MANUALS OF EMERGENCY LEGISLATION.

FOOD (SUPPLY AND PRODUCTION) MANUAL,


REVISED TO

OCTOBER, 21st, 1917.

COMPRISING ALL THE


AN

Introductory Note AND Analytical Index to Acts, Orders and Notes,

AND

Certain Addenda to January 31st, 1918,

EDITED BY

ALEXANDER PULLING, C.B.,

OF TRINITY COLLEGE, CAMBRIDGE AND OF THE INNER TEMPLE, BARRISTER-AT-LAW.

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FOOD (SUPPLY AND PRODUCTION) MANUAL,


REVISED TO

OCTOBER 21st, 1917.

COMPRISING ALL THE

Food Supply and Production Legislation, THE
Orders THEREUNDER of the Food Controller
AND OF THE Agricultural AND OTHER Departments,
AND CERTAIN Auxiliary AND APPLIED Legislation
[WITH NOTES].

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**ADDENDA.** Further Regulations under Corn Production Act (Part IV of Manual) and Cultivation of Lands Orders of January, 1918 (Parts V, VI, VII)
INTRODUCTORY NOTE.

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VIII. Auxiliary and Applied Legislation, pp. xxxii, xxxiii.


This "Food (Supply and Production) Manual" (unlike the Food Supply Manual of last May which it supersedes, and which was confined to the legislation affecting the Food Controller), comprises all the Food Emergency Legislation, the Orders, Regulations, Licences, and Memoranda thereunder both of the Food Controller and of the Agricultural and other departments, and certain Ancillary and Applied Legislation.

The main body of the Manual is divided into eleven parts. Of these the first three relate solely to the Food Ministry and the next comprises the Corn Production Act, 1917, and the Regulations, Orders and Memoranda thereunder, and therefore comprises legislation administered by the Agricultural Departments for each portion of the Kingdom.

Part V. embraces the Food Production powers of the Board of Agriculture and Fisheries as to England and Wales under the Defence of the Realm Regulations and the Orders and Memoranda issued in pursuance thereof.

Parts VI. and VII. respectively contain the corresponding legislative documents empowering and emanating from the Agricultural Departments for Scotland and Ireland.

Part VIII. comprises the Food Powers of the Admiralty, the Army Council, and the Ministry of Munitions.

The remaining three Parts contain provisions as to Trial and Punishment of Offences, the Proof and Construction of Regulations and Orders, and the Relief from Liability under Contracts affected by Departments' requirements and therefore concern all the above-mentioned Offices.

The contents of each Part of the Manual, and of the Appendixes (which comprise certain auxiliary and applied legislation), are dealt with in detail below; the printing has been arranged so that each Part of the Manual commences on a right-hand page so as to enable those concerned with portions only of this large body of complicated legislation to sever from the book the particular collections of documents which they require to consult.

Though the main body of the Manual is revised only to October 21st last, the new Edition of the Food Controller's Orders (see p. viii) coupled with the Food Production legislation in the Addenda hereto give the chief subsequent documents to January 31st, 1918, to which date this Manual is thus supplemented, and to which the following outline of all the Food Legislation speaks accordingly.

Constitution of the Ministry of Food.

II. The Ministry of Food and Food Supply.


3. Orders of the Food Controller as to Maintenance of Food Supply, p. viii.


The War Food Supply Legislation was initiated on November 16th, 1916, by the conferment on the Board of Trade of certain order-making powers by Defence of the Realm Regulations (see Regs. 2r & 2s as printed pp. 20-23 of the November, 1916, Edition of the "Defence of the Realm Manual").

That system was of short duration. Simultaneously with its inception the intention to appoint a Food Controller was announced in the course of the Debate as to State Regulation of such powers and duties were stated in outline below. Under section 13 of the Act the Ministry will cease to exist at (or, if an Order in Council so provides, before) a date 12 months after the War.

Orders of the Controller which are under seal authenticated by certain signatures, or signed by certain persons, are receivable in evidence (s. 11 of Act); and prima facie evidence of such Orders may also be given by the production of copies thereof under the provisions of the Documentary Evidence Acts which as amended and so applying are printed in Part X. of this Manual.

The text of the Controller’s Orders as printed herein are copies coming within the last-named provisions, and are evidence accordingly.

