat similar provision with regard to candidates for election to local authorities. This is not something new in principle——

Mr. KIRKWOOD: Is it for a political crime?

The SOLICITOR-GENERAL: I cannot deal with more than one thing at a time. It is something in the first place which carries on what is already the rule in India; and, secondly, it is not something which is to be found in this Bill and nowhere else, but is a provision similar to that which other Dominions, who in effect drew up their own constitutions, thought it wise to insert in those constitutions as a reasonable provision. The hon. Member for Dumbarton Burghs (Mr. Kirkwood) asked if it was for a political crime. Under the words I have just read from the South Africa Act, it

is not; it is at large. I think the Committee will realise that there is great difficulty in trying to draw any line by words, and, indeed, it is undesirable.

The right hon. Gentleman asked us to consider the case of a man who was sent to prison for something which clearly would not be regarded by any sensible person as a disqualification for membership of the Legislative Assembly. That is provided for by giving the Governor-General a dispensing power, as is proposed in the Bill. It has been found to be, and I think the Committee will realise that it would be, difficult and undesirable to try to draw a line between the different types of crime. I admit at once that, as the right hon. Gentleman and other speakers have said, a number of good men have been in prison, but, on the other hand, it will not be disputed that a number of very bad men go to prison, and there are others outside as well. We provide for that by giving the dispensing power which has been used in the past, and which is certainly intended to be used in proper cases.

The right hon. Gentleman the Member for Epping (Mr. Churchill) put two points. He said, first of all, that this challenges, or appears to challenge, the general principle that when a man has served his sentence he is free and it is all over, but I think that in a Clause of this kind one is considering a different point. It is not a question of placing a further punishment on the man for his crime; the question is whether or not it is a useful provision in a Constitution that those who have served a sentence of this sort should be disqualified for a period of five years unless the Governor-General decides otherwise.

Mr. CHURCHILL: A very large number of persons have been confined under the civil disobedience movement. There must have been 200,000 persons, or something like that, practically all political classes. Is it not so?

The SOLICITOR-GENERAL: It would clearly depend upon the sentence. Undoubtedly they would be disqualified unless the dispensing power was used. I understand that it has been used.

Mr. GODFREY NICHOLSON: Surely the right hon. Gentleman is referring to the people who have been interned. Would they be affected?

The SOLICITOR-GENERAL: No. The right hon. Gentleman, to put his question properly, referred to the people who served terms of imprisonment. That is all that the Clause deals with. More detention would not bring them within the Clause.

Mr. ATTLEE: Is it not a fact that under the ordinances to which the right hon. Gentleman the Member for Epping (Mr. Churchill) referred, we had numbers of people who were sentenced to more than a year's imprisonment for simply leaving their houses and matters of that kind?

The SOLICITOR-GENERAL: I am told that the dispensing power has been freely used in the class of case to which the hon. Gentleman refers. I am trying to put the argument for the Clause in its proper perspective in a constitution of this kind. The second point which the right hon. Gentleman the Member for Epping made was that this impinges on the right of a democratic electorate to choose whom they wish to elect. I agree at once, and the question before the Committee is whether it is wise in this constitution as in the South African, and, in slightly different terms, in the Canadian and Australian, to have a provision of this kind.

Mr. McGOVERN: Did you do it in the Irish Free State constitution?

The SOLICITOR-GENERAL: I do not think we did. We are not anticipating an ugly rush from the Andaman Islands to the hustings throughout British India. This is a less ambitious Clause than that, but it is a Clause which may well be of use in preventing undesirable circumstances and incidents arising, and one to which existing governments in India attach some importance, and we do not believe that it will have the evil results which have been suggested.

6.48 p.m.

Mr. MORGAN JONES: There is an old saying that

"A fellow-feeling makes one wondrous kind,"

and the reason I rise to speak on this matter is that as an old lag I feel very keenly for those who are to be visited with this political disqualification in India. I am very much obliged to the

[Mr. Jones.]

hon. and learned Gentleman—and I am sure that I speak for a very large class in this country—when he says that he regards very many of them as very good men very badly used. It is very kind of him to give that testimonial. But the point which the right hon. Gentleman the Member for Epping (Mr. Churchill) made still stands. It has not been adequately controverted. He said that there are two points involved in this Clause. One is that once a person has been imprisoned he is presumed, anyhow, in this country, to have paid the penalty for his crime whatever it may have been. The second point is that the Clause involves an interference with the right of electors to determine who should represent them in their Parliament. Many Members who have already spoken on this matter have shown how this Clause, if it had been applied in this country, would have involved famous characters in our political history, and the same thing applies in India. The right hon. Gentleman the Secretary of State for India knows that one of the first Ministers to operate the reforms in India was Sir Surendranath Bannerjee who was a leading agitator against the partition of Bengal. Although he had been in prison, he was in due time elevated to a position of great authority and of political leadership in his country. That is not the only instance. Many other similar and parallel instances could be cited to the Committee to show how a person who to-day may be regarded as following a somewhat criminal course of procedure may to-morrow be elevated to the position of great government trust. There are many instances which can be stated in our own country in recent years of the operation of that same fact.

This proposal is very stupid on two grounds. I remember that this very disqualification was applied to me. I took a certain line in respect to the late War for which I paid the penalty, as it is said, but in addition to that I was mulcted in the penalty that I should not for a period of five years exercise the right of an elector, and yet I was returned as a Member of this House before the five years disqualification had been exhausted. It is an extremely difficult thing to apply a proposal of this sort. You have to keep very close touch with each of the individuals who are so disqualified. I do not mind saying now that I was able to evade the disqualification. I became an elector very quickly. But here you have an electorate of millions of people and you have to keep a very close record of the tens of thousands, or perhaps more, who are scattered all over India. How can you possibly do it? If they move from the area where they originally lived to some other area, how can you be sure that their names do not get on the register? What is the good of passing legislation like this?

The DEPUTY-CHAIRMAN (Captain Bourne): I think that the hon. Gentleman is misunderstanding the purport of the Amendment. It does not affect the electors, but the elected.

Mr. JONES: That is quite true. Perhaps I strayed a little too far, and I will abandon the argument on that point. Let me take the other point. It is foolish because it is very difficult to keep a man out, and it is also foolish because we ought not to attempt to keep him out, and for this reason. Let us remember that there are undoubtedly tens of thousands who participated in the civil disobedience campaign in India who will be affected by this Clause and precluded from election to Parliament. Who are these people? They are, in the main, young Indians. They are young people who might have been misguided but who believed very intensely that they were, according to their lights, serving their country. I know that the law can say to-day that this shall be done and that shall not be done, but there comes a time when individual citizens of the State have to determine for themselves whether they ought even to obey the law. I recall these lines, I forget who wrote them, but they run something like this:

> "We owe allegiance to the State but truer, deeper more
> To the consciousness which God hath within our spirit's core.
> Our country claims are fealty. We grant it so. But then
> Ere man made us citizens, great Nature made us men."

I think it is something like that which implies the feeling that they must serve their people whatever the law says. That has governed and dominated the minds of these people. They are not vicious people by nature or by intent, but they

have felt that the condition of their country demanded, temporarily anyway, that they should set the laws of their country at defiance. They are young people, and if their enthusiasm and their deep feeling were properly directed on behalf of the country and for the help of the State, they would prove to be people of tremendous worth to the community to which they belong. If you adhere to this particular Clause, not only will you find it hard to apply in practice, but if you apply it in practice you will only alienate that large body of young people, who, in the condition of the new constitution, ought to be summoned to the aid of the new Indian Government. It may sound a comical thing to many people, but the Government need not create new difficulties, as there will be plenty of difficulties in any case. If they can only summon to their aid and mobilise this wonderful feeling of good will in the country which these young people, mistakenly perhaps, have shown in other ways, I think that the Government will do well to do so.

There were tens of thousands of young people involved in the civil disobedience movement. Some of the offences were very small, and to us seemed paltry. If the Courts which presided over those cases had known that there was a possibility of these young people being disqualified in the sense of this Clause, the chances might have been that the sentences would have been deliberately below 12 months so as not to disqualify them from the function we are discussing. I think that the Government are blundering unnecessarily at this point, and adhering to something which they might easily overlook. They should start with a clean slate as far as possible. They should draw the sponge over these dreadful records of the past and let these young people begin in an atmosphere of good will towards the new constitution which we are now forging in this country. For that reason I support the Amendment.

6.44 p.m.

Miss RATHBONE: I want to appeal to the Secretary of State and to ask him whether, if he feels it necessary to have a Clause of this sort, he can at least make a longer disqualifying sentence than 12 months. My hon. colleague the Member for the Combined English Universities (Sir R. Craddock) spoke of disgraceful crimes, which, he said, ought to disqualify the persons concerned. We shall all, perhaps, agree that such crimes should disqualify a man from being a member of a legislative assembly, but surely crimes of that sort usually receive a severer penalty than one year. The objectionable feature about this particular period is that it is just the period that may very well catch a large number of people of the kind to whom some of the previous speakers have alluded—people who have not committed any disgraceful offences, but are definitely political offenders and who, because they are political offenders, may be too proud to appeal for a special privilege from the Governor-General.

Three years ago I was in India at the time when the ordinances were being operated on a very wide scale and there were at that time an immense number of cases of this sort. A man or woman might be put under preventive detention for a period of two months. After the lapse of two months he would be released on the understanding that he reported to the police about every 24 hours. There were cases, however, where, if a man did not report almost within two hours of being released, he might be brought before the courts and receive a further sentence of six, or even 12 months, with the addition of a fine, which, if not paid, would result in a further period of three months imprisonment. I should like to know the number of people who would have been affected, if the new constitution had come into effect three years ago, as compared with to-day. Let us suppose—I hope it will never happen—there is a recrudescence of the civil disobedience movement followed by drastic measures. Do the Government really think it desirable that all people who committed political offences should be disqualified? I doubt if the effects of such action would be desirable. I should think they would want to get the flamboyant politicians into harness, into the regular stream of political life, where they would be more likely to give up their career of militancy. I would ask the Secretary of State whether he could not seriously consider, before reaching the Report stage, making this Clause a little less drastic, making the period two, three or five years, so that only the really serious offenders would be affected and that the minor offenders,

[Miss Rathbone.]
who might include political offenders at a time of political excitement, would not be included.

7.3 p.m.

Sir STAFFORD CRIPPS: I should like to make one suggestion. I do not know whether the right hon. Gentleman would consider dealing with a particular section of individuals for exemption? Would it not be advisable to extend the exemptions to all cases of political offences, rather than exercising exemption in the case of particular individuals? This would not get over all the objections to this Clause, but it would make it less objectionable if it did not apply to individuals chosen as individuals, but generally to certain types of political offences. Then all people guilty of such an offence would be freed automatically without having to go before the Governor-General.

7.5 p.m.

Mr. KIRKWOOD: I want to support the rejection of this Clause. We are here giving a new constitution to India, granting it the benefit of our experience. The experience of this House is unique in dealing generously with people and peoples with whom we have formerly differed. For example, there was the suffragist movement when women were sent to prison and were considered outcasts. I remember two women horsewhipping the then Prime Minister, Mr. Asquith. I remember their being put in gaol. All manner of things were thrown at them and they were called all manner of names, and the people of this country believed they were these things. Yet we live to see no less a personage than the Lord President of the Council unveiling a statue to Mrs. Pankhurst, who in her day and generation was an outcast. The hon. Member for Bridgeton (Mr. Maxton) was at one time jeered at. I myself have been not only jeered at but deported during the War, and that was no laughing matter. It was considered at that time that we ought to be put away, and that by people who thought better of its afterwards and sent us here.

The Solicitor-General mentioned South Africa. I interrupted him purposely because I wished to arouse the attention of the Committee with regard to South Africa. I am anxious that we should deal with our fellows in India just as generously and as intelligently as we deal with ourselves. I ask that we should treat the Indians just as generously as we treated the South Africans. In 1928 it was my privilege to be one of a delegation from this House to be the guests of the Canadian Government, along with representatives from every Parliament in the British Empire. On that occasion there were a number of delegates from South Africa and one, who was a member of the South African Parliament, had lost his leg fighting against us in the Boer War. One of the most outstanding statesmen in the world to-day, whose name is continually trotted across the Floor of the House, who is one of the most respected men in the British Empire, took arms against the British Empire—General Smuts. He was quite right. Is there any man who regrets the granting of those powers to give them the right to become part of the British Empire? Yet here we are putting strictures in this Clause on men and women of hardihood who have risen from a race that has been crushed.

What is the history of India? I have not been in India. Many of my colleagues have been there. Everyone knows the awful conditions under which the majority of the Indian peasants live, move and have their being, even under the British regime. From them have risen men and women who knew that if they took a certain line of action they stood the chance of being imprisoned, of being thrown into gaol, or being deported, as I was. None of these individuals is a bad man or woman. They were actuated with the highest sentiments that enter the human mind, sacrificing themselves on behalf of their fellows. It is not true to say that only a few individuals will be affected: there is an army who will be affected. The Secretary of State has granted me more concessions for Communists in India than I have ever obtained from any other Secretary of State during my service in this House in the last 14 years, even more than I got from the Labour Secretary of State for India. Therefore, I appeal to him, for there is nothing he need regret in what he did; I appeal to his sense of fairness on behalf of the individuals who will be affected by this Clause. I ask him now to be courageous, and to extend to Indians the right hand

of friendship and to trust them. We are strong enough. A great, powerful Empire like the British Empire can afford at this moment to act in a generous fashion towards those individuals who will be implicated.

Will the right hon. Gentleman withdraw or modify this proposal in such a way as to ensure that individuals, irrespective of what they may have done, will receive fair treatment? It is no use trying to understand the history of the past few years, unless we benefit by the mistakes of those who have gone before. That is the only service of history to us to-day. The history of the political life of this country during the War and immediately following it places the Secretary of State in a position to know the people with whom he differed seriously and at one time thought a menace to the country. The fundamentals are here. This is a concession. This is what they have been fighting for. This is what they were prepared to die for. Let it be demonstrated to the Indians that Britain is in earnest, that this House intends, and that the Secretary of State for India intends to make it easier for the poor people of India to do right, whereas formerly it has been so easy for them to do wrong.

7.15 p.m.

Sir S. HOARE: I thank the hon. Member for Dumbarton Burghs (Mr. Kirkwood) for his tribute to myself and, much more important, for his tribute to this very excellent Bill. I, like every hon. Member, approach this question with a good deal of prejudice against these types of disqualifications. We have grown up in a different atmosphere. We do not like these disqualifications. Here in England we have come to think, and rightly so, that on the whole such disqualifications would have been unnecessary in our position. In many cases they would have been mistaken if they had been applied. What a calamity, for instance, it would have been if for a term of years the hon. Member for Caerphilly (Mr. Morgan Jones) had been debarred from the service of this House. What a calamity it would have been if there had been a series of other exclusions of the great men whose names have been quoted in our Debate this afternoon. We all approach this question from that point of view. Here these disqualifications would be unnecessary. In actual fact they could be proved to be wrong.

Let the Committee for a moment think equally impartially about the position in India. I do not want to state the case too high. I want rather to put it before the Committee and to leave them to judge of the actual facts. In India, as in the case of other Dominions, a disqualification of this kind has been found to be necessary. In India, unlike the case of the other Dominions, the dispensing power has been very freely used. I will take, as an instance, and it is the best instance that I can give, the use of the dispensing power before the last election for the Indian Legislature. The election came at the end of a period in which many thousands of men and women had been convicted for civil disobedience offences. The dispensing power was used, I think I am right in saying, in all cases in which there had been no conviction for incitement to violence. The use of the dispensing power in actual practice was particularly noteworthy. If hon. Members will look at the present constitution of the Assembly they will find that practically every member of the Congress Party who has been returned as a result of the last election had the dispensing power given in his favour and was free to stand. I make that point to show that the dispensing power has been used in such a way as to prevent the exclusion of the kind of people who have been so much in the minds of hon. Members this afternoon.

Consequently, I was myself in some doubt as to the necessity for a disqualification of this kind. The Government did not insert it in the White Paper proposals. The proposal was inserted during the discussion in the Joint Select Committee, and I made it my business, upon the request of the Joint Select Committee, to inquire the views of the Government of India and of the Provincial Governments. I found that, without exception, they were all strongly in favour of a disqualification of this kind remaining, provided that there also remained the dispensing power... Particularly did I find the Government of Bengal very definite upon the question. We have been assuming in the discussion this afternoon that we are dealing with the activities, misguided it may be, of

[Sir S. Hoare.]

none the less sincere people whom none of us really wish to be excluded from the Indian Assembly. But do not let us ignore the blacker side of the picture. Not the civil disobedience business, not the people who have been guilty of little more than political agitation, but the really dangerous terrorists with whom we have been fighting and are fighting a very grave battle in Bengal, as a result of whose activities not only our own fellow countrymen but also Indian members of the Services have been and in some cases are in great danger.

The Government of Bengal, faced on the spot with that grim danger, took the view that a disqualification of some kind is necessary, or you will have, in view of the kind of emotional excitement that is apt from time to time to spread over people, some of these dangerous terrorists, after the expiration of their sentences, standing and using their candidature—this is a point made by the Government of Bengal—for the purpose of spreading terrorist propaganda, and then possibly being returned to the Bengal council. I believe that that kind of thing could never happen here, but it is the kind of thing that might well happen, in view of the highly emotional atmosphere, in Belgal. On that account I am loath to disregard the serious warning given to me by the Government of Bengal against withdrawing a disqualification of this kind. I have, however, been impressed in the course of the Debate by the appeal that has been made to me by various Members of the Committee, by the hon. Lady the Member for the English Universities (Miss Rathbone) and by the hon. Member for Dumbarton Burghs, to draw a distinction, if a distinction can be drawn, between the class of people whom I think we all wish to admit to the Indian Legislature, namely, the political agitator who, from the point of view from which we have been discussing the question, is not a danger to the State; to draw a distinction between that class of person and the dangerous criminal to which I have just referred.

In view of what has been said I will look again into the question to see whether we can make the dispensing power attached to the disqualification apply to classes rather than to individuals and whether we can safely make a change in the length of time, namely, 12 months sentence, which is the disqualifying period. I cannot give that undertaking without saying at the same time that I must consult again the Government of India and the Government of Bengal, but I give the undertaking, subject to what they say, that I will give the question sympathetic consideration.

7.26 p.m.

Mr. MORGAN JONES: I have been very much impressed with the words that last fell from the right hon. Gentleman. I understand that he does not commit himself finally except to an examination of the matter. On that understanding I should like, on behalf of my hon. Friends, to ask leave to withdraw the Amendment, also on the understanding that we reserve to ourselves the right to examine any new proposals which the right hon. Gentleman may feel able to submit when we come to the Report stage.

7.27 p.m.

Mr. CHURCHILL: I think it has been a very good thing that we have explored this question. I raised my aspect of the matter for the purpose of eliciting from the Government a statement on the situation, but I little expected that the consequence of that would be the very grave offer and admission to which the Secretary of State has just given expression. When I spoke in perhaps a jocular manner of persons returning from the Andaman Islands to the Indian Parliament, I little thought that my right hon. Friend, in terms of the gravity of which the Committee must have felt immediately conscious, would have told us that there is real danger of dangerous terrorists, persons engaged in the gravest forms of terrorism, standing for the Legislature of Bengal in particular and being elected for the Bengal Assembly, unless this bar is put in their path. Be it observed that it is indirect election that we are talking about. Therefore, it is not a question of—I think the right hon. Gentleman said—mass emotion sweeping a constituency and influencing poor and more or less ignorant electors. These dangerous terrorists—the importance of the admission must not be lost sight of in the country—guilty of the worst of crimes, will be likely to be elected in Bengal by the Provincial

Legislature of Bengal and sent to the Federal Assembly from that Legislature. That is the admission that has now been put before us. [HON. MEMBERS: "He did not say that!"] If I am wrong I shall be delighted to be corrected.

Sir S. HOARE: I was arguing the question on general lines. This Clause goes into the provincial chapter as well as the federal chapter. In my argument I may have been arguing the provincial case more than the federal case but I should certainly say that it is to me almost inconceivable that a terrorist could be returned by indirect election in any Province. But I equally say that if the disqualification remains in the federal part of the Bill it is difficult to remove it from the provincial part.

Mr. CHURCHILL: The right hon. Gentleman wants to have it both ways. But the fact remains that he was thinking more of the provincial than of the federal part, and the federal part is the only one which it is in order to discuss on this Clause. We all heard what he said clear and plain, that but for this bar dangerous terrorists would be chosen for the Federal Legislature by the Provincial Legislature of Bengal. That is a most grave and serious admission, and after such a statement I cannot support the Clause. If it is a fact that under this constitution the Provincial Legislature of Bengal may select dangerous terrorists and send them to the Federal Legislature then all I can say is that I hope this will be noticed by people outside these doors.

7.32 p.m.

Mr. McGOVERN: I have listened with interest to what the right hon. Member for Epping (Mr. Churchill) has had to say. He was a great antagonist of alleged terrorists in Ireland, but, nevertheless, he went down and met these alleged terrorists and handed them over a constitution which gave them the right to become members of the legislature in the Irish Free State, and also the right to run the finances of the country. I know it must be expected that there will be these tremendous contradictions when men are in or out of office. I am rather surprised at the attitude of the Government. I can quite understand them looking with loathing upon anything in the nature of assassination and murder. I have no love for crimes of that description; and political assassinations, whenever they take place in whatever civilised society, should not be tolerated by any constitutional government. In this case the Government are attempting to prevent those who have probably been some of the most active elements in India during the political struggle for a constitution and the right to run their own country, being elected to the legislature. Because men have been guilty of political crime it does not mean that under a constitution of their own they would not be quite good citizens and capable men. Men who have taken a leading part in agitation and seditious utterances are on occasions likely to be thrown by the mass of the people into positions simply because of the attitude they have adopted towards the government of the time.

I remember reading in connection with a history of the Russian revolution that Lenin himself was compelled to warn people that they must not continually send men into the Soviet whose only ability and qualification was that they had been imprisoned for agitating for a socialist and communist state. He said that because a man is a good rebel and agitator it did not necessarily mean that he was a capable administrator, and he told the people that a man must be elected because of his ability as an administrator, not because of his ability as a rebel. That is good logic, and I agree with it. But the Government have pursued a policy in Great Britain which is diametrically opposed to the line they have taken in India. The Noble Lord the right hon. Member for Hastings (Lord E. Percy) said the other day that at one time we treated the rebels, the trade union leaders and agitators, with odium, we ostracised them, but that we had now changed that policy and were inviting them to have a cup of tea and take part in our discussions. The Secretary of State will agree, I think, that the policy of the cup of tea has been eminently successful in this country. And in India such a policy would be helpful. The hon. Member for Caerphilly (Mr. Morgan Jones) said that he was an old lag and had endured imprisonement during the War. I think the Secretary of State will agree that it would have been a disaster if we had been deprived of his company, advice and co-operation during the last four or five years.

[Mr. McGovern.]

Incidentally, the hon. Member for Caerphilly, who was debarred from service in this House through exercising the conscience clause, was a member of the Government who imprisoned Indians in India because they also exercised the conscience clause. These people have a right to consideration. There are many people in India to-day imprisoned as rebels or administrators who may be the future statesmen of the country. We have to take stock in this case, just as we did in the case of Ireland. If you deny a people the right to run their own country you drive them into underground channels, you make rebels of them against the Empire which controls their country. These agitators in India are mainly responsible for the Bill, and you are going to say that although they have taken part in the development of political consciousness in India they are to be penalised because we cannot envisage the time when India will be handed a constitution. The Government have quite enough security. They have put this constitution through a very fine mesh, and made it so that no real proletariat in India will be able to get into these assemblies. They are determined to prevent those who have gone to prison for political crimes having a part in the administration. If these men and women are capable of taking their part in these institutions the Government have no right to penalise them because they have taken part in agitation. The right hon. Member for Epping met the late Michael Collins, who everybody agrees was responsible for taking a gun in order to force the Government of this country to grant Ireland a constitution.

If there were no parliamentary institutions in this country but a complete dictatorship, the Secretary of State and the Attorney-General are just the types of people who would be most active in the revolutionary forces and would be prepared to use the gun in order to force a constitution on the country. In India, if the Government were wise, they would concede to them not only the right to rule themselves, but would say that they were going to invite the rebels and the terrorists of the past into the councils of the nation. They would say to them, "Give us the benefit of your knowledge and administrative ability. We will admit you, and probably at some future date you will be decorated by the King Emperor." That is what I should say if I were an intelligent Conservative, and I agree that there are intelligent Conservatives in this country. There is the right hon. Member for Clay Cross (Mr. A. Henderson) at the Disarmament Conference. He is a Member of the Opposition, and there is the hon. Member for Bridgeton (Mr. Maxton), who spent 12 months in prison for seditious utterances during the War. No one will say that the wisdom and agitation of the hon. Member for Bridgeton is not desirable in a working-class movement. I am amazed at the attitude of the Government which is supposed to be intelligently led. It is led by a man——

The DEPUTY-CHAIRMAN: The hon. Member is now getting very wide of the Amendment.

Mr. McGOVERN: I was only going to say that it was led by a man who may have been imprisoned during the War for utterances which he made. Many men went to prison for more moderate utterances than those which the Leader of the Government made during the War. The policy of the Government is absolutely wrong. They should pursue the policy of the cup of tea. Invite the rebels into the drawing room, treat them good and well, give them their place in the constitution, wean them from their rebel attitude and make statesmen of them. By doing so the Government would be doing the wisest thing from the point of view of India and the British Empire.

7.44 p.m

Major-General Sir ALFRED KNOX: I hope that the Secretary of State will not weaken on this Clause. The hon. Member for Shettleston (Mr. McGovern) will no doubt consider me as a not intelligent Tory, and I shall be proud if he does so. I consider that he does not know anything of the conditions in India. Any chance that the Bill has of being successful will be utterly wrecked if you allow people who have served 12 months in prison to be sent to the legislature. The Secretary of State has said that under the present Federal system dispensing power had to be exercised in the case of all the members who were returned by the Congress party. Look at the result. You have Government Measures continually being turned down by the present Legislative Assembly, and I suppose that

when you get this Bill working, you will want some system of peace and good will. If people in India are imprisoned for 12 months, it is for some good reason, and we do not want them to represent their country in Parliament. I sincerely hope the right hon. Gentleman will not weaken on this Clause. If he does, we promise him the most strenuous opposition in this respect.

Sir S. CRIPPS: As the Committee did not wish this Amendment to be withdrawn, and it will, therefore, be put to the vote, we shall, of course, support the deletion of the Clause.

7.46 p.m.

Mr. BUCHANAN: This is only the second time that I have intervened in these Indian Debates, and I rise merely to reply to the hon. and gallant Member for Wycombe (Sir A. Knox). What are the facts about men who get imprisoned? The dangerous men, as a matter of fact, never get sent to prison. Let me put the case of the general strike and look at the facts. During the general strike many men were sent to prison, but it was not the men who led the strike. In 99 out of every 100 cases—and this applies in India as well as in Britain—it is the simpletons who get sent to gaol, the mugs, and that is the fact. Nothing annoyed me more than this. I remember during the general strike, after the strike was over, you deprived every man who was active in the strike of his office as a justice of the peace, and it was impossible for him to sit on the bench, but the same week as you did that the leaders of the strike were invited by the Government to go to Buckingham Palace, and they met everyone there. The poor lost their seats on the bench, but the leaders went to Buckingham Palace. That is what happens always, and here you strike a penal Clause at the innocent and the simpletons who get sent to prison. That is the first point that I want to make. The second is——

Mr. WISE: Does the hon. Member then want to get the simpletons into the Legislative Assembly?

Mr. BUCHANAN: No, but I want to secure the right of people to be in it if the folk who elect them wish them to be in it. I am a simpleton in this House, and may I say to my Labour friends that I find difficulty in following them in this matter. They plead for the right of free election in India, but I often wish they would extend it to this country. It may be a personal grievance, but there is nevertheless reason to state it. To-day I am deprived of being a trade union Member of Parliament, and——

The DEPUTY-CHAIRMAN: I think the hon. Member is getting rather far from the Amendment.

Mr. BUCHANAN: That may be, but you can draw the analogy that they too practise disqualification. I am for free election, and I say that every time you put in any kind of impediment, your impediment never does what you set out to do. Generally speaking it puts out the wrong person, and it is no guarantee against the person at whom you are aiming. I say that you are going in for free election or semi-free election. In certain Chambers it is direct and in others it is indirect, but in this part of the Bill we are discussing indirect election, and I say that inasmuch as you have agreed to do that, please allow anybody at all to stand. I hope, Captain Bourne, you will not stop me from saying that the terrorist is very like the street bookmaker, who does not make the book himself but tells someone else to do it for him, and the so-called terrorist here simply sets up another person to do his work and does not get sent to gaol himself. He puts his nominee there, his other person, the person who may just do it for him under a *nom de plume*. Therefore, your Clause will do nothing at all useful, and I trust the Government will give absolutely free election in these matters and will disqualify no one merely because he has been in prison.

Question put, "That the words proposed to be left out, to the word 'or' in line 27, stand part of the Clause."

The Committee divided: Ayes, 270; Noes, 36.

Division No. 92.] **AYES.** **[7.54 p.m.**

Acland, Rt. Hon. Sir Francis Dyke	Allen, Sir J. Sandeman (Liverp'l, W.)	Aske, Sir Robert William
Acland-Troyte, Lieut.-Colonel	Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Assheton, Ralph
Adams, Samuel Vyvyan T. (Leeds, W.)	Amery, Rt. Hon. Leopold C. M. S.	Atholl, Duchess of
Agnew, Lieut.-Com. P. G.	Anstruther-Gray, W. J.	Bailey, Eric Alfred George
Albery, Irving James	Apsley, Lord	Baldwin, Rt. Hon. Stanley

Balfour, George (Hampstead)
Balniel, Lord
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Belt, Sir Alfred L.
Benn, Sir Arthur Shirley
Bernays, Robert
Blindell, James
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Brown, Brig.-Gen. H.C. (Berks., Newb'y)
Browne, Captain A. C.
Buchan-Hepburn, P. G. T.
Burnett, John George
Butler, Richard Austen
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Caporn, Arthur Cecil
Carver, Major William H.
Cautley, Sir Henry S.
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Col. R. (Houghton-le-Spring)
Chapman, Sir Samuel (Edinburgh, S.)
Christie, James Archibald
Clarry, Reginald George
Clayton, Sir Christopher
Cobb, Sir Cyril
Colfox, Major William Philip
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Cranborne, Viscount
Craven-Ellis, William
Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Col. C. de Windt (Bootle)
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Crossley, A. C.
Culverwell, Cyril Tom
Davidson, Rt. Hon. J. C. C.
Davies, Edward C. (Montgomery)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Denman, Hon. R. D.
Denville, Alfred
Donner, P. W.
Doran, Edward
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eady, George H.
Eden, Rt. Hon. Anthony
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine-Bolst, Capt. C. C. (Blackpool)
Evans, Capt. Ernest (Welsh Univ.)
Everard, W. Lindsay
Fielden, Edward Brocklehurst
Fox, Sir Gifford
Fremantle, Sir Francis
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
Gilmour, Lt.-Col. Rt. Hon. Sir John
Gledhill, Gilbert
Goff, Sir Park
Grattan-Doyle, Sir Nicholas
Greene, William P. C.
Grenfell, E. C. (City of London)
Gretton, Colonel Rt. Hon. John
Griffith, F. Kingsley (Middlesbro', W.)
Grigg, Sir Edward
Grimston, R. V.
Gritten, W. G. Howard
Guest, Capt. Rt. Hon. F. E.
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Harris, Sir Percy
Hartington, Marquess of
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Heneage, Lieut.-Colonel Arthur P.
Hepworth, Joseph
Herbert, Major J. A. (Monmouth)
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Horsbrugh, Florence
Hudson, Robert Spear (Southport)
Hunter, Dr. Joseph (Dumfries)
Hunter, Capt. M. J. (Brigg)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Hurst, Sir Gerald B.
Hutchison, W. D. (Essex, Romford)
Inskip, Rt. Hon. Sir Thomas W. H.
James, Wing.-Com. A. W. H.
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Johnston, J. W. (Clackmannan)
Jones, Sir G. W. H. (Stoke New'gton)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Keyes, Admiral Sir Roger
Kimball, Lawrence
Kirkpatrick, William M.
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lennox-Boyd, A. T.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Noel Ker
Llewellin, Major John J.
Locker-Lampson, Com. O. (H'ndsw'th)
Lockwood, John C. (Hackney, C.)
Lockwood, Capt. J. H. (Shipley)
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
MacAndrew, Capt. J. O. (Ayr)
Macdonald, Sir Murdoch (Inverness)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Major Sir Alan
Mallalieu, Edward Lancelot
Mander, Geoffrey le M.
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Mitchell, Sir W. Lane (Streatham)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shepherd
Munro, Patrick
Nail, Sir Joseph
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Nicholson, Rt. Hn. W. G. (Peters'fld)
Normand, Rt. Hon. Wilfrid
Nunn, William
O'Connor, Terence James
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Perkins, Walter R. D.
Petherick, M.
Pickthorn, K. W. M.
Pownall, Sir Assheton
Pybus, Sir John
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rea, Walter Russell
Reid, David D. (County Down)
Reid, William Allan (Derby)
Renwick, Major Gustav A.
Rhys, Hon. Charles Arthur U.
Rickards, George William
Roberts, Aled (Wrexham)
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salt, Edward W.
Samuel, Sir Arthur Michael (F'nham)
Samuel, Rt. Hon. Sir H. (Darwen)
Scone, Lord
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Soper, Richard
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stones, James
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Templeton, William P.
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Thorp, Linton Theodore
Titchfield, Major the Marquess of
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Todd, A. L. S. (Kingswinford)
Touche, Gordon Cosmo
Train, John
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wayland, Sir William A.
Wells, Sydney Richard
White, Henry Graham
Wills, Wilfrid D.
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Wise, Alfred R.
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Wragg, Herbert
Young, Rt. Hon. Sir Hilton (S'v'noaks)

TELLERS FOR THE AYES.—Sir George Penny and Dr. Morris Jones.

NOES.

Attlee, Clement Richard	Grenfell, David Rees (Glamorgan)	Milner, Major James
Banfield, John William	Griffiths, George A. (Yorks, W. Riding)	Nathan, Major H. L.
Batey, Joseph	Grundy, Thomas W.	Parkinson, John Allen
Buchanan, George	Jenkins, Sir William	Salter, Dr. Alfred
Cape, Thomas	Jones, Morgan (Caerphilly)	Smith, Tom (Normanton)
Cleary, J. J.	Kirkwood, David	Strauss, G. R. (Lambeth, North)
Cocks, Frederick Seymour	Lawson, John James	Thorne, William James
Cripps, Sir Stafford	Logan, David Gilbert	Tinker, John Joseph
Daggar, George	McEntee, Valentine L.	Williams, David (Swansea, East)
Davies, David L. (Pontypridd)	McGovern, John	Williams, Thomas (York, Don Valley)
Foot, Dingle (Dundee)	Maclean, Neil (Glasgow, Govan)	
Gardner, Benjamin Walter	Mainwaring, William Henry	TELLERS FOR THE NOES.—
George, Megan A. Lloyd (Anglesea)	Maxton, James	Mr. Groves and Mr. G. Macdonald.

Motion made, and Question proposed, " That the Clause stand part of the Bill."

8.0 p.m.

Mr. MOLSON: I would like to ask the Secretary of State whether there is anything which prevents someone being at the same time a member of a provincial council and of the Federal Legislature. I think it is extremely desirable that people with experience of provincial problems should be able to sit and put their point of view. I think that it is the intention of the Government that it shall be possible for a man to sit in both Legislatures.

8.1 p.m.

Sir S. HOARE: Both the Committee and the Bill have left the question open. There is no disqualification against a member of a provincial council sitting in the Federal Legislature, although my hon. Friend will at once see that there will be difficulties as to time and space and so on in his way. The Committee left it open, and we have left it open in the Bill.

Question put, and agreed to.

Clause 27 ordered to stand part of the Bill.

CLAUSE 28.—(*Privileges, etc. of Members.*)

8.4 p.m.

Brigadier-General CLIFTON BROWN: I beg to move, in page 16, line 23, after " proceedings," to insert

" except in respect of incitement to treason, mutiny, murder, arson, riot, sedition, and civil disobedience."

I think that if we are putting this democratic constitution on Indians, who are not accustomed to it, it does not necessarily follow that all the privileges we can enjoy in this House are what they want or what is best to carry on the Legislature there. We have to take account of our own character in a Northern climate and of the Indian character in a hotter climate, and we must admit that East is East and West is West, and that in those hotter climates the people are much more likely to see red, and the effect of that is much more serious than it is over here. Crimes of incitement to murder, arson and riot are not looked on in India as they are here. I have seen a man condemned to three years' imprisonment for killing another man in Kashmir, while next door to him there was a man who got 13 years' imprisonment for killing a cow. These crimes are much more common and dangerous and have a more far-reaching effect, and they have spread like a veldt fire among the people.

We open the door to terrorists and others to get into this Assembly, and we saw from the experiences in 1931, when Congress incited to treason and riot, what a serious question it became. There are numerous examples. My second point is that the members of the Assembly itself, a young Assembly, will be anxious to be protected from firebrands. They may be terrorised in the House itself, a young House, with curious and very energetic speeches, and they may be afraid even for themselves and of what may happen to them at home if they disagree with some firebrand. They may get into the same way themselves, and not argue as we do in a calm atmosphere, but carry things to extremes. Indians have not shown very much strength of mind in having to deal with difficult situations which may arise as the result of firebrands. The Speaker would like some language in this Bill which would enable him to warn a member that he may be held responsible for treasonable utterances which will incite the mob to riot. It is because I think that it would be a protection for the Indian members themselves who would desire to start in a proper debating style that I move my Amendment. The more

[Brigadier-General Brown.]
one knows and reads the history of India the more one sees that it is likely to be a very riotous assembly unless certain protection is given in the way of not giving them all the privileges that we have.

8.9 p.m.

Brigadier-General Sir HENRY CROFT: I rise only for one moment to support the Amendment that has been proposed by my hon. and gallant Friend with his knowledge of India. I do hope the Government will consider this Amendment favourably and accept it, because whatever our views may be with regard to the reforms, the one thing which above everything else we want to see is that the Government of India is of a peaceful character and that it is orderly. Everybody is aware that nothing that we can do in this Bill, in these reforms, in any way can mitigate for a long period of time the intense feeling there is between the various communal sections of the people of India, and it is an undoubted fact that if you once allow the propagations of ideas in Parliament where you get intense divisions of opinion upon religious issues particularly, you will turn your Indian Parliament right from its inception into a perfect bear garden. I would only remind the Committee very briefly that at the time of the Cawnpore massacre some 2,000 people suffered death simply because the Hindus proclaimed a hartal, which meant the cessation of all business, in order that they might protest against the execution of the murderer of a British administrator at Lahore. When you can see that happening, that extraordinary feeling which is created, involving that massed murder, it must be clear that if we are really to see parliamentary institutions developed upon the kind of lines we hope for in this country, we must do everything in our power to eliminate the kind of incendiarist speeches which we would never dream of in this country, but which you would get in India with one man calling upon his colleagues to demand certain measures. I believe that in the interests of the kind of constitutional government the Government desire to see in India it would be wise to accept this Amendment.

8.12 p.m.

Mr. MORGAN JONES: The question of religion would not be covered by this Amendment at all. This Amendment would not affect it in any way whatever.

Sir H. CROFT: What I meant was that you may get a sudden incitement to riot or to arson or murder. It has happened again and again, and the only reason that I mentioned religion was because religion was uppermost. I had a letter from the late head of the whole of the orthodox Hindus just before his death in which he told me that this Measure must inevitably lead to strife and disturbances, leading to great difficulties and possibly to widespread massacre, and it is because I realise that fact that I am urging the Government to consider whether it is not possible to insert this Amendment and render these possibilities less likely.

8.12 p.m.

Mr. MORGAN JONES: I wonder if hon. Gentlemen think that it is worth while putting this Amendment in? Nobody in this House—as far as I know, nobody in this country—wants to support murder, arson, riot and so on. But is it not best that the Indian people in their own legislature should draft their own rules governing their discussions? Let us not try to keep these Indian people constantly in leading strings. I have not read reports of all the discussions in the Legislative Assembly that there is in India now, but I wonder if there has been anything that justifies an Amendment like this? Have there been many incitements to treason? Have there been any incitements to mutiny, murder, arson, riot?

Brigadier-General BROWN: What about the happenings in 1930 and 1931, and Cawnpore?

Mr. JONES: The hon. and gallant Gentleman wants to put the new central Legislature in certain leading strings. He wants to limit the power of the people in the new Parliament. Has he any evidence from the discussions of the present Legislative Assembly that justifies him in saying that these things are necessary?

Brigadier-General BROWN: Yes.

Mr. JONES: Can the hon. and gallant Gentleman recall any instances on a large scale, justifying special legislative action, of appeals to treason, arson and riot. Outside the Assembly he may be

able to refer to instances. I wish the Noble Lady the Member for Kinross (Duchess of Atholl) would sit down for a minute and let me finish my sentence. Is it worth while introducing a big machine like this where there is not a case for its existence? If there be a case, surely the best people to produce such regulations are the standing committee of the new Legislative Assembly, representative of all parties, presided over, if you like, by the Speaker of the new House. Surely we might leave something to these people. Do not let us regard them as children eternally. There is nothing more offensive or aggravating that for them to be treated as children even to their graves. I ask the Committee not to treat them in this rather silly and supercilious way.

8.16 p.m.

Duchess of ATHOLL: I would remind the hon. Member for Caerphilly (Mr. M. Jones) that this Indian Assembly is very young. It only began its deliberations towards the end of January of this year.

Mr. JONES: I was not speaking of the present Assembly.

Duchess of ATHOLL: I think the hon. Gentleman will see, when he reads the OFFICIAL REPORT to-morrow, that he did ask a specific question about this Assembly, and it is to that point I was replying. Young though the present Assembly is, there has already been a debate in which there was raised the question of an official circular from the Government of India to the various provincial Governments, in which they discussed with great anxiety Mr. Gandhi's new village industries association, because they believed it was a move for a new civil disobedience campaign, and the Member of the Government who defended the circular from the attack of the Congress party kept on reading quotations from speeches or writings of prominent Congress men pointing out the desirability of a movement of this kind—speeches which, according to the Press reports, received considerable acclamation. From the short experience we have had of the present Assembly we are already able to say that there have been expressions of opinion in favour of civil disobedience.

Then I ask the hon. Member to remember that prior to this there had been for some years no Congress party, as such, in the Assembly, and that if there have not been very violent statements of the type mentioned in the Amendment it may well be because the Congress party had given up parliamentary methods and was operating entirely outside. But now the Congress party is back in the Parliamentary arena and is back in strength. It is the strongest party in the Assembly to-day. Therefore we have every reason to fear that there may be more violent expressions of opinion than there have been in the last three or four years. I think I am justified in saying that, because on the showing of the Secretary of State in the memorandum that he submitted to the Joint Select Committee, he admitted an alliance between the Congress party in Bengal with terrorism—a revolutionary party which, we know, seeks to achieve its aim by violent political crime of the most desperate kind. It has already caused the loss of many valuable lives of Government officials, British and Indian.

Mr. MORGAN JONES: As far as I know the Congress party in India has always repudiated utterly any connection with the terrorism in Bengal.

Duchess of ATHOLL: Then I ask the hon. Member to inquire of the Secretary of State what is the authority for his statement. It is also well known that a few years ago the Calcutta Corporation, which has had a strong Congress element, and, I am afraid, a terrorist element, passed a resolution of sympathy with the man who suffered execution for having murdered Colonel Simpson. That was an expression of sympathy with the terrorist movement on the part of the premier municipality of India. Though we might perhaps regard a thing of that kind as academic, we must remember that in India there is a population of which a very small proportion is literate, that it is a country which has excitable material in it—I believe the climate must tend that way—and that violent passions are very easily aroused. The terrorist movement that has proved extremely difficult to eradicate in Bengal has in fact since 1930 existed in all the provinces in India. Surely, therefore, any expression of opinion in favour of some terrorist act is calculated to inflame the feelings of the young people, who thus drift into terrorism. The movement is

[Duchess of Atholl.]

largely recruited from young people who from misguided patriotism can be excited to act.

Therefore special precautions seem to be necessary to prevent the debates in the Assembly adding greatly to the difficulty of the administration in India. Then there is the question of mutiny mentioned in the Amendment. We recall the movement which sought to incite Sikh regiments to mutiny during the War. It was an attempt to deflect those splendid regiments from their loyalty, and that I believe is the aim of the movement to-day. You have in India to-day the most dangerous possibilities at work, not merely in Bengal but in other provinces. The Sikhs are chiefly in the Punjab, of course, but the movement is at work there. You may easily have expressions of opinion in favour of one or all of these movements in the Assembly. Therefore I strongly support the Amendment. I do not want to limit to the slightest degree freedom of speech in the Assembly, so long as it does not lead to licence. I want the members to enjoy every bit of freedom that we enjoy here. We know, however, that if any of us here ventures to utter a seditious speech we should be instantly pulled up by the Chair. In India there has not been time for such traditions to grow up around the Chair, and there are dangerous opinions at work in the political field.

8.24 p.m.

Sir ROBERT HAMILTON: I sincerely hope that the Government will not accept this Amendment. It seems a monstrous thing that this Parliament should attempt to propose a limitation of the freedom of speech in another Parliament which it is to set up overseas. We perfectly well realise that there are in India movements of the sort referred to, but the place where those matters should be ventilated is surely in the Indian Assembly. Are the people who are going to that Assembly not to be responsible people? Are we to treat them absolutely like children? I have nothing more to say.

8.25 p.m.

The SOLICITOR-GENERAL: As we pass from one Amendment to another I find myself getting very different impressions from time to time as to the classes of persons whom one may expect to find in this Federal Legislature. Earlier in the day I heard the right hon. Gentleman the Member for Epping (Mr. Churchill) deliver a speech from which one gathered that we might expect to find an Assembly largely composed of rich and rather selfish men engaged in shackling—I think that was the word he used—extreme forms of capitalism on the people of India.

Duchess of ATHOLL: I think my right hon. Friend was referring to the Council of State.

The SOLICITOR-GENERAL: The right hon. Gentleman at the time was speaking generally on Clause 18 and I thought he was referring to the Parliament as a whole but we need not dispute about that point. Now after hearing the speeches in support of this Amendment I have the impression that the Federal Legislature will be filled with young firebrands of a very different type from the kind of people indicated by the right hon. Gentleman the Member for Epping. This Amendment however raises a narrow point. Some of the speeches in favour of it sought to bring into the picture the whole question of terrorism and incitement and so forth. But the real point with which it is concerned is whether or not there should be put into the Bill a provision which would make it possible for a member of the Legislature to be prosecuted for words used inside the legislative chamber. Obviously the whole broad question of dealing with incitements to riot and mutiny is a much bigger matter. We have to deal with that outside the legislative chamber. On the assumption that such things are likely to be said in the legislative chamber even if you could stifle those statements within the walls of the Assembly the real problem would still be the general problem of enforcing the criminal law.

Of course nobody in opposing this Amendment for a moment defends incitement to treason, mutiny, murder, arson, or riot. Nobody desires or contemplates that members of the Federal Legislature should incite to treason, mutiny, murder, arson, riot, or any of these other matters. But we are setting up here a responsible Legislature, and in that connection the hon. Member for Caerphilly (Mr. M. Jones) asked a pertinent question. He asked what had happened in the past in

regard to this matter. Since 1919 conditions similar to those outlined in the Bill and not in the least comparable to those contemplated in the Amendment have existed, and no inconvenience has resulted from the fact that it has been impossible to prosecute members of the Legislature in circumstances of this kind. Most of the speeches in favour of the Amendment have come from those who hold that this whole experiment is a mistake and who do not think that democracy in the form in which it is to be found in the Bill is going to work in India. I am sure that hon. Members themselves will realise that, having that conviction, it is difficult for them not to want to put into the Bill here and there things which are inconsistent with its general spirit and intention.

I am sure that all in this Committee realise that it must be fundamental to a great legislative assembly that it should have freedom of speech and the power to frame its own rules to prevent abuses. It is in that spirit, realising what has been said by those who have spoken for the Amendment, realising the dangers but also believing that if this scheme is to succeed—as we believe it will and as my hon. and gallant Friend the Mover of the Amendment believes it will not—this is a matter which must be left to the assemblies themselves to control. We believe that they will control it in the proper spirit. While I hope I have not said anything which would indicate any lack of sympathy with what has prompted the Amendment, I must conclude by saying that we think it would be wrong to insert these words in the Bill.

8.30 p.m.

Sir H. CROFT: I do not know whether my hon. and gallant Friend is going to press this Amendment to a Division, but it would seem that the Government are determined not to concede any of our Amendments.

The SOLICITOR-GENERAL: Oh, yes, I think two Amendments have been accepted.

Sir H. CROFT: They were very small ones.

Mr. BUTLER: I think the Government have tried as far as possible to meet points raised from all sections of the Committee.

Sir H. CROFT: The hon. Gentleman will forgive me if I say that he has not met us on the most important points that have been urged from our side. This Amendment has been submitted purely and simply with the desire that if you are determined to go on with this experiment it should be given a reasonable chance of success. The hon. Member for Orkney and Shetland (Sir R. Hamilton) said that the basis of this scheme must be freedom of speech. Anybody who has made a profound study of the kind of assembly which we are about to set up in the East, must realise that there will be an entirely different spirit there from the spirit which prevails here. Would it not be helpful to the success of this Measure if we were to insert words of this kind, at any rate for the inception of this movement? Am I wrong in suggesting that since the present Assembly has been elected a vote of sympathy has been passed in it to one member who was unable to take his seat because he was in durance vile. That surely is an indication of what is going to happen. Hon. Members must realise that the Congress movement is a powerful machine which is working to create every kind of trouble. I do not want to detain the Committee but I hope the Under-Secretary will mark my words. If this scheme goes through, he will, within five years, be regretting that this Amendment was not accepted. There is every danger, so long as Congress controls politics in India, of the Assembly being turned into a bear-garden if you have no provision of this kind.

Brigadier-General BROWN: In asking leave to withdraw the Amendment, may I express the hope that the Government will put into the Instrument of Instructions to the Governor-General some direction which will save the situation in this respect?

Amendment, by leave, withdrawn.

8.34 p.m.

Major MILNER: I beg to move, in page 16, line 35, to leave out Sub-section (3).

We have just been told by the Solicitor-General that we are setting up in India a responsible legislature, a great deliberative Assembly, and yet in Sub-section (3) of this Clause we propose to take away

[Major Milner.]

from that great legislative body the power to compel the attendance, for any purpose, of any person, before either Chamber or both Chambers sitting together and also to take away from it any punitive or disciplinary powers other than the mere power of removing or excluding persons infringing the rules and the standing orders. I thought that one of the great evidences of a legislature's responsibility was its right, within the confines of its own country, to compel the attendance of persons for any purpose but particularly for the purpose of giving evidence or information. I suggest that it is contrary to the whole spirit of the Bill that that power should be refused to the Indian Assembly. This Clause is a typical instance of what is being done in this Bill. The first Sub-section provides that there shall be freedom of speech and certain other rights; the second Sub-section sets out certain privileges such as may from time to time be defined by acts of the legislature; the third Sub-section, the deletion of which I am moving, takes away from the powers given by the previous Sub-sections.

We are sitting in the High Court of Parliament which has power to bring before it persons for any purpose, to compel their attendance, and to inflict punishment upon them if they do not come, and yet, in setting up an Assembly in India, a country more than 20 times the size of this country, and giving that Assembly powers, we take away from it the powers which, so far as Parliament is concerned, are quite mild. This Sub-section is uncalled for. It is far too wide and it is an outrageous limitation on the powers of the Federal Legislature which this Bill sets up that it should not have the right to call witnesses before it. If it sets up a committee to consider any subject, how can it have power to hear evidence or to compel evidence to be given, and to fulfil its proper function if its powers in that respect are taken away before it begins to function? We have been told by the Under-Secretary that the Government have been amenable to reason and that they have agreed to one or two Amendments. I hope they may see the reason of my plea in this respect and restore to the proposed responsible legislative body in India the power which we have in this Parliament.

8.38 p.m.

Mr. BUTLER: The Government have been considering this Sub-section, and we think that its terms are somewhat unduly restrictive of the powers of the Federal Legislature. There are obviously certain rights which it would be a good thing to secure to the Federal Legislature, and, without going into any of the technical points involved in the Sub-section, I should like to say that when we come to the equivalent Clause and Sub-section in the provincial part of this Bill, we shall have a proposal to make. When we resume discussion on this part of the Bill on the Report stage we hope to put down our revised views of the extent to which the powers of the Federal Legislature in this respect should be restricted.

Major MILNER: In view of that assurance, but retaining our right to express our satisfaction or otherwise on the Report stage, I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause ordered to stand part of the Bill.

Clause 29 ordered to stand part of the Bill.

CLAUSE 30.—(*Provisions as to introduction and passing of Bills.*)

8.40 p.m.

Major NATHAN: I beg to move, in page 17, line 29, after "Bill," to insert, "other than a financial Bill."

I move this Amendment more or less formally because I appreciate that a great part of its purpose is covered by Clause 37. The object of Clause 30 is obviously to give each of the Legislative Chambers an equal authority. The purpose of the Amendment is to limit the authority so as to secure, as far as may be, that the Lower House may, as indeed is common with all recent modern constitutions within the Empire, have the first and the last word in regard to financial matters and taxation and the imposition of burdens upon the people. If reference is made to the constitutions which have passed through this House for the purpose of framing a code of government for the Dominions, it will be found that, at least of more recent years, each one of the Acts has specifically limited the power of the Upper Chamber in reference especially to matters relating to taxation and the imposition of burdens and charges upon the people. The

Commonwealth of Australia Act, for instance, provides in terms that the Senate may not amend proposed laws imposing taxation or appropriating revenues or moneys for the ordinary general services of the Government; and it goes on to say:

"The Senate may not amend any proposed law so as to increase any proposed charge or burden upon the people."

Very much the same provision, almost in the same words, appears in the South Africa Act of 1909 constituting the Union of South Africa:

"The Senate may not amend any Bill so far as it imposes taxation or appropriates revenues or moneys for the service of the Government. The Senate may not amend any Bill so as to increase any proposed charges or burdens upon the people."

It will be found that the constitutional practice in Canada is the same. It is proposed, as has been said by the Secretary of State, that the ultimate objective of this Bill is Dominion status for India. Should not India, therefore, have the same control over her financial machinery as this House has deliberately given to the Dominions? I am conscious of the fact that some part of the ground is covered by Clause 37. I will not attempt to discuss that Clause, but nothing contained in this Bill would prevent the Executive from initiating in the Second Chamber laws as to taxation and the imposition of burdens and yet in no other British Dominion, so far as I know, can that be done. In moving the Amendment my main object is to ask the Government whether it is by design or intention that Clause 30 gives these parallel or equal powers to the two Chambers and does not put the Lower Chamber in India in the same position as the Lower Chamber in the British Dominions.

The CHAIRMAN: I think the hon. and gallant Member must be attaching a little more to this Amendment than I thought he was. The effect of his Amendment, as I understand it, would simply be that the upper Chamber would not be required to pass or assent to a finance Bill, and although I do not want to interrupt the hon. and gallant Member's argument I cannot allow the Government or anybody else, in discussing this Amendment, to enter upon a general discussion of Clause 37.

Major NATHAN: I was most anxious not to embark upon that, and I was hopeful that I had done no more than make a reference to it which was necessary in order to make clear the argument I was advancing. If I may respectfully say so, I agree that the words of this Amendment are, perhaps, not quite so wide as I had indicated, and possibly they are not even the most apt words for achieving the object I have in view, nor may this be the best place in which to insert them. But, as I have indicated, the purpose of the Amendment is to inquire from the Government how far it is proposed to limit the authority and the power of the lower House to be alone responsible in matters relating to finance and the imposition of burdens on the people.

8.47 p.m.

Mr. BUTLER: The hon. and gallant Member says that the purpose of his Amendment is to elicit from the Government their view as to the powers of the two Chambers. The effect of his Amendment would be, in fact, to go counter to the objective of the Government in this Bill of implementing the decision of the Joint Select Committee that in the matter of supply the Chambers should have equal powers. I can give him the answer which he desires very shortly, although I fear he may not agree with it. The Joint Select Committee say in paragraph 215:

"We entirely endorse the principle that, so far as possible, the two Houses should have equal powers."

They therefore suggest that the upper House should have wider powers in relation to finance, and should be able not only to secure that a rejected grant is reconsidered at a joint session of the two Houses but also power to refuse its assent to any Bill, clause or grant which has been accepted by the lower House. They go on to say:

"We think, therefore, that all Demands should be considered first by the lower House and subsequently by the Upper."

and suggest that the powers of each House in relation to any demand should be identical, any difference of opinion being resolved at a joint session to be held forthwith. I have read those two sentences because they explain exactly the object of the Government in inserting this particular provision in the Bill, and in drafting Clause 30, which has to do with the provision as to the introduction

[Mr. Butler.]

of Bills, in its present form. If the words of the hon. and gallant Member's Amendment were introduced they would defeat the object we have in mind. In answering the arguments he has used to support his contention, I think it would be wise to remember that what he calls the " burden on the people " which might be occasioned by this method of dealing with financial procedure does not apply to the same extent here—if it is a burden at all—as in the Provinces. When we come to consider the provincial section of the Bill it will be seen— and I think this is relevant to my argument—that the powers of the upper House in the Provinces are of a dilatory nature, but as the powers of the upper House in the Federation are equal to those of the lower House there were strong reasons for the course we have taken, and I could, if necessary, refer the Committee to the representations of the representatives of the Chamber of Princes in the course of evidence before the Joint Select Committee. It seems to us to fit into the conception of the future Constitution of the Central Government in India, and having drawn the attention of the Committee to the fact that it is in the Provinces that many of the social questions and questions involving expenditure of money arise, I think the Committee will see that our proposal implements the object of the Joint Select Committee, implements the desire of the Chamber of Princes, and falls in with the general conception of the powers of the two Chambers in the Central Legislature.

8.50 p.m.

Mr. ATTLEE: The hon. Gentleman has given as the reason for this merely the authority of the Joint Select Committee, but has furnished us with no reasons why the powers of the two Houses should be equal. I think it is entirely fallacious to suggest that this question of finance at the centre does not concern the mass of the people.

Mr. BUTLER: To the same extent.

Mr. ATTLEE: What is going to be the biggest issue at the centre? It will be the question of whether there is to be direct or indirect taxation. There is the whole question of the Customs revenue, which presses very hardly on the masses in many cases, and also the question of income tax. This is a vitally important matter. This is really the only big piece of business of a semi-administrative kind that comes before the Centre at all. In setting up two Chambers both of which are very unrepresentative—the Second Chamber undoubtedly entirely unrepresentative of anything except vested interests—we are loading up the Second Chamber with representatives from the Second Chambers of the Provinces or from the groups of persons of similar type that would be elected to a Second Chamber. Therefore this Second Chamber is going to be predominantly representative of the richer portion of the population and there are also to be representatives of the Princes. It is going to be a far more reactionary body than " the other place " in our Parliament here. This Second Chamber is to be given powers with regard to finance equal to those of the lower House. Not only are they to have power to reject financial proposals but power to amend. I can see no reason for giving them equal powers. Once we get to the point of giving them equal powers we take away the utility of a Second Chamber at all. We on this side regard this as one example of the way in which effective power at the Centre is being taken from the representatives of the Indian people. Complete control over finance is really being given to the nominees of the Princes and representatives of the small and very wealthy section of the community. That is why we are moving this Amendment.

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

The Committee divided: Ayes, 40; Noes, 216.

Division No. 93.] AYES. [8.55 p.m.

Acland, Rt. Hon. Sir Francis Dyke	Daggar, George	Holdsworth, Herbert
Attlee, Clement Richard	Davies, David L. (Pontypridd)	Jenkins, Sir William
Banfield, John William	Foot, Dingle (Dundee)	Jones, Morgan (Caerphilly)
Batey, Joseph	Gardner, Benjamin Walter	Kirkwood, David
Bernays, Robert	George, Megan A. Lloyd (Anglesea)	Lawson, John James
Bevan, Aneurin (Ebbw Vale)	Grenfell, David Rees (Glamorgan)	Logan, David Gilbert
Cape, Thomas	Griffith, F. Kingsley (Middlesbro', W).	McEntee, Valentine L.
Cleary, J. J.	Grundy, Thomas W.	Mainwaring, William Henry
Cocks, Frederick Seymour	Hamilton, Sir R.W.(Orkney & Zetl'nd)	Milner, Major James
Cripps, Sir Stafford	Harris, Sir Percy	Nathan, Major H. L.

Parkinson, John Allen
Rathbone, Eleanor
Roberts, Aled (Wrexham)
Smith, Tom (Normanton)
Thorne, William James
Tinker, John Joseph
West, F. R.
White, Henry Graham
Williams, David (Swansea, East)
Williams, Thomas (York. Don Valley)

TELLERS FOR THE AYES.—
Mr G. Macdonald and Mr. Groves.

NOES.

Acland-Troyte, Lieut.-Colonel
Adams, Samuel Vyvyan T. (Leeds, W.)
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.,
Allen, Lt.-Col. J. Sandeman (B'k'nh'd.)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Atholl, Duchess of
Bailey, Eric Alfred George
Baldwin, Rt. Hon. Stanley
Balfour, George (Hampstead)
Balniel, Lord
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Belt, Sir Alfred L.
Benn, Sir Arthur Shirley
Blindell, James
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Brown, Brig.-Gen. H.C. (Berks., Newb'y)
Browne, Captain A. C.
Burghley, Lord
Burnett, John George
Butler, Richard Austen
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Caporn, Arthur Cecil
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chapman, Col. R. (Houghton-le-Spring)
Christie, James Archibald
Cobb, Sir Cyril
Colfox, Major William Philip
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Courtauld, Major John Sewell
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Cranborne, Viscount
Craven-Ellis, William
Crooke, J. Smedley
Crookshank, Col. C. de Windt (Bootle)
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Crossley, A. C.
Culverwell, Cyril Tom
Davison, Sir William Henry
Denman, Hon. R. D.
Denville, Alfred
Donner, P. W.
Dunglass, Lord
Eady, George H.
Eastwood, John Francis
Ellis, Sir R. Geoffrey
Emmott, Charles E. G. C.
Emrys-Evans, P. V.
Erskine-Bolst, Capt. C. C. (Blackpool)
Evans, Capt. Ernest (Welsh Univ.)
Everard, W. Lindsay
Fielden, Edward Brocklehurst
Fleming, Edward Lascelles
Fremantle, Sir Francis
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
Gledhill, Gilbert
Goff, Sir Park
Goldie, Noel B.
Grattan-Doyle, Sir Nicholas
Greene, William P. C.
Grenfell, E. C. (City of London)
Grimston, R. V.
Gritten, W. G. Howard
Hacking, Rt. Hon. Douglas H.
Hanbury, Cecil
Hartington, Marquess of
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Henderson, Sir Vivian L. (Chelmsford)
Hepworth, Joseph
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Horobin, Ian M.
Horsbrugh, Florence
Hudson, Robert Spear (Southport)
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Hutchison, W. D. (Essex, Romford)
Inskip, Rt. Hon. Sir Thomas W. H.
James, Wing.-Com. A. W. H.
Jesson, Major Thomas E.
Johnston, J. W. (Clackmannan)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Keyes, Admiral Sir Roger
Kimball, Lawrence
Kirkpatrick, William M.
Lamb, Sir Joseph Quinton
Leckie, J. A.
Leech, Dr. J. W.
Lennox-Boyd, A. T.
Lewis, Oswald
Liddall, Walter S.
Llewellin, Major John J.
Locker-Lampson, Com. O. (H'ndsw'th)
Lockwood, Capt. J. H. (Shipley)
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McEwen, Captain J. H. F.
McKeag, William
McLean, Major Sir Alan
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Milne, Charles
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nall, Sir Joseph
Nation, Brigadier-General J. J. H.
Normand, Rt. Hon. Wilfrid
Nunn, William
O'Connor, Terence James
O'Neill, Rt. Hon. Sir Hugh
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Penny, Sir George
Perkins, Walter R. D.
Petherick, M.
Pickthorn, K. W. M.
Pownall, Sir Assheton
Pybus, Sir John
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Reid, David D. (County Down)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Robinson, John Roland
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Alexander West (Tynemouth)
Russell, R. J. (Eddisbury)
Rutherford, Sir John Hugo (Liverp'l)
Salt, Edward W.
Scone, Lord
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Simmonds, Oliver Edwin
Smiles, Lieut.-Col. Sir Walter D.
Smith, Sir J. Walker- (Barrow-in-F.)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Soper, Richard
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'moriand)
Stones, James
Strauss, Edward A.
Strickland, Captain W. F.
Sutcliffe, Harold
Tate, Mavis Constance
Templeton, William P.
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Thorp, Linton Theodore
Titchfield, Major the Marquess of
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Todd, A. L. S. (Kingswinford)
Train, John
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wayland, Sir William A.
Wells, Sydney Richard
Wills, Wilfrid D.
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Womersley, Sir Walter
Worthington, Dr. John V.

TELLERS FOR THE NOES.—
Lieut.-Colonel Sir A. Lambert Ward and Major George Davies.

9.2 p.m.

Lord SCONE: I beg to move, in page 17, line 34, to leave out Sub-section (3).

The purpose of this Amendment is purely elucidatory. We should be much obliged if the Secretary of State would inform us why we are to depart from the practice of this House, in that a Bill is not being allowed to lapse after both Houses are prorogued. We should be very grateful if he would state the reasons which have induced the Government to make this change.

9.3 p.m.

The ATTORNEY-GENERAL (Sir Thomas Inskip): The reason is solely one of convenience, having regard to the conditions under which the Indian Legislature have been accustomed to operate. The practice in this country is that Parliament sits for a long session, from January almost to December, but the practice in India is to sit for very short periods, for two or three months and then for a shorter period perhaps, both of which periods made up one session. In practice it would not be very convenient, if Parliament sits for the same sort of period in future as in the past, if a Bill which was not carried to completion in the course of those comparatively short sessions were to lapse when prorogation came about at the end of the session. It is simply a matter of convenience, based upon the practice which has been followed with regard to the length of the session, no doubt largely due to seasonal conditions in that country.

9.4 p.m.

Lord SCONE: I am much obliged to my right hon. and learned Friend for his explanation, which I think is quite satisfactory, but before asking leave of the Committee to withdraw the Amendment, I should be grateful if he could answer one further question. The Sub-section says:

"A Bill pending in the Legislature shall not lapse by reason of the prorogation of the Chambers."

What is the exact meaning of the word "pending"? Does pending mean that a Bill has been introduced and given a formal reading, or that it is about to be introduced? I think that that small point is worth an answer.

The ATTORNEY-GENERAL: A Bill is only pending when it has actually been introduced or when it has had a First Reading.

Lord SCONE: I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause ordered to stand part of the Bill.

Clause 31 ordered to stand part of the Bill.

CLAUSE 32.—(*Assent to Bills and disallowance by His Majesty.*)

9.5 p.m.

Mr. GORDON MACDONALD: I beg to move, in page 20, line 14, to leave out Sub-section (3).

We look upon this Sub-section as one which ought not to be allowed to pass without a vigorous protest. In Sub-sections (1) and (2) the utmost care is taken to see that the Act referred to in Sub-section (3), when it was a Bill, was looked at in every detail, and every conceivable precaution is taken to see to it that the authorities, both in India and in this country, have given their consent to the Bill. When the Bill becomes an Act, and after it has been in operation perhaps for almost 12 months, power is given to His Majesty to disallow its continuance. We take that to mean that the Secretary of State will advise His Majesty ultimately to advise the Governor-General that the Act, to which the Secretary of State himself has assented, shall cease to operate. We think that that is an objectionable provision.

During the same period of 12 months it would be easy for the Government of this country to change. Suppose that the present Government were to give its approval to a Measure passing through the Legislature, and that it was replaced 11 or 12 months afterwards by a Socialist Government, who considered that the legislation approved by the previous Government was wrong and disallowed it. Such a procedure would make good government impossible. Think of the position in which the Indian people would be placed. They would have no security from interference from this country. Whatever objections we may have had to the Bill on the Second Reading, we find, as we come to details of this character, still stronger objections. In view of the adequate provision in Sub-sections (1)and (2), we feel that

to allow further interference 12 months after the Measure has been operating in India is most objectionable.

9.8 p.m.

Mr. DONNER: Might I ask a question before my right hon. Friend replies? What would be the position of a man who had been convicted under an Act which had been passed and then was disallowed by the Governor-General? The point is a small one, and I do not wish to press it, but it seems to me that there is a possibility of a rather curious situation arising. Perhaps my right hon. Friend, when he replies, will be good enough to clear up the point.

9.9 p.m.

Sir S. HOARE: I daresay in theory a great many of the awkward results suggested by the hon. Member for Ince (Mr. G. Macdonald) might happen, but in actual practice they never have happened, and they are not likely to happen. This is a provision that is contained in every Constitution Act of a similar kind within the British Empire, and it is necessary from the point of view of the prerogative of the Crown.

Mr. MACDONALD: Is it in the Statute of Westminster?

9.10 p.m.

Sir S. HOARE: That does not affect my point. The argument is that in practice it has not created the kind of difficulties which the hon. Member contemplates. It has been in operation for half a century in the Dominions, and has not raised the difficulties that he has in mind. Without it, the Crown would part with its prerogative under which it can withhold its assent to the Act of any subordinate legislature, and, technically, legislatures of this kind are subordinate legislatures. From the point of view of the prerogative of the Crown the provision is necessary, and in actual practice it is not in the least likely that these difficulties will arise. The answer to the question of my hon. Friend the Member for West Islington (Mr. Donner) is that in the case he supposes the Act would not be a valid Act, and the individual would not be convicted.

9.11 p.m.

Mr. DONNER: May I suggest that there is some slight misunderstanding? My point is as to the position of a man who has been convicted and is in prison under an Act when that Act is subsequently disallowed. Is he to be set free and compensated, or merely to be set free; or does he still remain in prison, convicted under an Act which later on is disallowed? It seems to me that, unless the matter is cleared up, it might open the way to grave injustice.

Sir S. HOARE: I have just asked the Attorney-General, who tells me that the Act would be a valid Act until it had been disallowed. The conviction, therefore, would be a valid conviction until the Act had been disallowed. I can, perhaps, reassure my hon. Friend by saying that I do not think any case of this kind has ever arisen, although this actual provision has been in operation in every part of the Empire for 50, 60 or 70 years.

9.12 p.m.

Mr. ATTLEE: Would the right hon. Gentleman give us a little more reason for this provision? Is it not the case that the provision was inserted to preserve the Royal prerogative at a time when it took about a year for an Act to come back from India? What is the real reason for it at the present time? Suppose that an Act has been passed and assented to by the King's representatives. That Act will be sent back to this country, and not seen by the Secretary of State or anyone else; and yet it is to be left, after 12 months, in a state of uncertainty, with the possibility of its being disallowed. Meanwhile all kinds of things may have been done under it. People may have been executed; all kinds of contracts may have been effected under it. Why should 12 months be allowed in which to advise His Majesty whether the Act is a good Act or not?

9.13 p.m.

Mr. EMMOTT: I should like to put a question to the Secretary of State. I put it in no hostile or critical spirit, but purely in a spirit of inquiry. He said that this provision is included in the Acts which contain the Constitutions of the Dominions. Will he tell the Committee whether in fact this provision has been used, and, if so, whether it has been used frequently?

9.14 p.m.

Lord SCONE: Arising out of the question of my hon. Friend the Member for

[Lord Scone.]

West Islington (Mr. Donner), suppose that a certain person, under an Act which had been disallowed, had been sentenced to a long period of imprisonment, say, two years or five years. The Act is disallowed. The sentence will stand, because it was passed when the Act was valid. Are we to understand that a man might be kept in prison for two or three years afterwards, although while he was in prison the offence for which he had been in prison was no longer an offence?

9.17 p.m.

Lieut.-Commander AGNEW: I should like to ask the Secretary of State for India a question. I am not altogether satisfied about the position of the man whom the Noble Lord the Member for Perth (Lord Scone) has been describing. If an Act passed by the legislature was subsequently disallowed, would a man rightfully committed at the time, in the event of subsequent disallowance, be in the position of an individual who has benefited from a change of the law? If that were so, the position of such an individual would be virtually the same as that of any other individual who benefits when the legislature changes the law and it happens to react in his favour. If that is the case, the Committee need have no doubt about letting the Subsection stand as it is.

9.18 p.m.

Mr. COCKS: Surely, this provision existed before the advent of the electric cable and wireless and when the Governor-General gave consent on his own without consulting the Government, but now the Governor-General does not give consent without communicating with the Secretary of State, thereby giving the assent of His Majesty's Government; and surely 12 months later he would not go back on his own signed word. I suggest that this provision has been put in by mistake and that now there is no need for it at all, as it is an anomaly.

Sir S. HOARE: I should describe it as a piece of Conservative constitutionalism.

Mr. COCKS: That is an anomaly.

9.19 p.m.

Sir S. HOARE: The answer really is that which I gave just now, namely, that it is the position in every Dominion Constitution, and it is unrepealed. The Statute of Westminster, of course, has made a difference as to how it is exercised, but there is the position unrepealed in every Dominion constitution. I am further informed that it is necessary to have it from the point of view of the prerogative of the Crown. When I am asked these difficult questions as to what is to happen to hypothetical individuals in hypothetical contingencies, my answer is that none of these as far as I know has ever arisen. If such a case as that suggested by my hon. Friend the Member for West Islington (Mr. Donner) did arise, the individual, I am informed, would be legally convicted, but as soon as the Act is disallowed equally legally would he be released. I do not think that my hon. Friend need get worried because it is never used, and I think it is less likely to be used in future than in the past, for the reason raised by the hon. Member for Limehouse (Mr. Attlee), who pointed to the better means of communication between India and this country. It has never been raised in the past when it took weeks and months to come from India, and much less is it likely to arise in future when we can communicate by telegraph, aeroplane, and the telephone.

Mr. ATTLEE: May we not ask for more information on this matter? We have heard something vague to the effect that it is necessary to preserve the prerogative of the Crown. Can the learned Attorney-General tell us how the prerogative of the Crown is preserved, and why it needs 12 months to preserve it? The reply of the Secretary of State is open to the same objection which St. Joan in the play made to the other side, when they said torture was always customary, "Thou are a rare noodle, master, that what has been must be."

9.21 p.m.

The ATTORNEY-GENERAL: No doubt the 12 months is a great deal longer than is necessary to communicate with India, but as my right hon. Friend the Secretary of State has said, the 12 months is a piece of conservative constitutionalism, but it really does not matter at all if communication can be made in a much shorter time; no reasonable Secretary of State is ever likely to take advantage of the

fact that 12 months is in the Clause. But if you are to have a Clause of this sort in common form with all the constitutions given to different parts of the Empire, you may as well preserve the Clause in the form in which it is invariably inserted in the various constitutions. The hon. Gentleman asks in what way is the prerogative of the Crown preserved. The prerogative of the Crown was at one time, of course, exercised by the Governor-General in a self-governing Colony as the representative of the Crown. Now the difference is that he exercises his right of giving assent upon the advice of the responsible Ministers in the self-governing Dominion where they have full status under the Statute of Westminster. As far as India is concerned, of course, that is not the position, and the right is still reserved in the Constitution which is proposed to be given to India to be exercised by His Majesty, not upon the advice of Ministers who are not fully responsible in India, but upon the advice of the Secretary of State, and in that way the prerogative of the Crown is preserved constitutionally with the form of the Constitution which is to be conferred upon India by this Bill.

9.22 p.m.

Mr. ANEURIN BEVAN: It is a very remarkable thing that we should introduce a provision in this Bill solely because it has been in existence all the time. It ought to be possible for us to make an adaptation in the legislation so as to make it fit in with a change in the circumstances. There is no reason why we should not have 12 days in the Bill rather than 12 months. While I have been sitting here I thought of one reason why perhaps it ought to be left in the Bill. It has probably not occurred to the Secretary of State for India. In the Constitution which we shall be giving to India it is very probable that the legislation will be carried in India against the Indian masses, and, in view of the fact that they will have 12 months to agitate against the Act, they may transfer the agitation from India to England in order to try to secure a repeal of the Act within 12 months. If, therefore, the Secretary of State for India thinks that it is desirable that the veto of the Crown should become the football of Indian politics, and that we should have the game played over here and not there, it is as well that we should have this provision left in. We should have merry times in the future if the Secretary of State for India and Members of the House of Commons were importuned to repeal within a year an Act of Parliament which would become universally objectionable to the masses of India. I do not know whether the Secretary of State has considered that point, but if he has perhaps he will take this out before the Report stage.

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

The Committee divided: Ayes, 243; Noes, 31.

Division No. 94.] **AYES.** **[9.25 p.m.**

Acland, Rt. Hon. Sir Francis Dyke	Brass, Captain Sir William	Craddock, Sir Reginald Henry
Acland-Troyte, Lieut.-Colonel	Briscoe, Capt. Richard George	Cranborne, Viscount
Adams, Samuel Vyvyan T. (Leeds, W.)	Broadbent, Colonel John	Craven-Ellis, William
Agnew, Lieut.-Com. P. G.	Brocklebank, C. E. R.	Croft, Brigadier-General Sir H.
Albery, Irving James	Brown, Col. D. C. (N'th'l'd., Hexham)	Crooke, J. Smedley
Allen, Sir J. Sandeman (Liverp'l, W.,	Brown, Ernest (Leith)	Crookshank, Col. C. de Windt (Bootle)
Allen, Lt.-Col. J. Sandeman (B'k'nh'd.)	Brown, Brig.-Gen. H.C. (Berks., Newb'y)	Crookshank, Capt. H. C. (Gainsb'ro)
Amery, Rt. Hon. Leopold C. M. S.	Browne, Captain A. C.	Croom-Johnson, R. P.
Apsley, Lord	Buchan-Hepburn, P. G. T.	Crossley, A. C.
Aske, Sir Robert William	Burghley, Lord	Culverwell, Cyril Tom
Assheton, Ralph	Burnett, John George	Davies, Maj. Geo. F. (Somerset, Yeovil)
Atholl, Duchess of	Butt, Sir Alfred	Davison, Sir William Henry
Bailey, Eric Alfred George	Cadogan, Hon. Edward	Denman, Hon. R. D.
Baldwin, Rt. Hon. Stanley	Campbell, Vice-Admiral G. (Burnley)	Denville, Alfred
Balfour, George (Hampstead)	Caporn, Arthur Cecil	Dunglass, Lord
Balniel, Lord	Cazalet, Thelma (Islington, E.)	Eady, George H.
Barclay-Harvey, C. M.	Cazalet, Capt. V. A. (Chippenham)	Ellis, Sir R. Geoffrey
Barton, Capt. Basil Kelsey	Chapman, Col. R. (Houghton-le-Spring)	Emmott, Charles E. G. C.
Beaumont, Hon. R. E. B. (Portsm'th, C.)	Christie, James Archibald	Emrys-Evans, P. V.
Beit, Sir Alfred L.	Cobb, Sir Cyril	Erskine-Bolst, Capt. C. C. (Blackpool)
Benn, Sir Arthur Shirley	Colfox, Major William Philip	Evans, Capt. Ernest (Welsh Univ.)
Bernays, Robert	Colville, Lieut.-Colonel J.	Everard, W. Lindsay
Boulton, W. W.	Cook, Thomas A.	Fielden, Edward Brocklehurst
Bower, Commander Robert Tatton	Cooke, Douglas	Fleming, Edward Lascelles
Bowyer, Capt. Sir George E. W.	Cooper, A. Duff	Foot, Dingle (Dundee)
Boyce, H. Leslie	Courtauld, Major John Sewell	Fremantle, Sir Francis
Braithwaite, J. G. (Hillsborough)	Courthope, Colonel Sir George L.	Ganzoni, Sir John

Gault, Lieut.-Col. A. Hamilton
George, Megan A. Lloyd (Anglesea)
Gledhill, Gilbert
Goff, Sir Park
Goldie, Noel B.
Grattan-Doyle, Sir Nicholas
Greene, William P. C.
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro',W.)
Grimston, R. V.
Gritten, W. G. Howard
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R. W.(Orkney & Zt'nd)
Hanbury, Cecil
Harris, Sir Percy
Hartington, Marquess of
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heligers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Hepworth, Joseph
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Horobin, Ian M.
Horsbrugh, Florence
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Hutchison, W. D. (Essex, Romf'd)
Inskip, Rt. Hon. Sir Thomas W. H.
James, Wing-Com. A. W. H.
Jesson, Major Thomas E.
Johnston, J. W. (Clackmannan)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Keyes, Admiral Sir Roger
Kimball, Lawrence
Kirkpatrick, William M.
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Law, Sir Alfred
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lennox-Boyd, A. T.
Lewis, Oswald
Liddall, Walter S.
Llewellin, Major John J.
Locker-Lampson, Com. O. (H'ndsw'th)
Lockwood, John C. (Hackney, C.)
Lockwood, Capt. J. H. (Shipley)
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
MacAndrew, Lieut.-Col. C. G.(Partick)
MacAndrew, Capt. J. O. (Ayr)
McEwen, Captain J. H. F.
McKeag, William
McLean, Major Sir Alan
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Milne, Charles
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nall, Sir Joseph
Nation, Brigadier-General J. J. H.
Normand, Rt. Hon. Wilfrid
Nunn, William
O'Connor, Terence James
Oman, Sir Charles William C.
O'Neill, Rt. Hon. Sir Hugh
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Penny, Sir George
Perkins, Walter R. D.
Petherick, M.
Peto, Geoffrey K.(W'verh'pt'n, Bilston)
Pickthorn, K. W. M.
Pybus, Sir John
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Rathbone, Eleanor
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Roberts, Aled (Wrexham)
Robinson, John Roland
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Alexander West (Tynemouth)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Scone, Lord
Selley, Harry R.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Simmonds, Oliver Edwin
Smiles, Lieut.-Col. Sir Walter D.
Smith, Sir J. Walker- (Barrow-in-F.)
Smith, Sir Robert (Ab'd'n & K'dine,C.)
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Soper, Richard
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'moriand)
Steel-Maitland, Rt. Hon. Sir Arthur
Stones, James
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Sutcliffe, Harold
Tate, Mavis Constance
Templeton, William P.
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Thorp, Linton Theodore
Titchfield, Major the Marquess of
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Todd, A. L. S. (Kingswinford)
Train, John
Tree, Ronald
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Wayland, Sir William A.
Wells, Sydney Richard
White, Henry Graham
Wills, Wilfrid D.
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Wise, Alfred R.
Womersley, Sir Walter
Worthington, Dr. John V.

TELLERS FOR THE AYES.—Sir Victor Warrender and Mr. Blindell.

NOES.

Attlee, Clement Richard
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Buchanan, George
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Cripps, Sir Stafford
Daggar, George
Davies, David L. (Pontypridd)
Gardner, Benjamin Walter
Grenfell, David Rees (Glamorgan)
Grundy, Thomas W.
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Lawson, John James
Logan, David Gilbert
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
Mainwaring, William Henry
Maxton, James.
Milner, Major James
Nathan, Major H. L.
Parkinson, John Allen
Smith, Tom (Normanton)
Thorne, William James
West, F. R.
Williams, David (Swansea, East)
Williams, Thomas (York, Don Valley)

TELLERS FOR THE NOES.—Mr. Groves and Mr. Tinker.

Clause ordered to stand part of the Bill.

CLAUSE 33.—(*Annual Financial Statement*).

9.33 p.m.

Mr. LENNOX-BOYD: I beg to move, in page 20, line 37, to leave out from "expenditure," to the end of the Sub-section.

This Clause deals with the annual financial statement that the Governor-General is obliged to lay before both Chambers of the Federal Legislature. After outlining one of the forms that the estimates of expenditure ought to take, the Clause goes on that estimates of expenditure shall

"indicate the sums, if any, which are included solely because the Governor-General has directed their inclusion as being necessary for the due discharge of any of his special responsibilites."

At a later stage in the Committee proceedings it is proposed to move an Amendment to include sums to be spent in discharge of special responsibilities, as sums to be charged on the revenues of the Federation. With these sums, therefore, which appear in Clause 33 under Subsection (2, *a*) in some general form, we contend that it would be very undesirable to allocate a particular sum of money to each particular responsibility. In particular, we hold it very inexpedient to publish the fact that the Governor-General contemplates any heavy expenditure on the prevention of a grave menace to the peace and tranquillity of India, whether external or internal. The publication that the Governor-General expected it might well facilitate the arrival of what he desired to prevent. Under the next Clause, Clause 34, these sums are not only to be discussed in the Chamber, but voted upon. Although in Clause 35 the Governor-General can get the money ultimately, if he wants it, for his State responsibility, there will have been great delay possibly and certainly great publicity before he exercises the powers that he will enjoy under Clause 35. In these circumstances, we hold very strongly to the view that it would be far better to omit these words, and I beg to move the Amendment in the hope that the Secretary of State will give it favourable consideration.

9.36 p.m.

Sir S. HOARE: The procedure proposed in the Bill is inevitable, and I think my hon. Friend will see that it is inevitable, for this reason, that expenditure of this kind will be expenditure at the discretion of the Governor-General. The Ministers will not be responsible for it. That being so, it is essential that a distinction should be drawn between expenditure for which the Governor-General is responsible and expenditure for which the Ministers are responsible. Therefore, it must be clearly set out when the Governor-General incurs expenditure of this kind, otherwise it might be thought that the Indian Ministers were responsible for it. The Indians with whom we discussed this question were very clear on this point that where the Governor-General is responsible it should be clearly his responsibility and the Ministers should not have to undertake any direct or indirect responsibility for something for which they were not responsible. That being so, I think it is essential to make this distinction and to make it in the way proposed in the Bill. I am not nervous, as my hon. Friend is nervous, about publicity in this matter. I hope that the instances in which the Governor-General has to incur expenditure of this kind will be rare, but where they do take place I see no reason why we should avoid publicity. In fact, I think that from the Indian point of view as well as from our own point of view it is important to have a distinction where the Governor-General is responsible and where the Ministers are responsible. That being so, I hope my hon. Friend will see that there is reason for this proposition being in the Bill.

9.38 p.m.

Viscount WOLMER: I can quite follow my right hon. Friend's reasons, although he does not put them very convincingly. I agree that the plan that he is following is a perfectly consistent one, but it seems to me to suffer from grave inconveniences. The case which we contemplate will only arise where there is an acute difference of opinion between the Governor-General and his Ministers. It will be a case of acute friction. One might almost say that it will be a case of crisis. The real point is whether this expenditure on which the Governor-General insists shall be debated publicly. I submit that there might well be circumstances where such a debate would be highly undesirable. The debate might well be a farce, seeing that the Governor-General can get his money and that he is going to get his money, in spite of the opposition of his Ministers and in spite of the decision of the Assembly. Therefore, there is no need to have a debate from the point of view of getting the money.

The Secretary of State says that he is not afraid of the subject being ventilated. Very likely in most cases the Governor-General would take the same view. In certain cases the Governor-General might wish to have the matter ventilated. He might think that a debate would do good. Equally in other cases a debate might be disastrous. It might

[Viscount Wolmer.]

lead to a communal riot or to grave communal trouble, which might mean the loss of scores of lives. Therefore, it seems to me to be a mistake to have a procedure which forces these items to be separately specified in the Estimates and practically makes a debate compulsory, in circumstances of the greatest publicity. I suggest to the right hon. Gentleman that this is a matter in which the Governor-General might be given a little latitude. If he thinks it necessary that the exact figure and the exact reason should be stated, then he ought to be in a position to do it, but to force him to put it down in black and white and practically to force a debate in the Assembly, which will have no power to refuse the money, appears to me in some cases to be asking for trouble. I hope the Secretary of State will reconsider his attitude on the Amendment, if not now between now and the Report stage. He has not accepted many of our Amendments, and I think this is one to which he might give more consideration.

9.43 p.m.

Sir ARTHUR STEEL-MAITLAND: May I say, briefly, why I think it might be wise if the Amendment were not pressed. It is perfectly true, as my Noble Friend has said, that the occasions when this matter might come up might be occasions of acute friction. I can well imagine that in circumstances like that no possible good could be served by the matter being left obscure. If there is friction then that is just the type of case which if the matter was left obscure would be subject to exaggeration on the part of those who wished to make capital out of it. No good could be served by giving opportunity for that sort of thing. Moreover, one would imagine that the difference between the Governor-General and the Ministers in these hypothetical cases must be known and later on almost inevitably the Ministers themselves would bring out the amount or state the amount when their estimates were being considered. It is difficult always to imagine accurately the circumstances of hypothetical cases, but this is one of those in which I cannot believe that clarity is undesirable or can be undesirable in any case. On the other hand, to leave the matter obscure might lead to misunderstanding, which might be very undesirable.

9.44 p.m.

Mr. A. BEVAN: I hope that the Secretary of State will not yield to the extraordinary arguments which the Noble Lord has put forward. His point of view is at complete variance with our ideas of finance. If his proposals were allowed to become part of our Constitution our financial relationship with certain items of expenditure would be so obscure that we could have no sort of public scrutiny over them. The circumstances envisaged by the Amendment are circumstances in which the Governor-General comes into conflict with the Indian Ministers. They may disapprove most violently and bitterly of the steps that he proposes to take and yet he persists in taking those steps, and they involve certain expenditure upon the Indian people. Are they not entitled to learn in an open manner what they have to pay for the policy pursued by the Governor-General, or is the amount involved to be obscured by being included in the general Budget.

I have never listened to a more reactionary proposal. If the Governor-General believes that it is desirable to pursue a certain policy he should be prepared to tell the Indian people the price they have to pay. The Amendment cuts at the root of representative government; you do not know upon what items it is proposed to spend public money. In this country a considerable advance was made in 1929 in local government budgets. It had been the practice for many years to charge a general rate of poundage including all the various items of local expenditure, but it was considered desirable, in the interests of public education and sounder finance, to specify the services for which the rate was demanded, so that the people should know how much was being spent on education and so on. It is one of the best ways of educating a democracy to learn why it is that they are called upon to pay certain moneys. The same thing should exist in respect of Indian expenditure. It should be itemised as much as possible, and the Indian people should know of those cases where the exercise of the Governor-General's powers impose a charge. In those circumstances more than any other the cost of the Governor-General's veto should be known to the Indian people.

9.48 p.m.

Sir S. HOARE: I do not resist the Amendment merely because I want to resist any Amendment to the Bill, but because I think it will blur responsibility as between the Governor-General and ministers. That would be a great mistake. I oppose it in the second place, because I do not think it would achieve the end sought by hon. Members. If it were carried it would not stop discussion. Ministers would be free to bring the subject up in debate, and if there is to be a debate it is much better that it should be brought up in the obvious way by the Governor-General himself rather than be dragged up in perhaps an acrimonious atmosphere. For these two reasons, I suggest that it would be a mistake to press the Amendment.

Amendment negatived.

9.49 p.m.

Sir R. CRADDOCK: I beg to move, in page 21, line 18, to leave out from "Court" to the end of the paragraph, and to insert "and of every High Court."

The Amendment is proposed in order to clear up certain doubts as regards the pensions and salaries of judges in the High Court. It is put down in order that the Secretary of State may make it plain that the salaries of the judges are sufficiently secured and to show reasons why the Amendment is not necessary. The position of High Court judges is somewhat difficult. Their pensions are included in the sums chargeable to the federal account but not their salaries. Although their salaries are voted by the Provincial Governments, they are at the same time in a different position from other servants of the Crown. As we know judges are apt to be a little bit touchy about their salaries in this country, and I think that the same would apply to Indian judges. The object of the Amendment is not that the Federal fund should pay their salaries direct but that it should be recognised as a special responsibility of the Federal fund to pay judges salaries if Provincial funds for any reason are not immediately available for the purpose. It may be true that for administrative convenience the salaries of the judges should be paid by the Provincial Governments which receive the court fees due in respect of the High Court. That is so, but we have to have regard to the possibility of difficulty arising in provincial budgets, and in that case there should be some means by which the Government should have the right to secure these salaries by borrowing the money in the name of the Provinces or by ordering a special tax to be imposed. There would be great difficulty in obtaining the necessary credit for a loan if a Provincial Government could not pay its own justices.

The Bill admits the case of the judges as regards their pensions. The Federal revenue is to be liable for their pensions if there is any delay or default in receiving them from Provincial funds. One must remember that High Court judges are one of the few appointments made by the Crown, and the judges of the Provincial High Courts are just as much appointments by the Crown as judges of the High Court. There are, of course, a number of Governments concerned in this matter, and some of them may have made inadequate funds and all of them may not be solvent to the same degree. It would be very desirable that the position of High Court judges appointed direct by the Crown should be put in a special department in respect of the payment of their salaries as well as the payment of their pensions. It must also be recognised that it is the intention of the Government under the Bill that a certain number of the judges shall be recruited from the ranks of English and Scottish lawyers.

The DEPUTY-CHAIRMAN: I do not think we can possibly go into the question of the recruitment of judges on this Amendment. Under Clause 78 it is provided that their salaries shall be charged on provincial revenues, and all that we can argue on this Amendment is whether it is desirable or not that they should also be charged on Federal revenues.

Sir R. CRADDOCK: I was not intending to be out of order, but I was trying to make the point that judges are not so easy to procure from this country among the ranks of the Bar, and that, therefore, in respect of those judges at all events, they must have a real feeling of security about their pay before they will undertake to give up their practice at the Bar and go out to spend 10 or 12 years in India, which they generally have to do. For all these reasons combined it seems desirable to make a special

[Sir R. Craddock.]
exception about the salaries of judges of the High Court, just as special provision has been made for their pensions.

9.26 p.m.

The ATTORNEY-GENERAL: The effect of the Amendment would be, as the hon. Member has explained, to bring not only the pensions of the High Court judges, but also their salaries and allowances, on to the Federal budget. Perhaps I may say how it comes about that the Bill as drawn provides that the pensions shall be upon the Federal budget. That is in conformity with the general plan of the Bill, that the pensions of all persons who are appointed by the Secretary of State or by the Crown shall come first of all from the Federal revenues, although the amount is to be recoverable ultimately from the appropriate province. But now my hon. Friend proposes, as I understand it for the purpose of greater security, that not only the pensions but the salaries and allowances of the High Court judges should be placed on the Federal budget. You, Sir, have reminded him that the proposal contained in Clause 78, Subsection (3, *d*), puts the expenditure in respect of the salaries and allowances of judges of the High Court upon the revenues of each province. It will be remembered, of course, that the Governor-General is charged with the duty of seeing that the money is available for the purpose of expenditure charged on the revenes of each province, one part of which expenditure is in respect of the salaries and allowances of the judges. My hon. Friend can hardly attach greater importance to the salaries and allowances of the judges than, shall I say, the salary and allowances of the Governor and other expenditure relating to his office, which are the first item charged upon the provincial revenues, and the salaries of the judges are another item coming a little lower down in the list. If the money was not available for the payment of these salaries and allowances, it would, of course, mean that there had been to that extent a breakdown of the provincial government.

My hon. Friend has not advanced any other reason than that connected with the financial security of the position for proposing his change, otherwise there might have been perhaps a good deal to say in answer to the suggestion. He does not, I understand, advance any reason for what may be called the federalisation of the provincial high courts, and as he has put it solely upon the financial ground, I suggest that the provisions which are contained in Clause 78 are sufficient to allay any fears that he may feel as to whether or not the judges' salaries will be available when they come to be paid.

10.0 p.m.

Sir R. CRADDOCK: There is one other point. The Governor-General has special responsibilities for the financial stability and solvency of the funds of the Federal Government, but the Governor of a province has no similar responsibilities for the financial stability and solvency of the funds of his province, and that is a point in which I submit the security and credit of the Federal Government must be stronger than that of the various provincial Governments.

10.1 p.m.

