APPENDICES

APPENDIX A

OUTPUT, EMPLOYMENT, AND PROFITS IN THE MINING INDUSTRY. 1910–21

<table>
<thead>
<tr>
<th>Year</th>
<th>Total output (millions of tons)</th>
<th>Workers employed (thousands)</th>
<th>Total profits, excluding royalties (£ millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1910</td>
<td>264</td>
<td>1,027 a</td>
<td>10 a</td>
</tr>
<tr>
<td>1911</td>
<td>271</td>
<td>1,045 a</td>
<td>9-3 a</td>
</tr>
<tr>
<td>1912</td>
<td>260</td>
<td>1,068 a</td>
<td>15-2 a</td>
</tr>
<tr>
<td>1913</td>
<td>287</td>
<td>1,110 a</td>
<td>22 a</td>
</tr>
<tr>
<td>1914</td>
<td>265</td>
<td>1,054 a</td>
<td>15-5 a</td>
</tr>
<tr>
<td>1915</td>
<td>253</td>
<td>939 a</td>
<td>21-4 a</td>
</tr>
<tr>
<td>1916</td>
<td>256</td>
<td>984 a</td>
<td>37-8 a</td>
</tr>
<tr>
<td>1917</td>
<td>248</td>
<td>1,006 a</td>
<td>27-7 a</td>
</tr>
<tr>
<td>1918</td>
<td>227</td>
<td>948 a</td>
<td>29-5 c</td>
</tr>
<tr>
<td>1919</td>
<td>229</td>
<td>1,191 b</td>
<td>30-4 c</td>
</tr>
<tr>
<td>1920</td>
<td>229</td>
<td>1,248 b</td>
<td>35 c</td>
</tr>
<tr>
<td>1921</td>
<td>164</td>
<td>1,113 b</td>
<td></td>
</tr>
</tbody>
</table>

a Figures submitted to the Coal Commission by the Mines Department.

b Figures given by Mr. Finlay Gibson, in his statistical Tables for the Coal Industry (1922). Mr. Gibson’s figures throughout show a rather larger number employed than those submitted to the Coal Commission, e.g., for 1917 Mr. Gibson’s figure is 1,021 and for 1914, 1,124.

c Estimated by Mr. Finlay Gibson. His figures are £36,400,000 for 1919 and £41,000,000 for 1920. I have deducted £6,000,000 in each year for royalties.
APPENDIX B

BILL SUBMITTED TO THE COAL COMMISSION BY THE MINERS' FEDERATION OF GREAT BRITAIN

THE NATIONALIZATION OF MINES AND MINERALS BILL, 1919

(Certain important provisions are sidelined)

A Bill to Nationalize the Mines and Minerals of Great Britain and to provide for the National Winning, Distribution, and Sale of Coal and other Minerals.

Whereas it is expedient that mines and minerals should be taken into the possession of the State,

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) For the purpose of winning, distributing, selling, and searching for coal and other minerals, there shall be established by His Majesty by Warrant under the sign manual, a Mining Council, consisting of a President and 20 members, ten of whom shall be appointed by His Majesty and ten by the Association known as the Miners' Federation of Great Britain.

(2) It shall be lawful for His Majesty, from time to time, to appoint any member of the Privy Council to be President of the Mining Council, under the name of the Minister of Mines, to hold office during His Majesty's pleasure.

(3) The Members of the Mining Council, other than the President, shall be appointed for five years, but shall be eligible for reappointment. Provided that His Majesty or the Association known as the Miners' Federation of Great Britain respectively shall have power to remove any person appointed by them and appoint some other person in his place. On a casual vacancy occurring by reason of the death, resignation, or otherwise of any of such members or otherwise, His Majesty or the Miners' Federation of Great Britain, as the case may be, shall appoint some other person to fill the vacancy, who shall continue in office until the member in whose place he was appointed should have retired, and shall then retire. The members of the Mining Council shall devote the whole of their time to the business of the Mining Council.
2.—(1) The Minister of Mines and one of the Secretaries of the Mining Council (to be known as the Parliamentary Secretary and to be appointed by His Majesty) shall at the same time be capable of being elected to and of sitting in the Commons House of Parliament.

(2) The Minister of Mines shall take the oath of allegiance and official oath, and shall be deemed to be included in the First Part of the Schedule to the Promissory Oaths Act, 1868.

(3) There shall be paid out of money provided by Parliament to the Minister of Mines a salary at the rate of £2,000 a year, and to the Parliamentary Secretary a salary at the rate of £1,500 a year.

(4) The Minister of Mines and the Parliamentary Secretary shall be responsible to Parliament for the acts of the Mining Council.

3.—(1) The Mining Council shall appoint a Secretary (to be known as the Permanent Secretary), and such assistant secretaries and officers and servants as the Mining Council may, with the sanction of the Treasury, determine.

(2) Subject to the provisions of Section 11 (2) of this Act, there shall be paid to the Permanent Secretary, Assistant Secretaries and other officers and servants such salaries or remuneration as the Treasury shall from time to time determine.

(3) There shall be transferred and attached to the Mining Council such of the persons employed under any Government Department or local authority in or about the execution of the powers and duties transferred by or in pursuance of this Act to the Mining Council as the Mining Council and the Government Department or local authority may with the sanction of the Treasury determine.

(4) Notwithstanding anything in any Act, order, or regulation, any society of workers, all or some of whose members are wholly or partly employed in or about mines, or in any other manner employed by the Minister of Mines, or the Mining Council, or a District Mining Council, or Pit Council, or otherwise under this Act, may be registered or constitute themselves to be a Trade Union, and may do anything individually or in combination which the members of a Trade Union or a Trade Union may lawfully do. Provided further that notwithstanding any Act, order, or regulation to the contrary, it shall be lawful for any person employed under this Act to participate in any civil or political action in like manner as if such person were not employed by His Majesty. or by any authority on his behalf.