The Act provides (s. 12) for the Food Controller sitting in Parliament and for a Parliamentary Secretary to the Ministry.

The Food Controller’s is one of those Offices of Profit immediate succession from one to the other of which does not vacate a seat in the House of Commons (s. 12 (2)); the List of such Offices has been so repeatedly amended since it was first placed on the Statute Book in 1867 that it has been thought convenient to print it in its present form in Appendix VII hereto (p. 510).

2. Powers of the Food Controller.

The powers and duties of the Controller are such as are transferred to him from other Departments by Order in Council, or to which he is thereby empowered to exercise concurrently, and those conferred on him by Defence of the Realm Regulations (s. 4 of the New Ministries, &c., Act, p. 1).

Apart from the Regulations, only two Orders in Council have been issued under the section. Of these the “Concurrent Powers”
Order relates to contracts and is referred to under Section VII (p. xxxi) below, and the "Transfer of Powers" Order transfers to the Controller certain powers of the Board of Trade as to brewing certificates for military canteens. The Output of Beer Restriction Acts as thus and otherwise amended are printed in consolidated form as Appendix V to this Manual (pp. 470-474).

The Regulations conferring powers on the Controller fall into two groups. A main group (5 in number—forming a consecutive series Regs. 2e-2j) which primarily apply only to the encouragement or maintenance by the Controller of the food supply of the country, and a supplemental group (also 5 in number—Regs. 2n, 2e, 7, 8c and 8cc) which as originally inserted in the Code conferred powers only on the Admiralty, Army Council, and Minister of Munitions, and were subsequently extended to the Food Controller so far as they are ancillary to the main group.

Both groups (i.e., all 10 of the Regulations) are printed in full as the second Section of Part II. of this Manual (pp. 5-14).

The "Main Group" were in a more restricted form introduced into the Code on January 10th, 1917, shortly after the first appointment of a Food Controller: they were then substituted for the "Board of Trade" Regulations of the preceding November above referred to: they have been repeatedly extended.

The extension of the "supplemental group" to the Food Controller was only effected in the later part of last year.

The following is an outline of the powers which for the purposes of encouraging or maintaining the food supply of the country he may exercise under the "main group" of Regulations:

(i) he may make orders regulating, or giving directions with respect to the production, manufacture, treatment, use, consumption, transport, storage, distribution, supply, sale or purchase of, or other dealing in, or measures to be taken in relations to any article, fix maximum and minimum prices, and provide for entry on premises and inspection (Reg. 2f (1), p. 7);

(ii) he may by order require owners or dealers to place any articles at his disposal and to deliver the same to him or as he shall direct, the compensation to be determined by a single arbitrator under the order (Reg. 2f (2), p. 7);

(iii) he can in anticipation of a Proclamation restricting exports empower the Commissioners of Customs and Excise to take action (Reg. 2f (4), p. 8);

(iv) he may by order require persons engaged in the production, manufacture, purchase, sale, distribution, transport, storage, or shipment, of any article to make returns giving particulars as to their businesses and may require the returns to be verified: to test the returns, or on failure to make the same the officers of the Ministry can enter premises and inspect: the returns and information must not be disclosed or

(a) Subsequent Amendments.—Since that section of the Manual was printed off, Regulations 2G and 2J have been amended, and as so amended are reproduced in the January (Monthly) Edition of the D.R. Regulations.
Powers of the Food Controller.

published except for prosecution purposes: returns can also be required from individuals without a formal order (Reg. 2g, p. 8);

(v) he may by order take (or confer on any person or body of persons) possession of any factory or workshop or other premises in which any article of food specified in the order is manufactured, stored, or produced or adapted for sale, or which are used for the purpose of the distribution of any such article, or of any plant used in connection therewith: if such possession is so taken the occupier, &c., of the factory, &c., must comply with the Controller’s directions (Reg. 2gg (1), (2), p. 10)(a);

(vi) he may give directions as to the work in any factory, workshop or other premises in which any article of food, &c., is manufactured, stored, or produced or adapted for sale or which are used for the purpose of the distribution of any such article, with the object of making the factory, &c., or the plant or labour therein as useful as possible for the manufacture, storage, production or distribution of food (2gg (4) (a), p. 10)(a);