Sir S. HOARE: My hon. Friend will realise that that is a different and a very much wider point. No doubt we shall come to discuss, when we come to discuss the special responsibilities of the Provincial Governors, the question whether they should or should not have special responsibilities for the financial stability of the Provinces. We cannot very well discuss it now. Let me, however, state that I cannot see that there really is any risk in this matter. Even though the Provincial Governor has no special responsibility for the financial stability of his Province, he will have upon him the duty of finding the money for this charge and, if the money is not voted, to make an imposition of his own, and I cannot conceive, short of a complete breakdown of the Provincial Government, in which case the Governor of the Province will have to take over the whole of the machinery of government, that he will find any difficulty in insisting upon there being this comparatively small sum available out of all the provincial revenues. I think, therefore, there is no real risk such as my hon. Friend seems to have suspected, and if there is no such risk, it would be a great mistake to charge upon the Federal budget what is really a provincial financial charge. The only effect of that would be to make confusion between the finances of the Province and those of the Federation, and it would be likely to raise the worst kind of feeling

between the Province and the Federation. Therefore, I hope my hon. Friend will see, first of all, that there is no real risk, and, secondly, that this would not be a wise or effective way of treating this matter.

10.3 p.m.

Mr. D. D. REID: May I point out that for this House by legislation to direct that certain sums should be paid is not the same thing as to provide for them. I think many Members of the Committee will remember the legislation with regard to the amalgamation of the railways, where we set up a tribunal which was to regulate railway rates at such an amount as would provide a certain standard revenue for the railway companies, but we know that that has broken down hopelessly and completely. I would point out that there is one anomaly in our constitution, and that is in the part of the United Kingdom one division of which I represent, namely, Northern Ireland. There the judges are appointed by the British Government, and their salaries are paid out of the Consolidated Fund, I think. Thre is no difficulty in providing for them, because the North of Ireland is mainly financed by an amount paid back to it by the British Government out of the taxes collected by the British Government in Northern Ireland. I understand that a large part of the revenue of the Provinces in India is going to be remitted to them out of revenues collected by the Federal Governors. The analogy is very close. I do not see how there could be any difficulty in this matter. If the Provinces pay the salaries they are paid. That is the end of it. If this Amendment is accepted the Federal Government pays them and deducts them from the amount paid over to the Provincial Governments. I greatly distrust what I have been told in this House as to administrative difficulties. The expression usually means that some official does not want to take the trouble of providing for something. Nine times out of 10 the people of the department do not want to be troubled. I do not see any difficult why this Amendment should not be accepted.

10.6 p.m.

Mr. WISE: If I understand rightly the argument of the Secretary of State, it was that my hon. Friend's fears were unfounded, because a failure to pay was only likely to take place in the event of the complete breakdown in the administration of any one province. It seems that every safeguard in this Bill is presumably designed in the event of a complete breakdown in any one or all of the Provinces, and I cannot see the argument that there is any less security in making these salaries chargeable to Federal revenue. Let us assume that there is a breakdown in any one province, which is unable to meet its demands. The Federal revenue has a reserve fund out of which to meet these salaries, and in the event of such a breakdown and the Governor having to take over the administration of the province, there is one thing without which he cannot go on and that is the High Court; and it is only reasonable that there should be some provision for the payment of that High Court in the event of the province being unable so to do. Is it not really the fact that pensions are made chargeable on the Federal revenue because it is more likely that the Federal revenue would pay? It does seem only reasonable that the salaries of High Court judges and their pensions should come from the same body. It gives that added security in case of a breakdown, and it does not add any complications worth speaking of to the machinery of payment. It would bring a considerable relief not only to this House but to the people of India, who want to see their courts functioning when their assemblies are not.

Amendment negatived.

10.9 p.m.

Mr. WISE: I beg to move, in page 21, line 35, leave out paragraph (*f*).

I rise to move this Amendment merely in order to get a little information from the Secretary of State on a point which is not quite clear, I think, to the Committee. The paragraph reads:

"the sums payable to His Majesty under this Act out of the revenues of the Federation in respect of the expenses incurred in discharging the functions of the Crown in its relations with Indian States."

All I moved this Amendment for is to ask the Government where in this Act there are any sums payable to His Majesty. That is not quite clear.

10.10 p.m.

Miss RATHBONE: Would he also give a further explanation to the Committee as to what is the legitimate source of the sums which are spent in carrying

[Miss Rathbone.]
out the obligations of the Crown? Suppose there is an insurrection in a State and troops are used in putting it down. On whom does the expenditure ultimately fall?

10.11 p.m.

Mr. BUTLER: The object of including these sums under paragraph (*f*) of Clause 33 is to finance the Governor-General when he is acting as the representative of the Crown in any case where he is exercising direct relations with the Indian States under paramountcy. The result of omitting the paragraph would be to deprive His Majesty's representative in India in direct relations with the Indian States of any source of supply for dealing with the States. It would mean that he would have nothing to finance the political department, nothing with which to exercise any of those functions which His Majesty's representative, vis-a-vis the State, would probably have to exercise on certain occasions. I sincerely hope that the hon. Member for Smethwick (Mr. Wise) will not press his Amendment. If he has any difficulty about the phraseology, it is meant to imply that these sums, which will be non-votable, will be given out of the Federal revenue to the Viceroy as representative of the Crown.

Viscount WOLMER: I understand from my hon. Friend the Under-Secretary that in effect the object of the paragraph is to finance the political department of the Viceroy.

Mr. BUTLER: That is perfectly correct. But this head will also cover any expenditure which occurs in discharging functions of the Crown in its relations to the Indian States.

Miss RATHBONE: May I ask the hon. Gentleman kindly to answer my question? Does the money that is spent under this paragraph come out of the funds of the Federation or is an Indian State obliged to pay the cost of intervention that has been made necessary in the affairs of the State?

Mr. BUTLER: The funds would come from Federal revenue, out of which the Governor-General would be financed for particular purposes involved under this part of the Bill.

Mr. WISE: I do not want to press the Amendment in any way. I merely want to get some information. What sums are payable to His Majesty, and where in the Bill can we find that the Governor-General has any right to exact such sums? I do not for a moment want to deprive him of his political power. I merely want to make quite certain that it is provided somewhere in this Bill that these sums are legally exacted from the Federation.

Mr. BUTLER: As far as I see it, this paragraph gives the requisite power for these sums to be paid to the representative of His Majesty in dealing with subjects which this paragraph provides for, that is, the relations of the Crown with Indian States.

10.15 p.m.

Mr. CHURCHILL: We ought not to let this matter pass with such very vague general explanations as that. This paragraph provides for the payment to His Majesty of any sum that may be required for the Viceroy to deal with the Indian States, and the Under-Secretary has represented it as if it had nothing more in its purpose than the financing of the Indian political department.

Mr. BUTLER: I said that we must read the actual document before us. If the right hon. Gentleman will refer to it he will see reference to expenses incurred in discharging the functions of the Crown in its relation to the Indian States. They would be covered by this paragraph.

Mr. CHURCHILL: That is the point, but when my hon. Friend made his speech what he dwelt on was keeping the political department going, and what he kept in the background was the discharge of the functions of the Crown in relation to the Indian States. That is the point on which I think the searchlight should be turned. I suppose that if an Indian State is ill-governed and the Rajah misbehaves himself in any way, and coercion has to be applied to him, this is the paragraph from which the fund will be supplied. Is not that so?

Mr. BUTLER *indicated assent.*

Mr. CHURCHILL: That is so; exactly. If any question of paramountcy arises, this is the paragraph which covers it. Let us have our law right on the subject.

The SOLICITOR-GENERAL: My right hon. Friend is stating in quite general form that if expenditure was incurred as a result of misgovernment in a State the expenditure necessary would fall on federal revenue. But there might be a levy on the State concerned. We should reimburse the federal revenue out of the State.

Mr. CHURCHILL: My hon. and learned Friend has helped greatly in the discussion. This is a very important Clause for the Indian Princes, because this paragraph provides the fund from which the means of disciplining them and keeping them in good order in the federal system is to be provided. Suppose that one of the States misbehaves, or the Congress representatives in the Federal Assembly put pressure on the Viceroy, the political department would be put into motion and the pressure would be applied, and the funds for the pressure would come out of this paragraph (f). That is so. I am not saying that it is not desirable. It may be very necessary indeed. But when passing so many clauses with great rapidity we ought to notice all the important points with which we are dealing. The question of paramountcy falls under this sub-section. Questions arising out of paramountcy will be sustained by the funds under this paragraph. Has the Secretary of State seen the declaration of the Maharaja of Bhopal? [HON. MEMBERS: "The Nawab!"] I am not so conversant with these Indian titles as some hon. Members. We are always told that we should never quote French in this House with a French accent. I do not pretend to be versed, like the Private Secretary to the Under-Secretary, in all these details. Has the Under-Secretary read the declaration of the Nawab of Bhopal, in which he says that it is vital and fundamental to his agreement with the Bill that as regards paramountcy there should be an independent tribunal between the paramount Power and the Princes' States?

The CHAIRMAN: I think that is hardly relevant to this discussion.

Mr. CHURCHILL: With great respect I am not using it as a text but only as an incidental illustration and I pass from it rapidly to say that, should a case like this arise, a dispute about paramountcy, it is upon that topic that the fund provided by this subsection would be used. In a dispute on paramountcy involving the use of coercion the funds would come fro mthis Subsection. Is not that the case?

Mr. BUTLER: I think I have on several occasions told the right hon. Gentleman that all the moneys necessary to the Governor-General for the exercise of his functions as representatives of the Crown will be found under this Subsection.

Mr. CHURCHILL: That is a very nice way of answering my question in the affirmative. I am not objecting. Undoubtedly if the Princes come into the Federation they will have to be subject to severe disciplinary control, and the moneys will have to be found, from federal revenues in the first instance. I agree with the Under-Secretary that later on the expense may be transferred from the federal revenue, and recovered from the delinquent State. There is no reason why that should not happen if such a lamentable situation as has been suggested should arise. I think it well however that we should note these facts. These Clauses and Sub-sections slip through very fast, and people sometimes do not realise what is in them and wake up afterwards with great surprise to find what they have done. Here we have the armoury, the arsenal, in which the means of coercing States and disciplining them are to be found. This is the authority for placing on the federal revenue the means of reducing States to a proper subjection to the federal scheme.

Mr. D. D. REID: If a charge came on the federal revenues for the purpose of coercing a recalcitrant State there might be a levy on the State. I can imagine that, when the relations were more or less indefinite but under this Sub-section what will be the position?

The CHAIRMAN: I think I should point out that that question has been answered.

Mr. REID: It seems to me if I may say so with deep respect that it is a question which affects very vitally the vote which we are about to give.

10.23 p.m.

Mr. AMERY: Is not the actual purpose of the Sub-section simply to preserve the position of the Viceroy *vis-a-vis* the Princes as it is at present, in that sphere

[Mr. Amery.]
of paramountcy which lies entirely outside the Federal Constitution. What then, is the object of trying to make the flesh of the Princes creep with the idea of the new terrors to which they are to be subject if they should come into the Federation? It seems to me that that is one of the interventions in our debates which have nothing to do with the merits of the Bill but are intended to frighten the Princes.

10.24 p.m.

Mr. CHURCHILL: I object altogether to the suggestion of my right hon. Friend. He is always imputing motives. It is a thing which can be done from time to time with delicacy, with courtesy and with moderation, but when it becomes the staple of a right hon. Gentleman's speeches in debate, it occupies a position rather below the general level over which the attention of this Committee should range. This is about the third time to-day that the right hon. Gentleman has dealt with arguments advanced by me by simply saying "Oh, you want to frighten the Princes." I certainly admit, indeed I avow, and glory in the fact, that I should like to give my words of warning and counsel to the Princes to keep clear of this misshapen scheme. I am not afraid of that, and I should be ready to take on my own shoulders the responsibility of persuading them to stand out of it. But to say that because I avow that perfectly legitimate and proper Parliamentary position, the right hon. Gentleman should therefore feel himself absolved from using his fine intellect to provide any arguments at all in regard to the matters under discussion in the Committee, is not a deduction that can be drawn. I wish my right hon. Friend would try to address himself to the arguments instead of simply contenting himself with raising the crudest points of prejudice.

Mr. AMERY: If I did impute any motives, my right hon. Friend glories in the fact. What I was addressing myself to was the fact that the argument he advanced was entirely irrelevant to this Sub-section.

* *

10.26 p.m.

Sir JOHN WARDLAW-MILNE: I do not impute any motives to my right hon. Friend, but I would ask him what bearing his illustration has on this paragraph? He gave us an illustration and then dealt with some position that might arise if some far-fetched proposal, about which nobody has heard, was accepted by some future Government of India. As far as I can see, that cannot be an illustration of this paragraph at all. It deals entirely with the position which at present exists between the Crown and the States, and surely it is no illustration of the working of this paragraph to deal with some hypothetical case which might arise if some proposal, which a great many members know nothing about, is at some future time accepted by some future Government of India.

Mr. CHURCHILL: It is not true to say that this deals with only the present position. It deals with the position which will be created when the Federal Government is brought into existence. There is no such Government in existence now, so that it does not deal with the present but the future position, which is the position we are being asked to create.

Sir J. WARDLAW-MILNE: The position as between the Viceroy and the States is exactly the present position, that is to say, the powers of the Viceroy in connection with the States continue after federation as they exist now.

Mr. CHURCHILL: No, because new obligations are to be undertaken by those who sign the Instrument of Accession and the enforcement of the whole of the complicated process of new obligations will be met under paragraph (*f*) of this Clause. I agree that funds must be provided, but very large funds will probably be necessary owing to the extensive disagreements which will occur. All I am saying is that as we pass along through the long corridors of this Bill we ought to mark at each stage the significant passages, and this is one of the most significant.

10.28 p.m.

Mr. WISE: I do not want to appear unduly intrusive or over inquisitive in this Committee, but really the first question I asked has not yet been answered. I would withdraw the Amendment if I could get the information. This Subsection of the Clause distinctly says:

"The following expenditure shall be expenditure charged on the revenues of the Federation."

It goes on in paragraph (*f*) to say:

"the sums payable to His Majesty under this Act out of the revenues of the Federation, etc."

What I want to know is what sums and where are they mentioned in the Bill? It may be due to my stupidity, but it is a long and complicated Bill, and I do not know what sums are referred to. It is no good saying that they are the sums payable under this paragraph because clearly they are sums payable under some other Clause of the Bill, which I am unable to find. That is the only information for which I am asking, and if I can get it I shall be only too pleased to withdraw the Amendment.

10.30 p.m.

The SOLICITOR-GENERAL: I think I can help my hon. Friend. If he will look at Sub-section (2) of Clause 3 he will find it stated that:

"His Majesty's Representative for the exercise of the functions of the Crown in its relations with Indian States is appointed by His Majesty in like manner and has such powers and duties in connection with the exercise of those functions (not being powers or duties conferred or imposed by or under this Act on the Governor-General) as His Majesty may be pleased to assign to him."

Then if my hon. Friend will look at Clause 143 he will see that it reads:

"There shall be paid to His Majesty by the Federation in each year the sums required to defray the expenses of His Majesty incurred in discharging the functions of the Crown in its relations with Indian States, including any payments in respect of any customary allowances to members of the family or servants of any former Ruler of any territories in India."

The scheme is: As far as Federation is concerned, that is dealt with by the Bill, but the relations of the Crown and Indian States outside the Federation continues as now, with the payment of a sum of money each year. That is for the expenses which come under paragraph (*f*).

Mr. WISE: I thank my hon. and learned Friend for the explanation, and in view of the fact that I have the elucidation for which I asked I should like to ask leave to withdraw the Amendment.

10.32 p.m.

Miss RATHBONE: May I ask——

The CHAIRMAN: Order. Is the hon. Lady aware that if she insists on speaking now leave to withdraw cannot be given?

Miss RATHBONE: Am I not entitled to ask a question before leave to withdraw is given?

The CHAIRMAN: The hon. Lady has not answered my question. I asked whether she was aware of something in order that she might know the position—that if she insists on speaking leave to withdraw the Amendment is refused.

Miss RATHBONE: I do not think my question can possibly detain the Committee for more than a few moments, and I suppose that a request for leave to withdraw the Amendment can be repeated.

The CHAIRMAN: I have already informed the hon. Lady that that is not the case, and that is the reason I asked her the question. If she insists on speaking leave cannot be given to withdraw the Amendment.

Miss RATHBONE: I am sorry, but I think this is a very important Clause, and that the Committee are entitled to be given the means of understanding it before they vote on it or decide not to vote. We have been told by the Under-Secretary, in effect, that this Clause makes no difference, that it really preserves the present position with regard to Paramountcy. I would point out that it does create a new position, because the expenses of a native State cannot now be paid out of the revenues of the Federation seeing that there is no Federation. I want to know whether this Sub-section involves any new charges on the inhabitants of British India. Who pays the cost of carrying out the functions of Paramountcy in regard to the Indian States? It appears to me to be a serious matter if the expenditure required for carrying out those functions, which affect the States in regard to this country but not in regard to British India, is to be borne by the taxpayers of British India.

The CHAIRMAN: That point does not arise on this Amendment. It is merely a question of how certain funds are to be provided—as we should say here, charged upon the Consolidated Fund.

Miss RATHBONE: Is it not legitimate to ask whether this Clause involves

[Miss Rathbone.]
charges in that respect, because clearly the expenditure was not previously borne out of the funds of a Federation which did not then exist. Is it not legitimate before we put a charge on the Federation to ask by whom that charge is at present borne? Then I would ask whether it is possible for questions to be asked in the Legislature about these matters.

10.35 p.m.

Mr. BUTLER: It may be for the convenience of the Committee if I give the hon. Lady the answer for which she asks. It is that no extra charges are involved.

Miss RATHBONE: They are now borne by British India?

Mr. BUTLER: Yes, they are now borne by the revenues of India.

Amendment negatived.

Clause ordered to stand part of the Bill.

Clause 34 ordered to stand part of the Bill.

CLAUSE 35.—(*Authentication of Schedule of authorised expenditure.*)

10.37 p.m.

Mr. MORGAN JONES: I beg to move, in page 23, line 25, to leave out "but shall not," and to insert "and shall." This Amendment has relation to Sub-section (2), which reads:

"The schedule so authenticated shall be laid before both Chambers but shall not be open to discussion or vote therein."

The object of the Amendment is quite clear. The Schedule referred to is that which the Governor-General will authenticate in regard to sums provided to enable him to discharge his special responsibilities, among other things. I beg the Government to notice that I am not at this point urging that the Assembly should have the power to vote upon these sums, but that they should have the right to discuss the sums that they are called upon to vote. I need not at this juncture traverse the ground again as to the amount of money which is involved, or the serious issue which is involved for British India generally. There is the reservation in regard to defence. British India will have a very real interest in the amount of money to be spent upon defence. Defence is a reserved subject, and, as I understand it, the Governor-General will be able to certify or authenticate his requisition in regard to it, and it is referred to in the Schedule.

It is a matter of first-class importance that the representatives of British India shall have the right to review this demand upon them. For the sake of argument—I am not conceding the point—let us say that they will not have the right to vote on the matter; surely it is elementary that they should have the right to discuss it and to express their opinion as to how far the sum demanded of them is a demand that should properly be made. The amount of money which they are called upon to provide for defence governs the amount left to them which they can control for expenditure on the social services. If the Government are not prepared to give them the right to vote on the matter, they should at least give them the right to discuss it, because those things are of primary importance to British India.

10.40 p.m.

Mr. BUTLER: I think the hon. Member's object is already met. If he turns to the method for approving demands for grant, which is set out in Sub-sections (1) and (2) of Clause 34, he will see that there is nothing in the Bill which would stop discussion on the important subjects to which he has referred. The schedule, on the other hand, is the very last stage of authentication in the process of gaining supply in India. It is the final budget statement as authenticated by the Governor-General after he has dealt with the result of the demands for grants. The purpose of the authentication is merely to give a final consolidated statement, for audit purposes, of the expenditure which has already been authorised. The hon. Member realises that the preliminary stages will have taken place, in which the sort of discussion that he envisages will have been provided for. He will realise, also, that in India the time given for supply, owing to climatic and other reasons, has to be appreciably shorter than in this country, and from that problem arise many of the difficulties in connection with supply which I am sure he and I equally realise. I hope, therefore, that he will not press the Amendment.

10.42 p.m.

Sir S. CRIPPS: Surely the hon. Gentleman has forgotten one thing, and that is that this Schedule will, in certain circumstances, include sums which have not been granted. Where the Chamber has not assented to a demand for grants, or has reduced the amount of demand for the grant, the Schedule will contain the full sum demanded by the Governor-General under the proviso to Clause 35, and it will be the first announcement by the Governor-General that he insists, for reasons that may seem good to him, upon having certain sums the grant of which has been refused by the Federal Legislature. I should have thought that in these circumstances it would have been wise to give the Federal Legislature the opportunity of discussing the difference and the insistence upon these increases, and, indeed, to give the Governor-General, through his official representatives, the opportunity of explaining the object of and the necessity for these additions. As I understand it—I may be wrong—under the proviso, if the Chambers have not assented to any demand, or have assented subject to a reduction, the Governor-General may, if necessary, include such additional amount in the Schedule. That will be a sum which has been included after a refusal. The Secretary of State pointed out to us a short time ago, on Clause 33 (2), the wisdom of the matter being formally and properly discussed rather than being brought up by some sort of side-wind. Would it not be much wiser, where such a difference has occurred, to give just that some opportunity for discussion here which the Secretary of State said it was so wise and so necessary to preserve under Clause 33?

10.45 p.m.

Mr. BUTLER: I think that probably this difficulty arises from the point of sanction. This schedule does not give sanctions either to the supply voted by the Assembly or to supply which the Governor-General himself decrees as necessary for the carrying out of the specific purposes referred to in this matter. The sanction in one case is derived from the vote of the Legislature, and in the other case from orders from the Governor-General on items which by statute are under his control. Therefore, when the Governor-General has issued these orders, the fact that he has issued them will become known publicly through the Assembly, and therefore the schedule is not the first occasion upon which the Assembly will learn of the sums which the Governor-General has felt bound to include in the general budget. I appreciate that the hon. Gentleman would like to give a further opportunity for discussion, but I must remind him there would already have been one opportunity at least for discussion, and, if there had been a joint session, the subject would probably have been mentioned again, and, in view of the necessity in India of avoiding complexity in the conduct of financial business, I would ask him not to press the Amendment, because I think that the objects which he has in mind are fully in view, and that what he has said about sanction and publicity will be met.

10.47 p.m.

Sir S. CRIPPS: Either I completely misunderstood this proviso or else the hon. Gentleman must be wrong. If I am wrong, perhaps he will be good enough to explain to me where I am wrong. It says in the proviso:

> "if the Chambers have not assented to any demand for a grant or have assented subject to a reduction."

That is the grant the origin of which is the proposal by the Governor-General in the Legislature. He proposes for some service, not a reserve service, a sum of £100,000. The Legislature says, "We can only give you £50,000," and he thereupon says, "In my opinion your refusal or reduction of this sum will affect the discharge of my responsibilities." Let me take roads as an example. He says, "Your refusal to spend £100,000 on roads will affect the duties charged and my responsibility as regards defence, and therefore I propose, although it is not a special responsibility, expenditure which will include in the schedule the additional £50,000 which you have refused me." It will never be known up to the moment of refusal that the Governor-General is going to say, "This is the thing which affects my special responsibility." It is only after the refusal, when he comes to examine the sufficiency of the reduced sum that has been granted that to his advisers he may say, "This sum will not be enough for our special responsibility. £100,000 would have been

[Sir S. Cripps.]
or £75,000 would have been, but £50,000 is not. Now, in my schedule for the first time, I am going to announce that this extra sum must be granted."

That is the first intimation that the Legislature or anyone else will get that, because of special responsibility in this area not covered by special responsibilities, the Governor-General must insist upon more money being provided than the Legislature are willing to grant. That situation having arisen, the hon. Gentleman says, "I am not going to allow it to be discussed," and surely that is an extraordinary position to produce between the Governor-General and the Legislature. You are giving him this power to step in in an unexpected way, and then you are to say the Legislature may not discuss it, may not even ask for an explanation, because the Governor-General may not have representatives there. The matter cannot be mentioned in the House, though, of course, if necessary, discussions can be raised on it. I suggest that it is a very dangerous thing in circumstances such as these to try immediately to muzzle the House. I do ask the hon. Gentleman at least to reconsider this matter in the light of what I have put before him, and to see if some arrangement cannot be made by which an opportunity of discussion of these difficulties can be given.

10.51 p.m.

The ATTORNEY-GENERAL: I am sure the hon. and learned Gentleman will realise that we will, of course, consider any matter to which importance is attached. My right hon. Friend has shown that disposition throughout these debates. I would call the attention of my hon. and learned Friend to the fact that when he speaks about the nature of a surprise and the first opportunity that anybody has of knowing what the Governor-General is going to do when he authenticates this schedule with his signature, the whole of the matter has been discussed by the Assembly or the Council of State or both. When there is refusal to make grants for which the Governor-General has asked, the time must come when the Governor-General in his discretion has to exercise his own responsibility. Suppose there has been full discussion, and, we will assume, refusal, then the time comes where refusal has to be made good or not, and the Governor-General then takes responsibility upon himself. If the Governor-General is to say to the Assembly or the Council of State, "You have refused, and I am now about to exercise my responsibility: you had better consider your refusal," I think that might be a very undesirable relationship. I am sure that all these matters will be most carefully considered by my right hon. Friend, who is unable to be here at the moment, though I venture to think that the two Clauses are in the form that they should be.

10.53 p.m.

Mr. MORGAN JONES: I am obliged to the right hon. and learned Member for his kindness. Though we are still not quite convinced, in view of the undertaking given we shall be happy to withdraw the Amendment, leaving ourselves free to raise the matter again.

Amendment, by leave, withdrawn.

Clause ordered to stand part of the Bill.

Clause 36 ordered to stand part of the Bill.

CLAUSE 37.—(*Special provisions as to financial Bills.*)

Motion made, and Question proposed, "That the Clause stand part of the Bill."

Viscount WOLMER: May I draw your attention to the Amendment in the name of the hon. Member for Middleton (Sir N. Stewart Sandeman) and myself—in page 24, line 19, at the end to insert:

"Provided that the Governor-General shall not recommend the introduction or moving of any Bill or amendment making provision for imposing or increasing any duty of customs on goods imported into the Federation which are consigned from and produced or manufactured in the United Kingdom if the effect of such Bill or amendment if enacted and brought into operation would be to impose on such goods a higher duty of customs than the duty for the time being imposed on similar goods imported into the Federation which are consigned from and produced or manufactured in any other country."

May I ask if it is to be called?

The CHAIRMAN: No, the Amendment is quite obviously in the wrong place.

Viscount WOLMER: I understood that this Amendment was going to be selected. Do I understand from what you have said that this point should be raised later?

The CHAIRMAN: The Noble Lord has an Amendment which is more suitable on Clause 100 though I am not at all sure that it will be selected. My present idea is that these points can only be met by a new Clause. At any rate this is not the time to raise them.

Sir H. CROFT: Shall we have no opportunity of discussing this very vital question?

The CHAIRMAN: Certainly, but most obviously not on this Clause.

10.55 p.m.

Mr. DAVID GRENFELL: Before we leave this Clause I should like to call attention to one or matters arising therefrom. The Clause deals with the introduction of legislation dealing with taxation in the Federal Legislature, and we find that provision is made for the introduction of a Bill under paragraphs (*a*), (*b*) or (*c*) on the recommendation of the Governor-General. It is provided that the Governor-General shall make a recommendation for the introduction of such a Bill making such provision and that the Bill shall not be introduced into the Council of State. That leaves us with this procedure that a Bill or any amendment making provision for imposing or increasing any tax, whether local or general, and so on, shall be introduced on the recommendation of the Governor-General into the Assembly. That is a position which is analogous to the position in our own practice, where the House of Commons is the assembly for the introduction of Money Bills, and we are recommended to provide supplies for His Majesty in a variety of ways. The procedure proposed for India is tantamount to our procedure, except that this Clause does not lay down the procedure in detail for dealing with a Money Bill.

We desired, without making direct reference to our Amendment, to make an Amendment in order to be quite sure that the practice in the Federal Government in India should approximate to the practice in this country. We should like to have some assurance that the Government will give consideration to the point we wish to make, namely, that when a Money Bill has been introduced into the Assembly and has secured passage by the ordinary procedure laid down in the previous Clauses, it shall not be amended by the Council of State, which we regard as the non-representative element of the Federal Legislature. We wish to safeguard the lower House in this direction, and we appeal to the Government to give further consideration to the matter and to give us an assurance that the Assembly, having been invited to receive a Measure on the recommendation of the Governor-General, and having considered and approved such a Measure, that that Bill shall not be altered by the will of the other House. If we get that assurance we shall not divide against the Clause

10.59 p.m.

Mr. H. WILLIAMS: If I have not misunderstood the practice of this House, we are in substance asking that the Legislative Assembly in India should do as we do. Substantially, all requests for expenditure are requests which in form and in substance come from His Majesty through his Ministers, and in that we are asking that what has been the almost immemorial practice in the United Kingdom, and which has worked exceedingly well, shall be the practice in India when they have a form of government which to some extent approximates to ours.

11.0 p.m.

Mr. BUTLER: The point of the hon. Member for Gower (Mr. D. Grenfell) is that we should not give in the Bill equality of power on questions of supply as between the two Houses. We have had a previous discussion on this point this evening and I do not want to disturb the Committee by repeating the arguments I then used and therefore I hope my hon. Friend will excuse me if I am brief in my reply. In paragraph 215 the Joint Select Committee attach importance to this provision, and to put it shortly we think it is essential in view of the necessity for a strong central Government and sound finance for both Houses to have equal power in relation to matters of supply. I am sorry to have to give such a negative answer but in this matter we must adhere to the views expressed and give both Houses equal power.

Question, "That the Clause stand part of the Bill," put, and agreed to.

CLAUSE 38.—(*Rules of Procedure.*)

11.2 p.m.

Sir H. CROFT: I beg to move, in page 25, line 6, at the end, to insert:

[Sir H. Croft.]

"(*c*) for securing that no member of either Chamber who is a representative of a Federated State shall be entitled to vote on any matter mentioned in the Federal Legislative List, or on any other matter within the competence of the Federal Legislature, if such matter has been reserved to the competence of that State by the Instrument of Accession of that State."

We have been discussing many Amendments dealing with comparatively minor, although important, matters, but the Committee will agree that this Clause demands our searching examination. I feel that an apology is almost due to the Princes of India that we should be discussing this Clause. They have told us that they cannot accept the Bill yet we go on discussing matters which affect them very definitely. The reason for the Amendment is clear. It is designed to get rid of an extraordinary anomaly in the Bill under which representatives of the federating States are allowed to vote on matters affecting the Provinces, while the representatives of the Provinces have no corresponding power with regard to the States. That is an anomaly which has struck many hon. Members. It is something entirely new. It is a violation of the principle that there should be no representation without taxation.

Under the Bill we have the extraordinary situation that representatives of the States are able to interfere in matters for which they have no responsibility so far as taxation is concerned, whilst the representatives of the other bodies are in an entirely different position. If in this House we had an arrangement by which Scottish Members could vote on questions like education in England when Scotland had decided to have no education at all, you would have a similar position. I cannot believe that such a system is going to last in India. It is so clearly unjust that I cannot conceive that it can stand for any length of time, and I hope the Government will give very spympathetic attention to the Amendment, because clearly the Clause is establishing a precedent which it is almost impossible to justify.

Sir A. STEEL-MAITLAND: Is it not a precedent which has actually been set by the presence here of North of Ireland Members, of which no one thinks of complaining?

Sir H. CROFT: The right hon. Gentleman knows much more about these things than I do, but I was under the impression that the Members from Northern Ireland had to pay precisely the same taxation as the people of this country. They have an equal voice and taxation with representation. In India you will have an entirely different situation. When I was considering this subject, I said to myself, How contrary it is to the whole principle here, where you have separate communities living in Northern Ireland who come under the aegis of this Government and bear a common burden with the taxpayers of this country.

11.6 p.m.

Mr. BUTLER: It may be for the convenience of the Committee if I reply very shortly, following the example set by the hon. and gallant Gentleman himself. There are in the practice of the Imperial Parliament here certain anomalies which bear some similarity to the difficulty which the hon. and gallant Member has experienced in the future presence of State representatives in the Indian Assembly. My right hon. Friend the Member for Tamworth (Sir A. Steel-Maitland) has expressed one, and there is another in the presence in our midst of, I will not say too many, but a great number of Scottish Members, who take part in our deliberations and upon whose point of view and upon whose interests we very often deliberate and vote, and *vice versâ*. There are these anomalies in this Parliament, and there will undoubtedly be a certain anomaly in the presence of States representatives taking part on occasion on points of view and issues primarily of interest to British India.

This subject has been considered throughout all the discussions of the Round Table Conferences and all the occasions when these matters have been discussed between representatives of British India and representatives of the States, and it may help the Committee if I give some idea of the conclusion to which the various minds that have considered this problem have come during the last several years. The general conclusion has been that it would be almost impossible to frame any such provision as the hon. and gallant Member suggests, and that it would be undesirable to do anything which would result in differentiating the functions

and powers of the different categories of members in the Federal Legislature. The general conclusion come to is that we should settle this matter in the proper and true British spirit of a convention, rather than by trying to come to any artificial device to achieve the desired end, because we do not believe it would do so. The Princes and their representatives have always been against any artificial suggestion by which this desired end could be achieved, and they have always insisted that on any matter on which the future fate of the Government, for example, was concerned their representatives should have the right to decide upon the future of that Government. That is one of the practical difficulties which arise and make us believe that the best way to deal with this complicated matter is upon the lines of a convention rather than upon the lines of some provision in the Act.

Miss RATHBONE: Can the hon. Gentleman say whether the British Indian delegation agreed with that conclusion?

Mr. BUTLER: I think they were fully aware of the difficulties and acquiesced in the view that a convention was desirable to try to arrive at a satisfactory conclusion on this subject.

Miss RATHBONE: Did they not wish the convention incorporated in the Act?

Sir H. CROFT: Surely the hon. Gentleman would not be guided by the representatives of India when the Legislative Assembly itself is of no account?

11.10 p.m.

Lord SCONE: The Under-Secretary of State has stated certain objections to our proposals, objections which in places have reason behind them. I suggest that if he investigates a little more closely he will find that whatever anomalies exist in our Constitution have no relation to the anomalies he and his friends propose to set up in the Indian Constitution. Without wishing to go into matters with which we are all familiar here, there is a certain amount of reciprocity in the proceedings of this House and of the Parliament of Northern Ireland and complete reciprocity between the relations of Scotland and England. Here we are proposing to set up a strange form of legislature in which, while the representatives of Indian States are to be permitted to inquire into the most private affairs of British India, the representatives of British India are to have absolutely no counter say in the administration of the native States. It is not to be expected that the Indian Princes would submit for one moment to any such interference, but it is skating rather lightly over a very important question to say, in a somewhat airy way, that all this can be settled in the good old British style of a convention. We are not dealing here with a convention of English-speaking peoples, but with a vast number of different races, speaking different tongues, with different religions and having a wholly different outlook. I suggest that the Under-Secretary would do well to investigate the matter much more closely before brushing aside our Amendment in a somewhat cavalier fashion.

11.12 p.m.

Viscount WOLMER: Had the House not been exceedingly tired and jaded, the Under-Secretary would have given us a speech that was a little more adequate to the importance of this matter, because we are here up against one of the bedrock difficulties in which the Government have involved themselves in the whole of their federation plan. I was amazed to hear my right hon. Friend the Member for Tamworth (Sir A. Steel-Maitland) cite the example of Northern Ireland as a precedent, and the Under-Secretary talk about the position of Scotland. There is no sort of analogy at all. What Acts of Parliament have Scotland contracted out of? What Act passed by this House does not apply to Scotland? [An HON. MEMBER: "Housing!"] This House has the power to legislate for Scotland, and it does legislate for Scotland. This House can make any Act it likes applicable to Scotland. In all respects Scottish Members are in exactly the same position as English Members, although they do not happen to be so numerous. Therefore, there is no difference between England and Scotland in this respect. If you want an analogy for the plan the Government are pressing, you must visualise a situation in which it was a condition of the Act of Union that this Parliament should not be competent to legislate for Scotland in regard to, let us say, whiskey—some subject that we could not touch. To make the analogy real, take Income Tax. That is going to be the case in re-

[Viscount Wolmer.]

gard to all the States. Assume that it was a condition of the Act of Union with Scotland that this House could not impose Income Tax on Scotland. There you have the sort of position which will arise under Federation; and it will not only be in regard to such vital matters as Income Tax, but it will be in regard to all the reserved subjects. That is a wholly different situation from what prevails in regard to Scotland and Northern Ireland. My right hon. and hon. Friends are talking absolute nonsense and throwing dust in the eyes of the Committee in producing analogies of that sort.

This is really a very important matter. Under the Federation you are going to have representatives of the States coming down and voting, perhaps turning the whole division, on subjects, when it will be beyond the competence of the Federal Legislature to bring those matters into their States—voting on questions which, under the Instrument of Accession, under the Constitution, cannot possibly affect their States. What will the rest of India have to say about that? Will British India regard that as a just settlement? Everyone who has studied this question knows quite well that British India does not regard that as just. When Bills touch important questions and when the division of opinion is evenly matched and the votes of the States make all the difference in the division lobby and decide whether the Bills are passed or not, the most intense feeling is bound to arise. You are going to have one of the great causes of cleavage between British India and the States in future.

By putting the States in this position I have always felt that you were putting them in an impossible position. No wonder the Princes fear the result. If they follow the convention they know that great pressure will be put upon them by the interested parties. They will be told, "Oh, you have the power of the vote in the division lobby. If you will not help us in this matter we will take jolly good care to get our own back from you on some other question." Those are the elementary principles with which we are not at all unfamiliar even in this Parliament. Therefore it will be quite impossible, unless there is something in the Constitution, for the Princes to keep out of that very invidious position. They will be given the power to vote on questions which do not affect their States in the least. A convention will be no protection; the pressure which is bound to be put on them when feeling is running very high will force them into the one Lobby or the other. Millions represented in British India will say that the Constitution is being worked in a very unjust way. You will not make a success of your Constitution if it is founded on a sense of injustice. If the politically-minded classes of India who are represented in the Assemblies feel that the Constitution is fundamentally unjust as between Indian and Indian that is bound to be a source of great weakness.

This is one of the most important parts of the Bill. We are in this position simply because the Government are trying to do the impossible. You have not got the elements out of which you can build a real Federation. Therefore you are forced to these makeshifts, which will not and cannot stand the test of time. You will be putting the Princes in a most invidious position. Such an arrangement cannot possibly work without the gravest friction. I think the hon. and gallant Member for Bournemouth (Sir H. Croft) has suggested the only possible safeguard. I do not think and I am sure he does not think, that it is adequate but, as far as it goes, it is the only way of dealing with the question. It is no defence to say that it has been found impossible to frame rules which would operate. It is only impossible in the sense that the Government are attempting a task which cannot possibly be carried out but subject to that, I suggest that the Amendment indicates the only way of rescuing the Princes from a very serious and difficult position

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[For Continuation of Proceedings see Official Report for Wednesday, 13th March, 1935.]

HOUSE OF COMMONS.

Tuesday, 12th March, 1935.

[OFFICIAL REPORT.]

GOVERNMENT OF INDIA BILL.

Considered in Committee [EIGHTH DAY —*Progress 6th March*].

[Sir DENNIS HERBERT in the Chair.]

CLAUSE 38.—(*Rules of Procedure.*)

Amendment proposed: In page 25, line 6, at the end, to insert:

"(*c*) for securing that no member of either Chamber who is a representative of a Federated State shall be entitled to vote on any matter mentioned in the Federal Legislative List, or on any other matter within the competence of the Federal Legislature, if such matter has been reserved to the competence of that State by the Instrument of Accession of that State." —[*Sir H. Croft.*]

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

[Continuation of Official Report, from col. 350, Tuesday, 12th March, 1935.]

11.22 p.m.

Mr. AMERY: I venture to submit that the position of Northern Ireland is not so dissimilar from that of the Princes, in this connection, as my Noble Friend has suggested. Under the Northern Ireland Constitution a very wide field of legislation is reserved to the Northern Ireland Parliament, in which this House is precluded from interfering. Yet representatives of Northern Ireland do come into this House and exercise the right to vote and speak on important subjects——

Sir H. CROFT: But the right hon. Gentleman will admit that they pay taxes?

Mr. AMERY: I am dealing at the moment with the question of legislation apart from that of taxation. The Amendment is concerned with special points of legislation on which the Princes may reserve their rights. At any rate, some anomaly does exist in that respect, here in this House, and we have not, so far, found it a great difficulty. There are other kindred anomalies to that which I have indicated and if they arouse feeling, it generally happens that those who benefit by the anomaly are pleased, while those who suffer, feel injured. When the Prayer Book Measure was defeated by the votes of Scottish and other Members to whom it did not apply, all who sympathised with the majority were well content and I dare say the same thing would apply——

Viscount WOLMER: And that precise fact has been given as the reason and is the reason why the decision of the House of Commons in that matter is being flouted in practically three-fourths of the parish churches of the country at the present moment.

HON. MEMBERS: No.

Sir JOHN HASLAM: That is not true.

Mr. AMERY: I do not propose to enter into a discussion with my Noble Friend on that point. But I venture to say that these anomalies, affecting certain items out of the long Federal list, are not going to prove so difficult as has been suggested. In any case, our own experience in this House—and I presume it will also be the experience in the legislature in India—is that bodies are formed which support a Government in its general policy, and you could not possibly work a Parliamentary institution under a system which would preclude the Members of the Parliament from giving votes which might affect the life and future of a Government. Therefore, as between the two difficulties, which are inherent in the situation, I submit that it is desirable that Members of the Parliament should remain free to support a Government on all matters essential to the life of the Government. It is possible that in the ordinary course a certain discretion will be used by representatives of States as to refraining from voting upon matters which are immaterial to the Government or matters which States have declared to be reserved to themselves. If we are not prepared to face that issue we are really saying that no federation in India will be possible because under the complex and difficult situation in India we shall never get the Princes to agree to absolute universal federal legislation.

11.26 p.m.

Sir J. WARDLAW-MILNE: I agree with my Noble Friend that this is a

[Sir J. Wardlaw-Milne.]

difficult matter, but I assure him that it is a question which has been considered for a long time. I would ask him and my hon. and gallant Friend the Member for Bournemouth (Sir H. Croft) to refer to the Federal legislative list. If they will look, for example, at such items as No. 7, posts and telegraphs; No. 25, aircraft and air navigation; No. 28, copyright, inventions, etc.; and particularly No. 42, duties of Customs, they will see that it is impossible to say that the representatives of the States in the Legislative Assembly shall have no chance of voting on such matters, which must affect their States. It would be impossible to have a solution which prevented them from taking any part in considering these matters. The probabilities are, judging from the discussions that took place previously, that a convention will arise under which, except in matters in which the States have a definite interest, they would not take part; but, if it be a question of choice between two evils, it seems clear that we cannot exclude the States from taking part and voting on matters in which they have a vital interest.

11.28 p.m.

Mr. ISAAC FOOT: I want to make reference to what was said by the Noble Lord, who emphasised the anomalies arising under this Clause. That is admitted. The Bill, of course, has anomalies from beginning to end. We are creating a new constitution in circumstances such as the world has never seen before, and no purpose is served by anyone denying that there are anomalies. The only thing I would say is that there is no anomaly in the Bill which is equal to the anomaly of this country continuing to govern India for generations to come. The Indian looks upon the government of India by this country as the main anomaly. I want to deal with two points which the Noble Lord put forward. He asked the Committee to adopt the Amendment on two grounds. First, he said that circumstances may arise when the Princes will take a vote which will antagonise British India. I think that, if the Princes' representatives find themselves face to face with a vote which is likely to have that result, they as men of common sense will refrain from casting a vote which will bring odium upon their States. Under the convention, the States' representatives will not, by casting their votes, rouse the antagonism of the rest of the country. The Noble Lord's second point was that we were by this Clause putting the Princes in a most invidious position, and that we were leaving them open to serious pressure. The answer to that is that it has been asked for by the Princes themselves.

Viscount WOLMER: Oh!

Mr. FOOT: I did not know that that was disputed. All through, as I understood the discussions, and I have had a fair opportunity of hearing what the representatives——

Viscount WOLMER: I apologise to my hon. Friend for an involuntary exclamation which escaped me, but I wondered how long we were to be told that federation was necessary because the Princes were pressing for it?

Mr. FOOT: I was not saying anything of them. The Noble Lord occupied the time of the Committee usefully in submitting the point that we were by this Clause putting the Princes in a position where great pressure could be brought to bear on them, and opening serious difficulties. I say the answer to that is that the Rulers' representatives have all along asked that this general power should be given to their representatives. The request has come from them, and they are well advised in these matters and capable of defending their own interests. It is a very reasonable request when we consider that we cannot allow the Federal Government to be met by an adverse vote week after week, which may affect the credit of that Government and with it affect the position of the Princes. In those circumstances are their representatives to be denied any power to resist such an attack upon a Government which they may wish to maintain? Admitting that there are anomalies, I think that any other solution would create more anomalies. It is a question of balancing the position to see on which side there are the more anomalies. The whole question, which has occupied the attention of the Committee for only a few minutes, was discussed for month after month during the past four years, and the solution eventually arrived at, inadequate as it may be, met with no protest that I know

of on the part of any of the British delegates—whatever may be their individual views there was no essential protest. I think this is the method that creates the fewest anomalies and helps to assure the most suitable Government at the centre, and for that reason, in spite of the effective arguments of the Noble Lord, I shall support the Government and resist the Amendment.

11.33 p.m.

Mr. CHURCHILL: The Government are to be congratulated on the exuberant character of the support they have received on this Amendment from the hon. Member for Bodmin (Mr. Isaac Foot). So far as I could follow his argument, he said that what was proposed was very bad, but any other alternative would be even worse. "This is full of anomalies, but anything else would have been fuller still." Then why do it? Here is a system obviously illogical, irrational, awkward, inconvenient, cumbrous, failing at every point to give satisfaction to those for whom it is designed, and causing innumerable points of friction in its day to day work. Why go on with it? Why break your necks over this federal system?

Mr. ISAAC FOOT: Why not smash the whole Bill?

Mr. CHURCHILL: That is not what I say. That is the anarchistic method of the hon. Member. "Ah," he says to us, "why do you attempt to discuss these great matters? We have considered them on the Committee." He has settled it all for us. But, you know, we are still the House of Commons. We are much more important than the Joint Select Committee. We are superior to them. We put them in their proper place. We review their work. We descry the many defects in their labours. We point out the inconsistencies and the absurdities of the project with which they have finally confronted us. It is no use the hon. Member coming here and saying, "Ought you to presume to interfere? You can put your trust in the Joint Select Committee." This is the old dilemma which faced Mr. Gladstone. I am sure the hon. Member will like a reference to Mr. Gladstone. He is familiar with his career and knows perfectly well that this is the old dilemma that faced him on the question of Members with seats in Parliament on the basis of in and out voting. Are they to vote on all topics or are they to vote on some? That is the real issue. Because it is an old dilemma it does not follow that it has ever been satisfactorily solved. There are many riddles of the world which have never been satisfactorily solved. If they were, I suppose the world would come to an end. When one is solved, another presents itself.

In this case, all the dilemmas and anomalies are brought before us in the most acute form. Here you have the Princes coming in on a variety of Instruments of Accession, some on a limited liability principle, some going the whole hog, and all taking the same out of the federal pot. It is abhorrent and repulsive to the human mind, it grates on the core of reason; no one can bear a thing like that. One of the most profound ideas of life is that you can take no more out of it than you put into it. Here are these Princes, who are to come in with every kind of reservation for themselves, and at the same time are to sprawl broadly over the entire politics of British India.

Miss RATHBONE: Hear, hear!

Mr. CHURCHILL: I am very glad to have the hon. Lady's agreemnt in that progressive sentiment. I ask the Government the question which I asked at the beginning. Is it worth while going on with this when it is such a very bad thing, when the confusion and the worry are so great, and when everybody is asking you not to do so, everybody in India and everybody at home? I am afraid that the hon. Member for Bodmin (Mr. Isaac Foot) is almost the sole supporter of the Bill. When we come to look upon the support for the Clause and the federal system which hangs upon it, it is the Liberals, represented by the hon. Member for Bodmin, who show the only enthusiasm. There are two or three unfortunate Ministers who have burnt their fingers in this business and do not know how to get the sting out of them. It is a most dismal affair, and, if the Government had the sense and the manhood to cut themselves adrift from it, they would stand erect, freed from the cruel and crushing burden, relieved from an infection which, if they do not take the most stringent methods of isolation and inoculation, will prove fatal to their life.

11.38 p.m.

The ATTORNEY-GENERAL: In all our Debates, the right hon. Gentleman the Member for Epping (Mr. Churchill) has expressed his dislike on very broad lines. He has described Ministers as having burnt their fingers; he seems to have forgotten that he was once in a position in which he often burnt his fingers. I daresay he would be very glad to be in a position to burn them again. When he described the hon. Member for Bodmin (Mr. Isaac Foot) as the only supporter of the Bill, that was a rather unkind cut at my right hon. Friend the Member for Sparkbrook (Mr. Amery) and suggests the reason why he was indignant this evening. The right hon. Gentleman the Member for Sparkbrook is not an insignificant Member of the Committee, and we are entitled to claim the advantage of his great authority and experience for what we are doing.

Mr. CHURCHILL: I gladly concede that point.

The ATTORNEY-GENERAL: The right hon. Gentleman has referred to what I am sure was in the minds of a great many people who have expressed it in and out of the House. He remembers the history of the controversies and the Debates which took place upon Mr. Gladstone's proposals; let me remind him that it is not the Government who have proposed to introduce these difficulties into the Bill, but the Amendment. He and his friends are getting into the bog into which Mr. Gladstone fell when he proposed in-and-out procedure, which everyone recognised, after full Debate, made nonsense of that part of the proposals of the Home Rule Bill. I do not think it was altogether fair criticism—I do not suggest that it was meant to be unfair—of the hon. Member for Bodmin to suggest that he said that the proposals in the Bill were bad and that these other proposals were only slightly worse. I think the hon. Member for Bodmin recognised, as any fair person does, that there are some inconveniences, and no doubt some anomalies, in particular proposals. But there are very few perfect things in this imperfect world, and it would be the negation of common sense to make a thing worse merely because it happens not to be perfect.

Perhaps I might suggest a few common-sense considerations to the Committee in connection with this proposal. The Under-Secretary has mentioned some of the points. I would suggest to the Committee that if they look at the matter dispassionately they will come to the conclusion that it is not at all likely that these States representatives will take a very great interest in affairs that do not concern the States which they represent. It is not in their interest that they should interfere. It is much more likely that they will leave those matters which do not concern the States to those persons whom they do concern. But, if this proposal were carried, it would have the effect that it would certainly interfere with the cohesion and with the unity of the Chamber itself, it would make an opportunity for an attack upon the Ministry which would be selected by those persons who would realise where certain supporters of the Government were unable to vote, it would make the whole atmosphere an unreal one; and I venture to think it is much better on the whole that we should allow the representatives of the States to support the Ministry with their votes when occasion requires, and to use the common sense with which, I suppose, we may allow them to be endowed, as well as ourselves, in deciding upon what matters they will use their votes, or their influence, or their counsel.

It is clear, of course, as the hon. Member has said, that the Committee must decide this question for themselves, apart from the fact that other bodies like Round Table Conferences, Joint Select Committees and so on have dealt with it in the past. I am not sure he was going to suggest that we were not to decide. I am very glad to recognise that my right hon. Friend thinks that the Committee should decide. Earlier he seemed to throw scorn on our proceedings because there were 200 Members who would troop in to support the Government from other portions of the House; now he agrees that the Committee have to decide this question; so I venture to think the Committee may, like wise people, attach some importance to the fact that a great many people have already considered this question, that they have given time to its consideration, and that they have arrived at certain conclusions. The question now is whether those conclusions are on the whole reasonable and wise ones for the Committee to uphold.

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

The Committee divided: Ayes, 61; Noes, 200.

Division No. 95.] **AYES.** **[11.45 p.m.**

Acland-Troyte, Lieut.-Colonel
Bailey, Eric Alfred George
Banfield, John William
Bevan, Aneurin (Ebbw Vale)
Broadbent, Colonel John
Brown, Brig.-Gen. H. C. (Berks., Newb'y)
Burnett, John George
Cape, Thomas
Carver, Major William H.
Churchill, Rt. Hon. Winston Spencer
Cleary, J. J.
Cocks, Frederick Seymour
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cripps, Sir Stafford
Croft, Brigadier-General Sir H.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Donner, P. W.
Emmott, Charles E. G. C.
Gardner, Benjamin Walter
Greene, William P. C.
Grenfell, David Rees (Glamorgan)
Gretton, Colonel Rt. Hon. John
Griffiths, George A. (Yorks, W. Riding)
Gritten, W. G. Howard
Groves, Thomas E.
Grundy, Thomas W.
Hartington, Marquess of
Hepworth, Joseph
Jenkins, Sir William
Jones, Sir G. W. H. (Stoke New'gton)
Jones, Morgan (Caerphilly)
Keyes, Admiral Sir Roger
Kimball, Lawrence
Knox, Sir Alfred
Lawson, John James
Lockwood, Capt. J. H. (Shipley)
Logan, David Gilbert
Lunn, William
McConnell, Sir Joseph
McEntee, Valentine L.
Mainwaring, William Henry
Milner, Major James
Nunn, William
Oman, Sir Charles William C.
Parkinson, John Allen
Rathbone, Eleanor
Smith, Tom (Normanton)
Somerset, Thomas
Somerville, Annesley A. (Windsor)
Taylor, Vice-Admiral E. A. (P'dd'gt'n, S.)
Tinker, John Joseph
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Wells, Sydney Richard
Williams, Herbert G. (Croydon, S.)
Williams, Thomas (York, Don Valley)
Wilmot, John
Wise, Alfred R.
Wolmer, Rt. Hon. Viscount

TELLERS FOR THE AYES—
Mr. Lennox-Boyd and Lord Scone.

NOES.

Acland, Rt. Hon. Sir Francis Dyke
Adams, Samuel Vyvyan T. (Leeds, W.)
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Amery, Rt. Hon. Leopold C. M. S.
Anstruther-Gray, W. J.
Apsley, Lord
Aske, Sir Robert William
Assheton, Ralph
Baldwin-Webb, Colonel J.
Balniel, Lord
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Beaumont, Hon. R. E. B. (Portsm'th, C.)
Bell, Sir Alfred L.
Bernays, Robert
Bevan, Stuart James (Holborn)
Blindell, James
Borodale, Viscount
Boulton, W. W.
Bower, Commander Robert Tatton
Boyce, H. Leslie
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Buchan-Hepburn, P. G. T.
Burghley, Lord
Butler, Richard Austen
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Caporn, Arthur Cecil
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chapman, Col. R. (Houghton-le-Spring)
Christie, James Archibald
Colfox, Major William Philip
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Cooke, Douglas
Cooper, A. Duff
Courthope, Colonel Sir George L.
Cranborne, Viscount
Craven-Ellis, William
Crookshank, Capt. H. C. (Gainsb'ro)
Cross, R. H.
Culverwell, Cyril Tom
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Eden, Rt. Hon. Anthony
Elliot, Rt. Hon. Walter
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Evans, David Owen (Cardigan)
Fielden, Edward Brocklehurst
Foot, Dingle (Dundee)
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Gault, Lieut.-Col. A. Hamilton
Gillett, Sir George Masterman
Glyn, Major Sir Ralph G. C.
Goff, Sir Park
Graves, Marjorie
Griffith, F. Kingsley (Middlesbro', W.)
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R. W. (Orkney & Z'tl'nd)
Hanbury, Cecil
Hannon, Patrick Joseph Henry
Harvey, Major Sir Samuel (Totnes)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Heneage, Lieut.-Colonel Arthur P.
Herbert, Major J. A. (Monmouth)
Holdsworth, Herbert
Hornby, Frank
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing.-Com. A. W. H.
Janner, Barnett
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Johnston, J. W. (Clackmannan)
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kirkpatrick, William M.
Lamb, Sir Joseph Quinton
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Liddall, Walter S.
Llewellin, Major John J.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
MacDonald, Malcolm (Bassetlaw)
McKeag, William
McKie, John Hamilton
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Mallalieu, Edward Lancelot
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Milne, Charles
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shephard
Muirhead, Lieut.-Colonel A. J.
Normand, Rt. Hon. Wilfrid
O'Connor, Terence James
O'Donovan, Dr. William James
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Perkins, Walter R. D.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickthorn, K. W. M.
Pownall, Sir Assheton
Procter, Major Henry Adam
Pybus, Sir John
Radford, E. A.
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rankin, Robert
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Renwick, Major Gustav A.
Rhys, Hon. Charles Arthur U.
Rickards, George William
Roberts, Aled (Wrexham)
Robinson, John Roland
Ross Taylor, Walter (Woodbridge)

Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salt, Edward W.
Samuel, M. R. A. (W'ds'wth, Putney).
Selley, Harry R.
Shaw, Helen B. (Lanark, Bothwell)
Shute, Colonel Sir John
Simmonds, Oliver Edwin
Smith, Sir Robert (Ab'd'n & K'dine,C.)
Somervell, Sir Donald
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stones, James
Stourton, Hon. John J.
Strickland, Captain W. F.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Tree, Ronald
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wedderburn, Henry James Scrymgeour-
White, Henry Graham
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Worthington, Dr. John V.

TELLERS FOR THE NOES.—Captain Sir George Bowyer and Sir George Penny.

Ordered, That The CHAIRMAN do report Progress; and ask leave to sit again.—[*Captain Margesson.*]

Committee report Progress; to sit again To-morrow.

It being after half-past Eleven of the Clock, Mr. SPEAKER *adjourned the House, without Question put, pursuant to the Standing Order.*

Adjourned at Six Minutes before Twelve o'Clock.

HOUSE OF COMMONS.

Wednesday, 13th March, 1935.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER in the Chair.

PRIVATE BUSINESS.

SUNDERLAND CORPORATION BILL,

"to extend the boundaries of the county borough of Sunderland and for purposes incidental thereto; to authorise the Mayor, Aldermen, and Burgesses of the said county borough to construct street works and to construct, maintain, and work tramways; to confer further powers upon the Corporation with regard to their electricity undertaking and with regard to the health, improvement, good government, and finance of the country borough; and for other purposes," presented, and read the First time; and ordered to be read a Second time.

ORAL ANSWERS TO QUESTIONS.

LEAGUE OF NATIONS.

TURKEY AND BULGARIA.

1. **Mr. MANDER** asked the Secretary of State for Foreign Affairs whether he has any statement to make with reference to the dispute between Turkey and Bulgaria; and whether the matter has been reported to the League of Nations?

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir John Simon): I would refer the hon. Member to the reply given to my hon. Friend the Member for Moseley (Mr. Hannon) on 11th March, to which I have nothing to add.

PARAGUAY.

3. **Mr. MANDER** asked the Secretary of State for Foreign Affairs what action is being taken by the Council of the League of Nations in view of the fact that on 24th February Paraguay committed an act of war against Great Britain and every other member of the League of Nations under the Covenant of the League by its refusal to cease hostilities with Bolivia; whether the terms of Article 16 of the Covenant are to be applied; if so, in what form; when the committee of the Council set up to advise on the Chaco dispute last met; and who has been appointed president to take the place of M. Najera?

Sir J. SIMON: The Advisory Committee of the Assembly of the League of Nations met at Geneva on 11th March, under the chairmanship of the Portuguese representative, Monsieur Vasconcellos, and is at the moment considering the matters to which the hon. Member refers. I cannot anticipate the conclusions which the committee will reach.

Mr. MANDER: Is not a great deal of the difficulty due to certain South American States failing to play the game in regard to the embargo; and does not the question really arise of the expulsion of Paraguay from the League?

Mr. GODFREY NICHOLSON: Will the right hon. Gentleman bear in mind the fact that most of the country does not share the pacific bellicosity of the hon. Member for East Wolverhampton (Mr. Mander)?

DISARMAMENT CONFERENCE.

2. **Mr. MANDER** asked the Secretary of State for Foreign Affairs why Mrs. Corbett Ashby, the substitute delegate for the British Government to the Disarmament Conference, resigned her position?

Sir J. SIMON: The reasons put forward by Mrs. Corbett Ashby for her resignation were contained in a letter addressed to the Prime Minister on 6th March. The texts of this letter and of the Prime Minister's reply were given by Mrs. Corbett Ashby to the Press and appeared in the newspapers on 9th March. I have nothing to add to those letters.

Mr. MANDER: Was not the reason stated in that letter, the stinging condemnation of the whole conduct of the Disarmament Conference by His Majesty's Government?

Sir J. SIMON: My hon. Friend will find that the best way of ascertaining the contents of a written document is to read the document.

Mr. MANDER: Is the right hon. Gentleman aware that I have read it and have come to that conclusion?

CHINA (LOAN).

4. **Mr. D. G. SOMERVILLE** asked the Secretary of State for Foreign Affairs the amount of the international loan which it is suggested would be given to China; whether this sum will be provided or guaranteed by the chief countries having commercial or other interests in the Far East; and, if so, whether he will state the names of these countries?

Sir J. SIMON: I would refer my hon. Friend to the reply given to my hon. Friend the Member for Whitehaven (Mr. Nunn) on 6th March.

NAVAL ARMAMENTS.

6. **Mr. GEORGE HALL** asked the First Lord of the Admiralty the amount of money approved for naval purposes for the years from 1929 to date, giving each year separately, for each of the following countries, United States of America, France, Italy, Germany and Japan; and the amounts in sterling values?

The FIRST LORD of the ADMIRALTY (Sir Bolton Eyres Monsell): As the answer is in tabular form, I propose with the hon. Member's permission to circulate it in the OFFICIAL REPORT.

Following is the answer:

The total Navy Estimates voted by the countries in question were as follow:

——	U.S.A.	Japan.	France.	Italy.	Germany.
	Dollars.	Yen.	Francs.	Lire.	RM.
1929-30 (or 1929)	364,693,314	261,108,889	2,485,349,508 / 621,337,377 (*a*)	1,232,433,630	180,175,860
1930-31	403,242,836	242,932,204	2,722,741,389	1,575,966,000	188,624,700
1931-32	359,198,792	211,887,096	2,799,830,314	1,573,622,800	183,504,350
1932-33 (or 1932)	333,926,573	306,766,533	2,506,263,577 (*b*)	1,574,923,277	183,504,350
1933-34 (or 1933)	297,000,000 (*g*) (*f*).	403,771,338	2,712,254,973	1,397,222,277	183,004,350
1934-35 (or 1934)	442,527,832 (*f*)	488,509,658	3,173,283,494 (*d*)	1,224,780,477	233,005,150
1935-36 (1935) ...	593,695,947 (proposed) (*f*)	530,000,000 (proposed).	3,298,858,118 (*e*)	1,304,881,000 (proposed).	—

(*a*) For period 1st January—31st March, 1930, after which fiscal year was changed to 1st April, —31st March.

(*b*) For 9 months only, due to change back of fiscal year to 1st January—31st December, includes Frs. 95,000,000 special vote.

(*c*) Original voted estimates—excluding subsequent amendments.

(*d*) Includes Frs. 230,000,000 special vote. Also includes Naval Air Service vote, which from 1929 to 1933 inclusive was included under Air Ministry budget.

(*e*) Includes Frs. 396,000,000 special vote. Also includes Naval Air Service Vote, which from 1929 to 1933 inclusive was included under Air Ministry budget.

(*f*) Includes estimated expenditures under National Recovery Act, etc.

(*g*) Estimated expenditure. Original voted Estimates were reduced by Economy Act.

In view of the fluctuations in the rates of exchange, and the different standards of values in the various countries, no reliable figures are available for converting the foregoing amounts into comparable sterling values. Furthermore, the Navy Estimates of the various countries * * can never be satisfactorily compared.

7. **Mr. G. HALL** asked the First Lord of the Admiralty the cruiser, destroyer, and submarine tonnage which can be laid down in accordance with Article 19 of the International Treaty for the Limitation and Reduction of Naval Armaments, 1930, in view of the ships which will become over age in 1937, 1938, and 1939; and the names of the ships which will, in existing conditions, become over age in the three years mentioned?

Sir B. EYRES MONSELL: As the information is in tabular form, I will, with the hon. Member's permission, circulate it in the OFFICIAL REPORT.

Following are the figures:

	1937.		1938.		1939.	
	Name.	Tonnage.	Name.	Tonnage.	Name.	Tonnage.
Cruisers ...	Durban ...	4,850	Despatch ...	4,850	—	—
			Diomede ...	4,850	—	—
			Cape Town	4,200	—	—
			Adelaide ... (R.A.N.)	5,100	—	—
	1 ship.	4,850 tons.	4 ships.	19,000	—	—
Destroyers ...	Broke ...	1,480	—	—	—	—
	Keppel ...	1,480	—	—	—	—
	2 ships.	2,960	—	—	—	—
Submarines ...	L. 23 ...	760	L. 53 ...	845	L. 26 ...	760
	L. 54 ...	845	X. 1 ...	2,425	L. 27 ...	760
	2 ships.	1,605	2 ships.	3,270	2 ships.	1,520

HIS MAJESTY'S SILVER JUBILEE (NAVAL REVIEW).

8. **Mrs RANKIN** asked the First Lord of the Admiralty whether it is proposed to mobilise any of the units of the Reserve Fleet or officers and men on the reserve and emergency lists of His Majesty's Navy in connection with the naval review to be held at Spithead this summer?

Sir B. EYRES MONSELL: Arrangements are at present under consideration for bringing forward certain units of the Reserve Fleet to take part in the naval review. A certain number of reserve officers and men will be afforded the opportunity of performing their periodical training at the time of the naval review

KENYA.

9. **Mr. PALING** asked the Secretary of State for the Colonies whether the proposed legislation establishing a local Asian civil service in Kenya Colony has been submitted to him; and whether he will recommend that the Asian officers who have not completed eight years' continuous service as at 1st January, 1933, but who are confirmed in their appointments and are on pensionable status, should not be transferred, against their will, to the local Asian civil service?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): I have received the proposals for the establishment of the Asian local civil service in Kenya which, except in so far as they refer to the creation of a provident fund, do not require legislation. These proposals are still being considered, but they do not contemplate that any officer who has already acquired pensionable status should be transferred to the new service against his wishes, whether he had completed eight years' service on the 1st January, 1933, or not.

14. **Mr. HALL-CAINE** asked the Secretary of State for the Colonies whether he has yet any information as to whether it has been found possible to balance the budget of Kenya Colony for the coming financial year; and whether he is in a position to make any statement with regard to the general financial position of that colony?

Sir P. CUNLIFFE-LISTER: Yes, Sir, the estimates for 1935 anticipate a surplus of £15,907; and I have recently learned from the governor that, according to the latest figures, last year resulted in an excess of revenue of about £4,000, in place of the deficit of £54,000 which was previously expected. This satisfactory result appears to be due to increased trading activity towards the close of the year; and, as I stated in reply to a question on the 27th of February, there is reason to hope that, if the colony is not again afflicted by drought or other un-

[Sir P. Cunliffe-Lister.]
predictable setbacks, its general financial position will show an improvement during the present year.

Captain GUEST: Will the right hon. Gentleman clear up this point—whether the taxes specifically imposed for 1933-1934 have had to be re-imposed to enable him to get that benefit?

Sir P. CUNLIFFE-LISTER: My right hon. and gallant Friend's question is based on a complete misconception. Taxes are constantly imposed, like the income tax here, every year, in connection with that year's budget, but there has never been any suggestion that the taxes imposed a year ago to balance the budget would be withdrawn at the end of that year.

GAMBIA (HEALTH SERVICES).

10. **Mr. PARKINSON** asked the Secretary of State for the Colonies whether the quarantine regulations in the Gambia have yet been relaxed; whether, in particular, attendance at schools and at church services is allowed; and whether any steps are under consideration for the prevention of disease through the establishment of an adequate drainage system, the promotion of housing schemes and the provision of medical and sanitary services, including, if necessary, a quarantine board, with inclusion of persons with knowledge of local conditions?

Sir P. CUNLIFFE-LISTER: The answers to the first two parts of this question are in the affirmative. It is understood that the governor of the Gambia is at present formulating proposals to improve the health situation in Bathurst, and no doubt these will contain recommendations in respect of the drainage system and housing schemes. Steps have already been taken to increase the staff of the medical and health services and further additions are under consideration. No proposal for the establishment of a quarantine board has been brought to my notice and I am not aware of any necessity for such a board.

ZANZIBAR (CLOVE MARKETING SCHEME).

11. **Colonel WEDGWOOD** asked the Secretary of State for the Colonies whether in view of the detrimental effect of the Clove Growers' Association upon British trade with Zanzibar, he will reconsider the legislation setting up this association?

Sir P. CUNLIFFE-LISTER: I cannot accept the suggestion that the reconstitution of the Clove Growers' Association on its present lines has had any detrimental effect on British trade with Zanzibar. On the contrary, the information I have received goes to show that, even in the short time which has elapsed since the reconstitution, the people of Zanzibar have already begun to derive substantial benefit. In the circumstances, I see no necessity for any reconsideration of the recent enactments, though I can assure the hon. Member that the situation is carefully watched by the Zanzibar Government.

Colonel WEDGWOOD: Has the right hon. Gentleman received any communication on the subject from the East African section of the London Chamber of Commerce presided over by Sir Humphrey Leggett; and whether he is aware that a further consignment of 900 tons of cloves has been ordered by the Americans from Madagascar although hitherto they got their supplies from Zanzibar?

Sir P. CUNLIFFE-LISTER: In answer to the first part of the supplementary question, I think the chamber of commerce asked for certain information which was supplied to them. I do not think we have had any other communications from them. With regard to the second part of the question, there has always been an export of cloves from Madagascar and the volume of that export was taken very carefully into consideration by the Zanzibar Government. They carefully reviewed the matter on the spot.

Colonel WEDGWOOD: Would it be possible to find out from the Zanzibar Government whether there have been other purchases made in Madagascar which up to now were being made in Zanzibar; and whether the London Chamber of Commerce have made any definite representations?

Sir P. CUNLIFFE-LISTER: I have answered the first point. It would obviously be useless to inquire in Zanzibar as to whether somebody in America has made purchases in Madagascar. I

think the best evidence of the reasonable success of the scheme, which is consonant with marketing schemes all through the Empire, is that the price has improved by a certain amount and has been very steady for some time.

Colonel WEDGWOOD: Is the trade not all in the hands of one firm now?

MALTA (COURTS).

13. **Sir BROGRAVE BEAUCHAMP** asked the Secretary of State for the Colonies, whether he can give any information regarding the results of the reforms in language and procedure of the Maltese courts which were carried through last autumn?

Sir P. CUNLIFFE-LISTER: Yes, Sir, the results of four months' working show that arrears in the courts are being rapidly overtaken. The cases pending on the 1st of October last in the courts of first instance showed a decrease on the 1st of February of from 1,043 to 681, i.e., 362; and in the commercial court a decrease of from 360 to 183, i.e., 177. In the same period the cases pending in the court of appeal increased from 164 to 189. This slight increase of 25 is accounted for by the increased number of cases heard to a conclusion in the courts of first instance, and by illness among the members of the court of appeal. These figures attest the marked success with which the reforms have been attended. The indications are that at the end of a year's working arrears in the courts of first instance are likely to be eliminated; and it may reasonably be hoped that the arrears in the court of appeal will also be overtaken. In any case, with the clearing of the lists in the courts of first instance it will be possible, should it be necessary, to give assistance to the court of appeal.

ROYAL AIR FORCE (FIGHTER AIRCRAFT).

15. **Captain CUNNINGHAM-REID** asked the Under-Secretary of State for Air whether the construction of a fighter-monoplane capable of a speed of 275 miles an hour is in contemplation; and when such machines will be available?

The UNDER-SECRETARY of STATE for AIR (Sir Philip Sassoon): High performance fighter aircraft have been ordered and will probably be flying this year. It would not be in the public interest to disclose exact figures relating to the performance of these aircraft.

Captain CUNNINGHAM-REID: In that case, why are references allowed in the Press to that particular machine?

Sir P. SASSOON: I do not think that what appears in the Press is the responsibility of the Air Ministry.

AVIATION.

PILOTS' LICENCES.

16. **Captain CUNNINGHAM-REID** asked the Under-Secretary of State for Air whether the recommendation of the Gorell Committee on Civil Aviation has been considered to the effect that the United Kingdom representative on the International Commission for Air Navigation should press for a relaxation of the medical requirements for the renewal of private pilots' A licences; and whether this representative has been instructed accordingly?

Sir P. SASSOON: The answer to both parts of the question is in the affirmative.

Captain CUNNINGHAM-REID: Can I have an assurance from the Minister that the policy of the Air Ministry will be directed towards relaxation rather than the encroachment of bureaucracy?

Sir P. SASSOON: Yes, Sir. That is exactly what is intended.

FOREIGN AIRCRAFT (BRITISH-DESIGNED ENGINES).

17. **Mrs. TATE** asked the Under-Secretary of State for Air what percentage of foreign aircraft in service on European air lines were fitted with engines of British design in June, 1934?

Sir P. SASSOON: I have no precise information for the date mentioned, but it may be taken that rather more than 10 per cent. of the aircraft operated by foreign European regular air transport undertakings are fitted with engines of United Kingdom design.

Mrs. TATE: Is my right hon. Friend aware that 14 per cent. of these lines are fitted with engines of American con-

[Mrs. Tate.]
struction or manufacture; and does he not think we should have a far greater opportunity of exporting to Europe than the United States?

Viscountess ASTOR: Is it likely that we shall have that opportunity unless we have better technical people connected with the air? I know what I am talking about.

AIRCRAFT, ENGINES AND PARTS (EXPORTS).

18. **Mrs. TATE** asked the Under-Secretary of State for Air the figures of British aeronautical exports for the years 1927, 1929, 1931 and 1934, respectively?

Sir P. SASSOON: The exports of aircraft, engines and spare parts from the United Kingdom in the calendar years 1927, 1929, 1931, and 1934 amounted to £1,085,000, £2,159,000, £1,860,000, and £1,921,000, respectively.

BRITISH AIR SERVICES (ACCIDENTS).

19. **Mrs. TATE** asked the Under-Secretary of State for Air the number of passenger-miles flown by British domestic and foreign transport lines in the year 1934, and the number of passenger fatalities on those lines during that year?

Sir P. SASSOON: Over 29,000,000 passenger-miles were flown in 1934 on regular air transport services operated by United Kingdom undertakings at home and abroad. There were two fatal accidents, in which nine passengers lost their lives.

Captain HAROLD BALFOUR: Can my right hon. Friend say what proportion of that mileage was flown on subsidised and what proportion on unsubsidised lines?

Sir P. SASSOON: Perhaps my hon. and gallant Friend will give me notice of that question.

AUSTRALIA (AIR MAIL POLICY).

20. **Mr. SIMMONDS** asked the Under-Secretary of State for Air whether he can make any statement regarding the recent conferences in Australia on the subject of the Government's air mail policy?

Sir P. SASSOON: I am not in a position to make any statement beyond saying that a report of the conference has been received by telegram, which, while it gives no details, is generally encouraging.

ANGLO-SWISS SERVICE.

21. **Mr. SIMMONDS** asked the Under-Secretary of State for Air whether he is aware that on the Anglo-Swiss air service between London and Bâle, the Imperial Airways aircraft, owing to their comparative slowness, are scheduled to take 60 per cent. longer than the Swiss air liners; and whether he proposes to take any action?

Sir P. SASSOON: My Noble Friend does not propose to take any action in this matter.

Mr. SIMMONDS: Can my right hon. Friend explain to the House why, in the case of an ocean liner which is two or three knots slower than a foreign one, the Government must carry millions of pounds, whereas in this case, where we are 60 per cent. slower than the Swiss air liners, no action appears to be necessary?

Sir P. SASSOON: Imperial Airways services will be accelerated as times goes on.

TRANSPORT.

PEDAL CYCLISTS (ACCIDENTS).

23. **Mr. WEST** asked the Minister of Transport how many cyclists are killed annually; what proportion are killed during daylight hours; and how many of those killed during the hours of darkness carried a rear light?

The MINISTER of TRANSPORT (Mr. Hore-Belisha): I regret that the number of pedal cyclists killed annually on the roads has increased considerably during recent years from 691 in 1928 to 1,354 in 1933. The report on fatal road accidents during 1933 issued by my Department gives detailed analyses of fatal accidents to 1,324 pedal cyclists, of whom 70 per cent. were killed during the hours of daylight. Of the 397 cyclists who died as a result of accidents during the hours of dusk or darkness, 11 were reported to be carrying a red rear light.

Mr. WEST: Seeing that only a minority of the cyclists are killed in the hours of darkness and that a great many of those who are killed are killed in head-on collisions, is it not clear to the hon. Gentleman that the provision or absence of rear lights is of very minor importance in casualties to cyclists?

Captain STRICKLAND: Is it not a fact that the roads are far less used by cyclist at night and that that would account for the larger proportion of accident by day?

Mr. HORE-BELISHA: I think I answered the hon. Gentleman's question. Of the 397 cyclists who died as a result of accidents at night, 11 were reported to be carrying a rear light.

Mr. WEST: Has not the Minister understood the second part of my question, which was that of those 397 the great majority were killed in head-on collisions, and how could rear lights be of any use in those cases?

Lieut.-Colonel C. MacANDREW: Why should the cyclists object to carrying rear lights, when it is entirely for their own safety?

CIRCULAR.

24. **Mr. JOHN WILMOT** asked the Minister of Transport whether he is aware that an official circular issued by the Ministry refers to the Government as "the National Government" and refers to the Minister by name; and whether his Department has been authorised to use the term "National" in designating the Government?

Mr. HORE-BELISHA: The circular of 5th February follows the language of, and makes quotations from, my speech at Birmingham in which I announced that the National Government had decided on a five-year plan for the roads.

Mr. WILMOT: Do the hon. Gentleman and His Majesty's Government regard it as a desirable practice to include a political appellation in a reference to the Government and repeated references to the particular Minister by name in official circulars issued to local authorities?

Mr. HORE-BELISHA: With regard to the latter part of the question, of course that is quite traditional and essential. There is no other way of dealing with them. As regards the first part of the question, I will certainly take note of what my hon. Friend said.

Mr. WILMOT: Will the hon. Gentleman refer to his Department and ascertain whether it has not in fact been the practice of all previous Governments to refer to the Government as "His Majesty's Government" and to refer to the Minister of Transport as "the Minister"?

Mr. LANSBURY: May I ask the Lord President of the Council whether he really agrees that in an official document issued in the name of the Government we should depart from precedent and call it the Tory Government, or the Liberal Government, or the Labour Government, or the Socialist Government? Does he think it right that when an official document is issued the words "the National Government" instead of "His Majesty's Government" should be inserted in these circulars?

The LORD PRESIDENT of the COUNCIL (Mr. Baldwin): Not having had notice of that question, all I would say is that I was not aware that the practice to which the hon. Gentleman alludes ever was followed.

Mr. LANSBURY: I think the right hon. Gentleman does not do himself justice. He was present when we raised this question in reference to the White Paper on armaments, and the hon. Gentleman just now——

Mr. SPEAKER: That is hardly for Question Time.

Mr. LANSBURY: On a point of Order. This is a matter of constitutional usage, and are we not entitled to ask the Lord President, as representing the Government, whether this very bad practice shall be put an end to?

Mr. SPEAKER: Yes, but the right hon. Gentleman must not do so by making a speech at Question Time.

Mr. LANSBURY: I apologise for attempting to make a speech on the subject, but the difficulty always is to know exactly how to put it. I think my last question was a question to the right hon. Gentleman, and I ask him to answer it.

Mr. BALDWIN: I have not the least objection. It is obvious, I think, from what passed the other day that in that particular instance an error was committed—I admit it quite frankly—and it ought to have said "His Majesty's Government." There is no doubt at all about that, but I am not aware of its being the practice with regard to the issue of circulars, beyond what I have heard in the question to-day, of which I have no knowledge.

MOTOR DRIVING TESTS (EXAMINERS).

27. **Mr. TINKER** asked the Minister of Transport what number of the 263 examiners chosen for motor tests came from Lancashire; and can he say if other appointments will be made?

Mr. HORE-BELISHA: The appointments of driving examiners have been made solely on merit and not on the basis of allotting a proportion of posts to candidates from particular localities. The information which the hon. Member desires could only be obtained by a special examination of the particulars submitted by all the persons appointed. I am not in a position to say at present whether an increase in the number of 263 will be required.

Mr. TINKER: Is the hon. Gentleman aware that there is a feeling of unrest about the appointments and that it would clear up the matter if he would issue a statement showing where they have been choosen from? I am not doubting that it has been done properly, but many people who have put in for this job complain that they have never had an interview, and they do not know who has been appointed.

Mr. HORE-BELISHA: I will certainly give my hon. Friend any information that he may desire.

Mr. LEWIS JONES: Is the hon. Gentleman aware that there were 33,752 candidates in the country?

28. **Mr. RHYS DAVIES** asked the Minister of Transport how many of the 34,000 applicants for the 263 posts as examiners were unemployed when making their applications?

Mr. HORE-BELISHA: The application form contained the usual question as to present or last employment, but the answers did not indicate in every case whether an applicant was in employment at the time of application. It would now be impracticable to obtain the information.

34. **Mr. HALL-CAINE** asked the Minister of Transport whether previous driving experience or holding of a driving licence in a British Dominion or Colony will enable future applicants for a motor driving licence to obtain such licence without passing the new official driving test?

Mr. HORE-BELISHA: It is proposed that an applicant for a licence shall not be required to pass a driving test if he satisfies the licensing authority that he is not resident in Great Britain and holds a valid international driving permit or a driving licence issued to him by the competent authority of the country in which he resides.

Mr. SIMMONDS: Will this apply where there are not driving tests in the country concerned?

Viscountess ASTOR: Will the hon. Gentleman add a temperance test in issuing licences?

ACCIDENTS.

30. **Mr. R. J. RUSSELL** asked the Minister of Transport whether he will circulate for the information of Members of the House a list of road casualties where death has resulted, and the verdict given by coroners in each case, during the years 1933 and 1934?

Mr. HORE-BELISHA: The report on fatal road accidents in 1933 issued by my Department contains an analysis of all fatal road accidents in that year, and of the causes to which they were attributed, based on returns made by the police authorities after the inquests. Returns on similar lines are being compiled for the current year.

TRAFFIC SIGNS.

31 and 32. **Captain STRICKLAND** asked the Minister of Transport (1) whether he will consider the issue of instructions to all responsible authorities that all traffic notices and signs shall be displayed at a height from the ground not exceeding six feet, in order to render them more readily visible to motorists and road users generally;

(2) whether he will encourage, so far as lies in his power, the general reduction to reasonable eye level of all sign-posts, particularly at cross-roads, and the display on them of road names in as large a type as is convenient?

Mr. HORE-BELISHA: Highway authorities have been instructed to have regard to the recommendations of the Departmental Committee on Traffic Signs. The form and dimensions of traffic signs are governed by regulations, which also follow generally the recommendations of

this committee, except that on certain signs place-names are allowed to be of somewhat larger dimensions than those which the committee recommended.

Mr. McKEAG: Will the hon. Gentleman consider the desirability of having signposts erected at a greater distance from cross-roads in order to obviate what is at present fatal hesitation and bewilderment at the actual cross-roads?

Mr. WILMOT: Is not the hon. Gentleman aware that this matter assumes primary importance in view of the impending introduction of the 30 miles an hour speed limit in certain areas?

BUILT-UP AREAS (SPEED LIMIT).

35. **Captain Sir WILLIAM BRASS** asked the Minister of Transport whether he is aware that many of the local authorities will be unable, on or before the 18th March, to erect the traffic signs required by Section 1 of the Road Traffic Act, 1934, to indicate the beginning and the end of a length of road subject to the 30 miles an hour limit; and whether, in view of these circumstances, he will delay the introduction of the speed limit until such time as the necessary signs are erected?

Mr. HORE-BELISHA: I have caused inquiry to be made of local authorities and am assured that they are in a position to erect by the 18th March the signs necessary to denote the limits of operation of the speed limit. Even if there should be locally any temporary difficulties, I am sure that no one would wish to exploit them.

Sir W. BRASS: Is my hon. Friend aware that, as a result of inquiries from the Royal Automobile Clubs all over the country, I have ascertained that practically none of these signs have been put up, and will he give an undertaking, if I can prove to him that that is the case, not to bring in the speed limit on the 18th?

59. **Mr. SIMMONDS** asked the Secretary of State for the Home Department whether, in order to maintain the present good relations between the police and the motoring public, he will give instructions that the offence of exceeding the new speed regulations should not lead to prosecution where the excess is but two or three miles per hour and is unaccompanied by specifically dangerous driving?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): No, Sir. It is the duty of the police to enforce the law as enacted by Parliament, and I have no authority to instruct the police to refrain from prosecuting in the cases mentioned. Ample warning is being given of the procedure which will be followed by the police, and I hope that the motoring public, by their general observance of the intentions of Parliament, will render unnecessary any frequent recourse to proceedings on the part of the police.

Mr. SIMMONDS: Before proceeding with the deplorably provocative policy announced yesterday by the Commissioner of Police of the Metropolis, will the right hon. Gentleman endeavour to secure an amicable co-operation with the motoring public, and thereby obtain greater results?

Sir J. GILMOUR: I cannot agree that the policy of the Commissioner is provocative; I have no reason to suppose that it is so. I hope that the general motoring public will arrive at a contrary decision, and that they will help by co-operating with the police.

Mr. GROVES: Will the speed limit apply to the police as well as to the public?

Mr. G. NICHOLSON: Can the right hon. Gentleman assure the House that the independent evidence of two stop-watches will be necessary before a conviction for exceeding the speed limit is made?

STREET OBSTRUCTION (STATIONARY VEHICLES).

55. **Mr. BURNETT** asked the Home Secretary whether he will, in order to restore Old Quebec Street and Bryanston Street as public highways for driving and foot traffic, request the police to direct vehicles calling at the hotels, flats, and stores fronting to Oxford Street to use Oxford Street daily after 10 a.m. as standing space or, alternatively, to notify the owners of the hotels, flats, and stores in Oxford Street that they must provide their own garage space for customers and tradesmen, in order to abate the nuisance caused by depriving the general public of their rights to the public highway?

Sir J. GILMOUR: The Commissioner of Police of the Metropolis informs me

[Sir J. Gilmour.]
that the police have instructions not to allow vehicles to stand in the streets referred to in such manner as to render passage impracticable. The suggestion that waiting vehicles should be directed to Oxford Street would not only involve an infringement of the regulations made by my hon. Friend the Minister of Transport, which prohibit waiting in Oxford Street between 12 noon and 7 p.m., but would make conditions in the neighbourhood worse and might even result in a complete stoppage of the traffic in Oxford Street itself. As regards the alternative suggestion made by my hon. Friend, there is no power to require frontagers to provide garage accommodation, but it is most desirable that drivers should make full use of existing garages and, in this particular neighbourhood, there is garage accommodation close at hand.

ST. JAMES'S PARK.

36. **Sir WILLIAM DAVISON** asked the First Commissioner of Works the reason for the unsightly iron pipes which have for many years projected above the stone balustrade at the western end of the ornamental water in St. James's Park between Buckingham Palace and Wellington Barracks; and whether they can now be removed?

The FIRST COMMISSIONER of WORKS (Mr. Ormsby-Gore): The pipes were part of a proposed lighting scheme in connection with the Queen Victoria memorial. Alternative lighting arrangements were eventually decided upon, and the pipes are not now necessary. I am obliged to my hon. Friend for drawing my attention to this, and I am giving instructions for the projecting parts to be removed.

EDUCATION.

MILK SUPPLY SCHEME.

37. **Mr. RHYS DAVIES** asked the Parliamentary Secretary to the Board of Education how many authorities in England and Wales are not yet supplying milk in schools, and which are they?

The PARLIAMENTARY SECRETARY to the BOARD of EDUCATION (Mr. Ramsbotham): According to the latest information in the possession of the Board 130 local education authorities out of 316 in England and Wales do not themselves at present make provision for the supply of milk to children in public elementary schools under Sections 82-84 of the Education Act, 1921. Twenty-one of these authorities have submitted proposals for the provision of milk which have either been approved or are under consideration. In addition to the supply of milk under those Sections, voluntary schemes for the provision of milk on payment are in operation in some of the schools in nearly all areas, but I am afraid that it is not at the moment possible to say definitely in which areas, if any, no milk is being supplied in the schools. I am having the matter examined and I am asking for returns from the schools showing the position at the end of March.

Mr. DAVIES: Will the hon. Gentleman say whether it is the policy of the Board to see that all children in all schools are supplied with milk, and, if that be so, is it possible for the Board to take the initiative and see that that policy is implemented; is it also possible for the hon. Gentleman to find out whether the voluntary organisations are adequate for supplying milk in schools?

Mr. RAMSBOTHAM: In Circular 1437 issued by the Board last September local authorities were specifically asked to encourage milk schemes. As regards voluntary organisations, there has been an immense increase. A year ago about 900,000 children were getting milk under voluntary schemes, and to-day the figure is well over 2,000,000, and I hope it will approach 3,000,000.

Lieut.-Colonel ACLAND-TROYTE: Is it not a fact that many school children are prevented from getting milk because of the Medical Officers of Health and their fads about pasteurisation?

Mr. T. WILLIAMS: Will the hon. Gentleman pay particular attention to rural areas where children are not securing milk largely because the milk is being transferred from their areas to industrial areas?

Mr. RAMSBOTHAM: I will look into that.

Major COLFOX: Is not one of the chief reasons why children in rural areas are not able to get milk that the medical officers insist on pasteurised milk, which is not available in rural districts?

Viscountess ASTOR: Will the hon. Gentleman advertise what a wonderful thing the Government have done in bringing milk to thousands of children throughout the country?

CONTINUATION CLASSES.

38. **Miss CAZALET** asked the Parliamentary Secretary to the Board of Education how many employers have established compulsory continuation classes for their juvenile employés?

Mr. RAMSBOTHAM: Five firms conduct day continuation classes for their juvenile employés which are recognised and aided by the Board, and, of these, four make attendance a definite requirement. In addition, certain local education authorities provide classes for the employés of particular firms, who may be required by their employers to attend, and it is known that some firms conduct classes for their employés though the Board's recognition of these classes has not been sought.

Miss CAZALET: Are continuation classes on the increase on the whole?

Mr. RAMSBOTHAM: I am not sure; I had better have notice of that question.

Viscountess ASTOR: Is there any chance of the Government making them compulsory?

ROYAL COURTS OF JUSTICE.

STAFF (PAY AND PENSIONS).

39. **Mr. KIRKWOOD** asked the Attorney-General when it is intended to restore the cuts imposed on the uniformed staff in the Royal Courts of Justice and upon the ushers attached to the High Court of Justice and the Courts of Appeal; whether he will consider an upward revision of the scales of pay of these men in view of the present low rates of remuneration; and whether steps will be taken to provide an adequate pension for these servants of the State?

The ATTORNEY-GENERAL (Sir Thomas Inskip): I am advised that the uniformed staff and ushers in the Royal Courts of Justice will be treated in the same way as other public servants in the matter of the restoration of the emergency cuts. There is no reason for considering a special upward revision of pay in their case having regard to the fact that their scales of pay are based on the rates generally applicable to analogous grades employed in the public service. As regards the last part of the question, the attendant staff in the Royal Courts of Justice is organised in three grades, of which the two higher are pensionable in accordance with the terms of the Superannuation Acts, the members of the lower grade being eligible for promotion to the higher grades. I am informed that there are no grounds for modifying these arrangements which are in conformity with those in force in the case of messenger and attendant staffs generally in the public service.

SHORTHAND WRITERS.

40. **Mr. LOFTUS** asked the Attorney-General if any decision has yet been taken as to the appointment of official shorthand writers for the King's Bench Division; and, if so, whether the scheme will be limited to the King's Bench Division or extended to the Chancery Division and the Court of Appeal and the Official Referee's Court?

The ATTORNEY-GENERAL: My Noble Friend the Lord Chancellor informs me that he is not yet in a position to make any statement on the subject of the proposals to which my hon. Friend refers.

GOVERNMENT OF INDIA BILL (PRINCES' CRITICISMS).

41. **Sir W. DAVISON** asked the Secretary of State for India whether he can now inform the House as to the nature of the fundamental objections expressed by the Princes of India against certain of the provisions of the Government of India Bill; and whether he has been informed of the protest made by the Princes against the Bill being proceeded with without waiting for the Princes' criticism thereon?

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): I hope to issue in the course of the next few days a White Paper giving the text of the criticisms of the Bill communicated by the Princes and their Ministers to the Viceroy and the comments of His Majesty's Government on these criticisms.

Sir W. DAVISON: Can my right hon. Friend state whether the reports which

[Sir W. Davison.]
have appeared in the Press of the speeches of the Princes are not substantially correct?

Sir S. HOARE: No, Sir. I am not responsible for the proceedings of confidential meetings at which I have no *locus standi*.

Mr. G. NICHOLSON: Does my right hon. Friend contemplate an early Debate on this new White Paper?

Sir S. HOARE: No, I do not.

SCOTLAND.

Infectious Diseases, Brechin (Accommodation).

42. **Mr. LEONARD** asked the Secretary of State for Scotland whether he has considered the petition of the inhabitants of Brechin protesting at the lack of suitable accommodation for cases of scarlet fever and diphtheria; and if he can state what arrangements are being made by the Angus County Council to meet the needs and convenience of this part of the country?

The SECRETARY of STATE for SCOTLAND (Sir Godfrey Collins): Letters on the subject have been received by the Department of Health. The matter is under active consideration by the county council, and the department have already arranged to send a medical officer and an architect to consult with local officials as to the extent and location of any additional accommodation required.

Housing, Dundee.

43. **Miss HORSBRUGH** asked the Secretary of State for Scotland whether he is aware that the programme of house building for slum clearance is being retarded in Dundee owing to a shortage of bricklayers; and what steps he proposes to take to ensure the building of the necessary number of houses in a reasonable time?

Sir G. COLLINS: I regret to say that there is a shortage of bricklayers in Dundee. The Department of Health have for some time been taking all possible steps in conjunction with the local authority officials, the Ministry of Labour and the Bricklayers' Union with a view to securing additional men. Meanwhile the contractor for one of the building schemes has promised to arrange for the transfer to Dundee of men from other schemes which he is completing within the next few weeks.

Mr. WEST: Does not the right hon. Gentleman think that this shortage could be made up by the right hon. Gentleman the Member for Epping (Mr. Churchill)?

Fishery Cruisers.

44. **Mr. NEIL MACLEAN** asked the Secretary of State for Scotland whether any decision has yet been made as to the number of new fishery cruisers that will be built for patrolling the Scottish fishery areas; and, if so, whether he can give any particulars as to tonnage, speed and where they are to be built?

Sir GODFREY COLLINS: The intention is to build three new cruisers. An order for the large cruiser will be placed next week and it will be built in a Scottish shipyard. Fifteen tenders were invited. Its length is 130 feet and its gross tonnage about 280. It is anticipated that tenders for the small cruiser will be invited this month. In the case of the cruiser of intermediate size great difficulties have been experienced in securing the necessary speed and this matter is still under review.

Mr. MACLEAN: With regard to the cruiser of intermediate speed, where there is some difficulty in regard to the speed, will the right hon. Gentleman see to it that before deciding upon the vessel the same mistake is not made as was made in the case of the "Rona," which was sunk only the other week?

Sir G. COLLINS: In view of former experience, we are taking infinite trouble on this occasion to secure a proper design.

Lieut.-Colonel HENEAGE: May I ask the Secretary of State for Scotland whether his attention has been called to the fact that the Socialist party are now asking for an increase in armaments against British trawlers?

Sir G. COLLINS: These vessels are for more peaceful purposes.

Lieut.-Colonel HENEAGE: But are they not actually armed?

Sir ROBERT HAMILTON: Can the right hon. Gentleman say whether the chartered drifter which was recently lost in Burgha Skerry is going to be replaced?

Sir G. COLLINS: I should require notice of that question.

Captain BALFOUR: Are the tenders for the new craft to be confined to Scottish shipyards, or will they be open to English shipyards?

Sir G. COLLINS: They will be open to competition and the lowest tender will receive the order.

46. **Mr. MACLEAN** asked the Secretary of State for Scotland whether he is aware that the unsatisfactory fishery cruiser "Rona" was towed to and sunk in the Minch; and whether it is intended to finish the 60-year-old "Vigilant" in the same manner and, if so, when?