Provided, further, that no such person shall suffer dismissal or any deprivation of any kind as a consequence of any political or industrial action, not directly forbidden by the terms of his employment, or as a consequence of participation in a strike or trade dispute.

4.—(1) The Mining Council shall be a Corporation to be known by the name of the Mining Council and by that name shall have perpetual succession, and may acquire and hold land without licence in mortmain.
(2) The Mining Council shall have an official seal, which shall be officially and publicly noticed, and such seal shall be authenticated by the Mining Council or a secretary or one of the assistant secretaries, or some person authorized to act on their behalf.

(3) The Mining Council may sue and be sued without further description under that title.

(4) Every document purporting to be an order, licence, or other instrument issued by the Mining Council, and to be sealed with their seal, authenticated in manner provided by this Act, or to be signed by a secretary or by one of the assistant secretaries, or any person authorized to act, shall be received in evidence and be deemed to be such order, licence, or other instrument without further proof unless the contrary is shown.

(5) Any person having authority in that behalf, either general or special, under the seal of the Mining Council, may on behalf of the Mining Council, give any notice or make any claim, demand, entry, or distress, which the Mining Council in its corporate capacity or otherwise might give or make, and every such notice, claim, demand, entry, and distress shall be deemed to have been given and made by the Mining Council.

(6) Every deed, instrument, bill, cheque, receipt, or other document, made or executed for the purpose of the Mining Council by, to, or with the Mining Council, or any officer of the Mining Council, shall be exempt from any stamp duty imposed by any Act, past or future, except where that duty is declared by the document, or by some memorandum endorsed thereon, to be payable by some person other than the Mining Council, and except so far as any future Act specifically charges the duty.

5. (1) On and after the appointed day, save as in Sub-Section 3 of this Section provided—

(a) Every colliery and mine (including all mines, quarries and open workings of ironstone, shale, fireclay and limestone, and every other mine regulated under the Metalliferous Mines Regulation Acts, 1872 and 1875, but not including mines, quarries, or open workings of minerals specified in the First Schedule to this Act), whether in actual work, or discontinued, or exhausted, or abandoned, and every shaft, pit, borehole, level, or inclined plane, whether in course of being made or driven for commencing or opening any such colliery or mine, or otherwise, and all associated properties (including vessels, lighters, railway rolling stock, and all works, including works for the manufacture of by-products, in the opinion of the Mining Council belonging to any mine undertaking or connected with any colliery or mine, and every house belonging to the owners of any such colliery or mine, which, in the opinion of the Mining Council, is usually occupied by workmen
employed at such colliery or mine), (all of which are herein included in the expression ‘mine’); and

(b) all coal, anthracite, lignite, ironstone, shale, fireclay, limestone, or other mineral, excepting the minerals specified in the First Schedule to this Act, whether at present being worked or not worked, or connected or not connected with any mine, beneath the surface of the ground (all of which are herein included in the expression ‘minerals’); and

(c) all rights and easements arising out of or necessary to the working of any mine or the winning of any mineral, including all mineral wayleaves, whether air-leaves or water-leaves, or rights to use a shaft, or ventilation or drainage or other royalties, lordships, or rights in connection therewith, whether above or below the ground (all of which are herein included in the expression ‘rights’)

shall be transferred to, vested in and held by the Mining Council in their corporate capacity in perpetuity, and shall for all purposes be deemed to be royal mines, and the minerals and rights thereof respectively.

(2) The Acts contained in the Second Schedule to this Act are hereby repealed.

(8) Provided that the Mining Council may at any time before the appointed day give notice in writing to the owner of, or person interested in, any mine or minerals or rights, disclaiming, during the period of such disclaimer, all or part of the property in such mine or minerals or rights to the extent specified in the notice, and thereafter such mine or minerals or rights shall, until such time as the Mining Council shall otherwise determine, to the extent specified in such notice, not vest in the Mining Council as provided by Sub-Section (1) of this section. Provided that in such case it shall not be lawful for any person other than the Mining Council, without the permission of the Mining Council, to work such mine or minerals in any way. Provided further that on the termination of such disclaimer by the Mining Council, such mine or minerals or rights shall, to the extent of such notice, as from such date as the notice may prescribe, vest in the Mining Council as if such notice of disclaimer had not been given.

6. The Mining Council shall purchase the mines of Great Britain in them vested by this Act (other than those which are the property of the Crown at the time of the passing of this Act or which have been disclaimed in whole or in part in accordance with Section 5 (8) of this Act) at the price and in the manner provided by this Act. Provided always that the value of any rights as defined by Section 5 (1) (e) of this Act shall not be taken into account in computing such price, for all of which no compensation shall be paid.

7. — (1) For the purpose of assessing the purchase price of mines it
shall be lawful for His Majesty, by warrants under the sign manual, to appoint ten Commissioners, to be styled the Mines Purchase Commissioners (herein called the Commissioners) of whom one, appointed by His Majesty, shall be Chairman.

(2) Three of the said Commissioners shall be nominated by the Association known as the Miners' Federation of Great Britain, and three by the Association known as the Mining Association of Great Britain.

(3) At the expiration of twelve months from the passing of this Act, in the event of a majority of the Commissioners failing to agree as to the purchase price of a particular mine or of its associated properties, it shall be lawful for the Chairman himself to fix the purchase price of such mine, which price shall then be deemed to be the price fixed by the Commissioners, but, save as herein expressly provided, the finding of a majority of the Commissioners voting on any question or as to the purchase price of mines shall be final and conclusive and binding on all parties.

(4) It shall be lawful for His Majesty to remove any Commissioner for inability or misbehaviour. Every order of removal shall state the reasons for which it is made, and no such order shall come into operation until it has lain before the Houses of Parliament for not less than thirty days while Parliament is sitting.