(vii) he may regulate or restrict the carrying on of work in any such last mentioned factory, &c., or the engagement or employment of workmen therein, or may remove the plant therefrom with a view to maintaining or increasing the production of food (Reg. 2gg (4) (b), p. 10);

(viii) he can (but need not) before exercising any of his powers as to any particular article of food, &c., appoint persons to hold an inquiry and to report to him (Regs. 2u, 2s (2), pp. 10, 11);

(ix) he can make arrangements with any other Government Department for the exercise on his behalf by that Department and their officers of certain of the powers of the Food Controller and his officers with respect to any particular article (Reg. 2r, p. 11);

(x) he may by order provide for the exercise and performance of powers and duties by any persons or bodies of persons approved by him for the purpose or by local or other bodies constituted by or under any of his orders, and the Local Government Board, the Secretary for Scotland, and the Local Government Board for Ireland may by arrangement with the Controller confer on local authorities the powers requisite to carry out the Controller’s orders (Reg. 2r (1), p. 11)(a);

The “supplemental group” of Regulations confer the following powers on the Controller so far as regards articles as to which he has powers under the “main group”——

(xi) he may take possession of food and of any articles required for or in connection with the production

(a) Subsequent Amendments.—The outline given refers to the Regulations as now amended—see footnote (a) p. v.
Powers of the Food Controller.

thereof; if he so does the price to be paid is to be determined on certain principles (Reg. 2b, p. 5);

(xii) he may by order regulate, restrict, or prohibit the manufacture, purchase, sale, delivery of or payment for, or other dealing in, food or in any article required for or in connection with the production thereof; any person refusing to sell any article, the sale whereof is so regulated may be required by the Controller to sell it on the terms and conditions laid down by his order, and to deliver it to any person named by him (Reg. 2e, p. 6);

(xiii) he may by order require the occupier of any factory or workshop in which food, or any articles required for the production thereof, are or may be manufactured, produced, or repaired, to place at his disposal the whole or any part of the output of the factory or workshop, and to deliver such output to, or to any person named by, him; if he does so the price to be paid is to be determined under certain rules (Reg. 7, p. 12);

(xiv) he may authorise or require any contractor holding a contract with him, or any sub-contractor, to use any registered design for the purposes of such contract without the consent of the registered proprietor (Reg. 8c, p. 13);

(xv) he may with a view to the more efficient or increased production of food require any person to communicate to his nominee particulars of any invention, process or method of manufacture, or of any article manufactured or proposed to be manufactured, together with drawings, models, or plans, and to explain and demonstrate the same (Reg. 8cc, p. 14).

Considerations of space forbid of reference to parallel Food Supply legislation by our Allies generally, but it may be mentioned that by an Act of Congress [No. 41—65th. Congress] of the United States, approved August 10th, 1917, extensive powers of food control are conferred. Thereunder, destroying necessaries for the purpose of enhancing the price, committing waste, monopolising, restricting transportation, supply, manufacture or distribution, exacting excessive prices, or hoarding are made punishable; the interest of officials in Government contracts is guarded against. The President can introduce a system of licences for any necessaries (and thereupon manufacture or distribution of the same without a licence is unlawful), and may fix the licensees' charges and profits; farmers, retailers, &c., are excepted from this provision. Powers of requisitioning food, &c., are conferred; speculation and market manipulation are provided against. Provision is made for guaranteeing to the grower a minimum price for wheat. The use of food materials for producing potable spirits is prohibited and the President may extend this prohibition to beer or wine; all distilled spirits in bond or stock may be commandeered.
3. Orders of the Food Controller as to Maintenance of Food Supply.

Part II. of this Manual comprises the text of all the Orders of the Food Controller relating to the Maintenance of Supply of particular Articles of Food in force on October 21st last (the date covered by this Manual) with Editorial Notes.

Since that date no less than 113 Orders and General Licences have been made by the Food Controller, and the necessity for up to date and systematised Editions of the Food Controller’s Orders being made generally available has become great.

To meet such necessity the following arrangements have been made.

New Editions of Part II. of this Manual, comprising all those Orders of the Controller as to particular articles of food, will be periodically issued and placed on sale. The first of such Editions, comprising the complete text of all such Orders in force, or about to come into force, on January 31st, 1918, will be published early in February.