Sir G. COLLINS: The answer to the first part of the question is in the affirmative. The "Vigilant" will be replaced by the large cruiser which is being ordered as mentioned in my previous reply. The necessary steps will then be taken to secure the best possible price for the "Vigilant."

Mr. MACLEAN: Considering that the Government are offering a large sum of money to other owners of ships for a scrap-and-build policy, why do the Fishery Board entertain the hope that they will get a price for a vessel which was second-hand when they bought it and is now 60 years of age?

Sir G. COLLINS: We expect to get the best possible price for anything we have to offer for sale.

PRISON OFFICER'S CLAIM, PERTH.

47. **Mr. MACLEAN** asked the Secretary of State for Scotland whether he is aware that a claim for £16 by an officer at Perth Prison for lodging allowance and damage to furniture, during the alterations to his quarters, has been entirely refused; that the officer was refused permission to call in the local medical officer of health to see the conditions under which he was living, namely in a three-roomed house with a family of five, and structural alterations taking place in each room; is he satisfied that this officer has been fairly treated; and could the Prisons Department provide alternative accommodation during the alterations?

Sir G. COLLINS: The answer to the first part of the question is in the affirmative. As regards the second part no such application was received by the Prisons Department and in any event it would appear to be unnecessary as there is a medical officer resident in the prison. There was no alternative accommodation available for the occupants of quarters undergoing structural improvements; and while I regret the unavoidable inconvenience occasioned, I am satisfied that the circumstances do not justify treating this officer exceptionally in respect of compensation.

Mr. MACLEAN: Surely an officer who has to go outside and pay fo additional lodgings while his own place, which belongs to the Government, is being repaired, ought not to be called upon to bear the expense of the alternative accommodation which he has to find?

Sir G. COLLINS: My information is that this officer chose to leave his accommodation, which was being repaired, and went elsewhere. I agree that if he had stayed in his old accommodation he would have been inconvenienced, but I fail to see that it was necessary for him to go while these structural alterations were being undertaken.

Mr. MACLEAN: If the alterations were of such a nature as to cause inconvenience both to the officer and his family to such an extent that they could not reside there, surely the Department ought to find the necessary alternative accommodation for him, or at least pay the amount that he had to pay to secure alternative accommodation?

Sir G. COLLINS: I cannot agree that the accommodation was completely unsuitable. It was certainly inconvenient, but not sufficiently inconvenient as to justify the State in paying him this money.

Mr. MACLEAN: I shall put down another question on this matter.

GREENOCK PROVIDENT BANK.

60. **Mr. KIRKWOOD** asked the Financial Secretary to the Treasury whether he is aware that the Greenock Provident

[Mr. Kirkwood.]
Bank have an accumulating number of balances which have been dormant for a number of years, in some cases over 100 years; and whether he will take legislative powers to call upon banks, local authorities, corporations, and companies with whom the public invest to make returns of unclaimed moneys standing to the credit of persons whose whereabouts have been unknown for a period of at least seven years?

The FINANCIAL SECRETARY to the TREASURY (Mr. Duff Cooper): I have no information on the subject mentioned in the first part of the question. The answer to the second part is in the negative.

PERTH PRISON (CRIMINAL LUNATIC DEPARTMENT).

48. **Miss HORSBRUGH** (*for* **Lord SCONE**) asked the Secretary of State for Scotland when legislation will be introduced to enable accommodation to be provided for criminal lunatics in substitution for the criminal lunatic department in Perth prison?

Miss HORSBRUGH: Will the State institution for defectives also be replaced?

Sir G. COLLINS: Yes, the institution for the defectives will be erected on the same land.

RIVER POLLUTION.

45. **Captain CUNNINGHAM-REID** asked the Lord President of the Council whether the Water Pollution Research Board of the Department of Scientific and Industrial Research has now discovered a remedy for river pollution by milk and cheese factories; and whether he will make a statement?

Mr. BALDWIN: Laboratory experiments have been carried out for the Water Pollution Research Board during the past two years at the Rothamsted Experimental Station into problems of effluents from dairies and milk products factories. They have indicated promising methods of preventing river pollution by these waste effluents. Arrangements have now been made, with the financial co-operation of the milk industry, to carry these laboratory experiments to the commercial scale. These large scale experiments will be put in hand as rapidly as possible. It is hoped that they will supply the remedy mentioned in the question.

TRADE AND COMMERCE.

POLAND (TARIFF REDUCTIONS).

49. **Mr. MALLALIEU** asked the President of the Board of Trade how the revised duties on 200 articles exported from the United Kingdom to Poland under the recently concluded trade agreement with that country compare with the duties on the same class of articles in operation in 1930?

Lieut.-Colonel J. COLVILLE (Secretary, Overseas Trade Department): The trade agreement provides for the reduction of 340 rates of duty in the Polish tariff. Of these reductions, about 60 per cent. are to levels below those in force at the end of 1930.

Mr. MALLALIEU: Can the hon. and gallant Gentleman state whether this agreement is more favourable or less favourable than the other agreements made by His Majesty's Government?

Lieut.-Colonel COLVILLE: That is a comparison which I hardly think I ought to be asked to draw. Undoubtedly it is a very favourable agreement.

Mr. HARCOURT JOHNSTONE: Could the hon. and gallant Gentleman say whether the 60 per cent. represents 60 per cent. of the bulk or 60 per cent. of the number of articles?

Lieut.-Colonel COLVILLE: The question on the Paper related to articles, and I have answered it on the basis of articles.

Mr. JOHNSTONE: Could not a supplementary reply be given indicating value or bulk?

Lieut.-Colonel COLVILLE: Such a question could not possibly be answered without notice.

TRADE AGREEMENTS.

50. **Mr. MALLALIEU** asked the President of the Board of Trade whether he is aware that imports into the United Kingdom from countries with which trade agreements have been concluded have

been 50 per cent. more than the exports from the United Kingdom to these countries; and, seeing that the essential feature of these agreements was the regulation of the balance of payments, whether he will say what other steps he proposes to take to attain that declared purpose?

Lieut.-Colonel COLVILLE: I am aware that our imports from the countries with which we have concluded trade agreements still exceed to a considerable extent our exports to those countries. I would, however, point out that our trade with these countries is, as a result of the agreements, developing in a very satisfactory manner in many respects and that imports from them consist to a considerable extent of raw materials and articles mainly unmanufactured. My right hon. Friend does not consider that at the present time further steps on new lines are called for in connection with the agreements.

GRANITE.

51. **Mr. BURNETT** asked the President of the Board of Trade whether he will state the amount and value of the imports of manufactured granite for the last available six months and for the corresponding six months of the previous year?

Lieut.-Colonel COLVILLE: The total imports of manufactured granite into this country amounted to 48,132 tons, valued at £214,961, during the six months ended January, 1935, and to 40,313 tons, valued at £185,153, during the six months ended January, 1934.

KERBSTONES.

52. **Mr. BURNETT** asked the President of the Board of Trade whether he will state the amount and value of the imports of kerbstones from Mysore for the last available 12 months and for the corresponding 12 months of the previous year?

Lieut.-Colonel COLVILLE: Separate particulars of the imports in the United Kingdom of kerbstones from Mysore are not available, but I am having a statement prepared showing particulars of the imports of granite setts and pavement curbs consigned from British India as a whole, which I will send to my hon. Friend as soon as possible.

EMPIRE TRADE.

53. **Mr. LOFTUS** asked the President of the Board of Trade the net favourable or unfavourable balance of trade for the latest year for which figures are readily available between the United Kingdom and Australia, Canada and New Zealand, respectively, after allowing for receipt of interest and dividends and the issue of new loans, apart from conversion loans?

Lieut.-Colonel COLVILLE: In the absence of reliable information regarding the invisible items, I regret that I am unable to furnish my hon. Friend with this information.

Mr. LOFTUS: Are not these figures absolutely necessary as a foundation for a discussion of inter-Imperial trade, and will the hon. and gallant Gentleman therefore make efforts to obtain them.

Lieut.-Colonel COLVILLE: I will bear in mind what my hon. Friend says.

PUBLIC HEALTH (SCARLET FEVER, DENHAM).

54. **Mr. THORNE** asked the Minister of Health whether he has received a report from his inspector in connection with the scarlet fever outbreak at Denham, Bucks; if he can state the number of children affected; whether adjacent schools have been closed on account of the epidemic; and what action is being taken to prevent the outbreak spreading?

The PARLIAMENTARY SECRETARY to the MINISTRY of HEALTH (Mr. Shakespeare): My right hon. Friend has not yet received a final report on the cause and extent of the outbreak from his medical officer, but he is advised that the steps taken should check any spread. If the hon. Member will put down a further question next week, my right hon. Friend hopes to be in a position to give him full information.

Major-General Sir ALFRED KNOX: Is there any danger of this outbreak of scarlet fever in South Bucks spreading to West Ham?

SHOPS ACTS (SEATS FOR ASSISTANTS).

56. **Mr. KIRKWOOD** asked the Home Secretary why there is no apparent compliance with the requirements of the

[Mr. Kirkwood.]
legislation directing that seats should be provided for young women assistants employed in the large London stores; how many inspectors are employed on the enforcement of the legislation; whether he will circulate information as to the number of prosecutions under the Act, the number of convictions, and the penalties imposed; and whether inspectors are or will be instructed not to go round the shops on their inspection in the company of the manager or other representative of the shopkeeper?

Sir J. GILMOUR: The administration of the Shops Acts rests not with me but with the local authorities. I have, however, made inquiry of the authorities responsible in London, and I am informed that there is no evidence of any general failure to provide seats for female shop assistants. I am informed also that there are 20 full time and eight part time shops inspectors in London, and that two prosecutions were taken during 1934 in that area for failure to provide seats, convictions being obtained in each case and fines of £1 and 10s. respectively imposed. As regards the last part of the question, I am bringing the hon. Member's suggestion to the notice of the local authorities concerned.

Mr. RHYS DAVIES: Will the right hon. Gentleman bear in mind that it is not only a problem of providing seats for female assistants but opportunities for them to sit upon them.

Viscountess ASTOR: Will the right hon. Gentleman also realise that a fine is absolutely inadequate, and will he please see that the inspectors do not let the shopkeepers know that they are going round before they inspect? Otherwise, it is quite useless.

JUVENILE OFFENDERS.

57. **Mr. LOVAT-FRASER** asked the Home Secretary whether his attention has been called to the report of Colonel Allan, inspector of constabulary in the western division, to the effect that more liberal use of the birch-rod would be beneficial to juvenile offenders; and whether, in view of the policy of the Home Office, which is opposed to birching as useless, he will take steps to counteract the effect of this part of Colonel Allan's report?

Sir J. GILMOUR: The inspector's advice appears to me to be intended for parents and therefore has no bearing on the work of the juvenile courts in dealing with offenders against the law.

CRANE ACCIDENT, EMSWORTH.

58. **Mr. THORNE** asked the Home Secretary whether he has received a report from his factory inspector in connection with the crane accident at Emsworth, Hants, when one man was killed and another had his hand amputated by the machinery operating the crane; whether the crane was carrying more than its registered load; and on what date was the machinery last examined?

Sir J. GILMOUR: I will have inquiry made and communicate with the hon. Member in due course.

UNEMPLOYMENT.

SPECIAL AREAS (SCHEMES).

61, 62 and 63. **Mr. MARTIN** asked the Minister of Labour (1) what procedure has to be followed by the commissioner for special areas in considering schemes put forward by local authorities; and what is the extent of the control exercised by the Government over the Special Areas Fund;

(2) how many schemes calculated to find work have been started with the assistance of the commissioner for the special areas in England and Wales;

(3) how much money has actually been spent out of the Special Areas Fund in the special area of Durham County and Tyneside?

65. **Mr. R. T. EVANS** asked the Minister of Labour what schemes have been approved by the commissioner for special areas in Wales and Monmouthshire; the total cost of such schemes; the aggregate of grants to be made from the Special Areas Fund; and the sources from which the remainder of the cost is to be met?

The PARLIAMENTARY SECRETARY to the MINISTRY of LABOUR (Mr. R. S. Hudson): In the Debate on 4th March, my right hon. Friend indicated briefly the action which the Commissioner for Special Areas in England and

Wales is taking, and mentioned some of the schemes which he has decided to assist. There is at present nothing that I can add to this statement.

Mr. MARTIN: Can the hon. Gentleman say when he is likely to have any further information to give the House on this matter?

Mr. HUDSON: The Commissioner has issued a circular to the local authorities and to the Press, and I have no doubt that he will continue that practice.

Mr. MARTIN: Is there no method of finding out about any particular district at any particular time.

Mr. HUDSON: If the hon. Member will put down a question in due course, I shall be able to give him further particulars.

Mr. H. JOHNSTONE: Will the Minister consider the propriety of issuing a report from time to time from his Department on the activities of the Commissioner, either to this House, to the Press, or somewhere else in order that Members and the public may know precisely what the Commissioner is doing?

Mr. HUDSON: I will consider that matter.

Captain HEILGERS: Has the Commissioner made any recommendation for the erection of beet-sugar factories in depressed areas?

UNEMPLOYMENT ASSISTANCE.

64. **Mr. D. G. SOMERVILLE** asked the Minister of Labour whether he is now in a position to state what will be the approximate date of the second appointed day in connection with the work of the Unemployment Assistance Board?

Mr. HUDSON: No, Sir.

BRITISH GUIANA (ELECTIONS).

12. **Mr. ROBINSON** asked the Secretary of State for the Colonies what report he has received from the acting Governor of British Guiana on corruption in recent elections in the colony; and what action he proposes to take thereon?

Sir P. CUNLIFFE-LISTER: I have received a despatch from the acting Governor of British Guiana in which he reports that the Colonial Government is considering certain recommendations made by the judges of the supreme court arising out of the trial of recent election petitions in regard to the working of the law and regulations on the subject. I am asking that the Governor's recommendations thereon should be furnished as soon as possible.

Mr. ROBINSON: Is the right hon. Gentleman aware that in the recent elections an unseated candidate was immediately re-elected, and will he press for an extension of the principles of the Corrupt Practices Act to British Guiana?

Sir P. CUNLIFFE-LISTER: I would like to see what the judges have said and what the Governor's recommendations are. I think it is certainly worth bearing in mind that one penalty of corrupt practices well worthy of consideration is that the unseated member should not have the right to stand again at once.

BUSINESS OF THE HOUSE.

Motion made, and Question put,

"That the Proceedings in Committee on the Cattle Industry (Emergency Provisions) Bill and on Consideration of Lords Amendments to the Herring Industry Bill be exempted, at this day's Sitting, from the provisions of the Standing Order (Sittings of the House)."—[*Mr. Baldwin.*]

The House divided: Ayes, 248; Noes, 48.

Division No. 96.] **AYES.** **[3.38 p.m.**

Acland-Troyte, Lieut.-Colonel	Benn, Sir Arthur Shirley	Burgin, Dr. Edward Leslie
Adams, Samuel Vyvyan T. (Leeds, W.)	Bernays, Robert	Burnett, John George
Agnew, Lieut.-Com. P. G.	Blindell, James	Butler, Richard Austen
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)	Bossom, A. C.	Cadogan, Hon. Edward
Allen, William (Stoke-on-Trent)	Boulton, W. W.	Caine, G. R. Hall-
Apsley, Lord	Bowater, Col. Sir T. Vansittart	Campbell, Vice-Admiral G. (Burnley)
Assheton, Ralph	Bower, Commander Robert Tatton	Campbell-Johnston, Malcolm
Astor, Viscountess (Plymouth, Sutton)	Bowyer, Capt. Sir George E. W.	Caporn, Arthur Cecil
Baldwin, Rt. Hon. Stanley	Brass, Captain Sir William	Gazalet, Thelma (Islington, E.)
Balfour, Capt. Harold (I. of Thanet)	Briscoe, Capt. Richard George	Cazalet, Capt. V. A. (Chippenham)
Balniel, Lord	Broadbent, Colonel John	Chamberlain, Rt. Hn. Sir J. A. (Birm., W.)
Barclay-Harvey, C. M.	Brocklebank, C. E. R.	Chapman, Sir Samuel (Edinburgh, S.)
Beauchamp, Sir Brograve Campbell	Brown, Col. D. C. (N'th'l'd., Hexham)	Cobb, Sir Cyril
Belt, Sir Alfred L.	Browne, Captain A. C.	Cochrane, Commander Hon. A. D.

Colfox, Major William Philip
Collins, Rt. Hon. Sir Godfrey
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cranborne, Viscount
Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Cross, R. H.
Culverwell, Cyril Tom
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Denville, Alfred
Donner, P. W.
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Eady, George H.
Eden, Rt. Hon. Anthony
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Emrys-Evans, P. V.
Erskine-Bolst, Capt. C. C. (Blackpool)
Everard, W. Lindsay
Fielden, Edward Brocklehurst
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Gluckstein, Louis Halle
Goff, Sir Park
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Greene, William P. C.
Gretton, Colonel Rt. Hon. John
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Hacking, Rt. Hon. Douglas H.
Hanbury, Cecil
Hartland, George A.
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsf'd)
Heneage, Lieut.-Colonel Arthur P.
Herbert, Major J. A. (Monmouth)
Hore-Belisha, Leslie
Hornby, Frank
Horsbrugh, Florence
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter, Capt. M. J. (Brigg)
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing.-Com. A. W. H.
Joel, Dudley J. Barnato
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Hamilton W.
Kimball, Lawrence
Kirkpatrick, William M.
Knight, Holford
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Law, Sir Alfred
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lennox-Boyd, A. T.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lister, Rt. Hon. Sir Philip Cunliffe-
Lockwood, Capt. J. H. (Shipley)
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F
McKeag, William
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Dr. W. H. (Tradeston)
Macpherson, Rt. Hon. Sir Ian
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R
Marsden, Commander Arthur
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Normand, Rt. Hon. Wilfrid
Oman, Sir Charles William C.
Ormsby-Gore, Rt. Hn. William G. A.
Orr Ewing, I. L.
Patrick, Colin M.
Pearson, William G.
Peat, Charles U.
Percy, Lord Eustace
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickthorn, K. W. M.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rathbone, Eleanor
Reed, Arthur C. (Exeter)
Reid, Capt. A. Cunningham-
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Rickards, George William
Robinson, John Roland
Ropner, Colonel L.
Ross, Ronald D.
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Sandeman, Sir A. N. Stewart
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Simmonds, Oliver Edwin
Smith, Bracewell (Dulwich)
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Somerset, Thomas
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Somerville, D. G. (Willesden, East)
Sotheron-Estcourt, Captain T. E.
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Stanley, Rt. Hon. Lord (Fylde)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stewart, William J. (Belfast, S.)
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, Rt. Hon. J. H. (Derby)
Thompson, Sir Luke
Todd, A. L. S. (Kingswinford)
Touche, Gordon Cosmo
Tryon, Rt. Hon. George Clement
Tufnell, Lieut.-Commander R. L.
Wallace, Captain D. E. (Hornsey)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour-
Williams, Herbert G. (Croydon, S.)
Willoughby de Eresby, Lord
Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Wilson, Clyde T. (West Toxteth)
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.

TELLERS FOR THE AYES.—
Sir Frederick Thomson and Sir George Penny.

NOES.

Acland, Rt. Hon. Sir Francis Dyke
Attlee, Clement Richard
Banfield, John William
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Evans, David Owen (Cardigan)
Foot, Isaac (Cornwall, Bodmin)
Gardner, Benjamin Walter
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Harris, Sir Percy
Holdsworth, Herbert
Jenkins, Sir William
Johnstone, Harcourt (S. Shields)
Jones, J. J. (West Ham, Silvertown)
Kirkwood, David
Lansbury, Rt. Hon. George
Leonard, William
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
Maclean, Neil (Glasgow, Govan)
Mander, Geoffrey le M.
Maxton, James
Parkinson, John Allen

Rea, Walter Russell
Samuel, Rt. Hon. Sir H. (Darwen)
Smith, Tom (Normanton)
Thorne, William James
Tinker, John Joseph
Wedgwood, Rt. Hon. Josiah
West, F. R.
White, Henry Graham
Williams, David (Swansea, East)
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—Mr. Paling and Mr. Groves.

WRITTEN ANSWERS.

EGYPT (ITALIAN AIRCRAFT).

Mr. MORGAN JONES asked the Secretary of State for Foreign Affairs whether he is aware that the defence of Egypt is still under British control; whether under the recent Anglo-Italian Air Convention Italian military as well as civilian aircraft are to be entitled to use British air-lines and British aerodromes in Africa; and whether Italian aircraft destined for Eritrea will be permitted to fly over Egyptian territory?

Sir J. SIMON: His Majesty's Government are fully aware of their responsibilities under the declaration of February, 1922. The answer to the second part of the question is that the convention in question only applies to civilian services, and in any case does not apply to Egypt. As regards the last part of the question, the Italian Government would, no doubt, in accordance with the ordinary practice, first apply to the Egyptian Government for permission if they desired their military aircraft to fly over Egyptian territory.

TRANSPORT.

CHARING CROSS BRIDGE.

Mr. V. ADAMS asked the Minister of Transport what are the plans of the Government for the replacement or reconstruction of Charing Cross Bridge?

Mr. HORE-BELISHA: I recently asked the London and Home Counties Traffic Advisory Committee to review the case for safeguarding the possibility of constructing a road bridge in the neighbourhood of Charing Cross, in so far as such case rests upon considerations of traffic.

CYCLISTS' TRACKS.

Mr. LEES-JONES asked the Minister of Transport whether he consulted the Cyclists' Touring Club before deciding upon separate paths for cyclists; and, if so, to what extent he has put their advice into effect?

Mr. HORE-BELISHA: The Cyclists' Touring Club was not consulted, but have, in fact, expressed opinions adverse to the provision of separate tracks for cyclists.

PROPOSED FORTH ROAD-BRIDGE.

Mr. GUY asked the Minister of Transport whether he has considered the communication from the Edinburgh town clerk with reference to the proposed Forth road-bridge; and whether he can make any statement thereon?

Mr. HORE-BELISHA: I have received a communication to the effect that a meeting of the local authorities concerned will be held on the 22nd of this month to consider certain proposals which have received the general approval of the Edinburgh Corporation.

NORTH AND NORTH-EAST LONDON.

Mr. SUMMERSBY asked the Minister of Transport whether he is now prepared to take any further steps that may help to provide better means of transport to their work for people living in North and North-East London?

Mr. HORE-BELISHA: I have no power to provide or require such facilities, but I have already brought this matter to the notice of the London Passenger Transport Board, who have informed me that the whole problem is having the careful consideration of the Standing Joint Committee.

MOTOR LICENCE DUTIES, WALES AND MONMOUTHSHIRE.

Mr. R. T. EVANS asked the Minister of Transport the total amount received from Wales in respect of motor licences in 1934, and the total of grants made in respect of roads and bridges schemes in that country during the same year?

Mr. HORE-BELISHA: In 1933-34 motor licence duties collected in Wales and Monmouthshire amounted to £1,048,000 nett, and of this £843,000 accrued to the Road Fund. Grants amounting to £857,000 were made from the Road Fund in the same financial year to highway authorities in Wales and Monmouthshire, who also received the amounts due to

them through the General Exchequer Contribution in accordance with the provisions of the Local Government Act, 1929.

ROAD USERS (ALCOHOL CONSUMPTION).

Mr. RHYS DAVIES asked the Minister of Transport whether he will ask the sub-committee of the British Medical Association, now inquiring into the connection between the consumption of alcoholic liquor by road users and public safety on the roads, for their observations on the merits of the results of the experiments made by Kraepelin?

Mr. HORE-BELISHA: I will bring the hon. Member's question to the notice of the Association.

MOTOR VEHICLE DRIVERS (ACCIDENT-PRONENESS).

Sir E. GRAHAM-LITTLE asked the Minister of Transport whether he is aware that the current annual report of the Medical Research Council states that certain persons have a special liability to be the subject of accidents and that consequently the number of accidents can be reduced by eliminating the individuals who exhibit such liability; and whether he will consider introducing, in place of the present judicial disqualification in isolated cases, legislation which would eliminate, in the interests of themselves and others, the small minority of accident-prone persons?

Mr. HORE-BELISHA: I am aware of the statement to which the hon. Member refers. The council suggest that the first step to be taken is to ascertain what information on the subject of accident-proneness on the part of the drivers of motor vehicles is in the possession of insurance companies; and in regard to this matter I communicated with a number of insurance institutions last month.

UNEMPLOYMENT (WALES).

Mr. R. T. EVANS asked the Minister of Labour the number of persons in Wales now unemployed who have been idle for over one year, for over two years, and for over three years, respectively?

Mr. HUDSON: At 25th February, 1935, there were 64,928 claimants for unemployment benefit or unemployment allowances on the registers of employment exchanges in the Wales Division who had been on the registers for 12 months or more: corresponding figures are not available in respect of persons who were not claimants for unemployment benefit or allowances. My right hon. Friend is unable to say how many persons had been unemployed for two years and for three years, respectively, but he is at present considering whether it will be practicable to obtain such information.

NAVAL AND MILITARY PENSIONS AND GRANTS.

Lieut.-Colonel HEADLAM asked the Minister of Pensions whether he is aware *that, owing to the restrictions of the* royal warrant, the pension allowance that was in issue to Joseph Thomas Jackson, son of the late Private John Jackson, No. 455, Durham Light Infantry, who was killed in action on 25th June, 1915, ceased at the age of 21, although he is suffering from paralysis and imbecility and is unable to contribute in any way to his own support; and whether he will consider amending the royal warrant with the object of ensuring that allowances are continued to totally incapacitated war orphans for so long as such incapacity exists?

Major TRYON: I have no authority to reissue allowances in favour of the young person referred to. It is a long established principle that pensions liability for children should not extend at the utmost beyond the attainment of their majority, and, although an exception has been made as regards the special and limited class of young persons who become total orphans before reaching the age of 21, I cannot hold out any hope of a departure from the decision of the late Labour Government that the concession must be limited to this class.

GOVERNMENT DEPARTMENTS.

MINISTRY OF LABOUR (MESSENGERS).

Sir G. JONES asked the Parliamentary Secretary to the Ministry of Labour whether he is in favour of unestablished messengers of his Department being eligible, with others, for promotion to the grade of established messenger, pro-

vided their age at the proposed date of establishment is such as, with reckonable previous service, will bring them to an age of 50 or under at such date; and, if so, will he give instructions that in future all unestablished messengers shall be considered when such promotions are about to take place?

Mr. STANLEY: It has always been the practice to regard as eligible for promotion to the grade of established messenger men serving in the class which my hon. Friend has in mind. Hitherto it has been regarded as necessary that very exceptional circumstances must exist to justify promotion in such cases, but it has now been decided that a somewhat less exacting test shall be applied to them in future.

ADMIRALTY (PROMOTION).

Mr. GUY asked the First Lord of the Admiralty whether seniority or merit governs the promotion of officers of the Treasury and departmental clerical classes of the Admiralty; and to what extent is either factor predominant?

Sir B. EYRES MONSELL: Both seniority and fitness are taken into consideration, but the latter is the predominant factor. This is in accordance with principles accepted by the National Council for the administrative and legal departments of the Civil Service in 1922.

KENYA (SISAL BAGS, MANUFACTORY).

Captain ERSKINE-BOLST asked the Secretary of State for the Colonies whether he is aware that a proposal to set up a factory in Kenya Colony to manufacture sisal bags has been held up as a result of uncertainty as to whether it will be permitted to import these bags into the United Kingdom free of duty; and whether he will state the policy which it is intended to follow with regard to the importation of Colonial manufactured goods into the United Kingdom, so that existing and prospective manufacturing interests in the various Colonies may know their position?

Sir P. CUNLIFFE-LISTER: I understand that the establishment of the proposed bag factory in Kenya has been deferred owing to technical considerations connected with the process of manufacture. The aim of the project is to supply the demand for bags in Kenya and not to export them, and there is no ground for suggesting that uncertainty as to the position in this country, if any such uncertainty exists, has contributed to the delay in setting up the proposed factory in Kenya. As regards the last part of the question, I would refer my hon. and gallant Friend to my replies to questions put by the hon. Member for Nuneaton (Mr. North) and the hon. Member for East Cardiff (Mr. T. Morris) on the 14th and 15th of last November.

ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee [NINTH DAY —*Progress*, 12*th March*].

[Sir DENNIS HERBERT in the Chair.]

CLAUSE 38.—(*Rules of procedure.*)

The following Amendments stood upon the Order Paper:

In page 25, line 7, leave out paragraph (*c*).—[*Colonel Wedgwood.*]

In line 19, leave out paragraph (i).—[*Mr. Cocks.*]

In line 23, leave out paragraph (ii).—[*Colonel Wedgwood.*]

The CHAIRMAN: Before I call upon the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) to move his first Amendment, may I suggest to the Committee that it will be convenient to discuss at the same time the Amendment in the name of the hon. Member for Broxtowe (Mr. Cocks), and also the other Amendment following in the name of the right hon. and gallant Gentleman? I think we might take one discussion on these three Amendments, and the Questions can be put separately if need be.

3.48 p.m.

Colonel WEDGWOOD: I beg to move, in page 35, line 7, to leave out paragraph (*c*).

I certainly think that it would be much simpler to discuss all these questions on this Amendment. Of course, the questions raised are slightly different. We are discussing what shall be discussed in the Federal Legislature, and paragraph (*c*) prohibits the discussion and the asking of questions on any subject which affects the Indian States. Whether it is discussion or the asking of questions that is prohibited seems to be immaterial, though a stronger case can be made out for prohibiting discussion than for prohibiting the asking of questions. The paragraph goes on to say lower down:

"unless the Governor-General in his discretion is satisfied that the matter affects Federal interests or affects a British subject."

We were hoping to add there "or British Indian subject." The point in each case is exactly the same, and it crops up again in paragraph (*d*, i), which refers to the discussion of any matter affecting relations between the Governor-General and a native Prince. In all these cases the question is whether the Indian Assembly, which represents in a way, however curiously, the whole of India, is to be allowed to criticise or to ask questions about anything which occurs in the Indian States? The Indian States are represented in that assembly, over-represented according to their numbers, and yet that assembly is handicapped by not being allowed to raise any question of ill-treatment of any Indian in the Indian States. The Committee realise that in these Indian States you have absolute rule by the rulers. In half a dozen cases they have some sort of representative institutions with no responsibility and no power, but in the vast majority you have the direct autocratic rule of the Princes, with complete control over the lives, property and liberty of all their subjects, control even greater than was that of the German Princes over their subjects in the eighteenth century. Hitherto, if there has been any gross abuse of their power or any gross insult to humanity, it has been possible for the Governor-General to intervene and to change the crowned head, or, by means of the Resident in that State, to humanise practice and put an end to the worst abuses. The worst trouble comes from the inhabitants of the State being unable to pay rent to their Princes for feudal lands. Troubles will be cropping up almost daily in some of these native States.

If this paragraph goes through it will be impossible in the Indian Assembly to raise any question about what is going on. It will be impossible to discuss the rent strike, or the putting down of the rent strike, or the gaoling of any person in that State, or, as I read it, the imprisonment or deprivation of a British Indian subject who may have been in the State or may have property in it. There are many cases—I will not go into them; There is the case of the agitators Mohammed Ali and Shankat, of subjects of Indian States having their property taken away by the India rajah. That was political, but in most of these cases it is not political, but a case of "so and so is unduly rich, let us get some of his money back by various means." Is there to be no redress before the Federal Assembly for natives in the territories

who are treated unjustly, for the British Indian who may be trading with that State, and no redress in fact for even a British subject in the State unless the Governor-General sanctions the inquiry or discussion?

It seems to me that we are sacrificing too much in order to get the Princes into this Federation. This is a concession to them. The people who object to questions being asked in the Assembly about the treatment of the native States are the Indian Princes themselves, obviously. We are washing our hands like Pilate of anything that may happen inside those native States. There will still be the control by the Governor-General as in the past, but the Assembly itself must not raise the matter. We can raise the subject here in Parliament, but in the Assembly they cannot. It is true that it was not possible in the old Assembly to raise these issues, and that in the Assembly which is now sitting no such question can be raised or answered, but in the new Assembly, where the States are represented, it would be the very negation of the idea of self-government to exclude from the purview of the Assembly representing that Federation every possibility of remedying injustice in the native States, while in British India itself not only can any British Indian raise a question and criticise the administration but every representative of the Princes in the Federation can likewise criticise the conduct of affairs in British India. Anything so one-sided was never conceived before, but it is one of the further sacrifices we have to make, and I ask the Committee before they sanction this Clause to realise what a price of liberty England and India are paying in order to bring the Princes into a Federation which no one wants, not even the Princes.

3.56 p.m.

Mr. COCKS: Is it desired that each point should be raised separately and that the Secretary of State for India should reply to each point, or should there be a general discussion on all these Amendments, allowing the Secretary of State to wind-up at the end?

The CHAIRMAN: I think that the most convenient course would be to have the three Amendments discussed together. They all deal with what questions may or may not be discussed and possibly they may have a bearing on one another, and, if the Government and the Committee agree, it would probably be convenient to have the whole discussion on them, and then I could put the questions separately, if desired.

Mr. COCKS: I beg to move the Amendment standing in my name——

The CHAIRMAN: No, the hon. Member misunderstands me. There is now before us the Amendment moved by the right hon. and gallant Gentleman which I have put to the Committee, and on that Amendment it will be possible to discuss the subject matter of the Amendment in the name of the hon. Member for Broxtowe (Mr. Cocks), and also the subject of the other Amendment of the right hon. and gallant Gentleman. I will ask the hon. Member for Broxtowe later on to move his Amendment formally.

Mr. COCKS: I understand. I wish to raise the point which is embodied in the Amendment which I shall subsequently move. We attach considerable importance to the Amendment, and I will state the reasons. It will be remembered that we have already decided that foreign affairs should be a reserved subject and should be in charge of a council, and under Clause 21 a counsellor has the right to attend the meetings of either Chamber and to take part in the discussions but not to vote. I would point out that such a legislature is not a weak and irresponsible assembly, but, as the Under-Secretary used the phrase last night, it is to be a strong central body. It is to consist of the principalities and powers of India. There will be there the representatives of the Princes, British India the great bankers, the great industrialists, the great lawyers, and the great landlords—all with a stake in the country. It will be an extremely conservative assembly. A Parliament consisting of the squires of England in the eighteenth century would, by comparison, be a Bolshevist assembly.

Therefore, as I say, there is no danger of irresponsible discussions taking place. It seems to me that a body representing India should have the right to discuss the relations of India with other Powers of the world, and in particular Asiatic Powers. As I have put before this Committee previously, and as everybody

[Mr. Cocks.]
knows, there is the prospect of a great menace in India in another Power seeking to assume the leadership of the East against the West. Surely our idea is that India in future should present a barrier against a force of that description. There will arise in India a strong national feeling to be able to say, in the words of the famous French Marshal, "They shall not pass." That feeling of nationality should be developed, and that it is right that they should be allowed reasonable discussion as to the relations of their country with such a nation, for example, as Japan. It is absurd that these people, who will be greatly affected by any troubles in the future, should be gagged, and that that particular discussion should be barred, so that they will have no chance of educating themselves or getting information from the counsellor on such points.

Then look at the position of the counsellor. There is to be a counsellor in charge of these external questions. He is allowed to go into and speak in the Chamber on any subject—on child marriage, temple entry, land legislation and finance. He can speak on any subject about which he knows nothing, or may know nothing, but the very subject on which he is an expert, foreign relations, he is not allowed to say a word without the consent of the Governor-General in his discretion, which means without the consent of the Secretary of State for India. He can butt in on every possible topic, but on the very subject in which he is a specialist he is not allowed to say anything. It may be said that awkward questions might be asked. They are sometimes asked in this Chamber, but Ministers are very skilful in evading awkward questions, and I have no doubt that in India there will be a counterpart of our able, efficient Foreign Secretary in evading awkward issues. It is always open to the counsellor to say, "The answer to that question is against the public interest." As I say, there are many questions which ought to be asked, and many discussions which should arise dealing with the relationship of India with other Asiatic Powers and countries and influences which, it is very desirable, they should be allowed to discuss. I would appeal to the Secretary of State in this matter. I said something about it yesterday, when I asked him to listen sometimes to the voice of reason on this side of the Committee. I sometimes think that the Secretary of State suddenly pulls himself together and says to himself, "Damn it all—no weakness." If he thinks of doing that this afternoon, I would remind him of the words of Danton spoken on the way to the guillotine.

4.5 p.m.

Miss RATHBONE: I would like to ask the Secretary of State why we do not find in the Bill that method of dealing with the particular difficulty raised by the amendment which was suggested in the report of the Joint Select Committee? It is rather the other side of the problem, and I do not know whether I shall be in order in raising it, but the Joint Select Committee suggested that there should be a committee similar to that which relates to Scotland in this House, and consists of all the Members representing Scottish constituencies with 10 or 15 other Members, and that any matter referring only to British India should be referred to that committee, so that the Princes should not be allowed to take part in a discussion upon it. We find no provision of that sort in the Bill as presented to us. The result of the present arrangement is surely very curious and anomalous. I do not want to repeat the arguments used by previous speakers, but take this instance. Let us suppose that there is an insurrection in a native State, and it is necessary to send British Indian troops, paid for by British Indian taxpayers, to uphold the ruler if his subjects do not appreciate the benefits of his rule. Yet the representatives of British India in the Legislature will not be allowed so much as to ask a question relating to the origin of the disaffection in that State.

That, surely, is a curious case of a Federal Assembly which follows at once the principle of representation without taxation and taxation without representation. The Princes can take part in questions of taxation upon British India, although they will not have to pay part of that taxation, but where taxation falls upon British India in helping the paramount power to interfere with affairs in a native State, then the representatives of British India have no power of criticising the expenditure for which they are taxed. It is surely a very curious anomaly and, so far as one side of it is

concerned—the ability of the representatives of Indian States to interfere in British Indian affairs—one would have supposed it might be met by the very proposal to which the Joint Select Committee gave its approval in their report, namely, to refer matters affecting British India solely to a special committee. I think that this whole question is as good an instance as we could have of the anomaly created by the Government dealing with a country 6,000 miles away.

Suppose such a situation arose in this country, and it was suggested that troops should be sent from Scotland to put down an insurrection in a part of this country, and we were not allowed in the British House of Commons even to ask a question about it or discuss it. Think of the outcry that would arise from all sides of the House, and not least from the Liberal benches. All the canons of democratic government would be at once appealed to. Yet because many Members of the House are sincerely and genuinely desirous to promote this Bill, and to put nothing in its way, because they believe it is a step towards self-government for India, we have heard hardly a word about it, and the Liberal Members appear to give their hearty support to the proposal as it stands in the Bill. I suggest that it is very gravely unsatisfactory that those subjects of the Indian States who are in a sense subjects of Great Britain have no right to appeal to the paramount power although——

The CHAIRMAN: The hon. Lady has been so unfortunate on previous occasions that I have been very unwilling to interrupt her, but perhaps I may call her attention to the fact that the Amendment to which her remarks appear to be addressed, namely, to leave out paragraph (*c*) is one which prohibits

"the discussion of, or the asking of questions on, any matter connected with any Indian State . . . unless the Governor-General in his discretion is satisfied that the matter affects Federal interests or affects a British subject."

I just mention that because I must endeavour to keep the discussion a little more narrowly in order than, I am afraid, I have done.

Miss RATHBONE: I will not deal with the subject any further. I have said all I wish to say, and I am sorry if I have transgressed the Rules of Order, but it is very difficult to observe them in these matters where there are so many Clauses in the Bill which, to to speak, are interdependent. With regard to paragraph (*c*), to which you have called my attention, might it not be that the Governor-General would hardly hold that a matter affected federal interests if it merely affected subjects of Indian States, and British India——

The CHAIRMAN: I must ask the hon. Lady not to discuss anything which has to do with the relations between an Indian Prince and his subjects. That does not come in here at all.

Miss RATHBONE: I beg your pardon, Sir Dennis. I thought that as the Amendment was to leave out the words

"prohibiting the discussion of, or the asking of questions on, any matter connected with any Indian State"

questions about subjects of the Indian States might be such a matter; but, of course, I obey your Ruling, and will say no more, though I think the Committee must all feel the curious anomaly that does arise when, to use the vivid phrase of the right hon. Member for Epping (Mr. Churchill), the Princes are allowed to sprawl over the whole Legislature as it affects British India, and representatives of British India may not, in return, so much as ask a question about what is going on in a State although what is going on there may involve them in additional expenditure in order that they may intervene in the affairs of the State.

4.14 p.m.

Mr. HERBERT WILLIAMS: The remarks of the hon. Lady, I think, were not very closely related, because she chose the example of federal troops—to use a convenient description—being used to restore order in Indian States, which might involve the Federation in certain additional expenditure, and clearly would affect Federal interests. It seems to me a case where the Governor-General in his discretion would be compelled to permit discussion as to why the troops were used for that purpose. It seems a most unfortunate example to select.

Miss RATHBONE: I think it is a very important point to clear up, and I wish the Secretary of State would give us his verdict, because the other day we were told that intervention in affairs of the Indian States was purely a matter

[Miss Rathbone.]
between the paramount power and the States, and did not affect the Federal Government at all, and it came out yesterday that it did affect——

The CHAIRMAN: The hon. Lady is again taking the opportunity of dealing with the one thing which I most definitely ruled out of order.

Mr. H. WILLIAMS: I was dealing with the specific case raised by the hon. Lady where federal troops went into a State to restore order. Clearly there you get a case which affects British India, and, therefore, comes within the qualification contained in the second half of paragraph (*c*). It is difficult to visualise the Governor-General in those circumstances, when something might come along which might later on affect the budget, saying to them: "You must not discuss it." The point which the hon. Member has raised is satisfactorily covered by the discretion as it stands. What disturbs me is that the right hon. Gentleman opposite should move this Amendment at all. It seems to me that his occupation in writing the history of parliamentarians has led him to forget some of the principles of Parliamentary procedure. Our principle here is very clearly established. We cannot interrogate Ministers on matters with which they are not concerned. It would clearly be out of order to hand in a question to the Secretary of State for the Dominions asking why the Canadian Government has done something or another to a particular Canadian subject of His Majesty, a person not in any way domiciled in this country.

Colonel WEDGWOOD: I agree that that would be impossible, but this is a question of the use of British troops in a State in order to prevent some trouble there. Surely, the person to whom a question on that subject should be addressed would be the Minister for War.

Mr. WILLIAMS: I am afraid that the right hon. and gallant Gentleman was not present when I endeavoured to explain that point, arising out of the speech of the hon. Lady the Member for the English Universities (Miss Rathbone). If you use troops, then a British federal interest is affected, and there the Governor-General in his discretion could give permission for that to be a subject of interrogation, and that I should think any sensible Governor-General would do. Therefore, the point raised by the right hon. Gentleman, like the point raised by the hon. Lady, is not a pertinent one. You cannot address questions to a Minister in respect of something for which he is not responsible to the Assembly, and for which the Assembly is not responsible. That is fundamental. Mr. Speaker frequently calls us to order if even in a supplementary question we address a question to a Minister on something which is outside his purview. It may be true that there are councillors in the Assembly who in another capacity are dealing with these matters. For instance, I understand that the Secretary of State for India is interested in the Lawn Tennis Association, but we could not ask him questions here about that. It is conceivable, if it were permissible under our Constitution that he might hold some other offices of profit under the Crown, but we might be entirely debarred from asking questions about them, unless we altered the Constitution. He might have a great variety of outside interests, paid or unpaid, if our Constitution permitted it, but that would not allow us to ask questions about what I would call outside interests. It seems to me fundamental that we should not be allowed to ask Ministers fishing questions about things for which in the Assembly they have no responsibility and for which the Assembly itself has no responsibility. It would degrade the whole purpose of Parliament if it were allowed to concern itself with things outside its purview.

4.20 p.m.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): Before we deal with the points raised in the two Amendments, let us disabuse ourselves of certain ideas which have nothing to do with either of them. First of all, let me say that, although I do not resent it, I object to the suggestion of the right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood) that we, like Timon, are distinteresting ourselves in the affairs of anybody in India. He will forgive me for saying that that was an unworthy and unjustifiable observation. We are just as interested in the Indian States as he is. We are just as interested

in the populations of those States as he is, and it is altogether unjustifiable to say that we are behaving, like Timon, and are indifferent to interests that are just as much in our minds and hearts as they are in his.

In the second place, let us disabuse our minds of the illusion that the Parliament we are discussing is a unitary Parliament, like this Parliament. It is not. It is a federal Parliament. There is all the difference in the world, as I have said more than once in these debates, between a unitary legislature dealing with the whole field of government and a federal legislature dealing with a definitely delimited field of duties. The answer to the right hon. Gentleman is that law and order neither so far as British India is concerned nor so far as the India of the States is concerned is a federal subject. It is a provincial subject so far as British India is concerned and it is a State subject so far as the India of the Indian States is concerned. That being so, there can be no justification whatever for questions such as he suggests being put in the Federal Assembly. It would be outside the purview of the Federal Assembly. It would, as my hon. Friend the Member for South Croydon (Mr. H. Williams) said, be outside the responsibility of any federal Minister. There can, therefore, be no justification for accepting an Amendment of this kind.

There is, as the Committee is aware, a proviso that the Governor-General can allow a discussion when the discussion is within the orbit of the federal field, and when he thinks that it does not go outside that federal field, and I am certain that the Governor-General would allow a discussion of that kind. For instance, such cases as have been mentioned, cases of the treatment of a British Indian citizen in the States, that is the kind of question that undoubtedly would be discussed. Further than that there would be no justification, quite apart from the question whether the Indian States are better or worse administered than the British-India Provinces. Let me say once again that these general condemnations of the Indian States are quite unjustified. The fact that the polity of the Indian States is different from the polity of the British-Indian Provinces in no way implies that it is worse on that account. There are different policies in the Indian States, one from another. Some of the States are admirably administered. Outside the cases I have mentioned there would be no justification upon the lines of this Bill—which is the only wise line for a federal constitution—for the kind of interference in the affairs of the Indian States that the right hon. Gentleman suggests in his Amendment.

Let me come to the second proposition, that concerned with the discussion of foreign affairs. Foreign affairs are reserved to the Governor-General. Being reserved, it is essential if the reserved powers are not to be compromised that the Governor-General should have full powers as to their discussion and as to the kind of questions that can be discussed. In actual practice there is and always has been in the system of the Government of India a safeguard of this kind, in which a discussion of foreign affairs only takes place with the previous sanction of the Governor-General. In actual practice that has been found to be a salutary safeguard. It has been found that in the orbit of the activities of the Assembly where discussion has been safe and legitimate such discussions have been allowed. In the case of a federal constitution, in which quite definitely foreign affairs becomes a reserved department, there is a necessity for a safeguard of this kind. Here again I cannot conceive any sensible Governor-General shutting down discussion where the discussion is not going to compromise important Indian and Imperial interests, but I do think that if the Governor-General is to have real responsibility in the reserved department of foreign affairs he must have a safeguarding power of this kind.

That is the one argument and the overwhelming argument against the acceptance of the Amendment of the hon. Member for Browtowe (Mr. Cocks). Having said that, I am not in the least suggesting that there would be an unbridgeable gulf between the two sides of the Government. I am contemplating a Federal Government in which both sides, those responsible for the reserved departments and those responsible for the transferred departments, are going to work in active and constant co-operation. Therefore, the kind of case suggested by the Amendment of the hon. Member for Broxtowe is most unlikely to arise. None the less if it does arise, I think that quite defi-

[Sir S. Hoare.]

nitely the Governor-General ought to have these powers. I regret that once again I have to say "no" to the hon. Member for Broxtowe. I say it with great regret, but in a case of this kind it is essential, because it is an essential part of the scheme. Without a power of this kind the Governor-General's responsibility might be seriously compromised.

4.28 p.m.

Mr. MORGAN JONES: It is clear that the right hon. Gentleman is not going to show what has been described as weakness but that he is going to stand by his guns. I am sorry that he has given the answer that he has. We have taken this line consistently not only here but in the Joint Select Committee. We consider that the people of British India should have a much larger share in discussing foreign affairs, the foreign relations of India with other countries than is left to them under the operation of this Clause. As I understand it, the right hon. Gentleman lays great stress upon the hope—I trust the hope will be well-founded—that no Governor-General will be unreasonable in the exercise of these powers. We can all join in that expression of hope, but we must remember that all men are not of the same calibre. Some are more timorous than others, and it might well be that one Governor-General might be a sort of person who in order quite honestly to avoid trouble might think that the easiest way was to prevent any discussion arising. He might say: "If I allow this thing to be discussed in the Assembly there will be no end of a row, and the best way to avoid that is by preventing discussion." That might seem for the moment to be a source of strength, but in the end it might be a source of weakness. We have been hoping that some day, and we hope soon, the people of India will necessarily be given full power and be free to discuss foreign affairs with the same degree of freedom as Canada, Australia, South Africa or any of the other Dominions. Surely it is not a bad thing to allow them to have a discussion and to become familiarised with questions of foreign affairs. That would be all to the good. There is nothing like the school of experience for developing sureness of touch. The next point to which I desire to refer is concerned with Sub-sections (2) and (3).

The CHAIRMAN: The hon. Member cannot refer to sub-paragraph (3). The Amendments now before the Committee are to leave out paragraph (*c*), and to leave out paragraph (*d*, i) and (*d*, ii).

Colonel WEDGWOOD: I did not hear you refer to paragraph (*d*, ii). The second Amendment is to insert the words "British Indian" and I thought the third Amendment was to leave out paragraph (i).

The CHAIRMAN: The thing is quite clear, and I am sorry that the right hon. and gallant Member is under any misapprehension. The three Amendments in question are; first, Clause 38, page 25, line 7, to leave out paragraph (*c*); second, Clause 38, page 25, line 19, to leave out paragraph (i); and, third, Clause 38, page 25, line 23, to leave out paragraph (ii).

Mr. MORGAN JONES: I desire to refer to paragraph (ii), the exclusion of discussion on reserved areas. It is agreed that under this proposal the Governor-General will be formally in charge of these excluded areas, but what happens in these areas must indirectly be of interest to other parts of India. The observations I have made in relation to foreign affairs apply also to excluded areas. It may be that an excluded are may become fit for absorption into a province, or may be created into a new province, and surely it is worth while that they should get to know what is happening in these areas so that when they become responsible for them they may have a clear knowledge as to the condition of affairs. I want to urge with ever increasing strength that these limitations constantly placed upon the activities of the Indian people are not only disappointing but may tend to embitter feelings in relation to the measure of self-government which is presented to them by this Bill. I am sorry that the Government are adhering to these proposals and give us no hope of any relenting in the smallest degree.

4.34 p.m.

Colonel WEDGWOOD: I am sure that the right hon. Gentleman the Secretary of State is not knowingly handing over

the natives in the native areas to a worse fate than that which they enjoy at the present time. There is no doubt that the question of the treatment of native States remains as exactly as it was. Is that so?

Sir S. HOARE: It is to a certain extent, but not altogether so from another point of view. The position is different from this angle, namely, that the Indian States will have conceded certain powers to the Federal Executive and Legislature. To that extent there will be a change.

Colonel WEDGWOOD: That is to the good.

Sir S. HOARE: I will not express an opinion one way or the other, but to that extent there is a change. As far as paramountcy is concerned, except in so far as concession of powers to the Federation is concerned, paramountcy will remain as it is now. It will therefore be just as possible in the future for the paramount power to intervene in the case of some gross abuse as it is to-day.

Colonel WEDGWOOD: I do not intend to press the Amendment, but I should like to get from the Secretary of State a further guarantee about the definition of British subjects. He has said that it will still be possible to secure justice for a British Indian subject, for a native, who has been treated unjustly, that he will still have the same rights as he has now. Any injury to a national of British India is reserved. If he refers to a previous speech, he will find that he distinctly said that injury to a British Indian subject in the Native States could be inquired into provided the Governor-General approved. Do the words "British subject" in this Clause mean a British Indian subject or only an Englishman?

Sir S. HOARE: It means both.

Colonel WEDGWOOD: In that case, I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

4.39 p.m.

Mr. COCKS: I beg to move, in page 25, line 19, to leave out paragraph (i).

I regret that the Amendment has not been accepted. I cannot see why if the sphere of action in foreign affairs is reserved a discussion on foreign affairs should also be reserved. It would be a salutory thing if discussion could take place, and I hope that the Governor-General will use his discretion in this matter fairly freely. I want to ask one question. I hope that this Clause does not cover the question of commercial treaties which are conducted through the foreign department. I hope that a discussion on commercial treaties will be allowed.

Sir S. HOARE: It will certainly not hamper those discussions.

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

The Committee divided: Ayes, 256; Noes, 39.

Division No. 97.] AYES. [4.40 p.m.

Acland, Rt. Hon. Sir Francis Dyke	Brown, Brig.-Gen. H.C. (Berks., Newb'y)	Conant, R. J. E.
Acland-Troyte, Lieut.-Colonel	Browne, Captain A. C.	Cook, Thomas A.
Adams, Samuel Vyvyan T. (Leeds, W.)	Bullock, Captain Malcolm	Cooke, Douglas
Agnew, Lieut.-Com. P. G.	Burgin, Dr. Edward Leslie	Cooper, A. Duff
Allen, Lt.-Col. J. Sandeman (B'k'nh'd.)	Burnett, John George	Courtauld, Major John Sewell
Allen, William (Stoke-on-Trent)	Butler, Richard Austen	Craddock, Sir Reginald Henry
Amery, Rt. Hon. Leopold C. M. S.	Cadogan, Hon. Edward	Cranborne, Viscount
Apsley, Lord	Campbell, Vice-Admiral G. (Burnley)	Critchley, Brig.-General A. C.
Baldwin, Rt. Hon. Stanley	Campbell-Johnston, Malcolm	Croft, Brigadier-General Sir H.
Balfour, Capt. Harold (I. of Thanet)	Caporn, Arthur Cecil	Crooke, J. Smedley
Barclay-Harvey, C. M.	Carver, Major William H.	Crookshank, Capt. H. C. (Gainsb'ro)
Beauchamp, Sir Brograve Campbell	Castlereagh, Viscount	Cross, R. H.
Beit, Sir Alfred L.	Cayzer, Sir Charles (Chester, City)	Crossley, A. C.
Benn, Sir Arthur Shirley	Gazalet, Thelma (Islington, E.)	Davidson, Rt. Hon. J. C. C.
Bernays, Robert	Cazalet, Capt. V. A. (Chippenham)	Davies, Maj. Geo. F. (Somerset, Yeovil)
Birchall, Major Sir John Dearman	Chamberlain, Rt. Hon. Sir J. A. (Birm., W)	Dawson, Sir Philip
Bossom, A. C.	Chamberlain, Rt. Hon. N. (Edgbaston)	Denman, Hon. R. D.
Boulton, W. W.	Chapman, Sir Samuel (Edinburgh, S.)	Denville, Alfred
Bower, Commander Robert Tatton	Christie, James Archibald	Donner, P. W.
Bowyer, Capt. Sir George E. W.	Churchill, Rt. Hon. Winston Spencer	Duckworth, George A. V.
Brass, Captain Sir William	Cobb, Sir Cyril	Dugdale, Captain Thomas Lionel
Briscoe, Capt. Richard George	Cochrane, Commander Hon. A. D.	Duggan, Hubert John
Broadbent, Colonel John	Colfox, Major William Philip	Duncan, James A. L. (Kensington, N.)
Brocklebank, C. E. R.	Colman, N. C. D.	Elliot, Rt. Hon. Walter
Brown, Col. D. C. (N'th'l'd., Hexham)	Colville, Lieut.-Colonel J.	Ellis, Sir R. Geoffrey

Elliston, Captain George Sampson
Emmott, Charles E. G. C.
Emrys-Evans, P. V.
Erskine-Bolst, Capt. C. C. (Blackpool)
Everard, W. Lindsay
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gilmour, Lt.-Col. Rt. Hon. Sir John
Goff, Sir Park
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Greene, William P. C.
Gretton, Colonel Rt. Hon. John
Griffith, F. Kingsley (Middlesbro',W.)
Grimston, R. V.
Gunston, Captain D. W.
Hacking, Rt. Hon. Douglas H.
Hanbury, Cecil
Hartington, Marquess of
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Haslam, Sir John (Bolton)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsf'd)
Heneage, Lieut. Colonel Arthur P.
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Holdsworth, Herbert
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Capt. M. J. (Brigg)
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
Joel, Dudley J. Barnato
Johnstone, Harcourt (S. Shields)
Jones, Sir G. W. H. (Stoke New'gton)
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Hamilton W.
Kimball, Lawrence
Kirkpatrick, William M.
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lennox-Boyd, A. T.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lister, Rt. Hon. Sir Philip Cunliffe-
Lockwood, Capt. J. H. (Shipley)
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
McEwen, Captain J. H. F.
McKeag, William
McKie, John Hamilton
McLean, Dr. W. H. (Tradeston)
Macpherson, Rt. Hon. Sir Ian
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Moss, Captain H. J.
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Normand, Rt. Hon. Wilfrid
Orr Ewing, I. L.
Owen, Major Goronwy
Patrick, Colin M
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Petherick, M.
Pickthorn, K. W. M.
Procter, Major Henry Adam
Pybus, Sir John
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Renwick, Major Gustav A.
Rickards, George William
Ropner, Colonel L.
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Sandeman, Sir A. N. Stewart
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Smiles, Lieut.-Col. Sir Walter D.
Smith, Bracewell (Dulwich)
Smith Sir Robert (Ab'd'n & K'dine,C.)
Smithers, Sir Waldron
Somerset, Thomas
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Sotheron-Estcourt, Captain T. E.
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Storey, Samuel
Strauss, Edward A.
Strickland, Captain W. F.
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Taylor, Vice-Admiral E. A. (P'dd'gt'n, S.)
Thomas, Rt. Hon. J. H. (Derby)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Todd, A. L. S. (Kingswinford)
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Ward, Irene Mary Bewick (Wallsend)
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour-
Wells, Sydney Richard
Williams, Herbert G. (Croydon, S.)
Wilson, Clyde T. (West Toxteth)
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)

TELLERS FOR THE AYES.—
Lieut.-Colonel Sir A. Lambert Ward and Mr. Blindell.

NOES.

Addison, Rt. Hon. Dr. Christopher
Banfield, John William
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Kirkwood, David
Lansbury, Rt. Hon. George
Leonard, William
Logan, David Gilbert
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
Maclean, Neil (Glasgow, Govan)
Maxton, James
Milner, Major James
Parkinson, John Allen
Rathbone, Eleanor
Salter, Dr. Alfred
Smith, Tom (Normanton)
Thorne, William James
Tinker, John Joseph
West, F. R.
Williams, David (Swansea, East)
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—
Mr. Groves and Mr. Paling.

Amendment made: In page 25, line 20, leave out "affecting" and insert "connected with."—[*Sir S. Hoare.*]

4.50 p.m.

Sir S. HOARE: I beg to move, in page 25, line 25, after "on," to insert:

" any matter connected with the tribal areas or."

This is to bring the tribal areas within the field of subjects in which the safeguard in connection with discussion is necessary. I do not think I need argue the case for including the tribal areas. Obviously if there is to be a safeguard of this kind covering the field of foreign affairs, owing to the risks inherent in irresponsible discussions, that argument is of greater weight on the very inflamable subject of the tribal areas.

Amendment agreed to.

4.51 p.m.

Sir REGINALD CRADDOCK: I beg to move, in page 25, line 30, to leave out " Province " and to insert:

" Governor's Province or Chief Commissioner's Province."

This Amendment is necessary in our judgment because by virtue of Clause 46 (3) " Province " in this Clause would appear to mean only a Governor's Province. On the other hand under the provisions of Part IV of the Bill many of the functions of the Governor-General in regard to a Chief Commissioner's Province are to be exercised in his discretion. It would seem more logical, therefore, to prohibit discussion in respect to the exercise of these particular functions. Inasmuch as that is the case in the Governor's Province it should be so in respect of similar matters in the Chief Commissioner's Province.

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): I am afraid that if we were to add the words " Chief Commissioner's Province " to this Subsection the object of the Sub-section would not be achieved. The object of the words in the Bill is to check the Federal Legislature from discussing questions of internal administration, the affairs of a Governor's Province. When the Governor-General intercedes in his discretion and takes any action in a Province it will be very dangerous to allow the Federal Legislature to pursue discussions on the internal affairs of that Province, put outside the purview of the Federal Legislature. Under Clause 84, which we shall be discussing later, it is possible for a Provincial Legislature to pursue a discussion upon questions of this sort involved by the action of the Governor acting as the agent of the Governor-General in his discretion, within the Province itself.

In the same way there is no wish to check completely discussion in this realm in a Chief Commisisoner's Province, but these Provinces come under the Federal Government. Since there is no wish completely to ban discussion in either case it would be wrong to insert the words of the Amendment here, because that would deprive the Sub-section of most of its meaning and check any sort of discussion of these matters, which is not the object of the Bill before us. It is a somewhat complicated question, but the effect of the Amendment would be to make it more confused than it is now.

Sir R. CRADDOCK: I beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

4.54 p.m.

Brigadier-General CLIFTON BROWN: I beg to move, in page 25, line 30, at the end, to insert:

" (iv) discussion of any matters relating to the defence of India or the administration of the Army."

If it be necessary in paragraphs (i), (ii) and (iii) of Sub-section (1) to provide safeguards, those safeguards should be provided on the most vital matter of all in this Bill, the Army. A most undesirable and probably dangerous publicity might be given otherwise to the movements of troops and fortifications, and the Governor-General might be gravely embarrassed in the exercise of his duty under Clause 11. There should be no question of tampering in any way with the freedom of the Governor-General in moving the British Army as he likes. The loyalty of the British Indian Army depends entirely on the prestige of the British Army. Provided that you have a strong Viceroy and a good, loyal Army, whatever Constitution you give to India would work fairly well, but it is absolutely vital that the safeguard in this case should not only be a safeguard on paper in the Bill. It is quite apparent what will be the attitude of the Legislative Assembly to the spending of money on Army administration of any sort. It is necessary only to read to-days news in the " Times," where it is stated:

" By 79 votes to 48 the Indian Legislative Assembly to-day carried a motion to refuse supplies for the Army Departmment by reducing the estimate to one rupee."

[Brigadier-General Brown.]

That, of course, has happened before, and it will continue to happen. It may be that even when the Indians become responsible legislators, they will still do the same thing, because they will know that the Viceroy will certify it. We must remember that the safety of the whole population, Indian and British, depends on the Army. Secret mobilisation plans, not in the hands of the Governor-General but very often in the hands of Indian heads of departments, information about posts, telegraphs, transport, railways and munitions, might all be given away. That would be a most undesirable thing. You have only to read the speech of the Commander-in-Chief last July to see for what the Army is used. Forty thousand of the Army were used to keep peace among a few gentlemen who were always fighting among themselves. The services of the Army are absolutely vital. Without it India would be back in the position that the Joint Select Committee so well described.

Therefore, it is absolutely vital that the British Army should be free and unhampered in every way, and that secret orders and communications regarding mobilisation, both internally and externally, should be able, if necessary, to be barred in discussion. In this country under these conditions a Minister says that it is not in the public interest to give the information. All I want is that the Viceroy should be able to give power to his Ministers to answer in that way. Section 108 puts defence and ecclesiastical affairs as subjects that cannot be discussed in the Assembly. That is not enough. It is all very well for ecclesiastical affairs, but the Army depends on the administration and cannot move unless it has all sorts of services at its disposal, and unless the plans for these are carefully made it would be impossible for them to carry on. I only want to assure that the Viceroy will have the power, if necessary, to bar discussion. There can be no risk of any loss of efficiency. The Viceroy should have the power to stop the discussion of methods involving public safety.

5.2 p.m.

Brigadier-General Sir ALFRED KNOX: I cannot help thinking it is an oversight that the question of Army affairs has been omitted. Surely if the discussion of any foreign affairs is prohibited Army affairs are still more important. My hon. Friend who moved this Amendment pointed out that in a certain newspaper there is a telegram from Delhi that says that in the discussion yesterday of Army affairs it was carried by 78 votes to 49 that the whole Army Estimates should be reduced to 1 rupee. That was passed in an Assembly which included at present, owing to the past common sense of the House of Commons, over 40 officials and nominated members. You are opposing to set up a federal Assembly consisting of 375 members, with not a single nominated official. You can judge of the value of discussions in the present Assembly; how much less value will they have in the new Assembly. I hope that the Secretary of State will agree to this Amendment. He has not in a single case given way to any one of our Amendments, though he showed a softening of the heart to the official Opposition last night. I cannot help thinking it is a deliberate oversight to have left out the Army in drafting this Clause.

5.4 p.m.

Sir S. HOARE: I agree with my hon. and gallant Friend the Member for Newbury (Brigadier-General Brown) when he says that it is essential that the administration of the Army should be free and unhampered. So long as it is a reserved department the Governor-General's responsibility should be clear and his powers complete. I agree entirely with that view, and I hold that under the provisions of the Bill we have safeguarded the position. The money for the Army is not voted. The Governor-General has full responsibility for the administration of the Army. Moreover, he has full powers to intervene in any other department if he finds that directly or indirectly his responsibility for the Army is being compromised. So far as I can see, the position is watertight. The question raised by this Amendment is not the question to which I have just made this passing allusion but the small issue: should there be any check upon debates on Army affairs in the Federal Legislature? Let the Committee, keeping in mind the general position, namely, that the responsibility and powers of the Governor-General are complete, devote themselves to this issue and this issue

alone: is it wise or is it not wise to check the debate of our Indian affairs in the Federal Legislature?

In answering that question, let the Committee remember the fact I stated the other night, that all Indians both in British India and in Indian India are intensely interested in Army affairs. They provide practically the whole sum of money for Indian defence, and it has been the settled policy of the present Government and of preceding Governments to give Indians a greater and greater part in the responsibility of the defence of India. Let the Committee, then, remember that fact, first of all, in answering this question about debates. Secondly, let them remember that ever since the Government of India Act opportunities for debate on Army affairs have been freely offered to the Assembly. So far as I am aware, no check has been placed on these debates at all. The fact that the day before yesterday, in a fit of irresponsibility, the Assembly passed a vote against the Indian budget—knowing that its vote made no difference whatever to the Indian budget; knowing, also that in the past it has passed similar votes and that these votes, again, have made no difference to the Indian budget—surely shows that we have in the past allowed full opportunities for debate and that we are now allowing full opportunities for debate. Indeed, past history goes to show that no regrettable results have come about after these debates.

The present Commander-in-Chief rather welcomes them. The Army as a whole welcomes these debates. It gives them an opportunity of putting their case to the Assembly even though the Assembly may not agree with them, and the Army have not at all taken the view of recent years that it is a mistake to let members in the Indian Assembly, knowing nothing about what is going on in the administration, talk about it. It has been the settled policy of the heads of the Army in India for several years past to bring Indians so far as they can into the field of knowledge of these affairs and to try to obtain their sympathy and support for the Army in India. I am inclined to think that this sympathy and support is much more likely to be forthcoming, even if we may from time to time have setbacks, such as we have had, may be, in the last few days, if we do allow these opportunities for discussion and welcome the chance of interesting Indians themselves in their own defence. That has been the settled policy of every Government now since 1919.

My own view is that it would be unwise to withdraw the powers that now exist, particularly in view of the fact that we are setting up in this Bill a Federal Legislature in which the Indian Princes, if they accede to the Federation, will be taking an effective part. As every Member of the Committee knows, if there be one question more than another that interests Indian India and the representatives of Indian India, it is defence questions. I cannot conceive a Federal Assembly in India in which discussions of this kind should not be allowed. For these reasons, my advice to the Committee is not to abrogate the facilities that have existed without any serious danger since 1919, but to accept the position as it is in the Bill, realising, as I said at the beginning of my speech, that the fact that there are discussions in no way derogates from the clear responsibility of the Governor-General for the reserved department of defence or from his powers to see that this reserved department and his responsibilities are in no way compromised.

Lord EUSTACE PERCY: Is it not a fact that under (1, *a*) of this Clause the Governor-General has full power to make rules of procedure limiting the matters for discussion? I assume that is on any other subject in regard to which he has special responsibilities.

Sir S. HOARE: That is so, so far as I may judge. The fact, however, that there are certain cases where we contemplate this previous sanction being given does imply that we have these cases in mind and are not contemplating withdrawing from the Federal Assembly facilities that now exist.

5.12 p.m.

Mr. KIRKPATRICK: In amplification of what my right hon. Friend said is it not a fact that a very large proportion of the Indian army is recruited from Indian native States — for instance, Garhwal, the Phulkian States and Kashmir? I think that would be a very great influence and the Indian Princes would welcome the opportunity of look-

[Mr. Kirkpatrick.]
ing after their people. They will be vitally interested in the welfare of their subjects serving in the Indian army.

Mr. ANNESLEY SOMERVILLE: If such a question as has been mentioned by my hon. Friend were discussed in the Federal Legislature would it not be inconsistent with a vote we have just given? Paragraph (*c*) forbids discussion in the Legislature of any matter relating to the States.

5.13 p.m.

Mr. AMERY: I only wish to ask one question following the question of my right hon. Friend behind me. It may be very desirable in general terms to continue the present practice as regards army discussions in the Indian Legislature. I quite understand that for that reason that matter has not been included in the Sub-section under (*d*). At the same time I think we can all realise that there may very well be matters, not at this moment but at certain times, which ought not to be discussed in the Assembly; questions that it would be undesirable to ask. The only question I want to ask is whether there is anything in Paragraph (*a*) which precludes the Viceroy, if such intervention should be found necessary, from making regulations definitely excluding a matter from discussion.

Mr. MOLSON: Is the point not covered in Sub-section (2) of Clause 40, which provides that where the Viceroy is going to exercise his responsibility for peace and tranquillity he may give directions that the Bill should not be proceeded with, and discussion not take place?

5.15 p.m.

Sir S. HOARE: The position, I think, is really quite safe. The Governor-General under Clause 12 can instruct Ministers not to give information. There is no doubt about that at all. If a private member started an embarrassing discussion, apart from the question of whether the Governor-General could stop it or not, the defence counsellor who, of course, is an official of the Governor-General, could refuse to give any information. He could, as my hon. and gallant Friend suggested, return the answer which is sometimes given here, to the effect that it is not in the public interest to give information of the kind for which he is asked. Being solely responsible to the Governor-General nobody can say that he is compelled to give the information. This would not involve the Governor-General's intervention at all, and it is apart from the earlier Sub-section which, I think, could be used in the ultimate resort. I submit therefore that the position is quite safe.

5.17 p.m.

Sir H. CROFT: When one looks at the reports of recent debates in the Assembly in India one is bound to regard the future under the new Constitution as very bleak indeed if no words are to be inserted in this Measure to prevent irresponsible debates on the Army. The right hon. Gentleman has told us that the Governor-General can instruct Ministers to give no information, but that is not going to stop an endless series of debates and it will not make for the good government of India to have continuous debates on questions of military policy and military movements. Such debates involve great danger. I thought that the right hon. Gentleman in order to protect his own machinery would be anxious to take steps to prevent such discussions on vital military subjects. He pointed out that, in the past, there had been debates on these questions, but there was a very different situation then, because the hand of the Government was still controlling the nation, the British partnership was still complete and whatever irresponsible speeches were made in the Assembly the caravan went marching on. In future there will be a Government supposed to be representative of the people and you may have endless criticism and difficulty. I am only wondering whether the right hon. Gentleman will not even yet reconsider the position and provide at least some safeguard to check perpetual bickering and agitation in regard to these questions which may lead to grave difficulties and dangers in India.

5.19 p.m.

Mr. COCKS: The hon. and gallant Member does not seem to realise the nature of the Assembly which is to discuss these matters. There are to be 229 representatives of their Highnesses the Princes. They are not irresponsible.

Mr. CHURCHILL: They will not be there.

Mr. COCKS: Then there are to be these multi-millionaires of whom we have been told from British India in the Council. There are to be 250 representatives of British India, many of them wealthy men, in the Assembly. Is a body of that sort likely to have irresponsible debates on questions vitally affecting the defence of India—their own defence? Does the hon. and gallant Member suggest that these men of wealth, these representatives of the fighting races in India whose whole power and prestige has been given to the defence of India are not to be allowed to have a voice in a matter so closely affecting their own interests? They are the people who have rallied to the defence of India, and have seen to it that those defences have not been weakened in any way. I am surprised at the hon. and gallant Member for Bournemouth (Sir H. Croft). He is really insulting the representatives of the Princes. He wants to gag the Princes and to prevent them discussing the defence of India for which their subjects will be very largely responsible. In this matter, I strongly support the Government.

Amendment negatived.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

5.21 p.m.

Mr. MORGAN JONES: I wish to ask a question on Sub-section (1, *d*) (iii) which precludes, save with the consent of the Governor-General, any discussion of or question on any action taken in his discretion by the Governor-General in relation to the affairs of a Province. Might it not happen that action taken by the Governor-General in relation to a particular Province would involve a matter of principle affecting not only that Province but other Provinces as well? In such a case are we to understand that this provision would prevent a discussion on that principle being raised in the central Assembly without the consent of the Governor-General? I feel that this paragraph is a little too sweeping. We have already indicated our general attitude on the Clause. We intend to vote against it standing part of the Bill but I would first like to have an explanation of the point I have raised.

5.22 p.m.

The SOLICITOR-GENERAL (Sir Donald Somervell): I think it is clear that the words in the paragraph about which the hon. Member asks refer to what is contemplated in Sub-section (3) of Clause 125, that is to say a case in which the Governor-General under his powers and in his discretion has issued orders to the Governor of a Province in respect of some matters which have arisen in that Province. I did not understand the hon. Member to suggest that it should be the right of the Federal Assembly to discuss any controversy or any matter concerning the action of the Governor-General in relation to a particular Province. I understood his question to be: Might not such action on some occasion raise a general question of principle? If so, obviously there is nothing in this paragraph to prevent any general question of principle, provided it is within the federal sphere, being discussed but it would have to be raised as a question of principle and not in relation to some action taken concerning the affairs of a Province. I think the hon. Member will agree that it ought not to be possible to raise the question in that form, but as I say if there is a general question of principle involved, obviously it can be raised. In such a discussion it might be in order to make a passing reference—as so often happens in our own proceedings here—to the fact that certain action had been taken, but we adhere to the view that action taken in the Provinces would not be a proper subject matter for discussion in the Federal Assembly.

5.24 p.m.

Mr. MORGAN JONES: I am obliged to the Solicitor-General for his explanation, but there is yet one point which I would like made clear. Supposing the Governor-General interferes in the affairs of a Province and his action gives rise to a question of first-rate importance as a provincial matter. The Solicitor-General says that it could be raised as a matter of principle, but I submit that under this provision it could only be raised with the consent of the Governor-General who is one of the parties to the action in question. There ought to be opportunity to raise a matter of that sort, which is

[Mr. Jones.]

of common interest to all the Provinces even though it directly concerns only one particular Province, without having to obtain the consent of the Governor-General.

5.25 p.m.

Sir S. HOARE: I cannot think of any case in which that difficulty would arise. The important point is that we should not allow in the Federal Assembly discussions about affairs which are really provincial affairs. I think we are all agreed as to that. I will look into what the hon. Member has said and see if there is anything in his point but I do not think there is.

Sir H. CROFT: We do not intend to discuss the various questions which have been raised on this Clause, since the Secretary of State has not found himself able to meet us on a single one of our points.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided: Ayes, 235; Noes, 78.

Division No. 98.] AYES. [5.26 p.m.

Acland, Rt. Hon. Sir Francis Dyke
Acland-Troyte, Lieut.-Colonel
Adams, Samuel Vyvyan T. (Leeds, W.)
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Allen, William (Stoke-on-Trent)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (I. of Thanet)
Belt, Sir Alfred L.
Bernays, Robert
Birchall, Major Sir John Dearman
Blindell, James
Bossom, A. C.
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Buchan, John
Buchan-Hepburn, P. G. T.
Bullock, Captain Malcolm
Burnett, John George
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Cayzer, Sir Charles (Chester, City)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt.Hn.Sir J.A.(Birm.,W.)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Sir Samuel (Edinburgh, S.)
Christie, James Archibald
Clarry, Reginald George
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Courthope, Colonel Sir George L.
Cranborne, Viscount
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Crossley, A. C.
Davidson, Rt. Hon. J. C. C.
Denman, Hon. R. D.
Denville, Alfred
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Eales, John Frederick
Eden, Rt. Hon. Anthony
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Emrys-Evans, P. V.
Evans, Capt. Ernest (Welsh Univ.)
Fielden, Edward Brocklehurst
Foot, Dingle (Dundee)
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Goff, Sir Park
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Griffith, F. Kingsley (Middlesbro', W.)
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R. W.(Orkney & Zetl'nd)
Harvey, George (Lambeth, Kenningt'n)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A
Henderson, Sir Vivian L. (Chelmsf'd)
Herbert, Major J. A. (Monmouth)
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Joel, Dudley J. Barnato
Johnstone, Harcourt (S. Shields)
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Knight, Holford
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Llewellin, Major John J.
Lloyd, Geoffrey
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G.(Partick)
MacAndrew, Capt. J. O. (Ayr)
MacDonald, Malcolm (Bassetlaw)
McEwen, Captain J. H. F.
McKeag, William
McKie, John Hamilton
Maclay, Hon. Joseph Paton
McLean, Dr. W. H. (Tradeston)
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Moss, Captain H. J.
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
Orr Ewing, I. L.
Owen, Major Goronwy
Patrick, Colin M.
Pearson, William G.
Peat, Charles U.
Percy, Lord Eustace
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickthorn, K. W. M.
Procter, Major Henry Adam
Pybus, Sir John
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Renwick, Major Gustav A.
Rickards, George William
Ropner, Colonel L.
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)

Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liv rp'l)
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney).
Savery, Samuel Servington
Selley, Harry R.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Smiles, Lieut.-Col. Sir Walter D.
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Sotheron-Estcourt, Captain T. E.
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Train, John
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wedderburn, Henry James Scrymgeour-
Willoughby de Eresby, Lord
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)

TELLERS FOR THE AYES.—Sir George Penny and Major George Davies.

NOES.

Addison, Rt. Hon. Dr. Christopher
Alexander, Sir William
Attlee, Clement Richard
Banfield, John William
Bracken, Brendan
Broadbent, Colonel John
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Carver, Major William H.
Churchill, Rt. Hon. Winston Spencer
Cleary, J. J.
Cobb, Sir Cyril
Cocks, Frederick Seymour
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cripps, Sir Stafford
Critchley, Brig.-General A. C.
Croft, Brigadier-General Sir H.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Davison, Sir William Henry
Dawson, Sir Philip
Donner, P. W.
Emmott, Charles E. G. C.
Erskine-Bolst, Capt. C. C. (Blk'pool)
Everard, W. Lindsay
Fuller, Captain A. G.
Gardner, Benjamin Walter
Greene, William P. C.
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Gretton, Colonel Rt. Hon. John
Griffiths, George A. (Yorks, W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Hartington, Marquess of
Hunter, Capt. M. J. (Brigg)
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Keyes, Admiral Sir Roger
Kimball, Lawrence
Kirkwood, David
Knox, Sir Alfred
Lansbury, Rt. Hon. George
Lawson, John James
Lennox-Boyd, A. T.
Leonard, William
Lockwood, Capt. J. H. (Shipley)
Logan, David Gilbert
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Maclean, Neil (Glasgow, Govan)
Marsden, Commander Arthur
Maxton, James
Milner, Major James
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Parkinson, John Allen
Rathbone, Eleanor
Remer, John R.
Salter, Dr. Alfred
Sandeman, Sir A. N. Stewart
Smith, Tom (Normanton)
Somerset, Thomas
Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Thorne, William James
Tinker, John Joseph
Touche, Gordon Cosmo
Wayland, Sir William A.
Wedgwood, Rt. Hon. Josiah
Wells, Sydney Richard
West, F. R.
Williams, David (Swansea, East)
Williams, Edward John (Ogmore)
Williams, Herbert G. (Croydon, S.)
Williams, Thomas (York., Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—Mr. Groves and Mr. Paling.

CLAUSE 39.—(*English to be used in the Federal Legislature.*)

Motion made, and Question proposed, "That the Clause stand part of the Bill."

5.35 p.m.

Mr. CHURCHILL: This Clause only deserves momentary notice, because it is the Clause which prescribes the use of the English language in the Federal Assembly. Indeed, it is not necessary to prescribe it, because it is the only language in which the many different races of India can transact common business, and I think that it is worth public notice that this vehicle of the English language and everything else that is being done through the influence and authority of the British Raj has promoted and built up such unity of India as exists. When we hear the talk which goes on about all India a nation, and India is represented as an identity, it is worth while realising how very superficial, artificial, and recent is this veneer of British civilisation and organisation which has been spread over this vast and heterogeneous area. Certainly it would be a pity for us to pass this Clause, with which I am entirely in accord, without noticing the fact that when even the most hostile conspiracies are levelled against this country by different Indian races, the preparations for them have to be conducted in the English language, and surely as our influence and authority diminish, so surely will the hope of any form of Indian unity die.

5.37 p.m.

Mr. T. WILLIAMS: Will the hon. Gentleman be good enough to state approximately how many Indians can speak the English language, and whether all these proceedings in the Federal Legislature and the Provincial Assemblies will be translated into the English language?

[Mr. Williams.]
If not, will they be translated into the local languages suitable for particular areas, or, what other channels has the hon. Gentleman in mind through which to inform those who will be called upon to elect the lower assemblies and the Federal Assembly?

5.38 p.m.

Mr. BUTLER: I am afraid I have not the exact statistics of the number of Indians who speak English, but I dare to say that a very large number transact their daily business in English, and I should like to pay a tribute to the genius of the British race in giving India this opportunity for a unifying language, as was claimed by my right hon. Friend the Member for Epping (Mr. Churchill). With regard to the question of the hon. Member for Don Valley (Mr. T. Williams), as to how the proceedings in the legislatures which are conducted in English shall reach the ears or eyes of the masses, there is the vernacular Press, on which I think we can rely to inform the masses as to what is proceeding in these assemblies.

I notice that the Noble Lord the Member for Perth (Lord Scone), a colleague and friend of the right hon. Member for Epping, who has always expressed such hopes and wishes on behalf of the masses, had an Amendment down to this Clause which would have omitted the proviso that those who did not understand the English language should be allowed to address the Legislature if necessary in the vernacular. That, I think, would have cut out some of the poorer and more modest representatives of those very masses, and the depressed classes perhaps, or representatives of labour or others who might not have satisfactorily mastered the English language through lack of opportunity. It is strange that such an Amendment should have been placed upon the Paper by the Noble Lord. I do not wish to enter into controversy on this Clause; I only thought fit to draw attention to that point.

Apart from that, I should like to support what the right hon. Member for Epping has said and to say that it is due to the English language that so much unification has been achieved. It has been a rule in the Legislature that English should be the language. This proviso which is included has been a proviso in the present rules of business of the Indian Legislature during the last 12 years of the reforms, and we are merely preserving the situation as it exists at present in India.

5.40 p.m.

Mr. CHURCHILL: I am sorry the Under-Secretary of State went out of his way to criticise my Noble Friend the Member for Perth (Lord Scone). As a matter of fact, there is a great deal to be said for querying the proviso, because the proviso seems to a very large extent to take away the sense of the Clause, and, if worked in a certain manner, it would destroy the sense of the Clause; but it is sufficient, as the question is raised, to state that the matter has worked well on this basis. But why, when my Noble Friend did not move his Amendment in order to expedite business, the Under-Secretary of State should go out of his way, in the hope of making a score at his expense, to occupy several minutes of our time, I am unable to say.

5.41 p.m.

Mr. DONNER: As my name is down to the Amendment which has not been moved, I should like to point out that there is some justification for the Amendment, inasmuch as we are dealing with the Central Assembly. I should like to point out to the Under-Secretary of State that there is no similar Amendment with regard to the Provincial Legislatures. It was merely a matter, therefore, of dealing with the Central Assembly, considering the fact that the members of it are elected on an indirect vote.

5.42 p.m.

Sir WILLIAM WAYLAND: If we are ever to achieve unity in India, we shall only do it through the universal use of the English language. Therefore, as the Government are professing to try to achieve federal unity, I am very much surprised that they do not accept the Amendment.

The CHAIRMAN: No Amendment is before the Committee.

Sir W. WAYLAND: I agree with what my right hon. Friend the Member for Epping (Mr. Churchill) said with regard to the English language. If the English language only is used in India, what follows? All those who desire to represent their fellow countrymen will learn

English. It will compel the majority to learn the only language which is in any degree the universal language in India. Therefore, I certainly think it would be a step absolutely in the right direction, towards unity, if the English language only was used in the Federal Assembly.

Question, " That the Clause stand part of the Bill," put, and agreed to.

CLAUSE 40.—(*Restrictions on discussion.*)

5.43 p.m.

Mr. A. SOMERVILLE: I beg to move, in page 26, line 21, after the second " Court," to insert " or of any district judge."

This is an Amendment which I most earnestly commend to the Government. The Clause gives protection, probably from pressure through discussion in the Legislature, to the federal judges and the judges of the High Court, and it would seem even more necessary to protect the district judges from such pressure. The Report of the Joint Select Committee recommended that protection should be given to the district judges in the matter of promotion, and it is even more vital that such protection should be given to them as is given to the higher judges. This Bill is admirable in its draftmanship, but it does not go down quite deep enough. It does not go down to the small men or the masses, and this is an example of that defect. We want to protect the smaller people. Imagine the district judge at work in a district possibly tainted by terrorism, performing his dangerous and difficult duties, with the difficulties added to them by political pressure through discussion in the Legislature. Surely it is only humane to deliver him from such pressure. I would ask the Secretary of State to consider this Amendment and to afford to the district judge, whose work is attended with great difficulties and dangers, the same protection that the Clause gives to the federal judges and the judges of the High Court who occupy much safer positions.

5.46 p.m.

The SOLICITOR-GENERAL: My right hon. Friend is grateful to those who put down this Amendment for drawing his attention to the matter. The Joint Select Committee recommended the continuance of the rule that the judiciary should be safeguarded from criticisms in the Federal Legislature. It may be that they had in mind the judges of the Federal Court and the High Court, but there are grounds which the hon. Member has put forward for considering whether that protection should not be extended to the district judges. I ask my hon. Friend not to press the Amendment at this stage as my right hon. Friend desires to discuss the matter with the authorities in India. He thinks that it would be right to make this extension if there are no objections, which he does not for the moment foresee.

Sir WILLIAM DAVISON: In discussing this matter with the Indian authorities, will the Secretary of State point out that this is the practice in the House of Commons. We cannot discuss the findings of a metropolitan police magistrate, for example, and this Amendment will not make any change in the practice which obtains in this House.

The SOLICITOR-GENERAL: That point has been raised, but on the other hand, unless it is by a substantive Motion, a judge of the High Court cannot be called in question.

Sir JOHN WARDLAW-MILNE: When the Secretary of State is reconsidering this matter—and there are good grounds for an extension of the protection—will he bear in mind that the words " district judge " do not altogether cover the case?

5.48 p.m.

Sir R. CRADDOCK: I think from what my hon. Friend said just now that the necessity of protecting a district judge also applies to a sessions judge, and it is important that the Sub-section should include him as well. The comments on civil cases are less likely to be of such an obnoxious kind as those on criminal cases, especially cases connected with terrorists. Another reason for including these judges in this Clause is that the courts of India have very little protection from what is known in this country as contempt of court. Only the High Courts can take any action, and the other courts are left without much protection. It is, therefore, all the more desirable that, so far as discussions in the Federal Legislature go, they should receive full protection. That would

[Sir R. Craddock.]
indirectly have effect on the kind of comments that are made on them in the Press.

Mr. A. SOMERVILLE: I thank the Solicitor-General for his assurance, in view of which we can have good hope that this omission will be rectified. I therefore beg to ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

5.50 p.m.

Mr. KIRKWOOD: I beg to move, in page 26, line 23, to leave out Sub-section (2).

We are moving this Amendment in no carping spirit. We are giving a constitution to India on the lines of our own Constitution and, as was remarked by more than one Member in the discussion on the last Amendment, this is what we do at home. We do not criticise the judges in this House except under special conditions. We on these benches take no exception to that, and that is why I say that we are not moving this Amendment in any carping spirit, but in order to do what we can to try and improve the Bill. Under this Sub-section the Governor-General is given the power to stop a Bill if it would affect the discharge of his special responsibility in regard to peace or tranquillity. The kind of case I have in mind is a Bill which might be introduced to allow the untouchables the right to enter a Hindu temple. There is a possibility of a Bill of that description being introduced, and, from what has happened in India before, our reason leads us to believe that certain individuals, orthodox Hindus, would go out and cause a riot as they have done before, in order to give the impression that there is trouble abroad in the land and so make it appear to the Governor-General that he should step in and stop the Bill going before the Assembly.

We think that is wrong, and we want to prevent that and to allow the Indians to have the same liberty as we enjoy in this House. We claim the right, here, irrespective of how revolutionary we may be, and how antagonistic we may be to orthodox opinion, to bring Bills before this House. It is true that right down the pages of history those Bills have been thrown out. Indeed, men and women who have dared to enunciate the ideas embodied in these Bills have been arrested and thrown into prison, but we have seen those individuals liberated and honoured, and the ideas for which they were imprisoned and for which our forefathers were deported to Botany Bay become part and parcel of our Constitution, about which every hon. Member, irrespective of how diehard he may be, is proud to boast. Liberties for which our forefathers had to fight have been put on the Statute Book of this country.

Another Bill that might be introduced in India and that might cause disaffection is one to prevent child marriage. Hon. Members who take any interest in the affairs of India believe a Bill of that description would be beneficial to the Indian people, but again, because of religious prejudice, there are individuals who would be prepared to go to any length in order to prevent such a Measure coming before the Assembly. As they have done in the past, they would bribe certain individuals to go out and cause a riot or two, and then they would bring pressure to bear on the Governor-General. If Sub-section (2) became law, the Governor-General would be able to step in and prevent such a Bill coming before the Assembly. All our ideas of freedom are wrapped up in this provision, and it foregoes all that our forefathers fought and died for. It is our privilege in this House to be in the position to give these rights to the Indians, and to give to them what our forefathers died for in order that we might enjoy them. The liberties that we enjoy are not ours to surrender, but ours to defend, and we are now privileged to give those same liberties to a people which up to now have been a subject race to us.

Unless this Sub-section is deleted it will be impossible for any social reform legislation to come before the Legislatures in India. Our forefathers had the same fight as I forecast is possible in India. At the inception of the great and powerful trade union movement in this country those who inaugurated it had to stand all manner of abuse. Employers refused to employ trade unionists, victimised them. Our experience of what was done in this country—with all our boasted tolerance—leads us to foresee that the same thing will be done in India by those who are more powerful than the ordinary peasants. They can cause

a strike, they can make it appear that the people are in revolt because a certain measure is before the Legislature. We do not want to hand the power contained in this Sub-section to any Governor-General, no matter how good and tolerant he is. It will place him in the position of a dictator. I am sure that not even the Secretary of State himself would desire to put into any man's hands the power which would be given under this Sub-section. We believe that the more generously we treat our Indian brothers at this juncture the better it will be, not only for the Indian people themselves but for us, for the British Empire. Here is an opportunity presenting itself to us to consolidate our position in the East, to make friends with our friends in India. Time and again we have been threatened with war in the East through misunderstanding.

What could be a better bulwark for the British Empire than to have an India that was "thirled" to us, an India which believed that we were treating them as equals, that we were approaching them through this Bill as men with all our capabilities, as men with a human understanding, as men whom we were going to trust, putting great power in their hands in the belief that with power comes responsibility? We are not going to place the responsibility on a Governor-General. We have always objected to a dictatorship in this country. We do not believe that any one man has a right to have executive authority. It is a long time since we in this country did away with the divine right of Kings, but by this Sub-section we shall place a divine right in the hands of the Governor-General. It has not come from the Almighty, but it has come from almighty Britain. It is we who have now put ourselves in this unique position, in a godlike position, by setting out to place a man called the Governor-General in such a position as he would occupy if he were the Speaker in this House. He will determine whether a Bill is to come before the Legislature, and whether te people may hear the ideas set forth in that Bill propagated or not. I hope the Secretary of State will reconsider this matter and give me as much of a concession to-night as he gave me last night, and then not only the Indians but generations yet unborn in Britain will bless him; because there is more at stake in this Sub-section than appears. Those who oppose us most in our efforts to give the Indians what we claim for ourselves here—I am sorry that the right hon. Member for Epping (Mr. Churchill) and his supporters are not here——

Sir W. WAYLAND: You have frightened him away.

Mr. KIRKWOOD: No, the right hon. Member for Epping is not frightened of anything in this House, or anywhere else. He and his supporters not only claim, but at this very juncture exercise in no uncertain fashion, the right that we are claiming here for the Indians. They go into by-elections, not caring whether they wreck their party or anything else, or cause disaffection in the country. They have a point of view to put and will put it irrespective of the consequences. I ask them to be big enough—I do not say they are small-minded men, because I know they are not, and I cannot attack their courage, because I know they are courageous—I ask them to be big enough and courageous enough to treat the Indians as they like to be treated themselves. That is all we are asking for in this Amendment, and if the Secretary of State aproaches it from that point of view I am satisfied that he will accede to my request.

6.12 p.m.

The SOLICITOR-GENERAL: My hon. Friend has moved his Amendment with the eloquence and brevity with which he always delights the House. In the course of his remarks he raised two very wide and general issues. He has very great knowledge, much greater than I have, of the Rules of Order, and I am sure he will agree that it would not be in order on this Amendment to discuss the fact that in an earlier Clause the Committee have imposed on the Governor-General a special responsibility in respect of anything which would be liable to disturb peace and tranquillity. This Amendment raises a very much narrower question, whether, if the Governor-General is satisfied that the discussion of a particular Bill might itself be a menace to peace and tranquillity, he shall have the power, in his discretion, to prevent such a discussion taking place. It would be quite wrong to place on the Governor-General this responsibility and not give him effec-

[The Solicitor-General.]
tive and proper means for carrying it out. That would put a man in an intolerable position.

Therefore, it seems to me that the Debate on this Amendment narrows itself very much to this issue: Is the discussion of a Bill in the Assembly a matter which might constitute or cause a menace to peace and tranquillity, because if it is it must be right to give the Governor-General power to prohibit that discussion? There are questions in India affecting religious and social customs which, if raised in a provocative form, might give rise at a particular moment to dangerous explosions of violence, and it is for that reason that the Government advise the Committee to resist this Amendment and to retain the Sub-section, which is restricted, as will be seen, to the discussion of a Bill introduced or proposed to be introduced. It does not prevent them from asking questions, or the tabling of a Motion by a private Member.

This provision has been on the Statute Book for 16 years. It is certainly not our intention that discussion of proper and legitimate proposals for social reform should be impeded in any way. If my hon. Friend looks at paragraph 29 of the Instrument of Instructions he will see underlined there that the intention of the Sub-section is that it is only to be used if the Governor-General is satisfied that the discussion in itself, in obviously very exceptional circumstances, may constitute a menace to peace and tranquillity. My hon. Friend rather suggested that those who oppose some particular social reform may go outside, create a little disturbance in the streets and then go to the Governor-General and say, "Here is a meance to peace and tranquillity." We do not believe that any Governor-General will be hoodwinked by methods such as that. Measures of social reform such as we all have in mind can only be undertaken if public opinion is largely behind them. It is quite unwarranted to suggest that a social reform with public opinion behind it will be impeded in any way by this Sub-section which is intended to deal with very special circumstances and very special cases. We are satisfied that it is only in very special cases that it will be used. No section of the community is more interested in the preservation of peace and tranquillity than those classes to which the hon. Member referred in his speech. In the circumstances, we think it would be unwise to accept the Amendment, and we shall resist it.

6.17 p.m.

Mr. ATTLEE: The Solicitor-General has not met the point. It is a very common complaint against our rule in India that ever since the Mutiny we have shown timidity in dealing with social evils for fear of raising opposition and disturbance from various kinds of religious or vested interests. It is generally admitted that prior to that event we were far more vigorous in dealing with social evils. A new start is now being made, and we are putting the Governor-General in a position in which he will have to exercise his judgment whether or not to prevent a certain Bill even being introduced. There will be tremendous pressure in the mind of anyone in the Government of India to let sleeping dogs lie and not to interfere, and that pressure will be upon the Governor-General therefore to prevent the introduction of Bills which deal with thorny subjects.