(5) The Commissioners may appoint and employ such assessors, accountants, surveyors, valuers, clerks, messengers, and other persons required for the due performance of their duties as the Treasury on the recommendation of the Commissioners may sanction.

(6) There shall be paid to the Commissioners and to each of the persons appointed or employed under this section such salary or remuneration as the Treasury may sanction; and all such salaries and remuneration and the expenses of the Commission incurred in the execution of their duties, to such amount as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament.

8.—(1) The Commissioners shall, as soon as may be after the passing of this Act, cause a valuation to be made of all mines other than those disclaimed, whether or not developed or working or abandoned or exhausted, in Great Britain, showing what on August 4th, 1914, and what at the date of the passing of this Act was respectively the total ascertained value of each mine and its associated properties and the rights, as defined by Section 5 (1) (e) of this Act, therein, and the total ascertained value of such mine and its associated properties respectively exclusive of such rights; and the owner of every mine and any person receiving any rents, interest, or profit from any mine or possessed of any right therein or connected therewith, on being required by notice by the Commissioners, shall furnish to the Commissioners a return containing such particulars as the Commissioners may require as to his property, rent, interest, profits, or rights in such mine.
(2) The Commissioners may likewise cause any mine to be inspected, require the production of documents, or do any other thing which may, in their opinion, be necessary to fix the purchase price of the mine or its associated properties.

(3) The Commissioners in making such valuation shall have regard to returns made under any statute imposing duties or taxes or other obligations in respect of mines, or minerals or rights, and to any information given before or to any Commission or Government Department, including the Coal Industry Commission constituted under the Coal Industry Commission Act, 1919.

9.—(1) The purchase price of mines exclusive of associated properties (other than mines in the possession of the Crown at the time of the passing of this Act shall be computed subject to the provisions of sub-sections (2) and (3) of this section by ascertaining the average annual number of tons of minerals actually raised during the five years preceding August 4th, 1914:

Provided that as regards coal-mines in no case shall the maximum purchase price, exclusive of associated properties, be taken to be more than the following:

When 100,000 tons or less have been raised per annum on the average during such five preceding years, a capital sum equal to one such year's output at 

\[ \text{s. d.} \]

\[ 12 \quad 0 \text{ per ton} \]

When more than 100,000 tons have been raised per annum on the average during such five preceding years, a capital sum equal to one such year's output at 

\[ \text{s. d.} \]

\[ 10 \quad 0 \text{ per ton} \]

(2) The Commissioners in arriving at such computation shall also have regard to the actual gross and net profits which have been made in the mine during such years or thereafter and to the amounts which may have been set aside from time to time for depreciation, renewals, or development, and to the probable duration of the life of the mine, and to the nature and condition of such mine, and to the state of repairs thereof, and to the assets and liabilities of any mine undertaking existing at the time of purchase which are transferable to the Mining Council under section 16 of this Act.

(3) Provided further that where a coal-mine, in the opinion of the Commissioners, has not been fully developed, the amount which would be raised under full development without any increase of capital expenditure shall be taken as the average annual number of tons raised, and the maximum purchase price in such case shall be taken to be a capital sum equal to the product of such number of tons and 12s. or 10s. per ton respectively, for the purpose of ascertaining the maximum value per ton under sub-section (1) of this section.

10.—(1) The purchase price of any mine and such of its associated properties as have been purchased, as ascertained under the provisions
of this Act, shall be paid by the Mining Council in mines purchase stock to the persons who, in the opinion of the Mining Council, have established their title to such stock. Provided that an appeal shall lie to the High Court under rules to be framed by the High Court from the decision of the Mining Council as to the title of any such persons, but for no other purpose.

(2) For the purpose of paying such purchase price the Treasury shall, on the request of the Mining Council, by warrant addressed to the Bank of England, direct the creation of a new capital stock (to be called 'Guaranteed State Mines Stock'), and in this Act referred to as 'the stock', yielding interest at the rate on the nominal amounts of capital equal to that payable at the date on which this Act received Royal Assent on what, in the opinion of the Treasury, is the nearest equivalent Government Loan Stock.

(3) Interest shall be payable by equal half yearly or quarterly dividends at such times in each year as may be fixed by the warrant first creating the stock.

(4) The stock shall be redeemed at the rate of one hundred pounds sterling for every one hundred pounds of stock at such times and by such drawings as the Treasury, on the recommendation of the Mining Council may think fit.

(5) The stock may be issued at such times and in such amounts and subject to such conditions as the Treasury may direct, and may be issued as bearer bonds with quarterly or half yearly interest coupons attached.

(6) The stock shall be transferable in the books of the Bank of England in like manner as other stock is transferable under the National Debt Act, 1870.

11.—(1) Subject to the provisions of this Act, it shall be lawful for the Mining Council to open and work mines and search for, dig, bore, win and deal with minerals and generally to carry on the industry of mining, distributing, vending, and exporting, together with all other industries carried on in connection therewith. Provided that it shall not be lawful for the Mining Council to lease or sell any mine or minerals or rights to any person, association, or corporation.

(2) The Mining Council may, from time to time, in such manner and on such terms as they think fit—-

(a) subject to the general consent of the Treasury, appoint or continue in employment or dismiss managers, engineers, agents, clerks, workmen, servants, and other persons; and

(b) construct, erect or purchase, lease, or otherwise acquire buildings, plant, machinery, railways, tramways, hulks, ships, and other fixed or movable appliances or works of any description, and sell or otherwise dispose of the same when no longer required; and

(c) sell, supply, and deliver fuel, coal and other products, the
result of mining operations, either within or without the realm; and

(d) enter into and enforce contracts and engagements; and

(e) generally do anything that the owner of a mine might lawfully do in the working of the mine, or that is authorised by regulations under this Act or by this Act; and

(f) employ local authorities for any purpose they may think necessary to carry out their duties under this Act, on such terms as may be mutually agreed.

(8) In addition to the powers conferred on the Mining Council by the last preceding sub-section, the Mining Council may, in such manner as they think fit, work any railway, tramway, hulk, ship, or other appliance for the purpose of winning, supplying, and delivering coal or other products.

(4) The Mining Council may compulsorily purchase land or acquire such rights over land as they may require for the purpose of this Act, and shall have, with regard to the compulsory purchase of land, all the powers of purchasers acting under the Land Clauses Act, 1845, and the Land Clauses Consolidation (Scotland) Act, 1845, or any other Act giving power to acquire land compulsorily for public purposes, which may hereafter be enacted.

(5) With respect to any such purchase of land under the Land Clauses Acts in Great Britain the following provisions shall have effect (that is to say) :

(a) The Land Clauses Acts shall be incorporated with this Act, except the provisions relating to access to the special Act, and in construing those Acts for the purposes of this section 'the special Act' shall be construed to mean this Act, and 'the promoters of the undertaking' shall be construed to mean the Mining Council, and 'land' shall be construed to have the meaning given to it by this Act.

(b) The bond required by Section 85 of the Lands Clauses Consolidation Act, 1845, and by Section 84 of the Lands Clauses Consolidation (Scotland) Act, 1845, shall be under the seal of the Mining Council, and shall be sufficient without sureties.

12.—(1) The Mining Council shall, for the purpose of the carrying on and development of the mining industry, divide Great Britain into districts, and shall in each district constitute a District Mining Council of ten members, half of which shall be appointed by the Miners' Federation of Great Britain.

(2) The Mining Council may delegate to any District Mining Council or Pit Council, such of their powers under this Act as may conveniently be exercised locally, and the District Mining Council shall upon such delegation have and exercise within their district all the powers and duties of the Mining Council as may be delegated to them.

(3) A District Mining Council shall, subject to the approval of the
Mining Council, have power within their area to appoint Pit Councils for each mine or group of mines, composed of ten members, half of whom shall be members of the Miners' Federation of Great Britain, and nominated by the workers of the mine or groups of mines aforesaid, and the District Mining Council may delegate to such Pit Council such of their powers concerning the immediate working or management of a particular mine or group of mines as the District Mining Council may, subject to the approval of the Mining Council, think fit.

(4) The members of District Mining Councils shall be appointed for three years, but shall be eligible for reappointment, and the members of Pit Councils shall be appointed for one year, but shall be eligible for reappointment.

13.—(1) For the purpose of advising the Mining Council it shall be awful for His Majesty to appoint persons, to represent the interests of consumers, to be known as the Fuel Consumers' Council.

(2) The Mining Council shall have power to convocate at such time as they think fit and under such regulations and conditions as they may prescribe advisory conferences of representatives of District Mining Councils, and the District Mining Councils shall have power in like manner to convocate advisory conferences of Pit Councils within their area.

(3) The expenses of the Fuel Consumers' Council, National and District Mining Conferences shall, subject to the approval of the Treasury, be paid by the Mining Council.

14.—There shall be paid to each of the members of the Mining Council, other than the President, such salary as the Treasury may determine, and to the members of the District Mining Councils, and to the Pit Councils, such salaries and emoluments as the Mining Council, with the consent of the Treasury, may determine.

15.—(1) The Mining Council shall cause full and faithful accounts to be kept of all moneys received and expended under this Act, and of all assets and liabilities and of all profits and losses, and shall annually lay such accounts before Parliament.

(2) The Mining Council shall annually cause a balance-sheet of accounts to be made, including a capital account and a profit and loss account for each mine worked under this Act.

(3) Such balance-sheet and statement shall be so prepared as to show fully and faithfully the financial position of each such mine, and the financial result of its operations for the year.

(4) All moneys raised under the authority of this Act shall, as and when raised, and all other moneys received hereunder shall, as and when received, be paid into a separate account called 'The National Mines Account'.

(5) All moneys withdrawn from the National Mines Account constituted under this Act shall be withdrawn only by the order of the
Mining Council or such other person as the Mining Council may from
time to time appoint.

(6) All moneys in the National Mines Account, or payable into that
account by any person whomsoever, and also all moneys owing by any
person under this Act, are hereby declared to be the property of the
Crown, and recoverable accordingly as from debtors to the Crown.

16.—(1) There shall be transferred to the Mining Council all the
existing assets and liabilities of mine undertakings and associated
properties, as and when they are transferred to and vested in the
Mining Council, other than liabilities for rights including royalty rents,
wayleave rents, or any other underground rents or charges, payable or
due at the time of the passing of this Act to any person, all of which
shall cease to be payable on and after the appointed day.

(2) On the passing of this Act, there shall be ascertained by the
Commissioners the amount of all moneys due to or from all mine under-
takings, and the findings of the Commissioners as to the amount of
such moneys shall be binding and conclusive on all parties.

(3) The net amount of all moneys due to any mine undertaking,
after all debts due from any such undertaking have been deducted, as
ascertained under Sub-section (2) of this section, shall be paid by the
Mining Council to the persons to whom in the opinion of the Com-
missioners such debts are due, and shall be deemed to be expenses
incurred under this Act. Provided that an appeal shall lie to the High
Court, under rules to be framed by the High Court, from the decision
of the Commissioners as to the title of any such person, but for no
other purpose.

17.—(1) All sums expended or payable under this Act in carrying
out the provisions of this Act for expenses, or for salaries or wages
payable under this Act, or in the construction, erection, or acquisition
of buildings, plant, machinery, railways, tramways, hulks, ships, or
other appliances or works, or otherwise, shall be payable out of moneys
provided by Parliament.

(2) Provided that moneys received under this Act in respect of the
sale or export or supply of coal or other minerals (including the moneys
received from the Government Departments) may be directly expended
in or towards carrying out the purposes of this Act.