The Solicitor-General brushed aside too lightly the possibility under this Sub-section of deliberate incitement to violence. He knows that there are a great many disturbances in India, and that they very frequently arise from religious causes. The country is in a period of transition, and there have been difficulties such as those which we had in connection with the Gurdwara dispute among the Sikhs in the Punjab, which led to violence. There are questions concerning the rights of the Untouchables, and there may be disputes between the Maths and the reforming bodies in regard to rights in Hindu temples. Trouble may arise in connection with the depressed classes, and there is the general question of reform, particularly in regard to women. In any case of that kind a Bill may be introduced into the Legislature and there will be opposition. I do not know if hon. Members receive, as I do, the various publications of the orthodox Hindus. They send them round, and we know the conditions that exist. We know the ease with which agitations can be got up in India. This Sub-section is an invitation to all the vested interests in religion to make a noise against any social reform.

It is not a question of making a noise in the streets and then running to the Governor-General. It is quite possible in a great country like India with an intense religious life to raise this kind of trouble in a pretty serious way, of which the Governor-General would have to take notice. The effect of this Sub-section is that the right way to stop a Bill is not by argument or persuasion but by giving trouble in the country, so that the Governor-General will have to interfere. Suppose we had a similar provision in our constitution. The right hon. Gentleman the Member for Epping (Mr. Churchill) and his friends, instead of coming down to the House and taking part in our discussions, would be raising Cain all over the country. The Sub-section is an invitation to disorder. It is quite unnecessary and rather absurd.

There has been a good deal of agitation on the question of the Sarda Act which deals with child marriage. It is proposed seriously in the Sub-section that such reformers should not be allowed to legislate on the question of child marriage. Are not reformers to be allowed to raise these questions by public meeting, by discussion or by writing? If they are, it follows that you may carry on an agitation for the removal of abuses and cause a good deal of opposition, but the one thing you may not do is to introduce the subject in the concrete form of a Bill in the Legislature. Our whole history of reform has been that ideas are put forward by Bills. Very likely they do not get very far, but the proposals are ventilated. What are the Government going to say to the social reformers—"When you have a certain amount of public opinion behind you you will not be able to test the Legislature, because when the Bill is introduced the Governor-General will say, 'In the exercise of my special responsibilities, and having in view the reports which I have had from various Provinces of agitation, I think it better that this should not be proceeded with'"? You will not stop agitation in that way; you will foment agitation, and you will stop the course of social reform.

6.23 p.m.

Sir J. WARDLAW-MILNE: The hon. Member for Limehouse (Mr. Attlee) does not appear to have put his case so clearly before the Committee as he usually does on other matters. The very example which he gave is against him, and not for him. He has forgotten that the Sarda Act and similar matters have been opposed and discussed in the legislative assemblies in the past few years, although the very same provision as is now proposed existed in the Constitution. If his argument were correct, it would have been impossible for a measure such as that to have been dealt with. The fact is that Bills have been introduced without any interference from the Governor-General. If I felt that the effect of the sub-section would be what he has suggested and was put before the Committee by the hon. Member for Dumbarton Burghs (Mr. Kirkwood), I should be strongly in favour of its removal, but I am positive that their view is entirely mistaken. The sub-section will not prevent the introduction and discussion of such Bills unless and until it is perfectly clear that to do so would raise difficulties in India which would require the interference of the Governor-General for the preservation of peace and tranquillity.

The hon. Member for Limehouse is mistaken in thinking that the mere introduction and discussion of social legislation is likely immediately to cause such trouble throughout the country as to make interference necessary. Considerable time is required for information about them to penetrate, and the Governor-General will be more anxious than anybody that such things should be introduced and discussed, because they have not been sufficiently dealt with in the past. There is no possible reason why the Governor-General should make use of this sub-section to stop discussion, unless a situation arose which was likely to become a menace to peace and tranquillity, and in such a situation there is no other action which the Governor-General could take. It would be quite unfair to put the responsibility of doing so upon him and, as the Solicitor-General pointed out, not to give him power to carry it out. The hon. Member is mistaken in thinking that the inclusion of this sub-section will jeopardise the discussion of social matters, which we are all anxious to see promoted in India.

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

The Committee divided: Ayes, 272; Noes, 47.

Division No. 99.] AYES. [6.29 p.m.

Acland, Rt. Hon. Sir Francis Dyke
Acland-Troyte, Lieut.-Colonel
Adams, Samuel Vyvyan T. (Leeds, W.)
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Allen, William (Stoke-on-Trent)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (I. of Thanet)
Belt, Sir Alfred L.
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Birchall, Major Sir John Dearman
Blindell, James
Bossom, A. C.
Boulton, W. W.
Bower, Commander Robert Tatton
Boyd-Carpenter, Sir Archibald
Bracken, Brendan
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Browne, Captain A. C.
Buchan-Hepburn, P. G. T.
Bullock, Captain Malcolm
Burnett, John George
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Carver, Major William H.
Castlereagh, Viscount
Cayzer, Sir Charles (Chester, City)
Cazalet, Capt. V. A. (Chippenham)
Chamberlain, Rt. Hon. Sir J. A. (Birm., W.)
Chamberlain, Rt. Hon. N. (Edgbaston)
Chapman, Sir Samuel (Edinburgh, S.)
Christie, James Archibald
Churchill, Rt. Hon. Winston Spencer
Clarry, Reginald George
Cobb, Sir Cyril
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Courtauld, Major John Sewell
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Cranborne, Viscount
Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Crossley, A. C.
Culverwell, Cyril Tom
Davidson, Rt. Hon. J. C. C.
Davies, Edward C. (Montgomery)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Dawson, Sir Philip
Denville, Alfred
Donner, P. W.
Doran, Edward
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Eales, John Frederick
Eden, Rt. Hon. Anthony
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Evans, David Owen (Cardigan)
Evans, Capt. Ernest (Welsh Univ.)
Everard, W. Lindsay
Foot, Isaac (Cornwall, Bodmin)
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gillett, Sir George Masterman
Glossop, C. W. H.
Goff, Sir Park
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Greene, William P. C.
Griffith, F. Kingsley (Middlesbro', W.)
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hartington, Marquess of
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hope, Sydney (Chester, Stalybridge)
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter, Capt. M. J. (Brigg)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Inskip, Rt. Hon Sir Thomas W. H.
James, Wing-Com. A. W. H.
Joel, Dudley J. Barnato
Johnston, J. W. (Clackmannan)
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Hamilton W.
Keyes, Admiral Sir Roger
Kirkpatrick, William M.
Knight, Holford
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Leech, Dr. J. W.
Lees-Jones, John
Leighton, Major B. E. P.
Lennox-Boyd, A. T.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Lockwood, Capt. J. H. (Shipley)
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McConnell, Sir Joseph
McCorquodale, M. S.
Macdonald, Sir Murdoch (Inverness)
Macdonald, Capt. P. D. (I. of W.)
McEwen, Captain J. H. F.
McKie, John Hamilton
McLean, Dr. W. H. (Tradeston)
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Martin, Thomas B.
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Milne, Charles
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morrison, G. A. (Scottish Univer'ties)
Moss, Captain H. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Normand, Rt. Hon. Wilfrid
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Perkins, Walter R. D.
Petherick, M.
Pickthorn, K. W. M.
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pybus, Sir John
Ramsay T. B. W. (Western Isles)
Ramsden, Sir Eugene
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, Capt. A. Cunningham-
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Remer, John R.
Rickards, George William
Ropner, Colonel L.
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Sandeman, Sir A. N. Stewart
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Selley, Harry R.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Shute, Colonel Sir John
Simmonds, Oliver Edwin
Simon, Rt. Hon. Sir John
Smiles, Lieut.-Col. Sir Walter D.
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Sotheron-Estcourt, Captain T. E.
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spender-Clay, Rt. Hon. Herbert H.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur

Stevenson, James
Stewart, J. Henderson (Fife, E.)
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Taylor, Vice-Admiral E.A. (P'dd'g'n, S.)
Templeton, William P.
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Touche, Gordon Cosmo
Train, John
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Wayland, Sir William A.
Wells, Sydney Richard
Whiteside, Borras Noel H.
Williams, Herbert G. (Croydon, S.)
Willoughby de Eresby, Lord
Wills, Wilfrid D.
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Wood, Rt. Hon. Sir H. Kingsley

TELLERS FOR THE AYES.—Captain Sir George Bowyer and Dr. Morris-Jones.

NOES.

Addison, Rt. Hon. Dr. Christopher
Attlee, Clement Richard
Banfield, John William
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George.
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Cripps, Sir Stafford
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Gardner, Benjamin Walter
George, Megan A. Lloyd (Anglesea)
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Hicks, Ernest George
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Kirkwood, David
Lansbury, Rt. Hon. George
Lawson, John James
Leonard, William
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
Maclean, Neil (Glasgow, Govan)
Maxton, James
[illegible] James
Parkinson, John Allen
Rathbone, Eleanor
Salter, Dr. Alfred
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Thorne, William James
Tinker, John Joseph
Wedgwood, Rt. Hon. Josiah
West, F. R.
Williams, David (Swansea, East)
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—Mr. Paling and Mr. Groves.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

6.37 p.m.

Colonel WEDGWOOD: I understand, Captain Bourne, that you are not calling the Amendment which stands in my name and that of the hon. Member for Windsor (Mr. A. Somerville)—in page 26, line 28, after the second "the," to insert "treatment of minorities or the,"—and I should like to raise the matter on the Question, "That the Clause stand part of the Bill." In this Clause we are giving to the Governor-General the power to prevent discussion on certain matters, and I should like to include in those matters—and I desire to point out to the Committee that it is not so included—any matter which is un-English in the sense that it differentiates in any way between the different castes or creeds in the country. Legislation of that kind produces exactly the same result as legislation dealing with child marriage would produce; it produces a more or less fictitious agitation; but it has a far more damaging effect upon the reputation, not only of the Government there, but of British administration generally. Once you get discriminatory legislation introduced into the Indian Assembly, you destroy for all time the idea that all British subjects are equal before the law. The one Measure so far that has brought this issue to the front is the question of the differentiation between the various inhabitants of the Punjab under the Land Alienation Act. Under that Act land can only be alienated to what are called the agricultural tribes. The agricultural tribes are not agriculturists, but people who belong to certain castes. The Mohammedan landowners——

The DEPUTY-CHAIRMAN (Captain Bourne): I must remind the right hon. and gallant Gentleman that we have already had a pretty long discussion on that point, and it must not be repeated now.

Colonel WEDGWOOD: I am not aware that we have discussed this question at all yet, though there will be plenty of occasions further on when it will have to be raised. All that I would point out is that it is desirable that, if the Governor-General has the right to prevent the discussion of questions which raise religious and caste prejudice, it is equally desirable that he should prohibit discussions on Bills which will discriminate between one set of British subjects and another on the ground that some belong to one caste and others to another. Discrimination is as vicious as any legislation which can be held to be anti-religious. It is worse in that sense than

[Colonel Wedgwood.]
discussion on child marriage—a question which affects every Hindu or Mohammedan very closely—because, while the Conservative forces in the country are against legislation on child marriage and social customs, the Conservative forces in the country are in favour of this discrimination between castes. If the Government have a right to prohibit discussion which might offend the Conservative elements in India, surely they have an equal right to prohibit discussion upon subjects which are equally vicious in principle, but which have the support of the Conservative elements and are opposed by the more enlightened elements in the country. I cannot see why there should not be in this Bill, not merely the prohibition of discussion provided for in Sub-section (2), but the prohibition of the initiation of legislation which will be, in my opinion, far more detrimental to our good name and to the peace and tranquillity and unity of India.

6.43 p.m.

Sir S. HOARE: I am sure the Committee will not expect me to cover the very wide field which the right hon. and gallant Gentleman has just opened, particularly in view of the fact that the question of discrimination is dealt with at the beginning of Clause 111. Further, the question of the Punjab Land Alienation Act, to which the right hon. and gallant Gentleman is always referring, also has a Clause to itself—I think Clause 279. Moreover, most of his speech was directed to the special responsibility of the Governor-General to prevent discrimination—a responsibility to which the Committee has already agreed. This Clause has a much more limited ambit. It deals with the judges, and it deals with a contingency which, I suggest to the Committee, stands apart from any other contingency, namely, a grave menace to the stability of India. There is, it seems to me, a justification for preventing the discussion even of a private Member's Bill in face of the unique gravity of a situation of that kind, but I do not think there would be the same justification for preventing the discussion of even a private Member's Bill which was concerned with the very wide field just suggested by the right hon. and gallant Gentleman. That being so, I hope we shall not be drawn into a longer and wider discussion. As I have said, the Clause is one of limited ambit, and I think it would be a great mistake to extend it.

Question, " That the Clause stand part of the Bill," put, and agreed to.

Clause 41 ordered to stand part of the Bill.

CLAUSE 42.—(*Power of Governor-General to promulgate ordinances during recess of Legislature.*)

6.44 p.m.

Sir R. CRADDOCK: I beg to move, in page 27, line 39, to leave out Sub-section (3).

The object of this Amendment is to obtain an elucidation of the effect of Sub-section (3), that is to say, to ascertain how far it limits the validity of an ordinance, and whether it is certain that it covers all the ground that may have to be covered. It would be extremely unfortunate if the courts were asked to interpret an ordinance on the ground that it travelled outside the field of the competency of the Legislature. If I may give one example, it might be necessary to declare martial law in the case of a big communal disturbance. In that case, would this cover a declaration of martial law, or would that be said to be outside the competency of the Legislature, or is there any matter which requires the application of Sub-section (3) to limit the power of making an ordinance within the strict application of the powers of the Legislature? There are other Clauses in the Bill where a Governor's Act or ordinance is subject to this condition, namely, that it can be valid only when the ordinance would have been within the competency of the Legislature. It is only with the object of obtaining a reassurance on the point that I have moved the Amendment.

6.46 p.m.

Sir S. HOARE: I am not quite sure whether my hon. Friend has appreciated the scope of this Clause, which deals with the ordinances dealt with by the Governor-General upon the advice of his ministers. Clause 43 deals with the ordinances made by the Governor-General in his own discretion. The first kind made by the Governor-General on the advice of his ministers are very much like the emergency orders made by the Government here in time of emergency under what is called the Emergency Powers Act,

and which have to receive Parliamentary sanction within a given time. The Governor-General's ordinances either within his own competence or his special responsibilities are made in Clause 43. The further question asked by my hon. Friend was in connection with the scope of the ordinances. The ordinances could not be made outside the scope of the Federal Provinces. I do not know whether I have made that point clear. The Governor-General could not make an ordinance over and above the powers given him within the Federation. There is, however, a Clause—Clause 102—that enables action to be taken in an emergency in the nature of D.O.R.A. legislation here. That gives him a wide field to extend his ordinance even outside the Federal field. The ordinances under Clauses 42 and 43 have to be within the powers given the Federal Legislature and the Federal Executive under this Bill. I do not know whether I have made the point clear to the hon. Member.

Sir R. CRADDOCK: What about Sub-section (3) of Clause 44?

Sir S. HOARE: That is different.

Sir R. CRADDOCK: The same kind of condition applies to all these apparently, that they are not valid unless they could have been made by the Legislature.

Sir S. HOARE: Yes, that is so.

6.50 p.m.

Mr. SPENS: This Sub-section and the two following Clauses which contain similar Sub-sections have caused me a very great deal of trouble for two reasons. First of all, with regard to the area in which they are to operate. As regards Clause 42 the scheme seems to be that when the Legislation is not sitting the Governor-General is to have certain powers of legislation within his discretion, and it appears to be quite right and proper that those powers should be confined to what the Federal Legislature itself should be able to do. Under similar Sub-sections which appear in the next two Clauses different considerations arise altogether. In the next two Clauses the Governor-General has to take certain action on his own responsibility or within his own individual judgment. If he exceeds something that the Legislature might do it may result in causing considerable trouble and raising constitutional questions, for the solution of which at present there does not seem to be any remedy, as far as I can follow the Bill. If, in fact, the Governor-General's ordinance or Act under these Clauses is void, some sort of civil rights of the individual subject must have arisen, or must arise under them.

There are no means of bringing any suit against the Governor-General in respect of any void ordinances as the Bill stands at present. It is true that there are powers of sueing the Federal Legislature, but I am very doubtful whether, in respect of something being done under a Governor-General's void ordinance or Act, that right would arise at all. I only raise this question for consideration because difficult questions may arise under similar Sub-sections. Although so far as I can see there is no objection to the Sub-section in this Clause, it appears to be [illegible] question of the Governor-General's power of temporary legislation when the Federal Legislature is not sitting, similar Sub-sections give rise to questions which will require some further consideration before we pass them.

6.53 p.m.

The ATTORNEY-GENERAL (Sir Thomas Inskip): I am inclined to think that my hon. and learned Friend's apprehensions are unfounded. I can understand the criticism being addressed to the plan embodied in Clauses 42 and 43, but I do not quite understand my hon. and learned Friend's criticisms of the provisions which prevent the Governor-General from exceeding the powers which, if his powers were not brought into play, would be the powers of the Federal Legislature. I gather that my hon. and learned Friend does not object to the provision which is contained in Sub-section (3) of Clause 42, but he does object to, or regards with some apprehension, a similar provision in Sub-section (4) of Clause 43. In both cases the ordinary provision exists that the Federal Courts will determine the extent of the powers of the Federal Legislature which will be the measure or the yard-stick of the powers of the Governor-General, his power of making an act or an ordinance, but my hon. and gallant Friend will, of course, be aware of the fact that this sort of question is very familiar to the Dominions. In Canada, as everybody knows, the development of the Dominion

[The Attorney-General.]
has been accompanied by a growth of powers arising out of decisions by the Privy Council of precisely the same character in general as the question which would arise to be determined by a Federal Court in relation to the powers of the Federal Legislature and the corresponding competence of the Governor-General.

Amendment negatived.

Clause ordered to stand part of the Bill.

Clauses 43 and 44 ordered to stand part of the Bill.

CLAUSE 45.—(*Power of Governor-General to issue Proclamations.*)

6.56 p.m.

Mr. RHYS DAVIES: I beg to move, in page 30, line 23, at the end, to insert:

" (*c*) shall cease to operate unless within each successive period of six months after it has been approved by resolutions of both Houses of Parliament its continuance is approved by resolutions of both Houses of Parliament."

I emphasise the word " continuance " in the Amendment, because it is really the pivot upon which the whole of my very short argument is based. Hon. Members will have noticed that we are dealing with the powers of the Governor-General to issue Proclamations, and, of course, our own Government are apprehending that there might be a failure in implementing the constitutional machinery which they are now trying to pass into law. I suggest that the right hon. Gentleman the Member for Epping (Mr. Churchill) may take advantage of this Clause because it rather points to the view that the Government are not quite satisfied that the Constitution they are now making will be workable under all conditions in India. There is in the Amendment which I have moved, as I have said, the word " continuance," and unless I am really mistaken, the position, very briefly, is that a Proclamation issued under this Clause must receive the sanction of Resolutions of both Houses of Parliament in this country. The point that we are making is that such a proclamation might almost become a permanent proclamation without being reviewed in the Houses of Parliament in this country at any time.

Whether the words we have put in the Amendment are good words or not, we are seeking that in the event of a Proclamation being issued, and it has the sanction by Resolution of our Parliament here, it shall not go on indefinitely without the Parliament in Great Britain being able to review the situation. It would be a very grave state of affairs indeed if a Proclamation remained in force simply by a Resolution of Parliament here for a period, say, of three or five years. Whatever our views may be about the new Constitution we are setting up, I suppose that it is fair to say that once it is passed by this Parliament it will be expected to work, but the Government are apprehending that it may not work. Consequently, this fact accounts for what we are attempting to do in the Amendment which I am now propounding. The power of the Governor to issue a Proclamation differs from his power to revoke a Proclamation.

Dealing with this Amendment as it would appear to a plain man, I can foresee a situation arising when it would seem strange that a Proclamation to revoke a Proclamation could be made by the Governor without discussion in the Parliament of this country, although in the first instance we must sanction that by Resolution of both Houses of Parliament in this country. The continuance of the Proclamation, once we have sanctioned it in this country, we are afraid might set aside the whole of the machinery of this Bill, giving to the Governor-General power similar to that of Lenin, Hitler or Mussolini. This Parliament should have some power of reviewing, say, at least every six months the situation in India, instead of allowing the Proclamation to go on indefinitely without Parliament ever having the opportunity to review it.

7.3 p.m.

Mr. CHURCHILL: I must say I think there is a great deal of force in the point made by the hon. Gentleman who moved the Amendment. I hope the right hon. Gentleman the Secretary of State will be able to meet it in some way or other. It is certainly not at all objectionable to those who think with my hon. Friends that the conduct and control of Parliament should be lively and continuous. The object of this proposal is to provide, as it were, for a refresher of the authority given by Parliament in an

emergency measure. It is not desirable that measures brought in as emergent should gradually become permanent. Parliament should keep permanent supervision. I hope the Secretary of State will find it possible in some way or other to meet this point.

7.4 p.m.

Earl WINTERTON: No one could object to the way the Mover and the right hon. Gentleman the Member for Epping (Mr. Churchill) have put this point. The Amendment is very narrow, though it deals with a very important subject. This is what is called a breakdown Clause. What the Mover seeks to do is to give Parliament a greater measure of review than is accorded by the Clause. I think both hon. Members have overlooked one important fact. The Clause cannot be brought into operation except by affirmative resolution, whatever Government is in power, whatever is the form or composition of this House, and after a Clause of this nature has been put into operation—though it is true that this House has not taken much interest in the affairs of India—action of that kind would produce a first-class debate. This could only be approved by resolution of both Houses of Parliament. Then there would have to be a second debate; otherwise, the proclamation would cease to operate. I am sorry, I find I am wrong, and I apologise. There is only one debate: I misread the Sub-section. In the course of that debate, however, it is open to any Member of the House to move an Amendment to limit the period of its operation to such time as might be thought desirable. As far as my right hon. Friend is concerned—this may not apply to the Mover—surely a full discussion as to the time the Clause should operate should be sufficient. In particular, it could be sought to limit the period of the operation of the Clause at that time of discussion.

7.6 p.m.

Mr. CHURCHILL: One would wish that the Government, which, in the first instance, regularises this exceptional legislation would assume the burden itself of bringing before Parliament after six months a further debate. It is quite different when a private Member is told he can move an Amendment to confine its operation to six months. In order to keep this exceptional procedure in being, Parliament ought to have to make a new and spontaneous effort every six months.

7.7 p.m.

Mr. AMERY: My right hon. Friend is right in saying that in all probability Parliament in giving these very wide powers ought to set some time limit upon them. At the same time I am rather impressed by the argument of the Mover, that it would be undesirable to leave this Clause in a form which might convey the impression in India at any rate that we may contemplate putting into effect the suspension of the Federal Constitution. I suggest that the Secretary of State might consider whether some wording could not be inserted, indicating that some resolution should set a period upon its operation, or add some other words to this Clause to make it quite clear that the suspension of the Federal Constitution, if put into effect, is not likely to be maintained but would be reviewed from time to time by Parliament.

7.9 p.m.

Sir S. HOARE: I have been impressed for some time with the need of amending this Clause. I have taken, generally, the view that has been expressed from all sides of the Committee, that it would be highly objectionable to turn a state of emergency into a permanent system. I dislike as intensely as any other hon. Member any suggestion of turning the Federation into a more or less permanent dictatorship. Further, it is very necessary that Parliament should keep a very close control of the situation. The original proposal of the Government was that there should be this Resolution of both Houses after six months, and that after that, as it has been pointed out, once Parliament has approved by Resolution of the emergency measures, Parliament would cease to have any locus standi in the matter. I think that is wrong. I think I must go into this again and see whether Parliament should not continue to review the situation within a certain period.

The position does not end there. I think I have also got to look into the bigger question as to whether a time limit should not be put upon the whole position of the Constitution. I will tell the Committee what I mean. From the point of view of British India it would be objectionable to see, even with the

[Sir S. Hoare.]
periodical approval of Imperial Parliament, this Constitution turned into a permanent dictatorship. From the point of view of the Indian States, it would be highly objectionable, where they have made concessions in the federal field upon the assumption that the Federation was a permanent Constitution, to see the Federation abrogated in a time of emergency and the powers delegated by them for federal purposes used outside the Federal Government by the Governor-General. I think, therefore, from the point of view of the Indian States I have to look into this question again.

First of all, I have to look into it with a view to Parliament keeping a check on any renewal, and also from the point of view of whether it is wisest to say that after a period of years, say three years—I suggest that as possible—the Constitution should lapse—the whole Constitution, for I cannot conceive myself either British India or the Indian States resting content with what really would be a permanent system in place of Federation; nor can I conceive that the Imperial Parliament here would possibly allow a situation of that kind to continue. I think it may be well to put some such term into the Bill. I will look into this question again from those two points of view. I think I can find means of satisfying both of them. This has been the happiest day in Committee discussions, for I have had agreeing with me at one and the same time the right hon. Gentleman opposite and my right hon. Friend below the Gangway.

7.14 p.m.

Mr. CHURCHILL: It seems to me that the right hon. Gentleman has thrown out a much larger proposition than that which we were discussing, one to which I do not hold him to be committed. Obviously, it is reasonable that fresh legislation would be required if the entire Act should lapse after a certain period of years. This is a much larger question, one which my right hon. Friend should not be led into without examining all the consequences that would follow. Suppose in these circumstances the existing Constitution is demolished. Hardly a vestige will remain when the new one is suddenly pulled away, because it is necessary to supersede it by emergency measures. It seems quite evident that what you would require is not a provision in this Statute but new legislation by Parliament. Therefore, while assenting to the proposal to give some further safeguards against emergency measures becoming permanent through lapse of time, we would not like to be committed to such larger measures contemplated by him.

Mr. MORGAN JONES: So far as we are concerned we shall not press our Amendment, but we ask leave to withdraw it, reserving our right to consider the larger issue raised by the right hon. Gentleman.

Colonel WEDGWOOD *rose*——

The DEPUTY-CHAIRMAN: If the right hon. and gallant Gentleman insists upon speaking, the Amendment cannot be withdrawn.

7.15 p.m.

Colonel WEDGWOOD: The announcement made by the right hon. Gentleman is of enormous importance, and I do not think that it ought to go unnoticed. That announcement will be welcomed greatly in India and will make all the difference to the Indian attitude. If we can carry through an Amendment to that effect and say that when a breakdown occurs and after a period of years that breakdown continues, the Act lapses, obviously that will make a whole world of difference to the Indian attitude towards the Bill. What we ought to find out as soon as possible is whether the right hon. Gentleman means that the Federation will lapse and that the Provincial Constitution will remain while the Federal Constitution lapses. Would that mean the recasting of the whole of the Act or could it not be arranged that it is merely a cancellation of the federal scheme as it stands during the three years while the Government are making up their mind?

What will happen at the end of those three years? Obviously, legislation will have to be introduced and considered. If it is to deal with the federal side, well and good, that is a simple problem, but if it is to deal with the whole provincial side as well it is an almost insoluble problem. I do hope that the suggestion made by the right hon. Gentleman will bear fruit and that there will be introduced into the Bill a proviso which I

have not the slightest doubt would make the Bill infinitely more palatable to the Indian people. One of the chief objections to it has been that it is irremovable, that it is the last word and not the beginning of a series of steps. If it can be known that if a breakdown can be brought about—a breakdown may be brought about quite amicably and not by hostile action—then we shall have a chance of undoing the ill that we have done in establishing a Constitution on an un-English basis, it will make all the difference.

7.18 p.m.

Sir S. HOARE: I was not contemplating a prearranged breakdown of that kind. I was contemplating the last emergency, when the whole machinery of government has broken down. I cannot ask the Committee again to discuss a proposition of this kind without having an Amendment upon the Order Paper, but I did feel that on this Clause it was necessary to tell the Committee at this stage that we shall have to cover that particular contingency, in addition to the contingency which has been discussed. I wish to make it clear that nobody is prejudiced one way or the other by the proposal that I have made to look further into the matter and in due course to put a proposition on the Order Paper.

Mr. CHURCHILL: Since we are in such a very happy mood to-day could the right hon. Gentleman arrange for the breakdown to take place now, and stave off this elaborate procedure in the future?

7.19 p.m.

Earl WINTERTON: The Secretary of State has referred to the unprecedented position in which he finds himself as being in agreement with hon. Members opposite and with my right hon. Friend the Member for Epping (Mr. Churchill). I, too, am in the unprecedented position of being in agreement with my right hon. Friend the Member for Epping in the second of his two speeches. Seriously, I agree that this is a matter of very great importance, and we certainly cannot discuss it now. I would go further and say that it cannot be dealt with by an Amendment of any Clause. I think that a new Clause will have to be bronght forward to deal with the matter. Although it is not for me to give advice, I hope that we shall not pursue the matter any further until we discuss it when we see the new Clause.

Amendment negatived.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

7.20 p.m.

Mr. DONNER: Before we pass from this Clause, which is one of the most important in the Bill, because it deals with the provisions in the event of a breakdown of constitutional machinery. I should like to express an anxiety which is shared by several members of the Committee, namely, that the Clause contains no mention of specific authority to be given to the Governor-General for the special preservation of the frontier of India. I know that it can be argued that such power and authority is tacitly understood, in view of the fact that defence is a reserved subject, but at the same time it is not possible for the Governor-General to take all the necessary executive powers immediately into his hands, because he has to consult his ministers, and the local Governor is in the same position. This might lead to very tedious negotiations and delay at a time when quick action might be essential.

The necessity for such a provision seems to me to be exemplified by the difficulties which were experienced in the Cape by the Imperial Government just before the war in South Africa in 1899, which difficulties have been fully put forward in the Milner Papers. The situation that I have in mind in regard to the North West frontier of India might be of a kind parallel to the position which was experienced in the summer of 1899 in South Africa when in a single month before the outbreak of war 500 rifles and 1,000,000 rounds of ammunition were sent up from the Cape to the Orange Free State and the Transvaal, and every difficulty was raised by the Cape Government against the Imperial Government. I will not pursue the point, because I am putting it forward merely as a parallel, but it shows the kind of situation with which we may well be faced on the North West frontier of India. I would ask the right hon. Gentleman if he will reconsider the Clause between now and the Report stage. I hope to be able to persuade him to agree with me on this point, namely, that a stone thrown into the frontier pond throws ripples to the

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furthest parts of India. In the event of any trouble on the North West frontier the forces employed will depend entirely upon the perfect functioning of the entire administrative machinery throughout India. Keeping in mind that the General Headquarters of the Army is the centre of the spider's web, we must surely admit that the Governor-General in a crisis, possibly internal commotion as well as trouble on the frontier, would have to take over the telegraphic and postal services in order to ensure communications and the sending up of material and supplies. There is a considerable reserve of small arms and ammunition at the advanced bases of Quetta and Rawalpindi, but surely a situation should not be allowed to develop in which the frontier army and constabulary would have to depend entirely even if only for a time on these.

The DEPUTY-CHAIRMAN: I have been listening to the hon. Member's speech and have been looking at the Clause very carefully, and it does not appear to me that it raises a question as to how the Government of India could be carried on. If the hon. Member is referring to the general defence of the frontier of India, this is not the place to raise the matter.

Mr. DONNER: I am sorry if I went beyond the bounds of order. I was trying to show that no specific authority, except tacit authority, is given to the Governor-General in the event of trouble on the North-West Frontier. If I am out of order I will not pursue the point, but I should be grateful if I could have an answer or if the Government would reconsider this matter between now and the Report stage. In view of the kind of situation to which I have drawn attention, and from the point of view that as the Bill now stands it will be necessary both for the local Governor and the Governor-General to consult his Ministers before taking action, and that may lead to undue delay, when quick action may be necessary, I do hope that I may have a satisfactory reply.

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7.25 p.m.

Sir S. HOARE: I have no wish to revert to the discussion that has just ended, but I should like in a sentence to make the position a little clearer than I left it. It occurred to me after I sat down that I had not made it clear. Suppose the emergency was brought to an end, namely, that you could not have an emergency lasting longer than, let us say, three years, we should not be left with no government in India at all. We should then revert to the provisions of this Act, and Parliament then would have to choose between reverting to the provisions of this Act or passing an amending Act. I make that point clear, not in any way to impose my views upon hon. and right hon. Members, but in order that they may keep it in mind when they consider further the proposition that in due course I shall make on the subject.

With regard to the question put to me by my hon. Friend the Member for West Islington (Mr. Donner), I think that after the explanation that I shall be able to give to him he will find that the Amendment which he suggests is not needed. In any case, if it were needed, it would be out of place in Clause 45. This Clause deals with a situation when Ministerial responsibility has come to an end, when the whole machinery of government has broken down, and, as an emergency, the Governor-General takes over the whole system of government. On the other hand, defence, and the defence of the frontier, does not presuppose a breakdown of that kind in which the Governor-General takes over the whole of the Departments. It presupposes that the Governor-General is free to take any action that he thinks necessary to safeguard the reserved Department of defence, and to direct the Ministers and their Departments to take what action he thinks necessary to that end, even if those Departments may be only indirectly connected with the Defence Department.

What would happen in an emergency on the frontier would be that the Governor-General would be free at his discretion to deal with the Defence Department and to give directions, say, to the Railway Department in connection with the convoy of troops, or to the Post and Telegraph Department in regard to communications, and he would act with his Ministers. I think that in a case of that kind in nine cases out of 10 he would find the Ministers acting with him. So long as they act with him so much the better. If, on the other hand, the

Ministers failed to take the action that he told them to take he could force them to do so. His order to the Railway Department or to the Post and Telegraph Department would be the only valid order, and the Departments would have to carry it out. If the Ministers obstruct, then he is free to dismiss them. I think, therefore, the position is quite safe, even admitting that there is a certain amount of Ministerial responsibility. If it were not, the question could not arise on this Clause, which deals with the total breakdown of the Constitution, in which the Ministers do not come in at all. My main answer is that with the reserved Departments and with the powers that the Governor-General has got outside the reserved Departments, the position, as far as I can judge, is quite simple.

7.30 p.m.

Mr. MOLSON: There is one point which I should like the right hon. Gentleman to make quite clear. Do I understand that under his proposal that a suspension of the Constitution of this Bill, because of a crisis or emergency, is to endure only for a maximum period of time, however many Addresses are voted by Parliament, and that after the lapse of that time either the Federal Constitution under the Bill comes into operation again or there will have to be new legislation dealing with the whole question?

Sir S. HOARE *indicated assent.*

7.31 p.m.

Colonel WEDGWOOD: This is about the quickest change of mind I have ever come across even in this House. The right hon. Gentleman the Secretary of State has completely altered his story. Five minutes ago he told us that a lapse of the Constitution would not last for more than three years. Now at the end of these three years all that will happen will be that the breakdown legislation will lapse, not the Constitution. We shall simply get back to the position we were in when the breakdown legislation was instituted. Thank you for nothing.

7.32 p.m.

Sir H. CROFT: May I add my word to that of the right hon. and gallant Member. The cup has been dashed from the thirsty lips of many in this House and in India. We had hoped from what the Secretary of State said that if there was a breakdown of this character there was a speedy way out of the mess. The Secretary of State has varied his phrases, and has certainly very much upset the right hon. and gallant Member and others of us. I want to enter one caveat. I hope that I shall be pardoned for uttering something in the nature of a realism, and that is that when the Secretary of State sincerely tells us that under certain conditions of breakdown the Governor-General will resume control of the country all I desire to say here and now is that such a thing will be absolutely impossible when you have Indianised the whole machinery upon which the Governor-General will have to rely.

Question, "That the Clause stand part of the Bill," put, and agreed to.

CLAUSE 46.—(*Governors' Provinces.*)

7.33 p.m.

Colonel WEDGWOOD: I beg to move, in page 30, line 35, to leave out "The North West Frontier Province."

The DEPUTY-CHAIRMAN: I think it would be convenient if the right hon. and gallant Gentleman dealt with his Amendments to leave out the Province of Orissa and the Province of Sind as well.

Colonel WEDGWOOD: They are entirely different. Some people are in favour of leaving the North West Frontier Province in, while others would be in favour of leaving out the Province of Orissa and the Province of Sind. In each case the considerations are completely different. I should not get much support for leaving out the North West Frontier Province except from Members of the Labour party, but probably I should get a great deal of support for leaving out the Province of Sind.

Mr. GODFREY NICHOLSON: Is this the only place in which we can have a general discussion on the question of the separation of the North West Frontier Province and Orissa and Sind, or can we have a discussion on the matter on Clause 271?

Colonel WEDGWOOD: That Clause deals with the boundaries of Provinces and the method of dividing them. Let me deal with the North West Frontier Province. The question divides itself into two parts. In the first place, a good deal of the trouble in India to-day

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comes from the frontier, and behind a great deal of the Moslem backing is the idea of getting a federation of the four frontier Provinces, the North West Frontier Province, Baluchistan, the Punjab and Sind. You are handing over to the overwhelmingly strong Moslem inhabitants of the North West Frontier Province control over their own affairs and over the gate of India from the north west. I have seen agitation after agitation coming over from Afghanistan, the Khalifate agitation in particular. It was extraordinarily strong in Peshawar at the time of that agitation. The Hindus hate the Moslems, yet you are giving them an opportunity of forming a Moslem Federation amongst the most warlike tribes of India are dominated by the mast fanatical Moslems in India. From our own point of view it is most unwise to establish the same form of home rule in the North West Frontier Province that you are giving to a province 200 years further on in civilisation, like Madras or Bombay. It seems to me to be madness. There is an iron similarity about the treatment of all these Provinces as though there was no distinction whatever between them. The North West Frontier Province is the most backward politically and the most dangerous politically. It is aso the most intolerant, politically.

The question of setting up a frontier Province in the North-West Frontier has been one of the questions which has torn India for the last 15 years. It has always been a question whether it was in the direction of democracy that the North-West Frontier should have an independent government or whether it would mean the tyrannising of the Mohammedan majority over the Hindu minority. If the Punjab could be polled on the matter you would have a clear-cut division between the Sikhs and the Hindus on one side and the Moslems on the other. If the North-West Frontier could be polled you would have an overwhelming majority in favour of His Majesty's Government. We have to consider whether the majority will deal fairly with the minority. That is a question which we ought to put to ourselves whenever we give self-government to any unity in the Empire.

Earl WINTERTON: Would the right hon. and gallant Member apply the same considerations to Provinces where the Hindus are in a majority?

Colonel WEDGWOOD: Yes, I think I would. I am arguing now that Parliament has no right to hand over to a hostile majority a helpless minority who are afraid of the transfer. If it was a fact that the Mohammedan minority in Madras objected to being handed over to a self-governing Madras I think it would be a question we should have to consider closer, especially as to whether there was any evidence of the probability of ill-treatment. That is as far as I would go. Take the case of Cyprus as an example. There is a small minority of Mohammedans, about one-sixth of the population, the rest are Christians. We have all along resisted the idea of handing Cyprus over to home rule because we could not desert that 18 per cent. Mohammedan population, who were bitterly terrified that we should go out and leave them to the mercy of the Christians. The same principle is applied in Palestine. We do not set up representative institutions in Palestine because we are afraid, and the Jews are afraid, that they would not get a fair deal at the hands of the Arab majority. I could go through the whole Empire and give examples as to how we try to bear in mind, whenever we are extending self-government, the risks to which a minority may be involved if self-government is granted. The right hon. Member for Horsham (Earl Winterton) will not deny that this should be a cardinal principle of the British Empire, that we should not remove our rule and substitute a rule which would be likely to be tyrannous and unfair towards the minorities.

Consider the case of the North West Frontier. About a year ago a horrible massacre of Hindus by the Moslems took place in that area, a massacre so similar to the pogroms against the Jews in other parts of the world that it is almost exactly the same problem. In Constantine we had the butchery of the Jews by Moslems. It represents exactly the same feeling. It is not a difference in race, caste, or religion. It is a depressed agricultural population suffering from severe economic depression revolting against the mercantile and town population who sell them goods and lend them money. The feeling between the

Hindus and the Mohammedans is almost exactly the same as the feeling between the Arabs and Jews in Constantine and Algiers. In both cases you have a civilised government looking on. The French Government is constantly alive to the fact that the Moslem finds his national and spiritual animosity revived when he sees his natural prey in the hereditary and historical enemy, the Jewish population. Let us realise that the more firmly we establish self-government in the North West Frontier Provinces the greater the risk; greater there than it is in Algiers or in Palestine. The massacres of 15 years ago may fall into significance by what may happen in Peshawar and other towns on the frontier across the Indus. So long as Pax Britannica runs they are safe. So long as they have British troops and police, controlled by the kind of commissioners we have had in Peshawar, peace is maintained and the safety of the minority is ensured.

How long is that going to continue? Is it the essence of this Bill that you should take a step as dangerous as that which you are taking in the case of the North West Frontier? I say to the Secretary of State that if the Bill goes through as it is he will be responsible for what may happen in that Province. The desire for self-government there is practically non-existent. They are not a people clamouring for democracy, on the North West Frontier. They are clamouring for a great many other things which have nothing whatever to do with democracy. The situation of the Hindus is not an imaginary danger voiced by me; it is a danger ever present to the mind of every Hindu in the Punjab and throughout India. They know the treatment that they are likely to get when once law and order are in the hands of this new Administration, when all the machinery of civilisation is in the hands of people who regard them almost exactly as the Jews are regarded in the East of Europe, in Iraq or Algeria. There Jews are regarded as hereditary enemies, as they have been regarded for centuries. I think that if we knowingly take that step we shall be risking great dangers and flying in the teeth of the wishes of 270,000,000 Hindus. The case of the North West Frontier is perhaps worse. A remedy is most difficult because the area has already been set up as a Province.

Mr. G. NICHOLSON: May I now have an answer to the point of Order I raised.

The DEPUTY-CHAIRMAN: Since the hon. Member directed my attention to it, I have been looking at Clause 271. It appears to me that it might be more convenient to deal on that Clause with the question which the hon. Member wishes to raise.

Sir S. HOARE: Now.

The DEPUTY-CHAIRMAN: The right hon. Gentleman would rather take it now?

Sir S. HOARE: Yes.

Colonel WEDGWOOD: Surely if we leave in Orissa and Sind now we cannot discuss the question later. It would be quite impossible, if we agreed now to include these Provinces in the Federal scheme, to discuss Clause 271 as if we had not included them. I think the only possible course is to take them now.

The DEPUTY-CHAIRMAN: I am in the hands of the Committee.

Mr. NICHOLSON: It is a big question. I thought we were rather hurried just now.

7.49 p.m.

Sir S. HOARE: The right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) wishes, I know, to be fair to all, but I cannot help saying that, no doubt quite unintentionally, in his speech he was very unfair to the Moslems. He seemed to suggest that the communal troubles in India were exclusively the result of Moslem intolerance. I do not wish to assign the blame more to one community than to another.

Colonel WEDGWOOD: Does the right hon. Gentleman mean the communal troubles or the communal question?

Sir S. HOARE: The communal troubles. We all regret the communal excesses. Not one single community is responsible for them. There is a black history behind Hindus as well as Moslems, and it does not help better feeling in India if a right hon. Gentleman in this House takes the side of one community and implies that the fault is with one community and not with the other.

Colonel WEDGWOOD: I do not want to be unfair. In every case it is the

[Colonel Wedgwood.]
majority who hammer the minority. In the North-West Frontier the Mohammedans happen to be in the majority and there is trouble there on one side. In Lucknow or in the case of the Moplahs you have a Hindu majority, and they do the same thing.

Sir S. HOARE: I am very glad that the right hon. Gentleman has made that addendum to his speech. In hos speech he talked about these Moslems, and the general impression that he left on my mind, and I think on the mind of many others, was that these excesses invariably started with Moslems and not with anyone else. Let me turn to the Amendment. It is intended to abrogate the present position of the North West Frontier Province as a Province, and not to make it a federal unit under the Bill. I cannot imagine a more unwise or more dangerous action for the Committee to take than to go back upon a decision that we came to about three years ago after a great deal of consideration.

Colonel WEDGWOOD: Who were "we"?

Sir S. HOARE: The Government here.

Colonel WEDGWOOD: Not Parliament.

Sir S. HOARE: The Government here, after the fullest possible consideration and after a lot of consultation with Indians of various schools of thought. One of the great troubles upon the Frontier in India was the inferiority status of the North West Frontier Province. I went into the question with an unbiassed mind, and the more I did so the more I was convinced that a great deal of the trouble in the North West Frontier Province was due to that cause. If hon. Members will look back three years they will see that the trouble then was very serious. The whole Province was rife with agitation under the red shirts. A great many hon. Members thought that that was a Communist movement. It was nothing of the kind. It was a movement the force of which arose from this feeling of inferiority amongst the Pathans.

Colonel WEDGWOOD: The Pathans never feel inferiority and never will.

Sir S. HOARE: The right hon. Gentleman knows that he is quite infallible about all these things. I can only tell him, from such information as I have been able to gather, with much less access to the facts than he possesses, that I gathered the view, and it was the view of all my responsible advisers in India, that the Pathan, thinking himself superior to many other people in India, resented intensely the fact that other Provinces had constitutions of their own, and that he had a very inferior imitation of a constitution. Very wisely I think we took the view that the time was overdue when the Province should be constituted a full Governor's Province. We did that, and the result has been almost the total elimination of the very dangerous red shirt movement. That is sufficient justification for the action we took.

If we now went back on that action and put back the Province into a position of inferiority compared with any other Province, we should be making the gravest possible mistake. I do not believe that the Pathans will not be able to manage their Constitution extremely well. They are a very vigorous race. Although the right hon. and gallant Member for Newcastle-under-Lyme may deny it, they have a good deal of aptitude for democratic government—more aptitude than some of the other communities. I do not at all look forward with anxiety to the future of the Constitution in the North West Frontier Province. In that Province no less than in the others there will be safeguards for the minority. The Governor will have the special responsibility to safeguard their position. Further than that, the Governor in the North West Frontier Province will act as Agent-General to the Viceroy, and will have a special position in the tribal districts. In those districts he will act at his own discretion. I hope I have said enough to impress upon the Commitee the gravity of the mistake they would make if they differentiated between the North West Frontier Provine and other Provinces, and the grave unrest that would be created from one end of India to the other if we went back on the decision taken three years ago.

7.56 p.m.

Wing-Commander JAMES: I would like to refer to one point in the argu-

ment of the right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood). I think he was under a misapprehension in assuming that the Hindu-Moslem trouble of the North West Frontier would be more acute because of the smallness of the Hindu minority. I do not in the least wish to underrate the problem. It happens that I passed through the bazaar at Kohat in 1924, on the night of the massacre to which he referred just now. The mere fact that the Hindu minority is small does not increase the danger to it. I suggest that the mere fact that it is a very small minority tends the reverse way. It may well be that the Hindu minority are in a position of greater danger now when they are, so to speak, under the protection of outside authority than they will be when they have to mind their p's and q's, for under more responsible Government they will not dare to do some of the things they do now under the shelter of the British Raj and thereby incur the hatred of the Pathans.

There is in point of fact a very high degree of toleration among the Pathans for minorities of all kinds. For example: Pathans vis-a-vis sweepers, etc. show a high measure of tolerance, and their intense antipathy to the Banias at the moment is largely due, as I have just said, to the fact that these latter get uppish relying upon special Protection, the Hindu minority are an essential economic factor, and the Mohammedans know it. It is in areas like the United Provinces where we get a fairly even balance between Mohammedans and Hindus that the communal problem is the most troublesome.

7.58 p.m.

Mr. G. NICHOLSON: The Secretary of State made a statement of the first importance before he sat down. He said that the Governor of the North-West Frontier Province would fulfil the functions of Agent-General of the Governor-General for tribal areas. I wish to ask whether he means that the agent of the Governor-General must inevitably be Governor of the North-West Frontier Province? On page 834 of the Order Paper the right hon. Gentleman has an Amendment which I interpret as meaning——

The DEPUTY-CHAIRMAN: We had better deal with that Amendment when we reach it.

Mr. NICHOLSON: I wish to ask the Secretary of State whether it is inevitable that the Governor of the North-West Frontier should be the agent of the Governor-General for the tribal areas, or whether it would be in the power of the Governor-General to make other arrangements.

Sir S. HOARE: We contemplate that the same official would hold both posts when it is possible.

8.0 p.m.

Sir A. KNOX: I would like to ask if it is impossible to go back on the arrangement we made three years ago and constitute the North-West Frontier Province a Chief Commissioner's Province. I cannot believe that the ordinary Pathan as I know him is really thinking about his status at all. As a good fighting man he knows he is better than the non-fighting races and he knows he is far better off under the jurisdiction of the English. He has not worried about getting representative government and when the right hon. Gentleman says that the Red Shirt movement was because the Pathan wanted to be represented, he is wrong. The Red Shirt movement prospered because the Government of India at the time was the weakest Government the country had ever seen. There was such concern that the "Times" newspaper, as usual not very well informed in Indian matters, said that if anyone touched Abdul Ghafur it would raise a blaze all along the frontier. That agitator was arrested one morning and nothing happened. All that was wanted was the firm government to which the Pathans were accustomed. The right hon. Gentleman said that the last election, when the Franchise Committee were in India, was a great success. We know from other sources that it was an absolute farce. People could not get to the polling booths. They went in terror of their lives and had to creep there at night. I cannot think that if the people of England knew the conditions of the North-West Frontier they would believe that it is fit for representative government.

8.2 p.m.

Colonel WEDGWOOD: The right hon. Gentleman is always very scornful of

[Colonel Wedgwood.]

every contribution I make to the Debate. I am certain he is not always right and I always wrong.

Sir S. HOARE: I would not say that for a moment.

Colonel WEDGWOOD: We are all trying to bring to this problem the best knowledge we have of India. I do not pretend to have any great knowledge of India. I only pretend to a knowledge of English history and the principles on which we govern ourselves. The real thing is the speech of the hon. and gallant Member opposite. He knows these people, he has lived there. His view is that the Bunya Hindu is more likely to get knocked on the head because he is under English protection and that when English protection is withdrawn he will not be knocked on the head. That may be so or not, but I do not think we ought to take that as a good reason why we should remove our protection. If the prospective knockee is afraid of what will happen when we go, I think that we should be guided by that in the course we pursue. The right hon. Gentleman said that I feared the Moslems and not the Hindus. The Moslems have an enormous superiority complex; it is the Hindus who have an inferiority complex. A Mohameddan knows he is capable of taking on six Hindus. That is the danger from people who are so superior; that is the real risk in India. Both sides have contributed to the murders, but I should say that the greatest risk always comes from the man who thinks he is able to do it. The real issue is this absurd system of communal representation.

The DEPUTY-CHAIRMAN: We are not really dealing with that subject to-night.

Amendment negatived.

8.4 p.m.

Colonel WEDGWOOD: I beg to move, in page 30, line 36, to leave out "Orissa."

The next Province I would save from the Constitution is Orissa. The case for Orissa is completely different from the case for the North West Frontier Province. We can safely say that there will be no communial riots in the new Province. There are few Mohammedans there, and the issues involved are completely different. I have heard it said that the Government are setting up a Province in Orissa to balance the North West Frontier Province. However that may be, the argument for Orissa is different. The population is perhaps 16,000,000. Of these nearly half are aboriginal tribes in the North and the West, some of the most prehistoric tribes in India, the sort of people about whom Kipling wrote. These people are in reserved tribal areas, and the great part of the Province of Orissa is of that backward description which requires direct administration. The rest of Orissa on the South has been cut off from the Province of Madras on the ground that they speak a different language. In Madras they speak two completely different languages, Tamil in the South and Telego in the North, and English everywhere. Half the Province is tangled jungle, and on the coast you have a Hindu Orissa population which has hitherto been attached to Madras or Bihar. Why has the Government set up this new Province. If you establish a Governor's Province you establish inevitably an extraordinary expensive system. The Governor and all the Ministers have to be paid at the same rate as if they were Cabinet Ministers here. The entire establishment is an expensive establishment, and the whole population of Orissa cannot be more than 10,000,000 excluding the savage tribes. That is an extremely small unit to have inflicted upon it the most expensive form of Indian administration.

Why is it being done? They have cut off the Southern part of Bihar and the Northern part of Madras to create this new Province. What has been the object? I think it is true that in times past the Congress party have been working on the idea that the Provinces of India should be remodelled on units that speak the same language, and there have been resolutions in favour of an independent Orissa for some time before the Congress. Latterly the Indian desire to have a separate Province of Orissa has died out, and there have been protests from the inhabitants of the seaport whose name I cannot pronounce in the South. The Hindus are objecting to it. The Orissa population are not anxious for it, and the inhabitants of the jungles do not know about it. Why is it being done?

There really must be some idea for establishing this Province. We have to set up there a new governor, new salaries and new jobs, in order to carry out promises that may have been made by the Joint Select Committee to some representations they may have had.

I am told that the desire for self-government in Orissa is very much like the desire for self-government in Scotland —that they have a desire to preserve their culture, and a desire to be united. If the desire for union in Orissa is about as weak as the desire for Home Rule in Scotland and comes from the same source—the intelligentsia—I think it may be discounted a little. How can you expect a population as small as that to meet the expenses of Government similar to those in Bihar or Bengal. What is the object of inflicting upon a new constitution so big a charge as this? There is no pressure of public opinion in favour of it except from the intellectuals. There are protests from everybody in the country who will have to pay the taxes and the greater part of the country has a population which would be better governed by Englishmen in the interest of a number of uncivilised tribes.

8.13 p.m.

Mr. ATTLEE: I have a little difficulty in recognising the geography, the population, the fianance or the opinions of the inhabitants of Orissa in the account given by the right hon. and gallant Member. I have taken a certain interest in this question for some little time, ever since I served on the Simon Commission. We came to the conclusion that there was a case for a Province of Orissa. Orissa is not a very large part judged by Indian standards. I think its population is something between 7,000,000 and 10,000,000. I do not know why the right hon. and gallant Member should be so scornful of it. He is a great supporter of Palestine. Why should he not hand back Palestine which is very small, and with a small population? There has been a continuous agitation in Orissa for many years. The Oriya speaking peoples were divided. A small number come under Bengal. The majority of Oriyas were at the time of the repartition of Bengal united with Bihar and Chota Nagpur areas quite dissimilar, and without common interests with them.

When on the Statutory Commission I saw their representatives, they told me that if they wanted to get to their capital they had to travel 650 miles. Another portion of them were in the Central Provinces. Another large portion of them formed part of Madras. Madras is an enormous Province straggling right away round to Malabar and the Oriyas are included in it as a small minority. I do not believe that in these very large Provinces, these 45,000,000 and 50,000,000 Provinces in India you do get adequate self-expression and self-government, particularly when you have a people, as disconnected as those in the Presidency of Madras, speaking not two but five languages. What the right hon. and gallant Gentleman has said as to the large number of aborigines is true. There is a large number of aborigines collected together more or less loosely and extending up towards the north, but at present those people are cut up into sections and in different Provinces. Surely for their future development it is better that they should come together. Also, in so far as they speak any language apart from their own, they speak Oriya. These backward areas will be kept apart from the direct administration area. Whether they are in Madras or Orissa they will have special administration which I think is very necessary to prevent their exploitation. It is very necessary that they should be looked after properly. If you have an aboriginal population cut off in a Province of, say, 40,000,000 population, their voices are not likely to be heard nearly as much as if they formed part of a Province where there is a very strong feeling of racial and almost national sentiment. That is the case in Orissa, where the people have an outlook and a language of their own.

Then the right hon. and gallant Gentleman says that they cannot afford the expense of setting up the new Province. That is an extremely fallacious argument. It is true that Orissa is a deficit area at the present time but there are many such areas, and why should the deficit of Orissa be borne by Bihar? By a mere administrative act Orissa and Bihar were tied together and Bihar had to pay taxes in order to keep Orissa. I do not see any reason why that charge should be put on Bihar. If necessary,

[Mr. Attlee.]
it should be put on the whole of India. But if you take the line of having an administration which depends upon each separate entity being financially self-contained then you get right away from any idea of popular self-government. You have what you had in the days of bureaucratic rule, parts of the country joined to others for purely financial considerations so that the richer may contribute to the poorer parts. That may be all right under a bureaucratic system, but under a system of self-government it is quite unfair that a certain deficit area should be placed on the finances of another wholly distinct area just because they happen to be contiguous.

I admit that there will be some increased cost under the new arrangement. There is bound to be, but the increase will not be as much as the right hon. and gallant Gentleman has made out. I have gone into the figures many times and the increase is pretty small, taking into account the charges which will be necessary when Orissa becomes a separate Province. Even suppose it to be necessary to impose more taxation on Orissa you will get it from them far more willingly if they are running their own show than if they are merely part of a heterogeneous province such as are Bihar and Orissa. The only point that remains is that in regard to protests by minorities. The right hon. and gallant Gentleman referred to difficulties in connection with some seaport which he did not name and which I did not recognise. No one knows the minorities question better than he does and while I admit that there are objections from some of the peoples on the borderline of these territories, it is the case that in trying to demarcate territories you are always bound to have a little slopping over of the border here and there. You cannot divide people absolutely according to language, race or religion.

The Simon Commission went into this question in great detail and on the Joint Select Committee we examined it very closely and came to certain conclusions with regard to this border line. There is bound to be a certain amount of objection wherever you draw the line and you have to try to draw it, as best you can, so as to have the minimum of objection and inconvenience. I think on the whole the objections to the new Province in this respect are very small and I think that such objections as exist are offset by the great advantages of the change. In most of the Provinces of India you will have these different problems, linguistic and otherwise, but I think that in Orissa you will have a more homogeneous people probably than anywhere else in India. You will have the backward areas under a special administration, you will have a body of people overwhelmingly Hindu and overwhelmingly Oriya-speaking. I think there will be a chance there of starting off the Province free from a great many of the troubles which the right hon. and gallant Gentleman indicated. The claim of the people of Orissa has been put forward for many years—right back to the time of Lord Curzon and even before—and has often been acknowledged to be founded on justice, and I hope that this Committee will not disappoint them now.

8.20 p.m.

Mr. G. NICHOLSON: The hon. Gentleman the Member for Limehouse (Mr. Attlee) is to be congratulated on what is for him a really auspicious occasion. I hardly like to refer to the hon. Gentleman as the father of the Oriyas but he can certainly be called the godfather of the new Province of Orissa for I understand that he was chairman of the sub-committee which originally recommended the setting up of this Province. I agree with him that there has been a real popular demand in Orissa for some machinery to preserve the national culture and the language of the Oriya. They have suffered very much from cultural invasions by other races. It is claimed that in the Midnapore district of Bengal, 40 or 50 years ago, there were over half-a-million Oriya speakers and Oriyas by race, while, in 1931, there were only 45,000 Oriya speakers. It is true, I believe, that unless something is done to preserve Oriya culture it will be swamped.

I am not so sure, however, that you will get perfect homogeneity, even under the new system. I was at a High School prize-giving in Orissa recently and I heard recitations given by the children in six languages including, I must admit, English and Sanscrit. The others were Urdu, Bengali, Oriya and Khond. My quarrel with the provisions of this Clause is that I do not think it was necessary

to set up all the expensive machinery of a Governor's Province. I do not believe that the creation of a separate Province is the only way of preserving national culture, and I fear that the consequences of this Clause may be disastrous all over India. I do not think that the name of the hon. Member for Limehouse will ever be forgotten in Orissa when they have to pay for all the cost of setting up a Governor's establishment with separate headquarters for winter and summer and all the rest of it, and the whole set of services attaching to a Province.

Colonel WEDGWOOD: It will give employment.

Mr. NICHOLSON: The aspect of the question to which I was referring has only been touched upon very lightly so far, and I hope that whoever replies for the Government will tell the Committee what the extra cost will be. Though the question of the boundaries of the Province hardly arises on this Clause I should like in case we are not allowed to discuss it later on to say that some people think they are very unsatisfactory. But my real point is this. In acceding to the undoubted demand of the Oriyas and in agreeing to provide the machinery for the creation of a new Province we are striking at the whole structure of India as it exists to-day and at Federal India as we envisage it in the future. If you accede to the demand of the Oriyas for a separate Province I cannot see what on earth there is to prevent you from acceding to the demand of the Telegus, or the Kanarese or the Mahrattas or any other of the many races of India who may think that they would do better if they had separate Provinces of their own with the consequent increase in the loaves and fishes. I think it would have been possible in the past to have created some sort of sub-province, complicated no doubt, that would have retained the Oriyas' self-respect and would not have separated them from Bihar. Bihar has been paying for a lot of Oriyas ever since the creation of the Province, and I do not see any point in disturbing what has worked satisfactorily simply for the sake of the pleasure of creating a new Province. I hope the Committee will not pass this Clause without realising that it contains the germs of many Home Rule movements and of many Irelands all over India, and I hope the Committee will insist on the Government stating clearly what the extra cost of Orissa will be, how it is going to be met, why it is necessary to have a separate summer station at Puri for the new Government, and so on. While congratulating the hon. Member for Limehouse on the success of his scheme, I hope the Committee will not pass it with its eyes shut.

8.27 p.m.

Sir R. CRADDOCK: This is a scheme which, from any knowledge that I possess of India and the system under which it has been governed, is almost ridiculous. You take an area which has been run by one Commissioner, and you turn it into a Governor's Province, with a full-fledged legislature, with a governor, so many ministers, advocates-general, financial advisers, and what not of various kinds. It is a most extravagant step to take. As far as I can recollect, though no doubt the Under-Secretary of State could give me more figures, there will be a perpetual deficit of 30 lakhs a year. You may ask any Bengal or Bihar officer you please, but it is well known the contribution of Orissa to the Bihar Legislative Council is small and not equal to holding their own in the rest of the Province, and that means that they are very backward. The Oriyas in the Sambalpur petitioned to join with the rest of Orissa, which was then part of Bengal and had been ever since the British rule began there until 1912, and directly the district was transferred there because it was the only district in the Central Provinces which was an Oriya district, they have done nothing but regret it, because other Oriyas came up there from Cuttack and more or less ousted the local Brahmins.

These movements are mostly agitated by a few people, and if you can make new capital and many of that kind see themselves and their relatives provided with a great many more jobs than before, or see the value of land rising, that is good enough for them, but the vast majority of the people of Orissa will be backward wherever they are and large numbers of the ordinary aborigines do not understand these things and do not care twopence what form of government their Province is under. There is, of course, an exception in the case of a small intelligentsia, who are naturally

[Sir R. Craddock.]
anxious to get the loaves and fishes. I am not blaming them. It means that the new Province is largely fomented by the particular class who can see they will benefit by it, and as for looking after the aborigines any better than they were looked after before, I cannot see them doing it. They are bilingual on the borders, and everyone claims to be an Oriya. If you want to go over to that side of the border, a man will claim that he is a Telugu, and if you want to go over the other side, he will claim he is an Oriya. Whenever you come, as the hon. Member for Limehouse (Mr. Attlee) said, to a place where there is no actual natural boundary, you will find all over the place different kinds of people, and if you please one lot here, you displease 50 per cent. of the population there. It is not worth while; and the Government should have taken some areas over without offending the Telugus, which would have made a Chief Commissioner's Province, and they would have been very luck to get that form of government for which they can afford to pay.

For administrative reasons this scheme is sheer folly, for financial reasons it is extravagant, and for political reasons it is mostly make-belief. When you begin to take these half-and-half people, you cause far more discontent than satisfaction, and there is no particular gain in that. It is all interlaced with the Oriya States, which were hitherto managed by a commissioner and a political agent, who also belonged to the Province. Now I understand that all these States, instead of being managed by those who have managed them all these years and who thoroughly understood the Oriya people, are going to be put under a political agent at Ranchi, which is far away. As for the Government of India, they will not know where these people are or anything about them. All their political side was managed in the past by a commissioner and a political agent. They are doing the same thing elsewhere.

Mr. G. NICHOLSON: They are in indirect relation with the Government of India.

Sir R. CRADDOCK: They have their political agents there. Then, of course, besides these objections there are the finances. I do not fancy for a moment that the estimates put up cover all the expenses that arise through making a new Province. You may just cover the claims of the new Governor and of a certain amount of buildings, but when you create a new Province it soon demands its own university and a high court, and it wants to have its own experts. If it is going to be a separate Province, they ask what is the use of being a separate Province, having to go to Calcutta for a university and having to share experts with another Province.

Mr. ATTLEE: As a matter of fact, where you have a smaller Province like Assam, they use Calcutta universities.

Sir R. CRADDOCK: Orissa will surely demand more than Assam does. The last point I have to make is that you are letting yourself in for every kind of similar claim. How are you going to make a Gwalior Province in Orissa for 6,000,000 Oriya speaking in that Province, and what answer will you give to Telegus if they say they want a new Province? That makes 18,000,000. How can you deny that? Then, for anything I know, Malabar will say they want to be transferred, leaving the Tamil areas. A still stronger claim will probably arise from the Hindi-speaking districts of the Central Province to be separated from the Marathi-speaking districts that I know very intimately.

Here we are talking about India as one nation; that is the argument; and yet you are going to separate it off into Provinces so that you cannot have even two races in one Province without their wanting to have separate Provinces. If two races cannot get along well enough in a Province as they have done under British rule for years, how are all the races of India to make one solid Indian nation? It is a contradiction in terms, and entirely illogical. If you had given them a chief commissioner, all would have been well, provided that you had said so from the first. For these reasons, I support the omission of Orissa.

8.38 p.m.

Mr. BUTLER: I shall do my best to answer the right hon. Gentleman and those who have intervened in this important discussion about the future of the province of Orissa, and I shall endeavour to answer some of the points that have been raised as to the extra cost involved and give any details that come to mind in answer to the points

that have been raised. I was not able to follow the right hon. and gallant Gentleman the Member for Newcastle-under-Lyme (Colonel Wedgwood) who moved the Amendment in all his geographical descriptions. He described Orissa as having been the scene of the "Jungle Book" by Kipling and described by him, and he alluded to the various tribes——

Colonel WEDGWOOD: Surely the Waingunga lies on the western edge of the United Provinces adjoining the new Province?

Mr. BUTLER: I do not want to enter into a literary discussion, but I believe that Kipling's famous visit when he described so many of these things took place at Jhodapur on the other side of the province, and the Waingunga river, I understand, is in a different portion of India from that which we are considering to-day. I am a great lover and student of Kipling, and we all appreciate the "Jungle Book," and I hope that we shall in considering this question have regard to literary accuracy, as well as to the importance of the subject before us. The right hon. Gentleman proceeded to say there had been a great many protests from Orissa. With regard to the protests of the population, that is not the intelligence that has reached us. We found that the suggestion that there should be a separate province for Orissa met with satisfaction from the Oriyas, to whom it gave great relief that their age-long desire to be regarded as a separate province and a separate unit of India would at last be achieved if Parliament agrees to the proposals of this Clause.

Orissa has had a long history. It is one of the most ancient centres of Hindu culture and religion. In Orissa, as the hon. Member for Morpeth (Mr. G. Nicholson) will know, are some of the finest, oldest and most venerated temples in India, which were the centres of the early pilgrimages from all parts of India. The great feature of Oriya civilisation is that, in spite of the fact that they have very often not formed one unit, so strong has been the nationalism of the Oriyas that they have always clung together and looked forward to the great day when they would be united in one province. On the strength of this historical prospective, I think it is probably realised by the Committee that there is a long history behind this matter.

Coming to more recent events, nobody can speak on this subject with more authority than the hon. Member for Limehouse (Mr. Attlee), who took such a prominent part in investigating this matter for the Statutory Commission. I do not think that the hon. Member for Morpeth exaggerated in any way the responsibility of the hon. Gentleman in regard to this Province, and I do not doubt that there is a proper sense of gratitude among the Oriyas towards him. In his contribution to-day the hon. Gentleman touched on many of the arguments in favour of this new Province. He reminded us that the Statutory Commission felt that the present link between Orissa and Bihar is a glaring example of the artificial connection of areas which are not naturally related, and he could have told us from his own personal knowledge, and indeed he suggested it, that when the Oriya delegation visited the Statutory Commission, they actually travelled by sea via Calcutta in order to reach Patna, which was the head of their Province.

These facts have a large bearing on the question of how Orissa is to be administered in future. Besides these reasons—the awkwardness of the link with Bihar and the strong Oriya feeling—there is the fact that in Orissa will be a greater homogeneity of population than in any other single unit in India. The hon. Member who moved the Amendment always disliked anything to do with the communal question, and I should have thought he would be the first person to welcome this opportunity to have a Province in which the communal question will be as small and as little to the front as in any other part of India. That is a cause for satisfaction and it is another reason, together with his other reasons, for proceeding to set up a new Province of Orissa. With regard to the question of future expense, the expense of the new Province of Orissa can be clearly stated as follows: The new overhead charges resulting from running Orissa as a Governor's Province will amount to approximately 15 lakhs of rupees. Besides this, an extra amount of 15 lakhs will be necessary for running the Province. A total subvention of 30 lakhs will be necessary from central revenues for the purpose of running the new Province.

[Mr. Butler.]

I think it would be wise to remind the Committee that we shall be discussing on Clause 139 the problem of subsidies to deficit Provinces, and therefore I shall go no further into the matter now. Besides this there will be an extra sum for establishing the requisite buildings for the new Province at Cuttack, which was referred to on page 51 of Volume 3 of the Records of the Joint Select Committee, which have already been presented to the House. There will be a small extra sum over this involved in the probable re-adjustment of boundaries at certain points in the new Province of Orissa. But the Committee may take it that the round figure of 30 lakhs of rupees which I have given as the necessary subvention from central revenues approximately covers the new cost of the Province of Orissa, apart from the actual establishment of new buildings. Of this sum 15 lakhs of rupees is what the new Province requires in the way of overhead charges when run as a Province, and 15 lakhs is the sum required for running the Province. That extra sum of 15 lakhs would have had to be found by Bihar in any case, and so it is merely a case of the transference of a burden of 15 lakhs from Bihar to the Centre, a point which the Committee will consider when we come to the specific Clause dealing with these transactions. That gives the Committee a clear indication that the extra cost falling on the revenues as a result of making the new Province is only somewhere in the neighbourhood of 15 lakhs.

When the Committee appreciate that Bihar has recently suffered a great drain on its resources owing to the earthquake, they will see—without wishing to exaggerate this argument at all—that it will materially assist Bihar that she should, at this moment, be relieved of the sum which is necessary to finance the new Province of Orissa. I have endeavoured to answer as shortly and as concisely as I can the various points raised, but I sincerely hope that the Committee will realise that intense disappointment would be aroused in the Oriyas if the Committee were to accept the Amendment. Anticipations have been aroused. The future Orissa Province has been discussed since the statement of the Statutory Commission and the report of the committee over which my hon. Friend opposite presided. The matter has been reviewed by several committees and the general consensus of opinion is that it would be wise in this case to establish the new Province of Orissa, and in view of the great advantage which we think will be taken by the inhabitants of this new Province and the new opportunities afforded, I sincerely hope the Committee may come to a favourable decision.

8.50 p.m.

Colonel WEDGWOOD: The hon. Member for Limehouse (Mr. Attlee) was scornful about my geography and politics generally, but as far as I could see he was merely re-stating all the facts and figures I had given, with the exception of the site of Rudyard Kipling's adventures, and on that point he was joined by the hon. Gentleman opposite. I am prepared to stand an examination against any hon. and right hon. Gentlemen who have been there. All I venture to suggest is that that place and Chota Nagpur are not very far apart when one comes to look at the map. But whether Chota Nagpur is there or somewhere else is not very material to the issue, although I admit the importance of literal accuracy. I understand now that we are to have a separate Province of Orissa because it is 600 miles to get to Patna from Orissa, but I suggest that for less than 30 lakhs of rupees aeroplanes could be hired to carry people backwards and forwards. The sum of 30 lakhs of rupees for a population of 10,000,000 seems to me to be excessive. The real objection is to be found in the Southern boundary. When the godfather of the Oriyas was drawing up the boundaries I will bet that he put that boundary as far south as he could. There are many who are suffering from the godfather of the Oriyas, and why the Telugu should be torn off from Madras in order to provide a tax-paying population for the Oriyas I cannot understand. But they are people who might be considered when we come to Clause 271 and the boundaries for the Provinces.

Mr. ATTLEE: I would like to reply to my hon. and gallant Friend on one point. He accuses me of having pushed the boundary as far as possible south. On the contrary, I was severely criticised by the Oriyas, who, like all oppressed

nationalities, wanted to take in all the surrounding areas, and we cut down the extent of the area.

Amendment negatived.

Colonel WEDGWOOD: I beg to move, in page 30, line 36, leave out "Sind."

Sind is the third Province we wish to save from the Constitution. I dare not give the exact population, or I shall be corrected, but we can say with some degree of accuracy that 15 per cent. of the population are Hindu and 85 per cent. are Moslems. Anybody who has been there may correct me, but not if he has not been there. The minority is small and there is no Province in which the communal question comes up more prominently. The minority of 15 or 20 per cent. have no votes for the people who will rule that Province. They have communal representation, but they are not allowed to vote for a Moslem. That is the prime fact which the Committee must realise before they can understand the agitation there is among the Hindus all over India to save Sind from being created an independent Province. Sind is not like the North-West Frontier Province, it is a Province which is developing rapidly. The Lloyd barrage and all the irrigation works down the Indus are opening up an enormous new area for settlers from the overcrowded parts of India. The land there is Government land and the Government sell it to the people to settle upon. An enormous immigrant population is pouring into the country. The immigrants are Hindus very largely, whereas the indigenous population are largely Mohammedan. It is a small minority at present, but it will grow with the development of irrigation.

To that population, all of it dependent entirely upon agriculture, the question of the legislation that is likely to be enforced in that Province is of enormous, even transcendent, importance. They know perfectly what their danger is. It is not that they will not get justice, not that they will not get education, but that they will be excluded from cultivating the land. The sort of legislation that prevails in the Punjab is what they are afraid of. For the Committee to understand why Sind does not want to be a Governor's Province it is absolutely essential that I should make clear the meaning of the land alienation Clause, which looks harmless and desirable because it merely enacts that no one who does not belong to an agricultural caste or clan shall be allowed to buy land. The agricultural caste can sell to other members of the caste but they cannot sell to a person who is not a member.

There are agricultural castes which are Hindu as well as others who are Moslems, but the resident agricultural caste consists of Mohammedan peasants and, unfortunately, Mohammedan landlords. The landlords are gradually acquiring more and more land, so that the peasant is being driven to work and the landlord is becoming the owner and the latifundia of Sind. That is all assisted by the fact that in the Punjab the agriculturists can only sell to the agricultural caste. They only touch a certain amount, because the Mohammedan landlord is a member of the agricultural caste, although he does not use a spade. These are the only persons available. The alternative, which is always held out with such horror, is that of a Hindu bunnia, the friend of the hon. Member for Preston (Mr. Kirkpatrick) and the enemy of the Mohammedan, himself buying the land. He would not cultivate it, but he would let it to somebody else. That is another form of landlordism, but not a worse form than the ownership of the land by Mohammedan landowners.

This legislation has been passed in the Punjab largely because of the universal prejudice against the Hindu landlord, and that legislation is what the Hindus fear in Sind. It does not matter in the Punjab, because there are more of the Hindu agricultural caste, but if you extend that legislation to Sind, where the agricultural Hindu population is nil, and where you get the vast Sukkur and Lloyd barrages, irrigating millions of acres which were never irrigated before, the question, "Are we to be allowed to cultivate the land?" becomes of far greater importance than in the Punjab. If legislation is to be brought into Sind which shuts out not an existing population but all the immigrant population which was poured into that Province, a grave injustice will be committed also against the Hindus of the over-populated and overcrowded places all over the rest of India, such as the population in Cutch, where, according to the latest census, they are packed 400 people to the square mile, all engaged in agriculture, an area probably more densely populated and

[Colonel Wedgwood.]

cultivated than in any other part of the world. That population is being driven out of those overcrowded areas and is spreading away to the only possibility, a newly irrigated land.

That land will, of course, be Government land, and the Government will let it on hire purchase systems to both Hindus and Mohammedans. Both will start, but directly they acquire their rights, if legislation such as has been enforced in the Punjab is introduced into Sind, they will be limited, and they can only sell that land to people of the agricultural caste of that Province. Nobody else will be able to come in, the market will be tied down and the Mohammedan landlords will then begin to buy, and to create large estates and establish the curse of landlordism in that Province. That fear would be completely obviated if it were possible to allow the growing Hindu population the right to vote for the Legislative Council at Karachi. If they had the right to vote for their masters they would get an elementary form of justice. Can the Committee understand what it means to them to be in such a position that no Mohammedan will ever ask them for a vote because he will not demean himself by doing so? The system of communal recommendation is not the protection of a minority but the protection of the majority against ever having to consider the minority.

The CHAIRMAN: I think the right hon. and gallant Gentleman is going too far. I cannot pass that.

Colonel WEDGWOOD: I admit I was travelling rather wide, but it is absolutely necessary if Members of the Committee are to understand the opposition which exists in India to the setting up of a separate province of Sind, that they should understand the reason of it. The reason is partly fear of that legislation and partly the knowledge that they are not likely to have a fair deal in the representative institutions of that Province. We could put it all right if we could have a province where the majority desires to have communal representation and no separate electorate. We should have in that province no opposition to the establishment of Sind, and a great many other things in this Bill would go.

The Government have given no indication that they are prepared to carry out the desire of the Joint Select Committee, or to take into account the desire of the minority to be protected from this pseudo-protection of separate representation. Sind should not be a separate province. Until now it has been part of Bombay, and under Bombay it has had an increasingly prosperous time. As long as it is part of Bombay, the province is balanced fairly and evenly between Mohammedan and Hindu. Take it away and establish an overwhelmingly large Mohammedan government in Sind, and you injure the rest of Bombay by making it proportionately more Hindu. You leave all the seeds of dissension in your communal representation, and you injure the population both in the North part and in the South part of the Bombay Presidency. I hope this matter will be reconsidered. The pressure for a separate province of Sind comes from Mohammedans, from that Moslem agitation and Nationalism which is spreading throughout the East at the present time. It is a desire to have one more Mohammedan Province, one more State, so that a Mohammedan federation of States should spread all over the North-East of India. I hope the Government will consider whether it is not possible, even at this hour, to save India from trouble and Sind from disaster.

9.5 p.m.

Mr. DONNER: I must confess that I had not expected that this question would be debated to-day, and, unfortunately, like many other Members of the Committee, I have come without the notes which I had carefully collected and without the evidence submitted to the Joint Select Committee, and therefore I am unable to quote from that evidence, as I had hoped and intended to do when the subject of Sind was to be discussed on Clause 271. I must, therefore, in speaking to the Committee, depend entirely upon my memory, and I hope the Under-Secretary will correct me if I am wrong in any of the facts which I put forward.

I would ask the Committee seriously to consider this question of Sind. Here you have in miniature the whole picture of the Bill as it stands at present. The proposal of the Government is really quite simple; it is a proposal to remove Sind from the Presidency of Bombay and create a separate Province. The position

is that in the Presidency of Bombay there is a big Hindu majority, and in Sind there is a big Moslem majority. Therefore, naturally the Hindus of Sind are very much opposed to being transferred from the Presidency of Bombay to a separate Province, and equally the Mohammedans in Sind are, naturally, delighted. I would like the Committee to remember the evidence, which I am sure all hon. Members have read with care, which was submitted to the Joint Select Committee on this subject. Of all the evidence submitted to the Committee, none presents a more tragic or pitiable spectacle than that submitted on this proposal. The fear and terror which inspire this minority in Sind is, to me at any rate, a dreadful thing to read about. The minority are terrified, and in their terror they tell the truth as they see it. May I draw attention, first of all, to the financial difficulties? Here again I have not my notes with me, and do not remember the figures, so perhaps the Under-Secretary will be good enough to deal with that side of the question, as he is naturally more fully aware of the financial difficulties than I can be. All I can say is that they are very great.

In the evidence submitted to the Joint Select Committee it was made perfectly clear that the minority, the Hindus, were terrified as to what would happen to them, and I remember that in that evidence particular mention was made of the preservation of law and order. What would be their position, they asked, if, in some other part of India, there were a massacre of Mohammedans by Hindus? It was pointed out that of course, if there were a breakdown of law and order, the Governor would intervene, but they were not satisfied with that, and asked that the police should be a reserved subject in that Province should it be created, and, of course, they were told that that could not be done. The question which was emphasised in the evidence was at what point could the Governor interfere to save the lives and property——

The CHAIRMAN: I must ask the hon. Member to be very careful that he does not travel beyond this particular Clause, which deals merely with the inclusion of Sind as a Province. He has referred already to certain matters that occur in later Clauses of the Bill, but he must not go into those in detail.

Brigadier-General Sir HENRY CROFT: On a point of Order. I believe it has been ruled that this point cannot be raised on Clause 271—that the implication of my hon. Friend would be an impossible one to put forward on that Clause.

The CHAIRMAN: That is quite right. As I understand it, the point cannot be raised again as to whether Sind shall be a Governor's Province. But I want to warn the hon. Member that there are certain matters to which he is quite justified in referring—as for instance the problem of minorities—but that he must not go in detail into the question of how communal minorities are treated under this Bill. I do not want the hon. Member to think that I am making a serious complaint against him, but I wanted to warn him that he was developing some of his points, to which he is quite justified in referring, just a little too much.

Mr. DONNER: I am sorry if I transgressed the Rules of Order. I assure you, Sir Dennis, that I had no intention of doing so. I was only trying to give reasons why a special Province should not be created, and I will endeavour, with my limited knowledge of the procedure of the House, to keep within the bounds of order. I hope I am not out of order if I point out, as the reason why this Province of Sind should not be created a separate Province and cut away administratively from the Presidency of Bombay, the fear of these people as to what is going to happen to them. In the evidence before the Joint Select Committee particular mention was made of the kidnapping of women and children, and a question was asked as to how many women and children are to be kidnapped, how many houses burned and destroyed before the Governor can intervene? I only mention that to show the fear which exists in the minds of the people who gave evidence against this proposal. If only a few were kidnapped the Governor would not feel entitled to intervene. What, therefore, they asked, was the formula? On this question of the fear of minorities I think the Noble Lord the Member for Horsham (Earl Winterton)—I am sorry he is not in his place at the moment—made an

[Mr. Donner.]

interruption earlier in the day with regard to Sind. He said that, after all, an objection of that sort applied to all the other Provinces as well as to Sind. But surely that does not rob the argument of any of its strength; it is only an added argument against the whole Bill, and not an argument in favour of making Sind a separate province. Again, it was pointed out in the evidence before the Joint Select Committee that there was a scarcity of men sufficiently capable to sit in the proposed new Legislature, and I believe that even Mohammedan witnesses agreed that that was so.

The point that I wish to make before sitting down is that the real reason for this proposal seems to me to be that, unless this Province is created, unless this minority of Hindus is placed under the control of a Government of Moslems, there will be no safeguard against the misbehaviour of Hindus in other parts of India. But I would remind the Committee that the minority in Sind is a most aristocratic, civilised, and highly educated minority, and they are going to be exposed as hostages for the good behaviour of Hindus in other parts of India, when the Hindus are in a majority. In the evidence it is distinctly stated, both by Hindus and by Mohammedans, that this Hindu minority in Sind are regarded as so many hostages for the good behaviour of Hindus in other provinces. That seems to me to be a terrible thing; it seems to me to be a most cynical proposal to emanate from any civilised government, let alone a British Government, that we should be prepared to consider placing the minority of Sind in the position of hostages. That minority realises that that is the position; in their evidence they declare that the majority population regard them as so many hostages. If the Hindus who are in a majority in other Provinces in India were to turn round and massacre Mohammedans, then in Sind you would have this highly civilised and aristocratic minority at the mercy of Mohammedans who have been provoked and may work vengeance upon them. That seems to me to be a dreadful position.

I should like to make it plain at least that this is not the imagining or vapouring of a mere private Member of this House. It is the language used by the Mohammedans in their evidence, and it is the language used by the Hindus in their evidence. It is hard to believe that this Government with its great Conservative majority and its traditions of caring for the minorities and their welfare throughout the British Empire will insist on a proposal whereby it is willing to hand over as hostages these small minorities. Surely, here we come to the root of the matter, because this is the real safeguard. I suppose that it would be ironical to congratulate His Majesty's Government on the invention of one safeguard which cannot fail, because that is the real kernel of the matter. This safeguard cannot fail. If you create this Province you make it possible for Mohammedans all over India, where Hindus have great majorities, to say, "You can massacre us in many Provinces in India, but by Jove if you do, we know what to do in Sind."

I cannot believe that the Government will carry on with this proposal and that this Committee will endorse it. Although it is perfectly true that, if you are going to carry through the Bill, the only way you can safeguard Mohammedan minorities in other Provinces is to bring in this safeguard of hostages in Sind, I cannot believe that I am alone in taking a view that if you do this thing you are returning to Biblical days and to the principle of an eye for an eye, and a life for a life, and those were days we thought would never come back in this world. I must apologise if I have spoken with too much feeling on this subject, but it seems to me to be a dreadful thing to see not only a civilised Government but of all Governments a British Government and a National Government come with a proposal such as this, which is surely unrivalled in its cynicism.

9.18 p.m.

Mr. BUTLER: I shall endeavour to address the Committee on lines similar to those I followed on the last Amendment with reference to Orissa. The difficulties of the separation of Sind have been raised by the right hon. Gentleman and by the hon. Member for West Islington (Mr. Donner), and I would like to try to answer one or two of them and show that we consider there is a very strong case for the establishment of a separate Province of Sind. In the first

place, there are those geographical difficulties which were included in discussing the previous Amendment in the case of Orissa and Bihar. The geographical difficulties in the case of Sind and Bombay are really more striking. The only satisfactory approach from Bombay to Karachi is by sea, and this takes, as hon. Members who have experienced it know, a very long time and is not at all easy. The method of conducting the administration of Sind at the present time is by a very marked, definite line from the Bombay Government, and we consider that the difficulties of conducting the administration of Sind, when there is a responsible government established in the Bombay Presidency, will be very more marked, and will make the difficulties very much greater.

The communal question has been raised by the right hon. Gentleman and the hon. Member in their speeches. The fact is that we consider that the communal difficulties will actually be enhanced by any delay in separating Sind. If a really responsible autonomous government in Bombay attempts to administer Sind—and we know that the communal difficulties are there, and it is no good trying to avoid them completely—we think that very much greater friction will result than by the proposal we suggest that Sind should, in fact, be a separate Province. We think that there would be worse struggles not only between the new government who would be established at Bombay and the Moslems in Sind, who would take up a very strong communal attitude, but also there would be communal reactions throughout India, which would render the whole communal outlook in India very much less satisfactory than if we were to proceed upon the lines we suggest. Therefore, the right hon. Gentleman and the hon. Member will realise that we fully appreciate their anxiety about the communal system, but we think that the difficulties would be worse if the Amendment to leave out Sind from this Clause were accepted.

The hon. Member for West Islington said that he had unfortunately come without some of his documents, and therefore I must not take undue advantage of him by quoting too extensively from the documents I have with me. I do not want to fight him with a particular weapon when he has not his weapons entirely with him, but I would refer him to one answer given by the Moslem representative before the Joint Select Committee when the question of Sind was being discussed. The reference is Answer 496 on page 2164. The Moslem representative there declared that he realised that Sind Hindus must take an appreciable share in the Government of the Provinces. We believe that the undoubted influence of the Sind Hindus, to which the hon. Member very rightly referred, will make itself felt. We believe that they have a contribution to make, and do not blieve that there will be dire results from separation or that any complete or perpetual extermination of the Hindu in Sind will actually take place. The Sind Hindus have a great tradition, and we believe that they will exercise their influence in the future government of Sind. The Governor's special responsibility for the minorities must not be forgotten, and that special responsibility which is included in this Bill will operate to advantage in the cases of necessity which may arise in the future Province of Sind.

And now with regard to finances. The finances of Sind were considered by the Statutory Commission when they considered the question of future separation, and they suggested that this matter should be reviewed by an expert committee. The expert committee did review the question of the future finances of the Province of Sind, and came to the conclusion, which I can give very generally to the Committee, namely, that the future cost of the deficit of the Province of Sind would be approximately three quarters of a crore, of which some 10.26 lakhs would be the extra overhead charge directly attributable to the fact that the machinery for a Governor's Province was to be set up in Sind. There is also on page 50 of the records in volume 3 of the Joint Select Committee's submissions to this House, the actual sum necessary for new buildings in Sind, which amount to some seven lakhs. That, therefore, is the total financial deficit anticipated for the future financing of Sind, but it must be remembered—and the financial committee referred specially to this—that the financial future of Sind is bound up with that immense and future project of the Sukkar Barrage.

[Mr. Butler.]

The Committee estimated that over the course of approximately 50 years the deficit would be wiped out by the increased takings resulting from the successful operation of the Sukkar Barrage. We believe that the effects of the operation of the barrage will begin to be felt even in the next five years, and, through that, the deficit will be reduced gradually but surely. This deficit will be met by a subvention from the central revenue, and to that extent the Bombay Presidency will be relieved of the amount I have mentioned. The central revenues will be relieved as the takings from the barrage come in. In order to be assured that the barrage is administered in a true and proper manner, the Governor of Sind will have special responsibility for its proper administration. The Committee, therefore, will see that the question of the finance of the future Province of Sind has been carefully and adequately examined, and actually will relieve the Bombay revenue. For these reasons, geographically, communally, and financially, we consider it sound to proceed with the proposal for a future Province of Sind.

9.27 p.m.

Sir H. CROFT: I do not want to delay the Committee, but there are many who have had communications from the minority in Sind, and who do realise the very grave fears of the minority. I did not realise that this discussion was coming on now, but I believe the population is 27 per cent. Hindu and 73 Moslem. That, of course, is a very serious situation, for the Hindus were previously under the protection of a Government where their religious persuasions were involved. No doubt they view with great dread this transfer to a permanent minority position under Moslems in the new Province. I only wish to intervene for just one moment, because I think this may be a great mistake and one of the errors of the Bill. This reminds me of the errors of which politicians were guilty at the end of the Great War in creating lots of new communities. I cannot believe it is really wise to risk the possibility of considerably increased expenditure in this new Province. You say that you are only going to spend so many lakhs, but, before you know where you are, you will have all sorts of demands for all sorts of new projects. I wonder whether the poor population can really afford to bear that burden which is bound to come, for the moment a new Government is established hundreds of optimistic men who desire to take part in the job of Government will have all sorts of demands for various institutions. I for one, therefore, regret that the Secretary of State persists in this, for he must be aware of the intense dread of the minority in Sind.

9.29 p.m.

Earl WINTERTON: My hon. and gallant Friend holding the views he does has every right to object to self-government *per se*. No one quarrels with him if he does that. What he and the hon. Gentleman below the Gangway is not entitled to do is to attribute to the Moslem community what they do. There is no more reason to suppose that where Moslems are in the majority they will be less fair in their treatment than where the Hindus are in the majority.

Sir H. CROFT: Memories are very fresh in India, and, for example, in Cawnpore certain things happened with lamentable results.

Earl WINTERTON: The hon. and gallant Gentleman must not slip my point. I am not arguing on the subject of communal differences, or whether or not communal differences are likely to be exasperated. I am speaking as one with considerable sympathy with the Moslem community. My statement is quite simple though I may be wrong. I ask him to apply the argument he has just used in a more friendly spirit, to apply it also to a Hindu majority elsewhere. He has no right to suggest that where Moslems are in the majority things will happen to Hindus, unless he thinks the same will happen where Hindus are in the majority. Holding the general views that he does about India, and also the Empire—which he and I share—he should be the last person to bring charges against the Moslems, for no community has been more loyal to the British connection. The hon. Member below the Gangway, whose knowledge is not very extensive, made several references to this. I think he used rather unfortunate language about two great communities in India, rather wounding language. In regard to the other matter that the hon. and gallant Gentleman opposite raised—I should like to endeavour to answer it—was it really

desirable on pure grounds of administration to make this separation. Dealing purely with the question of administration, anyone with experience of that would know that administratively it would be a good thing to separate Sind from Bombay. There is everything to be said for this proposal, though it may be possible to object to it on other grounds. I hope we shall hear the last of the suggestion about the Moslems and the Hindus, that either is going to punish or bully the other. Nothing is more calculated to make them do that than such irresponsible speeches.

9.34 p.m.

Sir H. CROFT: Many Members present heard my speech and will support me when I say that I really must take exception to the lecture of the Noble Lord on what he imagined I just said. The right hon. Gentleman on that bench uttered not one word in the form of a charge against the Moslems. Where you have great communal differences the Hindus, hitherto always protected by the Government of Bombay, will have dread now they are going to be placed in a permanent minority. The Noble Lord is well aware that that is a great problem in India, and I am simply stating a truth. I am making no charge. I had the same privilege of admiring the qualities of the Moslems when I fought side by side with them as the Noble Lord, and I will not have anyone suggest that I have ever said a word against the Mohammedan subjects of the King-Emperor. When the Noble Lord turned upon my hon. Friend the Member for Islington, West (Mr. Donner) and said that he had no right to talk of hostages, let me say that my hon. Friend, whose memory was so admirable in his extempore speech, was merely quoting words from the Joint Select Committee's report, which everyone must remember. Those were the views of the Hindu witnesses before the Joint Select Committee. I know that my Noble Friend was very assiduous in his attendance at the Joint Select Committee, but perhaps it was on one of the days when he happened not to be present that this evidence was given.

Earl WINTERTON: I accept most heartily my hon. and gallant Friend's admission that he did not intend to attack the Moslems, and I am sorry that I read into his speech what appeared to be the plain meaning of it.

Amendment negatived.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

9.37 p.m.

Major MILNER: It is a rather curious feature of the Debate on this Clause that not one word has been said about the position of Burma. The Committee will appreciate that this is the Clause which says that Burma shall cease to be part of India. I rise in order to obtain a statement from the Government of the reasons which guided them in deciding that in future Burma shall be separated from India and shall not be a member of the Indian Federation. I should like to know the circumstances surrounding the whole of this matter. At the end of the Burma Round Table Conference in 1932 the Prime Minister indicated to Burma that a general election would be held at which the people of Burma would decide whether they would remain as part of the Indian Federation or be separated, with a distinct government of their own.

9.38 p.m.

Sir S. HOARE: On a point of Order. I want to ask whether we are to have a general Debate upon the separation of Burma now or whether it would not be better to have the Debate when we come to the Clauses dealing with Burma. I am not saying this in any way with the object of interrupting the hon. and gallant Member, but I suggest that it might be more convenient to have the general Debate when we come to Burma.

Major MILNER: So long as we shall have that opportunity I am perfectly happy to accept that point of view.

9.39 p.m.

The CHAIRMAN: Perhaps it might be well if I reply to a point of Order and put a further point in this connection. It may appear to Members of the Committee to be illogical that, having dealt with the certain Provinces by Amendments on this Clause, we should suggest that the Debate on the separation of Burma from India should be deferred. May I point out to the hon. and gallant Member that the separation of Burma is a very much bigger community than Sind or Orissa and that this

[The Chairman.]
is one of the occasions when one has to decide where is the most convenient place to raise the discussion. Although I cannot prevent references being made to the separation of Burma on this Clause, I think it would be for the general convenience of the Committee that the question should be raised on the earlier Clauses of Part XIV, which deal definitely with Burma. I may say in regard to that matter that, if it meets with the general approbation of the Committee, I shall confirm on the note which I have already made that the passing of this Clause is not to be regarded as a bar to the raising of the question of the separation of Burma on Part XIV.

Mr. LANSBURY: We want to be quite sure that when my hon. and gallant Friend and others desire to raise to the fullest extent the question of Burma we shall not be prejudiced by allowing this Clause to go through now. I understand that to be your Ruling. Therefore, I hope my hon. and gallant Friend will postpone his remarks on the Burma question until we get to the point that you have just mentioned.

The CHAIRMAN: I thought that I had said that. I had hoped to save the right hon. Gentleman the trouble af rising.

Mr. LANSBURY: We must not be in too much of a hurry. We want to be sure that if my hon. and gallant Friend desires to move Burma into the Indian Federation he may do so. If that right is safeguarded, then it will be all right.

The CHAIRMAN: If I can remember them correctly, I will repeat the exact words that I used. I shall confirm the note I have already made that the passing of this Clause is not to be taken as any bar to a Debate on the question of the separation of Burma. Other questions relating to Burma will be distinctly out of order on this Clause, but they will be distinctly in order when we come to Part XIV.

Mr. LANSBURY: It will then be in order to move Burma in in the same way that hon. Members have moved to leave out Sind and Orissa. We only want to be put in the position that we can make a Motion to that effect and that the right to do it will be safeguarded, in spite of the fact that this Clause which we are now passing leaves Burma out.

The CHAIRMAN: It will be in order when we come to Part XIV of the Bill to move an Amendment which would result in negativing the proposed separation of Burma from India.

Major MILNER: In those circumstances I am content to allow the matter to lapse now.

Mr. A. SOMERVILLE: I should like to ask a question in regard to Madras. Hitherto, the City of Bangalore has been within the jurisdiction of Madras, and I should like to know whether in the new reorganisation Bangalore will remain within the jurisdiction of Madras. There has been a question of the cession of Bangalore to Mysore. Bangalore is a city of 137,000 inhabitants, and a large number of them are Moslems who very greatly object to being ceded to Mysore, and so do the traders of the city.

The CHAIRMAN I think that question would come definitely on Clause 272.

Question, "That the Clause stand part of the Bill," put, and agreed to.

CLAUSE 47.—(*Provisions as to Berar.*)

Motion made, and Question proposed, "That the Clause stand part of the Bill."

9.45 p.m.

Colonel WEDGWOOD: I desire to get a statement from the Secretary of State as to the position of Berar. The Clause says:

"And whereas it is in contemplation that an agreement shall be concluded between His Majesty and His Exalted Highness whereby, notwithstanding the continuance of the sovereignty of His Exalted Highness over Berar, the Central Provinces and Berar may be governed together as one Governor's Province under this Act by the name of the Central Provinces and Berar: while any such agreement is in force (*a*) Berar and the Central Provinces shall, notwithstanding the continuance of the sovereignty of His Exalted Highness, be deemed to be one Governor's Province by the name of the Central Provinces and Berar."

Can we have a statement from the Secretary of State as to what this agreement is. An agitation has gone on for a great many years, and I think we should have a clear statement as to what the Government now actually propose to do. I understand that the sovereignty of the Nizam over Berar is established but that

the inhabitants of Berar have not lost their rights to have representative government and to continue their connection with the Central Provinces. The people of Berar are anxious to know whether they are to retain their rights as subjects of British India as hitherto, or whether the proposed agreement changes their status and they are to become the subjects of the Nizam. I should like to know what change it is proposed to make in the status of the ordinary inhabitants of Berar and what effect this agreement will have, so far as they are concerned.

9.48 p.m.

Major MILNER: I have always understood that the position with regard to Berar was that the Nizam had definitely agreed to the administration of Berar as part of British India. That position has been in existence since 1853, and has been perfectly clear. The Viceroy has said so on one occasion and the Nizam has also said so. The Joint Select Committee refers to the agreement as if it was concluded, but in Clause 47 it will be observed that Sub-section (2) says:

"If no such agreement is concluded, or if such an agreement is concluded but subsequently ceases to have effect, references in this Act to the Central Provinces and Berar shall be construed as references to the Central Provinces, and His Majesty in Council may make such consequential modifications in the provisions of this Act relating to the Central Provinces as he thinks proper."

The position, therefore, seems to me that there is not at the moment a concluded agreement, and if not then the position of the inhabitants of Berar is that they are left in the air. For many years they have to all intents and purposes been part of British India. They have been joined up to the Central Provinces and have had representatives in the Legislature of the Central Provinces. A great many consequences have ensued from that position, and, therefore, serious questions arise if there is no agreement for that position to continue. There is likely to be more apprehension as to their position on the part of the people of Berar. There is this further point. Paragraph (*b*) says:

"Any reference in this Act or in any other Act to British India shall be construed as a reference to British India and Berar, and any reference in this Act to subjects of His Majesty shall, except for the purposes of any oath of allegiance, be deemed to include a reference to Berari subjects of His Exalted Highness."

According to my information, since 1853, certainly for a great many years, the practice has been to take the oath of allegiance to His Majesty only. Apparently the Clause anticipates that notwithstanding an agreement between His Exalted Highness the Nizam and the British Government the oath of allegiance shall be taken both to His Majesty and the Nizam. The consequence is that representatives of Berar in the Central Provinces Legislature are concerned as to whether their future position is not going to be very different from that in the past, and that they are going to be subjects of the Nizam and not of the British Government. They ask for a reassurance in this matter. I had intended to move an Amendment to make the position clear, but I hope that the Secretary of State will be able to assure us that an agreement has been concluded, or is likely to be concluded, and that in any event the position of the people of Berar will be safeguarded, and that in the future as in the past they will be responsible to the British Government.

9.52 p.m.

Sir S. HOARE: I can assure hon. Members opposite on this point. The present position of Berar is that it is Hyderabad territory, not British territory. The inhabitants of Berar are not British subjects, and never have been. They are subjects of the Nizam of Hyderabad. For many years past, under treaty with the Nizam, Berar has been administered with the Central Provinces. The administration has been virtually a single administration, but none the less the inhabitants have remained the subjects of the Nizam. In one or two respects the position is somewhat anomalous. In the past the Berar members of the Central Provinces Legislature have taken the oath to His Majesty, although they were really the subjects of the Nizam. It was felt that in view of the changes which are taking place as to Federation and the setting up of autonomous provinces that an anomaly of that kind could not continue, and it was clearly felt that it was essential to go on with the arrangements practically as they are now. I can assure hon. Members that there is no question of retroceding the administration of Berar to the Nizam.

[Sir S. Hoare.]

The Nizam and the Government have been in discussion about the future, and there is a general agreement to go on with the arrangements as they are at present. It is, however, necessary, particularly in view of the fact that federation is being set up, to recognise that they are subjects of the Nizam, but none the less the administration is going on in the future as it has during past years. The agreement made between His Exalted Highness the Nizam and the Crown will come into operation when provincial autonomy comes in. It will not come into operation before; and it will come in on the lines I have indicated. If provincial autonomy does not come into operation the inhabitants of Berar need have no anxiety on that account. The present Treaty would then remain in force, under which the Berars are administered by the Central Province. The position, therefore, is quite safe from the point of view of the right hon. Gentleman.

Colonel WEDGWOOD: If I understood that statement correctly the inhabitants of the Berars have never been British subjects?

Sir S. HOARE: That is so.

Colonel WEDGWOOD: Even those born there have always been the subjects of the Nizam, and therefore they have lost nothing by this change? Is it also clear that they do not pay any additional taxes to Hyderabad by reason of this Treaty, that their liability as part of the Central Province remains as it is and there is no additional burden put upon them?

Sir S. HOARE: There is no additional obligation upon them at all. The Governor of the New Central Province under provincial autonomy has a special responsibility in regard to the taxes paid by the inhabitants of the Berars.

9.57 p.m.

Sir CHARLES OMAN: It seems to me that in this particular matter there is no serious danger of injustice being done to anyone. Berar was not conquered by the Nizam's sword but by our sword, and if the inhabitants do not desire to be put under this Mohammedan Power I cannot for the life of me see why they should be.

Question, "That the Clause stand part of the Bill," put, and agreed to.

Clauses 48 and 49 ordered to stand part of the Bill.

CLAUSE 50.—(*Council of Ministers.*)

10.0 p.m.

Mr. GEORGE HALL: I beg to move, in page 32, line 33, after "ministers," to insert "one of whom shall be prime minister."

There is no need to go into the history of the Provinces of India or to raise any complicated matter, because the Amendment is quite clear. We cannot conceive a council of ministers such as is being set up in this part of the Bill unless the prime minister became a member of that council of ministers. We think that the Secretary of State must inadvertently have left out of this Clause any mention of the prime minister. There may be differences between the Governor and the prime minister, but if differences arise it will be very much better that they should be dealt with in the council of ministers instead of being dealt with outside.

Sir S. HOARE: This is almost identical with an Amendment that was moved in the federal chapter of the Bill. This Clause is in the usual form in which it is found in all the British Empire constitutions. No mention is made of a prime minister in any of them. In fact the prime minister does not exist on paper in this country—that is in fact, but not in theory. Secondly, I am sure it would be a mistake to make this reference, by name, in the Bill. As I said in the debates on the federal chapter, the position of prime minister and collective responsibility are features of the Constitution that are going to grow up. Our intention is to encourage collective responsibility, and certainly not to discourage the appointment of a prime minister. But they are essentially features of a constitution that grow up rather than are created by Statute. We make our position clear in paragraph 8 of the Instrument of Instructions. We make it quite clear that the objective we have in mind is collective responsibility. But we do not think it would be appropriate to make the appointment in a Bill, as it is never mentioned in any other constitution, and particularly because in India the development may be somewhat different from the development in Great Britain and other parts of the Empire.

10.3 p.m.

Mr. MORGAN JONES: Of course we are acquainted with the fact that technically there is no such person as a Prime Minister in this country. The same thing applies elsewhere. But the Dominions have had a certain amount of experience, and experience has justified some individual person being selected as Prime Minister. This Amendment moved at this point is really related to another Amendment at the top of page 833. In that case the Governor in his discretion may preside at the council of ministers. We wish to put the point that the leading person should be formally regarded as the Prime Minister, and *ipso facto*, therefore, he might become the Chairman of the Council of Ministers and preside at the Council without the necessity for the Governor interfering in the day-to-day work of what we might then regard as the formally constituted Cabinet. I am sorry if the right hon. Gentleman does not find it possible to accept the Amendment. We attach a little importance to it, because he has already said that the Indian people are inclined to think literally in terms of our institutions here, and they would attach some importance to the formal institution of a Cabinet much on the lines that we have in this country. And to give expression to that desire we feel desirous of carrying this to a division.

10.6 p.m.

Mr. H. WILLIAMS: There is no such person constitutionally in this country as a Prime Minister, and the hon. Gentleman who tabled this Amendment knew that there was not, because he spelt it with a small "p" and a small "m." The nominal office would not have had any existence at all, but that George I, I understand, was not able to speak English very well, and he asked the Lord of the Treasury to preside at meetings of the Cabinet, over which previously the Sovereign used to preside. It is true that the Prime Minister here takes precedence after the Archbishop of York, but I am not sure after whom the Prime Minister of India would take precedence.

10.7 p.m.

Mr. COCKS: We want by this Amendment to give the Indian Government a clear start. We would like them to have a prime minister with a party Government. We do not want to see someone picking a Socialist here, a Conservative there, a Liberal somewhere else, and combining them altogether, and calling them a National Government. That is the kind of thing that would embarrass the Indians from the start. We want to feel that the great precedents of the past in this House—not the one that started in 1931—are being followed. Therefore we think that it would be a very good thing if they had a prime minister with a majority behind him, all agreeing on a particular basis, and an opposition opposing them; and not a system, such as we have had in the last four years, where you have a number of people picked out of a bag, holding all sorts of views, shaken together, and made into a national Cabinet. We think that that would be a bad start for India, and therefore we propose that a prime minister should be provided.

10.9 p.m.

Mr. CHURCHILL: The Conservative party have been cajoled into making enormous surrenders of the control of Parliament over India on the basis that all this power is to be placed potentially and under reserve in the hands of the Viceroy, so that if a serious situation arises he can, as it were, resume the power indirectly which Parliament now exercises. This proposal seeks to reduce the Viceroy, into whose hands these great powers have been placed. It is going beyond what is desirable.

The CHAIRMAN: May I remind the right hon. Gentleman that this is not a question of the Viceroy? We have got on to the Provinces.

Mr. CHURCHILL: But the principle is exactly the same. Having entrusted the whole of these powers to the Governors of the Provinces, you are now to reduce the Governor to the position of a constitutional sovereign who only acts on the receipt of minutes from his Ministers and remains isolated and remote until some very rare constitutional crisis arises. That is a position which is even more destructive of any attempt to give guidance to the Indian Provinces than anything we have heard of in this Bill.

10.11 p.m.

The CHAIRMAN: I am afraid that I cannot allow the right hon. Gentleman to

[The Chairman.]
develop that. This Clause is an exact repetition of the one regarding the Federal Legislature, and I was only moved to select this one particular Amendment at the special request of the Members of the Opposition who explained to me the particular reason for which they wanted to move it. But nothing connected with this Amendment has any effect on what is provided by the rest of the Clause, which has already been decided. It is merely a question, as I see it, whether one of these ministers shall be described as prime minister or not, which is a very narrow point.

Mr. CHURCHILL: With very great respect, Sir, the formal appointment of a provincial prime minister is really not a technical point, and the avowed intention of those who moved this Amendment —and I suppose I am in order in discussing the Amendment—was to create a prime minister and to push the Governor out of the discussions of the Provincial Cabinet, a very grave proposal. It is the kind of proposal which shows how we shall develop in this matter. No doubt the same process will be applied at the centre.

The CHAIRMAN: I am afraid that if that is the meaning of the Amendment I must rule it definitely out of order.

Mr. ATTLEE: On a point of Order. I hope that you will take the meaning of the Amendment from its Movers and not from the right hon. Gentleman.

The CHAIRMAN: I am afraid I must ask the rest of the Committee to discuss it as it was interpreted by the Mover. It was accepted by the Chair on that basis.

Mr. CHURCHILL: I am a little puzzled how you can discuss the question of the appointment of a prime minister without in any way trespassing on the significance of such an event. It seems to me that we are invited to discuss this question in *vacuo*. What is the point of calling him prime minister if it is not to convey any constitutional change? Hon. Gentlemen, terrorised by your mild authority, for fear their Amendment should be declared out of order, now profess that all that they mean is to call some particular member by the title of "prime minister," but that it is not going to make the slightest difference. Are we going to take up our limited time in Committee in endeavouring to bestow mere honorific titles. If it be merely a question of calling some minister "prime minister" and it is clearly understood that it will have no effect on the functions, status and significance of the body, I agree that we need not waste our time in speaking to the Amendment. But if there be any question of embarking upon the idea that there is to be erected from these ministers a personage, a potentate who will replace the Governer in council then obviously that is a point upon which we must take a Division.

10.15 p.m.

Mr. ATTLEE: The point here is that already in India you have a minister who is called the first minister. In the Province of Madras, where, I think most people will agree, the political system under the Montagu-Chelmsford Reforms has been worked probably rather better than elsewhere and in a manner approximating more closely to our usage, they have this first minister. As I understand, it is not contemplated in the Bill that the Governor will necessarily always preside at the council of ministers. Therefore, we think it is well to provide for a prime minister. We could not discuss this point on the Clause concerning the Central Legislature because at the Centre we are to have a system of dyarchy and a legislature composed partly of elected persons and partly of representatives of the States. We could not discuss this question therefore until we came to the Provinces.

My point is that we are trying to develop, at all events in some of the Provinces, a Parliamentary system something like our own. Whether it is possible or not is arguable but the attempt is being made and for that purpose one does not want to have small collections of ministers presided over by a Governor and dependent in many Provinces upon conflicting groups who will only support their own minister. What we want to do, in order to approximate to our own system is to develop a body of ministers with joint responsibility and a regular body of supporters and for that purpose someone is required in the position of prime minister. I dare say I shall be told as we have

been told by one learned historian this evening, the hon. Member for South Croydon (Mr. H. Williams), that the term "prime minister" is unconstitutional. I do not think anyone will suggest that we would get very far with this Bill if we followed constitutional precedent. The Measure is full of all kinds of novel suggestions and therefore I am not precluded from supporting the Amendment by the fact that this provision has not been included in some other Constitution—I am not even precluded by the fact that we have not a George I in India at the moment. I do not think that really affects the matter. The point is how best to get the Constitution to work. Everybody knows that if there is one thing on which practically all Indian politicians are united, it is the desire to follow as closely as possible the model of Westminster and it is for that reason that we move the Amendment.

10.19 p.m.

Sir C. OMAN: I want to point out that this term with a small "p" and a small "m" has no meaning at all. "Prime Minister" in England is a vague and meaningless term which was applied, for example, to the Duke of Buckingham under Charles I. when the pamphleteers were abusing him. It was applied also to Lord Shaftesbury under Charles II. But it had no meaning whatever. It was sometimes applied as an abusive term. I take it that in any group of Ministers there is generally one who has more influence than others and it is extremely likely that in the course of time in these provincial governments, sometimes one person will be prime minister, that is to say the most influential member of the Cabinet and sometimes another. The position of prime minister will be very largely a psychological matter depending on the relative amount of power which individuals in the cabinet exercise. It therefore seems to me that with a small "p" and a small "m" it has no meaning whatever. If you had a big "P" and a big "M," then the whole question raised by the right hon. Gentleman would have come into consideration. In our English literature a prime minister must be taken to be the most important person among the King's advisers—at one moment one person, and at another moment another person, it may be.

10.21 p.m.

Mr. AMERY: I think the object of the hon. Members opposite is entirely met by paragraph VIII in the Instructions to the Governor, which says that in selecting his ministers he shall do it

"in consultation with the person who, in his judgment, is most likely to command a stable majority in the Legislature."

Obviously he selects a particular person as the most important and authoritative minister, and he will naturally to that extent be prime minister.

10.22 p.m.

Earl WINTERTON: I do not think we ought to treat this matter in too frivolous a way, because it is true, as the hon. Member opposite said, that Indians attach a great deal of importance to terms. I am not going to get out of order by attempting to pursue the line pursued by my right hon. Friend the Member for Epping (Mr. Churchill), though I was strongly tempted to follow him in what he said. He said that if this official is to be a person who really functions, he will object to the Amendment. I believe that in our rough island history there have been instances of Prime Ministers here who did not properly function. [HON. MEMBERS: "Order!"] I am talking historically of those cases where some member of the Government has been more powerful than the Prime Minister. I am not talking of the present day or the present generation, but there have been such cases in the past.

It is true to say that under this proposal, as has been pointed out by my hon. Friend the Member for Sparkbrook (Mr. Amery), not only under this Clause but under a subsequent Clause, it is clear that that Indian statesman who has the most influence over his particular party and over his particular province would be chosen by the Governor as spokesman for the rest. There is nothing in the Clause to prevent a development such as the hon. Members opposite wish to see, nor is there anything in the Clause which would have the calamitous results which my right hon. Friend foresaw but which he was not able fully to expound to the Committee owing to the ruling of the Chair. Therefore, I think it is unnecessary to put in these words. If we do, let us spell them with a capital "P" and a capital "M," but let us not

[Earl Winterton.]

use a phrase which in this country is hardly constitutional. In the old days we talked of "the First Lord of the Treasury," though I am sorry to say that in recent years there has grown up the habit of referring to him as "the Prime Minister." If we are going to use a phrase of this kind, let us use a term which is more common in the country in which it will be used, such as Vizier or Diwan, not an English phrase which in this country is only a cognomen and is not really an official term.

Amendment negatived.

Motion made, and Question put, "That the Clause stand part of the Bill."

The Committee divided: Ayes, 256; Noes, 39.

Division No. 100.] AYES. [10.28 p.m.

Acland, Rt. Hon. Sir Francis Dyke
Acland-Troyte, Lieut.-Colonel
Adams, Samuel Vyvyan T. (Leeds, W.)
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Allen, Lt.-Col. Sir William (Armagh)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (I. of Thanet)
Bainiel, Lord
Barclay-Harvey, C. M.
Beauchamp, Sir Brograve Campbell
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Blindell, James
Bossom, A. C.
Boulton, W. W.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Boyd-Carpenter, Sir Archibald
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Browne, Captain A. C.
Buchan, John
Buchan-Hepburn, P. G. T.
Bullock, Captain Malcolm
Burgin, Dr. Edward Leslie
Burnett, John George
Butler, Richard Austen
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Caporn, Arthur Cecil
Carver, Major William H.
Cayzer, Sir Charles (Chester, City)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Christie, James Archibald
Colfox, Major William Philip
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cranborne, Viscount
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Curry, A. C.
Davidson, Rt. Hon. J. C. C.
Davison, Sir William Henry
Denman, Hon. R. D.
Denville, Alfred
Donner, P. W.
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duncan, James A.L.(Kensington, N.)
Eden, Rt. Hon. Anthony
Ellis, Sir R. Geoffrey
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine-Bolst, Capt. C. C. (Blackpool)
Essenhigh, Reginald Clare
Evans, David Owen (Cardigan)
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
George, Megan A. Lloyd (Anglesea)
Gillett, Sir George Masterman
Glossop, C. W. H.
Glyn, Major Sir Ralph G. C.
Goff, Sir Park
Goodman, Colonel Albert W.
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro',W.)
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Hacking, Rt. Hon. Douglas H.
Hamilton, Sir R.W.(Orkney & Zetl'nd)
Hartington, Marquess of
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Holdsworth, Herbert
Hope, Sydney (Chester, Stalybridge)
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Jackson, Sir Henry (Wandsworth, C.)
James, Wing.-Com. A. W. H.
Janner, Barnett
Joel, Dudley J. Barnato
Johnston, J. W. (Clackmannan)
Jones, Henry Haydn (Merioneth)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kimball, Lawrence
Kirkpatrick, William M.
Lamb, Sir Joseph Quinton
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lewis, Oswald
Liddall, Walter S.
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Llewellin, Major John J.
Lockwood, Capt. J. H. (Shipley)
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lieut.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McConnell, Sir Joseph
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
McKeag, William
McKie, John Hamilton
McLean, Dr. W. H. (Tradeston)
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Martin, Thomas B.
Mason, David M. (Edinburgh, E.)
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Molson, A. Hugh Elsdale
Moore, Lt.-Col. Thomas C. R. (Ayr)
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Moss, Captain H. J.
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Donovan, Dr. William James
Oman, Sir Charles William C.
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Perkins, Walter R. D.
Petherick, M.
Peto, Geoffrey K.(W'verh'pt'n,Bilston)
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pybus, Sir John
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Rankin, Robert
Rea, Walter Russell
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Remer, John R.
Rhys, Hon. Charles Arthur U.
Rickards, George William
Robinson, John Roland
Ropner, Colonel L.
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Russell, R. J. (Eddisbury)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore

Salt, Edward W.
Samuel, M. R. A. (W'ds'wth, Putney).
Sassoon, Rt. Hon. Sir Philip A. G. D.
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shute, Colonel Sir John
Smiles, Lieut.-Col. Sir Walter D.
Smith, Sir Robert (Ab'd'n & K'dine,C.)
Smithers, Sir Waldron
Somerset, Thomas
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Sotheron-Estcourt, Captain T. E.
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Strauss, Edward A.
Strickland, Captain W. F.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Taylor, Vice-Admiral E.A. (P'dd'gt'n, S.)
Templeton, William P.
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Todd, A. L. S. (Kingswinford)
Touche, Gordon Cosmo
Tree, Ronald
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour-
Wells, Sydney Richard
Whiteside, Borras Noel H.
Williams, Herbert G. (Croydon, S.)
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl

TELLERS FOR THE AYES.—
Lieut.-Colonel Sir A. Lambert Ward and Major George Davies.

NOES.

Attlee, Clement Richard
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Cocks, Frederick Seymour
Daggar, George
Davies, Rhys John (Westhoughton)
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffiths, George A. (Yorks, W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Lawson, John James
Leonard, William
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
Maclean, Neil (Glasgow, Govan)
Maxton, James
Milner, Major James
Nathan, Major H. L.
Parkinson, John Allen
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Thorne, William James
Tinker, John Joseph
Wedgwood, Rt. Hon. Josiah
Williams, David (Swansea, East)
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—
Mr. Paling and Mr. Groves.

Clause 51 ordered to stand part of the Bill.

CLAUSE 52.—(*Special responsibilities of Governor.*)

The following Amendment stood upon the Order Paper:

In page 33, line 38, at the end, to insert:

"arising from subversive movements or the activities of any person or persons tending to crimes of violence."—[*Mr. Mainwaring.*]

The CHAIRMAN: Sir Samuel Hoare.

10.38 p.m.

Mr. COCKS: On a point of Order. Do I understand, Sir Dennis, that you are are not calling the Amendment standing in the name of the hon. Member for East Rhondda (Mr. Mainwaring).

The CHAIRMAN: That is so.

Mr. COCKS: Further to that point of Order. We were informed, when we put down an Amendment on the federation side, that it was not called so that the subject might be discussed on the provincial side.

The CHAIRMAN: The hon. Member is mistaken. The Amendment is not selected.

Mr. COCKS: Further to that point of Order. Is it not possible——

The CHAIRMAN: No.

10.39 p.m.

Mr. MORGAN JONES: I gather in consultation with my friends, that a very definite pledge was given by the Chairman of the Committee at an earlier stage that this Amendment would be called at this stage. I should be very glad indeed if we could have a chance of discussing the matter and if you could reconsider your decision.

The CHAIRMAN: I do not know of and cannot admit any question of a pledge from the Chair that this Amendment will be called. As a matter of fact the hon. Member and others drew my special attention to their wish to move this Amendment and I looked at it with great care to see if I could meet their wishes. Without going to the extent of giving reasons I can assure the hon. Member that there were reasons which in my opinion make it quite impossible for me to select the Amendment.

Mr. JONES: Thank you, Sir.

10.40 p.m.

Sir S. HOARE: I beg to move, in page 34, line 1, after "to," to insert:

[Sir S. Hoare.]

" and to the dependants of, persons who are or have been."

This is the same Amendment that I moved in the Federal Chapter to safeguard the dependants of members of the public services.

Amendment agreed to.

Further Amendment made: In page 34, line 2, after " provided," insert " or preserved."—[*Sir S. Hoare.*]

Mr. H. WILLIAMS: I beg to move, in page 34, line 18, at the end, to insert:

" (*h*) the safeguarding of the financial stability and credit of the Provincial Government."

These words, as the Committee will remember, appear in paragraph (*b*) of Clause 12, where one of the special responsibilties of the Governor-General is the financial stability and credit of the Federal Government. I was rather amazed, when reading the special responsibilities of provincial Governors, to discover that they did not include the question of the financial stability and credit of any of the provincial governments. I realise that the provincial governments are not in quite the same financial situation as the Federal Government when we are considering the relationships of India as a whole to the world as a whole. As regards questions like those of exchange rates, the balance of trade, or borrowing outside India, India as a whole, and its financial stability and credit, are in a peculiar position, but strictly speaking that is not the case to the same extent with the Provinces. To take the analogy of this country, if what we may call the Federal Government of this country—the government which ultimately derives its authority from the country—makes mistakes, the effect on the credit of this country as a whole, from the point of view of the world at large, may be disastrous. If, on the other hand, the right hon. Gentleman opposite inspires the Metropolitan Borough Council of Poplar to indulge in grave errors, as a result of which Poplar is reduced to a deplorable state, that would not necessarily wreck the credit of the British Government. [HON. MEMBERS: " Why single out Poplar? "] I was only taking Poplar as an example of what might happen. In this country we have, not a federal government, but a unitary government. We have, however, a great many self-governing areas which get into a certain amount of financial trouble, and, remembering that the right hon. Gentleman once went to gaol because he did not quite like all these financial responsibilities, he seemed to be a useful example to quote. I did not go beyond that. I understand that Brixton was more comfortable than he anticipated, but that is by the way.

On the other hand, a provincial government in India is very much larger than any local government authority in this country. Some of the Indian provinces have populations of 50,000,000 or more. If the anticipations of some hon. Members are realised, and these provincial governments, with the real responsibilities that this Bill will give them, pursued an active policy of social reform of a kind that all of us would wish to pursue so far as we were financially able to do so—if they pursued such a policy to a point at which ultimately they involved the province in a grave financial responsibility, a condition might arise in which, for the sake of the reputation of India as a whole, the Federal Government might find itself called upon to come to the aid of a province, irrespective of any provisions that may be contained in this Bill. It is obvious that an important unit in the Government of the country cannot be permitted to crash, and yet conceivably a provincial government might pursue a financial policy which ultimately would bring the province into complete financial discredit. Nevertheless, under the Bill as it stands, the Governor has no special responsibility in the matter. I think that he ought to have a special responsibility, and it is for that reason that I have moved this Amendment.

10.45 p.m.

Sir S. HOARE: I am afraid that I must resist this Amendment. I am taking my stand on the solid and unshakeable rock of the Simon Commission. Hon. Members will remember that in the report of the Statutory Commission there is a long paragraph upon this subject in which it is clear that the question is very fully considered as to whether the safeguard was necessary for the Provincial Governments. Hon. Members of the Committee will find that there is an overwhelming case set out in the

paragraph against the proposition urged by my hon. Friend the Member for South Croydon (Mr. H. Williams). The position is that in the case of the Federal Legislature at the Centre there are several reasons for responsibility of this kind. There is the reason of the credit of India and of the large charge upon the Indian revenues for services like the service of debt, the maintenance of the Army and other services, like the maintenance of the provision for pensions. Those special conditions do not exist in the case of the Provinces. As they do not exist, there seems every reason against entrenching so widely upon the field of provincial autonomy as would be the result of imposing upon the Provincial Governments a safeguard of this kind. I was under the impression that almost all of us wished to make the provincial authority a real autonomy and put as much responsibility as possible upon the shoulders of the ministers. If an Amendment of this kind is carried it will, for no good reason, as far as I can judge, very seriously entrench on that responsibility, and on that account I recommend very strongly to the Committee that they should abide by the carefully considered recommendations of the Simon Commission and of the Joint Select Committee and by the view that I strongly express to the Committee to-night, that an Amendment of this kind would strike at the very root of provincial autonomy.

10.49 p.m.

Mr. H. WILLIAMS: The right hon. Gentleman will remember that six or seven years ago he and I voted for a Bill which enabled special commissioners to be put into West Ham and one or two other places, and I would ask him if he can give any reason why the Federal Government of India should not have the same power which this Parliament definitely conferred upon the Minister of Health to interfere with certain authorities who were running a financial rake's progress.

The CHAIRMAN: The hon. Member is now getting back to the Federal question, which cannot be discussed on this Amendment.

Amendment, by leave, withdrawn.

Mr. CHURCHILL: I notice that the Amendment standing in the name of my hon. Friend the Member for Oxford University (Sir C. Oman) is not taken. May I ask for a Ruling as to when this most important and substantial point can be raised?

The CHAIRMAN: I have already told the right hon. Gentleman that I would prefer not to do so. I do not fancy the idea of having to advise Members on how to conduct their business.

Mr. CHURCHILL: May I assume that responsibility and assume that a new Clause would be the proper way?

The CHAIRMAN: I would not venture to say that in public, at any rate.

Further Amendments made:

In page 34, line 23, leave out "Bengal and the Governor of Assam," and insert:

"any Province which includes an excluded area."

In line 25, leave out "their," and insert "his."

In line 27, leave out "the Governor of the North-West Frontier Province," and insert:

"any Governor who is discharging any functions as agent for the Governor-General."

In line 29, leave out from the second "of," to "is," in line 31, and insert, "those functions."—[*Sir S. Hoare.*]

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

10.53 p.m. (See Debates, Dec. 10, 1934. p. 5.)

Mr. COCKS: Although on this side of the Committee we have many objections to this Clause, chiefly because we think that the Governor's special responsibilities are too widely defined, I want to concentrate my remarks on one point only in the hope that the Secretary of State may at a later stage meet us on this matter. The point I want to address my remarks to is of great importance, one which was supported by every delegate from British India to the Joint Select Committee. In paragraph (*a*) the Governor has a special responsibility for the prevention of any grave menace to the peace or tranquillity of a Province or any part thereof. It is the opinion of the Indian delegates, of myself and those on this side of the Committee, that that power was too widely drafted. A great many do not object to the Governor—

(See also Debates, 6th Feb. 1935, p. 1162, Speech of Sir Samuel Hoare)

[Mr. Cocks.]
having special responsibility for anything causing a grave menace, such as a terrorist movement, a movement of violence, a movement against the law and order of the Constitution. but we feel these words cover a much wider sphere than that—that they cover a sphere described earlier in the evening by the hon. Member for Limehouse (Mr. Attlee). The point that was urged upon the Joint Select Committee was this: Suppose the Indian Government bring forward a Measure, desired by the majority of the members, that impinges to some extent upon the rights, liberties or feelings of another section of the population. It may be a case of temple entry, of child marriage or of land legislation. The fact that the Bill had been produced and that arguments were put forward strongly in support of it, might cause a very active opposition, which might not confine itself to the ordinary arguments of the chamber, but might cause communal and social disturbance. We feel that in a case of that sort the Governor might be approached by the representatives of the minority, who might say: "This is a Bill which the Government are forcing forward which is causing certain disturbance in a part of the Province. We feel that it is causing great menace to the peace and tranquillity of the Province, and therefore we urge you to use your powerful hand to see that the Bill is withdrawn." In our opinion, that is a wrong thing.

As my hon. Friend the Member for Limehouse said, in the earlier years of the last century the object of the British Government was to remove any grievances which arose from deep-rooted customs in India. Under Lord William Bentinck and the Marquess of Dalhousie a forward policy was pursued to put an end to certain Indian customs which were thought not to be fitting in civilised society, but after the mutiny we were afraid to go on in that way, and it was considered that the English people ought to confine themselves to administration and not to interfere with these Indian customs. One of the arguments for putting more power into the hands of the Indians was that they would be able to deal with these problems which we ourselves felt that we could not do; that we must not interfere with these things but leave the Indians to deal with them when they had control. Now we are giving India control in this Bill. This particular Clause would enable the Governor-General to say: "You must not go on with that particular Bill, because it is causing wide disturbance, which may be a menace to the peace and tranquillity of the realm.

The second point is this, and we think it is very important—I know that the Secretary of State shares my view in regard to it—that the ministers should learn responsibility by the old method of trial and error. If they bring in a measure which is unpopular they should face the consequences of the unpopularity of that measure. If the Governor is given this particular power in this Clause what will happen will be that those who are opposed to this particular thing will throw the blame not upon the ministers but upon the Governor. Therefore, instead of building up a responsible ministry such as we have in this country, understanding what the difficulties are and tackling them, we shall have ministers throwing responsibility upon the Governor, and the Governor will have to take the blame and the responsibility.

It being Eleven of the Clock, The CHAIRMAN *left the Chair to make his report to the House.*

Committee report Progress; to sit again To-morrow.

CATTLE INDUSTRY (EMERGENCY PROVISIONS) BILL.

Considered in Committee.

[Captain BOURNE in the Chair.]

CLAUSE 1.—(*Amendments of ss.* 2 *and* 3 *of* 24 *&* 25 *Geo.* 5. *c.* 54.)

Motion made, and Question proposed, "That the Clause stand part of the Bill."

11.2 p.m.

Mr. T. WILLIAMS: This Measure has been before the House on three occasions already and we feel that our reasons for our opposition have been presented. The Measure is so drawn as to make effective Amendments well nigh impossible and, therefore, we are obliged to persist in our opposition by expressing it in the Lobby. We do not intend to waste the time of the Committee but to take a Division on this Clause and on Clause 2.

The MINISTER of AGRICULTURE (Mr. Elliot): The Committee, I am sure, is obliged to the hon. Member for the Don Valley (Mr. T. Williams) for his businesslike procedure, and I can assure him that the Government appreciate it. We fully recognise the necessity for the Opposition to register their opposition to this Bill.

Question put, "That the Clause stand part of the Bill."

The Committee divided: Ayes, 227; Noes, 49.

Division No. 101.] AYES. [11.4 p.m.

Acland-Troyte, Lieut.-Colonel
Adams, Samuel Vyvyan T. (Leeds, W.)
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (I. of Thanet)
Bainiel, Lord
Barclay-Harvey, C. M.
Bateman, A. L.
Beauchamp, Sir Brograve Campbell
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Benn, Sir Arthur Shirley
Bernays, Robert
Blindell, James
Bossom, A. C.
Boulton, W. W.
Bower, Commander Robert Tatton
Boyce, H. Leslie
Boyd-Carpenter, Sir Archibald
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Buchan-Hepburn, P. G. T.
Bullock, Captain Malcolm
Burghley, Lord
Burnett, John George
Butler, Richard Austen
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Caporn, Arthur Cecil
Carver, Major William H.
Cayzer, Sir Charles (Chester, City)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Christie, James Archibald
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Conant, R. J. E.
Cook, Thomas A.
Cranborne, Viscount
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Donner, P. W.
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duncan, James A.L. (Kensington, N.)
Eden, Rt. Hon. Anthony
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine-Bolst, Capt. C. C. (Blackpool)
Everard, W. Lindsay
Fielden, Edward Brocklehurst
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gillett, Sir George Masterman
Glossop, C. W. H.
Glyn, Major Sir Ralph G. C.
Goff, Sir Park
Goodman, Colonel Albert W.
Gower, Sir Robert
Graves, Marjorie
Gretton, Colonel Rt. Hon. John
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Hartington, Marquess of
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hope, Sydney (Chester, Stalybridge)
Hornby, Frank
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Jackson, Sir Henry (Wandsworth, C.)
James, Wing.-Com. A. W. H.
Joel, Dudley J. Barnato
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Keyes, Admiral Sir Roger
Kimball, Lawrence
Knox, Sir Alfred
Lamb, Sir Joseph Quinton
Leech, Dr. J. W.
Leighton, Major B. E. P.
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lindsay, Noel Ker
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Lockwood, Capt. J. H. (Shipley)
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lt.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McConnell, Sir Joseph
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
McKie, John Hamilton
McLean, Dr. W. H. (Tradeston)
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Martin, Thomas B.
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Molson, A. Hugh Elsdale
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Moss, Captain H. J.
Muirhead, Lieut.-Colonel A. J.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Donovan, Dr. William James
Oman, Sir Charles William C.
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Palmer, Francis Noel
Patrick, Colin M.
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Perkins, Walter R. D.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilst'n)
Potter, John
Powell, Lieut.-Col. Evelyn G. H.
Pybus, Sir John
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Rankin, Robert
Reed, Arthur C. (Exeter)
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Remer, John R.
Renwick, Major Gustav A.
Rhys, Hon. Charles Arthur U.
Rickards, George William
Robinson, John Roland
Ropner, Colonel L.
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Sheffield, B'tside)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, M. R. A. (W'ds'wth, Putney)
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shute, Colonel Sir John
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somerset, Thomas
Sotheron-Estcourt, Captain T. E.
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stewart, J. Henderson (Fife, E.)
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Titchfield, Major the Marquess of
Todd, A. L. S. (Kingswinford)
Touche, Gordon Cosmo
Tree, Ronald
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Wallace, Sir John (Dunfermline)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)

Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour-
Wells, Sydney Richard
Whiteside, Borras Noel H.
Williams, Herbert G. (Croydon, S.)
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl

TELLERS FOR THE AYES—
Sir Frederick Thomson and Captain Sir George Bowyer.

NOES.

Acland, Rt. Hon. Sir Francis Dyke
Attlee, Clement Richard
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Curry, A. C.
Daggar, George
Davies, Rhys John (Westhoughton)
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffith, F. Kingsley (Middlesbro', W.)
Griffiths, George A. (Yorks, W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Holdsworth, Herbert
Janner, Barnett
Jenkins, Sir William
Johnstone, Harcourt (S. Shields)
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Lawson, John James
Leonard, William
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
McKeag, William
Maclean, Neil (Glasgow, Govan)
Mason, David M. (Edinburgh, E.)
Maxton, James
Milner, Major James
Nathan, Major H. L.
Parkinson, John Allen
Rathbone, Eleanor
Rea, Walter Russell
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Tinker, John Joseph
Wedgwood, Rt. Hon. Josiah
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—
Mr. Groves and Mr. Paling.

CLAUSE 2.—(*Advances to Cattle Fund from Consolidated Fund.*)

Motion made, and Question put, "That the Clause stand part of the Bill."

The Committee divided: Ayes, 216; Noes, 48.

Division No. 102.] **AYES.** **[11.12 p.m.**

Acland-Troyte, Lieut.-Colonel
Adams, Samuel Vyvyan T. (Leeds, W.)
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, Lt.-Col. J. Sandeman (B'k'nh'd)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Baldwin, Rt. Hon. Stanley
Balfour, Capt. Harold (L. of Thanet)
Balniel, Lord
Barclay-Harvey, C. M.
Bateman, A. L.
Beauchamp, Sir Brograve Campbell
Beaumont, Hon. R.E.B. (Portsm'th, C.)
Benn, Sir Arthur Shirley
Bernays, Robert
Blindell, James
Bossom, A. C.
Boulton, W. W.
Bower, Commander Robert Tatton
Boyce, H. Leslie
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Buchan-Hepburn, P. G. T.
Bullock, Captain Malcolm
Burghley, Lord
Burnett, John George
Butler, Richard Austen
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Caporn, Arthur Cecil
Carver, Major William H.
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Christie, James Archibald
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cranborne, Viscount
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Donner, P. W.
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duncan, James A. L. (Kensington, N.)
Eden, Rt. Hon. Anthony
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Erskine-Bolst, Capt. C. C. (Blackpool)
Everard, W. Lindsay
Fielden, Edward Brocklehurst
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Fuller, Captain A. G.
Ganzoni, Sir John
Gillett, Sir George Masterman
Glossop, C. W. H.
Glyn, Major Sir Ralph G. C.
Goff, Sir Park
Goodman, Colonel Albert W.
Gower, Sir Robert
Graves, Marjorie
Gretton, Colonel Rt. Hon. John
Gunston, Captain D. W.
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Herbert, Major J. A. (Monmouth)
Hills, Major Rt. Hon. John Waller
Hope, Sydney (Chester, Stalybridge)
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Joel, Dudley J. Barnato
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Keyes, Admiral Sir Roger
Kimball, Lawrence
Lamb, Sir Joseph Quinton
Leech, Dr. J. W.
Leighton, Major B. E. P.
Liddall, Walter S.
Lindsay, Kenneth (Kilmarnock)
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Lockwood, Capt. J. H. (Shipley)
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lt.-Col. C. G. (Partick)
MacAndrew, Capt. J. O. (Ayr)
McConnell, Sir Joseph
McCorquodale, M. S.
MacDonald, Malcolm (Bassetlaw)
McKie, John Hamilton
McLean, Dr. W. H. (Tradeston)
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Martin, Thomas B.
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Harold P. (Br'tf'd & Chisw'k)
Molson, A. Hugh Elsdale
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Muirhead, Lieut.-Colonel A. J.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Donovan, Dr. William James
O'Neill, Rt. Hon. Sir Hugh
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Palmer, Francis Noel
Peake, Osbert
Pearson, William G.
Peat, Charles U.
Percy, Lord Eustace
Perkins, Walter R. D.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Potter, John
Powell, Lieut.-Col. Evelyn G. H.

Pybus, Sir John
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Rankin, Robert
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Reid, William Allan (Derby)
Renwick, Major Gustav A.
Rhys, Hon. Charles Arthur U.
Rickards, George William
Robinson, John Roland
Ropner, Colonel L.
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Russell, Hamer Field (Shef'ld, B'tside)
Rutherford, John (Edmonton)
Rutherford, Sir John Hugo (Liverp'l)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, M. R. A. (W'ds'wth, Putney).
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shute, Colonel Sir John
Smith, Sir Robert (Ab'd'n & K'dine, C.)
Smithers, Sir Waldron
Somerset, Thomas
Sotheron-Estcourt, Captain T. E.
Spears, Brigadier-General Edward L.
Spencer, Captain Richard A.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stewart, J. Henderson (Fife, E.)
Stones, James
Storey, Samuel
Stourton, Hon. John J.
Strickland, Captain W. F.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thomson, Sir Frederick Charles
Titchfield, Major the Marquess of
Todd, A. L. S. (Kingswinford)
Touche, Gordon Cosmo
Tree, Ronald
Tufnell, Lieut.-Commander R. L.
Turton, Robert Hugh
Wallace, Captain D. E. (Hornsey)
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Irene Mary Bewick (Wallsend)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wayland, Sir William A.
Wedderburn, Henry James Scrymgeour-
Wells, Sydney Richard
Whiteside, Borras Noel H.
Williams, Herbert G. (Croydon, S.)
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Wise, Alfred R.

TELLERS FOR THE AYES.—Captain Sir George Bowyer and Sir George Penny.

NOES.

Attlee, Clement Richard
Banfield, John William
Batey, Joseph
Bevan, Aneurin (Ebbw Vale)
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Curry, A. C.
Daggar, George
Davies, Rhys John (Westhoughton)
Gardner, Benjamin Walter
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Griffith, F. Kingsley (Middlesbro', W).
Griffiths, George A. (Yorks, W. Riding)
Grundy, Thomas W.
Hall, George H. (Merthyr Tydvil)
Holdsworth, Herbert
Janner, Barnett
Jenkins, Sir William
Johnstone, Harcourt (S. Shields)
Jones, Morgan (Caerphilly)
Lansbury, Rt. Hon. George
Lawson, John James
Leonard, William
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
McGovern, John
McKeag, William
Maclean, Neil (Glasgow, Govan)
Mason, David M. (Edinburgh, E.)
Maxton, James
Milner, Major James
Nathan, Major H. L.
Parkinson, John Allen
Rathbone, Eleanor
Rea, Walter Russell
Samuel, Rt. Hon. Sir H. (Darwen)
Smith, Tom (Normanton)
Strauss, G. R. (Lambeth, North)
Tinker, John Joseph
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wilmot, John

TELLERS FOR THE NOES.—Mr. Groves and Mr. Paling.

Clause 3 ordered to stand part of the Bill.

Bill reported, without Amendment; to be read the Third time upon Friday next.

HERRING INDUSTRY BILL.

Lords Amendments considered and agreed to.

The remaining Orders were read, and postponed.

ADJOURNMENT.

Resolved, "That this House do now adjourn."—[*Captain Margesson.*]

Adjourned accordingly at Twenty-two Minutes after Eleven o'Clock.

HOUSE OF COMMONS.

Tuesday, 19th March, 1935.

[OFFICIAL REPORT.]

SUPPLY.

AIR ESTIMATES, 1935.

Considered in Committee.

[Captain BOURNE in the Chair.]

NUMBER OF ROYAL AIR FORCE.

Motion made, and Question proposed,

"That a number of Air Forces, not exceeding 33,000 all ranks, be maintained for the Service of the United Kingdom at Home and abroad, exclusive of those serving in India (other than Aden), during the year ending on the 31st day of March, 1936."

Amendment proposed, "That a number, not exceeding 31,000, all ranks, be maintained for the said Service."—[*Major Nathan.*]

[Continuation of Official Report, from Col. 1148, Tuesday, 19th March, 1935.]

11.25 p.m.

Captain CUNNINGHAM-REID: After the spell-binding speech to which we have just listened, I am afraid that I must draw away from the general trend of the discussion. I am afraid that my remarks will not be as exciting as those to which we have just listened, but I hope they will be none the less important. My right hon. Friend in introducing the Estimates made a speech which I found most interesting. It was a feat of memory which made me dizzy. I know a great many people who have great difficulty in remembering their own telephone number, let alone a speech of over an hour's duration. My right hon. Friend said—I hope that I am not misquoting him—that we have great scope for an expansion of Imperial Services and that there is a good chance of this expansion continuing. I welcome such an expression coming from the Government, as it shows that they fully realise that constant improvement and speeding up of Imperial Communications is enormously to the advantage of a wide-spread Empire. Such an improvement is calculated to bring us closer and to bind us closer than anything else could possibly do. One lesson for this generation is that our Empire, which has been founded on the Sea, must of necessity now be consolidated from the air. This century has produced very few proverbs, but there is a new proverb that is pertinent to this particular Vote, and that is that travel breeds travel.

A resolute policy of the Government in encouraging our Imperial air communications may do more than reap an Imperial reward. I think it is likely within a measurable time to prove so commercially successful that I would ask my right hon. Friend—I do not see him in his place, but no doubt my remarks will be conveyed to him—to leave in his calculations and preparations a definite top margin of expansion in the direction of Imperial communications, so that he should not find himself in a position of being positively embarrassed by too much success. That is a state of affairs which might very easily occur. I should like to give a few figures to prove my statement. The latest figures which are available to me show that Imperial Airways at the moment carry 85 tons of air mail per year to Empire destinations. The total air mail to be carried when all first class air mail is put into the air under the projected Empire air transport scheme is 2,700 tons a year. I ask hon. Members to note the difference between this 2,700 tons air mail, the objective air mail of the future and the 85 tons which are being carried at the moment. When this air mail of 2,700 tons does arrive it will, by itself, necessitate Imperial Airways increasing their fleet from the present number of 36 machines to a number certainly not less than 100, and the Minister and the Ministry know better than I do that it takes at least two years to train a satisfactory first class commercial pilot. To train the pilots necessary for such an increased fleet it is necessary that a start should be made immediately, and on a scale infinitely larger than anything which has been contemplated up to date.

That is not all. These figures rest upon the assumption that traffic other than air mails is likely to stand still. I do not think that we can make such an assumption. I believe that with the encouragement of a wide and construc-

[Captain Cunningham-Reid.]

tive Government policy expansion will be continuous and rapid. There is little doubt that where the calculations made have indicated that we should increase our Imperial air strength to over 100 machines the expansion in the future will in all probability show that we shall need at least 200 machines. I do not say that the Minister is unmindful of these considerations, but the steps taken by the Government to inaugurate new policies in connection with new means of transport are necessarily tentative and sometimes hesitant, but after a few years of encouragement this particular aspect of air transport tends, once the chrysalis stage has been passed, to develop very quickly, in fact with giant strides. There are one or two other points which I should liked to have touched upon, but I am banking on the hope that in confining myself to what I consider to be one sound point with the resultant short speech I shall be doing something more calculated to bear fruit than anything else.

11.35 p.m.

Sir M. SUETER: I should like, first of all, to congratulate the hon. Member for Willesden, West (Mrs. Tate) on her well-informed speech. She spoke under great difficulty, but she showed that she was master of a subject which she has studied for so many years. I should like also to congratulate the Under-Secretary upon the way in which he presented this year's Estimates. He is a practical flyer. He has lately returned from a long trip to the Far East and I feel certain that the experience he gained on that trip will be of great value to the Air Ministry in dealing with aerodromes on our great air routes. When we debated the White Paper on Defence last week I said that I thought the money taken for the Air Estimates was far too little. A sum of £124,000,000 is voted for defence and the Air service gets only one-sixth of it. Even though extra money is voted for defence, we find that the Air comes last; the older services take most of the money and the Air service gets very little indeed.

We have heard a great deal to-day about what Germany is doing. We have had figures bandied about by the right hon. Member for Epping (Mr. Churchill) and we have been told what the Lord President said last November about the strength of Germany. I always thought that the Lord President under-estimated the figures of Germany. I feel certain that if the Under-Secretary would study what was said in the French Chamber about the strength of Germany's Air Force he would not have given us the figures that he has given to-day. Germany is re-arming in the Air. She is determined to be a first-class Air power. We are told that she has now something like 7,000 pilots, an enormous number of trained men, and they are to be put into uniform shortly. But it is not the number of aeroplanes that counts. What counts is the productive capacity of a nation. Germany can turn her industries on to producing machines very fast indeed—almost as fast as she did in the Great War. That is what really counts.

In the War we found the greatest difficulty in providing personnel and engines. We were told this afternoon that one German firm alone is turning out 50 engines a week. What are they doing with those engines? They must be putting them into machines. That is why I say that the Lord President's figures were too low. As we are such a vulnerable nation we ought to provide for more money for the Air Service. We are the most vulnerable nation of any, and yet we are only the fifth Power in the Air.

I want to say a few words about research. We have heard a great deal to-day about what America has been doing. But we must remember that during the War we gave America the results of all the technical research work that we had obtained in this country through our scientists, and we also gave them our best machines, and that after the War, while we had to economise America put a great deal of money into aviation services. Their laboratories had all the money required, and the Americans certainly turned out some very fine machines indeed. The Douglas and other machines, with their all-stream-line form, the retractable under-carriage and variable pitch propellors and so on, were all obtained by patient research work. In this country we have just as good firms for producing aeroplanes, as was shown by the way the Comet machine was built. It took

only eleven months to build, and, as everyone knows, it won the race from England to Australia.

What I find some difficulty in understanding is this: We have a lot of scientists working at Farnborough. Do they give the right advice to our technical people? Our technical people at the Air Ministry have to place the orders for machines. We have all these gentlemen working, but I doubt if they give the best advice. I am glad to hear from the Under-Secretary that the Ministry are going to overhaul their research services. I have criticised Farnborough for years and years and I have been laughed at by the Under-Secretary for doing so. I do not think that if he were in his place now he would laugh at me, because apparently it has got to such a state that it has been found necessary, as I say, to overhaul these research services. I would ask the Under-Secretary whether we are getting the right type of scientific help in connection with this new industry, whether the emoluments offered are enough to attract the best brains of the universities to this work, and whether, when an invention is produced, the inventor gets any reward. In America a man who produces an invention gets a very high reward in money. I think that our scientists want some incentive and that they can do really good work. I do not see why we should always have to follow America in air developments. When the Prime Minister was good enough to meet the Air Committee, I told him that we wanted to lead and not always to be last. I hope the Under-Secretary will look into this question. Research work is so important that you cannot really put too much money into it. Everything depends upon it. We want to get the best brains of the country to work for our aviation services.

I am very disappointed that more money has not been given for civil aviation. The Under-Secretary paid a great compliment to the Postmaster-General for his foresight in adopting a progressive policy as to carrying first-class mail matter by air whenever it accelerates delivery to do so. But it is no use for the Postmaster-General to encourage civil aviation, as he is doing, if our aerodromes are not more up-to-date, not only the great air routes but also internally. We should have an aerodrome to the north of London for dealing with the services from the north and it is also necessary to reduce the time involved in getting from London to Croydon. At present it takes three-quarters of an hour. With a modern machine you could fly from Liverpool to London in that time. It is perfectly impossible that such a state of things should be allowed to last and I think the Under-Secretary ought to set up a committee to go into the whole question of speeding up communications between the centres of our large towns and the aerodromes and also to examine the proposals made for an aerodrome in London. We must have more efficiency in that respect. I am glad to see the First Lord of the Admiralty in his place. Last year, in introducing the Navy Estimates he paid a great tribute to the Fleet Air Arm and said it was the spear-head of the Navy. As an old naval air pioneer I was glad to hear that because the Admiralty did not always think along those lines. This year again a great compliment was paid by the First Lord of the Admiralty to the air arm, when he said:

> "But of course the finest example that we see of co-operation between the Navy and the Air Force is in our aircraft carriers, and it is a real pleasure to see these craft at work, combining the many allied problems of the sea and the air. Not less is it a pleasure to see the young officers of both Services working together in great friendship and harmony because future development between these two Services must depend on these young officers of both who in time I hope will come to occupy high positions in their respective Services."—[OFFICIAL REPORT, 14 March, 1935. Col. 597, Vol. 299.]

Many of the Air Committee went to Weymouth and went on board H.M.S. "Courageous" and saw these young officers being catapulted off the deck of the aeroplane carrier. It was a wonderful sight to see the way in which they were catapulted off and came back and landed on the carrier within six inches of a line down the centre. I found the Admiral, Sir Alexander Ramsay, taking a great interest in the airmen and doing everything he could to encourage them. That was very different from the old days when I was in the Royal Naval Air Service——

The DEPUTY-CHAIRMAN: This is a matter which arises on the Navy Estimates.

Sir M. SUETER: I am trying to show how efficient the aircraft carriers and the young pilots are——

The DEPUTY-CHAIRMAN: That may be the case, but this is not the occasion on which to do it.

Lieut.-Colonel MOORE-BRABAZON: This is Air Force personnel who fly off the ships.

The DEPUTY-CHAIRMAN: This Air Force carrier is borne on the Navy Vote.

Sir M. SUETER: With due respect to you, Captain Bourne, on board this carrier there are Royal Air Force men and officers in addition to naval officers, and the whole point I am making is that the Royal Air Force officers and men work with the naval officers and men. They come on this Vote. I was trying to point out how well they work together, and the First Lord bore that out on the Navy Estimates. Then, again, we have the hon. and gallant Member for North Portsmouth (Sir R. Keyes) coming to this House fresh from the sea, and he says he wants to break up the Royal Air Force——

Sir ROGER KEYES (Admiral of the Fleet): I never said anything of the sort.

Sir M. SUETER: He wants to break it up and go back to the Royal Naval Air Service; and, if that were done, the Army would presumably want their air service again. We should then have three air services—the Navy, the Army, and the independent air force. When I was running the Royal Naval Air Service we had the greatest friction with the military aid service. We had two lots of inspectors competing for the same engines and the same materials, and we had competition for personnel, and so on. There was tremendous friction between the two Services. The gallant Admiral now wants to have three services and to increase that friction.

Sir R. KEYES: I never said anything of the sort. The hon. and gallant Member for Hertford (Sir M. Sueter) asked me whether I would do away with the Royal Air Force. I said I would not do away with it, but I suggested that it should have less to do with interfering with the domestic arrangements of the Admiralty.

Sir M. SUETER: That is precisely what I was saying. The hon. and gallant Member wants to do away with the Air Force as it is now constituted and approved by Parliament and let the Navy have back their small air force. Then the Army would want theirs back. We had the greatest friction when there were two air services, and, if we have three, there will be greater friction still. A separate air service has been approved by Parliament, and I am certain that hon. Members will support me in fighting tooth and nail against splitting it up. When the Admiralty did have their air service, they did not know how to use it, and they threw it overboard. The gallant Admiral also made an extraordinary statement in his speech on the White Paper. He was talking about me, and he said:

> "My hon. and gallant Friend deserves great credit for organising our first Naval Air Service, but since then he has been rather out of date. There have been great developments, and I assure him that the battleship to-day has nothing more to fear from aircraft than from the torpedoes of submarines or destroyers or the guns of its like."—[OFFICIAL REPORT, 11th March; col. 138, Vol. 299.]

This Admiral of the Fleet comes to this House and says battleships have nothing to fear from the air or torpedoes. I pointed out in my speech the other day that the "Marlborough" was hit in the Battle of Jutland and turned into a lame duck, so that Lord Jellicoe had to send her into port. When you have bombs from the air they must do a certain amount of damage, as was shown in America. I have in my hand pictures of the experiment of the bombing of a German battleship. At 12.37 it started to make a plunge, at 12.38 it was lying on the port side, at 12.39 it was taking the final plunge, and at 12.39¾ it was totally submerged. And yet the gallant Admiral said bombs do not hurt battleships.

Sir R. KEYES: That was a hulk with no anti-aircraft guns.

Sir M. SUETER: But what the hon. and gallant Member said was that battleships had nothing to fear from bombs; yet that ship seemed to turn turtle in 2¾ seconds. The United States battle-

ship "Virginia" was hit by a 1,100-lb. bomb and was totally wrecked 48 seconds after being hit. The "New Jersey" was also struck by a 1,100-lb. bomb and promptly turned turtle. Yet we are told that bombs do not hurt battleships. I leave it to the House to judge whether a bomb dropped in the vicinity of a ship's propellers would not put it out of action. The hon. and gallant Member for Burnley (Vice-Admiral Campbell) said it would not require an explosive charge to reduce speed. When commanding the "Tiger" during submarine practice and torpedoes were being fired at the ship, one torpedo fired went off with a terrific explosion, so that his crew thought it was carrying a war head instead of a practice head. The torpedo had hit the propeller, which cut into the air chamber which exploded with such force that the propeller was damaged and many rivets leaked aft. The ship had to put back for repairs. Even a weapon without an explosive charge will damage battleships. The hon. and gallant Member for Portsmouth is not a torpedo specialist; though he commanded submarines, he never captained one. He knows little or nothing about explosives detonating under water. I have had considerable experience of them in the Service and am not out of date. But I hate to say anything personal in this House. I should like to take this Debate to a higher plane. I think we ought to have a Minister of Defence who would go into the whole question.

The DEPUTY-CHAIRMAN: I fear that would require legislation.

Sir M. SUETER: I was about to say that the Air Estimates are far too low. I do not think in this House we should vote money for the repair of obsolete battleships.

The DEPUTY-CHAIRMAN: That question does not arise on the Air Estimates.

Sir M. SUETER: I bow to your ruling, Sir. I only wanted to make a short reference to statements which have been previously made.

11.55 p.m.

Mr. PERKINS: Questions concerning military and civil aviation are, I feel, now being approached in the House and in the country from two entirely different points of view. There is the point of view held by persons who do fly, and the exactly opposite point of view held by the vast majority of people in the country who do not fly. This majority, in their heart of hearts, wish the aeroplane had never been invented. They regard it as a weapon presented to this world which will ultimately bring about the destruction of our civilisation. They remember the great development of the aeroplane in the War, they remember how bombs were dropped on women and children, how germs and gas were spread from the air, and they visualise some war in the future when all these dire abominations are going to be once again let loose. They believe, really, that this weapon has come for our destruction and not for our benefit. Sometimes they even go beyond that: they believe that pilots are, in the main, a bloody-minded people who are simply out to get at each other's throats and to drop bombs on women and children. To a certain extent this mentality has been helped by the Air Ministry, because out of every £30 we spend on the air, only £1 goes for civil aviation and £29 for military aviation.

Luckily, on the other side, there is the outlook of those of us who do fly, who are perhaps only 1 or 2 per cent. of the population of this country: we do not say to ourselves "I wish aviation had never been invented." We take the line, "Thank God it has been invented." We recall life 10 years ago when there was no civil aviation. Only eight, nine or 10 years ago there were no air lines and now we see almost a daily service to Egypt—a definite daily service is promised for next year—and a weekly service to Australia, or two services a week or more. We see two services a week to India and we realise that in another 10 years we shall have a daily service. There will be services to all parts of the world. We appreciate the tremendous benefits that machines flying right down the middle of Africa or across India will bring ultimately to people who have, unfortunately, to live in those remote areas.

We should also realise the tremendous benefits the private flyer is going to bring to the world. Ten years ago in England and in Europe there was no private flying, there were no flying clubs,

[Mr. Perkins.]

whereas we now see them springing up like mushrooms in all parts of the country. In perhaps 10 or 15 years' time, with this development still going on, we shall have a tremendous number of light aeroplanes. I believe that the young men and women of the next generation, instead of taking their holidays on the back of a motor bicycle, or in a light car, visiting some seaside resort in this country, will go farther afield by the agency of the cheap light aeroplane which they will be able to buy for about the same price as they now pay for the motor cycle or car. They will go to France, Germany, Austria and to Italy for their summer holidays. When that time comes, and I think it will come in 10 or 15 years, we shall really have done something to bring about peace in Europe. These people will demand that all international barriers, all forbidden areas, all irritating customs, must go. Wherever they go they will make friends; they will meet other pilots and will get to know and understand each other's difficulties. Putting it bluntly, they will become thoroughly internationally-minded. There is that different outlook between those who fly and can visualise such a future and those who do not and who regard those who fly as bloody-minded people anxious to drop bombs on women and children. We believe that the aeroplane has come to stay, that it is not going to destroy our civilisation, and that it is finally going to bring untold benefits upon the Empire as a whole.

I want to make one suggestion to the Under-Secretary. I fully realise that for a very long time, and probably for all time, we shall have to have some form of military aviation. Without a police force in the air, there may be all kinds of trouble and abuse of civil aviation. I do not want the Under-Secretary to think that I am one of those who wish all military aviation abolished. We are now spending £3,000,000 on military aviation. Suppose we had spent that money on civil aviation in this country, should we not be better off now, from the point of view of defending this country? I want to see a large number of new air services started from this country to the Continent, to Berlin, Vienna, Madrid, etc. It is rather a disgrace, and I think the House ought to know it. I understand from the Press that the Foreign Secretary is to fly to Berlin next week. So far as I know there are four air lines by which he can go; he can go by a Dutch, a French, a Belgian or a German machine, but he cannot go by a British machine, because we do not run an air service to Berlin.

I suggest that if instead of spending £3,000,000 extra on military aviation, we developed in this country an air service to every Continental country we should be better off, for two reasons. We should have a very large number of highly skilled pilots used to taking fast machines at 200 or 250 miles an hour and to finding their way across country in Europe in all conditions of weather. The professional pilot has to go, whether it is foggy, snowing, blowing a gale, raining or whatever the conditions he may find on his road, and he has to get to his destination. The Service pilots only fly when the weather is flyable. I do not condemn the Service pilots, who are magnificent, but when the weather is foggy or bad they do not fly, because the officer commanding does not want to risk the loss of machines or personnel. If we could increase the number of dirty weather pilots by increasing our air liners or developing fast freight machines flying every hour to the Continent, we should be much better off. We should have a very large number of potential day bombers. Everyone knows that the fast freight carrier, can be converted into a fast day bomber in from one to three hours, provided that it is properly designed.

I want to jump to another subject, it is our Imperial air routes. We have invested probably hundreds of millions in the development of railways, roads, canals and shipping, but we have practically spent nothing on developing our Empire air routes. I suggest that the time is ripe when we should raise a big loan of £10,000,000 or £20,000,000 of money and spend it in the next two years on developing our Empire services, on doubling the number of aerodromes, with one for every 50 miles, improving the night flying facilities, providing beacons every 25 miles, improving wireless facilities, better weather reports, etc. The time will come in the next 10 years when we shall be compelled to do these things, so why not spend the money now, when

we can borrow it cheaply, and have the benefit of it now.

I want to ask a question on Vote 4, with regard to the position of airmen who find themselves stationed in Iraq. I was over there the other day and I found a very legitimate " grouse ". It was put to me that an airman in India, Egypt, Malaya, Transjordania or Palestine, or any other part of the British Empire was allowed to take his wife with him, but when he came to Iraq and was dumped down in the middle of the desert he was not allowed to have his wife. The reason given was that there were no married quarters provided at Baghdad. I see in this Vote 4 that we are spending about £1,000,000 or £1,500,000 on building a new aerodrome near Bagdad. Would it not be possible to spend first a little more and provide facilities for the married airmen in there new buildings? Many of them are young men of 25 or 27, newly married, who go out there for five years on end, and I am told some of them have children nearly five years old at home who have never seen their fathers. Would it not be possible for some arrangement to be made to help these poor chaps?

Another thing arises on Vote 3, and that is the old question of Farnborough. We are spending about £400,000 there. It has been put to me, and I am inclined to agree with it, that the money is largely wasted, that Farnborough is not much use, and in some cases is actually a drag on the manufacturing industry. Can my right hon. Friend tell the Committee of any single, prac tical, useful invention which has ever originated at Farnborough or been perfected there in the last five or 10 years? I think of four new inventions which have been of the greatest benefit to the aircraft industry, and all of them have been invented and perfected by private enterprise. There are slots, there is the lifting under-carriage, there are flaps, and there is the variable pitch propeller. I suggest that the right hon. Gentleman should carry on with the excellent principle announced to-day and give a prize to the industry, and instead of a prize of £25,000 he should give a really big prize and divide this £400,000 into four sections and give four prizes—one to the firm that in the course of the year first produces the best variable pitch propeller, another to the firm which introduces the most successful type of flap, another £100,000 for the most successful lifting undercarriage, and another for the best slot. If he could do that, shut down Farnborough, and let private enterprise get to work aided by a substantial prize, I believe he would get some substantial results with this money.

12.9 a.m.

Mr. SIMMONDS: I would not trespass on the indulgence of the Committee but for the fact that this is the only day in the whole year when we have the opportunity of bringing before this House, the Government and the country certain matters in connection with our aeronautical development which we think are of importance. On these particular matters I have had the benefit of the co-operation during the last few months of some of the most eminent members of the British aeronautical community; and we had a few weeks ago reached the stage when we thought we might give the benefit, if such it be, of our conclusions to the Government and the country. Therefore, with the indulgence of the House I would like to place the result of such work as we have undertaken at the disposal of my right hon. Friend and the Cabinet.

The matter which we have been investigating is the position of our internal air lines. Virtually we have none. We have one or two running throughout the year, one service per day—but one service per day is not an air line. We have a few which are running throughout the summer, several services a day. But the country at the moment is completely unorganised for this purpose. Why should we have internal air lines? I think there are many very good reasons why we should, but I will quote just a few of the principal ones. In the first place, we cannot afford to have our commercial air communications—for passengers, goods and mails—behind those of the whole of the rest of the civilised world. Secondly—and hon. Members who impressed on the electors the importance of tariffs will agree with me immediately on this point—you cannot have a brisk export trade if you have no home consumption. That is exactly our difficulty in the aircraft industry to-day.

My right hon. Friend said this afternoon that, although we now have per-

[Mr. Simmonds.]

mission from the French Government to fly from Marseilles to Brindisi, it would not be possible for some time—probably not in 1935 and maybe not in 1936—to carry the whole of the passengers on our Imperial route through by air, and that they would have to continue to go by train. That is because we have no large aircraft in production that anybody can buy without waiting for the long period of design and construction—running in some cases, as the hon. Member for the Isle of Thanet (Captain Balfour) said, to seven years and for civil aircraft possibly two years. This position would be entirely changed if we had a well-organised internal airways system. Obviously, there is also the question of emergency. At the moment, we have not an adequate manufacturing industry if we should need immediate expansion. A large number of civil aircraft would employ many more craftsmen who could be utilised for the manufacture of Service machines in case of war. Further, conversion of these aircraft is effected in a few hours, and thus our internal air liners would materially assist us in that matter. What have we done in this respect? Well, virtually nothing. We have had an Aerodromes Advisory Board to which reference has been made earlier in the Debate. Although that committee is presided over by my right hon. and gallant Friend the Member for the Drake Division of Plymouth (Captain Guest), I think he will agree with me that it is not fulfilling its purpose. It is an advisory committee with no executive powers, and unfortunately it has descended to this abysmal depth, that it is regarded by all who think they ought to be in aeronautical endeavour—architects, civil engineers, and a hundred and one other professions—as a means of obtaining some aeronautical distinction. As a result of that, the extinction of the committee is, I think, only a matter of a few weeks.

I should like to refer to a letter addressed to Lord Londonderry jointly by the Federation of British Industries, the Association of British Chambers of Commerce, and the London Chamber of Commerce, in which they said they were impressed with the necessity for the setting up of a central authority, with statutory powers, which should have charge of the planning of the internal airway organisation, and on which the Government Departments concerned, air transport operators, and insurance and commercial interests, should be represented. But that is only one small part of the problem—the equipment of the air routes. The other part, and by far the more important financially and in every other way, is the provision of aerodromes. Some five years ago the Air Ministry investigated this problem and laid it down that every town or city with over 20,000 inhabitants should have an aerodrome. That would mean 275 aerodromes throughout the British Isles. But even working on that figure such important towns as Malvern, Boston, Chichester or Skipton would have no aerodrome, and it would leave entirely beyond the dividing line such aeronautical pygmies—which no doubt are Gullivers in some other walks of national life—as Carnarvon and Epping. If, therefore, we say that 300 aerodromes are required, we shall not be far away from the mark. What, after 16 years of civil aviation in this country, is the measure of our achievement? It is that we have 20 municipal aerodromes in existence, and for 10 more sites have been purchased. After 16 years the surface of the problem has scarcely been scratched—only to the extent of 10 per cent. so far as regards the air routes mentioned in the letter to Lord Londonderry to which I have referred.

We may assume that there are in this country some 2,000 miles of main air routes which need developing and equipping. At the moment there is only the short Continental route from London to Folkestone or Eastbourne, which is not, of course, in the same category. I should not like to omit reference to several municipalities which have taken this matter up with zest. Among others I can refer to Bristol, Blackpool, Hull, Manchester, Portsmouth, Southampton and Walsall; but, if hon. Members will bear in mind the fact that only 10 per cent. of the problem has been solved in 16 years, they will agree with me that municipal enterprise in this respect has completely failed. It is not hard to see the reason. In the early days a municipal aerodrome was held out to be in some ways—heaven knows how—a financial asset. Those who possess them know perfectly well that an aerodrome is not a financial asset but a liability. If the

towns owned the railway stations and the railway companies took the fares, there would be very little satisfaction for the towns in their ownership of the stations. That is exactly the same position.

Therefore we have to start and investigate this problem *de novo*, and we suggest that here is an opportunity for the Government to apply just those principles which my right hon. Friend the Chancellor of the Exchequer, in his recent platform duels with the right hon. Member for Carnarvon Boroughs (Mr. Lloyd George) said are acceptable to the Government, namely, the expenditure of public money on productive public works. We suggest in this particular instance that there should be first-class airports of 200 acres costing approximately, on an average, £150 an acre, or £30,000 for land, preparation of land at £100 an acre, £20,000, building and equipment of the airport, £75,000, or a total for each airport of £125,000. Probably there would be 40 first-class airports, and thus their total cost would be £5,000,000. In the second class, costing possibly two-thirds of this figure, £80,000, there would be 60 airports, and again approximately £5,000,000 would be necessary. The balance of 200 of the 300 which I said would be necessary we may regard as third class airports, costing a third of the cost of the first class airports, £40,000 each, and this would require £8,000,000. The equipment of all the necessary routes both with lighting and radio and with what is most important—and I have heard it mentioned several times here and I saw it in America—the teletype. The way they operate the machine in America enables you to go to any airport and see the teletype printing out the isobars on the weather map, which is essential if you are to have a regular airline system.

All that could certainly be done at a figure of approximately £2,000,000. It might be much less if one went into details; I think that it should be less than that amount. The whole country could be organised in a first class style, and for ever, for a sum of approximately £20,000,000. If we regard that in the light of our other aeronautical expenditure, it is a very large sum, but if the right hon. Gentleman and hon. Members will look a little into the future they will realise that, if we reckon interest at as high a figure as 5 per cent., it is only £1,000,000 per year for that vast national asset. May I recall to hon. Members the fact that if the Road Fund had been inaugurated ten years earlier, and £20,000,000 had then been expended with commendable foresight much money would have been saved in these later years. The sum of £1,000,000, in view of the development in aircraft which I believe will take place in the next decade, will be as nothing, in the same way as £1,000,000 to the Road Fund is nothing to-day.

Therefore, I would say to my right hon. Friend the Under-Secretary of State, and to the Government, that we are here suggesting a sound policy for the expenditure of public money upon productive public works, and, as the right hon. Gentleman the Member for Carnarvon Boroughs has indicated, that he will not fear investigation, so, if our proposals have any merit, we also shall be only too happy to give the benefit of such proposals as we have been able to elucidate. In conclusion, I should like to do what I omitted to do at the beginning of my speech, to congratulate my right hon. Friend on his admirable speech and to acknowledge his graceful reference to my right hon. Friend the Postmaster-General. He has been an inspiration to British aviation, and I greatly appreciate the reference which my right hon. Friend made to the Postmaster-General.

12.26 a.m.

Mr. LYONS: I should like to associate myself with the general scheme adumbrated by my hon. Friend. It is an extraordinary thing that, although we have so many devices and plans in relation to industry, we have no national air wave scheme to deal comprehensively with air traffic throughout the the country. I would ask my right hon. Friend whether he is satisfied with the progress that is being made with the ordinary aerodromes in the country to equip themselves to take air traffic. The municipal aerodromes of first class importance mentioned by my hon. Friend are totally inadequate to take night flying, facilities for which must exist if we are to have a proper air service throughout England. A municipal aerodrome is to be opened by my right hon. Friend the Under-Secretary or the Noble Lord the Secretary of State in the next

[Mr. Lyons.]

week or two in the city of Leicester which, I am glad to say, will be fully and adequately equipped for its purpose. It will be the first aerodrome north of Hatfield—apart from the private aerodrome of my hon. Friend the Member for Melton (Mr. Everard), who has done so much for private aviation—to be properly equipped for night flying. If I am wrong I hope that I shall be corrected, but I believe there are no such aerodrome facilities elsewhere north of Hatfield.

We must get the people of this country air minded and air conscious, and one way to do that is to get rid once for all of any idea that air traffic is to be confined to one section of the community. For that reason I hope that at all the municipal aerodromes there will be free outdoor facilities to attract visitors who may go there having for the moment no interest in flying and no desire to fly, but being attracted by the open-air facilities. In that way much could be done to make the public air-minded.

I want particularly to direct my remarks to some criticism that has been levelled against our Empire services. It is very easy to criticise and to lose one's sense of perspective in so doing. We ought to derive a good deal of satisfaction from the fact that, however necessary, there may be temptation in the Royal Air Force particularly to establish itself, ie is vitally important to see substantial progress in civil aviation. Remarkable progress has been made in the comparatively short time that the schemes have been in existence. I hope there will be no divorcement at all between civil and military aviation in the department of the Air Ministry. We often hear it said that if it did come about things would be very much better, but nobody ever indicates to what department civil aviation should go or how you could have duality of research, duality of invention and duality of staff. I hope that for the time being and, indeed, for a long while to come there will be no question of divorcing these two branches.

In the ten years or so that Imperial Airways have been in existence they have established a system of air traffic throughout the Empire which I have found on personal examination on a journey from Croydon to Capetown and back is very little short of an amazing achievement, when you consider the difficulties under which they have laboured and the wholly different aspect which any route such as Croydon to Capetown presents as compared with that, say, from New York to San Francisco. There is no real comparison, in my humble view, between a route across one country, without any difficulties of customs and without any distinction of ownership or control, and a journey such as Imperial Airways undertakes from Croydon to Capetown, through varying countries with different climatic conditions and through a diversity of control and customs. I would like to remind the House that the real mandate of Imperial Airways is that from year to year it has exercised its best endeavours to make the service self-supporting and with a very limited and annually reducing subsidy. We know that for the first time this subsidy is going to be slightly increased in 1935 and that that increase is due mainly to the urgent necessity of providing for the improvement and development of the ground organisation on Empire routes, and to facilitate flying by night as well as by day. In the service that now exists every night is spent on land. I hope, when the new scheme which my right hon. Friend the Under-Secretary adumbrated in the House just before Christmas comes into force, there will be a complete linking up with the Empire by means of night flying as well as by day.

I congratulate the Department on the fact that there is a regular twice-weekly service to the uttermost extent of the Empire by the all-British Imperial Airways Service, which can hold its head as high as any transport service throughout the world as a masterpiece of efficient and safe organisation, with a perfected system of ground work. It is perfectly true that some of the machines are five or six years old, and I would hope that the subsidy would never be kept up if it meant flying with older machines. But now machines are ready and available, and, if there be one service in regard to which a subsidy is really worth while and which is a national investment, it is a subsidy to help to bring together more than anything else the far distant parts of the Empire by a regular bi-weekly service, based on a safe and efficient system.

I think we should realise more than ever before what a vital part air transport is playing in the affairs of the Empire and the immense potentialities which it has in bringing nation to nation in common aims and aspirations. The two great trunk routes now operating in the British Empire, one from London right across the Mediterranean and through Africa down to Capetown, and the other through the Near and Middle East to India, Burma and Australia, make a total of something like 21,000 miles, over which regular services are operating with unfailing accuracy. I had personal experience of that accuracy when on my recent journey from Croydon to Capetown and back. The scheduled time of departure was never departed from, and at no time was there any delay at all in leaving any one of the stations according to the time schedule. It is a trait in regard to our outlook on these matters to criticise and try to depreciate home activities, but I do not think we ought to lose our proper sense of perspective. We hear glib talk about 250 miles an hour which other machines are said to do, but it is a totally exaggerated speed. What can be done in an isolated occasional air race cannot be compared with a bi-weekly regular and safe passenger service throughout the Empire.

I believe when the time comes, it will be found that the romance of this century has been the work done by the services of Imperial Airways, fostered by the Air Ministry, which will be judged to be one of the outstanding achievements, and which has been realised, moreover, in a comparatively short time. We have heard with a good deal of pleasure that it has been decided that within two years all first class mails shall be carried by air mail throughout the Empire. I hope we shall properly appreciate the great step that this means. Imperial Airways, which has been associated with the Department of State responsible for the air service, has received a good deal of criticism, but when that criticism is considered I believe it will be found that nowhere in the world, with such a small amount of public assistance, is there the same reliable service as is now carried on from England right through the Empire by that service. If you begin to compare this small expenditure year by year with the expenditure in America on the pan-American system or with that in any other Continental country, it will be found that this country is running this air transport throughout the Empire at an infinitely smaller cost than that of any other country in which air services operate.

I do hope that while we declare ourselves to be the very first to come into any convention which will bring peace throughout the world by the universal limitation of air armaments, we shall equally see that we are never behind in the matter of inventions or scientific achievements which will help to make more safe, more popular and more efficient and cheap, the air services from this country throughout the Empire, by means of a regular system of air transport lines.

12.40 a.m.

Sir EDWARD GRIGG: It is a serious matter that I should feel compelled to inflict a speech on the House at this late hour of the night. I shall not keep hon. Members very long. As the hon. Member for Willesden (Mrs. Tate) is not in the House, I think I can with safety join in congratulating the Under-Secretary of State for Air on the admirable speech in which he introduced the Estimates. He has set a very high standard for his speeches and he is fully maintaining that standard. I am particularly anxious to say that, because there was at least one gap in the statement he made, which I feel is a serious one, and which was referred to very cogently by the hon. Member for Duddeston (Mr. Simmonds). Before I come to that, however, I would like to refer to the main subject of the Estimates for the defence of this country. We have heard speeches, and we have had one from the hon. Member for North-East Bethnal Green (Major Nathan) which suggests that the situation in which we find ourselves is not a grave situation. I believe that public opinion, and the great majority of this House, regard the mission on which the Foreign Secretary is going as extremely grave. I hope that the language which the right hon. Gentelman uses to the Government in Berlin will be very clear, and very precise, and that he will ask for very clear and precise answers. We want to know where Germany stands in this matter of collective security, and, if we

[Sir E. Grigg.]

do not get satisfactory answers on that subject, I hope we shall make very clear to that Government the course we propose to take. If a satisfactory answer cannot be got from the German Government at the present time, I think that His Majesty's Government may feel assured of the support of the great majority of this House and country on any measure that they may have to take.

I am glad to be able to congratulate the Under-Secretary whole-heartedly on the development of the Empire services which he outlined in his speech. That seemed to me extremely satisfactory, and I congratulate the Government also. Last year I called attention to the fact that the Colonial contribution to Imperial Airways was out of proportion to the revenues of the Colonies, and quite out of proportion to the subsidy paid by the Government. This is a burden on the very poorest taxpayers of the Empire—the African taxpayers. I hope that attention has been given to this matter by the Government. Last year the Under-Secretary promised to look into the matter, and I want to know whether any attention has been given to it.

I fear I shall have to quarrel with the right hon. Gentleman, in regard to that part of his speech in which he dealt with the Aerodrome Advisory Board. He failed to deal with what we hope are to be the activities of the new Director-General of Civil Aviation, or the officer promoted to that title and rank. I am sure that he must recognise that in this matter of controlling and co-ordinating the development of civil aviation in this country, his Department has a record for indifference which has seldom been equalled and never surpassed. So far as I can see, no attention has been paid since the war to the proper development of aerodromes, the co-ordination of aerodromes, the prevention of overlapping in services, and efficiency in every form which should be the business of the Ministry and cannot be the business of anybody else. This has been left to haphazard development, with the result that we are not having the services and the facilities we should have. By this haphazard method a general feeling is being created against the needs of civil aviation and that is extremely unfortunate. This method of trying one aerodrome, and then getting compulsory powers to try another because the first is not in the right place, is creating a feeling which is extremely bad for the interests of aviation, and I hope that before the discussion closes the Under-Secretary will give an assurance that the inefficiency of the system hitherto pursued is going to be fought. In Cheshire the feeling created on this subject is intense.

The City of Manchester is, of course, entitled to develop an aerodrome equal to its needs. There is no question about that. I agree with the hon. Member for Duddeston when he says that Manchester has shown, in company with a few other cities, activity and foresight in this matter. But since the war the City of Manchester has spent money on one aerodrome after another, never apparently receiving adequate advice. In this last proposal to acquire a large port in the County of Cheshire no case was put forward that the county could understand. I do not wish to comment on the details of the question, because it is the subject of an appeal to the courts, but I am entitled to comment on the methods which have been pursued. When this proposal was put forward an inquiry was held. No attempt was made to show that the proposed aerodrome was part of a system which would benefit neighbouring towns, or that adequate services could be secured for it. There was only a question of some factory chimneys, and, when that was disposed of, the compulsory order was made.

Bad blood created by action of that kind is a serious matter for aviation, which we do not want to be hindered or handicapped in any way. These activities proceed without direction or plan from the Ministry; it is not only that there is no policy, that there is the very serious fact that this kind of thing is telling against aviation in this country, but the Act under which these powers are assumed is not an Act which was originally intended for this purpose. It is an Act intended to create employment. In these inquiries no one says a word about employment. This Act is being used for a different purpose from what Parliament intended. Feeling about it is great and, naturally, there are appeals to the courts. If the Ministry had existed in Biblical times, David would

have had no difficulty about Naboth's vineyard, he would simply have said: "I want to turn it into an aerodrome." That is the kind of impression that is being created in different parts of the country. I hope the Under-Secretary understands that in this matter his Department has really a shameful record and that the time has come to put that record right. I hope too that he will now realise that the Aerodrome Advisory Board exists to be used. I see that the hon. and gallant Member for the Drake Division of Plymouth (Captain Guest) is in his place. I wonder how much use is made of that Board of which he is chairman. I am told that after all these years it has been instructed to prepare a broad survey of the aerodrome requirements of this country. That should have been done years ago, but inasmuch as it is being done now will he assure us that the report will be expedited and that he will desist from these haphazard and arbitrary orders under which this survey is carried out.

12.51 a.m.

Lord APSLEY: The many points covered in the excellent and constructive speeches which we have had this evening will convince hon. Members that there is something important in these particular Estimates, and that leads me to make a suggestion to the Under-Secretary. In view of the importance of these Estimates which interest all parties with the exception of the hon. Members who may be sitting below me, would they not be better served if in future the Air Estimates were discussed under two headings on two different days. On one day the Service Estimates could be discussed, particularly if Front Bench speeches are going to be delivered on matters of international importance and foreign policy, and then there would be time to discuss questions of detail, Army co-operation, and the Air Service itself. To confuse that with civil aviation, makes it impossible for the Under-Secretary to bring the proper mind to bear on the subject, and it must make an enormous difficulty for the right hon. Gentleman to reply. I must confess I do not know how he does it. He has a wonderful mind for detail, and he gives his reply in a wonderful way, but it must be a strain on his mind, and I would seriously suggest that in future the Civil Estimates should be taken on another day and under a different heading altogether.

I wish to discuss a matter which we have had no opportunity of discussing at all, and it comes under Vote A. I have been sitting recently in the fire of a naval battle which has been waged from one bench to another. The Senior Service have always been able to look after themselves in the House, but the Army never get a look in, and we have not had a word on Army co-operation. There is another matter. On the Army Estimates you can get a complete account of each unit, but on the Air Estimates we never get any such account. We cannot tell how many bombing squadrons there are and how much each cost; we cannot tell how many fighting squadrons there are and how much they cost, nor can we tell how many Army squadrons there are, and there is nothing at all about Army co-operation. I believe that there are only two such squadrons in this country. I do say, as a mere soldier, that when it comes to operation it is impossible to get any Air Force co-operation whatever to be of any value. Sometimes you can get that and sometimes you cannot. We have had great difficulty in getting information from the Army co-operation squadrons when we were operating with them. I notice in Vote A there is mention of a new observers corps, and I believe that is very necessary as far as the Army is concerned. I suggest that more co-operation with the Army should be encouraged. I believe that a certain number of Air Force officers are attached to the Army for a short time. I am told, however, that when they return to the Air Force they are attached to bombing and fighting squadrons and have nothing to do with the Army co-operation. It takes time to train an observer.

Let me give an instance of what happened at the last manoeuvres. A section of mine was on patrol, and they saw a column of smoke. They investigated and found the house of an officer on fire. They assisted in bringing the ponies from the stables and after a time the butler told them—as the officer was away on manoeuvres—that they had got all the valuable things from the house, that the rest were only wedding presents and that both they and the house were fully insured, that the fire brigade had been

[Lord Apsley.]
sent for, and that nothing further could be done. That was at 10 o'clock in the morning, and at 3 o'clock in the afternoon after the patrols had come in we received an air report stating that a column of dust had been seen indicating a battalion of enemy tanks, and we were asked to confirm it. We did not believe in the column of dust as it had been raining intermittently all day. Such a matter of natural history would hardly cross the mind of a highly trained observer of the Royal Air Force so we asked whether another aeroplane could be sent a little bit lower down to see whether the house was still burning. They sent a machine and found that it was still burning and therefore we did not go out. There are many instances I could give affecting the co-operation squadrons. I do not know how the gunners feel on this matter. That is a department into which I have not had time to go. We have not sufficient contact. They never tell us when the enemy planes are patrolling, whether our camouflage is effective, and where the various units are. I think that these matters should be taken into account without any delay.

There is a further question I should like to raise. It is in regard to autogyros. What is the attitude of the Air Ministry with regard to them. Do they look upon them because they are flying machines as machines which can only be administered by the Air Force and that the Army cannot have them? Could the Artillery be allowed to run autogyros themselves and be able to pay civilian mechanics to run them as an Army weapon? If it is merely a matter of inter-departmental jealousy, this practice might do infinite harm, but the boot is not only on one leg. I cannot myself see that because it is a flying machine it must come under the Royal Air Force.

I now come to a question that is of great importance, namely, anti-aircraft guns. I have my own view on the subject, but it may be entirely wrong. I believe that the importance of anti-aircraft defence is so great, and its correlation with aircraft work so close, that only one authority can run anti-aircraft defence, and that is the Air Ministry. Everything to do with it should be run in close correlation with the Air Ministry. They are the people who get the information and will have to make the decisions. Does the right hon. Gentleman know whether the anti-aircraft are using shrapnel or high explosive? I do not know whether the Air Ministry take any interest in this matter. Modern aircraft—low-winged monoplanes—is immune from shrapnel, and high explosive is the only thing that can be used successfully. Inaccurate anti-aircraft fire is worse than useless. To delegate this work to the Territorial Army is——

The DEPUTY-CHAIRMAN: I think the Noble Lord has now made it quite clear that this is a matter for the Army Estimates.

Lord APSLEY: I bow to your Ruling, but I do want to know whether the Under-Secretary can take it on the Air Force Vote, because if he can it will relieve the country of a very great responsibility. It is just as though the Navy were relying for their submarine protection on the coastguard service. I hope that the Air Council and the Air Ministry will consider with great attention whether some more concentrated system of anti-aircraft defence cannot be brought together and run by the Air Ministry so as to secure efficiency.

1.3 a.m.

Sir P. SASSOON: At this hour of the morning, I am sure that the Committee does not want me to deal at greater length than necessary with the several subjects under discussion. Although we have had a great many speeches, I do not think that very many points have been put. Perhaps the Noble Lord who has just sat down concentrated more questions into his last speech than I have had put to me for some time. His last question is, of course, not one which I can answer, but I can say that there is a great deal of co-operation between anti-aircraft units and the Air Force, and continually we have them coming to our different stations and squadrons and working in the closest co-operation. I have been attacked once more on the subject of this aerodrome at Ringway, and, as the hon. Member who raised the question rightly said, the matter being *sub judice*, it would not be in any way proper for me to refer to it. I do not want to shirk the issue. The hon. Mem-

ber said that there has not been enough planning in the past, and that is quite right. Naturally, at the beginning—flying is not a very old science, and civil aviation is not very old—there was not enough planning. But, of course, we have always taken the line that we want as many aerodromes as possible, and certainly big towns and cities all over the country should have their aerodromes. Whether Manchester should or should not have this particular aerodrome is not the question. It is the location that the hon. Member complains about. We have now got this Aerodrome Advisory Board, and we are relying very much on their help. As I have said, we have no desire to hinder local authorities. We give them guidance when they ask for it.

Sir E. GRIGG: It is that very important point which I wish to make. If the Air Ministry has not got the powers it requires for co-ordinating development, will the Under-Secretary come to this House and ask for them?

The DEPUTY-CHAIRMAN: That would require legislation.

Sir P. SASSOON: We are discussing the present situation. I will now pass to the speech of the hon. Member for Duddeston (Mr. Simmonds), to which I listened with great interest. There is only one point on which I do not agree with him, and that is that municipal aerodromes are a liability. They may be an expense, but they are not a liability, any more than a railway station is a liability. In the future, people will, I think, go to towns by air instead of by train, and, then, if they cannot get there by air, the lack of an aerodrome will be a very great liability. The hon. Member for Stroud (Mr. Perkins) will perhaps allow me to write to him about the question of married quarters. He was, however, wrong about the period of service, which is only two years. If there are any other questions which I do not answer, perhaps hon. Members will let me write to them about them or take the first opportunity I can of giving an answer. The subject of the fast mail carrier was met by the announcement which I made to-day. I was not in the House, unfortunately, when the hon. and gallant Member for Wallasey (Lieut.-Colonel Moore-Brabazon) was speaking, but I was told that he once more repeated his desire to see a divorce between civil aviation and military aviation. We have heard him before, of course, elaborate the theme that civil aviation should be put under the Board of Trade. I remember just before Christmas coming into the House on a Friday when the mercantile marine was under discussion, and Member after Member complained about the position of the mercantile marine under the Board of Trade and described it as the Cinderella of the Board of Trade. Is it into the cruel and callous hands of the President of the Board of Trade that the hon. and gallant Member would like to confide the poor department of civil aviation?

Lieut.-Colonel MOORE-BRABAZON: I have always proposed that it should be put under the Minister of Transport, but as the present Minister of Transport seems to be rather anti-motorist he might be anti-air.

Sir P. SASSOON: The solution is to leave it under the Air Ministry. The very excellent and interesting speech of the hon. Member for Willesden (Mrs. Tate) must be admired for its enthusiasm and technical knowledge. She described my speech as a soporific, but improved the situation when she described me as a contortionist, so that what I gain on the swings I certainly lose on the roundabounts. I have taken notice and note of all the things she asked me to look into. Among many things she stressed was that all-important question of speed. I know how important speed is and how essential it is in the development of civil aircraft. I heard only the other day that the pace of transport did not vary from the days of Julius Caesar to the reign of Queen Victoria—that the quadriga of early days was speedier than the post-chaise of Victorian times, which of course, is true. But certainly we are making up for lost time and trying to crowd into a few years the leeway of twenty centuries. Therefore, we have other things to think of, and, as far as the machines of Imperial Airways are concerned, when she knows it, I hope the hon. Lady will have no complaint about their speed.

The hon. and gallant Member for the Drake Division of Plymouth (Captain Guest) put up some schemes which he

[Sir P. Sassoon.]

had kindly told me about beforehand. It is perhaps rather too late at this hour to go into them, but I will consider them and let him know what we think about these interesting proposals. I think I have now dealt with all the points that require an immediate answer, and I hope I have clarified points where clarification was needed. Let me say I think we have had a most instructive and stimulating debate, and there have been made many valuable contributions upon which we can work. I trust that after the interesting discussion that we have had the House will now give me the Votes.

Question, "That a number, not exceeding 31,000, all ranks, be maintained for the said Service," put, and negatived.

Original Question put, and agreed to.

PAY, ETC., OF THE ROYAL AIR FORCE.

Resolved,

"That a sum, not exceeding £4,547,000, be granted to His Majesty, to defray the Expense of the Pay, etc., of the Royal Air Force at Home and abroad, exclusive of those serving in India (other than Aden), which will comes in course of payment during the year ending on the 31st day of March, 1936."

WORKS, BUILDINGS AND LANDS.

Resolved,

"That a sum, not exceeding £3,145,000, be granted to His Majesty, to defray the Expense of Works, Buildings, Repairs, and Lands, including Civilian Staff and other Charges connected therewith, which will come in course of payment during the year ending on the 31st day of March, 1936."

TECHNICAL AND WARLIKE STORES (INCLUDING EXPERIMENTAL AND RESEARCH SERVICES).

Resolved,

"That a sum, not exceeding £8,002,000, be granted to His Majesty, to defray the Expense of Technical and Warlike Stores (including Experimental and Research Services), which will come in course of payment during the year ending on the 31st day of March, 1936."

CIVIL AVIATION.

Resolved,

"That a sum, not exceeding £595,000, be granted to His Majesty, to defray the Expense of Civil Aviation, which will come in course of payment during the year ending on the 31st day of March, 1936."

AIR SUPPLEMENTARY ESTIMATE, 1934.

Resolved,

"That a Supplementary sum, not exceeding £200,000, be granted to His Majesty, to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1935, for expenditure beyond the sum already provided in the grants for Air Services for the year."

Resolutions to be reported To-morrow; Committee to sit again To-morrow.

WAYS AND MEANS.

Considered in Committee.

[Captain BOURNE in the Chair.]

Resolved,

"That, towards making good the Supply granted to His Majesty for the service of the year ending on the 31st day of March, 1935, the sum of £6,233,913 be granted out of the Consolidated Fund of the United Kingdom."

Resolved,

"That, towards making good the Supply granted to His Majesty for the service of the year ending on the 31st day of March, 1936, the sum of £223,442,150 be granted out of the Consolidated Fund of the United Kingdom."—[*Mr. Duff Cooper.*]

Resolutions to be reported To-morrow; Committee to sit again To-morrow.

The remaining Orders were read, and postponed.