18.—After full provision has been made for all outgoings, losses,
and liabilities for the year (including interest on securities created and
issued in respect of moneys raised as aforesaid, and on moneys paid
out of the Consolidated Fund), the net surplus profits then remaining
shall be applied in establishing a sinking fund and, subject thereto, in
establishing a depreciation fund in respect of capital expended.

19.—(1) The Mining Council may, from time to time, make such
regulations as they think necessary for any of the following purposes:

(a) The management of mines under this Act;
NATIONALIZATION OF MINES AND

(b) the functions, duties, and powers of the District Mining Councils, Pit Councils, and other bodies or persons acting in the management and working of mines or distribution and sale of fuel under this Act;

(c) the form of the accounts to be kept and the balance sheets to be prepared in respect of mines under this Act;

(d) the mode in which the sinking funds and other funds connected with mines under this Act shall be held and administered;

(e) generally any other purpose for which, in the opinion of the Mining Council, regulations are contemplated or required.

(2) The Mining Council, before making or altering any regulations or conditions of employment, including wages, as affect workmen engaged in the mining industry, shall consult with the association known as the Miners' Federation of Great Britain, and, in the event of such representatives and the Mining Council failing to agree, the matter in dispute may be referred to arbitration on such terms as may be mutually agreed.

(3) Provided that nothing in this section shall be deemed to interfere with the right of any employed person, subject to his contractual obligations, to dispose of his labour as he wills.

20.—(1) Every mine worked under this Act shall be managed and worked subject to the provisions of the Metalliferous Mines Regulations Acts, 1872 and 1875, the Coal Mines Regulation Act, 1908, the Coal Mines Act, 1911, and any other Act regulating the hours, wages, or conditions of labour in mines.

(2) There shall be transferred to and be vested in the Mining Council all the powers and duties of the Secretary of State and of any other Government Department imposed upon them by the Metalliferous Mines Regulations Acts, 1872 and 1875, the Coal Mines Regulation Act, 1908, the Coal Mines Act, 1911, or any other Act regulating or affecting mines or the hours or conditions of labour therein.

21.—(1) It shall be the duty of the Mining Council to ensure that there is a sufficient supply of fuel at reasonable prices throughout Great Britain, and for this purpose it shall be lawful for the Mining Council, or for any local authority or Government Department acting on their behalf, to establish stores and depots and to employ vehicles and to use all other necessary means for the selling of fuel and to sell fuel within the area of every local authority, and, further, for this purpose it shall be the duty of the railway companies or authorities of Great Britain to provide such facilities for the conveyance of fuel as the Mining Council may deem necessary to enable them to carry out the duties imposed upon them by this section at rates not greater than such railway companies or authorities are now entitled to charge for the conveyance of fuel.

(2) Where the Mining Council delegates to any local authority all
or any of their powers under this section, it shall be lawful for such
local authority to exercise all or any of the powers of the Mining Council
so delegated to them.

(8) All moneys had and received or expended by a local authority
under this section shall be deemed to be had and received or expended
on behalf of the Mining Council.

22.—This Act may be cited as the Nationalisation of Mines and
Minerals Act, 1919, and this Act and the Metalliferous Mines Regula-
tions Acts, 1872 and 1873, and the Coal Mines Regulation Acts, 1887
and 1908, and the Coal Mines Act, 1911, may be cited together as the
Mines Acts, 1872–1919, and shall come into operation on the first day
of the second month, which shall be the appointed day, after the passing
of this Act, and, save in the case of disclaimer, all valuations, purchase,
and transference of mines and minerals to the Mining Council, and all
other arrangements for the carrying out of this Act shall be concluded
on or before the first day of the second year after the coming into
operation of this Act.

23.—This Act shall not apply to Ireland.

FIRST SCHEDULE

Minerals excluded from this Act:—
Chert. Flint. Igneous Rocks.

SECOND SCHEDULE

Enactments Repealed

<table>
<thead>
<tr>
<th>Session and chapter</th>
<th>Title or short title</th>
<th>Extent of repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 William and Mary, ch. 30.</td>
<td>An Act to repeal the statute made in the fifth year of King Henry IV. against multiplying gold and silver.</td>
<td>The Whole Act</td>
</tr>
<tr>
<td>5 William and Mary, ch. 6.</td>
<td>An Act to prevent disputes and controversies concerning Royal Mines.</td>
<td>The Whole Act</td>
</tr>
<tr>
<td>55 George III, ch. 134.</td>
<td>An Act for altering the rate at which the Crown may exercise its right of pre-emption of Ore in which there is lead.</td>
<td>The Whole Act</td>
</tr>
<tr>
<td>1 James I of Scotland, ch. 12.</td>
<td>Mines of Gold and Silver pertains to the King.</td>
<td>The Whole Act</td>
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| 12 James VI of Scot-
land, ch. 31. | Anent the Tenth Part of Mynis. | The Whole Act |

1569-51
APPENDIX C

THE EMERGENCY POWERS ACT, 1920

(See Chapters VIII and IX)

CHAPTER 55

A. D. 1920.

An Act to make exceptional provision for the Protection of the Community in cases of Emergency.1

[29th October 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) If at any time it appears to His Majesty that any action has been taken or is immediately threatened by any persons or body of persons of such a nature and on so extensive a scale as to be calculated, by interfering with the supply and distribution of food, water, fuel, or light, or with the means of locomotion, to deprive the community, or any substantial portion of the community, of the essentials of life, His Majesty may, by proclamation (hereinafter referred to as a proclamation of emergency), declare that a state of emergency exists.

No such proclamation shall be in force for more than one month, without prejudice to the issue of another proclamation at or before the end of that period.