It being after Half-past Eleven of the Clock upon Tuesday evening, MR. SPEAKER *adjourned the House, without Question put, pursuant to the Standing Order.*

Adjourned at Eighteen Minutes after One o'Clock.

HOUSE OF COMMONS.

Wednesday, 20th March, 1935.

[OFFICIAL REPORT.]

The House met at a Quarter before Three of the Clock, Mr. SPEAKER in the Chair.

PRIVATE BUSINESS.

Sheffield and South Yorkshire Navigation Bill,

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

GLASGOW CORPORATION BILL (*By Order*).

Order for Second Reading, read.

HON. MEMBERS: "Object."

Mr. KIRKWOOD: On a point of Order, Mr. Speaker. I should like to know what is the matter with Glasgow, when we have all these Tory Members of Parliament objecting to something with which they have nothing to do. This is a Bill in favour of Scotland.

HON MEMBERS: "Order."

Mr. KIRKWOOD: This shows the need for Home Rule for Scotland with a vengeance. Hon. Members come here for nothing else but to object and then they walk away.

Mr. SPEAKER: That is not a point of Order.

Second Reading deferred till Tuesday next, at half-past Seven of the Clock.

ORAL ANSWERS TO QUESTIONS

TURKEY (BRITISH SUBJECTS).

1. **Mr. LUNN** asked the Secretary of State for Foreign Affairs with regard to the law enacted by the Turkish Government which prohibits Foreign subjects from exercising their trades and professions in Turkey, whether His Majesty's Government has instituted any negotiations with the Turkish Government with a view to alleviating the position of British subjects affected or whether, in the event of such negotiations not having taken place or having taken place and failed, His Majesty's Government will take steps to repatriate such British subjects as have been reduced to destitution through the working of the law?

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir John Simon): I would refer the hon. Member to the reply given to a question put on this subject on the 30th January by the hon. Member for Normanton (Mr. T. Smith). Representations on this subject were made to the Turkish Government on behalf of His Majesty's Government when the law of June, 1932, was passed; and as a result the complete application of the law was subsequently postponed until June, 1934. Most of the British subjects concerned are not recent arrivals in Turkey but derive their nationality from descent through one or more generations from an ancestor who went there from Malta or from some other British territory. The question of their repatriation is therefore a difficult one. It is, however, under close examination, and in the meantime, as I stated on the 30th January, His Majesty's Consular Officers in Turkey have been authorised to grant monetary relief in necessitous cases.

Mr. LUNN: When the matter is under examination, will the right hon. Gentleman inform the House if there is something to communicate?

Sir J. SIMON: If the position improves, I shall be very glad to do so.

GERMANY AND RUSSIA (MINISTERS' VISITS).

2. **Mr. JOEL** asked the Secretary of State for Foreign Affairs whether in view of the coming diplomatic visits to Germany and Russia, he can give an assurance that Parliament will not be committed without its prior knowledge to any possible modification of the Versailles Treaty?

Sir J. SIMON: The visits to these capitals are purely exploratory.

Mr. COCKS: Can the right hon. Gentleman say whether, before he goes, he intends to have a consultation with France and Italy?

Sir J. SIMON: I do not think that that arises out of this question.

4. **Captain CAZALET** asked the Secretary of State for Foreign Affairs whether the subject of Russian debts to this country, both national and private, will be discussed during the visit of the Lord Privy Seal to Moscow?

The LORD PRIVY SEAL (Mr. Eden): I do not at present anticipate this. The visit to Moscow is in response to an invitation from the Soviet Government and conversations will be mainly concerned with questions arising out of the present political situation in Europe.

LEAGUE OF NATIONS (ECONOMIC SANCTIONS).

3. **Mr. JOEL** asked the Secretary of State for Foreign Affairs whether, in connection with the activities of the League of Nations, any countries, members of the League, have at any time expressed their readiness to adopt economic sanctions against any country which has incurred the criticism of the League irrespective of any action which might be taken by other nations?

Sir J. SIMON: As far as I am aware no Member of the League of Nations has ever expressed such readiness. As my hon. Friend will be aware, the essential idea underlying the relevant Article of the Covenant of the League is co-operation between all the members of the League. The importance of this has been emphasised on various occasions when the subject has been under consideration by the League.

PALESTINE.

EDUCATIONAL BUILDINGS (GRANTS).

6. **Mr. RHYS DAVIES** asked the Secretary of State for the Colonies whether he can explain why a grant has been made out of the Palestine Government loan for Arab school buildings, while no grant has been made for Jewish schools; and whether, in view of the representations of the elected assembly of Palestine Jewry, steps will be taken to make an education grant on the basis of the present proportion of the Jews to the whole population and a grant for Jewish school buildings in the town?

The SECRETARY of STATE for the COLONIES (Sir Philip Cunliffe-Lister): The provision for educational buildings which is contained in the schedule of the proposed Palestine loan is in respect of new Government schools, in which Arabic is the medium of instruction and which are open to all sections of the community. The Jewish community has, from the earliest years of the British administration, elected to maintain its own school system and the Government of Palestine has never accepted responsibility for the capital cost of such schools. The Government of Palestine has, however, for many years provided grants-in-aid in respect of the recurrent cost of the Jewish schools, and in recent years the amount of the grant-in-aid has been calculated in relation to the annual expenditure on Government schools and the number of Jewish children of school age in proportion to the total school age population. The amount of the grant-in-aid approved for the current year is £28,000.

Mr. DAVIES: May we take it that the Colonial Office will see to it that there is no discrimination against the education of Jewish children in Palestine?

Sir P. CUNLIFFE-LISTER: We shall carry on the policy which all our predecessors have carried on without exception since the Mandate.

Mr. JANNER Is it not time that the right hon. Gentleman adopted a rather different policy with regard to this matter; and is he not prepared to give a grant to those schools in which Hebrew is being taught, particularly in view of the fact that for so many years the Jewish community in Palestine have assisted the Government by paying the whole of the cost of buildings?

Sir P. CUNLIFFE-LISTER: No, Sir, this matter has been very often considered. The policy was laid down years ago, and that policy has been consistently followed by every Government.

Mr. JANNER: Is the right hon. Gentleman prepared to have schools erected in those towns where the population is largely Jewish, and not place the whole of the burden on the ratepayers of those particular towns?

Sir P. CUNLIFFE-LISTER: That would entirely depend upon the circumstances in which the teaching was done.

Sir PERCY HARRIS: Can the right hon. Gentleman say whether religion is taught in the Arab schools?

Sir P. CUNLIFFE-LISTER: I should like notice of that question.

PORT OF JAFFA (IMPROVEMENTS).

9. **Mr. JANNER** asked the Secretary of State for the Colonies whether he is aware that the news that the improvements at the Jaffa port will not be completed until next January has given rise to serious apprehension amongst citrus growers in Palestine with regard to the conditions under which next season's crop will be loaded; and whether, in view of the greatly increased exports which are probable, arrangements can be made to complete this work at least as early as the end of October next?

Sir P. CUNLIFFE-LISTER: I am quite satisfied that the High Commissioner for Palestine will see that everything possible is done to expedite the completion of this work.

Mr. JANNER: Will the right hon. Gentleman for once inquire into the question in order to give the benefit of his advice to the High Commissioner; and will he take into account the fact that on 27th February there was a meeting of the Directorate of Customs held in Jaffa at which the general conclusion was reached that Hiafa would not be able to cope with the cases of oranges which had to be passed through for transport, and that it was essential to have further opportunities?

Sir P. CUNLIFFE-LISTER: I gave the matter careful consideration when I was in Palestine, and the result of that was a very large expenditure upon the improvement of the Port of Jaffa. That work is going on, and I really wish that the hon. Gentleman would give the High Commissioner of Palestine and his staff credit for doing, as everybody else knows they do, everything that is possible.

Colonel WEDGWOOD: Why, if they concentrate on Hiafa, cannot they make a road from Jaffa to Hiafa down which the oranges could come?

Sir P. CUNLIFFE-LISTER: We are not concentrating on Hiafa. The answer which I have given shows that we are greatly improving the Port of Jaffa.

IRAQ PETROLEUM COMPANY (DISPUTE).

11. **Mr. RHYS DAVIES** asked the Secretary of State for the Colonies whether he is aware that a dispute has arisen between the Iraq Petroleum Company in Palestine and their employés; that the company have refused to raise the minimum wage of a labourer from 2s. 4d. per day to 3s., and have insisted upon imposing a reduction upon all those earning more than 9s. per day; and whether, in view of the increase in the cost of living in Palestine and of the undertaking given by the company to observe fair wages and conditions of labour, he will take some steps in the matter?

Sir P. CUNLIFFE-LISTER: I am aware that a dispute has arisen between the Iraq Petroleum Company and certain of their employés in Palestine, but I have not received detailed information. I am sure that the High Commissioner can be relied on to intervene if he is not satisfied that the company are carrying out their assurance as to the observance of fair conditions of labour, but I will ask him to furnish me with a report on the subject.

Mr. DAVIES: When the right hon. Gentleman receives the report and finds that the facts are as stated in the question, will he take action to see that this company give a fair deal to their employés?

Sir P. CUNLIFFE-LISTER: I think that we had better wait and see what the facts are in the report.

BRITISH-BORN WIVES (NATIONALITY).

45. **Miss RATHBONE** asked the Secretary of State for the Home Department whether a British woman who marries a man of Palestinian nationality loses her British nationality and acquires that of her husband or whether she retains both; and, in the latter case, whether the children of the marriage acquire dual nationality?

The SECRETARY of STATE for the HOME DEPARTMENT (Sir John Gilmour): Palestinian citizenship is not regarded as a nationality for the purpose of the British Nationality and Status of Aliens Act. The wife would not lose British nationality by reason of the Palestinian citizenship of the husband.

Miss RATHBONE: Will the right hon. Gentleman supplement that answer by saying whether the wife would also become a Palestinian citizen or only become a British citizen?

Sir J. GILMOUR: The matter is rather complicated, and, if the hon. Member will consult with me at the Home Office, I shall be glad to see her.

BERMUDA (WOMEN FRANCHISE).

7. **Miss RATHBONE** asked the Secretary of State for the Colonies whether he is aware that a number of women in Bermuda have for several successive years resorted to the method of tax resistance as a protest against their exclusion from the franchise and from eligibility for the legislature; and whether steps will be taken to secure the revision in this and other respects of the constitution of the Colony, in view of the facts that the present constitution has undergone very little alteration for three centuries and that the electorate is less than six per cent. of the population?

Sir P. CUNLIFFE-LISTER: I have no information to the effect that women in Bermuda have resorted to tax resistance as a method of furthering their claim to the franchise. As regards the second part of the question, I would refer the hon. Member to the reply given by Dr. Drummond Shiels on the 27th of January, 1931, to which I cannot usefully add anything.

Miss RATHBONE: Will not the right hon. Gentleman consider whether, as many years have elapsed since then, some steps cannot be taken to bring the influence of the Colonial Office upon the Government of the Colony, which has a constitution completely out of accord with the wishes of the inhabitants?

Sir P. CUNLIFFE-LISTER: I think that on the constitutional and on all other aspects of this question, the considered judgment of the Labour Government was a very wise one.

Sir P. HARRIS: Why does the right hon. Gentleman always take cover behind the decisions of the Labour Government?

Sir P. CUNLIFFE-LISTER: I always seek to support every continuity of policy when it is right.

COLONIAL DEVELOPMENT.

8. **Mr. JOEL** asked the Secretary of State for the Colonies whether, with the object of ensuring colonial development, he will consider setting on foot further research in the direction of ascertaining whether some of the tropical products we now import from other countries can profitably be produced in our Empire?

Sir P. CUNLIFFE-LISTER: The production within the Colonial Empire of commodities at present imported from foreign countries is a question that is engaging continuous attention both here and in the Colonies themselves, and much help is constantly given by men with special knowledge of particular trades. This has resulted both in improvements in production and marketing of established products and the development of new ones. Any specific suggestions for further action in that direction are always welcome, but I see no necessity, as at present advised, for the introduction of further special machinery for the the purpose.

CYPRUS (SHIPPING SERVICE).

10. **Sir ROBERT HAMILTON** asked the Secretary of State for the Colonies whether he can make a statement as to the proposed service of a British shipping line for the island of Cyprus?

Sir P. CUNLIFFE-LISTER: The position in regard to steamship communication with Cyprus is discussed in paragraphs 354-356 of the report of the Financial Commissioner, a copy of which is available in the Library of the House. From inquiries which have already been made, it appears that there is no immediate likelihood of British lines being able to offer a satisfactory alternative to the existing subsidised services, which are mainly fast passenger and mail services. The position is, however, being kept under review. The Financial Commissioner advised that no new subsidy primarily for cargo would be justified, and I see no reason to dissent from his conclusion.

HONG KONG (MUI-TSAI SYSTEM).

12. **Mr. GRAHAM WHITE** asked the Secretary of State for the Colonies whether he is now in a position to state the terms of reference of the commission appointed by the Governor of Hong Kong to inquire into certain aspects of the mui-tsai question?

Sir P. CUNLIFFE-LISTER: I would refer the hon. Member to the answer which I gave on the 13th February to the hon. Member for Rothwell (Mr. Lunn).

Mr. LUNN: Will it be possible to inquire into the system of inspection and registration that is carried on in Hong Kong, and will the commission have power to increase the number of the inspectors if it is not sufficient?

Sir P. CUNLIFFE-LISTER: The commission have general instructions to inquire into a number of specific points that were being submitted in various memoranda, and so on, and generally into the whole question. The commission would have power to recommend an increase in the inspectorate if they thought it was right to do so.

ROYAL AIR FORCE (EXPERIMENTAL AEROPLANES).

14. **Mr. DOBBIE** asked the Under-Secretary of State for Air the number of experimental aeroplanes which have been designed, built, and tested for the Royal Air Force in the years 1924 to 1934, inclusive, and the number which have been the pattern of the subsequent equipment of the Royal Air Force?

The UNDER-SECRETARY of STATE for AIR (Sir Philip Sassoon): The precise particulars for which the hon. Member asks are not readily available, but the number of new types of service aircraft tested at Royal Air Force Experimental Establishments during the years mentioned may be taken as about 160. Approximately one-third were adopted for service use.

Mr. DOBBIE: While thanking the right hon. Gentleman for his answer, may I ask whether it is not a fact that only by nationalising the air industry and getting rid of uneconomic methods——

Mr. SPEAKER: That does not arise out of the question.

TRANSPORT.

MOTOR VEHICLES (GUARDS).

15. **Mr. WEST** asked the Minister of Transport whether he has considered the advisability of compelling all motor vehicles to be equipped with guards as a means of reducing fatalities on the roads?

The MINISTER of TRANSPORT (Mr. Hore-Belisha): I intend to consult with manufacturers and representative bodies on this question.

Mr. WEST: Is the Minister aware that many serious accidents have been avoided by the provision of side guards on the omnibuses of the London Transport Board and on the Green Line coaches, and would not similar guards on commercial vehicles be equally beneficial?

Mr. HORE-BELISHA: I think I have indicated that I intend to take whatever action I am enabled to take.

EAST LANCASHIRE ROAD.

16. **Mr. TINKER** asked the Minister of Transport whether he has been in communication with the Lancashire County Council since the meeting they had on 20th February, when they had under discussion the lighting at night of the new East Lancashire Road, Manchester to Liverpool; and whether he is in a position to say if it has been decided to have the lighting done?

Mr. HORE-BELISHA: I am informed that the Lancashire County Council have not yet reached a decision but will consider the subject again on the 9th April.

Mr. TINKER: Will the hon. Member urge them to consider it favourably?

BUILT-UP AREAS (SPEED LIMIT).

18. **Captain Sir WILLIAM BRASS** asked the Minister of Transport whether the Lancashire County Council have intimated their intention to apply the 30 miles-per-hour speed limit to all lighted roads in the county, including the new arterial East Lancashire Road; and whether, having regard to the order he has made exempting the new arterial roads in the London traffic area from the speed limit, he proposes to make an order directing that similar roads in Lancashire may be exempted?

Mr. HORE-BELISHA: The East Lancashire Road is not subject to the speed limit except for a stretch of three miles in the county borough of Liverpool. The other new arterial roads in Lancashire are likewise not subject to a speed limit.

Sir W. BRASS: Is it not a fact that my hon. Friend made no survey of these big arterial roads before he brought in the speed limit?

Mr. HORE-BELISHA: I think my answer indicates that we have done so. None of these roads is to be subject to the speed limit.

28. **Sir W. BRASS** asked the Minister of Transport whether he is aware that owing to the introduction of the 30-miles-per-hour speed limit in built-up areas before local authorities were in a position to put up the regulation signs, paper signs, stuck to tin discs, have had to be used in many parts of the country to indicate the entry into a speed-limit area; and, as these paper signs do not comply with his provisional orders dated 4th January, 1935, which stipulate that restrictive signs have either to be fitted with reflectors or reflecting material or illuminated during specified hours of darkness, will he state on what grounds he authorised these temporary signs to be erected?

Mr. HORE-BELISHA: I would point out to my hon. and gallant Friend that in so far as the signs are illuminated by street lighting, they comply with the Regulations.

Sir W. BRASS: May I ask whether, according to the regulation that my hon. Friend made, these signs ought to have reflex reflectors on them?

Mr. HORE-BELISHA: No, Sir. They will be illuminated either externally from street lamps or internally.

Captain STRICKLAND: Has my hon. Friend given consideration to those places that are not lit at all and where the motor headlights cannot catch the sign unless they are on full and not dimmed?

Mr. HORE-BELISHA: Yes, Sir.

Sir W. BRASS: Am I to understand that the de-restriction sign going into Brighton where there is no light at all is in order and that people who ignore it may be prosecuted?

Mr. HORE-BELISHA: No, it ought to be illuminated externally.

29. **Sir W. BRASS** asked the Minister of Transport whether he is aware that on Monday, 18th March, many speed limit areas in the country, although marked with restriction signs of a temporary character, had no de-restriction signs up marking the end of the speed limit area, with the result that drivers were unaware whether they were in restricted areas or not; and whether he will give instructions to the traffic commissioners to have a survey made in order to see that the provisions of the Road Traffic Act, 1934, are being properly carried out?

Mr. HORE-BELISHA: These signs are entirely outside the purview of the Traffic Commissioners, but my divisional road engineers are in constant touch with the local authorities with a view to seeing that any temporary deficiency is made good.

Mr. TURTON: Is the Minister aware that even when these de-restriction signs are up they are so small and inconspicuous that the driver does not know when he is inside or outside the area?

Sir W. BRASS: Will my hon. Friend make a survey and find out whether these de-restriction signs are up. I have heard that no signs are up except in Rutland?

Mr. HORE-BELISHA: I do not think that my hon. Friend is correct, but I will survey the situation from time to time, and, if the slightest difficulty is placed in the way of motorists not knowing whether they are in or out of the areas, I will go to any practicable extent in order to deal with it.

Sir P. HARRIS: Will my hon. Friend drive along these roads himself and experience the difficulties as would be done by the man who is actually driving?

30. **Mr. HUTCHISON** asked the Minister of Transport whether he has any means of ascertaining whether the enforcement of the 30-miles-per-hour speed limit has slowed down the traffic?

Mr. HORE-BELISHA: Observation indicates that traffic generally is moving at a more uniform rate and that its average speed is little if any lower than before.

Mr. THORNE: Is the hon. Member aware that already in Green Street, Upton Park, there is a great improvement?

Mr. HUTCHISON: May I ask if my hon. Friend is aware that many motorists since the speed limit came into force have not been going at 30 miles an hour, but at roughly 15 miles an hour, and will he, with his admirable ability at getting publicity, publish the fact that the speed limit is 30 miles and not 15 miles?

Mr. HORE-BELISHA: Thirty miles is the maximum and not the minimum.

Mr. LUNN: Is it of no moment to hon. Members that more than 100 people are killed every week and that many thousands are injured every week by motor cars on our roads?

7. **Sir GIFFORD FOX** asked the Minister of Transport whether he is aware that a number of local authorities, in considering the application of a 30-miles-per-hour speed limit authorised by Section 1 of the Road Traffic Act, 1934, have decided not to make orders under Sub-section (4), directing that the speed limit shall not apply to certain wide, new, or improved roads in their respective areas; and what steps he is taking to satisfy himself whether or not such a direction ought to have been given?

Mr. HORE-BELISHA: I have in several cases indicated to local authorities that Orders de-restricting certain roads appear to me to be desirable, and invited them to consider the matter without delay.

Sir G. FOX: Has my hon. Friend yet considered de-restricting the Fairmile?

Sir W. BRASS: In view of the statement of the Minister about a survey, why is it necessary to do this work again?

23 and 24. **Sir G. FOX** asked the Minister of Transport (1) whether he is aware that the 30-miles-per-hour speed limit signs are in existence at Oxford beyond the limits provided for under the new arrangement; and whether in consequence the local authorities at Oxford will be requested to remove those signs from the roads not comprised within the built-up areas as defined by the Road Traffic Act of 1934;

(2) whether he is aware that the existing 30-miles-per-hour speed limit signs at Oxford do not conform to the standard type now laid down for the whole country; whether it is intended to order the substitution of these signs at Oxford; and, if so, whether the cost will be borne by the Ministry of Transport?

Mr. HORE-BELISHA: I am in communication with the Oxford City Council in this matter.

TRAFFIC SIGNS.

21. **Captain STRICKLAND** asked the Minister of Transport in view of the fact that the departmental committee on traffic signs recommended that all traffic notices, sign posts, and signs should be displayed at the eye level of the motorist and in conspicuous type of lettering, what steps he proposes to take to carry this safeguard into effect?

Mr. HORE-BELISHA: Highway authorities have been instructed to have regard to the recommendations of the Committee to which my hon. and gallant Friend refers, but I would remind him that the Committee did not recommend that signs should in all cases be erected at eye level, regardless of circumstances. If he would bring to my notice any case where signs have been erected otherwise than in accordance with the Committee's recommendations, I will have inquiries made.

Captain STRICKLAND: Is it not a fact that the Committee recommended that the ideal height for the statuory traffic sign is at the normal eye level, and is the hon. Member aware from actual experience of driving on the roads that the new 30-miles speed limit signs are placed at such a height that unless the motorist has his headlights on at full they cannot be seen, because there is no reflection, and will he see that the instruction he has already given apparently to the highway authorities to follow the instructions of the Departmental Committee are enforced by him?

Mr. HORE-BELISHA: I think my hon. and gallant Friend is wrong in attributing that view to the Committee. It recommends that in towns and other places, where signs erected at a height of 3 feet 6 inches are liable to be obscured or to cause an obstruction, a clearance of 6 feet 9 inches should be allowed.

27. **Colonel ROPNER** asked the Minister of Transport whether he is aware that paragraph 2 of the traffic-sign directions issued by him under the Road Traffic Act, 1934, to the effect that the derestriction sign shall be erected on each lamp-post along a derestricted road, is not being complied with on the Barnet and Croydon by-pass roads; and what steps he is taking to remedy this without delay?

Mr. HORE-BELISHA: While derestriction signs have not yet been erected on every lamp-post on the roads in question, I am advised that the remainder will be in position in the course of a few days.

Sir W. BRASS: How does my hon. Friend reconcile that statement with the undertaking he gave when the Prayer was being discussed on a recent night?

Mr. HORE-BELISHA: I do not think that I gave any undertaking covering this point. This refers to signs on every lamp-post.

Sir W. BRASS: Did my hon. Friend give an undertaking during the Debate on the Prayer that there would be a derestriction sign on every lamp-post and in every area?

Mr. HORE-BELISHA: So there will be.

Sir W. BRASS: But they are not there.

MOTOR DRIVERS' TESTS.

25. **Lieut.-Colonel SANDEMAN ALLEN** asked the Minister of Transport whether, in the case of a motorist, first licensed in May, 1934, and therefore liable to test, who applies for a renewal of his licence but has been unable to arrange or obtain an appointment with the appropriate examiner, his licence will be renewed and a test subsequently arranged; or whether the renewal will be held up pending the test, to the detriment of his business or professional activities?

Mr. HORE-BELISHA: When subsection (1) of Section 6 of the Road Traffic Act, 1934, is brought into full operation the driver referred to by the hon. and gallant Member will not be able to renew his licence until he has passed the test. He can, however, apply now to be submitted to a test and there is therefore no reason why he should experience delay in obtaining a further licence.

RAILWAY ELECTRIFICATION (EAST LONDON).

47. **Mr. HUTCHISON** asked the Chancellor of the Exchequer whether he will consider as part of the schemes for relieving unemployment the grant of a loan at small interest over a long period, or the guarantee of a loan, to the London and North Eastern Railway Company for electrification purposes, or to the London Passenger Transport Board for a new tube to improve travelling facilities in the East of London, or both?

The FINANCIAL SECRETARY to the TREASURY (Mr. Duff Cooper): I am not in a position to add anything to the answer given to my hon. Friend on the 6th March by the Minister of Transport.

NEW PALACE YARD (PEDAL-CYCLE STANDS).

31. **Mr. GLOSSOP** asked the First Commissioner of Works whether he will consider the provision of pedal-cycle stands for use of cycles belonging to Members of Parliament in New Palace Yard?

The FIRST COMMISSIONER of WORKS (Mr. Ormsby-Gore): If there is sufficient demand for this, I will arrange for a few cycle stands to be fixed in the covered recess beside the Members' private entrance.

Mr. GLOSSOP: While thanking the right hon. Gentleman for his reply, may I ask if he does not seriously contemplate an increase in the number of Members of Parliament using pedal cycles in view of the fact that only this week the pedal cycle has gained supremacy as being one of the swiftest means of transport?

TAX OFFICE, ROMFORD.

32. **Mr. WEST** asked the First Commissioner of Works whether he is aware that the accommodation provided for His Majesty's inspector of taxes and staff at Station Chambers, Victoria Road, Romford, is inadequate and that there is serious overcrowding; and whether it is proposed to obtain alternative accommodation?

33. **Mr. HUTCHISON** asked the First Commissioner of Works whether he is aware that the accommodation provided for His Majesty's inspector of taxes and staff at Station Chambers, Victoria Road, Romford, is inadequate and that there is serious overcrowding; and whether it is proposed to obtain alternative accommodation?

Mr. ORMSBY-GORE: I would refer the hon. Members to the answer which I gave to a similar question yesterday by the hon. Member for the Upton Division of West Ham (Mr. Gardner).

SCOTLAND.

CHILDREN AND YOUNG PERSONS ACT.

34. **Mr. BURNETT** asked the Secretary of State for Scotland whether it is the intention of the Department of Health for Scotland, under Public Assistance Circular No. 40, that a child under order of court should be committed to the care not of a public assistance committee but of an education authority; and will he take into consideration the fact that public assistance committees have arrangements under which children can be cared for and boarded out, whereas education committees have as a rule no other course open to them than to send children so committed to their care to an approved school?

The LORD ADVOCATE (Mr. Normand): In regard to the first part of the question, the Children and Young Persons (Scotland) Act, 1932, contains no provision authorising the committal of children to the care of public assistance committees. With reference to the second part, a child committed to the care of an education authority cannot be sent to an approved school without a further order by a court. Education authorities have power to board out children committed to their care under the Act. Sixteen of the authorities have intimated their willingness to undertake this duty, and six of them have already boarded out 35 children committed to their care.

Mr. BUCHANAN: Has the Lord Advocate any power to intervene in the case where a local authority is not carrying out the spirit of the circular?

The LORD ADVOCATE: I will convey the hon. Member's question to my right hon. Friend.

GLASGOW CORPORATION (PETROL CONTRACT).

35. **Mr. KIRKWOOD** asked the Secretary of State for Scotland whether, as a result of the special inquiries he has made, he will state how much Russian petrol was bought for the Glasgow Corporation in 1933 and how much petrol from other firms; what were the conditions of purchase in both cases; and in which case was the price offered the cheapest?

The LORD ADVOCATE: I am informed that in 1933 the corporation placed contracts for petrol as follows:

National Combine Companies—1,409,206 gallons at 12.61d. per gallon.

Russian Oil Products, Limited—954,200 gallons at 12.04d. per gallon.

Corporation's Chemical Works—98,994 gallons at 7.51d. per gallon.

The contracts were subject to the ordinary conditions included in all contracts in accordance with the standing orders of the corporation.

Mr. KIRKWOOD: Is the Lord Advocate aware that in 1933 when the Moderates were in power in Glasgow the reason they gave for giving an order for Russian petrol was that the monopoly of home producers was exploiting the corporation?

The LORD ADVOCATE: I have no information.

Mr. KIRKWOOD: Will the Lord Advocate make inquiries and ascertain whether my statement is correct?

Lieut.-Colonel C. MacANDREW: May I ask whether in the answer the Lord Advocate has given the price of British petrol as compared with the price of Russian petrol?

The LORD ADVOCATE: I gave the price of British petrol as 12.61d. and that of Russian petrol as 12.04d.

Lieut.-Colonel MacANDREW: Is not the present position totally different and that Russian petrol is now dearer?

Mr. RADFORD: Has the right hon. and learned Member taken into account the fact that the price of British petrol includes 8d. duty, and therefore that the statement that there was exploitation is not justified?

POST OFFICE.

LETTERS (PERSONAL COLLECTION).

36. **Mr. LOUIS SMITH** asked the Postmaster-General whether, with a view to

[Mr. Smith.]
meeting in part the grievance of persons in various parts of the country who cannot obtain the first delivery of their letters before leaving for work in the morning, he will consider the desirability of making a reduction in the cost of boxes or bags at the principal post offices, so that such persons may be able to collect their letters there, if they are able?

The ASSISTANT POSTMASTER-GENERAL (Sir Ernest Bennett): I am inquiring into the matter and will write to my hon. Friend.

MAIL VAN DRIVERS.

37. **Mr. T. SMITH** asked the Postmaster-General whether any Post Office servants driving Royal Mail vans, or any persons driving Royal Mail vans under contract, are under the age of 21; whether he has ever assented to or given instructions that persons under 21 shall be employed on this duty; and, if so, whether, in the interests of public safety, he will reconsider the matter?

Sir E. BENNETT: Persons under 21 years of age are not permitted to drive official mail vans if suitable men above that age are available. The mail van contractors in London do not employ drivers under 21. Contractors outside London have the right to employ drivers over 19 years of age, but I have no information whether any such drivers under 21 are employed.

ITALY (PROVISIONAL TRADE AGREEMENT).

38. **Lieut.-Colonel Sir MERVYN MANNINGHAM-BULLER** asked the President of the Board of Trade whether he has any information as to the intention of Italy to prohibit the importation of British boots and shoes; and what steps, if any, he proposes to take to try and prevent this taking place?

Lieut.-Colonel J. COLVILLE (Secretary, Overseas Trade Department): Under the Italian Decree of 16th February, imports of boots and shoes were to be restricted, up to 31st March, to 25 per cent. of the imports from the United Kingdom in the corresponding period of last year. This percentage is now raised, however, to 80 per cent. under the provisional agreement which has already been announced.

39. **Mr. PETHERICK** asked the President of the Board of Trade whether he can make any statement as to the temporary agreement with the Italian Government with regard to trade with Italy, and especially if the figure of 80 per cent. of the 1934 imports permitted by the Italian Government refers to the total British imports into Italy or to each individual item?

Lieut.-Colonel COLVILLE: I would refer to the statement which my right hon. Friend made yesterday in reply to questions on this subject. The effect of the provisional agreement is that an Italian importer may import 80 per cent. of the amount of any individual commodity which he imported from the United Kingdom in the corresponding period of 1934.

Mr. PETHERICK: Does my hon. and gallant Friend realise that a 20 per cent. restriction on pilchards is a serious matter for the pilchard industry of Cornwall?

Lieut.-Colonel COLVILLE: I have indicated that the agreement is a provisional one and that further negotiations are to be undertaken.

40. **Mr. PETHERICK** asked the President of the Board of Trade whether he is aware that Italy is almost the only market for British pilchards; whether he has borne this in mind in his recent negotiations with the Italian Government: and whether he will do so when a more lasting agreement comes to be discussed?

Lieut.-Colonel COLVILLE: The answer to each part of the question is in the affirmative.

AGRICULTURAL MARKETING BOARDS (STAFF SALARIES).

41. **Mr. de ROTHSCHILD** asked the Minister of Agriculture the numbers of the salaried staffs of the Pig, Bacon, Milk, and Potato Marketing Boards, with the total salaries paid in each case?

The MINISTER of AGRICULTURE and FISHERIES (Mr. Elliot): I regret that I have not the information desired by the hon. Member.

Mr. de ROTHSCHILD: Is the right hon. Gentleman aware that some of these boards are administering public funds and carrying out the policy of the Gov-

ernment? That being so, is it not within the purview of the Minister of Agriculture and of this House to know these facts?

Mr. ELLIOT: No, Sir. Certainly not.

Sir P. HARRIS: Will the right hon. Gentleman take the trouble to find out these figures?

Mr. ELLIOT: No, Sir. It is quite wrong for me to communicate with these boards and ask for details of the salaries of their staffs.

Mr. JOHN WILMOT: Is it not the case that these boards derive their funds as a result of Statutes passed by this House, and, in those circumstances, is it not proper for the right hon. Gentleman to ask for these particulars?

Mr. ELLIOT: The hon. Member is under an entire misapprehension. These boards operate under Statutes passed by this House, but if a return is to be called for of every company operating under Statutes passed by this House, the Table of the House would not be big enough to accommodate them.

Mr. de ROTHSCHILD: Are not these boards administering public funds, and therefore are we not entitled to ask for these particulars?

Mr. ELLIOT: I do not know of any case in which a board is administering public funds except the Milk Board, where a grant is given, and which is operated by a committee entirely on voluntary lines.

Mr. PALING: Are not these boards set up as the direct outcome of Government policy, and are we not entitled to know how many people are being employed?

Lieut.-Colonel HENEAGE: Would it not also be wise to ask how many employés there are in the trade unions which also distribute public funds?

POLICE (PROMOTION).

42. **Mr. JOHN RUTHERFORD** asked the Home Secretary whether he will make it plain that the number of convictions for exceeding the speed limit obtained by a police officer through the methods announced by the commissioner will not be taken into account when considering the promotion of that officer?

Sir J. GILMOUR: Promotion in the police force is by selection and does not depend on the number of convictions an officer may obtain.

Mr. RUTHERFORD: May we take it that zealous young constables will not be prosecuting motorists frivolously in the next few weeks thinking that thereby they will obtain promotion?

Sir J. GILMOUR: I have no reason at all for thinking that anything of the kind will take place.

ARRESTS (LOITERING).

43. **Mr. WEST** asked the Home Secretary whether he can give the average number of arrests and the average number of convictions per week in the Metropolitan area during recent months on a charge of loitering with intent to commit a felony; whether he is aware of the growing impression that these charges are indicative of police persecution of unemployed persons; and whether he will issue instructions that a charge of this description shall not be made without substantial evidence?

Sir J. GILMOUR: The suggestion that the police are persecuting the unemployed is one that will be rightly resented by every member of the Metropolitan Force. It is the duty of the police to prevent crime and in order to carry out this duty they must arrest persons frequenting public places with intent to commit a felony. It is essential that there should be vigilance in the discharge of this duty if crimes of certain types are to be prevented. There is not the smallest reason to suppose that the police are abusing their powers in this matter and the fact that in a certain number of cases the charge is dismissed or the accused is given the benefit of the doubt, is no indication whatever that the police are acting oppressively. I see no reason for issuing any fresh instructions on the point.

Mr. WEST: Is it not the case that the number of charges obtained by a plain clothes police officer is taken into consideration when considering awards or increases in salary?

Mr. SPEAKER: The hon. Member has already had an answer on that subject.

Mr. T. WILLIAMS: May I ask whether the figures called for in the question can be supplied, and if they are available how many of the persons apprehended for loitering were unemployed?

Sir J. GILMOUR: I do not think that any public service would be served by making these considerable researches. The figures are given in the report for the year and to ask for a special return is not in the public interest.

Mr. WEST: Is it not the fact that when complaints are made to Scotland Yard about these cases, which are ultimately dismissed, only one side of the case, the police side, is heard, and not the complainant's side?

Sir J. GILMOUR: I am satisfied that that is not the case.

Mr. WEST: It is the case.

INDUSTRIAL DISEASES (ASBESTOSIS).

44. **Mr. THORNE** asked the Home Secretary whether he has received a report from his factory inspector in connection with the death of a young man from asbestosis who was employed at Dick's Asbestos Works, Canning Town; and whether the factory inspector was satisfied that proper and adequate dust-suction machinery was installed for the removal of asbestos dust?

Sir J. GILMOUR: Yes, Sir. It would appear from the evidence at the inquest that death was due to asbestosis but that the disease had been contracted some years ago before the present Regulations came into force. During the last 3½ years the deceased seems to have been employed at the works mentioned for about two months only. The inspector reports that the requirements as to provision of mechanical exhaust draught are well observed.

WHITE STAR LINE, LIMITED.

46. **Mr. WILMOT** asked the Chancellor of the Exchequer whether he is aware that the White Star Line, Limited, has issued a statement to its shareholders that the company must go into liquidation and that its liabilities greatly exceed the value of its assets; and whether, as the liquidation of this company will involve the total loss of the shareholders' capital, he will state why no provision was made for the protection of the interests of the shareholders of this company when the Cunard-White Star merger was effected under agreement with the Treasury concerning advances for the completion of the Cunarder No. 534?

Mr. COOPER: My right hon. Friend is aware of the facts as stated in the first part of the question. With regard to the second part of the question, the hon. Member appears to be under a misapprehension. White Star Line, Limited, was not a party to the merger agreement, which was between the Treasury, the Cunard Steam Ship Company and the owners of the White Star fleet—the Oceanic Steam Navigation Company. Nothing in the agreement was inimical to the interests of the shareholders in White Star Line, Limited.

Mr. WILMOT: While thanking the hon. Gentleman for that reply, I would ask him whether he thinks it equitable or proper that members of the public who were shareholders in the White Star Line, Limited, and who provided the money to acquire the assets which now form part of the assets of the merger, should lose the whole of their capital under an agreement entered into with the Treasury, while the benefits of those assets pass to persons who were concerned in the Royal Mail Steam Packet fiasco?

Mr. COOPER: The shareholders in the White Star Line were not the owners of the fleet at the time when the agreement was entered into.

ALIENS (ENTRY PERMITS).

49. **Mr. JOHN RUTHERFORD** asked the Minister of Labour what is the average length of time taken by his department in arriving at a decision as to the advice to be given to the Home Office whether or not to extend the permit of an alien desiring to take employment in this country?

The PARLIAMENTARY SECRETARY to the MINISTRY of LABOUR (Mr. R. S. Hudson): It is not possible to state any average time. In some cases a decision can be given forthwith, while in others a number of inquiries have to be made and these may take a considerable time.

Mr. RUTHERFORD: Is my hon. Friend aware that in the case of a firm in Edmonton the delay of the Ministry in coming to a decision was directly responsible for an alien going to another firm, with the result that a number of people could not obtain employment in a factory, though they would have done so had a decision been made more quickly?

Mr. HUDSON: I could not accept that explanation. The facts are that the alien in question did not want to go to the firm in the hon. Member's constituency and left no address so that the firm could not trace him

Mr. RUTHERFORD: Is it not a fact that had the delay of his Department not taken place that alien would now be employed by the firm in question and other people would have found employment too?

Mr. HUDSON: As a matter of fact, the alien is employed in another part of the country and, as a result of his employment, I understand that 350 British subjects have found work

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DARTFORD BOROUGH COUNCIL (SALARIES).

50. **Mr. PARKINSON** asked the Minister of Labour whether his attention has been drawn to the action of the Dartford Borough Council in withdrawing from the joint district council of the electricity supply industry, Greater London, area No. 10; if so, what action he proposes to take in bringing pressure to bear upon the council to honour the scale of salaries laid down by the joint council to the employés?

Mr. HUDSON: I understand that the Dartford Borough Council has recently decided to withdraw from the joint district council in question, but that the matter has not yet been considered by the latter body.

CHINA (RAILWAY DEVELOPMENT).

5. **Commander MARSDEN** (*for* **Major-General Sir ALFRED KNOX**) asked the Secretary of State for Foreign Affairs whether he has any information to show whether the Chinese Government contemplate extending railway communications to Sinkiang in order to counterbalance the economic and political effects of the Turkestan-Siberian Railway?

Mr. EDEN: I have no information leading me to suppose that railway extensions to Sinkiang are under contemplation.

INDIA: DISTURBANCES, KARACHI (CASUALTIES).

Mr. ATTLEE (*by Private Notice*) asked the Secretary of State for India whether he has any statement to make on the incident in Karachi where 27 persons were killed and many others injured?

The SECRETARY of STATE for INDIA (**Sir Samuel Hoare**): I regret to state that trouble arose yesterday morning at Karachi after the execution of Abdul Qaiyum, who was sentenced to death for the murder of a Hindu in the Judicial Commissioner's Court last September. The burial of the body in a selected graveyard some distance from the city was interrupted by a crowd of Mahommedans who swelled to 20,000 or more. Half the crowd attempted to rush the body by surprise into the city and overpowered the police. In these circumstances, and in view of the certainty of a grave communal disturbance if steps were not taken to disperse the crowd, British troops were brought up and ordered to fire as a last resource. A detachment of 25 men fired nearly two rounds each, causing casualties at present reported to be 29 deaths and 87 injured. The firing was strictly controlled, but, owing to the density of the crowd and the shortness of the range, casualties were high. As the result of the firing the crowd retreated and buried the body of Abdul Qaiyum outside the city. According to the latest report in my possession, the situation yesterday evening was quiet but was being carefully watched.

Mr. CHURCHILL: Would my right hon. Friend say why it is that the Government of India, in dispersing these crowds of excited people, do not use lachrymatory gas capsules, such as used in America, instead of firing bullets, which pierce three or four bodies at the same time, and why humanity and common sense cannot lead to reform in the matter of dealing with crowds of this character?

Sir S. HOARE: The Government of India have already considered that possibility. So far as I remember, lachrymatory gas has been used in the Punjab. I will look again into the suggestion, but I will say nothing that would lead the House to suppose that I have not full confidence in the troops in dealing with the situation in the best possible manner.

Mr. CHURCHILL: Will my right hon. Friend most carefully discriminate between any suggestion that there is lack of confidence in the troops or in the judgment of the people on the spot, and a decision on a matter of high policy which is required from the Imperial Government?

Sir S. HOARE: Certainly.

LONDON MIDLAND AND SCOTTISH RAILWAY BILL.

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

Bill, as amended, to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have agreed to,—

Clacton-on-Sea Pier Bill, with Amendments.

That they have passed a Bill, intituled, "An Act to make better provision with respect to the rights of the Folkestone Corporation to purchase the undertakings of the Folkestone Electricity Supply Company, Limited, within the borough of Folkestone and the rural district of Elham; and for other purposes." [Folkestone and District Electricity Bill [*Lords.*]

And also a Bill, intituled, "An Act to confer further powers on and to change the name of the Sharpness New Docks and Gloucester and Birmingham Navigation Company; and for other purposes." [Sharpness Docks and Gloucester and Birmingham Navigation Bill [*Lords.*]

FOLKESTONE AND DISTRICT ELECTRICITY BILL [*Lords*].

SHARPNESS DOCKS AND GLOUCESTER AND BIRMINGHAM NAVIGATION BILL [*Lords*].

Read the First time; and referred to the Examiners of Petitions for Private Bills.

WRITTEN ANSWERS.

TRANSPORT.

SPEED LIMIT.

Mr. H. WILLIAMS asked the Minister of Transport whether he is aware that the Corporation of Birmingham propose to make an order giving a direction, under Section 1 (4) of the Road Traffic Act, 1934, that more than 80 unlighted roads within the city boundary shall be deemed to be built-up areas for the purposes of the 30-miles-per-hour speed limit; and what steps he is taking to satisfy himself whether or not such a direction ought to be given?

Mr. HORE-BELISHA: I have asked the council to furnish me with specific evidence in support of their desire to continue the speed limit on each unlighted length of road which will be restricted by the Order. In addition, I have asked the council to consider at once whether it would not be desirable to derestrict the Bristol Road between Rubery and Northfield and the Kingsbury Road between Gravelly Hill and the Chester Road and to acquaint me with their views.

Captain P. MACDONALD asked the Minister of Transport whether it is his intention to ensure that in the case of wide new arterial roads in the provinces the same principles will be applied of derestrict such roads from the 30-miles-per-hour speed limit as he has applied to arterial roads in the London traffic area after consultation with the London and Home Counties Traffic Advisory Committee?

Mr. HORE-BELISHA: Subject to local circumstances and to the views of local authorities, who are primarily responsible, I have endeavoured to ensure that the same principle as applies in the London traffic area should apply throughout the country.

Mr. T. MORRIS asked the Minister of Transport whether he proposes that borough or county councils shall compile and publish lists of streets in which the 30-mile limit is to be enforced; and whether, in any case, he will make arrangements that, in view of the number of motorists who visit Wales, there shall be some complete statement compiled for their information as to the districts in Wales which come under this regulation?

Mr. HORE-BELISHA: The primary indication to the motorist that a road is subject to the speed limit will be the existence on the road of a system of street lighting. In every case the commencement of the limit will be indicated by distinctive signs; and on a road which is lit and is not subject to the speed limit, a sign will be displayed on the lamp-posts along the road. I do not anticipate that drivers will have any difficulty in satisfying themselves as to whether the particular road on which they happen to be is subject to the limit or not.

DRIVING TEST (EXAMINERS).

Mr. McENTEE asked the Minister of Transport whether all the appointments for examiners have been made; and, if so, whether the unsuccessful applicants have been advised accordingly?

Mr. HORE-BELISHA: All appointments required to meet present needs have been made or are in hand and the persons selected have been informed. Unsuccessful applicants have been advised, either by means of public notice in the Press in the case of persons who were not invited to attend before a selection board, or individually in the case of persons who attended before a board.

RAILWAY ACCIDENT, KING'S LANGLEY.

Lieut.-Commander TUFNELL asked the Minister of Transport whether his inspector holding the inquiry into the railway accident at King's Langley will be empowered to investigate whether the mishap might have been avoided if the locomotives of the trains involved had been fitted with powerful searchlights?

Mr. HORE-BELISHA: Yes, Sir.

ONE-WAY TRAFFIC (FORE STREET, HEXHAM).

Colonel CLIFTON BROWN asked the Minister of Transport whether he has considered the petition from the tradesmen of Hexham regarding one-way traffic in Fore Street; and what action he proposes to take in the matter?

Mr. HORE-BELISHA: Yes, Sir. Before I made the Order dealing with this matter in October last, I informed the Northumberland County Council that I regarded it to a certain extent as experimental, and that I should require a report on its working at the expiration of six months from the date of its coming into operation. I shall then review the whole matter and, if necessary, hold a further inquiry.

ELECTRICITY SUPPLY.

Mr. D. G. SOMERVILLE asked the Minister of Transport what approximate proportion of the total output of electricity in this country is now supplied in the form of alternating current; and by what date he anticipates that all consumers in the Greater London area will have a supply of alternating current available?

Mr. HORE-BELISHA: The proportion of the total public supply to consumers given as alternating current is of the order of 80 per cent. There is no statutory obligation on those giving direct current supplies to change over.

AEROPLANE ACCIDENT, HESTON.

Major HILLS asked the Under-Secretary of State for Air whether he will consider arranging to hold a special inquiry into the accident to a hired aeroplane at Heston air-port on 16th March when three persons lost their lives?

Sir P. SASSOON: This accident is already in course of investigation by the Inspector of Accidents, who will report fully upon it to my Noble Friend.

MERCANTILE MARINE.

SHIP CONSTRUCTION (SEA-WORTHINESS).

Vice-Admiral CAMPBELL asked the President of the Board of Trade whether he will examine the regulations governing the construction of ships, which recent casualties at sea suggest might be improved, with a view to ensuring that the regulations are adequate?

Dr. BURGIN: Yes, Sir. If investigations into casualties at sea suggest that any feature in the construction of cargo ships is unsatisfactory from the point of view of the sea-worthiness of these vessels all possible steps are taken to secure improvement. In this connection I would refer to the reply I gave to the hon. Member for Plaistow (Mr. Thorne) on 8th March last, in which I stated that special inquiry was being conducted into

the question of steering gears on merchant vessels as a result of two recent failures in the case of ships which were subsequently lost.

LOAD LINES.

Vice-Admiral CAMPBELL asked the President of the Board of Trade what alterations were made in the position of the load-line as a result of revised load-line rules authorised in the Merchant Shipping Act, 1932, in the case of the British ships which have been lost this winter?

Dr. BURGIN: Of the ships foundered and missing during the present winter the "Usworth," "La Crescenta" and "Blairgowrie" had not had the position of their load lines changed by reason of the Load Line Rules, 1932. The same was true of the "Millpool" which, however, sailed on her last voyage in September before the commencement of the winter season. The "Dunscore," a steamer of 176 tons gross, which foundered on 5th December, had her winter freeboard reduced on re-assignment under the 1932 Rules by ¾ inch, representing an increased dead-weight carrying capacity of three tons. In general, the re-assignment of load lines under the Load Line Rules, 1932, resulted in a reduction of the freeboard in the case of limited classes of vessels only. Moreover, it should be borne in mind that very stringent rules were then laid down regarding such matters as weather tightness of openings (hatches, etc.) and adequate provision of freeing ports, on all load line ships. Annual surveys for the purpose of ensuring the effectiveness of these requirements were made compulsory at the same time. These additional requirements deal with matters of the first importance to the safety of ships.

HOUSE OF COMMONS (REFRESHMENT DEPARTMENT).

Mr. D. G. SOMERVILLE asked the Financial Secretary to the Treasury what were the costs to the Crown in the recent case brought by Mr. A. P. Herbert against the Kitchen Committee of the House of Commons with regard to the sale of alcoholic liquor; whether these costs will be borne on the Vote of the House of Commons; and, if not, in what way they will be accounted for?

Mr. COOPER: The expenditure incurred by the Crown for costs amounted to £201, which will be borne by the Law Charges Vote, Class III. 10.

MEXICO (RELIGION).

Dr. O'DONOVAN asked the Secretary of State for Foreign Affairs whether allegations of the persecution of religion in Mexico have been laid before the Council of the League of Nations by any Power or by any association or society?

Sir J. SIMON: No such communications to the Council have been brought to my notice.

ORDERS OF THE DAY.

GOVERNMENT OF INDIA BILL.

Considered in Committee [TENTH DAY —*Progress, 13th March*].

[Sir DENNIS HERBERT in the Chair.]

3.30 p.m.

The CHAIRMAN: I have to inform the Committee of what took place at the recent meeting of the small committee of Members, representative of the various groups in the House of Commons. Before doing so, perhaps I ought to mention where we stand now as to the consideration of this Bill. The question immediately before the Committee is "That Clause 52, as amended, stand part of the Bill," and I hope that that may go through possibly without any further talk.

Colonel WEDGWOOD: May I ask——

Mr. COCKS *rose*——

The CHAIRMAN: Perhaps both hon. Members will wait until I have completed my statement. I was merely mentioning that fact as a preliminary, and I did not intend to indicate that I was about to put that Question. The committee to which I have referred understands that it is the desire of certain hon. Members to move to report Progress in order to give an opportunity for the consideration of matters connected with the White Paper issued by the Government on Monday. If that Motion be made, it will be accepted by the Chair, and it is estimated that the discussion on that Motion should occupy between two and three hours but should not exceed three hours. We shall then come to Clauses 54, 55, and 56 on which there are no Amendments except formal Amendments to make those Clauses correspond with Amendments which have already been made. Those Clauses therefore ought only to take a very short time unless possibly there is some discussion on one of them on the question "That the Clause stand part of the Bill." That would bring us to Clauses 56, 57 and 58 which deal with the police. The committee understood that it was the desire of a number of hon. Members to have as wide a discussion as possible on the question of how the police were to be dealt with under the Bill, and it was suggested that a general discussion of that kind should take place on a Motion for the postponement of those three Clauses. I am sorry to say that I should find very great difficulty in allowing sufficient scope for debating that matter on a Motion to postpone the Clauses, but there is now on the Order Paper an Amendment, or, strictly speaking, three Amendments all forming one in the name of the right hon. Gentleman the Member for Epping (Mr. Churchill) and two other hon. Members—in Clause 56, page 35, line 39, to leave out "proposed," and to insert "directed by the Governor-General"; in page 36, line 2, after "military," to insert "the Governor shall carry out such direction and in doing so" and in page 36, line 3, to leave out from "respect," to the end of the Clause, and to add "thereto so far as such direction permits"—which in my opinion will give sufficient scope for a discussion generally of the proposal in the Bill regarding the police. These proposals are contained to some extent in Clauses which have already been passed and also in those Clauses to which we are now coming, and in various places in later Clauses and in the Schedules. The committee considered therefore that it would be for the general convenience that there should be a Debate of considerable scope if that could be arranged and I think this can be done on the Amendments I have mentioned, and when that Debate has taken place it is to be hoped that the Amendments to Clauses 56, 57 and 58 will not take so long as they would have taken otherwise. It is estimated that the discussion on the police might also occupy from two to three hours.

On the assumption, therefore, that we dispose of these two rather longer discussions to-day, it is considered that we ought to get to the end of Clause 98, that is the end of Part IV of the Bill, and thus complete the second compartment of the Bill at our next Sitting. To-morrow was to have been another Committee day on the Bill, but now the Committee stage is to be continued on Friday instead of to-morrow. I think that even the right hon. Gentleman the Member for Epping will on this occasion not think that I am too sanguine if I express the hope that on Friday we may get to the end of Clause 98. It is, of course, possible that we may get further to-night than I have indicated. That depends on the length of time occupied by those discussions to which I have

[The Chairman.]
referred, but with the exception of about three or four original Clauses on which there are a number of Amendments and on which discussion will be required, the great bulk of these Clauses right up to Clause 98 are purely repetition, and I hope that for the most part they will be disposed of with comparatively little discussion.

3.37 p.m.

Mr. CHURCHILL: May I say, Sir Dennis, since you have referred to me, that I think the outline of business which you have given is highly convenient and thoroughly in accord with the general arrangement under which this great Measure is being discussed. We are to have the opportunity of two debates, on large questions, with great latitude, to-day, and then on Friday we are to dispose of everything up to the end of Part IV of the Bill. It will be rapid legislation, but in my opinion not unfair legislation. The Government have given appropriate time, and the various Oppositions have all agreed that progress should be made. By Friday next if we accomplish what we are setting before ourselves, we shall be only two days over the time which was agreed upon in the original plan. Four days, it will be remembered, were held in reserve, and therefore we shall only have used up two of the spare days. I think that fact ought to be registered as an exceedingly satisfactory milestone in the working of this policy up-to-date.

Colonel WEDGWOOD: This Clause deals with the special responsibilities of the Governor——

The CHAIRMAN: Does the right hon. and gallant Gentleman rise to ask a question on my statement?

Colonel WEDGWOOD: No, Sir.

The CHAIRMAN: I would point out that I have put nothing to the Committee as yet, and that when we reported Progress on the Question, "That Clause 52, as amended, stand part of the Bill," the hon. Member for Broxtowe (Mr. Cocks) was in possession of the Committee.

CLAUSE 52.—(*Special responsibilities of Governor.*)

Question again proposed, "That the Clause, as amended, stand part of the Bill."

3.39 p.m.

Mr. COCKS: I regret that, in spite of what you have said, Sir Dennis, I must detain the Committee for a few minutes on this Clause which some of us regard as important and perhaps we may get a reply from the Secretary of State on the points which I am raising in connection with it. As I was saying when the Debate was interrupted, we think that the responsibility indicated in paragraph (*a*) —the prevention of any grave menace to the peace or tranquillity of a Province— should not mean the withdrawal of certain legislation which may be objected to by a certain minority in the Province. We have always held that social abuses can most effectively be dealt with by Indians themselves. As the result of dealing with abuses certain disorders may arise, and we think those disorders ought to be dealt with by the forces of law and order but that it would be putting a premium upon disorder to allow the Governor to exercise the power of ordering the withdrawal of a Bill. We think that two ill-effects will follow from that sort of procedure. The first effect will be to weaken the responsibility of Ministers, and the second will be to concentrate opposition upon the Governor. Both these things are extremely undesirable. With regard to paragraph (*c*), we agree that members of the public services should be secured in their legal rights, but we feel that "the safeguarding of their legitimate interests" is rather a wide phrase. In the Instruments of Instructions the Governor is instructed to safeguard not only the legal rights of the members of the civil service but to safeguard them against any action which, in his judgment, will be inequitable. We think that that is a power which should not be placed in the hands of one person, but should be referred to the Public Services Commission for discussion and decision. Paragraph (*d*) refers to the question of discrimination in the sphere of executive action. In the Instruments of Instructions the Governor is required,

> "to differ from his Ministers if in his individual judgment their advice would have effects of the kind which it is the purpose of the said Chapter to prevent even though the advice so tendered to him is not in conflict with any specific provision of the said Act."

In other words, the advice may not be in conflict with any law, but, in spite of

that, the Governor can take action. That is a wide power to be entrusted to any one person. Only an exceptional individual should be entrusted with a power such as that. It is not a power which I should like to exercise, and it is a matter that should be settled by the courts. In all these cases we feel that the real safeguard should be the personal influence of the Governor in his day-to-day contact with the ministers. If an exceptional crisis arises he has always the power of veto. He has also the power of dismissing his ministers, of dissolving the Legislature, and of causing measures to be put on the Statute Book even without the approval of the Legislature. We think that, in view of these powers, the other special responsibilities should only be exercised in the case of grave crisis and that they should be more precisely defined in the way I have suggested. I hope that the Government will see fit to meet us on some of these point on the Report stage.

3.43 p.m.

Colonel WEDGWOOD: This Clause deals with the special responsibilities of the Governor, and one of the responsibilities referred to him is the safeguarding of the legitimate interests of minorities. I want to know from the right hon. Gentleman how he thinks the legitimate interests of the minority in Sind will be looked after. There we have had the case in the last few years of a Hindu belonging to the minority being prosecuted for writing partial history, as it might be by Hilaire Belloc. He is two years under that charge, and while he is being tried he is seized by Mohammedans. Two men hold him while another sticks him with a knife. Justice is proceeded to be done on the murderer, and immediately a crowd of 20,000 people denounce the execution of the sentence and a riot which might have developed into a massacre at Karachi, is stopped by the action of British troops. It is stopped quite rightly. It is the responsibility of this House that such action is stopped and that we do not get mob violence in Karachi or in Sind. It is perfectly well known to the right hon. Gentleman that passions between Hindu and Mussulman run higher in Sind than in any part of India. How is the Governor to carry out his responsibility to the legitimate interests of the Hindus in that Province? Why is that Province being made? At present Sind is part of Bombay and is governed by the Governor of Bombay under the existing constitution——

The CHAIRMAN: That matter has been discussed already and does not arise on this Clause. I must remind the right hon. and gallant Gentleman that we cannot repeat the discussion.

Colonel WEDGWOOD: In view of the news from India in the last few hours it is exceedingly germane to this Clause. I want to ask the right hon. Gentleman how the new Governor of Sind is going to protect the interests of the minority there? We are handing over law and order, which at present is administered from the Centre. What sort of justice do you expect to get in that country under existing circumstances? How do you expect any Governor to manage to maintain law and order on his own? The issue in this Bill is how far we are going to hand over the administration of Provinces like Sind, and of Sind in particular, to people who are absolutely incapable of carrying out the administration of the districts on impartial lines? If the right hon. Gentleman were Governor of Sind and responsible for law and order there, what steps would he take, first, to see that a man is not murdered when he is being tried; second, to see that the murderer is executed; and, finally, to see that the results of that execution do not lead to a pogrom against the minority of Karachi?

3.46 p.m.

Wing-Commander JAMES: I want to thank the Secretary of State for accepting the two Amendments to this Clause on the Order Paper in my name and to express the hope that further investigation which I believe he will now undertake into the position of what used to be called the backward areas will show——

Colonel WEDGWOOD: On a point of Order. Is that in order on this Clause?

Wing-Commander JAMES: ——that when we reach the appropriate point the Secretary of State will find that some Amendments to the Sixth Schedule are necessary.

3.47 p.m.

The UNDER-SECRETARY of STATE for INDIA (Mr. Butler): I am sure that the Committee was interested in the

[Mr. Butler.]

many arguments used by the hon. Member for Broxtowe (Mr. Cocks) at the conclusion of our last sitting, which he resumed for the benefit of the Committee this afternoon. He wished the special responsibility under paragraph (*a*) of Clause 52 to be restricted in scope, as I understand him, on the lines of the proposal of the British Indian delegation to the Joint Select Committee. I can understand the principle of his argument, but I would remind the hon. Member that we had the privilege of discussing these points with members of the British India delegation, and the Committee will have had the opportunity of reading their declaration which is attached to the volume of records in the Report of the Joint Select Committee. I am afraid we have been unable to restrict this special responsibility any further. Its terms have been considered for several years, and we consider them the most suitable for giving the Governor in a particular Province the requisite powers to deal with any grave menace to the peace or tranquillity of his Province.

We think that if we further restrict these words we shall take away from the Governor powers which might be necessary to him in certain emergencies. The restrictions suggested by the hon. Member are therefore impossible to accept. The hon. Member's view of the relationship of the minister to the Governor is one which we cannot entirely accept. We believe naturally that the Governor should work with the minister and should use that tactful persuasion to which the hon. Member referred as much as possible. We do not deny that in the Governor's private relations with the minister there will be opportunities for consultation. At the same time we find it necessary, as we have explained before, to include the words for the purposes which I have outlined. With regard to the other special responsibilities, I think the same general remarks that I have just made in reply to the hon. Member apply to them.

We regard it as of first class importance that under paragraph (*c*) the the Governor should have the power to defend the interests of the services. We had a discussion on the wording of this on the Federal Clauses, and I do not think it would be proper for me to take the time of the Committee in repeating the arguments used on that occasion. In regard to paragraph (*d*), the words in the Instrument of Instructions are to give the Governor every power to see that in the executive field he has exactly the same power as is given to him administratively under Chapter III of Part V of this Bill. Therefore, we must keep the words in the Instrument of Instructions in order to be quite sure that in the realm of administration no action can be taken which would, in fact, be discriminatory, and so deprive the Governor of his power of intervention in such a case. As to the arguments of the right hon. and gallant Member for Newcastle-under-Lyme (Colonel Wedgwood), I should not myself like to use any words which would further exacerbate feeling or render the position in Sind more difficult at the present time. Therefore, I do not propose to follow him in arguing from that particular instance to the general, but I would say that in any regrettable emergency of a similar kind to that the Governor would be endowed with exactly the same powers, necessarily corresponding with the powers of to-day, to deal with that emergency.

Colonel WEDGWOOD: Would the Hindus in Sind be classed as a minority. Would this Clause protecting minorities protect the Hindus?

Mr. BUTLER: Certainly, this Clause would cover a minority, and if the right hon. Gentleman will turn to the Instrument of Instructions he will see that full instructions are given to the Governor to deal with troubles of minorities in a very comprehensive manner. I would refer him to the instruction given to the future Governor of Sind, in whom, together with his officers, his Ministers and his services, we shall have exactly the same confidence as we have in the present administration in Sind.

Colonel WEDGWOOD: Is it not a fact that the services in Sind will be strictly Mohammedan, that the Government will be a Mohammedan Government, and that law and order will be under Mohammedan administrators, and will the protection of the minority begin in

the courts of justice and not begin when a riot has been started?

Captain FULLER: I wish to put one point with regard to the powers of the Governor, who is not able to declare martial law in a Province, because that is done by the Governor-General under proclamation. Under this Clause is the position of the Governor altered, or does it stand as it is to-day?

Mr. BUTLER: I do not think that point arises on this Clause.

Captain FULLER: I was referring to the question of peace and tranquillity in a Province.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee divided: Ayes, 240; Noes, 59.

Division No. 112.] AYES. [3 55 p.m.

Acland-Troyte, Lieut.-Colonel
Agnew, Lieut.-Com. P. G.
Allen, Sir J. Sandeman (Liverp'l, W.)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Assheton, Ralph
Atholl, Duchess of
Bailey, Eric Alfred George
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Barclay-Harvey, C. M.
Barrie, Sir Charles Coupar
Barton, Capt. Basil Kelsey
Beaumont, Hon. R.E.B. (Portsm'th,C.)
Benn, Sir Arthur Shirley
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Blindell, James
Boulton, W. W.
Bowater, Col. Sir T. Vansittart
Bracken, Brendan
Brass, Captain Sir William
Briscoe, Capt. Richard George
Broadbent, Colonel John
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Brown, Brig.-Gen. H.C. (Berks., Newb'y)
Browne, Captain A. C.
Buchan-Hepburn, P. G. T.
Burgin, Dr. Edward Leslie
Burnett, John George
Butler, Richard Austen
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Cayzer, Sir Charles (Chester, City)
Cazalet, Thelma (Islington, E.)
Cazalet, Capt. V. A. (Chippenham)
Cecil, Rt. Hon. Lord Hugh
Chamberlain, Rt. Hon. Sir J.A. (Birm., W)
Chamberlain, Rt. Hon. N. (Edgbaston)
Churchill, Rt. Hon. Winston Spencer
Cobb, Sir Cyril
Cochrane, Commander Hon. A. D.
Colville, Lieut.-Colonel J.
Cooper, A. Duff
Courtauld, Major John Sewell
Courthope, Colonel Sir George L.
Craddock, Sir Reginald Henry
Cranborne, Viscount
Croft, Brigadier-General Sir H.
Crooke, J. Smedley
Crookshank, Capt. H. C. (Gainsb'ro)
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davison, Sir William Henry
Denman, Hon. R. D.
Denville, Alfred
Doran, Edward
Dugdale, Captain Thomas Lionel
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eden, Rt. Hon. Anthony
Elliot, Rt. Hon. Walter
Elliston, Captain George Sampson
Emmott, Charles E. G. C.
Emrys-Evans, P. V.
Erskine-Bolst, Capt. C. C. (Bik'pool)
Evans, Capt. Ernest (Welsh Univ.)
Evans, R. T. (Carmarthen)
Everard, W. Lindsay
Fermoy, Lord
Fielden, Edward Brocklehurst
Flint, Abraham John
Foot, Isaac (Cornwall, Bodmin)
Fox, Sir Gifford
Fremantle, Sir Francis
Fuller, Captain A. G.
Galbraith, James Francis Wallace
Gault, Lieut.-Col. A. Hamilton
George, Megan A. Lloyd (Anglesea)
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H
Goff, Sir Park
Goldie, Noel B.
Goodman, Colonel Albert W.
Gower, Sir Robert
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Grimston, R. V.
Guy, J. C. Morrison
Hamilton, Sir R.W. (Orkney & Z'tl'nd)
Hanbury, Cecil
Hanley, Dennis A.
Harris, Sir Percy
Harvey, Major Sir Samuel (Totnes)
Headlam, Lieut.-Col. Cuthbert M.
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Heneage, Lieut.-Colonel Arthur P.
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hornby, Frank
Horsbrugh, Florence
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hurst, Sir Gerald B.
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Jamieson, Douglas
Joel, Dudley J. Barnato
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Hamilton W.
Keyes, Admiral Sir Roger
Kimball, Lawrence
Kirkpatrick, William M.
Knight, Holford
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Leech, Dr. J. W.
Leighton, Major B. E. P.
Lennox-Boyd, A. T.
Levy, Thomas
Lewis, Oswald
Lister, Rt. Hon. Sir Philip Cunliffe-
Lloyd, Geoffrey
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Mabane, William
MacAndrew, Lt.-Col C. G. (Partick)
MacDonald, Rt. Hon. J. R. (Seaham)
McEwen, Captain J. H. F.
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Macpherson, Rt. Hon. Sir Ian
Magnay, Thomas
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Marsden, Commander Arthur
Martin, Thomas B.
Mayhew, Lieut.-Colonel John
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Mitchell, Sir W. Lane (Streatham)
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moreing, Adrian C.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shephard
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Nicholson, Rt. Hn. W. G. (Petersf'ld)
Normand, Rt. Hon. Wilfrid
Oman, Sir Charles William C.
Ormsby-Gore, Rt. Hon. William G. A.
Orr Ewing, I. L.
Patrick, Colin M.
Pearson, William G.
Penny, Sir George
Percy, Lord Eustace
Perkins, Walter R. D.
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilst'n)
Pickthorn, K. W. M.
Pownall, Sir Assheton
Radford, E. A.
Raikes, Henry V. A. M.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsden, Sir Eugene
Rathbone, Eleanor
Reed, Arthur C. (Exeter)
Reid, Capt. A. Cunningham-
Reid, David D. (County Down)
Reid, James S. C. (Stirling)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Ropner, Colonel L.
Ross Taylor, Walter (Woodbridge)
Rothschild, James A. de
Ruggles-Brise, Colonel Sir Edward
Russell, Alexander West (Tynemouth)
Rutherford, John (Edmonton)
Salmon, Sir Isidore
Salt, Edward W.
Samuel, Rt. Hon. Sir H. (Darwen)
Samuel, M. R. A. (W'ds'wth, Putney)
Sandeman, Sir A. N. Stewart
Sandys, Edwin Duncan

Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Shakespeare, Geoffrey H.
Smiles, Lieut.-Col. Sir Walter D.
Smith, Louis W. (Sheffield, Hallam)
Somervell, Sir Donald
Somerville, Annesley A. (Windsor)
Soper, Richard
Spencer, Captain Richard A.
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Stevenson, James
Stones, James
Strauss, Edward A.
Strickland, Captain W. F.
Sueter, Rear-Admiral Sir Murray F.
Sugden, Sir Wilfrid Hart
Sutcliffe, Harold
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Tryon, Rt. Hon. George Clement
Turton, Robert Hugh
Ward, Lt.-Col. Sir A. L. (Hull)
Ward, Sarah Adelaide (Cannock)
Wardlaw-Milne, Sir John S.
Warrender, Sir Victor A. G.
Watt, Major George Steven H.
Wedderburn, Henry James Scrymgeour-
Wells, Sydney Richard
White, Henry Graham
Whiteside, Borras Noel H.
Williams, Charles (Devon, Torquay)
Williams, Herbert G. (Croydon, S.)
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut-Colonel George
Wood, Rt. Hon. Sir H. Kingsley
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE AYES.—Captain Sir George Bowyer and Sir Walter Womersley.

NOES.

Attlee, Clement Richard
Banfield, John William
Batey, Joseph
Brown, C. W. E. (Notts., Mansfield)
Buchanan, George
Cape, Thomas
Cleary, J. J.
Cocks, Frederick Seymour
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Davies, Stephen Owen
Dobbie, William
Gardner, Benjamin Walter
Graham, D. M. (Lanark, Hamilton)
Griffiths, George A. (Yorks, W. Riding)
Groves, Thomas E.
Hall, George H. (Merthyr Tydvil)
Jenkins, Sir William
Jones, Morgan (Caerphilly)
Kirkwood, David
Lansbury, Rt. Hon. George
Lawson, John James
Logan, David Gilbert
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Maclean, Neil (Glasgow, Govan)
Mainwaring, William Henry
Maxton, James
Parkinson, John Allen
Salter, Dr. Alfred
Smith, Tom (Normanton)
Thorne, William James
Tinker, John Joseph
Wedgwood, Rt. Hon. Josiah
West, F. R.
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)

TELLERS FOR THE NOES.—Mr. John and Mr. Paling.

CLAUSE 53.—(*Provisions as to Instrument of Instructions*).

4.3 p.m.

Marquess of HARTINGTON: I beg to move, "That the Chairman do report Progress, and ask leave to sit again."

I do so because, in my view, and in the view of my hon. Friends and allies, the position has been so fundamentally altered by what we now know of the attitude of the Indian Princes that no useful purpose whatever can be served by our further discussion of this Bill in its present form. Hon. Members have in their hands the White Paper which my right hon. Friend the Secretary of State issued on Monday. It is a lengthy Paper containing many explanations to show that when people say "fundamental" they do not mean fundamental, and that when they say "vital" they do do not mean vital. Never since the first cuttle-fish used his device for concealment has ink been better used for the purpose of concealment than that which blackens this White Paper. My right hon. Friend may issue one White Paper; he may issue 20 White Papers, but he cannot alter the fact that a representative body of the Indian Princes has met together and has passed unanimously a Resolution. I do not want to weary the Committee with quotations, but we are dealing with a White Paper full of quotations, and I cannot avoid using some. The Resolution says:

"This meeting is of the definite opinion that in their present form, and without satisfactory modification of and alteration to the fundamental points, the Bill and Instrument of Accession cannot be regarded as acceptable to Indian States."

That Resolution—I have quoted only the concluding words—was passed a few moments only after some very pregnant words had been uttered by the Chancellor of the Chamber of Princes. He said:

"I appeal to you not merely as Chancellor of the Chamber of Princes, which high office I hold by the suffrage of my brother Princes, but also as the Ruler of Patiala, to say in the most unequivocal terms that this Bill is totally unsatisfactory, and cannot be accepted."

That does raise a very serious position, indeed. It is true that my right hon. Friend's White Paper contains on the part of the Princes a certain number of protestations of their devotion to the principle of Federation. I think you, Sir Dennis, are very familiar with that kind of protestation. When hon. Members say to you, "Far be it from me, Sir, to question your ruling," what they really mean is that they are generally in favour of others accepting your ruling, but that in this particular case they violently disagree with it. In the same way the Princes may be generally in favour of the principle of Federation, but they mean to take good care that the practice of it in particular shall never affect their own States. That is their real

meaning. I believe that when the Princes have really been confronted with what Federation means to them, they will be quite determined not to agree to this principle of Federation. They use in their letter to the Viceroy—and I notice that the Secretary of State refers to it—a very peculiar word—a word which, in my limited Parliamentary experience, I have never hitherto encountered. They say that they do not "resile" from the principle of Federation. I was so interested in the word that I consulted a dictionary at once, and I found it to be this:

> "(Of elastic bodies) recoil, rebound, resume shape and size after stretching or compression; have or show elasticity or buoyancy or recuperative power."

I believe that very interesting and obscure word must have been used advisedly. The Princes do not intend to be bounced back violently from the precipice to which they have been so nearly led. They mean to retire with a united front and in good order. Using very plain English, which their Highnesses would be far too polite to do, what they really mean to say is that they do not intend to be "bounced."

I have given one or two quotations to the Committee, and I do not want to weary them. Hon. Members have the whole of the evidence before them in this White Paper. I believe that no Member who reads pages 14 to 28 of the White Paper can possibly resist the conclusion that the objections of the Princes to Federation are vital and fundamental. I believe that if that long list of objections could be met—I do not think for a moment they can be met; it is utterly impossible that they can be met—still I believe that others would be raised until finally the attempt to draw the Princes into this scheme of Federation has been abandoned. As I have said, hon. Members have all the evidence before them, and I do not want to weary the Committee with that issue. With your permission, Sir Dennis, I would like to leave the documents now, and go into the argument of "the nature of the case," so dear to Dr. Paley. When my right hon. Friend was so optimistic about the Princes joining Federation, it never seemed to me in the nature of the case that when really confronted with the issue they would do anything of the kind. It seemed to me quite clear that by doing so they would surrender many advantages which they enjoy at the present time. They would give up treaties which must be regarded as absolutely inviolable. They would give up the position of very nearly absolute security. They run many risks, and avoid only one.

The risk which they avoid is that some future Government in this country might force upon them a measure even more disadvantageous to them than that which we are considering this afternoon. I hear one voice behind me say "Hear, hear." This risk has been used to the full by the Government and by the supporters of the Measure. We have certainly heard all about it, and I venture to hazard a guess that the Princes have heard a certain amount, too. I do not believe for one moment that that argument has the slightest validity. We who think it right to oppose this Bill have been told over and over again what fools we are to jeopardise this Bill, which is probably the last chance of securing a permanent settlement of the Indian question on sound Conservative lines, when we know that a Government of a very different complexion would bring in a Measure far more radical. I do not admit the validity of that argument for a moment. The present Government, enjoying a majority such as no Government has ever had before, is finding considerable, and, I think, increasing difficulty in passing this Measure. I do not think that another Government, of a different complexion cumbered up, as it would be, with pledges of every kind, could contemplate the introduction of a Bill which would prevent it very seriously from getting on with its task of nationalising the railways, banks and all the rest. They would be far too busy with the first-class financial crisis which they have promised, to contemplate the introduction of a Government of India Bill. I do not believe that any Government could carry through a Bill of the kind with which we are threatend if we do not pass this Bill.

I have not heard many good arguments advanced in support of this Bill, but there is one which has had a powerful effect on my mind, and upon the minds of all of us, namely, the argument that many of what may be called the men on the spot, are in favour of the Bill. It is

[Marquess of Hartington.]

a fact that many weighty and authoritative men with long service in India though they may not like this Bill very much, believe that it is the best way out of the very difficult situation. I, myself, believe that their support of the Bill has been given, to a large extent, under a misapprehension. I think that if they knew as much about politics in general as they know about India in particular, they might well not have given the support they have. I believe that if they had a reasonable hope of a really Conservative Government in this country, they might take a very different view. It is something like 30 years since anything like real Conservative doctrine was tried in India or elsewhere. Liberal Governments whose motto is, "Get out before you are kicked out," have been succeeded by Conservative Governments whose motto is "Don't miss the 'bus. Get out before anyone thinks of kicking you out." If we could have a reasonable hope of securing something really Conservative, I believe that men in India who have given their support to the Bill would very soon revise their views. But that is neither here no there.

The Bill can claim weighty and authoritative support from informed British Indian opinion. I do not think that it would be possible for any Government of this country to pass a Bill which did not enjoy that support. If a more radical and drastic measure be threatened, if this Bill does not go through, the whole weight of the informed opinion of those influential names which at present decorate the literature of the Union of Britain and India would be transferred *en bloc* to the literature of the India Defence League. I do not think that an alternative Government would attempt to pass a Government of India Bill of a more drastic nature than this. For that reason I believe that the Princes have the best and the weightiest of reasons for refusing to enter into Federation. I believe that their reasons are permanent, and that, in the nature of the case, it is in the highest degree improbable that the Princes will ultimately enter Federation.

What then becomes of the Bill? The entry of the Princes has been the whole foundation on which the Bill has been laid. Those of us who have been opposing the Bill from these benches have accepted an alternative. I do not say that it is one of which we are desperately enamoured, but it is one which we have adopted because we realise that the Government have got themselves into a difficult position and that it is rather hard not to do something to help them. We suggest that, instead of taking the irrevocable step of setting up an All-India Federation, we should try provincial autonomy and see how it works. We have been told over and over again by the Government that such a course would be disastrous and that it would leave the Central Government so weak as not to be able to survive. That road of retreat the Government have blown up for themselves. We are told that we must have Federation and that we must bring in this sane, loyal, stabilising influence of the Princes. It is pretty clear, if words have any meaning at all, that that influence is not there. That influence cannot be relied upon for future Federation. It has been made plain, absolutely from the word "go," that the whole of this Bill stood or fell by Federation and the adherence of the Princes. That adherence is not there. That being so, it is an almost overwhelming reason for the withdrawal of the Bill. What is the good of our continuing to discuss a Bill, which, on the Government's own admission, can never become operative? What is the good of our continuing to waste months of Parliamentary time? The credit of the House and of the Government can best be served in the long run by dropping the Bill.

If the case is serious in regard to the Indian position it is even more serious in regard to the Parliamentary position. We have been told over and over again that the whole of Federation depended upon the adherence of the Princes. My right hon. Friend the Secretary of State for India told the Committee of Supply on 27th June, 1932:

> "Every hon. Member in this House should see the whole picture of the comprehensive constitutional scheme before he is asked to give a vote or a decision upon any part of it."

He told them again:

> "No one in any part of this House can categorically say that an All-India Federation Bill can be produced until we know in detail and for certain that the Indian States are going to be an effective part of the Federation."—[OFFICIAL REPORT, 27th June, 1932; col. 1495, Vol. 267.]

To-day we know almost for certain that they are not. [HON. MEMBERS: "Why?"] Read the White Paper, if hon. Members ask "Why?" If there be any doubt about that, it is quite certain, and in detail, that we do not know that they are. My right hon. Friend has given a categorical promise that no hon. Member shall be asked to vote upon any part of the Bill until we know. I submit that the Parliamentary position is an exceedingly serious one.

My right hon. Friend would not wilfully mislead us, but he himself has been woefully misled. His information from India has been wrong information, and he has not fully understood the attitude of the Princes. The Princes are not the only persons about whom he has been misled. We understood that he hoped to get the overwhelming mass of Liberal opinion, but every Indian Liberal has said that he loathes the Bill and cannot bear it. The opinion upon which my right hon. Friend has relied has not backed him up as he thought it would. As regards both the scheme of Federation and the information which my right hon. Friend has laid before the House, the position is so radically altered from what we had been led to believe, that no useful purpose could be served by continuing this discussion. I believe that the most candid and useful course would be for the Government to withdraw the Bill.

4.22 p.m.

The SECRETARY of STATE for INDIA (Sir Samuel Hoare): My noble Friend the Member for West Derbyshire (Marquess of Hartington) has, as he always does, made a very able and incisive speech, but it seemed to be directed against the whole Bill rather than to the immediate object of this Motion to report Progress. It was a speech showing also what a terribly ignorant person the Secretary of State for India is, and how much more almost everybody else in the House of Commons knows about these Indian affairs. I accept the reproof in the friendly spirit in which it was given. My Noble Friend made one or two quotations from the meeting of the Princes in Bombay. He quoted in particular an observation from the Maharaja of Patiala. He forgot, however, to quote the first and opening observation made by the Maharaja of Patiala, which was in these words:

"I would, in conclusion, urge everyone present here to keep our deliberations absolutely confidential. Untimely publicity may cause great harm, and I earnestly request that the secrecy of our consultations should be rigorously maintained."

I cannot congratulate my Noble Friend and those whom he called his allies in acceding to the request made by the Chancellor of the Chamber of Princes. Be that as it may——

Mr. CHURCHILL: What does the right hon. Gentleman mean by that?

Sir S. HOARE: I think the meaning is obvious. My right hon. Friend, I dare say for very good reasons from his own point of view, has circulated an account of these speeches, and that is a direct repudiation of the request made at the beginning of the meeting by the Maharaja of Patiala.

Mr. CHURCHILL: My right hon. Friend is surely aware that what I have circulated to the House and to my colleagues in the House of Commons has already appeared in the public Press.

Sir S. HOARE: I imagine, although I do not want to enter into a controversy with my right hon. Friend, that the source of his information and the source of the information in the public Press are exactly the same.

Sir WILLIAM DAVISON: And it has never been denied.

Sir S. HOARE: Let me come to the very general considerations urged by my Noble Friend the Member for West Derbyshire, and to the definite points that we are considering this afternoon. In accordance with my undertaking to the Committee I publish in full the information at our disposal. I claim that the information now published confirms in every respect the accounts that I have previously given to the Committee of the exact state of affairs. The White Paper confirms the fact that the Princes have not withdrawn from Federation.

"We should like to make it clear beyond doubt"—

these are their words—

"that there has never been any intention on our part to resile"—

I pause on that word in view of what my Noble Friend has said about it—

"from the position which we have all along taken."

[Sir S. Hoare.]

Let me say, in passing, that I, like my noble Friend, was surprised when I first saw this word "resile." I saw it when I first went to the India Office three or four years ago. It is a word which has been in frequent use in the phraseology of India, and it is the outward and visible sign of the influence which Scotsmen have had upon administration in India. My noble Friend will remember that it was always said that the two exports from Scotland were thin cattle to England and impecunious adventurers to India. That has resulted in a word which is ordinarily used in the phraseology of the English members in that Committee.

The fact which emerges is that the publication of this document shows that the Government have gone back on no agreement. It shows that the points connected with the Bill are substantially those which I stated in the Committee during my first speech on the subject some few weeks ago. The last conclusion which I wish to impress upon the Committee arising from these papers is that they show that these differences are adjustable, formidable as they may look at first sight. I claim that they are adjustable, and, in support of my view, I claim the opinion expressed by the Princes themselves.

"It is, in our opinion,"—

say the three signatories of this communication—

"still not beyond the sphere of statesmanship to adjust our differences in such a manner as would lead to a satisfactory and desired result."

There are about 30 points upon which the Princes feel doubt. To some extent those points overlap, but the questions may be not unfairly regarded as 30 separate questions. Apart from two substantial issues, about which I shall speak in a minute, the rest of these points are points of detail. If hon. Members will study them, I think they will agree with me when I say that about a third of them are simply misunderstandings, and, of the other two-thirds, the great majority are either points where the drafting is not quite clear or where the drafting ought to be readjusted without any sacrifice of any substantial principle in the Bill. The Committee, therefore, can take it from me that, of these 30 points of difference, all except two are points that ought to be adjustable, and adjustable comparatively easily.

I come now to the two points of substance. The first point is the point about which I spoke the other day—the point about the method of accession of the Princes into the Federation. I have always admitted that this is a difficult and complicated issue, and I would not like it to be supposed that it is not complicated. I will, however, point the Committee to paragraph (vii) on page 34 of the White Paper. They will see there set out the exact position with reference to the method of accession, that is to say, to Clause 6 of the Bill. I think I had better read the paragraph to the Committee:

"His Majesty's Government are of opinion that Clause 6, if analysed and correctly interpreted, does not disclose any differences which can be justly described as *fundamental or vital*. From their point of view it is essential that there should be a single constitution, and not a multiplicity of constitutions; they realise that the States, on the other hand, desire to secure that the method of their entry into Federation should be so expressed as not to subject them to any risk of finding their powers and jurisdiction diminished beyond the point which they contemplated when they executed their Instrument of Accession. His Majesty's Government are confident that it is not impossible to reconcile these two points of view, and they believe that the suggestions in this Memorandum with regard to other Clauses, for example, Clauses 45, 127, and 129-132, will facilitate an adjustment of view on Clause 6."

It cannot be said here and now how far we shall be able to meet the States' views on these questions. This must depend largely upon the States' reactions to the White Paper. But I can say this, and I emphasise this point to the Committee, that my advisers have been in close consultation about them with the legal advisers of the States. The latter cannot, of course, bind the Princes in any way, but the views of both Parties have been discussed in detail at these meetings, and the discussions have not revealed any differences which appear to me to be incapable of adjustment.

The other point of substance is a point of a different kind, and a point with which, curiously enough, my Noble Friend omitted to deal in the course of his speech. It is the emphasis that the Princes lay in their communication upon the position of their treaties and upon the question generally of what is known as paramountcy. This is a question upon

which I believe there have been misunderstandings in various quarters. Let me say a word, before I deal in greater detail with the question of paramountcy, about these misunderstandings. The Princes claim in their communication that there must be a satisfactory settlement of the claims of paramountcy precedent to their accession. Some people seem to think that this means that we cannot proceed with the Bill until those claims are settled. My Noble Friend who has just addressed the Committee seemed to take that view. This is not the case. The Princes are not being asked here and now to accede——

Mr. CHURCHILL: Hear, hear!

Sir S. HOARE: My right hon. Friend seems surprised at that statement. I thought it was of the nature of a platitude which was in everybody's mouth. The Princes are not being asked here and now to accede. Parliament, rather, is passing the best Bill it can, and is taking into account as fully as it can all the various interests—British Indian interests, the interests of the Indian States, the interests of Great Britain and the interests of the Empire. The Princes themselves have always said that they could give no final answer as to their accession until the Bill was on the Statute Book, and the negotiations were actually started for their Instruments of Accession. Parliament is now doing its best, and is acting on the merits of all these difficult issues. The Princes are not being asked here and now to say, "Yes" or "No" to its work. When the Bill is passed, the Princes will have to decide. If they accede, there will be Federation; if they do not accede, there will be no Federation. My Noble Friend seemed to think that that would not only not be the position to-day, but that I have changed in some way from the position which I had previously taken up. Nothing is further from being the case.

My Noble Friend was good enough to quote a sentence or two from one of my former speeches, a speech made about three and a-half years ago. If hon. Members will look at that speech, they will find that it was a speech in which, at the end of the second Round Table Conference, I was explaining the future procedure and in particular, first of all, that the Government had decided to proceed by a single comprehensive Bill rather than by a Bill based only on provincial autonomy. Secondly, I was proceeding to describe what were going to be the future activities of the third Round Table Conference, and subsequently of the Joint Select Committee. I was saying to the House that, the Government having then decided, and having then announced for the first time, that they were going to proceed by a single comprehensive Bill, we had to show in our Bill that we could meet the conditions of Federation, that is to say, that we could produce a Bill in which the Princes could play an effective part. It was perfectly obvious that I meant to draft a Bill in which the Princes' rights would be adequately safeguarded, and under which they would receive effective representation in the Federal Legislature, the Federal Executive and the other Federal organs. There was not the least question at the time, and nobody ever understood for a moment from my statement, that we were not going to produce a Bill till the Princes had said they were going to accept it. Nothing was further from our intentions; nothing was further from the intentions of the Joint Select Committee; nothing was further from the intentions of the representatives of the Princes themselves.

Mr. CHURCHILL: My right hon. Friend will admit that the general impression of everyone was that the Princes were in hearty accord with the main details of the proposals?

Sir S. HOARE: Certainly, and I claim that that is the case to-day. [HON. MEMBERS: "No."] So far from its being the fact that there was any misunderstanding about what I said, quite a few weeks afterwards, at the third Round Table Conference, there was a committee of which the representatives of all the principal States were members, and in their report they accepted the procedure I had set out in the House of Commons, and said:

> "The procedure in contemplation would secure that the States should not be asked to commit themselves definitely until they had the complete Act before them, but it was suggested that opportunity might be found to enable the Princes' views on the draft constitution to be made known to Parliament while legislation was in progress."

Hon. Members will see that that is exactly the procedure that we are adopting

[Sir S. Hoare.]

to-day. I hope I have said enough to clear up the first of these misunderstandings. I come now to the second misunderstanding. The Princes seemed to think in their communication, and my Noble Friend seemed to think in his speech, that, so far as paramountcy is concerned, the Princes were going to be worse off under the Bill than they would be without the Bill. If the Committee is to understand the position, I must make a short digression into this field, though I do so with a word of caution. Paramountcy does not concern the discussion of the Bill at all, but, as it has been mentioned, I will say as briefly as possible what it means and how it affects, so far as it affects at all, the constitutional matters before us. Paramountcy is the term commonly used to describe the powers of the Crown in its relation to the States. The Crown is bound by engagements of great variety, only some 30 of them, however, being treaties with the Indian States. The nature of the undertaking has varied with the circumstances in which the relationship arose. A common feature of great significance is that the Crown accepted responsibility for the States' external relations and their internal and external defence. These contractual obligations embodied in the treaties have, with the growth of the Crown's authority throughout India, been supplemented by usage and by the course of events. The Crown's suzerainty has been established for generations. When the Crown took over direct authority in India from the East India Company, Lord Canning made the following pronouncements:

"The Crown of England stands forth the unquestioned ruler and paramount power in all India. . . . There is a reality in the suzerainty of the Sovereign of England which has never existed before and which is not only felt but eagerly acknowledged by the Chiefs."

I quote a second pronouncement which has an important bearing on the question, and which illustrates some of the applications of paramountcy. I take Lord Minto's statement in 1909:

"Our policy is with rare exceptions one of non-interference in the internal affairs of native States. But in guaranteeing their internal independence and in undertaking their protection against external aggression, it naturally follows that the Imperial Government has assumed a certain degree of responsibility for the general soundness of their administration and would not consent to incur the reproach of being an indirect instrument of misrule. There are also certain matters in which it is necessary for the Government of India to safeguard the interests of the community as a whole, as well as those of the paramount power, such as railways, telegraphs and other services of an Imperial character. But the relationship of the supreme Government to the States is one of the suzerainty."

These latter matters, railways, telegraphs and so on, mentioned by Lord Minto, will now come within the Federal purview and, if a State accedes to the Federation, paramountcy will not be applicable to that extent; paramountcy will to that extent be limited. This is where paramountcy is directly affected by our deliberations. In other respects, whether a State federates or not, paramountcy must remain a fact affecting its relationship to the Crown.

There have been frequent discussions over a long period of years with a view to clarifying, and so easing, the exercise of paramountcy. Much has been done in this direction with the help of leading Princes in the Chamber since its creation a decade or so ago. In the ultimate analysis, however, the Crown's relationship with the States is not merely one of contract, and so there must remain in the hands of the Viceroy an element of discretion in his dealing with the States. No successful attempt could be made to define exactly the right of the Crown's representative to intervene. But we are anxious to relieve any genuine apprehension of the Princes. Endeavours have already been made to remove them, but if the Princes wish to revive discussion on the matter the Viceroy will be glad to take further action in this regard. Subject to what I have already said about ultimate discretion which must rest with the Crown's representative, discussion with the States might with advantage cover the clarifying of the circumstances in which the exercise of paramountcy would be justified and they might also aim at building up a customary procedure whereby the matters sometimes described as justiciable would ordinarily be referred to arbitration.

I have made that digression, and I am grateful to the Committee for allowing me to make it, to lead me to the final summary of the position. First of all, the question of paramountcy is one for consideration in India. It is to a great extent distinct from the consideration of

the Federal Constitution. Secondly, we stand on the principle that the Crown's representative must retain an ultimate discretion. Thirdly, we recognise there are matters which by further discussion in India can be adjusted, while in any case through Federation the States would exchange the control of paramountcy for a due share in constitutional control over a wide field of subjects.

The three conclusions that I draw from these considerations are: First, the Bill so far from worsening the Princes' position in regard to paramountcy will make is better. Secondly, the greater part of the Bill has nothing to do with paramountcy at all. Paramountcy is never so much as mentioned in the Bill. The greater part of the Bill has to be decided on other considerations and the introduction of paramountcy into the controversy should in no way complicate or delay our proceeding steadily and normally with the Bill in this Committee. Thirdly, paramountcy must be dealt with in the normal way in India. It affects all the Princes, whether they federate or not, whether this Bill passes on to the Statute Bill or not. I hope I have now made the position clear. The questions within the Bill can in my view be adjusted in the course of our proceedings. The adjustments that we hope to make are in no way sacrifices of principle. That is the position.

There are two courses open to the Committee. On the one hand, it is possible for the Committee to take the advice that I have given it. On the other hand, it is possible for the Committee to take the advice that is given by my Noble Friend the Member for West Derbyshire. How tempting for any of us to take the advantage of differences of this kind, to look at the criticisms that we see in one section or another of Indian opinion and to say to ourselves: "Well, we have done our best, we have worked year after year with this investigation and this great and complicated Bill, and British India and the Indian States meet our efforts chiefly with criticism—[AN HON. MEMBER: "Repudiation!"]—why should we, now that we may be absolved from our responsibilities to go further, not drop the Bill and say to Indians, whether in British India or in the Indian States: "You have brought it on yourselves. We have done our best. We can do no more." If we took that line, we should have abandoned a great and high endeavour. We should have abandoned, it may be for years, it may be for ever, an opportunity that certainly will not occur in the lifetime of any Member of this Committee, of building up the one kind of government that I believe is the only possible government in India in the future, an All-India Federation.

Some of my hon. Friends seem to think that I am only anxious to persuade the Princes to enter the Federation in order to help our position here in bringing to the Central Government of India certain conservative elements. That is a very small part of what is in my mind. I have felt that an All-India Federation was essential to British India, if British India was ever to achieve its full status in the British Empire. I have felt that an All-India Federation was essential to Indian India if the Princes were for all time to come to have the influence in the government of the Indian sub-continent to which they are entitled. On these grounds, I would regard it as a calamity if, in the face of criticism, we were led to drop an essential part of the whole scheme, and we were led to drop it when I believe most sincerely that the differences at issue are not unbridgeable and that they can be honourably adjusted in full harmony with the interests of both sides.

This is not a pet scheme of some insignificant and conceited Minister that I am trying to thrust down the throats of the House or the throats of Indians. It is much more than that. It is the work of investigation after investigation. It is the result of generations of irresistible events, and I would ask the Committee to-day to set their faces against the temptation, attractive though it may be, to exploit differences that may exist with a view to absolving us from our responsibilities. I would ask them rather to help me—for after all this is the Bill of the House of Commons just as much as it is the Bill of the Government—to adjust rather than to exploit these differences. We shall need a lot of patience in the course of our discussions. We have needed a lot of patience in our consultations over the last five or six years, but I comfort myself with an observation that was once made to me by the late Lord Haldane.

[Sir S. Hoare.]

He told me that he, the late Lord Morley, and Elihu Root were once discussing with each other what was the quality most needed for a public man. One of them said "Eloquence." One of them said "Enthusiasm" and the third said "Patience."