(2) Where a proclamation of emergency has been made, the occasion thereof shall forthwith be communicated to Parliament, and, if Parliament is then separated by such adjournment or prorogation as will not expire within five days, a proclamation shall be issued for the meeting of Parliament within five days, and Parliament shall accordingly meet and sit upon the day appointed by that proclamation, and shall continue to sit and act in like manner as if it had stood adjourned or prorogued to the same day.

2.—(1) Where a proclamation of emergency has been made, and so long as the proclamation is in force, it shall be lawful for His Majesty in Council, by Order, to make regulations for securing the essentials of life to the community, and those regulations may confer or impose on a Secretary of State or other Government department, or any other persons in His Majesty's service or acting on His Majesty's behalf, such

1 Reprinted by permission of the Controller of H.M. Stationery Office.
powers and duties as His Majesty may deem necessary for the preservation of the peace, for securing and regulating the supply and distribution of food, water, fuel, light, and other necessities, for maintaining the means of transit or locomotion, and for any other purposes essential to the public safety and the life of the community, and may make such provisions incidental to the powers aforesaid as may appear to His Majesty to be required for making the exercise of those powers effective:

Provided that nothing in this Act shall be construed to authorise the making of any regulations imposing any form of compulsory military service or industrial conscription:

Provided also that no such regulation shall make it an offence for any person or persons to take part in a strike, or peaceably to persuade any other person or persons to take part in a strike.

(2) Any regulations so made shall be laid before Parliament as soon as may be after they are made, and shall not continue in force after the expiration of seven days from the time when they are so laid unless a resolution is passed by both Houses providing for the continuance thereof.

(3) The regulations may provide for the trial, by courts of summary jurisdiction, of persons guilty of offences against the regulations; so, however, that the maximum penalty which may be inflicted for any offence against any such regulations shall be imprisonment with or without hard labour for a term of three months, or a fine of one hundred pounds, or both such imprisonment and fine, together with the forfeiture of any goods or money in respect of which the offence has been committed: Provided that no such regulations shall alter any existing procedure in criminal cases, or confer any right to punish by fine or imprisonment without trial.

(4) The regulations so made shall have effect as if enacted in this Act, but may be added to, altered, or revoked by resolution of both Houses of Parliament or by regulations made in like manner and subject to the like provisions as the original regulations; and regulations made under this section shall not be deemed to be statutory rules within the meaning of section one of the Rules Publication Act, 1893.

(5) The expiry or revocation of any regulations so made shall not be deemed to have affected the previous operation thereof, or the validity of any action taken thereunder, or any penalty or punishment incurred in respect of any contravention or failure to comply therewith, or any proceeding or remedy in respect of any such punishment or penalty.

3.—(1) This Act may be cited as the Emergency Powers Act, 1920.

(2) This Act shall not apply to Ireland.
APPENDIX D

(See Chapter IX)

TERMS OF SETTLEMENT IN COAL-MINING INDUSTRY,
JULY 1921

1. A National Board shall be constituted forthwith, consisting in equal numbers of persons chosen by the Mining Association of Great Britain and persons chosen by the Miners' Federation of Great Britain.

There shall also be established District Boards, consisting in equal numbers of persons representing owners and workmen in each district.

The National and District Boards shall draw up their own rules of procedure, which shall include a provision for the appointment of an Independent Chairman for each Board.

2. The wages payable in each district shall be expressed in the form of a percentage upon the basis rates prevailing in the district, and shall be periodically adjusted in accordance with the proceeds of the industry as ascertained in such district.

3. The amount of the percentage to be paid in each district during any period shall be determined by the proceeds of the industry in that district during a previous period, as ascertained by returns to be made by the owners, checked by joint test audit of the owners' books carried out by independent accountants appointed by each side.

4. The sum to be applied in each district to the payment of wages above the standard wages as hereinafter defined shall be a sum equal to 83 per cent. of the surplus of such proceeds remaining after deduction therefrom of the amounts of the following items during the period of ascertainment—

(a) the cost of the standard wages;
(b) the costs of production other than wages;
(c) standard profits equivalent to 17 per cent. of the cost of the standard wages;

and the share of the surplus applicable to wages shall be expressed as a percentage upon the basis rates prevailing in the district.

Provided that if in any period the ascertained proceeds, after deduction of costs other than wages and the cost of the standard wages, prove to have been insufficient to meet the standard profits, the deficiency shall be carried forward as a first charge to be met out of any surplus, ascertained as above, in subsequent periods.

5. If the rates of wages thus determined in any district do not provide a subsistence wage to low paid day wage-workers, such additions in the
form of allowances per shift worked shall be made for that period to the
daily wages of these workers as, in the opinion of the District Board, or,
in the event of failure to agree by the parties, in the opinion of the Inde-
pendent Chairman, may be necessary for the purpose. Such allowances
shall be treated as items of cost in the district ascertained.

6. For the purpose of these periodical adjustments the units shall be
the districts set out in the Schedule hereto, and shall only be varied by
the decision of the District Board or Boards concerned, provided that no
variation shall take place prior to 1st February 1922, in the grouping of
any district unless it is mutually agreed by the representatives of both
sides in the district or districts concerned.

7. The standard wages shall be the district basis rates existing on
the 31st of March 1921, plus the district percentages payable in July 1914
(or the equivalents in any district in which there has been a subsequent
merging into new standards), plus, in the case of pieceworkers, the per-
centage additions which were made consequent upon the reduction of
hours from eight to seven.

8. In no district shall wages be paid at lower rates than standard
wages plus 20 per cent. thereof.

9. The National Board shall forthwith consider what items of cost
are to be included for the purposes of paragraph 4 (b) above, and in the
event of agreement not being arrived at by the 31st July, the matter
shall be referred to the Independent Chairman for decision.

10. The wages payable by the owners up to the 31st August inclusive
shall be based upon the ascertained results of the month of March, and
the wages payable during September shall be based upon the ascertained
results of the month of July. The periods of ascertainment thereafter
shall be decided by the National Board.

11. During the ‘temporary period’, as hereinafter defined, the follow-
ing special arrangements shall apply in modification of the general scheme
set out above:—

(a) In calculating the proceeds for March the deduction to be made
in respect of costs other than wages shall be the average of such costs
during January, February, and March.

(b) In any district in which reductions in wages continue to be made
after the first ascertainment, no part of the surplus proceeds shall be
assigned to profits if and in so far as this would have the effect of reducing
the wages below the level in the preceding month.

When in any district there is a break in the continuity of reductions
in wages upon the periodical ascertainments, at that point and there-
after the general scheme shall apply fully in regard to owners’ surplus
profits.

(c) The proviso to paragraph 4 regarding the carrying forward of
deficiencies in standard profits shall not apply, but any net losses shall
be so carried forward.
(d) The Government will give a grant not exceeding £10,000,000 in subvention of wages.

(e) The subvention shall be available for making such increases to the wages otherwise payable in any district as may be necessary to prevent the reductions below the March rates of wages being greater than the following amounts:

During July, 2s. a shift for persons of 16 years of age and upwards, and 1s. a shift for persons under 16.

During August, 2s. 6d. and 1s. 3d. respectively.

During September, 3s. and 1s. 6d. respectively,

provided that the balance of the subvention is sufficient for this purpose.

(f) If any district in which in any month the proceeds available for wages, calculated in accordance with the terms of this settlement, are sufficient to admit of a rate of wages equal to or higher than the rate payable under the maximum reduction for that month, the wages payable by the owners shall be calculated not in terms of basis plus percentage, but on the same basis as during March, less flat rate reductions uniform throughout the district for persons of 16 years of age and upwards, and persons under 16 years of age respectively.

(g) In any district in which the wages calculated in accordance with the terms of this settlement are less than the wages payable under the maximum reductions aforesaid, the difference shall be met by the owners in that district during September to the extent of the aggregate net profits realized by them on the district ascertainment for July, and during October to the extent of the aggregate net profits realized by them on the district ascertainment for July and August.

(h) The expression ‘temporary period’ means the period from the date of the resumption of work to the 30th September 1921.

12. The period of duration of this agreement shall be from the date of resumption of work until the 30th September 1922, and thereafter until terminated by three months’ notice on either side.

18. It is agreed as a principle that every man shall be entitled to return to his place when that place is available for him, and that men temporarily occupying places during the stoppage shall give way to men working in those places before the stoppage.

It is agreed that, on the other hand, there shall be no victimization of men who have been keeping the collieries open, not in the sense that they are to remain at the jobs they filled during the stoppage, but that they shall not be prevented from going back to their own jobs or from working subsequently at the colliery.

For and on behalf of each member of the Central Committee of the Mining Association of Great Britain and for the Mining Association,

Evan Williams, President.

Thomas R. Ratcliffe-Ellis, Secretary.
TERMS OF Settlement, July 1921

For and on behalf of each member of the Executive Committee of the Miners' Federation of Great Britain and for the Miners' Federation,

Herbert Smith, Acting President.
James Robson, Treasurer.
Frank Hodges, Secretary.

For and on behalf of His Majesty's Government,

William C. Bridgeman, Secretary for Mines.
E. A. Gowers, Under-Secretary for Mines.

Mines Department, July 1st, 1921.

Schedule Referred To

Scotland.
Northumberland.
Durham.
South Wales and Monmouth.
Yorkshire, Nottinghamshire, Derbyshire,
Leicestershire, Cannock Chase, and Warwickshire.
Lancashire, North Staffordshire, and Cheshire.

North Wales.
South Staffordshire and Salop.
Cumberland.
Bristol.
Forest of Dean.
Somerset.
Kent.
APPENDIX E

(See Conclusion, p. 243)

MEMORANDUM UPON THE EFFECT OF THE REPARATION AGREEMENT UPON THE EXPORT OF BRITISH COAL

PREPARED BY THE BRITISH MINERS' FEDERATION

The latest comparative figures of export coal from the United Kingdom reveal a growing disparity between the coal exported in 1913 and in 1921.

The export of British coal to Russia during the eleven months ended November 30th, 1913, was 5,598,000 tons, and in the eleven months ended November 1921, 126,400 tons, or a net reduction of five and a half million tons in eleven months.

Exports to Germany for the eleven months ended 30th November 1913, amounted to 8,300,000 tons, as against 659,000 tons in the eleven months ended November 1921, a reduction of nearly 8,000,000 tons of coal.

The amount of coal exported to France from this country during the eleven months ended the 30th November 1913, was 11,676,000 tons, and in the eleven months ending November 1921, 5,161,000 tons of coal, or a net reduction of over 6,000,000 tons of coal.

It will be seen, therefore, that the total loss of coal exports to Russia, Germany, and France, as compared with the pre-war period amounts to a figure of 19½ million tons of coal.

The effect of this loss in export trade upon the exporting districts in the country is damaging to a degree. Not only has it rendered large numbers of men unemployed—about 50,000 mine-workers are out of work in South Wales alone—but the cutting of prices in an attempt to recover the continental market, and particularly the French market, has had an equally disastrous effect on the wages of the workmen who are employed, most of whom do not work more than four shifts per week.

The effect of the Spa Coal Agreement has been to damage materially the prospects of trade recovery in the exporting districts of this country. Under the Agreement, Germany is compelled to export to the Allied countries 22,000,000 tons of coal per annum. This coal finds its way into Belgium, France, and Italy, and in consequence of the character of the Treaty no cash transactions take place between the receiving countries and the German Government. The respective Governments, however, in selling the coal to consumers in their countries, charge them the current
prices in their country. But if they are unable to dispose of it at home, they re-export it to other countries and obtain the world price. Therefore, the net effect of this process is that coal is being sold so cheaply in the countries referred to, that British coal has to be sold at a price below cost in order to find any kind of market at all, and only the better classes of British coal are able to secure a market, in view of the large quantities of coal coming into these countries under the Reparation Clauses.