Mr. CHURCHILL: Big majorities.'

Sir S. HOARE: I am inclined to think that of the three patience is the greatest. I would ask the Committee to-day to reject this further Motion for delay, set their faces against the exploitation of differences, and use the utmost patience in our dealings with each other here, still more in our dealings with our friends in India. I believe that if we pursue that course we shall not regret the day when we pass the Bill, and, having passed the Bill, we shall see in due course of time an All-India Federation brought into being.

5.0 p.m.

Mr. ATTLEE: We have taken the line that we wanted to see a federated India, but we did not believe that the people of India should pay too high a price for it, and the danger is that in order to get the Indian States into Federation you are going to pay too high a price for it. I think that the right hon. Gentleman the Member for Epping (Mr. Churchill) and his allies and associates below the Gangway have been instrumental in getting the Indian States to raise their price, and I think the Secretary of Statae is to blame also, because he has taken the line that it was essential to this structure that the States should come in, and, when that is said in order to quieten supporters of the Government and when we have hon. and right hon. Gentlemen below the Gangway taking up the line that they do with regard to the States, it is natural, human nature being what it is and Indian human nature being the same, that the Indian Stataes should hold out for higher and higher terms.

As I read this document, the real danger is not to my mind in the least that the States would not come in, but that they want to come in and make the best of both worlds; they want to have all the advantages of Federation and the full advantage of doing what they please in their own States and coming in on their own terms. The Noble Lord the Member for West Derbyshire (Marquess of Hartington) does not see quite as far as the Rulers of the Indian States. I do not know how safe the Noble Lord feels in view of the existence of the party on this side, but I am quite sure that the rulers of the Indian States are not very happy in their position in the modern world. They know quite well that the movements in India cannot be confined to the Provinces, but are liable to flow into their States. They are aware also that the Government in this country is not likely for very much longer to be content to be in a position in which they must support the Indian rulers without the power of seeing thata the people in the Indian States are fairly treated by them, and, although the power of paramountcy is undefined at present, it has been exercised, and may be exercised. Therefore I think that the Indian States Rulers see a good deal farther than the Noble Lord, and I think that we should not take the line that there must be concession after concession made, and that every complaint should be met. There should be no attempt to put the Indian States in a still more powerful position than they are under this Bill. We think that they are far too powerful already, and I contrast the zeal and enthusiasm that are always displayed on behalf of the India States, and the empty benches very often when it is a question of the Indian people.

Representatives of great bodies of Indian opinion have taken a line against this Bill, have demanded all kinds of things that are not in this Bill, but we do not get their claims pressed by hon. Gentlemen below the Gangway; and we do not hear nearly so much as to the need for agreement by the Indian people, while we get stressed all the time the need for agreement by the Indian States. It is thoroughly unsatisfactory that we should be going through at this stage of the Bill without being a good deal more definite on the position of the Indian States than we are at the present time. I gather that the main outline of matters of the Indian States had been practically agreed; I do not say that it had been put down absolutely in black and white. But I certainly thought that at this stage there would be a fairly practical proposition put up by the Secretary of State, and that he would be able to tell us of a certain degree of accession.

We have taken the line that responsibility in India should not be at the whim of the Indian States. We believe that you should form your Federation and let the Indian States adhere or not, as they please. I certainly agree with the right hon. Member for Epping in that, that we want a degree of certainty, and I think that if he was not endeavouring so constantly to mobilise the Indian States as elephants in his battle, he would have a greater degree of definiteness. The whole question is whether there is to be responsible Government or not at the Centre. It always surprises me, considering how little responsibility there is under this Bill, that the right hon. Gentleman takes such a lot of trouble about it. We think that there should be no more yielding to the States. If you want to get agreement, why not try the other side? Why not bring in all the political parties in India? It is not much good going forward with a Bill that is going to be accepted even by a percentage of States if it is not going to be accepted by the bulk of the political opinion in India.

I would like to have more satisfaction than we have had from the Secretary of State, a vague and pious hope that some people may work this Bill. I see no sign of it at all, and for these reasons I am inclined to support the Noble Lord in his Motion. The Secretary of State says in this White Paper that a Federation can be brought into existence only one way. I do not agree. He says that they have framed a constitution and have embodied it in a Bill which they have invited Parliament to pass into law:

> "The Government of India Bill, if it becomes an Act, will be binding upon British India, because British India is subject to the authority of Parliament. The Act would not as such be binding upon the Indian States . . . "

That is the difference, and we do not see any reason why a Bill should be imposed on the Indian people, whereas, on the other hand, at every possible point there is to be concession after concession to the Indian States, which are, we think, already given far too preponderating a place in the constitution.

5.10 p.m.

Lord HUGH CECIL: My position is not entirely the same even as that of the Noble Lord the Member for West Derbyshire (Marquess of Hartington), nor the position so admirably expounded to the Committee by the Secretary of State. I applaud the devotion of the Secretary of State to the virtue of patience, and I can easily understand that during the last few years he has had to make great draughts upon his ethical resources in order to maintain his exercise of that virtue. But we have got a little beyond patience, because we are engaged in trying to decide what is to be done. Patience has all sorts of advantages, but it does not enable you to come to a decision about action. Merely adhering perpetually to turning one cheek after another to the right hon. Gentleman the Member for Epping (Mr. Churchill), however edifying——

Sir S. HOARE: I did not know that I had done that.

Lord H. CECIL: Even to endure all the difficulties of the lack of support in India which the Bill has encountered, you cannot settle the question like that, when we have disagreement as to what the Princes really do want. I am reminded of those criticisms of ancient documents in which various readings are put forward by various eminent authorities. The meeting of the Princes might be one of St. Paul's Epistles. But since we do really want to know—the Government want to know, the Labour party want to know, and my hon. Friends below the Gangway want to know—what the Princes really do mean, surely it would be better to clear that up once and for all?

Sir S. HOARE: That is what we are doing now.

Lord H. CECIL: Why should not the Viceroy convoke the Chamber of Princes and propound to the Princes in their Chamber the simple question—it should not be amended, but answered yes or no —Do you wish the Government to withdraw their Bill? If they vote that the Government should withdraw their Bill, I think that the Government would be in a position of considerable advantage rather than if the Bill collapsed for any other reason.

Mr. MORGAN JONES: Would the Noble Lord propose the same procedure for British India?

Lord H. CECIL: Yes, I would, as a matter of fact. I would not proceed with the Measure if the elected members of

[Lord H. Cecil.]

that Assembly similarly voted that the Bill ought to be withdrawn, because if you are going to apply to India the principle of self-government it is a poor way to begin by transgressing this principle altogether. You cannot forcibly feed India with federation. It is no good your saying that it is good for India if India does not think so. If particular bodies of opinion which you have set out to satisfy are not satisfied, what is the use of going on with it? It seems to me a matter of mere common sense. I know that what one is told is that you must not pay attention to the irresponsible judgments, but if the procedure which I recommend is followed, the judgment would not be irresponsible. You make it abundantly clear when you ask the Chamber of Princes and the elected members that the Bill would actually be withdrawn if they said that they wanted it to be withdrawn. That is a responsible decision.

Other people say: "They do not understand. They are not like English people. You cannot calculate on their doing what we can do." I listen to such arguments with sympathy, because it is my own opinion that Indian people are entirely unsuited to our methods of Parliamentary government. But I listen also with surprise. It is strange to come to this House and say, "We are going to set up self-government in India on English lines," and, if the condition which you would certainly expect from England or any Western European country beforehand, that is, their own consent, were not forthcoming, you say, "After all, they are Orientals, and do not understand."

I am persuaded that the Government have acted very honestly and very laboriously, and in a way which deserves the applause of their supporters and of the country. But I am sure that they want to do what would be best in the end both for this country and India, and there really is not the smallest hope for a system of self-government which has not got the approbation of those who are going to exercise it; nor is there the slightest hope for a scheme of federation unless the Indian Princes approve it. Therefore they should carry their Bill forward, with all the Amendments with which they can smooth its path, until they get to the Third Reading. They ought then to hold up the Bill until they have got the feeling—and at that time it must be perfectly clear—of both the elected members of the Assembly and the Chamber of Princes. They should ask them the one question, "Do you want the Bill, or do you want to withdraw it?" If they said they wanted to withdraw it, then you could withdraw it, and you would be in an immensely stronger position than you have ever been in past years in regard to the government of India. From the point of view of those who dislike these measures you would be in a stronger position, because the risk of not having to disappoint hopes which existed and the like would be at an end. It would not be you who were refusing the Bill, but the mass of Indian opinion. On the other hand, from the point of view of the Labour party opposite who would like to see some measure taken but who are not satisfied with this, they would be in a much better position, because future discussions would not go back to the beginning or where they were when the Round Table Conference first assembled.

There would be this positive, very elaborate, most carefully worked out Bill ready as a basis for further amendment and discussion. The subject can never go back, therefore, to where it was before. To those who want this Bill in rather a more extended form, what could be better than to have the Bill as the basis of further discussion upon India? So that from both points of view, we should be immensely better off than we are now. I suggest to the Government that that is what they should do, and that that is what should be their answer to my Noble Friend below the Gangway; that they recognise that it must depend upon Indian consent, and that before the Bill is read the Third time they will take means to ascertain, not by putting a particular forced meaning on this word and disagreeing with Members below the Gangway about the interpretation of that word, but by a simple vote taken by the Chamber of Princes and by the elected members of the Assembly, "yes," or "no" to the question as to whether they want the Bill. When my right hon. Friend complains that what we know of the Indian Princes' judgment has been indiscreetly revealed after a confidential meeting, I think it weakens and does not strengthen his case by dwelling on the

confidential character of the meeting. If there is a dispute about what people really think, and they say something different in public from what they say in private, the usual conclusion is that what they say in private is the more to be trusted. We are not concerned whether we ought to be told what took place at the meeting. We have been told, and what we care about is—is it the truth? If the Government say that it is not the truth, let them put it to the test, and have a meeting of the Chamber of Princes called for the purpose.

5.18 p.m.

Mr. ISAAC FOOT: I am rather surprised at the suggestion which has just been made as to the reports which have reached this country and this House of the confidential meetings held in Bombay. Surely the only course we can take in this House is to consider the document properly before it. The other documents are not properly before us. I should like to thank the right hon. Gentleman for the Paper which was circulated to Members of the House. It is of some advantage to us in our personal capacity to have these Papers by us, but the House has no right to base its discussion upon them. They have not been confirmed by those to whom the speeches have been attributed, and surely to say, "Do you deny them?" is an unfair question to put in the circumstances. The Princes and their representatives met on this occasion and said, "It is important in the interests of India and in the interests of the Bill that our discussion should be confidential and that we should only publish the resolutions at which we arrive." That is confidence which this House should be anxious to honour. This House ought not to be listening at keyholes or to be availing itself of a source of supply that we cannot test. I was a little surprised that the right hon. Gentleman earlier in the afternoon attributed all this knowledge to the right hon. Gentleman opposite. I remember that one evening the right hon. Gentleman came to the House and quoted from the report before it appeared in the "Morning Post."

Mr. CHURCHILL: It was handed to me by the representative of the "Morning Post."

Mr. FOOT: It is very remarkable that on that occasion, when he asked the House to come to a conclusion, it should have been not merely upon a published article, but something which reached him apparently before it reached other Members of the House, the Secretary of State and the public of this country. I listened with great interest to what was said by the right hon. Gentleman the Member for Oxford University (Lord H. Cecil). I understand that his proposal is different from that of the Noble Lord who wants to get rid of the Bill altogether. The proposal made by the right hon. Gentleman the Member for Oxford University is that we should go to the Third Reading and then enter into consultation with the Indian authorities.

Lord H. CECIL: Before the Third Reading.

Mr. FOOT: The right hon. Gentleman does not suggest that we should now hold up the Bill but that we should proceed to consider its clauses, and that before the Third Reading we should use some machinery for ascertaining Indian opinion. I agree altogether with him as to the importance of Indian opinion. I was astonished to hear the hon. Member for Limehouse (Mr. Attlee) just now speak of the danger of imposing the Bill upon Indian opinion. This House has no power or authority to impose any Bill upon India in the last resort. It cannot be imposed upon British India for the one simple reason that the Bill cannot be worked except by Indians themselves, and unless in British India there are a number of people prepared to work the Bill, then, as far as British India is concerned, it is simply paper, and nothing more.

Brigadier-General Sir HENRY CROFT: How is the hon. Gentleman to ascertain before the Bill is put into operation whether the Indian people will work it?

Mr. FOOT: My ascertainment would be by that simple test, as far as British India is concerned, if, as I believe, the Bill is fully understood, there are enough people of public spirit in India who see the prospects of the Bill, and who are satisfied as to our good faith, to work it in the Provinces and the Centre. That will be the measure of consent upon which the Bill depends. That is as to British India. As to the Princes, the answer is perfectly clear. Here again, as far as the States are concerned, the Bill, when it becomes an Act of Parliament, must depend upon consent in the States.

[Mr. Foot.]

That was made quite clear by what was said by the Secretary of State this afternoon, namely, that we cannot decide now whether they will accede. It will be for them to decide if they are to accede, and if the States do not accede in sufficient numbers, as is provided in the terms of the Bill, then, again, as far as the States are concerned, this Bill is paper, and nothing more.

Lord H. CECIL: Have we not been told that without Federation the Bill would not work? If you are not to have Federation, and the Princes do not come in, the Bill will not work.

Mr. FOOT: That is precisely my point. Federation is impossible unless you have the accession of the requisite number of the Princes. If you have not the accession of the requisite number, the Bill does not come into operation. The test of Indian consent is quite clear—in British India, a sufficient number of public-spirited people to work it in their Provinces and in the Centre; and in the States, a sufficient number of States acceding to the Measure after it is passed. This House will say, after we have given the Bill the Third Reading, and it has received assent in another place, "This is the house that we have constructed. It is for you to say whether that house shall be occupied by you." It is unfortunate, perhaps that responsibility rests upon this House, but there it is. That responsibility has always been claimed by the right hon. Member for Epping (Mr. Churchill), and he has insisted that he would never let that right go. He has again and again insisted that the responsibility for this Measure depends only upon the British Parliament, and that responsibility we have to discharge, and I think we are discharging it in good faith.

Some of the speeches which have been made this afternoon have suggested that this is a Bill which was born in the mind of the Secretary of State for India. What has he done? He did not create the Bill. The Bill has seven years' history behind it. How did it come about at all? It came from the proposition of the Princes themselves, in the first instance. I do not say that they proposed the terms of the Bill, but they made the suggestion at the very beginning of the Round Table Conferences. It was from that first proposal that this structure has been built up, and what we have in the Bill is not something that was thought of a few months ago. It is the result of such preparation and care as has never previously been given to any Measure in our Imperial history. It was discussed in detail at the first Round Table Conference. It was discussed in fuller detail at the Second Round Table Conference, and then, in order that there should be a full exploration of all the ground, committees were set up that went out to India and entered into close consultation with the Indian people themselves. They came back with their reports, and there was then the Third Round Table Conference, and day after day, week after week, and month after month those considered proposals were put upon the anvil of opinion, and the work went on until the White Paper was produced.

The White Paper is virtually the basis of this Bill, and that was the work, not of the Secretary of State for India, except, of course, in the special capacity in the position he occupies, but of many minds, and for the most part it is the work of Indian minds, and represents the contribution made by the Princes themselves and by their representatives who were the parties to all these prolonged and exhaustive negotiations. There is not a Clause in this Bill that raises any subject which has not been discussed at length, not merely with the representatives of British India, but with the representatives of the Princes themselves. I am very apprehensive about some of the things which have been said consequent upon the Princes' opposition. I think that the exploitation of this trouble and division is most discreditable to the Press of this country when it was alleged, as it was two days ago in the "Morning Post," that the Secretary of State for India was waiting for his opportunity to find the means to put the screw upon the Princes, and when it was alleged that the Princes are well aware of their danger and will not walk into the trap. I want to know who has set the trap? If there is a trap in this Bill, it was set, not merely by the Secretary of State but by this House when it adopted and endorsed the White Paper. If there is a trap and if the Princes are being lured into the trap—that is the only construction to be put upon those words—the trap was laid and set by the Joint Select Committee during its 17 months of hard work

It was set by this House on the Second Reading in support of this Bill. Surely, upon a matter upon which such grave issues hang, the biggest thing perhaps that has ever concerned our Imperial mind, these differences should not be exploited in such a way as to suggest that this House has been laying a trap for the Princes of India and is anxious to put force upon them. I hope that whatever may be the differences between us in this House, we shall dissociate ourselves in the most unequivocal terms from the suggestion made by a leading and responsible newspaper only a few days ago.

So far as the Princes are concerned, I am astonished by some of the things that they have said. I want to make the position of my friends on these benches and myself quite clear upon that point. The Princes have done very well, we think, under this arrangement. They have got a very substantial position in the lower Chamber and a very substantial position in the upper Chamber, at the Centre. They have 33⅓ per cent. in the one and 40 per cent. in the other. Those figures would not, perhaps, be justified by their population, and certainly would not be justified by the strength of British India. Who made that representation? How did it arise? It was not made on the proposition of any British Minister. That relationship, a relationship of the utmost importance in the future government of India, was adopted mainly as the result of discussions between the Indians themselves.

It was felt at the Round Table Conference in the first instance, when my hon. Friend had not the privilege of serving, that the question of the respective representation of the States and of British India was a matter that could best be dealt with by Indian opinion. It was left to them to make the first suggestion, and when as a result of that consultation this proposal was made that the States were to have so large a representation in the Lower House and so large a representation in the Council of State, I was apprehensive about it, and certainly some others were. But we felt that if that was the agreement that had been virtually arrived at as the result of discussions among the Indian representatives themselves, they were the best judges of their own interests. Therefore, when the criticism is made, as it has been made in the course of these Debates, that we are giving the Princes too great a power in the new Constitution, I would like the House to know that the power was given to them virtually as the result of agreement between the Indian representatives themselves.

Apart from that power, other requests have been made by the Princes, and I want the Committee to know that so far as we on these benches are concerned we think that we have gone with the Princes to the utmost limit of concession. When it is suggested that the question of paramountcy is to be brought in, I think the Princes do not realise what will be the resistance to that suggestion in this country. Paramountcy means, in the end, the protection of the States against misrule. That misrule may not arise. I am happy to recognise that in many of the States of India there is a very high standard set, and we should be doing grievous injustice to those who have set a high standard if we allowed this talk of tyranny, autocracy, hardship and wrongs to be indulged in as if it applied generally to the States. In many of the States the highest possible standard has been fixed. It may be said that that is so in most of the States, but I am not qualified to speak fully on that. I have, however, read that in some of the States women have been given the right to vote on terms of equality with men, and that in some States education is on a very much higher standard. It is true that in some States there is some backwardness. This House must never surrender, whatever may be the inducement, whatever may be the trouble with which we are faced, the principle of paramountcy which, in the end, gives the right to the people in the States of India to look to this country or at least to look to the Crown for protection against misrule and wrongdoing. The suggestion that is made in this controversy that paramountcy is now to be brought into consideration will raise questions which, I think, the Princes might just as well leave alone.

On one or two points of detail I want to express gratification. I am glad that for the first time certain States are going to allow their legal representatives in this country to be in touch with our representatives here. That is of the highest importance. In matters of close detail, if you are to have the correspondence

[Mr. Foot.]
that takes place between two different countries with thousands of miles intervening, there must be every inducement to misunderstanding. Now that we are told in the White Paper that all the States will have their legal representatives in this country in close touch with the advisers of the Government, let us hope that some of these difficulties will be straightened out and that some of the difficulties will be found to be not so serious as they were before. Whether the right hon. Gentleman will be able to straighten out all the difficulties I do not know, but I wish him god speed in his efforts. I would not like to see a failure of these proposals at this time.

When the Noble Lord the Member for West Derbyshire (Marquess of Hartington) moved his Motion, he made it clear that when he said these things could not be settled, he hoped that they never would be settled. He was against the Bill, and he hoped these matters would never be settled. When he said that the Princes were not likely to be satisfied, there was no doubt about his position. He hoped they would not be satisfied. That position is held to-day by other hon. Members. I would like to have it made clear whether those who oppose the Bill hope that these differences will be straightened out.

Sir H. CROFT: We think that the whole Bill is wrong.

Mr. FOOT: They think that the whole Bill is wrong and that the Princes have been their allies in raising objections. That is not the attitude that was taken by the right hon. Member who spoke last. There is a gulf between us. They on their side think that this is a bad Bill, bad for the country, bad for the whole Empire, and that they are entitled to oppose it by all the means in their power. We do not say that it is the best Bill, but we do say that it is a Bill that holds out a great prospect of substantial self-government in India, and that it is immeasurably better than any alternative that has been placed before the country. I thought it was a very revealing thing when the Noble Lord, in proposing that we report Progress, suggested that he was in favour of provincial autonomy. On what ground? "Not because I like it," he said, "but because we realise that the Government have got themselves into a difficulty, and that this is perhaps the only way in which they can be extricated." I want to know whether in all our Imperial history we ever had a proposal such as giving provincial autonomy to India that was to rest upon such a slender and flimsy foundation. The Noble Lord said that he did not like provincial autonomy, but that he was prepared to run the risk of it. He said that he would give to these great centres of population these powers of self-government not because he believed in provincial autonomy, not because it carried any conviction with him, but because he recognised that the Government were in a difficulty, and that somehow they must be extricated. Whatever may be said for or against the Bill, I should hold any Government in contempt that brought in a Measure which had no better foundation than that.

We wish to give our message to the Princes who have made their representations to the Secretary of State and to the Government. The Princes have a great deal to get out of these proposals. Here, I should like to thank the Secretary of State for the very clear words on Federation in the White Paper. I am astonished at what was said by some of the Princes about Federation. Federation carries with it great advantages and some responsibility, but it cannot mean mere association. It cannot mean coming in for a few things and staying out for most. There is to be, as the Secretary of State has insisted in his reply in the White Paper, that central organic body, which is of the highest consequence. We are told that the Princes must derogate some of their powers in coming into the Federation. They must give up something. The man who marries gives up something of his freedom, but he gives it up for the sake of a larger partnership. In the same way, if the Princes come into the Federation they may have to sacrifice something, but what they gain will make up, we think, very substantially for their sacrifice.

I think it will be a disastrous day for the Princes if they fail to seize this opportunity. We would like them to know that if this proposal for Federation does break down, the claims of India will still have to be met. Then, I should like to know what would be

the position of the States. I am not speaking of the bigger and more powerful States, but I ask what will be the position of States in days to come, scattered as they are and representing in some cases areas that are almost like an archipelago in India; what will be their position when, side by side with these unfederated States, there is growing up a strong self-governing community, with political ideas that no frontiers can keep back, that no State frontiers can keep back.

I welcome the declaration made by the Secretary of State to-day that while we desire Federation we desire that the Princes should take their part in Federation, because the Princes to a large extent are India and represent the outlook and philosophy of India. If the great Dominion of India is to play her part, a foremost part in the affairs of the world in generations to come, she is the more likely to do that and to play that part if the Princes take their full share of the responsibility as well as their full share of the advantages. There are two courses clearly before us, and the Secretary of State, in what I think was a speech that will compare with any speech that he has made in his political history, made it clear that there is only one course that is consistent with the past declarations of this House and, indeed, with the honour of Parliament.

5.44 p.m.

Viscount WOLMER: My hon. Friend the Member for Bodmin (Mr. Isaac Foot) is a most generous and fair-minded man, and yet he apparently seems to think that we on these benches are doing something wrong or unworthy in drawing attention to the attitude of the Princes. He describes it as exploiting the attitude of the Princes. He seems to think that my right hon. Friend the Member for Epping (Mr. Churchill) has done something wrong, dishonourable or, at any rate, a little bit shady in circulating to the Members of this House the reports which had already appeared in the "Morning Post." I can assure the hon. Member that the right hon. Member for Epping was not under the table taking shorthand notes at the Princes' conference. He is not responsible for any breach of confidence, but to shut our eyes to the facts that have been brought within our knowledge would be the height of political folly and, indeed, something worse than political folly. To shut our eyes to facts and then try to legislate is to be blind leaders of the blind. We shall lead this country and India into the ditch.

The only exploitation in which we have indulged is to try to draw the attention of hon. Members to facts which they have persistently ignored. Our difference of opinion on this question is not that we are any less solicitous for the welfare of Indians than they are but because we feel that they have approached this problem with their minds so made up and they have ignored facts to such a degree that they have arrived at an impossible solution. The hon. Member for Bodmin says that the Bill is the result of seven years careful examination. I dispute the accuracy of that description. The real history is this. You started with a careful examination by an impartial and independent commission, who reported on the merits of the case and on the facts—which they did not ignore—which they had investigated on the spot. They gave us a unanimous opinion, but because the Prime Minister of the day and the Government of the day did not dare to stand up to the clamour of certain people in India, their Report was thrown into the waste paper basket, and the Prime Minister tried to deal with the problem as he would deal with a strike. A round table conference is an admirable method of settling a trade dispute, but it is not the right way to draft a constitution.

Mr. ISAAC FOOT: Does the Noble Lord suggest that the Round Table Conference was constituted by the Prime Minister? Is it not the fact that the Round Table Conference was the result of a suggestion made by the Chairman of the Statutory Commission?

Viscount WOLMER: I am perfectly aware of the facts to which my hon. Friend alludes. My charge against the Prime Minister is that he used the machinery of a round table conference, not to implement the Simon Report, but to reverse it altogether. Sitting round a table may be a proper method for settling minor differences, but it is not the right method to lay the foundations upon which a great constitution is to be built. The history of this Federation is a most excellent example. How often have we not experienced in this House the whole

[Viscount Wolmer.]

course of a debate being changed by some striking speech of an hon. Member? The intervention of the Princes was something of the same nature. It brought a new idea to the problem; but it did not prove that Federation was practicable. Because a few representatives of the Princes expressed the opinion that they would be willing to come into Federation it did not mean that they had really thought the problem out and were competent to give an opinion on a question of that sort. As the Noble Lord the Member for West Derbyshire (Marquess of Hartington) has said, they knew India a great deal better than they knew politics. The expression of that opinion at the Round Table Conference has been used by the Prime Minister to get himself out of a political mess, and he has tried to build a constitution on it. That action of his has landed us in the difficulties we have been in ever since. The truth of the matter is that the Princes never did mean to come into a Federation such as we know is necessary if you are to have a Federation at all. Look at the White Paper in paragraph 11, on page 20. There the Princes say:

> "They have consistently asked that the sovereignty and autonomy of their States shall be fully respected and guaranteed, and there shall be no interference, direct or indirect, with the internal autonomy of their States."

That is what they meant by Federation. How can you possibly have a federation of States which desire to remain independent, autonomous, sovereign States? That is not Federation. That is an alliance. You may have an alliance of independent autonomous States, but once you have Federation you lose your independence, and that is the point which the Princes never realised until they saw the Bill in black and white and sent it to their legal advisers, who pointed these facts out to them. We have contended all along that the Princes and the Government were talking about two totally different things, and it is for that reason we feel that these differences are unbridgeable. If they are unbridgeable, it is much better that it should be discovered now, rather than there should be more trouble later on. If you are on a wrong basis, the sooner you discover it the better. I regard it as a great tragedy that in this matter the Government have been leading this country and the Princes up the garden path for two years. The Secretary of State spoke about the virtue of patience in a politician. We are all admirers of the great amount of patience which he possesses, but he also seemed to think that it would be cowardly or immoral on his part if he turned back from the path he is pursuing at this juncture. If you are exploring an avenue, as we say in this House, and you find that avenue is a cul-de-sac, the sooner you turn back the better.

The real difficulty is that the Princes have all along believed that they can preserve their sovereignty and autonomy and have Federation. We know that they cannot; and these two fundamental questions among the 30 points—I do not think that the Secretary of State is justified in saying that the other 28 points are of no substance—these two points, the mode of accession and paramountcy are absolutely fundamental to the whole question. The Secretary of State said that paramountcy does not come into the Bill. How can the Government contend that for a minute? Paramountcy will come into the working of the Bill at every turn. You are transforming the Viceroy from an autocratic monarch into a Parliamentary leader. Instead of being a ruler he will be dependent on a Parliamentary majority, he will have to square his Ministers and carry his Parliament with him. Do you think that if these Ministers want something done in one of the States of the Princes that they will hesitate to go to the Viceroy and say, "Use your powers of paramountcy to get this or that done and we will support you in what you want in the Central Legislature"? Everyone who has thought about the matter must realise that this is the first thing which will happen; and it will happen every time.

The CHAIRMAN: I do not want to interrupt the Noble Lord, but I must call attention to a point which, I think, must be watched very carefully. He knows quite well that in the earlier Clauses of the Bill it is provided that the powers and duties of paramountcy are to be exercised by an individual as the King's representative in a capacity or position which is not that of Governor-General, although the individual holding the two positions may be the same person. I want to impress on the Com-

mittee that the question of paramountcy and the relation between the States and the suzerain Power is one which is entirely outside the scope of the Bill, except in so far as it concerns the question of the States coming into Federation.

Viscount WOLMER: Surely I am in order in discussing the point on the Motion to report Progress? I quite agree that we cannot discuss it on any Clause of the Bill.

The CHAIRMAN: I was more moved to warn the Noble Lord than to say that he had offended so far. I want to make it quite clear that we cannot, on the Motion to report Progress, or on any discussion in connection with the Bill, discuss, for example, the way in which the suzerain Power should deal with States in certain contingencies. That is not included in the Bill, and it is entirely outside the scope of the discussion on the Motion to report Progress.

Viscount WOLMER: I am grateful for the reminder, and I do not think there is the slightest need for me to transgress the Ruling you have given in order to make my point. We all know that the Viceroy and Governor-General are two different offices but they have always been occupied by the same person; and it is not suggested that they will be occupied by different people in the future. I need not labour the point. If you have a ruler who in one capacity is dependent on a parliamentary majority and in another capacity exercises this great undefined power of paramountcy dependent only on usage, the Princes in my opinion are perfectly right in feeling that his actions in one capacity will be influenced by his difficulties in the other. Therefore, the Secretary of State is not justified in saying that paramountcy does not come into the Bill. It comes into every Clause. It is one of the fundamental difficulties which the drafting of the Bill brings out, and which the Princes have not realised. It is one of the reasons why Federation as visualised by the hon. Member for Bodmin is not possible at the present moment. Therefore, when we were told at the Queen's Hall that the Government's attitude had been dictated by the Princes' offer, or when we were told by the Foreign Secretary that the new fact had altered the whole situation, the Conservative party and the country were told something which had no substance whatsoever.

The so-called Princes' offer was made under circumstances which deprived it of the value and importance which was put upon it. It was not an offer of a body of responsible rulers who had been able to consider a legal document and take expert advice upon it. It was the offer of one of two, and not the most experienced, of the Princes at a round table conference, and in my view the Government were very wrong in putting the weight and reliance on the offer they have done since. I was interested in the suggestion of my Noble Friend the Member for Oxford University (Lord H. Cecil). I hope that the Government will give that suggestion very careful consideration. We feel all the more flattered on these benches because on an earlier Clause of the Bill we moved an Amendment that the Bill should not come into force until it had been approved by the Indian Legislature. We listened to my hon. Friend the Member for Bodmin explaining to us in a very eloquent speech how it was contrary to all Liberal principles to consult a democracy as to whether a Constitution should be given it or not.

I want to ask the Government what is going to happen? Are they going to put this Bill on the Statute Book knowing that the Federation part of it is never to come into force? Are they trying to arrive at provincial autonomy by a roundabout way? If that is their policy do they think that they will get either the approval or the respect of Indians for doing so? Is not my Noble Friend quite right when he says that you cannot have a Constitution unless you have some measure of the consent of the people upon whom you propose to confer the Constitution? Therefore, if the Princes are not going to come into the Federation the sooner we are told the better. If the Indian politicians are not prepared to work provincial autonomy or the present Bill, the sooner they say so the better. I do not believe that this ostrich-like policy of ignoring facts and pretending that there are no irreconcilable differences when there are, is going to bring us any good.

I said just now that I admired the patience of my right hon. Friend the

[Viscount Wolmer.]

Secretary of State. I do. I admire his patience and his pertinacity, and there are many other things about him which I admire, but the thing I admire most is his imperturbability, when with statements like these in front of him he can stand up and say with perfect assurance that there are no insurmountable difficulties in this problem. I believe that if he crashed a motor-car into a stone wall he would explain to the policeman that only the paint was scratched.

I am glad that my Noble Friend the Member for West Derbyshire has moved to report Progress. I endorse his opinion that there is no useful purpose to be served in going on with this Bill unless we know whether or not the Indian Princes are to come in. The Secretary of State says that they have made only 30 objections, of which only two have substance. I would remind him that that is their first impression, and the first impression of their legal advisers. This Bill has been so rushed that I am not in the least confident that there are not a great many other difficulties which will emerge only upon further examination. If my right hon. Friend is relying on the Report stage for putting all these things right, he may very likely reach a point when he will get into further difficulties. My hon. Friend the Member for Bodmin interjected just now that he thought I hoped so.

Mr. ISAAC FOOT: The Noble Lord spoke of unbridgeable difficulties. Would he say whether he hopes that those difficulties will be bridged?

Viscount WOLMER: What I hope is that the facts will be brought out. If a difficulty is unbridgeable I want to recognise that fact. Then you have to plan, perhaps, a longer road round the valley. To treat difficulties which are unbridgeable as if they were bridgeable, to throw a bridge across them which will collapse when you first put any weight upon it, will not achieve success in the end.

6.6 p.m.

Mr. MORGAN JONES: Members of the Committee will endorse what I say when I recall the fact that whenever we have been called upon to vote in the Lobby with right hon. and hon. Gentlemen opposite it has been almost invariably for different reasons. We shall approach this problem from a different point of view from that of right hon. and hon. Gentlemen opposite. But I am bound to say, differing as I do from them, that I think the Committee is indebted to them for having given us an opportunity to discuss this matter. The more I study this matter the more unhappy do I get. I started quite honestly in the belief that some sort of Federation was possible in India, and I still entertain that hope. But I was also under the impression that one essential element in the Federation, as adumbrated by the Government, was the accession of the Princes. It is quite clear from the document that we have in our possession that there is a case which the Government must answer.

We have had presented to us two documents, one an official document circulated by the Government, and the other a report of the speeches made in the Princes' Chamber, for which we are indebted to the right hon. Member for Epping (Mr. Churchill). We cannot very well ignore those speeches, which have been presented to us in verbatim form, I understand. The right hon. Gentleman the Secretary of State tells us, "Oh, well; after all there are some 30 points of difference outstanding between us, but when you come to examine those 30 points there are only two of them of any real consequence." The two that are of consequence, I understand, are, first, the question of the method of accession; and secondly, the question of paramountcy. In the White Paper, in paragraph 11, on page 20, there is this statement regarding the Princes:

> "Among the essential conditions they had laid down from time to time, the one treating with a definition of paramountcy has been made a *sine qua non* to any federation."

It is no use fobbing us off with lighthearted statements about this. We have been told since 1929 that the Princes were prepared to come into Federation, and it was fair for us to assume, therefore, that in the years from 1929 to 1934 the Princes had had discussions with the Government, on the main point at issue any way. Indeed, I understand that the Government do not deny that. Surely the question of paramountcy, whether it belongs to the Bill or not, is a matter of first-class importance, and would have been, therefore, a matter of discussion between the Government and the

Princes? Yet we are told that this *sine qua non*, as the Princes call it, has not yet been settled to their satisfaction. I submit that we really are entitled to a much more precise statement of the position of the Princes in relation to this matter. Let me read another passage from the speech of the Maharaja of Patiala, not the first speech but the last speech which he delivered in winding up the discussion at Bombay. I am bound to say that it is a passage which filled me with astonishment. I am speaking now as one who has not taken the trouble to argue the case for the Princes, because my experience has shown me that I can rely on other people doing that. But I am astonished to read this passage:

"We Princes of India have no desire to resile the position which we have consistently taken, but we must say, with all the emphasis at our command, the present Bill does not in any way embody the views we had pressed from the beginning, nor the conditions which we had always insisted upon.

The Federation that is sought to be imposed on us and which is being rushed without even awaiting our criticism has nothing in common, except in name, to the scheme which in its general outline we accepted at the first Round Table Conference."

"Nothing in common, except in name." That is a sweeping criticism. It is not for me to argue the case for the Government or the Princes. My case is that it is the business of the Government to give us an assurance that this criticism arises from a complete misunderstanding of the implications of the Bill itself in relation to them.

Sir S. HOARE: That is what I tried to say.

Mr. JONES: I am obliged to the right hon. Gentleman; but he must remember that this criticism has been made by his Highness the Maharaja of Patiala and his colleagues after having examined the Bill in the light of criticisms submitted to them by their lawyers. Instead of that, the Maharaja says that the Bill has nothing at all in common except in name, with what the Princes agreed to at the first Round Table Conference. I am bound to say that that criticism only emphasise the justice of the claim that we should know precisely where the Princes are in this matter.

The Noble Lord the Member for Oxford University (Lord H. Cecil) made an interesting suggestion. It was that, supposing we passed the Committee stage and Report stage of the Bill, we should then stop the proceedings before we enter upon the Third Reading stage, and that in the meantime we should discover what are the views of the Princes and of the British-Indian representatives; and the Noble Lord said: "The views of the elected representatives of British India." We know already what their view is. Votes which have been recorded after the recent discussion in the central Assembly at Delhi show what their view is. So, so far as British India is concerned, one half of the Noble Lord's request is available. The other half is, what is the view of the Princes themselves? So far I have only made reference to the Princes, but I want to add this, and it is a point which we have made constantly from this side of the Committee. I consider that the legitimate deduction to be drawn from these two documents, both the official and the unofficial, is that the Princes have come to the conclusion that the Government are now in such a position that they can, appropriately and with success, bring pressure to bear in order to squeeze further concessions out of the Government.

I can only say that if the Government propose to make further concessions, then, the case is all the stronger for knowing what is the view of British India in relation to any new concessions which may be made. I admit that the Princes ought to know completely and thoroughly the conditions on which they are to enter the Federation. Equally, British India ought to know on what conditions they are to be harnessed to the chariot of the Princes in the Federation. It cuts both ways. It is legitimate that both sides should know to what they are or are not committed. For my part, I am bound to say that a fairly careful perusal of this document has led me to the conclusion that there is much more in the differences between the Princes and the Government than one would gather from the speech of the Secretary of State. I say, candidly, that I tend more and more to lose any desire for the form of Federation which we are called upon to discuss just now. I feel sure that if we go on making further concessions, then, from

[Mr. Jones.]
the point of view of the people of British India, Federation will not be worth while. Whether that be so or not, I shall join in demanding that we should be informed precisely where the Government stand and where the Princes stand in regard to this question of Federation.

6.18 p.m.

Mr. CHURCHILL: This Debate has been remarkable for the unanimity of the criticism and condemnation which have been directed at this stage upon this Government of India Bill as it now presents itself to us. The speeches from every quarter of the Committee have converged and concentrated their fire upon the position now occupied by my right hon. Friend the Secretary of State and those who have been associated with him in the long task of promoting this Bill. We have had a notable speech from the Noble Lord the Member for Oxford University (Lord H. Cecil)—a very rare pleasure to us in this House. He brings to us the fruits of profound reflection and of absolute disinterested sincerity. Then we have had the speech delivered by the hon. Member for Caerphilly (Mr. M. Jones) representing His Majesty's Opposition, who has given proofs of his sincerity and is known to be a very strong supporter of what is called advance in India. That speech certainly requires an answer from the Treasury Bench. Certain facts which he adduced and which have been brought forward from every quarter ought to be answered if we are to continue to be a reasonable and reasoning debating assembly.

Sometimes one wonders what is to happen if British Members of Parliament lose all contact with each other by means of reasonable processes. It is very difficult to know how we should get on in such a case, and we are in great danger of it. The Government persist in their policy. The right hon. Gentleman recites at intervals the formulae at which he has arrived. He publishes his despatches and memoranda in a highly specialised and technical jargon which only occasionally forms contact with the English language. For the rest, matters are left to the Patronage Secretary and to a large number of gentlemen who, if they were only giving to this problem the attention which they gave to it a year ago or two years ago, when they began to make up their minds, would rush this Bill out of the House. Unhappily, they have taken their decision. They are not with us here, but they will be in the Division Lobby. So the machine goes on. That you can roll the Bill forward I do not deny. We cannot doubt that you have the power, during the continued lifetime of this Parliament, to roll this Bill through, in defiance of every fact and every appeal, but the consequences will not be dispersed so easily.

My Noble Friend has moved to report Progress this afternoon because of this White Paper with its unofficial companion the verbatim report of the Princes' speeches—its handmaiden and concomitant. The White Paper undoubtedly presents us, officially, formally and directly with a new situation. No one can deny that it is a new situation. I do not believe that even the hon. Member for Bodmin (Mr. Isaac Foot), who has suffered in political controversy from being at bottom a fair-minded man, would deny that he feels himself in the presence of new facts in the situation produced by this White Paper and the speeches of the Princes. Whether we have a National Government or not is arguable, but evidently there is a National Opposition in the sense of all parties reaching a certain general basis of agreement on the fact that there is a new situation.

This White Paper and its companion represent—what? They represent the Princes' offer. I had not meant to be controversial, but it seems almost a joke. This White Paper is the Princes' offer on which the Government have gone into action for the last four years. This is the Princes' offer which induced the Foreign Secretary to abandon all the conclusions which he and his commission had reached as a result of their study. This is the Princes' offer which my right hon. Friend the Lord President of the Council dwelt on as the ground on which he solemnly advised his party to adopt this policy. I read in the "News-Chronicle," the organ of the Liberal party—I beg pardon, I am not so sure about that, but an organ at any rate of the Liberal and Labour parties——[HON. MEMBERS: "No!"] Do not repudiate any support. You may need it all. I read that paper's epitome of this situation—their headline —and what was it?

"The Princes reaffirm their faith in Federation."

Can any reasonable person who has read the White Paper and also read the actual text of the Princes' speeches imagine that we are going to make progress in our affairs by taking such nonsensical views as that? What is the moral of this White Paper? It is the final refusal of the Princes to have anything to do with this Federation scheme. [HON. MEMBERS: "No!"] I believe we are going to have a reply from the Attorney-General. I am sure that if he were consulted in a legal capacity and if he saw this document, especially if he saw the report of the speeches, he would say that on the correspondence there was a complete breakdown. On the correspondence there appears a total and utter breach. Mind you, it is not only a question of a breach such as might arise between a willing buyer and a willing seller who were still haggling about how the thing should go and who was to get some advantage here or there. Not at all. This is a deliberate decision on the part of the Princes of India to break from this scheme of Federation. Do not delude yourselves. There is no compromise, no alternative possible.

Let me point out that it is a question of paramountcy. Paramountcy, the Secretary of State says, is not in the Bill. "I rejoice," he says, "that our differences are narrowed by the fact that I need not discuss paramountcy." But why do the Princes raise this question of paramountcy? I must say it astonishes me that my right hon. Friend, with all his ability, does not seem to be in touch with the actual way in which the forces in India are working. Why do you suppose the Princes have raised this question of paramountcy and dragged it in by the heels? Not because they expect the Government to grant their wishes, but because they wish to put up a barrier against being involved in this scheme of Federation. It may be said that there are 30 points of difference, and the lawyers may discuss them and write them out in great detail and make proposals for compromise, for arrangements and for accommodations. But the Princes were not going to trust only to that. No, they raise the question of paramountcy, and they now say "Before we come into this Federation you have to define paramountcy and deal with us on that subject." They twice use the expression that this is a "condition precedent" to their joining the Federation.

What does the right hon. Gentleman say? He says what any Secretary of State would say, the only thing which any Secretary of State could say. "I am not prepared to entertain a discussion at this time with the Princes of India upon their relations with the King Emperor." Could you possibly have a more complete and absolute breach than is disclosed by that position? On the one hand, the Princes say, "We will not enter the Federation until, as a condition precedent, our wishes about paramountcy are met." On the other hand, you have the right hon. Gentleman saying, as it was his duty to say, "We are not prepared to discuss the high relationship of these princely States with the sovereign Power." There is a complete breach. I do not think there can be any doubt about it. You may work for several months, you may spend a lot of time, trouble and money with the lawyers in trying to work out a compromise but this means that the Princes have definitely decided not to come into this Bill.

Why they have so decided it would take a long time to tell, but there is one reason that the right hon. Gentleman ought to appreciate because I think it is the dominant, the actuating reason, the motor muscle of their position. It is because their compatriots in the political classes of India have told them not to come in. It is because from all over India they have received appeals, protests, even threats, all with the object of inducing them to stop out. It is because they are making common cause with the rest of Indian educated intelligentsia and public opinion against this Measure, and therefore the Princes have withdrawn from it. There may be many other reasons, such as their position and their sovereign rights, and many of them have never liked the idea of Federation; but the decisive fact undoubtedly is that the Princes have refused to come into Federation because those forces in British India which asked them five years ago to come in have now in the most explicit and earnest manner begged them, urged them, exhorted them to stay out. Therefore, they have erected this insuperable obstacle of paramountcy.

That is the position. It is a very serious position. I really must ask my

[Mr. Churchill.]

right hon. Friend the Lord President of the Council—I am always having to ask him questions—to think over very carefully what he said to the National Union of Conservative Associations. I am absolutely sure that the last thing in the world my right hon. Friend would do is to obtain support, to get round a difficult corner by anything in the nature of false pretences. I am sure that when he sees that the facts on which he presented his case to the Conservative associations are not borne out and have actually fallen from beneath his feet, he will take the earliest effective opportunity of either detaching himself from the policy or of explaining that new circumstances have arisen which induce him to base his advocacy of the Measure on different grounds from those he then put forward.

I am glad to see the Prime Minister back. It gives me great satisfaction, and I hope he will not mind my pointing out to him how different the situation is now from what it was in 1931. In those days he had the offer of the Princes; there was an offer then. In those days he had the assent and agreement of British-Indian politicians. In those days he had a large amount of support among Indian Liberals—active support from that great body of central opinion of which we have heard. In those days also he had hopes of obtaining the Congress party and Mr. Gandhi—"My Dear Mahatma" we had then. In those days he had the official support of the Conservative party and Liberal support, and he was himself the head of a Socialist Government. In those days four or five years ago he had every expectation, as it seemed at the moment—although I did not share it—of being able to make a great settlement for India with an equally broad basis of public assent here. Every one of those factors has been swept away; not one vestige of that structure remains. You may say that you will continue with the Bill, but every man who has studied the matter knows that the situation has no resemblance in any way to what occurred at that time.

What do the Government say should happen now? They say, "It is quite all right, it makes no difference." The Indian Liberals will not have it. Congress will not have it, the Princes will not have it, and the Labour party will not have it. It is not an agreed Measure here, it is not a Measure which can be said to be, as it were, high and dry above the ebb and flow of party conflict. All that has vanished. Still, the Government say, "It is all right, wait until the Division bell rings, and we will get them through the Lobbies, and it will be all right." Their newspapers—they still have some in their support—their devoted newspapers will read to-morrow, "The House of Commons decided by an overwhelming majority that there was no substance whatever in those ridiculous and obstructive tactics put forward against the Bill." All this, and a reference to the fine speech of the Secretary of State, in which he depicted himself in action on behalf of a cause which has got into a somewhat ramshackle condition, will be, no doubt, admirably portrayed.

But what is the Government's policy? It is to place this Bill on the Statute Book, no matter what happens and whether they have agreement of all parties or not. They wish to place the Bill upon the Statute Book. What will happen then? I see that Lord Lothian made a speech the other day. He is a very important person and has a great influence in our relations with Germany and in our relations with India. I quote from the report of his speech in the "Times" of the 8th March:

> "Lord Lothian, discussing the Indian Bill, said they had nothing to do to-day but to put the Bill on to the Statute Book and make a fresh start from that position."

I ask the Conservative party, I ask the Government and their faithful supporters, if that is the position they take up? I ask particularly my Noble Friend the Member for Horsham (Earl Winterton). If faith holds between man and man, we are entitled to know where we stand in a matter of this kind. This Bill has been represented as the most that we can give and the furthest we can go. All its safeguards have been drawn carefully in order to salve the consciences of members of the Conservative party and to make it easy for the great mass of that party to do what without their support would never have been done in this country. Now, when it is to be put on the Statute Book, what is it to be? A settlement? No, it is to be the point from which a

fresh start is to be made. The Attorney-General is a Conservative. He is a sincere patriot. Has he any bottom to his convictions in this matter? Is there any point where we shall reach finality? He is going to force the Bill through, but is he prepared to take it as a starting point for some great new lurch, some downward slurge? We ought to know. Of course, you can vote us down, but if there is no sort of attempt to meet propositions of this kind, you cannot blame us if we try to fight not only in this House, but elsewhere, by every method open to us, because, once all contact is lost on a basis of reason and argument, then the only thing people can do is to organise and to endeavour to express their opinions as effectively as they can. I hope that we shall have some answer upon that point —how far do you mean to go?

This Bill is now to be placed on the sideboard like a ham from which anyone can come and cut a slice if they feel inclined before it gets mouldy and rotten. There is your Bill, there is your settlement of India, and of course it will be the starting point for any further legislation if it is passed. Every concession you have made, the most extreme point which you have reached, will be the starting point for new legislation. The Attorney-General made a speech in the country the other day. He usually indulges himself at week-ends in the country by giving us orations which are most interesting and nearly always afford food for controversial comment. He made a speech in which he said that it ought to be five or ten years before the policy of this Bill could be carried out. In five or ten years there will be a change of Government in this country. However sanguine may be the hopes that are entertained, one cannot imagine that in such a period there will not be a change. But when you have passed this Bill of 400 or 500 Clauses and put it on the Statute Book, it will not be difficult to pass a Bill of 20 Clauses. It will be quite a manageable matter. It will slip through this structure and completely transform it; it will completely prune out, excise, eliminate and excavate every one of the particular points upon which the Conservative party have been induced to carry this policy so far.

Why press this matter further? It is not any longer a great measure of Indian constitutional reform. The right hon. Gentleman has no doubt to introduce a great many Amendments to meet the objections of the Princes. I suggest that at the same time he should change the title of the Bill. He should no longer call it the Government of India Bill, but the Chelsea Hospital (No. 2) Relief Bill. He should call it by the name which far more accurately delineates its purpose, namely, to enable a number of officials and powerful people to escape from a difficult situation without undue loss and countenance and face. This Bill has nothing whatever to do with India. India will have nothing whatever to do with the Bill. The whole position has now become one of will power, of clash of opinions and wills here at the centre. Why can we not relax this position? The right hon. Gentleman spoke of the temptation of abandoning this Bill in the face of the universal opposition which it has excited among those for whom it was designed. Why can he not yield to that temptation? Temptation which is a natural instinct is not necessarily wrong. You beg the question when you say that all that reason and all that convenience and all that public interest urge is temptation. You ought to yield to these things, and this is the time to yield. This is the time when the Government ought to lay aside every impediment. There is great need of simplifying our policy here and abroad. There is great need of uniting forces which are harmoniously blended and must act together. Surely this is the time to take a reasonable step.

It is little that we ask, and how very little it is now that we have reached the point when, as far as arguments and facts are concerned, it is admitted by all parties in the House that the case has been made out. Surely it is not much to ask that the Federal Clauses should be dropped, that they should not be placed on the Statute Book until or unless the Princes have concurred in them, that they should, as my Noble Friend has suggested, be brought to the Third Reading and then be left out with any other ancillary parts as may be required. Then we could go forward. If that were done, very useful legislation would still rest in the hands of the Government, but, if they persist in the course which they have adopted, if they simply go forward using the dull brute force that they can demand. [HON. MEMBERS: "Hear, hear.] The right

[Mr. Churchill.]
hon. Gentleman the Member for West Birmingham (Sir A. Chamberlain) has taken very great responsibility in this matter, and I hope he will not be left high and dry when the subject is concluded. If the Government go forward, using their force, they must not suppose the trouble will end with the passage of the Bill. That is not possible. While this Bill remains on the Statute Book it claims from all those who disapprove of such policies and principles a consistent and persistent effort to establish forces, continuing and organised forces, which will resist the repetition of such Measures in the future, and will endeavour, as far as possible, to repair the mischances of the past.

6.46 p.m.

Lord EUSTACE PERCY: My right hon. Friend the Member for Epping (Mr. Churchill), at the beginning of his speech, implored us not to lose contact with each other's minds. I certainly agree with him in that appeal, but surely it is a little beside the point when he ends his speech with a menace as to what he and those working with him intend to do if we who support the Bill go on as we are going on. Will my right hon. Friend allow me to say that I am amenable to arguments but not to threats.

Mr. CHURCHILL: You are not amenable to arguments.

Lord E. PERCY: I am extremely amenable to the arguments of my right hon. Friend or any other of my hon. Friends, and I am sure they will admit that I have always tried to meet their arguments and to see what is the real ground of their objections. It is sometimes a little difficult in the case of my right hon Friend the Member for Epping, because he is so like that eloquent gentleman in "Love's Labour Lost" who drew out the thread of his discourse so much finer than the staple of his argument. When I am faced with these vast cocoons of spun thread, relevant or irrelevant, I do sometimes find it difficult to penetrate to the real argument. But there is no doubt about the argument to-night. My right hon. Friend the Member for Epping has summed up all the speeches that have been made by his friends, from my noble Friend the Member for West Derbyshire (Marquis of Hartington) onwards, and the contention which they are urging on the Government is this: that if the Princes do not come into the Federation we must drop this whole Bill, drop the whole scheme of Indian reform, and scrap the Report of the Simon Commission.

Mr. CHURCHILL: No.

Lord E. PERCY: The whole of the Bill which you are proposing to postpone, from the Clause which we have just adopted onwards, is all completely, and practically solely, the Report of the Simon Commission.

Mr. CHURCHILL: My Noble Friend really must not misrepresent the position. I think it would meet with general acceptance if the Federal Clauses were dropped and we proceeded within the ambit of the Simon Commission.

Lord E. PERCY: I heard my right hon. Friend say that at the end of his spech, in postscript, but it was not an argument of any of his supporters or of the rest of his discourse. He said, "If you pass this enormous Bill, then anyone in a future Government can introduce a Measure of 20 Clauses." But that is an argument against passing this Bill. That is not an argument against opposing this Bill—except the 40 Clauses of Part II. The general argument of the Noble Lord the Member for West Derbyshire was the same. It was that this vast Bill with all these Clauses is gone, is dead, and must be scrapped. After arguing like that what is the good of my Noble Friend the Member for Aldershot (Viscount Wolmer) complaining that the Simon Commission's Report was scrapped? He proposes to scrap it now.

Viscount WOLMER: I never said that.

Lord E. PERCY: But it was the whole of my Noble Friend's argument—that the Bill must be dropped. I am going to drive home that point, as he will see. The reason why I have risen is that the whole course of this Debate and the action of the supporters of this Motion to report Progress can create only one impression outside this House, that this House is at the mercy of the Princes, that if they do not enter into Federation this House can vote no Indian reform at all.

Mr. CHURCHILL: No, no.

Lord E. PERCY: My right hon. Friend really must pay some attention to the arguments of his hon. Friends. They argued in this Debate that the whole Bill must be scrapped because the supporters of the Bill had said that provincial autonomy without responsible government is impossible.

Mr. CHURCHILL: Ah!

Lord E. PERCY: But does not my Noble Friend see that he has been arguing that? He has done his best—I do not know whether he has done his best, but certainly he has been most successful—to create the impression that, basing himself on the admission of the supporters of the Measure, he wants to scrap the Simon Commission's Report altogether and the whole of the rest of the Bill.

Viscount WOLMER: I am grateful to my Noble Friend for giving way to me. I think he is anxious that there should be no misunderstanding on the matter. If my Noble Friend is under the impression that those of us who are opposing this Bill would also oppose the Simon Commission's Report he is entirely mistaken. We have repeatedly said that we would be willing to co-operate on the basis of the Simon Commission's Report—subject to points of detail. [*Interruption.*] We would take that as a basis on which we could co-operate.

Lord E. PERCY: I am still left in some doubt as to what could have been the meaning of my right hon. Friend when he talked about passing the rest of this enormous Bill and leaving only 20 or 30 Clauses to be put in by a future Government. What does the Noble Lord say to that? Was the right hon. Member for Epping expressing the views of his followers, or was he not?

Mr. CHURCHILL: We are all agreed.

Lord E. PERCY: I gather that my right hon. Friend and his Friends show the beautiful superficial unanimity of the Princes assembled at Bombay. But that issue must be faced. Here I would refer to my Noble Friend the Member for Oxford University (Lord H. Cecil). He made a most interesting speech which was not open to these criticisms. It was, of course, open to the criticism which I am just making, that he proposed to leave the coming into force of this Bill, or even its final enactment by Parliament, to a vote both of the British Indian Legislature and the Princes.

Lord H. CECIL: The elected members.

Lord E. PERCY: And of the Princes. So if the Chamber of Princes refuses to vote this Measure British-India could not have the British-Indian part of it. I do not know whether my Noble Friend meant that. May I say further that he must remember that the Chamber of Princes is not an organic body and that we cannot ask for a vote from a diplomatic body. Finally, may I ask him if he has reconsidered his proposal to submit this to a vote of the elected members of the Central Legislature, because, if my Noble Friend will forgive me, that will take him nowhere? It corresponds to no principle whatever. There is something to be said for submitting an Act or Bill of this kind to a constitutional convention in India, but to submit it to a legislature—and the first result of the Act would be that that legislature would be abolished—elected on totally different issues and for totally different purposes corresponds, as I have said, to no principle whatever. It is a Legislature, moreover, as so many of my hon. Friends have pointed out, in which there is a very large element of our declared enemies, who have said, according to what we have been told, that nothing will satisfy them except independence. To submit it to that sort of body is no substitute for submitting it to a constitutional convention.

Lord H. CECIL: May I point out that you either believe in self-government or you do not. If you do you ask the elected representatives of the people if they want this particular plan. If you do not believe in self-government your plan is nonsense and hypocrisy.

Lord E. PERCY: I do not take that position at all. I take the view that this House is responsible and cannot share its responsibility with any other Parliamentary body. I only wish to point out to my Noble Friend that if he seriously suggests that His Majesty's Government are setting out on that path, it is leading up to a position which could only be satisfied by the special election of a constitutional convention. Unless he is prepared to go for that I think he had

[Lord E. Percy.]

better not put forward that particular argument. I wish to say in conclusion, because I have never stated this in the House before, that even at this moment, and even on the assumption that it is now unlikely that the Princes will immediately come into the Federation—an assumption which I do not make, because I do not believe in prognostications and have never based my policy on prognostications—I would retain Part II of the Bill and would enact it.

I would do that on two grounds. I would do it, first, on the ground urged by the Simon Commission, that a new Constitution for British India must have in it the seeds of development. Is it agreed that there can be no question of any measure of responsible government, responsible to an Indian electorate at the Centre, except on the conditions laid down in Part II? Is it agreed that those are the minimum and unalterable conditions of the British Parliament? If so, let us lay down those conditions finally and clearly, for the very reason that my right hon. Friend the Member for Epping urged so forcefully, because there are Lord Lothians in the world who want to start all over again, and because if we leave the whole thing open bright gentlemen like the Members of the Labour party will introduce another little Bill of 20 Clauses and slide further down the slippery slope. For that very reason, if we are convinced that these are the minimum conditions and the only conditions on which we can create a central government with any measure of Indian responsibility, then lay them down finally and irrevocably, and let the people of the Provinces of India know that so, and so alone, can they advance along the road of self-government.

The second reason is because I warmly agree with those of my hon. friends who have said that the method of the Round Table Conference and Select Committee is not suitable for planning a constitution. You get involved in vague negotiations; the people with whom you negotiate come to provisional agreements which always remain provisional. Here, again, I would ask, is it agreed that Part II of this Bill gives the most favourable terms to the Princes which this Parliament can ever give them to enter as a basis for an all-India Federation? If so, cannot we lay down clearly, definitely and finally the basis on which the Secretary of State is to negotiate, set it down in legal terms, and then make him responsible for carrying that out? If these are the facts, surely my hon. Friend will see that the difficulty in which we are involved is not that of any argument which may have been made on either side in this House, but that the difficulty lies in the fact that there is only one safe way of Indian advance at the Centre, and however long you wait, and however long you avoid making up your mind, these facts remain the same.

The right hon. Member for Epping has accused the Princes of being influenced by politicians of British India, and of not expressing solely their own mind, but of having been tampered with and intimidated by the politicians of British India. That is the account he gave. Do not let us allow ourselves to be influenced by similar political manoeuvrings, debates, arguments and intrigues. Do not let us be so influenced that our eyes are blinded to the unalterable facts, for there are unalterable things in this situation. I have dealt with these facts as they affect Part II. They will not be altered however long you wait. Then at least let the representatives of the British people in this Parliament, bearing as we do that tremendous responsibility both for this country and for India, have the courage to make up our minds, to take our course and to follow it steadily to the end.

7.4 p.m.

The ATTORNEY - GENERAL (Sir **Thomas Inskip**): This is the third occasion on which this tune has been played by the right hon. Gentleman the Member for Epping (Mr. Churchill) and his friends, and perhaps the Committee will allow me to make one or two observations in conclusion of the Debate of which, I rather think, the Committee is already a little weary. My right hon. Friend has more than once in the course of his speech this evening voiced the opinion, which he seems sincerely to hold, that there is something derogatory or dishonourable to the Government in that they are able to obtain a majority of their supporters to vote with them in the Lobby. I do not understand my right hon. Friend's theory about Parliamentary majorities. In his time he has been as dependent upon them as any other

Minister. Nor do I understand his reproaches to those who may not have listened to the Debate but will record their vote in the Lobby. I think I have observed him sometimes in the Lobby when he has not sat patiently through the Debate. [HON. MEMBERS: "Usually."] Well, I did not say that. I cannot help thinking that when my right hon. Friend makes such a constant moan and complaint about the majority of this House supporting the Government he is living in an unreal world, because he knows perfectly well that, although many Members have different allocations of duty to perform while the House is sitting, it is no compliment to Members of this House to say that they do attend matters of serious importance to their parties and their country, take care to inform themselves as to the issues involved, and to give an opinion agreeable to their own consciences. My right hon. Friend has charged me with the offence of speaking at week-ends. I might say in my defence that it has generally been in my constituency, and it is my misfortune, and his if any of my observations have been reported. At any rate I have been trying to get in touch with that democracy of which he seems to have so curious an opinion in regard to Parliamentary institutions.

I have observed that the Noble Lord the Member for West Derbyshire (Marquess of Hartington) and those who have followed him have been anxious to explain, what they believe to be the fact, that the Indian Princes are no longer friends of Federation, and it is said that they have disclosed their real intention and opinions in the speeches which they have made. Some reference has been made to the fact that those speeches were made in circumstances in which it was believed that their observations would be confidential, and that the confidence would be respected. I was not a little surprised to hear the right hon. Member for Oxford University (Lord H. Cecil) apparently give support to the suggestion that we are entitled to use a document in breach of confidence as long somebody else had committed the breach, and that the more confidential it was the more likely it was to represent the real opinions of those whose speeches were reported. I think that an extraordinary statement. It does not agree with my own experience of life. I have taken part, as anybody in my profession has to do, in many discussions as to the compromise or settlement of disputed questions, and I have always observed that in private conference, where people are free to say things that they know will not be publicly used, they always express themselves with more heat and less care than they otherwise would.

If the speeches on the occasion in question had been intended to break off negotiations with regard to Federation, then the Princes seem to have adopted a most extraordinary course. I have never heard of anybody bringing a long series of negotiations to a summary conclusion in a long letter of seven or eight closely printed pages. In the documents contained in the White Paper the Princes have taken care to declare the points upon which adjustment is required, and I can only arrive at the conclusion that in this way they expressed their desire to reach the completion of this scheme of Federation. My right hon. Friends have not condescended to discuss any question upon which they say there is a final breach. They have referred to paramountcy and to the Instrument of Accession. So far as paramountcy is concerned, my right hon. Friend and his supporters are under a strange delusion if they really believe that the Princes expect, or could be entitled to expect, a final settlement of questions with regard to paramountcy which have been under discussion between them and His Majesty's Government in this country for many years, and most certainly will never be settled in time for this Bill or any other Bill in the present Parliament.

What you, Captain Bourne, or Sir Dennis Herbert said earlier from the Chair is true so far as this Bill is concerned—that the Bill does not really deal with the question of paramountcy, and when the Princes raised the question of paramountcy in the long and elaborate statement of the points upon which they desire adjustment, it will be found that they raised this question, not with a view to final settlement of the very big questions involved, but in relation to two or three particular Clauses in which they think their position as sovereign States will be affected. It is this question with which my right hon. Friend the Secretary of State in his final document, which has been tele-

[The Attorney-General.]

graphed to India and has been printed in the White Paper, has dealt. The question still remains for us whether these are or are not matters capable of adjustment. It is very easy for the Noble Lord to say they are incapable of adjustment. If the Princes regard them as incapable of adjustment, it is a remarkable fact that they should have instructed their legal advisers to meet the legal advisers of my right hon. Friend—and as late as yesterday afternoon were they meeting for a second time—to see whether understanding could be reached on matters which my right hon. Friend is declaring are the grounds of a final repudiation of any intention to enter Federation.

I think the Princes have been a little hardly dealt with by my right hon. Friend to-night. They have been held up to a little public obloquy, whatever my right hon. Friend may have intended. I did not like to hear him say that the Princes' attitude was due to the fact that appeals, protests and threats had been addressed to them to which they were now yielding. He has some sources of information I know that are not open to other people, but it is paying too high a compliment to a statement of that sort to call it backstairs gossip. It is imagination on the part of my right hon. Friend, indicating an unhealthy mind.

Mr. CHURCHILL: The grounds on which I stated that the Indian political classes were appealing to the Princes not to come into Federation are fully set forth in the Indian newspapers, and particularly in that able newspaper with which I do not agree at all, "Conservative India."

The ATTORNEY-GENERAL: My right hon. Friend has hardly paid attention to the full force of the statement he made. He said not merely that people were making appeals, protests or threats to the Princes, but that the Princes' action was yielding—that was his word—to these threats and protests. What does that mean? That these great Princes of the sovereign States in India are adopting the unworthy attitude of departing from that in which they firmly expressed so much confidence merely because of the threats, appeals and protests reaching them from other parts of their country. I do not believe a word of it. I should be very much surprised to hear that the Maharaja of Patiala or of Bikaner, or the Nawab of Bhopal will agree that this is the motor muscle of the views that they have presented. I prefer to take at their face value the statements that the Princes themselves have made in the speeches which have been quoted. What did the Maharaja of Bhopal say?

"I have been one of the staunch supporters of the idea of Federation."

What did Sir Akbar Hydari say?

"I must at the same time make it clear that I am a great believer in Federation."

I should like to know what right has my right hon. Friend to tell these Princes, whom he is so anxious to fawn upon at one moment, that they have no sincerity when they say that they are still supporters, and always have been supporters, of Federation?

Mr. CHURCHILL: What right has the right hon. and learned Gentleman to say that I fawn on them?

The ATTORNEY-GENERAL: What right have I to say that? Exactly the same right as the right hon. Gentleman claims to have, in expressing his views in his own language.

Sir W. DAVISON: On a point of Order. Is the Attorney-General quoting from this tainted source which he says the Committee should not hear?

The DEPUTY-CHAIRMAN (Captain Bourne): That is not a point of Order.

The ATTORNEY-GENERAL: The observation I was making is justified, I think, by the attitude taken up by my right hon. Friend and his allies when they say that in some way or other the Princes have been misled over this question of Federation, that the Princes are now slowly discovering what the intentions of the Government are and always have been, and that they are finding the proposition unacceptable. In the next sentence my right hon. Friend is saying that the words of the Princes which he has been at so much pains to circulate to hon. Members are not to be taken at their face value, and that what they said in confidence cannot be relied upon as an accurate statement of their opinions on this important question.

My Noble Friend the Member for Oxford University (Lord H. Cecil) has a proposal which is going to solve all these difficulties as to what the Princes

mean. His proposal is that we should proceed with the Bill and ask the Chamber of Princes or some other body whether they accept it. Before we pass the Third Reading we are to put that question to the Chamber and to the Central Legislature, and let them answer "Yes" or "No." It is one thing to put a question to somebody, as I know, and tell him to answer "Yes" or "No," and a very different thing to get an answer. If my Noble Friend the Member for Oxford University is so sanguine as to believe that the Princes and the Central Legislature would give him his simple "Yes" or "No," I can understand the rest of my right hon. Friend's suggestion. The fact is, as everybody must appreciate, that if a question of that sort were put to the Princes they would say, "Yes, we are prepared to come in on certain conditions contained in paragraphs (*a*) to (*z*)," and then where should we be? Exctly at the beginning. Talk about making a new start: My Noble Friend would have to make a great many appearances in this House and submit a great many questions to the Princes before we should get to the end of it.

As my Noble Friend the Member for Hastings (Lord E. Percy) has said, that would be tantamount to an abdication of the functions of this House. I have yet to learn that the House of Commons or Parliament in governing this great Empire, of which India is a part, is unable to make up its own mind. We have a great function to play in the government of India, and not the smallest part of it is to help to settle those questions upon which, unhappily, the people of India are not able to arrive at a common agreement among themselves. How easy would be our task if we could compose the communal differences or the political differences of the people of India. We have, I think, not been unready to consider Indian opinion as expressed in many conferences and in many a private discussion, but in the end this Parliament has to make up its mind as to what measures it will propose to India. It will then be for us to see whether the forebodings of my right hon. Friend the Member for Epping are right, or whether the high hopes which some other people have formed are justified. If it be the right hon. Gentleman's purpose—or, not his purpose, but the effect of his speech—to-night and on other occasions, to disparage the Bill as, *for instance, when he described it* to-night as "one more slurge"—I know as little about the word "slurge" as my Noble Friend the Member for West Derbyshire did about "resile," but I gather that it is something unworthy and disgraceful—it is our part to try to build while he tries to prevent us. We must, perhaps, work with the trowel in one hand and with the sword in the other, while the enemy tries to prevent us from building the walls of this new constitution.

I read with great interest, indeed, I may sincerely say with not a little emotion, the statement which is made in one of the documents as to the motives which brought the Princes originally into a scheme of Federation. They say in paragraph 27:

> "In conclusion, it will be well to remember that the Princes originally accepted the invitation to federate out of their anxious desire to be of service to the Empire."

Could there be a more worthy note upon which to end our discussion? The question I would ask the Committee to answer is, Do they think that we are likely to make an end of our difficulties, perplexities or problems by adopting the course which the right hon. Gentleman proposes of abandoning the Bill and beginning *afresh with some scheme not more con*genial than the present Bill to my right hon. Friend or to the Indian people, or shall we not be best following the Princes of India in their desire to be of service to the Empire if we build as fairly as we can on the sound and solid foundation of conference and examination? The path may truly be a difficult one, but the prize at the end of it is glorious if we are faithful to our responsibilities.

Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee divided: Ayes, 94; Noes, 270.

Division No. 113.] AYES. [7.25 p.m.

Acland-Troyte, Lieut.-Colonel	Atholl, Duchess of	Balfour, George (Hampstead)
Alexander, Sir William	Attlee, Clement Richard	Banfield, John William
Astbury, Lieut.-Com. Frederick Wolfe	Bailey, Eric Alfred George	Batey, Joseph

Bracken, Brendan
Broadbent, Colonel John
Brown, C. W. E. (Notts., Mansfield)
Brown, Brig.-Gen. H.C. (Berks., Newb'y)
Burnett, John George
Cape, Thomas
Carver, Major William H.
Cecil, Rt. Hon. Lord Hugh
Churchill, Rt. Hon. Winston Spencer
Cobb, Sir Cyril
Cocks, Frederick Seymour
Courtauld, Major John Sewell
Craddock, Sir Reginald Henry
Cripps, Sir Stafford
Critchley, Brig.-General A. C.
Croft, Brigadier-General Sir H.
Daggar, George
Davies, David L. (Pontypridd)
Davies, Rhys John (Westhoughton)
Davison, Sir William Henry
Dawson, Sir Philip
Dobbie, William
Donner, P. W.
Emmott, Charles E. G. C.
Erskine-Bolst, Capt. C. C. (Blk'pool)
Fuller, Captain A. G.
Gardner, Benjamin Walter
Graham, D. M. (Lanark, Hamilton)
Greene, William P. C.
Greenwood, Rt. Hon. Arthur
Grenfell, David Rees (Glamorgan)
Gretton, Colonel Rt. Hon. John
Griffiths, George A. (Yorks, W. Riding)
Griffiths, T. (Monmouth, Pontypool)
Gritten, W. G. Howard
Groves, Thomas E.
Hall, George H. (Merthyr Tydvil)
Hartington, Marquess of
Jenkins, Sir William
John, William
Jones, Sir G. W. H. (Stoke New'gton)
Jones, J. J. (West Ham, Silvertown)
Jones, Morgan (Caerphilly)
Keyes, Admiral Sir Roger
Kimball, Lawrence
Kirkwood, David
Lansbury, Rt. Hon. George
Lawson, John James
Lees-Jones, John
Leonard, William
Levy, Thomas
Lunn, William
Macdonald, Gordon (Ince)
McEntee, Valentine L.
Maclean, Neil (Glasgow, Govan)
Macquisten, Frederick Alexander
Maitland, Adam
Maxton, James
Milner, Major James
Nicholson, Rt. Hn. W. G. (Peterst'ld)
Oman, Sir Charles William C.
Paling, Wilfred
Parkinson, John Allen
Peto, Sir Basil E. (Devon, Barnstaple)
Rathbone, Eleanor
Reid, David D. (County Down)
Remer, John R.
Salter, Dr. Alfred
Sandeman, Sir A. N. Stewart
Sanderson, Sir Frank Barnard
Smith, Tom (Normanton)
Somerville, Annesley A (Windsor)
Strauss, G. R. (Lambeth, North)
Templeton, William P.
Thorne, William James
Tinker, John Joseph
Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Wayland, Sir William A.
Wedgwood, Rt. Hon. Josiah
Wells, Sydney Richard
West, F. R.
Williams, Edward John (Ogmore)
Williams, Thomas (York, Don Valley)
Wolmer, Rt. Hon. Viscount
Wragg, Herbert

TELLERS FOR THE AYES.—
Mr. Raikes and Mr. Lennox Boyd.

NOES.

Acland, Rt. Hon. Sir Francis Dyke
Adams, Samuel Vyvyan T. (Leeds, W.)
Agnew, Lieut.-Com. P. G.
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, William (Stoke-on-Trent)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Assheton, Ralph
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Balniel, Lord
Barclay-Harvey, C. M.
Barrie, Sir Charles Coupar
Barton, Capt. Basil Kelsey
Beauchamp, Sir Brograve Campbell
Belt, Sir Alfred L.
Benn, Sir Arthur Shirley
Bernays, Robert
Birchall, Major Sir John Dearman
Borodale, Viscount.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brocklebank, C. E. R.
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Buchan-Hepburn, P. G. T.
Burghley, Lord
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Cassels, James Dale
Cayzer, Sir Charles (Chester, City)
Cazalet, Thelma (Islington, E.)
Chamberlain, Rt. Hn. Sir J. A. (Birm., W)
Chapman, Col. R. (Houghton-le-Spring)
Clayton, Sir Christopher
Cochrane, Commander Hon. A. D.
Colfox, Major William Philip
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Cranborne, Viscount
Crookshank, Col. C. de Windt (Bootle)
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Cross, R. H.
Crossley, A. C.
Culverwell, Cyril Tom
Dalkeith, Earl of
Davidson, Rt. Hon. J. C. C.
Davies, Maj. Geo. F. (Somerset, Yeovil)
Denman, Hon. R. D.
Denville, Alfred
Dickie, John P.
Doran, Edward
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duncan, James A. L. (Kensington, N.)
Dunglass, Lord
Eales, John Frederick
Eastwood, John Francis
Eden, Rt. Hon. Anthony
Edmondson, Major Sir James
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Essenhigh, Reginald Clare
Evans, David Owen (Cardigan)
Fielden, Edward Brocklehurst
Foot, Dingle (Dundee)
Foot, Isaac (Cornwall, Bodmin)
Fox, Sir Gifford
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Galbraith, James Francis Wallace
Ganzoni, Sir John
Gault, Lieut.-Col. A. Hamilton
George, Megan A. Lloyd (Anglesea)
Gibson, Charles Granville
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Glossop, C. W. H.
Gluckstein, Louis Halle
Glyn, Major Sir Ralph G. C.
Goldie, Noel B.
Grattan-Doyle, Sir Nicholas
Graves, Marjorie
Grenfell, E. C. (City of London)
Griffith, F. Kingsley (Middlesbro', W.)
Grigg, Sir Edward
Grimston, R. V.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hannon, Patrick Joseph Henry
Harbord, Arthur
Harris, Sir Percy
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M
Heilgers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Heneage, Lieut.-Colonel Arthur P.
Hills, Major Rt. Hon. John Waller
Hoare, Lt.-Col. Rt. Hon. Sir S. J. G.
Hopkinson, Austin
Hornby, Frank
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter-Weston, Lt.-Gen. Sir Aylmer
Hurst, Sir Gerald B.
Hutchison, W. D. (Essex, Romf'd)
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
James, Wing-Com. A. W. H.
Jamieson, Douglas
Janner, Barnett
Jennings, Roland
Jesson, Major Thomas E.
Joel, Dudley J. Barnato
Jones, Henry Haydn (Merioneth)
Jones, Lewis (Swansea, West)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Knight, Holford
Lamb, Sir Joseph Quinton
Lambert, Rt. Hon. George
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Leech, Dr. J. W
Leighton, Major B. E. P.
Lewis, Oswald
Lister, Rt. Hon. Sir Philip Cunliffe-
Little, Graham-, Sir Ernest

Llewellin, Major John J.
Lloyd, Geoffrey
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Loftus, Pierce C.
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Mabane, William
MacAndrew, Lt.-Col C. G. (Partick)
MacDonald, Rt. Hon. J. R. (Seaham)
MacDonald, Malcolm (Bassetlaw)
McEwen, Captain J. H. F.
McLean, Major Sir Alan
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Makins, Brigadier-General Ernest
Manningham-Buller, Lt.-Col. Sir M.
Margesson, Capt. Rt. Hon. H. D. R.
Mason, David M. (Edinburgh, E.)
Mason, Col. Glyn K. (Croydon, N.)
Mayhew, Lieut.-Colonel John
Meller, Sir Richard James
Mills, Sir Frederick (Leyton, E.)
Mills, Major J. D. (New Forest)
Milne, Charles
Mitchell, Sir W. Lane (Streatham)
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moreing, Adrian C.
Morris-Jones, Dr. J. H. (Denbigh)
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shephard
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
O'Connor, Terence James
Ormiston, Thomas
Orr Ewing, I. L.
Patrick, Colin M.
Pearson, William G.
Peat, Charles U.
Percy, Lord Eustace
Perkins, Walter R. D.
Petherick, M.
Peto, Geoffrey K.(W'verh'pt'n,Bilston)
Pickthorn, K. W. M.
Pownall, Sir Assheton
Radford, E. A.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Roberts, Sir Samuel (Ecclesall)
Ross Taylor, Walter (Woodbridge)
Ruggles-Brise, Colonel Sir Edward
Russell, Albert (Kirkcaldy)
Russell, Alexander West (Tynemouth)
Salt, Edward W.
Samuel, M. R. A. (W'ds'wth, Putney).
Sandys, Edwin Duncan
Sassoon, Rt. Hon. Sir Philip A. G. D.
Savery, Samuel Servington
Selley, Harry R.
Shakespeare, Geoffrey H.
Shaw, Helen B. (Lanark, Bothwell)
Shaw, Captain William T. (Forfar)
Smiles, Lieut.-Col. Sir Walter D.
Smithers, Sir Waldron
Somervell, Sir Donald
Somerville, D. G. (Willesden, East)
Soper, Richard
Spears, Brigadier-General Edward L.
Spens, William Patrick
Stanley, Rt. Hon. Lord (Fylde)
Stanley, Rt. Hon. Oliver (W'morland)
Steel-Maitland, Rt. Hon. Sir Arthur
Stevenson, James
Stones, James
Storey, Samuel
Strauss, Edward A.
Strickland, Captain W. F.
Stuart, Lord C. Crichton-
Summersby, Charles H.
Sutcliffe, Harold
Tate, Mavis Constance
Thomas, James P. L. (Hereford)
Thompson, Sir Luke
Thomson, Sir Frederick Charles
Todd, A. L. S. (Kingswinford)
Tree, Ronald
Tryon, Rt. Hon. George Clement
Turton, Robert Hugh
Ward, Lt.-Col. Sir A. L. (Hull)
Wardlaw-Milne, Sir John S.
Watt, Major George Steven H.
Wedderburn, Henry James Scrymgeour
White, Henry Graham
Whiteside, Borras Noel H.
Willoughby de Eresby, Lord
Wills, Wilfrid D.
Wilson, Clyde T. (West Toxteth)
Windsor-Clive, Lieut.-Colonel George
Winterton, Rt. Hon. Earl
Womersley, Sir Walter
Wood, Sir Murdoch McKenzie (Banff)
Worthington, Dr. John V.
Young, Ernest J. (Middlesbrough, E.)

TELLERS FOR THE NOES.—Sir George Penny and Sir Victor Warrender.

Clause ordered to stand part of the Bill.

CLAUSE 54.—(*Superintendence of Governor-General.*)

7.35 p.m.

The SOLICITOR-GENERAL (Sir Donald Somervell): I beg to move, in page 35, line 16, to leave out from "shall" to "be" in line 18.

This Amendment, which stands on the Order Paper in the name of my right hon. Friend, and the next Amendment in his name, are drafting Amendments.

Amendment agreed to.

Further Amendment made: In page 35, line 24, at the end, to add:

"(2) Before giving any directions under this Section the Governor-General shall satisfy himself that nothing in the directions requires the Governor to act in any manner inconsistent with any Instrument of Instructions issued to the Governor by His Majesty." —[*The Solicitor-General.*]

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 55.—(*Advocate-General.*)

7.36 p.m.

Sir REGINALD CRADDOCK: I beg to move, in page 35, line 31, at the end, to insert "by the Governor."

The SOLICITOR-GENERAL: We accept this Amendment.

Amendment agreed to.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

7.37 p.m.

Sir GERALD HURST: I should like, if I may, to refer to an Amendment which I put down to this Clause—in page 35, line 38, to leave out "exercise his individual judgment," and insert "consult the Chief Justice." This Amendment has not been called, but I venture to suggest that it is pertinent to raise the matter now. In the paragraphs of the report of the Joint Select Committee which deal with the appointment of Advocates-General in the Provinces, stress is laid upon the very important functions which they have to fulfil. The Advocate-General must be a law officer. He advises the provincial Government on any legal problem which may be referred to him, and represents the Crown in civil and criminal matters.

Paragraph 401 of the report states that it was no part of the intention of the Joint Select Committee to suggest that the office of Advocate-General should have

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a political side to it. The position of Advocate-General to a provincial Government is not, therefore, analogous to that of a law officer in this country, and the Committee recommend that he should be entirely free from the trammels of political or party associations, and should be selected by the Governor at his discretion. As I understand it, this recommendation of the Committee would mean that the Governor should make such an appointment entirely at his own independent discretion, without any council at all. Sub-section (4) of Clause 55 says that the Governor "shall exercise his individual judgment," and, having regard to an earlier provision, in Clause 50, the Governor, in exercising his individual judgment in selecting an Advocate-General, would in normal cases consult his ministers. In other words, he would consult persons who might very well have political, communal or family loyalties, and might regard the appointment as one of political value. If that be the true construction of the Sub-section, it is clearly a departure from the recommendation of the Joint Select Committee that the Advocate-General should be selected at the discretion of the Governor.

It would seem better to keep the matter entirely out of the political field. If the Governor had to consult his Ministers, it might very well lead to friction, as Ministers might, consciously or sub-consciously, be influenced by their associations, political, communal or otherwise, with a particular nominee. At any rate, that is how it appears to me and to a number of lawyers in India who have communicated their views to me, as well as to other Members of the House who practise the law, and it was with a view to eliciting the views of the Secretary of State or the Solicitor-General on this matter that I put down the Amendment. If my argument is well founded, I suggest that this Sub-section ought not to represent the last word of the Government on the matter.

7.42 p.m.

Earl WINTERTON: I hope that, when the Solicitor-General replies to my hon. and learned Friend, he will be good enough to tell us what is the effect of the Amendment which he has just accepted. As an old Member of the House, I rather deprecate the acceptance of any Amendment on a Bill of this kind, however important, without a word of explanation by the Mover or by the Solicitor-General. The Amendment in question is probably an unimportant one, but perhaps the Solicitor-General will be good enough to say what effect it will have on the Clause.

7.43 p.m.

The SOLICITOR-GENERAL: I apologise to the Committee if I was a little over-hasty in indicating our acceptance of the Amendment of my hon. Friend the Member for the English Universities (Sir R. Craddock). The reason for its being accepted is that an exactly similar Amendment to the corresponding Clause dealing with the Advocate-General in the Federal Legislature was agreed to. The Amendment adds nothing to the substance of the Clause; it is a matter of drafting, to make the position more clear.

With regard to the remarks of my hon. and learned Friend the Member for Moss Side (Sir G. Hurst), the position, as the Committee will be aware, is that the words "in his individual judgment" do not in any sense imply that the Governor has not in the last resort complete discretion as to how he shall act. The words "in his individual judgment" are used when the matter is primarily within the ministerial field, while the words "in his discretion" are used when the matter is outside that field. In our view, as the function of the Advocate-General is to advise the Provincial Government, it would be quite wrong to take the question of who should be appointed completely out of the ministerial field, and I think there might be resentment if that were done. It is because we are alive to the importance of the Joint Select Committee's recommendation that this matter should not have a political complexion, and therefore should be a matter within the competence of successive Governors, that we have provided that the Governor shall have the final word. I assure my hon. and learned Friend that the final discretion of the Governor is completely unfettered, and that we are carrying out to the full the recommendation of the Joint Select Committee, but, as the primary function of the Advocate-General is to advise the Provincial Government, it would be wrong if Ministers had no *locus standi* in suggesting to the Governor a name for his consideration.

Question, "That the Clause, as amended, stand part of the Bill," put, and agreed to.

CLAUSE 56.—(*Provisions as to police rules.*)

7.45 p.m.

Duchess of ATHOLL: I beg to move, in page 35, line 39, to leave out "proposed," and to insert "directed by the Governor-General."

I understand, Captain Bourne, that under this Amendment you will allow the Committee to discuss broadly the question of the transfer of law and order to a Minister responsible not to the Governor but to a wholly elected Provincial Legislature. I wish first to remind hon. Members that the term "law and order" not only applies to the police, but includes also the powers of a district magistrate in regard to the police, who act in an emergency under his orders. It also includes the charge of prisons and kindred institutions and the powers of a Provincial Government in relation to the appointment, posting, and promotion of magistrates and of judges below those of the High Court.

Mr. OSWALD LEWIS: On a point of Order. Which Amendments are included in this general discussion?

The DEPUTY-CHAIRMAN: The Amendment which the Noble Lady is moving will cover the other two Amendments to this Clause standing in the name of the right hon. Member for Epping (Mr. Churchill)—in page 36, line 2, after "military," to insert:

"the Governor shall carry out such direction and in doing so,"

and, in line 3, to leave out from "respect" to the end of the Clause, and to add, "thereto so far as such direction permits." It will depend on the width of the discussion whether other Amendments on the Paper may or may not be covered.

Mr. ATTLEE: Can the Noble Lady give us the substance of the Amendment she is now moving?

Duchess of ATHOLL: The substance of the Amendment is that the Governor of a Province in relation to the power given him under Clause 56 to give or withhold his approval to the amendment of rules or regulations relating to the police should be acting at the instance of the Governor-General, but I understand, Captain Bourne, that you are ready to allow the general question of the transfer of law and order to be discussed on this Amendment, and I would, therefore, return to the point that this question includes the powers of provincial governments to make appointments of magistrates and of judges below those of the High Court. The High Court may make recommendations regarding appointments but they may be fettered by rules made by the Provincial Government and in the majority of cases I understand that the power of appointment rests with that Government. It may be said that the question of law and order includes all the duties of the Home Secretary in this country and more, because the Minister in charge of law and order would have the whole of the police of a Province under his orders and not merely a section of the police as in this country. Then we remember that this proposal to transfer law and order originated with the Statutory Commission and that they gave two reasons. The first was that they wished dyarchy to come to an end, and the second was that they considered that to reserve the police would concentrate hostility on them.

The first argument, that dyarchy must go, has now been put out of court since it has been proposed that dyarchy should be introduced into the central government. There remains, therefore, only the argument that hostility would be concentrated on the police, but it seems to me that that argument has also been destroyed by the Prime Minister's communal award. In every Province in India, with one exception, that award will give one community or the other unfettered rule, and place it in an absolute majority in the Provincial Legislature. The police must therefore be the instrument of the majority community, and seeing what the feeling is to-day between Hindu and Moslem does it not stand to reason that there is likely to be far greater hostility felt towards the police, say, by a Hindu minority when the police is the instrument of a Moslem Government, and, *vice versa*, infinitely greater hostility than is felt to-day when the police are the instruments of a Government which, even though it may be blamed, is recognised as a Government that is neither Moslem nor Hindu, but impartial. That considera-

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tion has been far too long lost sight of, and absolutely answers the second reason given by the Statutory Commission for proposing this change. The Committee may further remember that the police witnesses before the Joint Select Committee bore witness to the popularity of the police with the masses of the people, as shown by the fact that when it was proposed to close a police station, there was an outcry. We have therefore to recognise at the outset of the discussion of this question that the only two reasons given by the Statutory Commission for recommending this tremendous step have fallen to the ground.

It should also be remembered that the Commission were very candid in setting forth the reasons against the change. They stressed the fears expressed by the police and the general public of loss of impartiality once the man in charge of the police—the Minister, that is to say—would be a Hindu or a Moslem responsible to a Legislature in which Hindu or Moslems must predominate. It was recognised that there was bound to be pressure on the Minister from members of his community to make appointments and promotions in the police and that it might be very difficult on account of communal feeling for him to stand up against that pressure. This was said to the Statutory Commission by seven Inspectors-General of police whom they heard, and I understand that the same fears were expressed in memorials signed by British and Indian police officers which were sent to the Statutory Commission. A police witness before the Joint Select Committee indeed said that he had found Indian police officers even more opposed to the transfer than British officers, and the Statutory Commission with a candour for which I wish to give them my humble meed of praise, said they had found members of rival communities which had said they would rather have a European or Indian Christian in charge of law and order than one of the communities in question. When we remember that the Commission themselves recorded how the work of local authorities and of education had deteriorated mainly because of this communal pressure on a Minister of education or members of local authorities to make appointments on grounds of community, caste, or family, it seems to me that they might well have recognised that it would be infinitely more serious to the community that appointments should be made for those reasons in the police force than in the education service or by the local authorities.

Now when the Commission recommended this change they could say that the police were entirely free from this communal bias and pressure, and they recorded their appreciation of the fact, but those who have read the evidence of the police witnesses before the Joint Select Committee will have found that events have moved on since the Statutory Commission reported. An ex-inspector general of police, Sir Charles Stead, frankly told the Committee that the one reason why he had been glad to leave India at the end of his service was because of the daily relentless persecution to which he was subjected by members of the Provincial Legislature who came to him and urged him to make appointments in the police for communal or other reasons. He said that it was the "mere talk of transfer" which had brought this about, and he went on to say that such pressure would be infinitely more severe on the Minister and that it would be much more difficult for him to stand up against it. That has been confirmed to me by another ex-inspector general of police, who has said that a Minister would have to be a superman to be able to stand up against such pressure.

Then the Commission themselves recognised the difficulty the Governor would have in knowing whether this communal feeling had begun to creep into the force. They spoke of the

> "impossibility of checking from headquarters the injustices which communal bias inside the police force might inflict on the countryside and how impossible it was to minimise the importance"

of that matter. That again was just the fear expressed by police witnesses to the Joint Select Committee. They said that they did not so much fear a sudden crash of the police as the gradual, insidious sapping of their morale and discipline by this influence creeping in unseen through communal appointments. They feared that the individual policeman who to-day does his duty impartially against Moslem or Hindu or Sikh would gradually become community conscious, and might hesitate to act against his

own community or against the majority community in case the Minister under pressure might let him down.

Another reason given by the Statutory Commission for this recommendation was the need for quick and prompt co-operation between the police and the Ministry in case of trouble—the absolute necessity in a country where feelings are easily aroused and are so inflammable of nipping in the bud any sign of trouble. That was confirmed by an ex-inspector general of police and others to the Joint Committee. They were told how to-day there is this close co-operation between district magistrates and the military authorities, and that very often in an emergency troops are asked for by the district magistrate without reference to the headquarters of a Province. The witnesses, however, expressed doubt, which I feel sure many Members of this Committee will echo, whether you can expect such close co-operation in future, when the district magistrate will be responsible, not to the Governor, but to a Minister, and the military forces will be under the control of the Governor-General. When we remember how very quickly serious trouble may flame up, it seems to me that this lack of co-operation may mean the loss of scores of lives. Take the case of the Cawnpore riot of 1931. In two or three hours, without any warning at all, a riot flared up which lasted for about 12 days, in the course of which considerable military forces had to pour into the city day after day, as well as hundreds of extra police. It meant the burning of a large part of the native city of Cawnpore and the loss of hundreds of lives.

It seems to me therefore that the only two arguments used by the Statutory Commission in favour of their recommendations have been completely answered and that experience, on the other hand, has confirmed the correctness of the reasons given against the change. Let us also remember that the Commission only recommended this change subject to the Governor having the power to nominate one or more Ministers to be responsible to himself alone, and that was a way out of the difficulty recommended by four of the Provincial Governors, so that we have to-day a proposal which is not that of the Statutory Commission, but one which lacks the one considerable safeguard which they proposed. I think the Committee should also know that so strong were the fears among the police officers in India after the Commission reported in favour of the transfer that the Bengal Police Association and the Indian Police Association both sent very strongly worded memorials to the Secretary of State against the recommendation of the Commission. I imagine that it was probably an unprecedented course for a loyal body such as the police to take, when their views had not been accepted, actually to memorialise the Secretary of State after the Commission had reported. It shows how very strongly they felt on the matter.

I now come to another point. Some of the Committee may have observed that the Statutory Commission in talking of the transfer of law and order only refer to the police. They say nothing whatever about the transfer of the district magistrate in his relation to the police, though in Volume 1 of their report they showed full appreciation of the importance of his position. Stranger still, there is no mention whatever that the transfer of law and order would mean the transfer of the powers of a provincial governor in relation to the appointment of magistrates and the subordinate judiciary. I find the explanation of this strange omission in a fact which seems stranger still to me, namely, that the Commission only heard one judicial witness and that no member of the Commission put to that judicial witness the question: What would you think of a transfer of law and order?

It was a discovery that staggered me when I made it about 18 months ago, and I thought it a matter of such importance that I endeavoured to make it public in a letter to an important newspaper, but the letter was not published. It is just one of many instances in which those of us who have been trying to bring out the facts with regard to India have found it extraordinarily difficult to do so. The omission from the Statutory Commission's Report is all the stranger, because they must have realised what a land of litigation India is and how it plays a far larger part in the life of the community generally there than it does in this country.

Surely, also, it must be evident that if you have reason to fear communal or

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caste influence in regard to appointments or promotions, dangerous as they must be in regard to the police, may they not be even more dangerous in appointments to the judiciary, because it may be easier to see the result of any insidious influences that have acted in regard to the police and to take some steps to counteract them. At least the mischief may be more visible in the case of the police than it is likely to be in the case of the law courts. Imagine how insidious these influences may be that are likely to press on a judge—how insidious the influence on his decisions, due to the fact that he owes his appointment to a particular community or caste. To-day there are rules fettering the discretion of the judges of the High Court in the Punjab with regard to the appointment of subordinate judges, which illustrate how communal feeling has already crept into the appointments there. These rules lay down that out of every eleven candidates who pass an examination conducted by the High Court four have to be Moslems, four Hindus, two Sikhs, and one Christian. I have been informed by ex-judges of that High Court that in consequence they have very often to go far down the list to find a candidate who is of the right community. That shows that communal influence is already at work in judicial appointments in that Province, and that when you have a Minister in charge who is likely to be a Hindu, Moslem or Sikh, this communal influence will be much more strongly exercised on him.