The German Government is given credit for the coal so exported as a set off against the reparation payable by her, but the price at which it is credited to her is the actual price at which similar classes of coal are sold in Germany, plus the freightages to the frontier. When these prices are expressed in the rate of exchange of the receiving countries, they are considerably below any price at which British exporters can sell their coal as a paying proposition. In our judgement, it is folly for this country to pursue a reparation policy which has such a disastrous effect on our own countrymen. It has been argued that if the German mine-workers would only insist upon getting a wage commensurate with the increased cost of living in Germany, the price of German coal would necessarily be higher. The plain fact is that the German mine-worker at present works a shorter working day than his English co-workers (the working day of the former being seven hours bank to bank), and from time to time he has endeavoured to secure such advances in wages as correspond with the declining mark and consequent increase in the cost of living. On two occasions this year has he made such application, but he has never been able to secure the full claims which he set forth. From time to time he has actually threatened to strike in order to secure a living wage, but he has been met by the statement that a strike of any magnitude would result in the military occupation of the Ruhr Valley; which would, of course, have the effect of retarding the regular delivery of reparation coal to France.

The export of a large quantity of coal from Germany is, we are credibly informed, having disadvantageous effects upon their own home industries, which are being seriously crippled in consequence of the shortage in the supply of coal and the inferior quality that has to be used. This causes some amount of stagnation in industry, and this stagnation in turn prevents Germany from importing the usual quantities of coal from Great Britain, which, as has already been indicated, amounted to more than 8½ millions in the eleven months ending 30th November 1913.

It is clear from the above that the only solution to the present difficulties affecting the export trade in coal from this country is the drastic revision of the Treaty, although it should be said that all the miners who are members of the International Miners' Federation, including German miners, are of opinion that any losses in coal caused by the devastation in the French coal-mines should be made good (and it will undoubtedly be made good) from coal produced in the German mines, and that coal payments should continue until French production reaches its pre-war
quantities. The present price of British export coal is such as to have definitely excluded America from the European market, but the effect of the Spa Agreement is to compel British exporters to sell their coal in Europe at a price which is entirely uneconomical and which cannot and does not yield either a living wage for the men engaged in the export districts or the profit for the owners in those districts necessary for the continuous expansion of the industry. This state of affairs, in addition to the small amount of time worked in consequence of restricted markets, has placed the mining industry in Britain's export districts in a position of penury.
A NOTE ON BOOKS AND SOURCES

The best general book on the mining industry as a whole, dealing with business organization, resources, and output, and legislation as well as labour conditions, is The British Coal Trade, by H. S. Jevons, published in 1915. For wages questions, see Wages in the Coal Industry, by J. W. F. Rowe (1923).

For the history of mining Trade Unionism, see S. and B. Webb, History of Trade Unionism; Sidney Webb, The Story of the Durham Miners; John Wilson, History of the Durham Miners' Association (1870–1904); E. Wellbourne, Miners of Northumberland and Durham; H. Fynes, Miners of Durham and Northumberland (1873); and, for the period up to 1880, J. L. and Barbara Hammond's The Skilled Labourer.

For the war period, the only sources, apart from the Reports of the Coal-mining Organization Committee, and the useful summaries given in the Labour Year Books of 1916 and 1919, are newspaper files and the proceedings of the Miners' Federation and the various district Miners' Associations. There are a few pamphlets, but they are unimportant.

The Coal Commission produced a literature of its own. The two volumes of Reports and Evidence (Cmd. 359 and 360 of 1919) and the volume of Statistical Appendices (Cmd. 361 of 1919) are invaluable for reference. The best summary is contained in two pamphlets, Facts from the Coal Commission and Further Facts from the Coal Commission, both by R. Page Arnot, published jointly by the Miners' Federation and the Labour Research Department. Mr. Frank Hodges's book, Nationalization of the Mines, and his pamphlet, Workers' Control in the Coal-mining Industry, expound the aims of the Miners' Federation in the nationalization struggle. Other important pamphlets are The Nationalization of the Coal Industry, by R. H. Tawney, and The Problem of Nationalization, by Lord Haldane. See also G. D. H. Cole's Chaos and Order in Industry for an account of the nationalization struggle.

For various plans of workers' control in the coal industry see The Miners' Next Step, issued by the Unofficial Reform Committee of the South Wales Miners' Federation in 1912; Towards a Miners' Guild, issued by the National Guilds League in 1916; National Guilds and the Coal Commission, by G. D. H. Cole (National Guilds League, 1919), A Plan for the Democratic Control of the Mining Industry (South Wales Socialist Society, 1919), as well as the works mentioned above.

For the 1920 strike, see the pamphlet, Facts about the Coal Dispute, issued by the Triple Alliance and the Labour Research Department.

For the 1921 dispute, see The Miners' Struggle with the Mine-owners, by John Thomas. Some information may also be gleaned from The
NOTE ON BOOKS AND SOURCES

*Mining Crisis*, by W. Livesey, which is, however, misleading in many respects.

*Labour in Transition*, by W. A. Orton, is a competent account of Labour events from 1914 to 1921, both in the mines and in other industries. A useful account of the period from the Armistice to the end of 1922 is also given in *The Workers' Register of Labour and Capital, 1923*, prepared by the Labour Research Department. Mr. Finlay A. Gibson's *The Coal-mining Industry of the United Kingdom* is a useful collection of tables dealing with output, wages, prices, &c., up to 1921. See also Sir R. A. S. Redmayne's *The British Coal-Mining Industry during the War*, uniform with the present volume.

There is a useful collection of documents and newspaper cuttings dealing with Mining Trade Unionism in the Labour Research Department (162. Buckingham Palace Road, London, S.W.1).