An ex-district judge, giving evidence before the Joint Select Committee, spoke of another kind of pressure, of pressure that might be exercised on the ministers by friends of litigants, endeavouring to secure favourable verdicts for their friends. He said that the minister might also be pestered by relations of any one who was under trial for any criminal offence, and he went on to tell the committee of experiences he had himself had of intrigue that had been set on foot to get the minister to reverse a judgment he had given, or to issue some order amending a judgment he had given. He went on to say that the penalty the judge might have to meet for not falling in with the minister's wishes in a matter of this kind might be removal to an unhealthy station, to which he could not take his wife and family. Stations in India must vary infinitely more in regard to climate and amenities generally than stations in this country to which judges or other high officials may be posted, and that fact of the variety of unhealthiness of climate and amenities obviously puts a tremendous power in the hands of a minister who may be annoyed with a judge because of some decision he has given. Imagine how the independence of a judge must be sapped by any feeling that pressure can be brought to bear on a minister to upset or influence his judgment. And of course the police are helpless unless they are backed up by the magistracy and the courts generally. They must all work together. If any of them become demoralised or weakened or biassed in any way, the whole structure of law and order must threaten to crash. So do not let us forget that in regard to this great question of law and order the Statutory Commission only discussed the question of the transfer of the police.

I would now go on to remind the Committee how much more dangerous this transfer would be than it might appear in 1930 when the Commission reported. At that time civil disobedience was in its infancy. Terrorism had only just revived in Bengal. Since then we have had in Bengal what Sir Charles Tegart, the ex-Commissioner of Police in Calcutta, has described as the most serious of all the terrorist campaigns. We have the Memorandum of the Secretary of State to the Joint Select Committee, which says that since 1930 there have been terrorist outrages in every Province in India. Also in these years, since the Commission reported, we have had the admitted growth of Communism in India, and, finally, in the Memorandum I have referred to, the Secretary of State tells us of the recrudescence of the ghadr movement among the Sikhs, which attempted to upset the loyalty of our Sikh regiments in the War and caused a great deal of trouble in the Punjab. The Secretary of State said a movement was actually on foot to link up terrorism, Communism and the ghadr movement, and he spoke of it as extremely dangerous.

Again, we know from the recent elections in India that Congress is the

strongest political party there. It may shortly be in power in five or six Provinces when the nominated element is withdrawn from the Provincial Legislature. We know, also, from the Secretary of State's Memorandum that there is a close connection between terrorism and Congress, anyhow in Bengal. Imagine the danger to life and safety if you have a Congress minister in charge of law and order who may have affiliations with the terrorist party. Imagine the danger of the victimisation of those loyal police officers and men who, in the discharge of their duty, have had to arrest members of the terrorist movement. We have, of course, to recognise that Clause 57 is an admission, and a welcome admission, of how serious the terrorist movement can be, because we know it gives power to the Governor, in the event of there being a revolutionary movement in his Province to upset his Government by violent crime, to take control of whatever department of Government he may consider necessary to combat these crimes. The Joint Select Committee recommended that unless the position had very greatly improved at the time the new Constitution was inaugurated, these powers should not be transferred in Bengal, or at least that the Governor should retain whatever power he considered necessary; but the Secretary of State's Memorandum shows that you may have a very serious situation in every Province in which terrorism has shown its head, and therefore we who oppose the transfer of law and order cannot rest content with the mere suggestion that this course be limited to Bengal.

I also regret extremely that the powers given to the Governor in Clause 57 are only to refer to cases in which a Government is threatened to be overthrown by crime. There is much loss of life, much disorder—one might almost say anarchy—at different times and places in India which cannot be described as coming under that Clause. There was an agrarian uprising in 1921——

The DEPUTY-CHAIRMAN: I notice the Noble Lady has an Amendment on these lines down on Clause 57. If she discusses it now, it must be on the clear understanding that that Amendment is only moved formally.

Viscount WOLMER: Is there not a general understanding that the whole question of law and order is to be discussed on this particular Amendment, and we are not to have further discussions on later Amendments?

The DEPUTY-CHAIRMAN: I was trying to make the position of the Chair perfectly clear on that point.

Duchess of ATHOLL: I understood that was so, that if I discussed that Amendment now I could merely move it formally later on. I should just like to indicate the reasons for this later Amendment, because it serves to show how many different forms of crime you may have in India which may cause very serious loss of life and possessions without the situation arising which is dealt with under Clause 57. In 1921 there was an outbreak of agrarian trouble in the United Provinces, because of the attempts of some landlords to extort heavy fines on the renewal of leases, which the law at that time only enabled to be quite short. The trouble was so serious that troops were called out, and the Act had to be hurriedly amended. That is the sort of situation you cannot imagine arising in this country. There is in India a completely different state of things which has to be judged on an entirely different standard. Again, a judicial witness before the Joint Select Committee expressed the fear that if taxation became oppressive, as it very well might because of all the additional expenditure this new Constitution will place on India, you might have a great deal of agrarian uprising. This witness reminded the Committee how the people rose in Alwar and Kashmir because they thought taxation exorbitant and unjust, though he said that often in Indian States the people are apt to be more patient and tolerant than they are sometimes in British India. He stressed most strongly the fear of large agrarian discontent from further taxation.

But however much you may have troubles of that kind in a Province the Governor cannot resume control. He may give orders over his minister's head. He may dismiss the Minister—dismiss them all, if he feels strong enough—but all he can do is to keep on appointing new ministers one after another. He cannot resume control himself. Again, his hands are tied if there is communal trouble, and this has caused much greater loss of life than even these terrorist outrages. Terrorist outrages are specifically aimed

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at Government officials. Valuable men, British and Indian, have lost their lives in consequence, but terrorism is not the same menace to the public in general in India that communal riots are. Take, for instance, the case of the Moplah rising in 1921. That went on for months, and meant the slaughter of thousands of Hindus. I have heard of a collector's area in which all the wells were filled up with the bodies of Hindus. That is a situation in which, if it arises, the Governor cannot resume control. All he can do is to get a change of Minister however difficult it may be to find the right man. The same applies to the incident reported in to-day's newspapers in which we read with very great regret of the Army firing on a Moslem crowd. Imagine how difficult it might be for a Hindu or even for a Moslem minister to deal with a situation of that kind. Yet that is a situation in which the Governor could only act through his ministers.

Take, again, a serious outbreak of organised crime. There are whole tribes whose hereditary occupation is crime, and is it realised how much crime there is in the North-West Frontier Province, which are to have law and order transferred just as much as any of the older provinces? The conditions on the North-West Frontier were described by a retired officer of long experience to the Joint Select Committee. He described the Frontier as

"a country of immense thieving propensities and dacoities"—

A dacoity is robbery by an armed band—

"robbery under arms and the robbery of the trader and the carrying off of his wives, these are the ordinary rules of the Frontier."

Again, if you have a condition of that kind on the Frontier, or if you have it worse than usual, the Governor is powerless to take over control. It will give an example of how serious crime can be in that part of India, if I tell the Committee that in 1932, whereas there were three murders for every million of the population in England and Wales, in the North-West Frontier that year there were 138 per million. That will give an idea of the very serious amount of crime there is to be dealt with. Another witness from Bihar and Orissa told the Joint Select Committee of districts in which he had had complaints of 300 dacoits before a charge could be lodged at all, and that he had only learned of this immense number of dacoits because he happened to be on tour. If he had stayed at his headquarters he would not have heard of them. And a distressing fact is that in Bengal there has been a great increase of dacoits since before the War. According to an answer given by the Secretary of State a few months ago, dacoits increased from some 250 in 1913, to 1,900 in 1931 and 1,800 in 1932. I have actually heard of a village not far from Calcutta in which sometimes villagers have had to stay up at night in turn to give warning against attacks by dacoits because they could not get protection. You have then this very serious form of organised crime, evidence that it may increase and that there may be a great deal of it of which a good district commissioner does not know, and yet however bad it may be, the Governor may not resume control of law and order.

Again, you may have serious disturbance arising out of interference with or obstruction of rights of sale and purchase. An instance of that was the Congress boycott of British cloth in 1930-31. We know what paralysis that caused in the streets of Bombay, that men and women threw themselves down before the trams. It was a very serious situation indeed. A dealer was murdered at Benares for stocking British cloth and a communal riot ensued in which 70 people were killed. Then there was the riot at Cawnpore originating actually from the "hartal" imposed on the Moslems by the Hindus to which the Moslems refused to submit. They were ordered to close their shops because of the execution of Bhagat Singh and they refused, with the result that there was the trouble to which I have already referred. But again, in situations such as these the Governor could not resume control. I have therefore put down an Amendment covering these cases because I feel that Clause 57 is quite inadequate to deal with the variety of serious situations which may arise in India and which may mean more loss of life and property to the ordinary rank and file than the terrorist crimes mentioned in the Clause.

I should like finally to remind the Committee of the very grave fears expressed by police witnesses to the Joint Select

Committee not merely on account of the communal question, but on many other grounds and of the many safeguards for which they asked. In particular they asked that their powers should not be interfered with, and that is why I have put down an Amendment to this effect. It was not enough, they said, to leave them with the rules they had at present as regards organisation and discipline, as proposed in Clause 56. The thing they stressed was that their powers should not be frittered away as they feared they would be in certain circumstances. They also asked for Federal supervision and for a federal inspector of police in order to keep the police force in each Province up to a uniform minimum standard. But that too, has been ignored by the Government. Very few of the safeguards for which the police asked have in fact been embodied in the Bill. Yet they made a very grave statement to the Committee to the effect that

" unless the Government are prepared to carry them out "—

the safeguards for which they asked—

" we doubt whether it will be worth their while to retain an Imperial Police service in India, and it might be the best course to wind up the Indian Police as a service immediately—a course already favoured, in any case, by a considerable minority among ourselves."

I do not think that you could have a graver statement from loyal, experienced and responsible men. We feel that it is a tremendous responsibility to hand over law and order under the conditions prevailing in India to-day, because it means, not endangering our own lives or the lives of those near and dear to us or our own property, but the lives and property of millions of other and much more helpless people. We feel that it is a responsibility we are not prepared to shoulder, and therefore I beg to move the Amendment on the Paper.

8.24 p.m.

Sir CHARLES OMAN: I must confess that I was rather surprised by the wording of this Clause. It begins:

" Where it is proposed that the Governor of a Province should."

Proposed by whom? Proposed by himself? Proposed by one of his Ministers? Proposed by any body of Ministers? Proposed by the vote of the Provincial Assembly, or how? Surely, there never was a more ridiculous piece of absolutely bad drafting than the phrase which begins " Where it is proposed." I ask the right hon. and learned Gentleman in charge of the legal side of this Bill what is the actual meaning of " Where it is proposed "? It really sounds like something anonymous—merely a suggestion. The Clause itself is absurdly drafted. I am now coming to the contents of the Clause. This proposes that the Governor should have a very large control of making or amending rules and regulations, relating to civil or military and police forces under him. There are Governors and Governors. There is the Governor, conceived no doubt by the framers of the Bill, who is a sort of superman. He is " beautiful, bounteous and bold," and fears no man. There are also the real governors, of whom I have known several, who sometimes are very ordinary human beings, not unsusceptible to influences of physical fatigue or to considerations of health or to local troubles in the Assembly district. We have to look at an ordinary governor on whom pressure is brought, I suppose by some Minister or by some body of Ministers. If weak or ailing he may be bullied into making shifts and changes with his police force.

It seems to me that this is a most dangerous chance. You may have a governor of perfect rectitude, yet attempts may be made to induce him to tamper in an unhappy way with the police force. Let us remember that we are not dealing with a super-governor but with an ordinary governor. He may be English and rather weak or out of sorts. On the other hand he may be, under the new system, an Indian, no doubt a very estimable person, since he has reached that position, but still he may be not altogether unliable to be influenced by pressure being continually brought to bear upon him by his co-religionists. I can imagine a governor, either a weak English governor or an intensely pliable Indian governor, doing certain things in order to please those who are continually pestering him. Probably the pressure of Ministers will lead him into making lavish and not very wise changes in the police administration of the district. It may be that he will be influenced to cut down the number of armed police in a certain district, or to leave them with inferior arms, or to shift the properly armed force from one district to another. Those sort of things come under his administra-

[Sir C. Oman.]

tion and they are left to be settled by his individual judgment. I am very glad that I do not always have to rely upon my own individual judgment in all circumstances or to rely solely on official advisers, but that I am allowed to take counsel. In this case it seems to me that there is very considerable danger of a weakening of control in one part or other of a district by a governor who is under sinister influences.

I do not think that I shall be wandering from the subject if I pay a high tribute of respect and gratitude to the Indian police. Perhaps more than anybody else in the House I am entitled to pay this tribute, because I probably should not have been in existence had it not been for the Indian police. At the time of the mutiny, when the 12th Irregular Cavalry mutinied, massacred their officers and overspread their country, the police in the district where I was born stood firm. There was temptation for them to become disloyal, because there was a small provincial treasury in their charge and the deputy-commissioner had fled, leaving the whole white population of the district at the mercy of the police. Fortunately, the police, under their English officers, stood firm and actually fired on the Irregular Cavalry, who went off and joined the Lucknow rebels. A considerable number of Europeans were saved by the loyalty of this body of police, and I am proud to pay my testimonial to them. My father and probably a hundred more would have been massacred had it not been for the splendid loyalty of the Indian police in the province of Bihar. I might mention that my own first cousin was in charge of 8,000 Indian police for 10 or 12 years, and I have that in my memory too; in many trying circumstances his police carried out their duties with extraordinary courage and justice and in face of many dangers, riots and dacoities which was very prevalent in the district.

I must confess that I look with dismay and horror at the proposal that the Indian police, no longer under their English officers but under the control of the provincial ministers, is to be handed over to the management of the politicians of a Provincial Parliament. One cannot but be impressed with the seriousness and the importance of the declaration which has been signed by an enormous body of police officers, who look forward with dismay to their being left entirely at the mercy of ever-changing Ministers with possibly a very weak Governor, whether he be English or Indian. It seems to me to be absurd and it makes my blood boil with rage to think that this vital service of the police, on which depends the lives not only of our relatives in India but the whole of the population in those parts where there is a communal minority who are at the mercy of a communal majority, is to be handed over to the charge of politicians. For all these years the lives of the Indian people have been safe under the European administration of the police, and now they are to be handed over to the Indian politicians.

In the old days before the police force was properly organised, in the earlier part of the East India Company's time, there was, no doubt, any amount of maladministration, but fortunately that came to an end. Speaking as one who remembers three generations in India, I recollect that in the 1820's my grandfather had to raise the local lattials and to come out himself to deal with the dacoits, because the police under their Indian *durogahs* were then perfectly ineffective. That sort of thing is long past. Since European administration of the police has come in that sort of thing has long ceased to be remembered and there has been safety, but I do not see how that safety is to be ensured in future, if the control of the police is to be handed over to a Governor who is under constant pressure from political Ministers.

8.33 p.m.

Mr. BUTLER: The Committee will realise that this is a matter of very great importance, and I think they will agree that the Noble Lady who introduced the discussion, in a long and very important speech, is actuated by sincere conviction. No one has taken more trouble to study the evidence given before the Joint Select Committee or to acquaint herself with many of the serious matters involved in this decision. It is always a pleasure when one is able to follow the Noble Lady into every single point in the many researches that she has made, because one then feels that one's own researches are worth while if one can keep pace with her. The decision to transfer law and order was come to after very serious

consideration by the Joint Select Committee and the decision has been incorporated in the Bill. The Committee felt and the Government most warmly agree that in this matter the responsibility of the Ministers in the Provinces of India must be a reality. Basing themselves on that conviction there are no proposals in the Bill to reserve the department known as law and order from the general field of responsibilities of Ministers.

I will confine my reply to answering the points raised by the noble Lady and the hon. Member for Oxford University (Sir C. Oman). The decision not to reserve law and order from the field of responsibilities follows the advice of the Joint Select Committee and that of the Statutory Commission. The Noble Lady picked out two arguments upon which the Statutory Commission based their decision that responsibility in this matter should be real. She referred to the decision of the Statutory Commission that there should be no dyarchy in the provincial field, and the decision with reference to the appointment of certain official members in provincial ministries. The Joint Select Committee considered the question of dyarchy extremely carefully. The problem of dyarchy might occur in various different departments. It can occur, for instance, within the relationship of the centre to the province, and no greater friction could occur than the friction which would occur between the sort of centre which the Noble Lady suggests, that is a static centre, and an autonomous province. That is one form of dyarchy.

The Noble Lady also proposed another form of dyarchy, that is the preservation of the department of law and order within the Province itself. She is therefore proposing in her general plan two forms of friction resulting from the operation of dyarchy. Those who have studied the report of the Joint Select Committee will realise that the operation of dyarchy in these two directions would be disastrous to the successful operation and working of the new Constitution. The Noble Lady then proceeded to develop the views of the Statutory Commission on the subject of official members. She said that the Statutory Commission recommended that the Governor might nominate one or two Ministers to be responsible to him alone, and she implied that it was very probable that one of these official ministers might take over the department of law and order. I do not think that this is actually and literally what was suggested by the Statutory Commission. It would be much fairer to summarise it in this way, that the Statutory Commission suggested that the Governor might find it desirable to include in his Ministry one or more persons who are not elected members of the Legislature. Ordinarily such persons would be experienced officials. They contemplated that at any rate in some Provinces this special minister might be placed in charge of law and order, though they did not say that this in fact must be so. The only member of the Statutory Commission who took exception to that view was the late Lord Burnham, who considered that in every Province one or two places in the Cabinet should be reserved for official members. The actual finding of the Statutory Commission differs materially from the suggestion made by the Noble Lady that they suggested that one or two ministers should be responsible to the Governor-General alone.

The Noble Lady fell into another error when she said that the ministers should be responsible to the Governor alone. Those who have studied the report of the Statutory Commission will realise that when they gave this discretionary power to the Governor they did not suggest that there should be any breach in the general responsibilities of the provincial Ministry as a whole, and they indicated that if there was an official minister of this sort he need not necessarily be attached to the department of law and order. From the reading I have made of the Commission's report they intended this device to give administrative advice to the minister, and did not intend such minister to be necessarily attached to the department of law and order. I do not consider that this decision of the Statutory Commission alters very much their general conclusion or their general argument that law and order should be transferred. They use arguments which to me seem quite unanswerable, and which were reiterated by the Joint Select Committee. In their second volume, on page 47, the Statutory Commission say:

"If essential Votes for the police force cannot be got through, the Governor's power of restoration has to be employed, and all the time the unhealthy atmosphere remains in which elected representatives of

[Mr. Butler.]

the Province, and even Ministers who are responsible to them, treat police administration and expenditure as a subject in which it is for others than themselves to bear unpopularity."

And they continue:

"In such a situation the right course seems to us to be to try to change the atmosphere by fixing responsibility upon the shoulders of the critics."

That shows the common sense nature of the decision of the Statutory Commission not to reserve from the sphere of responsibilities the general administration of the department of law and order. I have done my best to deal with some of the arguments advanced by the Noble Lady, and I now want to put forward some general reasons why I consider it will be extremely unwise not to make the responsibility of Ministers in the Provinces real. We genuinely believe in provincial autonomy. Hon. Members who disagree with us desire to mitigate in this vital matter the real authority and responsibilities of Provincial Governments. We believe that if you reserve law and order it is not real autonomy. Indeed, provincial autonomy would be completely destroyed. If provincial administration was started in an atmosphere of suspicion and regret, if the proposals of our opponents were accepted, administration within a Province would be almost impossible.

I want to develop the extent to which the administration of law and order is bound up with all departments within provincial government. Take, first, the department of local self-government. Within the department of local self-government it will fall to the lot of the responsible minister to issue by-laws with regard, for instance, to questions relating to religion. It will be within the province of the minister to make regulations and rules affecting such questions, vital to Indians, as religious endowments. Take the department of education. It is within the power of the minister for education to influence the whole attitude of teachers towards the schools, and we know from the report on the Cawnpore riots of 1931 how a certain amount of trouble was traced to an unhealthy atmosphere and unhealthy administration of the department of education. Those are departments in which there is always a chance for the forces of law and order to be needed at any minute.

The result of reserving law and order would be to place on the Governor the burden of dealing with disorder, the cause of which he was quite unable to control. If I pursue that argument a little further and take two other important ministries, for example, the Ministry of Land Revenue, or the Irrigation Department, and if I refer to the possibility that the Noble Lady mentioned, of difficulties over rent or over water rates, for example, the Noble Lady will see the truth of what I have said, that the reserving of law and order would place upon the Governor the burden of dealing with disorder the cause of which he cannot control, and I consider that the friction which would result from the operation of the proposal would land the province in very serious difficulties indeed.

When we come to the person of the district magistrate himself, we find that he in an Indian Province is the agency through which much of the operation of the necessary orders in the department of law and order occurs. He is the agent who puts the orders into force. If the department of law and order is transferred, the district magistrate would be, in one part of his work, responsible to the Governor, and in the other part of his work, concerned with the general administration of the district, he would be responsible to the minister. So the friction would not only take place in the general framework of the administration of the province, destroying the confidence of both sides, but would take place in the person of the district magistrate himself, than whom there is no more important officer in the whole organisation of our Indian Empire. For these reasons I think the proposal to reserve law and order breaks down, not only because of the lack of confidence and the destruction of genuine provincal autonomy, but also because of the friction it would create and the impossibility almost of running the administration of a particular province.

Let me now touch upon some of the points raised by the Noble Lady with regard to her own Amendment. The Noble Lady desired that the Government should enlarge the scope of Clause 57, which gives the Governor special powers

to take over the departments of government necessary to him to combat in particular the menace of terrorism. The Noble Lady referred to the problem of agrarian discontent. We maintain that we have in the Bill powers, in the special responsibility of the Governor, to deal with an emergency of that sort. In explaining our proposals for the operation of the special responsibility of the provincial Governor we have always said that we believe the most valuable moment at which the operation of this special responsibility will occur is in the personal relations between the Governor and his ministers and in the daily operations of the business between the Governor and his responsible ministers.

Duchess of ATHOLL: Would the Under-Secretary explain whether the special responsibility of the Governor in regard to the prevention of any grave menace to peace and tranquillity would enable him to use the powers of Clause 57 with regard to agrarian discontent and communal riots?

Mr. BUTLER: The operation of Clause 57 is intended to deal with crimes of violence intended to overthrow the Government, and if the Noble Lady will refer to the relevant paragraph in the Joint Select Committee's report she will see that it is primarily intended to deal with persons preparing to commit crimes. If the Noble Lady will turn to Clause 52, paragraph (*a*) of Sub-section (1), she will see that it refers to the special responsibility of the Governor for the prevention of any grave menace to the peace or tranquillity of the province, or any part thereof, and that the Governor will have powers, if he considers that there is a no rent campaign on foot, to take action sufficiently early by issuing executive orders, if possible with the approval of his minister, and, if that is not possible, without his approval, so that these executive orders are acted upon in time to avert such a calamity as might have occurred in the United Provinces.

Duchess of ATHOLL: But he will not have power to assume control himself in the case of revolutionary crime.

Mr. BUTLER: I have attempted to differentiate between the two sorts of emergency. We consider that the responsibility of the Ministers must be genuine and real. We believe that the operation of the special responsibility will give the Governor sufficient powers to intervene sufficiently early and to take sufficient action to meet an emergency to which the Noble Lady referred when she spoke of agrarian discontent. The difference between some of us and some right hon. and hon. Members who oppose us is that we believe that responsibility in the provinces must be genuine and real, and that they wish to hedge about this responsibility and take more and more powers for the executive. It is a genuine difference of opinion. I am certain that responsible government in the provinces cannot develop except in an atmosphere of confidence.

In conclusion, I wish to say a few words in support of what the hon. Member for Oxford University (Sir C. Oman) said about the excellence of the Indian police. The Indian police require no words of mine to thank them for the arduous work they have done, and the work which I am certain they will continue to do in the new circumstances. I am certain also that if we reserve law and order and continue the sort of attacks which must be made on the police and on the department of law and order if it be reserved to what is regarded as an alien bureaucracy, the position of the Governor in relation to his Ministers will be undermined, and the position of his officers, high or low, in the Province, will be very much disturbed, and confidence will be shaken owing to continued attacks on the executive and on the police. It is because we wish to preserve the moral and efficiency of the police that we have felt it is impossible to reserve the department of law and order from the general operation of the responsibility of Indian Ministers.

8.54 p.m.

Mr. MOLSON: I understand we are having a general dscussion, and I would like, therefore, to refer to an Amendment which appears on the Paper in my name—in page 36, line 10, to leave out the words "of violence." As the Clause is drafted, it confines the protection which is given to records, and to the witnesses who may bring information to the police in cases where the Governor apprehends that an attempt to overthrow the Government as by law established is to be made by crimes of violence. I ask the

[Mr. Molson.]

Under-Secretary to consider whether some of the most dangerous attempts to overthrow the Government have not been made by what was alleged at the time to be, not violent methods, but methods of non-violence. That danger has been referred to as agrarian agitation or civil disobedience. We hope that after the passage of this Bill that danger will not be as pressing in the future as it has been in the past. It is obviously a danger which we have to consider.

I suggest that there is no reason why the power of the Governor should be strictly limited to crimes of violence. I entirely agree with the Under-Secretary that under the special powers of the Governor he will be able to take such steps as he thinks necessary to maintain the peace and tranquillity of the Province. But in India particularly it is of the utmost importance that information which is given to the police should be secured against any danger of being divulged. I recognise that the greatest danger of harm arising from information being divulged exists in connection with the terrorist movement in Bengal. I am glad that the Clause covers that point and I hope that the Government will be prepared to consider extending this protection so as to ensure the secrecy of records relating to any attempt to overthrow the government as by law established, even if such attempt does not adopt the method of crimes of violence. Perhaps between this general discussion and the time when I shall have to move my Amendment the Government will find it possible to give the matter sympathetic consideration.

8.57 p.m.

Sir R. CRADDOCK: I have on the Order Paper a new Clause which deals comprehensively with the question of law and order in the Provinces but I do not know whether after this discussion it will be possible for me to submit that new Clause to the Committee or not. I do not know, Sir Dennis, whether it would be possible for you to tell me now.

The CHAIRMAN: I am afraid it is rather too far ahead for me to be able to tell the hon. Member definitely at the moment but I should say, broadly speaking, that if the new Clause which he has put down raises the whole question of the police it is probably one which would not be selected after this discussion.

Sir R. CRADDOCK: In those circumstances I should like to speak for a short time on the real difficulties which surround this subject of law and order. I would lay special emphasis on one preliminary point and it is that when the Statutory Commission went round India, large numbers of people definitely opposed the transfer of this subject to Ministers responsible to the legislatures. They were opposed to the idea and they said so with great emphasis. For example the Government of the United Provinces not only did not want the transfer of law and order but did not want the transfer of land revenue and the Government of Bihar followed the same line. Of the committees selected by the provincial legislative councils to co-operate with the Simon Commission that of Bombay was against the transfer of law and order and every committee—except that of Madras which had apparently forgotten the Moplah Rebellion and said that there was no communal question—every committee of a provincial legislature in India had some reservation to make about law and order. Bengal wanted to have a council or board attached to the Minister consisting of a European, a Hindu and a Mohammedan and minorities everywhere were terrified at the prospect of such a transfer to Ministers as is proposed.

Why do these objections exist? Simply because these people know much better than anybody in this Committee can know how the power involved in holding the keys of law and order can be used and will be used if once control is allowed to pass from impartial hands. That is the fact. Anyone who does not know India, indeed anyone who has not performed administrative work in India would find it difficult to realise the possibilities which exist of intrigues, of false charges, of hushing up cases and other methods of defeating the law and of using the law to favour friends or to wrong enemies. It is difficult for hon. Members here to understand the degree to which communal, racial and religious hatred can be carried and I am sure this Committee would hardly believe instances that can be given of the length to which people in India will go to gratify those hatreds. I have come across the case of a man who killed his own son—which is a terrible

to interfere with the discretion of a district magistrate in a murder case. It emanated from the executive counsellor, who was a non-European, and had the magistrate not been a really strong and honest man it is very likely that he would have had to give way. What was the object of tampering with him? Because it was thought that the two persons against whom the charge had been laid in this murder case could be won over to the Government's side if the proceedings could be stopped. I give that as an illustration of the way in which law, and the powers of the law, can be misused to the advantage of one's friends and to the ruin of one's enemies. The Minister himself can set in motion forces which will not appear on the surface. No doubt the ordinary village burglar or thief will be dealt with just as he is now, but a lot of the crime in a district is in the hands of powerful, rich men, and those are the men who get the pull, a pull on the Minister and his friends and relations. It is through hindrances of that kind that criminals get off. In this matter we must look to realities and to the safety of the people of India. Most of the police are thoroughly opposed to this transfer, because they know what will happen if we get that kind of deterioration in the police. If the police were to deteriorate the whole of the reforms and the Constitution and our very safety in India would be imperilled. For these reasons I have tried my best to give the real facts to the Committee, and to make it plain how dangerous it will be if in chasing consistency—which has no meaning whatever when carried into effect among the people at large—we imperil the safety of the country.

9.19 p.m.

Mr. AMERY: My hon. Friend has stated very fairly and temperately, and with all the wealth of his experience behind him, the objections to the transfer of law and order in the Provinces, and has reminded us that when the Statutory Commission visited India the vast majority of the witnesses were either opposed to that transfer or qualified it in one way or another. That is perfectly true, and no doubt the case which my hon. Friend has presented was made out in far greater detail to the Statutory Commission; but for all that the Commission quite definitely and unanimously decided that law and order should be transferred. I do not think it is altogether fair to the Statutory Commission to suggest that this was done merely for the sake of symmetry or following up the logic of the creation of a responsible Government. I do not myself think that body are built that way. Their whole attitude towards the Indian problem was one of facing realities, and the two pages and a half in which they sum up their conclusions in favour of the transfer are not two pages and a half of theory but two pages and a half which deal with the actual political situation as it stands and as it will arise in the Provinces. I do not propose to weary the Committee by reading those arguments, but I would remind hon. Members that it was on strictly practical grounds that this was advocated by the Commission, in spite of the advice put before them with the authority of the majority of the provincial Governments.

Since then further facts have emerged. When the Select Committee came to investigate the same question, they endeavoured to do so with open minds and again had before them a great body of evidence, and unless my memory entirely deceives me the great majority of evidence given on behalf of the various provincial Governments last year and the year before was definitely in favour of this change. That being so, it does seem to me a little difficult for us at this stage to take the responsibility of going against all that weight of evidence. No one can read the case put forward there without realising that law and order and every other function of government are undoubtedly bound up together, and that if we cannot transfer law and order then the case against the transfer of any Department becomes very strong indeed. The argument to which the House has just been listening reminded us of the extraordinary complexity of and the curious features in Indian life, but such criticisms can be brought forward in connection with almost any Department.

We are undoubtedly taking certain measures of risk in the whole administration of Government by introducing any form of responsibility, but I think we shall make the position worse if we maintain a system of dyarchy under which

[Mr. Amery.]

the responsibility and the consequences of ministers' actions would not be their own and the blame for everything that was wrong would be thrown upon a British Governor and his advisers. I have had no experience of the Indian situation, but I have had not altogether dissimilar experiences in connection with earlier days in Iraq. There was a tendency on the part of the Government of Iraq to call in the British Air Force at any and every moment to deal with troubles resulting from their own local administration, and it did become very essential to make it clear to the Iraq Government that they and they alone would have to be responsible for the consequences of their administrative actions. Such little experience as I have had in that connection does encourage me to believe that it is by throwing responsibility for law and order upon Indian ministers, and making it impossible for public opinion or the Press to represent necessary measures taken by the police as tyrannical action by an alien Government, that you have the best chance of a general improvement in the situation.

The little experience we have had in the past 10 years shows that Indian ministers have made a good many mistakes, but there is also a large body of evidence to show that in many cases, I think in the majority, they have endeavoured successfully to rise to their responsibilities. In more than one Province, as the Simon Commission testified, Indians responsible for the control of the police have been successful, and in Madras a succession of Indian Moslems responsible for law and order have managed to carry out their duties with success. If we are to embark on this experiment at all, and not go back on what we have already done, we have to rely on the responsibility of ministers over the whole provincial field, but a responsibility strengthened and stiffened by the position in which the Governor is to be placed in his special responsibility *vis-a-vis* his ministers. The most vital part of the recommendations of the Select Committee is the emphasis they lay on the fact that the responsibility of ministers is not merely to the Legislature, but is first and foremost to the Crown, and to the Governors representative of the Crown, for governing for the general benefit of the community and not from a sectional point of view. With the powers of the Governor in the background, always there and giving him a very special authority in his day by day relations with ministers, it should give the new Constitution a very good chance of succeeding, a better chance, I think, than you would get in any system of local dyarchy with the friction and difficulties that would be bound to result. I cannot help feeling that the Government are taking the wisest course, and that we should be wise to try it.

9.28 p.m.

Sir WILLIAM WAYLAND: I could agree with the remarks of the Under-Secretary of State if India were one nation, peopled by one people, and with the different sections having the same friendly feelings towards one another as is general in this country and among Western nations. But you are dealing with a country of many nations, speaking many languages, divided very sharply into two great sections, Mohammedan and Hindu, which not only have unfriendly feelings towards each other, but, owing to their religious differences, a deep hatred. In the Provinces we have these two peoples living side by side, in many cases in friendly relationship. But immediately you get the sort of occurrence that we have heard of during the last few days, then religious feeling breaks out, and in that case you can well see what would happen if the police were in charge of an officer who did not belong to the nationality of the crowd creating the revolt. I agree that it is a very dangerous experiment to make, and I believe the Government think that too. Why not then defer handing over law and order to the local bodies until you have given them a chance of proving whether they can govern or not? If at the end of 12 months or two years they prove their fitness far more than we believe at present they will be able to do, by all means give them further power, but do not entrust them with a weapon which you admit is a very dangerous one.

With regard to the reserved powers of the Governor, if he has no force at his command to enforce his orders or his reserved powers, if, for example, he is faced with a hostile Ministry or Assembly, what will be the position? If he cannot call to his aid either police or military,

his position will be a very anomalous one. The arguments used by the Under-Secretary of State that it would be impossible to give provincial autonomy without at the same time passing over law and order, I consider very weak and absurd. Even in this great City of London the ruling authority have not the command of a single policeman. Why should provincial bodies in India be considered not to be an effective working force unless they have the command of law and order? The passing over of law and order to these Indian officials without any previous experience in government, the differences which you see acutely expressed throughout the whole of India where Mohammedans and Hindus come into collision, must lead to a state of things in which bloodshed will ensue. For that reason, I hope the Government will reconsider this question before the Bill reaches its final stage.

9.33 p.m.

Mr. RAIKES: Both the right hon. Member for Sparkbrook (Mr. Amery) and the Under-Secretary of State have made a good deal of play on the question of dyarchy. It has been urged that law and order should be transferred, because otherwise there would be considerable difficulty and friction between the Provinces and the Centre. But the whole of this Bill is dyarchy from beginning to end. If the supporters of the Bill are confident that under a system in which four-fifths of the central budget is not votable, which is dyarchy at its worst, it is difficult to imagine why, because law and order are to be transferred, a thing like that should cause friction which will not be caused by the far greater dyarchy which already exists at the Centre under this Bill. There is one thing that has arisen in the last few months which makes the matter somewhat more serious, and that is the communal award. As a result of the communal award, for ever in every Province in India you will have a communal majority, either Hindu or Moslem. In every Province in India the police, if they are transferred, will work as a weapon in the hands of the ruling class, nothing more and nothing less. We are told that if we are left without local control they will be ostracised, but surely the police would be more unpopular with the minority if they were to work as a weapon of either a Hindu permanent majority or a Moslem permanent majority. They would be hated by the minority and their appointment as police would be regarded as political appointments, and nothing more.

I should like to carry this matter a stage further. We are told that if the police are left as they are to-day, they will be shot at on every side. The right hon. Gentleman the Member for Sparkbrook went out of his way to point out that there had been cases where Indians had taken over the home departments in the Provinces, and had done it well. Nobody denies that, but it is an entirely different situation. In one case you have a sheltered Minister who has no responsibility to the electorate holding his position under the Crown and subject to dismissal by the Crown, and in the other case an elected Minister who can be attacked in the Press every day. Indian ministers who have held the home departments in the various States in India have known perfectly well that, however much they were criticised, they could not be turned out unless they lost the support of the Crown. The new ministers will have to face criticism such as they have never had to face in the past while they will be given a responsibility greater than they had ever had before. The position will not be the same as it is with a nominated minister.

We are told that the police will be unable to stand up alone to criticisms from outside. What did the police do in 1930? They faced, as a result of the civil disobedience movement, the most serious boycott which any body of men has ever had to face. Not only were they attacked equally by all parties, but in many villages if a man was known to belong to the Indian police, he could not even get a wife if he wished to marry. In 1930 the loyalty of the police saved the situation, because they stood firm. They believed that they had the Government behind them, and they were loyal to their salt, as Indians have been in the past. What are we proposing to do now? Hand them over to Indian Ministers, and in many instances the police know that if Congress gets control—Congress will, of course, get control—the police will be under the direction of ministers whom they have had to lock up one or two years ago. Beyond that there is the question of the communal trouble. I do not want to trespass on what I said a short time ago, but if we have Hindu and

[Mr. Raikes.]

Moslem ministers running the police, we shall, for the first time, bring the communal question into the police force, and there will be a clash of race, instead of the police force standing together without distinction of caste or race. The morale of the Indian police will, in that case, deteriorate rapidly.

That is not all. Suppose there is one of those communal outbursts such as we were reading about in the newspapers only yesterday and suppose the Minister in charge of the police is a Moslem and a Hindu police official officer has to investigate the cause of the riot? Suppose then that a little party of Moslems of the ruling party come over to the minister and complain that the Hindu member of the Indian police has been investigating the riot and aiming accusations at them. What chance will that police officer have of keeping his position or of holding the balance between the two religions? Very little. Many of us think that the ordinary Hindu police will in such circumstances have no chance of a fair deal. There are other questions relating to the amount of nepotism in the departments. Nepotism must exist as long as the caste system is general. We feel that effort will be made the whole time to promote men who are to some extent akin to the minister. I know that the Governor has this and that responsibility under the Bill, but I doubt whether any member of the Indian police feels that that will protect his interests.

The controversy over the transfer of law and order and of the police boils down to a very narrow compass. It was admitted before the Joint Select Committee and by the Simon Commission that the majority of the Indian police are terrified of the transfer. On the other hand, it was shown in 1930 that, in spite of social boycott and other difficulties, the police are still in our favour. We have a system, therefore, under which the police will remain loyal in face of a strain against which few men could stand, and yet we propose to scrap that system and hand the police over to the control of those who have been disloyal to the Empire. We are told that if the new system breaks down the Governor can assume responsibility. What is the good of taking over responsibility when the weapons with which you should fight are broken and the morale of the men who work under you has been destroyed? I suggest that it is advisable to take no step whatever at the present moment which might have the effect of straining the loyalty of men who have stood by us through thick and thin.

9.44 p.m.

Lieut.-Colonel Sir WALTER SMILES: The hon. Member for South-East Essex (Mr. Raikes) has drawn a lurid picture of what will happen to the police. I am particularly glad to speak while the hon. Member for the English Universities (Sir R. Craddock) is still in the House. He has been upon the red carpet while I was one of the people who were privileged to lift my topee to him, while the band played "God Save the King." He was the butterfly upon the wing, while I was a toad beneath the harrow. I wonder if he has drawn a fair picture of what will happen if the police are transferred. If you do not transfer the police, what are you giving to the Provinces? The Public Works, the Education and the Public Health and Medical Departments in the Provinces are transferred now, and practically nothing is left to be transferred except the police. If you do not transfer the police, you might just as well do without the Bill.

I wonder are all these terrible things going to happen? After all, the police do work in a reasonably efficient sort of way in the Indian States. As my hon. Friend the Member for South East Essex pointed out quite fairly, the Minister who controls the police in an Indian State has the whole power of the Prince behind him, and in those cases in the Provinces where an Indian has had control of the police he has had the whole weight of the Governor's authority behind him. Of course, if the police are transferred, things will be entirely different. An Indian Minister will be in command. He will still have the Inspector-General of Police under him, but, as my hon. Friend the Member for the English Universities said, it does not depend upon the Inspector-General of Police, but upon the people below him—the police officer who draws 50, 60 or 70 rupees a month who will make or mar the transfer.

Taking ordinary crime, there is a tremendous number of dacoities all over India—robbery with violence which ordinarily we do not get in this country. But taking first—though it is perhaps a

selfish thing to do—the protection of the European community, after all, if these dacoits break into a European's bungalow, they do not as a rule get very much money; all that they get is probably a few unpaid club bills, because it is not the custom of Europeans in India to keep a lot of money in their bungalows. But many Indians have a great habit of hoarding money and burying it or putting it away in strong boxes, and there is no doubt that, as Kipling says, everyone in India says Gurib-Admi —I am a poor man—but if you took up the floor of his house often you would find thousands of rupees. It is perfectly true that there is plenty of hidden bullion in India. Dacoits have a practice of breaking into somebody's house in the middle of the night and stringing the owner up by the thumbs over a fire until he confesses where his money is. They have only to string up a few of the Minister's friends over a fire in that way for him to take very good care to be taken that the police are efficient. In this country also, at times, we have had people interfering with the police and asking questions. I can actually recollect a Member here being told to turn his lively attention to something else, and I read in the OFFICIAL REPORT when I was in India in 1930, which Members who were in Parliament at that time will remember, when we were thinking of transferring the police in India in 1929.

I have pointed out that in the Indian States the police do work in a reasonably efficient manner, and I believe they will work in a sort of way in the Provinces. I will give to those who oppose this proposal the fact that they will not work as well, but things in India are quite different from what they are here. In this country, if a policeman were sent out to investigate a crime—say the finding of a body in a canal near somebody's house—you would not find two or three policemen putting up for the night in that very village and paying nothing for their lodging; but that is the custom all over India at the present time, and my hon. Friend the Member for the English Universities, when he was the Governor of a Province, probably was not able to stop that custom himself when the police were under British control. It is the custom of the country, and is partly due to the fact that the police have to travel such long distances and have nowhere else to go. They are put up and entertained, not only by members of their own caste, but whenever they are conducting these inquiries. Kipling, whom I quote again, says that the red *pagri* is the sign of oppression all over India, but there is a great deal of respect for the red *pagri*, just as we respect a policeman in this country.

The police have been made the subject of attack in many legislative councils in India. I can remember myself a debate which came up year after year, like a hardy annual, about what happened in 1921, when the police went to inspect a man's house and inadvertently knocked over a bundle of books, in which was the Holy Koran, of which some pages were destroyed. This was brought up against the police officer concerned for two, three and four years afterwards, and attempts were made to forfeit him his promotion and reduce him in rank until we all became heartily sick of it. It cannot be said that under the present régime the police have always been free from attack. In my experience every possible opportunity has been taken to single out the police for attack, because it was thought that they were a reserved subject, under the protection, if you like, of the Governor, and were not the police belonging to the people themselves. It is my hope and belief that, if you transfer them you will get the people to feel that the police, instead of being their oppressors, are their protectors, and there will be a more friendly feeling for the police. Honestly, I visualise that happening. I do not say that in every case the police will work quite as efficiently as in the past, but I believe they will work well enough, and a good deal better than if things are left as they are at present.

9.53 p.m.

Sir NAIRNE STEWART SANDEMAN: My right hon. Friend the Member for Sparkbrook (Mr. Amery) talked about the experience of the last 10 years, but personally I do not think the experience of the last 10 years is anything to write home about. In India there has not been much peace, and certainly the police have been busier than ever before. Nor do I think that the home record is very much better, because the unemployment in Lancashire is greater than it has been

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before. We have heard much talk about these various Services being handed over to the Departments in India. Are they as good as they were before? All the information that I can get indicates that they are all going back.

We have the police force to-day in a first-rate condition, and I would ask any hon. Member here whether, if he were a member of the police force in India, he would want to be transferred? I am certain that he would not. He would be very much more content working under orders that he knew came straight from the correct source, than if he were wondering what might be meant by the performance of his duty under these proposed conditions. I feel certain that the police—and many of them who have talked to us here on the subject have said this—simply hate the idea of being handed over to anyone other than the powers that be at present. I am certain, also, that the people who are being protected by the police in India would very much rather they were left as they are, doing very well, getting orders that they understand and knowing that there is no ulterior motive. The people whom they are protecting are in a very much safer position than they will be if this Bill goes through. We are now having thrown at us the fact that the Simon Commission wanted law and order to be handed over. I never agreed with the Simon Commission, and personally I think that the logical thing to do is to go back to the Act of 1919 and consider what was in that Act. If these Departments have not improved, it is evident that they should be given nothing more, and I am certain in my own mind that nothing that has been handed over to entirely Indian rule has improved in any way.

I think my position is perfectly logical. I do not think that the question was ever closely enough examined, and a great many of my friends who vote for the Government do so because they say we are not being logical. It always happens, when you are a little bit soft, that people say that you are being soft, and they make that an excuse for not voting with you. Many of them have said to me, "If you go back to the Preamble of the 1919 Act and examine whether these changes have gone on, we will vote for you," but they all turn up in the Government Lobby. That is a pretty state of things. A great many of these people will own that they have not read up anything about the police at all, and that they are ignorant.

We have heard a lot about Kipling. I was brought up on Kipling, but Kipling did not teach any of this sort of stuff. If you read Kim's story about the police, you will find a very different story from that which is to be found in these Clauses. How do you think that wonderful story would have worked out if the police had been under an Indian instead of under a Britisher whom they could trust? Kipling's view about the whole of this is not in agreement with that of the Government, and although Kipling may have known India a few years ago, he was very much more knowledgeable about Indians, who have not changed nearly as much as we have been led to believe. I am quite certain that if people would take trouble to read the Bill and not take it all on the advice of friends who are supposed to have read it all, but most of whom have never been in India, we would not be in the trouble about getting this Bill thrown out that we are in now.

9.58 p.m.

The ATTORNEY-GENERAL: We have listened to many hon. Members who are not in favour of the proposal to transfer what is called law and order to responsible Ministers, and my impression is that no new arguments have been advanced beyond those which were summarised with great completeness and candour in the report of the Statutory Commission. I am very conscious of the fact that it would not be sufficient justification for the Government's proposals to say that it was necessary to transfer law and order in order to give effect to the transfer to a responsible Ministry which the Government propose in this Bill, but at the same time it is a circumstance not to be overlooked. I do not at all place the defence of the Government's attitude on this question of the logic of the position, but, as I have said, it is something to be remembered. What is called law and order is a very pervasive responsibility. It stretches through all the departments of government, and it has its reactions in the administration of every single Minister. If I may take as an illustration what would be the position if it became necessary to combat terrorism in Bengal, that would necessitate action in the political

department, in the judiciary department and in the prison department, but it would also necessitate action in regard to finance, revenue, education, and the local self-government department. The fact is that if law and order were not transferred, you would practically take the heart out of the proposed transfer of everything else to the responsible ministers.

We have got into the habit of using the expression "law and order," which is not, of course, what lawyers call a term of art, to describe something that can be cut and dried and regarded as a self-contained department of the State. It really is a compendious name for a large number of acts of administration which concern practically every department, and if we were to withhold the transfer of law and order, we should have a very illusory measure of responsibility on the part of Ministers. However, as I say, I do not think the Government is right to defend the proposal merely upon that ground, but I think that the statement made by my right hon. Friend the Member for Sparkbrook (Mr. Amery) as to the examination which this question has had at the hands of various bodies is well worth any Member's consideration. My hon. Friend who has just spoken referred to some of his friends who would be prepared to support him in a proposal to go back to the 1919 Preamble and to work out its consequences in accordance with that Act, and he now complains that they go into the Government Lobby in support of the present Bill. I do not know who the hon. Members are. He did not specify them by name, perhaps for very obvious reasons.

I think I am entitled to call attention to the fact that the hon. Gentlemen who are in agreement with the right hon. Member for Epping (Mr. Churchill) are never tired of telling us that they want the Statutory Commission's Report, but when it comes to close quarters, it appears that they want to take the heart even out of the Statutory Commission's Report. This decision to transfer law and order was most anxiously and thoroughly examined by the Statutory Commission, and upon a balance of all the arguments, they decided in favour of the proposal. They were not the only body to support it. I do not want to repeat what has already been said to-night, or at any rate on other occasions, that every body of inquiry, every commission, and every round table conference that has addressed its mind to this question has come to the same conclusion. My hon. Friend who has just spoken suggested that nobody was really competent to express an opinion upon this question unless he had been in India.

Sir N. STEWART SANDEMAN: No.

The ATTORNEY-GENERAL: He rather criticised many hon. Members who formed views on the question without having been in India.

Sir N. STEWART SANDEMAN: Without having read the report.

The ATTORNEY-GENERAL: I do not know who the hon. Members are who are in that position. Whether they have read the report or not, the fact remains that the Statutory Commission and all these other bodies have given very careful examination to the matter, and let nobody suppose that they have not set out the arguments. The Statutory Commission have set out in their report the whole of the arguments. The necessity for maintaining the impartiality of the police as between the different communal parties, the necessity for maintaining public confidence in the police, the necessity for maintaining the prestige of the police—all these arguments have been examined and carefully considered, and the net result of the deliberations has been to advise the transfer. It would be a very serious act on the part of the Government if it were to fly in the face of all this weighty opinion, and it does not lie in the mouth of my hon. Friends who, for instance, earlier to-day were attaching such great weight to the Statutory Commission to tell us that on this occasion the Statutory Commission's Report is not worthy of attention. The fact is that the unanimity of the decision which has been arrived at is very remarkable.

If I may for a moment, I will examine the proposal on its merits. The fact is undoubted that the administration of the police at the present time, successful though it is and admirable though the conduct of the police is, as we all know, is very often made the subject of attack in the Legislative Assembly. If law and order was reserved to the Government, it is inevitable, I should think, that the police would still more be the focus of

[The Attorney-General.]

criticism. There would be a sort of general attack on the part of Ministers responsible in other matters upon the administration which had not been entrusted to them. That would surely be most unfortunate, and the Governor who had to administer this branch of Government would start off with a lack of sympathy on the part of his Ministers not entrusted with this power. He would not have the great advantage of having the support of the electorate who had elected the Ministers; and you would handicap the Governor at the very outset in the discharge of his difficult duties if you set him alone in the discharge of this department of State. If you look at the matter from the other point of view, it would seem that the police may be very much stronger if they have behind them one who, as a Minister, has a certain amount of popular backing.

After all, as has been pointed out more than once in these Debates, the maintenance of peace, order and good government is the first interest of the people. You may be quite sure that any Minister who neglects the primary duty of maintaining peace and order among the people to whom he is responsible will very soon have to answer for his default. I do not believe a bit in the theory that public opinion in India, any more than in any other country, would tolerate the sort of outrages to which my hon. and gallant Friend the Member for Blackburn (Sir W. Smiles) has referred. If they had a Minister popularly elected in charge of this department, you would, I should think on a prima facie view of the matter, very soon have them making the Minister feel that the very best way in which he could court public opinion would be to make a very efficient job of his administration of law and order.

There are one or two other points which have arisen. My hon. Friend the Member for Doncaster (Mr. Molson) proposed to leave out the words "of violence" in Clause 57. The effect of leaving out the words "of violence" would be to give the Governor the power to take into his hand governmental powers not merely for the limited purpose of dealing with crimes of violence, but for dealing with all crimes with the purpose of overthrowing the Government. In the first place, I would call my hon. Friends attention to the fact that the Clause is very widely framed. It is not only in the case of an attempt to commit a crime of violence for the purpose of over-throwing the Government that the Governor may take these powers into his hand, but it is also in the case of preparation to commit such crimes. That is to say, you have not to wait until you can prove an attempt, but the Governor can step in when he can see preparations for an attempt to commit a crime of violence.

If you give the wider power to the Governors which would result from the omission of the words "of violence" you really remove from the Ministers responsibilities which they ought to be able to discharge if they are going to be effective at all. Crimes of violence and terrorism stand on their own footing. For one reason, as the next Clause shows, it is necessary to provide certain safeguards to prevent the disclosure of information. In connection with terrorism, it must be remembered that very often the name of the informant never appears at all. The informant is not called as a witness and the persons who are guilty of the crimes of violence are detained under other powers. They are not put on trial, with witnesses who can prove the offence in the ordinary way, and for a very obvious reason. In connection with crimes of violence, if the informant were to have his name published or to be called as a witness in all probability he would be running grave risk. If it is terrorism or preparation to commit a crime of violence, then the course is followed which I have described. If it is not a crime of that sort, there is no difficulty; there is no objection to calling a witness in open court, and letting his name be declared, and proceeding by the ordinary forms of justice.

At any rate, this proposal has been very carefully considered. I think I am right in saying that my hon. Friend is not putting it forward on his own authority alone. It is a question which has been raised probably by the European community in India. But on the whole it has been thought that you must let the Ministers deal with the other crimes which may be committed in order to overthrow the Government, and deal with crimes of violence as being in a very special category of their own, and

for the reasons I have mentioned—that it is quite impossible to proceed in the ordinary way to punish the offenders. The Government have decided to give the Governor these powers only for a limited purpose. The other point mentioned by the hon. Member for Oxford University (Sir C. Oman) is a question of drafting. When the Section begins with the words: "Where it is proposed" it does use a rather cumbrous expression for what really means: where a proposal is made to the Government. A suitable Amendment will be made, if need be, to make the words clearer and a little more explicit. I hope that, after this explanation of the proposed transfer of law and order, the Committee will feel that the Government have taken the only course they could possibly take, of following the advice given to them by every body that has studied this very difficult and anxious question.

10.13 p.m.

Brigadier-General Sir HENRY CROFT: I am aware of the general understanding with regard to time, and I do not intend to offer more than a few remarks to the Committee. But when my right hon. Friend talks about an exhaustive analysis of this matter, I must point out that on this vital subject——

The ATTORNEY-GENERAL: I referred to exhaustive examinations before the Statutory Commission and all the other bodies mentioned.

Sir H. CROFT: What I desire to point out is that when the right hon. Gentleman speaks about these examinations of this question we must remind him that these ideas which have been put forward here, in this Committee, are very novel. When some of us are spoken of as reactionaries, I would remind him and his colleagues that only three or four years ago they held precisely the same views. Every Member on that bench knows perfectly well that if this Bill had been introduced by the late Socialist Government, everyone of them would have been on his feet night after night attacking every clause of the Bill as being contrary to the principle of the policy of our party. When I am rebuked for holding Conservative views I desire to remind my right hon. Friend, who, as everybody appreciates, is conducting this Debate with great courtesy, that even the late Edwin Montagu declared that if we were to hand over the forces of law in India we should create bloodshed and anarchy, and that the late Lord Morley, who was not really a diehard but who was a very great student of Indian affairs, also used precisely the same words—chaos, anarchy and bloodshed if we were to part with the forces of law and order in India before the people of India at some distant date had assimilated Western ideas of government. It has been said that if you are to carry out your ideas and democratic institutions it is necessary to give the whole thing, and that you must place these powers in the hands of a responsible minister. Is there anyone in this House who knows anything about the difficulties in countries where you have not established self-government who will deny the fact that there is a grave danger in placing questions of law and order and the control of the police in the hands of ministers, as in the case of India, who will be of one race and one religion and who will have to control great forces of other races and other religions?

If your scheme is to be a success, surely it is better to risk the anomalies, to which reference has been made, and at least see that there should be peace and the preservation of the law when you are pushing forward your reforms in other particulars. Even though it were only for a period of years, it would be wise to endeavour to do that, when one realises the terribly inflammable matter which there is in India at the present moment, and can see on every occasion the great difficulties which arise. Yesterday's story is surely sufficient evidence of the inflammable matter which exists in India. It is such a simple thing to us. If I write a book about the Socialists they are rather pleased that they have their cause referred to, even though it is criticised. But you have this great tragedy. A Hindu wrote a book apparently casting reflections upon the great prophet whom the Moslems venerate, and immediately there was a terrible situation. This was regarded as a most ghastly and awful insult and murder took place, and execution naturally followed. Is there any power at the present time in India which really can influence a situation like that other than the power of a white man on the scene? I am not sure what the number of persons was on that occasion, but I

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understand from the Press that it may have been a crowd of 20,000. How difficult it would be for a policeman responsible to a Moslem minister to check such a movement before it became some terrible and awful holocaust. Have we not seen it and heard of it again and again? One could give scores of cases. Anyone who has had any experience of affairs in the East must realise the grave dangers that we are running in this Bill

It has been my privilege or my sorrow to be connected with business affairs in India of one kind or another. Although I have never been to India I have to read reports week after week, and I have realised the enormous influence of what is considered quite correct in the East. In countries in the East where I have been one has seen that it is considered a clever thing to try and persuade somebody to take a bribe. One sees it again and again. Last week I had a most pathetic letter from a warrant officer in the Army—I mention this to show what may happen in connection with the Indian police—informing me that for the first time in history an Indianised recruiting officer had accepted money before any recruits could be enrolled in the Army. When that kind of thing is occurring the dangers are very great. If the Government want this self-government in India to succeed I should have thought that it was imperative to maintain control of law and order in the hands of our people, gradually allowing the Indian Ministers and the Indian policemen to be promoted and allowing them to come forward only by degrees. I shall vote against the Clause with a very clear conscience. Even if I believed in the rest of the Bill I am convinced of the utter folly of allowing our great and wonderful Indian police force to pass into the hands of a communal minister who in turn is bound to be controlled by communal influences.

10.22 p.m.

Mr. BAILEY: I make no apology for rising, seeing that I have only intervened two or three times during these Debates. I would not have prefaced my observations by these remarks but that I feel the Committee want to go to a Division. Some of the arguments that have been advanced by the Attorney-General and the Under-Secretary ought to receive some consideration from those of us who dissent. The right hon. Member for Sparkbrook (Mr. Amery), the learned Attorney-General and the Under-Secretary laid the greatest emphasis on the argument that the whole of these matters have been examined. They appealed, as it were, to authority. If we are to accept that argument, why discuss the Measure at all? If we are to accept the authority of the Joint Select Committee as final, surely that argument applies not only to this question but to every other question on the matters that are in controversy. What is the use of debating if we are not to use our own reason?

We have grounds for being a little doubtful as to the infallibility of those upon whose authority we are asked to make our decision to-night. We had an excellent illustration of it this afternoon. We have the fact before us that for four years the Government have believed firmly that this particular Measure was the darling Measure of the Princes, and now they are having to scrape up all their resources to persuade the Princes to accept it. How can we accept the infallibility of those who by the test of experience always seem to be wrong? Indeed, I say with all deference that if I were asked whose advice I would rather follow I should say that it is not the advice of those who say, "We cannot argue this question out, we have authority on our side, and it is too late now to give a real and impartial survey to the matter." It is absolutely essential that the House of Commons should exercise its own independent judgment and submit these matters to the crucible of the most searching criticism. I make no apology for doing so.

The Attorney-General taunted us with being untrue to the report of the Simon Commission. I am not in love with the report of the Simon Commission. At the time when it sat the Conservative party was undoubtedly disposed to regard it as extreme as many of us now regard the White Paper. It is only because we have been driven from our principles, from one surrender to another, that we attempt to cling to such vestige of respectability as is left in the Statutory Commission's report. The Government must not blame us for their own sins. We only accept the report of the Com-

mission because we are driven to do so. I would sooner make a small error than a big one, and if you examine the Statutory Commission's report you will find that it is only with great reluctance that they recommend the transfer of law and order. It was not an enthusiastic performance on their part, it was a concession wrung from their reluctant hearts. They had to be unanimous in their report, and as there were members of the party opposite on the Commission it represents the maximum of what those who examined the question on the spot considered to be advisable.

We have progressed very far since those days. The Government have been affected by the party opposite to some extent on these matters especially by those whom they have borrowed or permanently taken, and we must not forget, when we are taunted with being reactionary, that this was a most advanced radical document only a few years ago. We are justified in looking with suspicion on a proposal in that document which was only made by them with reluctance. There is no inconsistency on our part. We never bound ourselves to every proposal of the Statutory Commission. We have said that we are committed up to a certain point, we recognise as practical people that we have to go a certain direction along a road which we do not wish to travel. But that is a basis of negotiation, it is not our ideal, and it is a little unfair on the part of the Attorney-General to say that we are untrue to the Simon Commission's report. The Attorney-General, of course, would never be deliberately unfair, not even to the right hon. Member for Epping (Mr. Churchill). He could not be unfair, it is not his nature, but at the same time I think he is a little unfair when he throws the Simon Commission's report at us.

He used another argument which was profoundly interesting and rather surprising coming from a Minister with the experience he possesses. He said that law and order runs through the whole administration, that in every department law and order has its ramifications. I quite agree with that. He showed how impossible it would be to work law and order unless there was some degree of co-operation between the Minister for law and order and the other Ministers. I agree with him. But why should not an Indian Minister be prepared to co-operate with an English Minister with powers of law and order? Would he not be willing to co-operate? It is my own view that he would not, and by implication the learned Attorney-General shares that view. Why should it be objected to, if we are handing over all the other powers, defence, land revenue, irrigation and forestly, let alone all the federal proposals—why should they object to our retaining the one vital matter of law and order?

I was very interested indeed in another observation of my right hon. and learned Friend. He said that the police would be targets for all the criticism, that they would represent the unpopular British, and would be a target for all the slings and arrows that would be cast by the critics. I ask this question: Suppose that the Governor has to exercise responsibility and to take over the police, will the police be less the target for slings and arrows? Will their position not then be completely impossible? If in the ordinary state of affairs the Governor having control is to be resented, how much more will it be resented if he takes over control in the teeth of his Indian ministers? My right hon. and learned Friend said that there would be a lack of sympathy if we kept these powers in our hands. Is he not, or are the whole Government or such members of the Government as are interested, not deceiving themselves completely as to there being any symapthy at all? Are they not trying to make a compromise with the absolutely irreconcilable? What evidence have they of sympathy at all, from any form or quarter of Indian political opinion?

I could appreciate very much the argument of the learned Attorney-General if he was able to say: "All the Indian politicians who are likely to be members of the Government in India are devotedly loyal to this Bill, and are anxious to work it, provided we give them control of law and order, but they say that if we do not give them control of law and order they will not work the Bill at all." If that was the position there might be something in the argument of the right hon. and learned Gentleman, but can he produce a single first-class Indian politician who has anything but opprobrium

[Mr. Bailey.]

for the proposals of the Bill? Where then will he get his sympathy?

I was very interested in another observation that fell from the learned Attorney-General—an observation which struck me as illuminating and as showing his mental processes. I am always delighted to get an inside view of the mental processes of any Minister of the Government—I say that in no disparaging sense—if sometimes their faults may need a little chastening from some of us, though not from me. The learned Attorney-General said that if a minister is not efficient no body of electors would tolerate him; public opinion would not stand him. The whole mistake about this Bill from beginning to end is that the Government are thinking about the East in Western terms. There is no such thing as public opinion in the East, no such thing as the voice of the electors. Is it supposed, with the fierce communal internicine strifes that run through India, that the public opinion of the Hindus will be fiercely declamatory against a minister who exercises his powers improperly against the Moslems?

To talk about public opinion when you have an electorate which cannot, for the most part, read or write, is to imagine something which does not exist and probably will not exist for centuries. The reason why some of us feel so strongly about this matter is this. We were taunted this afternoon on the ground that we were so much concerned about the Princes and so little concerned about the Indian people. That is not true. It is because we believe that the Indian people are going to suffer all along the line as a result of this transfer of law and order; it is because experience has shown, as we see in the reports of the Governors of the Provinces that efficiency has deteriorated where services have already been transferred; it is because we feel for the ryot who will gain no political opportunity and no fresh privileges from this change, that we are opposing this transfer. It is all very well for the hon. and gallant Member for Blackburn (Sir W. Smiles) to say "I daresay it will be a bit less efficient." To us that is merely a phrase, an incident in the process of history. But what is it to the Indian people who will have to experience it? Ask the magistrates, the rank and file of that great body of the British administration in India—not Radical Viceroys who found the organisation there when they arrived—ask those men, whether the ordinary people of India would prefer the police to be under native politicians or under English administration. Ask the inarticulate masses of the Indian people, where you can come into contact with them, a question of that kind and you will get only one answer. [*Laughter.*] Yes, but ask the politicians who are always prepared to laugh at irrelevances, ask the politicians in India who believe more in gibes and cheap diatribes than getting at the truth, and you will find that they, of course, want this transfer, because it is an additional advantage to them to twist the British lion's tail and fish in troubled waters. Of course, they want the transfer. The politicians in India are setting themselves to break the British connection and we are helping them to do so by transferring law and order. But the ordinary Indian people do not want it and it is because we feel that conviction strongly that we are going into the Lobby, despite the arguments of the Attorney-General, to vote against the Government on this matter.

10.39 p.m.

Earl WINTERTON: I do not think that a Division ought to be taken on this matter without some authoritative reply to the hon. Member who has just spoken.

Mr. CHURCHILL: Authoritative?

Earl WINTERTON: Yes, authoritative and as I have been in a sense responsible as a member of the Joint Select Committee for the recommendations which the Government adopted, I think I am entitled, if no Member of the Government wishes to intervene, to give the answer which I think ought to be given to what the hon. Member has said. Any Member of this Committee, not familiar with the question—and having every excuse for not being familiar with this particular matter since we have so many great issues before the House—would suppose from the hon. Member's speech that the sole authority behind this proposal was the Government's own authority. That is not so. The authorities behind it are, first, the recommendation of the Simon Commission; second the recommendation of three of the Round

Table Conferences; and thirdly the recommendation of the Joint Select Committee.

I do not object to the phrases used by the hon. Member except one which I do not think is a good phrase to use in this House. That was his reference to "Radical Viceroys." When anyone is sent to India to represent His Majesty he ceases to have any party politics and becomes the King's representative. However that may be, if the hon. Member thinks as he seems to think that the weight of authority behind this proposal does not amount to more than the opinion of a few senior officials, I would like to assure him of this. So far as the bodies to which I have referred and other bodies were able to judge from the most widespread taking of evidence, there was a consensus of opinion among men who had held office in great and small positions in India in favour of the transfer. They were almost unanimous on the ground that it would be almost impossible to conceive any system of provincial autonomy unless you had the transfer of law and order.

The only other thing I want to say is in reference to what has been said by my hon. and gallant Friend the Member for Bournemouth (Sir H. Croft). On the previous Amendment he rather objected to my criticising something which he said. I am not going to criticise him by suggesting that he has said anything mischievous, but I do not think he has given—I do not think it was intentionally—an altogether fair representation of the situation. He has led the Committee to believe that for the first time we are experimenting with a system by which we shall have either a Moslem or a Hindu chief of police or a Moslem or a Hindu superior to that officer. That is not so. There have been many cases under the present system in which there have been both Moslem and Hindu serving policemen in very important positions.

Sir H. CROFT: But always under a British head.

Earl WINTERTON: No, that is where the hon. and gallant Gentleman is wrong. There have been several cases since the reforms of a home member of a provincial government who is an Indian.

Duchess of ATHOLL: Has there been any instance of an inspector-general of police for a province being an Indian?

Earl WINTERTON: I do not know whether there has or has not, but I can assure my hon. Friend that this is not such a vital factor as she may think, because in these days, with the telephone and telegraph, the officer in charge of a district has wide powers of authority. It ought not to go out from the Committee that there is any evidence to show from the results of the working of the reforms that where a police officer, whether he be a Hindu or a Moslem, has been in charge of a district he has allowed his communal or religious sympathies to affect him in the carrying out of his duty. Does anyone deny it? I ask any hon. Member who can bring forward an instance where there has been a police officer who has shown communal sympathies and has not done his duty and who is an Indian to rise and say so.

Duchess of ATHOLL: I understood my Noble Friend to say that all the evidence was generally in favour of this transfer. Does he remember that all the police evidence was against it?

Mr. BAILEY: My Noble Friend referred to the use I made of the phrase "Radical Viceroys." I am grateful to him for drawing my attention to it, for the last thing I wanted to do was to cast any reflection on anyone. I realise that it was wrong of me to use that phrase, and I gladly withdraw it.

Earl WINTERTON: The Committee will agree that that is the most generous observation on the part of my hon. Friend. I was not wishing to accuse him; I was only pointing out that it was an unfortunate remark. The point I was making was that I know of no instance in the working of the present system in India in which any police officer, whether he be Hindu or Moslem, in a difficult position has shown what might be described as communal sympathies to prevent him discharging his duties; and the same applies to a home member who has been an Indian. I hope my hon. and gallant Friend will not mind my saying that I think he ought to approach this matter with rather more sympathy than he has done hitherto. While he and I would be in agreement as to the strength of religious feeling in India, he should not think that when an Indian is in a responsible position he does not discharge

[Earl Winterton.]

his responsibility in many cases in the same way as any Member of this House, no matter what his political or religious sympathies, would discharge his duties.

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

The Committee divided: Ayes, 273; Noes, 44.

Division No. 114.] **AYES.** **[10.45 p.m.**

Acland, Rt. Hon. Sir Francis Dyke
Adams, Samuel Vyvyan T. (Leeds, W.)
Addison, Rt. Hon. Dr. Christopher
Albery, Irving James
Allen, Sir J. Sandeman (Liverp'l, W.)
Allen, William (Stoke-on-Trent)
Amery, Rt. Hon. Leopold C. M. S.
Apsley, Lord
Aske, Sir Robert William
Assheton, Ralph
Attlee, Clement Richard
Baillie, Sir Adrian W. M.
Baldwin, Rt. Hon. Stanley
Banfield, John William
Barclay-Harvey, C. M.
Barton, Capt. Basil Kelsey
Batey, Joseph
Belt, Sir Alfred L.
Bennett, Capt. Sir Ernest Nathaniel
Bernays, Robert
Bevan, Stuart James (Holborn)
Borodale, Viscount
Bossom, A. C.
Bower, Commander Robert Tatton
Bowyer, Capt. Sir George E. W.
Boyce, H. Leslie
Braithwaite, J. G. (Hillsborough)
Brass, Captain Sir William
Briscoe, Capt. Richard George
Brocklebank, C. E. R.
Brown, C. W. E. (Notts., Mansfield)
Brown, Col. D. C. (N'th'l'd., Hexham)
Brown, Ernest (Leith)
Buchan, John
Buchanan, George
Buchan-Hepburn, P. G. T.
Burghley, Lord
Butler, Richard Austen
Butt, Sir Alfred
Cadogan, Hon. Edward
Campbell, Vice-Admiral G. (Burnley)
Campbell-Johnston, Malcolm
Caporn, Arthur Cecil
Cazalet, Thelma (Islington, E.)
Chapman, Col. R. (Houghton-le-Spring)
Cleary, J. J.
Cochrane, Commander Hon. A. D.
Cocks, Frederick Seymour
Colfox, Major William Philip
Colman, N. C. D.
Colville, Lieut.-Colonel J.
Conant, R. J. E.
Cook, Thomas A.
Cooke, Douglas
Cooper, A. Duff
Copeland, Ida
Craven-Ellis, William
Cripps, Sir Stafford
Crookshank, Col. C. de Windt (Bootle)
Crookshank, Capt. H. C. (Gainsb'ro)
Croom-Johnson, R. P.
Crossley, A. C.
Daggar, George
Davidson, Rt. Hon. J. C. C.
Davies, David L. (Pontypridd)
Davies, Maj. Geo. F. (Somerset, Yeovil)
Davies, Rhys John (Westhoughton)
Davies, Stephen Owen
Dickie, John P.
Dobbie, William
Duckworth, George A. V.
Dugdale, Captain Thomas Lionel
Duggan, Hubert John
Duncan, James A. L. (Kensington, N.)
Elliot, Rt. Hon. Walter
Ellis, Sir R. Geoffrey
Elliston, Captain George Sampson
Emrys-Evans, P. V.
Entwistle, Cyril Fullard
Evans, David Owen (Cardigan)
Fielden, Edward Brocklehurst
Foot, Isaac (Cornwall, Bodmin)
Fox, Sir Gifford
Fraser, Captain Sir Ian
Fremantle, Sir Francis
Gardner, Benjamin Walter
Gault, Lieut.-Col. A. Hamilton
Gillett, Sir George Masterman
Gilmour, Lt.-Col. Rt. Hon. Sir John
Gluckstein, Louis Halle
Goff, Sir Park
Goldie, Noel B.
Graham, D. M. (Lanark, Hamilton)
Graves, Marjorie
Greenwood, Rt. Hon. Arthur
Griffith, F. Kingsley (Middlesbro', W.)
Griffiths, George A. (Yorks, W. Riding)
Grigg, Sir Edward
Grimston, R. V.
Groves, Thomas E.
Guest, Capt. Rt. Hon. F. E.
Gunston, Captain D. W.
Guy, J. C. Morrison
Hamilton, Sir R. W. (Orkney & Zetl'nd)
Hannon, Patrick Joseph Henry
Harbord, Arthur
Harris, Sir Percy
Harvey, George (Lambeth, Kenningt'n)
Harvey, Major Sir Samuel (Totnes)
Haslam, Henry (Horncastle)
Headlam, Lieut.-Col. Cuthbert M.
Heligers, Captain F. F. A.
Henderson, Sir Vivian L. (Chelmsford)
Heneage, Lieut.-Colonel Arthur P.
Hills, Major Rt. Hon. John Waller
Hornby, Frank
Horobin, Ian M.
Horsbrugh, Florence
Howard, Tom Forrest
Howitt, Dr. Alfred B.
Hudson, Robert Spear (Southport)
Hume, Sir George Hopwood
Hunter, Dr. Joseph (Dumfries)
Hunter-Weston, Lt.-Gen. Sir Aylmer
Inskip, Rt. Hon. Sir Thomas W. H.
Iveagh, Countess of
Jackson, Sir Henry (Wandsworth, C.)
James, Wing.-Com. A. W. H.
Jamieson, Douglas
Janner, Barnett
Jenkins, Sir William
Jennings, Roland
Jesson, Major Thomas E.
John, William
Jones, Henry Haydn (Merioneth)
Jones, Morgan (Caerphilly)
Ker, J. Campbell
Kerr, Lieut.-Col. Charles (Montrose)
Kerr, Hamilton W.
Kirkpatrick, William M.
Kirkwood, David
Lamb, Sir Joseph Quinton
Lansbury, Rt. Hon. George
Law, Sir Alfred
Law, Richard K. (Hull, S.W.)
Lawson, John James
Leckie, J. A.
Leech, Dr. J. W.
Leighton, Major B. E. P.
Leonard, William
Little, Graham-, Sir Ernest
Llewellin, Major John J.
Lloyd, Geoffrey
Lockwood, John C. (Hackney, C.)
Loder, Captain J. de Vere
Loftus, Pierce C.
Logan, David Gilbert
Lovat-Fraser, James Alexander
Lumley, Captain Lawrence R.
Lunn, William
Mabane, William
MacAndrew, Lt.-Col C. G. (Partick)
Macdonald, Gordon (Ince)
MacDonald, Malcolm (Bassetlaw)
McEntee, Valentine L.
McEwen, Captain J. H. F.
McGovern, John
McLean, Major Sir Alan
Maclean, Neil (Glasgow, Govan)
McLean, Dr. W. H. (Tradeston)
Magnay, Thomas
Mainwaring, William Henry
Makins, Brigadier-General Ernest
Margesson, Capt. Rt. Hon. H. D. R.
Mason, David M. (Edinburgh, E.)
Maxton, James
Mayhew, Lieut.-Colonel John
Mills, Major J. D. (New Forest)
Milne, Charles
Milner, Major James
Mitcheson, G. G.
Molson, A. Hugh Elsdale
Monsell, Rt. Hon. Sir B. Eyres
Moreing, Adrian C.
Morris, John Patrick (Salford, N.)
Morrison, G. A. (Scottish Univer'ties)
Morrison, William Shepherd
Muirhead, Lieut.-Colonel A. J.
Munro, Patrick
Nation, Brigadier-General J. J. H.
Nicholson, Godfrey (Morpeth)
Normand, Rt. Hon. Wilfrid
North, Edward T.
O'Connor, Terence James
O'Donovan, Dr. William James
Ormiston, Thomas
Ormsby-Gore, Rt. Hn. William G. A.
Orr Ewing, I. L.
Parkinson, John Allen
Patrick, Colin M.
Pearson, William G.
Peat, Charles U.
Penny, Sir George
Percy, Lord Eustace
Petherick, M.
Peto, Geoffrey K. (W'verh'pt'n, Bilston)
Pickthorn, K. W. M.
Powell, Lieut.-Col. Evelyn G. H.
Pownall, Sir Assheton
Procter, Major Henry Adam
Radford, E. A.
Ramsay, Capt. A. H. M. (Midlothian)
Ramsay, T. B. W. (Western Isles)
Ramsbotham, Herwald
Ramsden, Sir Eugene
Rathbone, Eleanor
Reed, Arthur C. (Exeter)
Reid, James S. C. (Stirling)
Rhys, Hon. Charles Arthur U.
Rickards, George William
Roberts, Sir Samuel (Ecclesall)
Ropner, Colonel L.

Ross Taylor, Walter (Woodbridge)	Stanley, Rt. Hon. Lord (Fylde)	Wardlaw-Milne, Sir John S.
Rothschild, James A. de	Stanley, Rt. Hon. Oliver (W'morland)	Warrender, Sir Victor A. G.
Ruggles-Brise, Colonel Sir Edward	Stevenson, James	White, Henry Graham
Russell, Albert (Kirkcaldy)	Stones, James	Whiteside, Borras Noel H.
Russell, Alexander West (Tynemouth)	Storey, Samuel	Williams, Edward John (Ogmore)
Salt, Edward W.	Strauss, Edward A.	Willoughby de Eresby, Lord
Samuel, M. R. A. (W'ds'wth, Putney).	Strickland, Captain W. F.	Wills, Wilfrid D.
Sandys, Edwin Duncan	Sugden, Sir Wilfrid Hart	Wilmot, John
Sassoon, Rt. Hon. Sir Philip A. G. D.	Summersby, Charles H.	Wilson, Lt.-Col. Sir Arnold (Hertf'd)
Savery, Samuel Servington	Sutcliffe, Harold	Wilson, Clyde T. (West Toxteth)
Shaw, Helen B. (Lanark, Bothwell)	Tate, Mavis Constance	Windsor-Clive, Lieut.-Colonel George
Shaw, Captain William T. (Forfar)	Thomas, James P. L. (Hereford)	Winterton, Rt. Hon. Earl
Smiles, Lieut.-Col. Sir Walter D.	Thomson, Sir Frederick Charles	Womersley, Sir Walter
Smithers, Sir Waldron	Tinker, John Joseph	Wood, Sir Murdoch McKenzie (Banff)
Somervell, Sir Donald	Titchfield, Major the Marquess of	Worthington, Dr. John V.
Soper, Richard	Tree, Ronald	
Spears, Brigadier-General Edward L.	Tryon, Rt. Hon. George Clement	TELLERS FOR THE AYES.—
Spens, William Patrick	Turton, Robert Hugh	Lieut.-Colonel Sir A. Lambert Ward and Dr. Morris-Jones.

NOES.

Acland-Troyte, Lieut.-Colonel	Dawson, Sir Philip	Perkins, Walter R. D.
Alexander, Sir William	Donner, P. W.	Peto, Sir Basil E. (Devon, Barnstaple)
Atholl, Duchess of	Emmott, Charles E. G. C.	Remer, John R.
Bailey, Eric Alfred George	Erskine-Bolst, Capt. C. C. (Blackpool)	Rutherford, John (Edmonton)
Balfour, George (Hampstead)	Fuller, Captain A. G.	Sandeman, Sir A. N. Stewart
Bracken, Brendan	Ganzoni, Sir John	Sanderson, Sir Frank Barnard
Broadbent, Colonel John	Goodman, Colonel Albert W.	Smith, Sir J. Walker- (Barrow-in-F.)
Brown, Brig.-Gen. H.C. (Berks., Newb'y)	Greene, William P. C.	Todd, Lt.-Col. A. J. K. (B'wick-on-T.)
Browne, Captain A. C.	Gritten, W. G. Howard	Wayland, Sir William A.
Burnett, John George	Hartington, Marquess of	Wells, Sydney Richard
Carver, Major William H.	Keyes, Admiral Sir Roger	Williams, Herbert G. (Croydon, S.)
Churchill, Rt. Hon. Winston Spencer	Kimball, Lawrence	Wolmer, Rt. Hon. Viscount
Courtauld, Major John Sewell	Macquisten, Frederick Alexander	
Craddock, Sir Reginald Henry	Manningham-Buller, Lt.-Col. Sir M.	TELLERS FOR THE NOES.—
Croft, Brigadier-General Sir H.	Marsden, Commander Arthur	Mr. Lennox-Boyd and Mr. Raikes.
Davison, Sir William Henry	Oman, Sir Charles William C.	

Clause ordered to stand part of the Bill.

CLAUSE 57.—(*Provisions as to crimes of violence intended to overthrow Government.*)

10.57 p.m.

Mr. PARKINSON: I beg to move, in page 36, line 20, to leave out Sub-section (2).

The Clause provides that if a provincial governor considers that there is a threat to peace and tranquillity he can declare a state of emergency. In the case of a violent attempt to overthrow the Government he can take upon himself the whole responsibility of dealing with the situation. In Sub-section (2), after he has declared the state of emergency he can delegate to some person of an official character who is not a member of the Legislature, power to speak in the proceedings of the Legislature. That is a principle which ought not to be established by this Bill. It is rather an innovation. I do not know whether it is in operation in any of the Dominions, but if it is, it ought not to be perpetuated by the Bill. If the Governor has the right to declare a state of emergency he should stand on his own responsibility and not delegate it to an official who is not a member of the Legislature. I do not know whether it would be a good analogy to say that if the Lord President of the Council or the Prime Minister were to declare a state of emergency in this country they would, by such a sub-section as this, have the right to send an official out of Whitehall to take their places in this House. That official would have no power to vote but he could put up a case to defend the Government. Sub-section (4) says:

"Nothing in this section affects the special responsibility of the Governor for the prevention of any grave menace to the peace or tranquillity of the Province or any part thereof."

One would naturally think that that would cover the whole difficulty. We do not like this delegation of power to somebody who is not a member of the Legislature. If it is necessary to delegate power, it should be to somebody who is a member of the Chamber to which he has been elected. Our objection to Sub-section (2), is to the establishment of a principle which we think——

It being Eleven of the Clock, The CHAIRMAN *left the Chair to make his report to the House.*

Committee report Progress; to sit again To-morrow.

The remaining Orders were read, and postponed.

GLASGOW CORPORATION (PETROL CONTRACT).

Motion made, and Question proposed, "That this House do now adjourn."—[*Captain Margesson.*]

11.1 p.m.

Sir ADRIAN BAILLIE: I apologise for detaining the House for a little while longer; I should not have ventured to do so did I not believe that the matter to which I desire to draw attention is one of very great importance. On the 7th March I asked the Secretary of State for Scotland whether his attention had been drawn to the contract for the supply of 3,000,000 gallons of petrol which was placed with Russian Oil Products, Limited, by the Glasgow Corporation on the 1st instant; and, in view of the unsatisfactory nature of the Secretary of State's reply, I gave notice that I would bring the matter up on the Adjournment at the first possible opportunity. I welcome the opportunity which has been afforded me to-night. If it is too late to invalidate this contract, if it is impossible for the Secretary of State to intervene, then I believe that, if attention is drawn to the facts of the case as they have been reported to me, public indignation will be such that not even a Socialist council would have the hardihood in the future to enter upon negotiations involving the expenditure of public money, negotiations which, in my submission, have been profoundly unethical from the very beginning, which have resulted in bad business for the ratepayers of Glasgow, and, finally, have certainly precluded the Glasgow Corporation from affording work to 4,000 shale miners whose interests I represent in this House, and from affording work to hundreds—nay, thousands—of others in ancillary industries in their area. I desire to ventilate this matter in the House of Commons, because I feel that if, as I say again, the facts are as I know them, this is not merely a matter of local concern, but a matter of national importance.

What are the facts? I will try briefly to state them as far as I know them. The Glasgow Corporation issued contract inquiries for their total requirements of fuel during the year—3,000,000 gallons. They specified in particular Benzol Mixture, Premier, Commercial, and Naphtha, but the overwhelming proportion of the requirements was for Commercial and Naphtha. Nine companies in all submitted sealed tenders, eight of which belonged to what is known as the National Combine, and one out of the nine was Russian Oil Products, Limited—R.O.P. When these tenders were opened they were three in number, and I will refer to them as (*a*), (*b*), and (*c*). (*a*) and (*b*) were alternative tenders from the National Combine, and (*c*) was the tender from Russian Oil Products, Limited. The first tender, a sealed tender, was an offer from the National Combine to provide 1,250,000 gallons of naphtha and 1,750,000 gallons of spirit at an average price of 11/1.12d. per gallon. Tender (*b*) from the National Combine was for 3,000,000 gallons of spirit at 11/7.16ths of a penny or an average price of 11.44 d. The offer from Russian Oil Products was for only 1,000,000 gallons of spirit at 11½d.

Obviously, had the sanctity of sealed tenders been observed, the Glasgow Corporation should have taken one of the alternative offers of the National Combine, because both were considerably lower than the offer of Russian Oil Products. The first point, therefore, that I would like to make to the Secretary of State for Scotland is that the sanctity of sealed tenders was not observed on this occasion. It is submitted that the second tender from the National Combine was for 3,000,000 gallons of spirit at 11/7.16ths of a penny, which was cheaper than the original tender of 11½d. from Russian Oil Products. That tender was either wilfully or inadvertently suppressed by the negotiators for the Glasgow Corporation. At least the Glasgow Corporation had not the knowledge of that tender (*b*) at their disposal when they took their decision to give the whole order to Russian Oil Products.

When the Corporation found that Russian Oil Products had only tendered for 1,000,000 gallons, they went back to Russian Oil Products and said, "Give us a tender for 250,000 gallons," and at the time it was not quite understood why they should have returned at all to Russian Oil Products with this inquiry, but subsequently the reason came to light. I have a cutting from the Glasgow "Forward," containing an article by

Councillor William Reid entitled "A reply to the Combine Dictators." It says:

"It was essential that the Corporation should not be left entirely at the mercy of a combine who could rig the market at any time they thought fit, and to preserve an open market Russian Oil Products was included."

So now we know that, while Councillor Reid and his colleagues, with their professed aversion to the capitalist system and private enterprise, did not wish the Corporation to be entirely under the thumb of the National Combine, at the end of the day he had no particular qualms about putting himself and the entire Glasgow Corporation entirely under the thumb of Russian Oil Products, who are only able to compete with private enterprise because their sources of supply were confiscated from the British companies which had invested in the neighbourhood of £70,000,000 in the exploitation of those sources. What was the next step? The negotiators for the Corporation went to the National Combine and said: "Quote us another price. Make us another tender. We want you to supply only 92½ per cent. or eleven-twelfths of our requirements." The Combine came back with a tender, which was naturally slightly higher in price on account of the smaller gallonage required. If this is what Councillor Reid calls rigging the market, all I can say is that Councillor Reid entirely ignores usual commercial practice, that as quantity goes down price goes up.

I have read a few specious arguments—and I am not entirely sure that the Secretary of State has not been swayed by them—to the effect that after all the National Combine should have been satisfied with eleven-twelfths, that they should not have been greedy. The National Combine were satisfied with eleven-twelfths, but at a slightly higher price. It was the negotiators of the Glasgow Corporation who were not satisfied. It is unreasonable that the National Combine should have to sit down under the dictation of the Glasgow Corporation as to what price they should charge for eleven-twelfths of the supply. Again, it has been suggested by Councillor Reid that the National Combine were out for a monopoly. In the same article he says that the eleventh hour attempt at a satisfactory settlement failed because of the anxiety of the Combine to have a complete monopoly for the supply of motor spirit. That is not the case, because I am informed that in a letter which was addressed to the negotiators on 14th February it was definitely stated by the Combine: "We will try substantially to meet the point which you raise and instead of 92½ per cent. will offer you 95 per cent. of your requirements at our original price." What could be fairer than that? That, incidentally, would have effected a considerable saving to the ratepayers of Glasgow. Once more—and then I will leave Councillor Reid alone—he goes on to say:

"It will be observed that at our interview with the Combine we made it quite clear that, although there might be a deadlock regarding the price, we were prepared to pay for petrol; we were prepared to take our whole supply of Scottish naphtha spirit from Scottish Oils and Shell-Mex, Limited. We were politely informed—no petrol, no naphtha."

These are the correct facts. Readers of the "Forward" will now be able to draw their own conclusions. The facts are that in the same letter of 14th February, which was, incidentally, suppressed or at least never reported to the Corporation, the National Combine made an offer for the supply of 1,250,000 gallons of naphtha without any relation to spirit. I do hope, without much confidence, that the Editor of the "Forward" will give some space also to the facts of the case as I have put them. These facts may be open to correction, but if they are correct, as I believe them to be, I submit that no amount of explanation, no ingenuity of argument, can possibly justify the negotiators of the Glasgow Corporation in this pandering to their political bias. The negotiations have been unethical at every turn. In the result they have let their countrymen down. They have let down the ratepayers of Glasgow and the 4,000 shale miners whose interests I am here to represent in this House. Those are the people who profess to have an exclusive right of interest in the workers of this country.

11.15 p.m.

Marquess of CLYDESDALE: It is very unpleasant to have to censure a local authority and particularly so when one has to censure a local authority which happens to be the Glasgow Corporation, but I rise to support my hon. Friend the

[Marquess of Clydesdale.]

Member for Linlithgow (Sir A. Baillie) in what he has said. The Glasgow Corporation called for sealed tenders and I submit that they have violated the sanctity of them. If the tenders had not been sealed one would have expected the local authority, who presumably had the welfare of the unemployed at heart, had the price been the same, to choose the national companies, who employ a large number of workers in Scotland. Actually the price was not the same, the national companies' price was cheaper, and yet the first thing they did was to carry out negotiations, and I believe that they approached first the Russian firm. My hon. Friend has gone into these negotiations and I will merely say that the methods by which these negotiations have been carried out are highly unsatisfactory. There is one point upon which I disagree with my hon. Friend, and that is in regard to the reply of the Secretary of State for Scotland on the 7th. I do not think it was altogether unsatisfactory, for he said that he was making further inquiries into the question. In view of the grave concern which has been caused in Scotland as regards the way in which these negotiations have been carried out, will the Secretary of State institute an inquiry into this case?

The SECRETARY of STATE for SCOTLAND (Sir Godfrey Collins): The hon. Member for Linlithgow (Sir A. Baillie) asked me if it is possible to intervene in this matter. It is quite impossible for the Secretary of State to intervene, but I think it is only right that I should state the facts to the House. Although they are in great detail, I hope that the House will bear with me. The corporation were in the market for 3,000,000 gallons of motor spirit, for their municipal transport service. Tenders were received from the following firms: Scottish Oils and Shell-Mex, Limited, Gow and McCulloch, Anglo-American Oil Company, Limited, Redline-Glico, Limited, Clarkson and Co. (Glasgow), Limited, Russian Oil Products, Limited. The first five firms, who are all in the same combine, quoted for 1,250,000 gallons Scottish naphtha at $10\frac{11}{16}$d. per gallon and 1,750,000 gallons motor spirit at $11\frac{7}{16}$d. per gallon. It is estimated that probably two-thirds of the whole suppply would have been Scottish. Russian Oil Products, Li — quoted for 1,000,000 gallons motor spirit at $11\frac{1}{2}$d. The tenders were received by the Town Clerk and in accordance with the usual practice were opened and initialled by the convener of the Municipal Transport Committee and thereafter sent to the manager for examination and report to the committee. On 16th January the offers received were submitted to a meeting of the Transport Committee with a recommendation by the manager that the whole contracts be placed with the national companies. The Transport Committee, however, decided by a majority of six to five to recommend that the combine offer be accepted, less 290,000 gallons of motor spirit which was to be placed at a price of $11\frac{7}{16}$d. with the Russian Oil Products. On 24th January the Transport Committee's proposals were approved on a division at a meeting of the corporation. An amendment that the whole contracts be placed with the national companies was defeated by 42 votes to 28. No objection was made to the Transport Committee's proposal to give the whole supply of naphtha spirit to Scottish Oils and Shell-Mex, Limited. If effect had been given to the corporation's desire the contracts would have been placed as follows: Scottish Oils and Combine Firms, 1,250,000 gallons Scottish naphtha at $10\frac{11}{16}$d. and 1,460,000 gallons motor spirit at $11\frac{7}{16}$d.; and Russian Oil Products, Limited, 290,000 gallons motor spirit at $11\frac{7}{16}$d.

Following on this decision by the Corporation to place a share of the contract with Russian Oil Products Limited the National Companies intimated, as the hon. Member stated, that their original offers were based on obtaining the contracts for the whole supply, and by letter dated 4th February submitted amended offers, namely, 1,250,000 gallons naphtha spirit at $10\frac{3}{4}$d. per gallon and 1,500,000 gallons motor spirit at $11\frac{1}{2}$d. per gallon. The Russian Oil Products Limited, by telephone, on 6th February, quoted for the whole supplies as follows: 1,000,000 gallons motor spirit at $11\frac{7}{16}$d. per gallon and 2,000,000 gallons motor spirit at $11\frac{1}{2}$d. per gallon.

This position was considered by the Transport Committee at a meeting on 6th February, and it was agreed by the committee on a division to remit the whole question to the Convener, the Sub-

convener and the Manager for consideration and report. On 8th February, the Russian Oil Products Limited wrote to the General Manager offering to supply the whole or any part of the Corporation's requirements at 11 7/16d. per gallon.

On 14th February an offer by the National Companies to supply approximately 1,250,000 gallons naphtha spirit at 10 11/16d. and approximately 1,600,000 gallons motor spirit at 11 7/16d., leaving approximately 150,000 gallons to be placed outwith the National Companies, was received by the General Manager and communicated by him to the Convener and Sub-convener of the committee. This offer was not submitted to the Corporation at its meeting on 21st February, but reference was made to it in a question addressed to the Convener at that meeting. The recommendation by the committee that the whole matter be remitted to the Convener and Sub-convener along with the Manager came before the Corporation at a meeting on the 21st February. The Corporation by 54 votes to 32 decided to re-affirm the decision reached at their previous meeting that the contracts for 1,750,000 gallons motor spirit be divided—that is eleven-twelfths to the National Combine and one-twelfth to Russian Oil Products—between the five National Companies and the Russian Oil Products Limited at the original price of 11 7/16d. per gallon, and that the contract for 1,250,000 gallons naphtha spirit be placed with Scottish Oils and Shell-Mex Limited at the price of 10 11/16d. previously quoted by them. They also resolved that in the event of the Scottish Oils and Shell-Mex Limited and the other Combine firms refusing to abide by the original prices quoted by them and to accept the contracts accordingly, to place the contract for the whole supply of approximately 3,000,000 gallons of motor spirit with Russian Oil Products Limited at the price of 11 7/16d. per gallon . The National Companies did not see their way to accept the first alternative and the contract for the whole supply of motor spirit was placed, in accordance with the other alternative, with Russian Oil Products Limited.

Such are the facts so far as I have been able to ascertain them from the minutes of the Glasgow Corporation. I think that the House will agree, however, that it is to be regretted that before the whole contract was placed by the corporation with the foreign firm further efforts were not made by both parties to reach an agreement which would have enabled over nine-tenths of the contract to be supplied by the national companies.

While it has been the policy of the Government to encourage the placing of contracts in this country wherever practicable, the arrangements made by local authorities and private firms for the letting of contracts are not subject to Government control. Whether the corporation should have placed the whole of the contract when the lowest tender was first received is a matter which does not fall within my control. The negotiations, as far as I can gather, between the combine and the corporation broke down on a small matter of 140,000 gallons. On the general question, Parliament has delegated certain powers to local authorities and it is a principle inherent in popularly elected representative bodies that they should be responsible to those who elected them. The circumstances of the present case would not, I think, justify any diminution of the powers possessed by local authorities in these matters and I trust that the public interest which has been taken in the case will be useful in helping to prevent a similar occurrence in future. The hon. Member who spoke last asked me a specific question. I have made inquiries into this case, and I think that any further inquiry is unnecessary. I have given the House very rapidly the whole story of this contract. I think the facts speak for themselves, and I have endeavoured to state the case as fairly as I can.

Question put, and agreed to.

Adjourned accordingly at Twenty-eight Minutes after Eleven o'Clock.