To increase the utility of such Editions, the Introductory Notes thereto will give an outline of the constitution and powers of the Food Ministry; an epitome of the provisions as to Food Control Committees, and as to Enforcement of and Prosecutions under Orders, will be added as an Appendix; and there will also be included an Index to the contents of the Edition.

To bridge the intervals between such Editions the text of all Orders made in such intervals will be issued as supplements to the National Food Journal.

4. Food Control Committees and Enforcement of, and Prosecutions under, Orders of the Food Controller.

(i) General Scheme now, January 31, 1918, in force, p. viii.
(ii) English and Welsh System, pp. ix-xi.
(iii) Scottish System, pp. xi, xii.
(iv) Irish System, pp. xii, xiv.

(i) General Scheme now, January 31, 1918, in force.

The Orders relating to these matters as in force on October 21st last, the date covered by this Manual, are printed as Part III. thereof.

Since that date the whole system of enforcement and prosecutions has been re-organised, and the earlier system, established by the Orders printed as section 1 of Part III., under which local authorities throughout Great Britain were empowered to enforce certain of the Controller’s Orders and in England to prosecute for contraventions of the same expired on December 31st last.

Throughout Great Britain there are, under an Order of last August (printed pp. 199-201), local food control committees, appointed by the local authorities but controlled, not by them, but directly by the Food Controller: the unit of administration is
in England and Wales a town or a rural district (which is based on the poor law union min\textit{us} its urban portions), but in Scotland a larger burgh or a county min\textit{us} such burghs—or in either country a group of such units.

In Ireland on the other hand there is one general food control committee, also inaugurated last August but formally established in November, with power to delegate to local or general sub-committees.

In each case the powers of a food control committee are those assigned to them by certain of the Controller’s Orders.

Throughout the United Kingdom the food control Committees can, under a series of Orders of last November, enforce any of the Controller’s Orders, and in England, Wales or Ireland prosecute summarily for contraventions of the same.

An English or Welsh food control committee can arrange with the local authority appointing them for the concurrent, or exclusive, exercise of their powers of summary prosecution.

Still more recent Orders make further provision as to food control committees.

The system in force in each part of the Kingdom is described in greater detail below, where specific reference is given to the Orders issued whilst this Manual was being printed off.

Summary Prosecutions are regulated by the “Trial and Punishment” provisions of the Defence of the Realm Regulations which form Part IX. of the present Manual. An epitome of such provisions is given in Section V. (pp. xxix, xxx) of this Introductory Note.

(ii) English and Welsh System.

(1) \textit{Constitution of Committees}, \hspace{1cm} (2) \textit{Powers and Duties of English and Welsh Committees},

p. ix. \hspace{1cm} p. x.

(1) \textit{Constitution of Committees}.—The Food Control Committees (Constitution) Order, 1917, of August 22nd last (printed p. 199), made by the Food Controller under Regulation 2r (1) of the Defence of the Realm Regulations (printed p. 11) provides as follows:—

For the City of London and for each metropolitan or municipal borough and urban or rural district and for the Isles of Scilly, a food control committee is to be appointed by the Common Council of the city, the borough council, the urban or rural district council, or the council of the Isles of Scilly, as the case may be. But any of these authorities may combine in appointing a joint food control committee for the whole or parts of their areas.

Under these provisions there were in England and Wales on December 17th last, 1,809 Food Control Committees—one for every borough, urban district or rural district. Their areas are grouped in 13 Food Divisions each of which is under a Divisional Food Commissioner. The Government Secretaries of Jersey, Guernsey, and the Isle of Man act as food control committees, and the Channel Islands and Man are included in the Food Divisions.
English Food Control Committees and their Powers.

The "Constitution" Order makes provision as to women and labour-representative members, term of office, and vacancies, quorum and chairman, proceedings and voting, officers, sub-committees, and expenses and as to proof of directions or decisions of the committee.

These committees report both to the Food Controller and to the appointing local authority, but no act of a committee requires confirmation by the local authority.

The Constitution Order was accompanied by an Order of the Local Government Board ("The Local Authorities (Food Control) Order No. 2, 1917," printed p. 204) which conferred on the appointing local authorities above mentioned the powers necessary for the discharge of their functions under the Constitution Order, provided for the expenses of such authorities, and authorised any such an authority to lend without charge to a food control committee, offices, or the services of officers.

Under an Order of December 14th (St. R. and O., 1917, No. 1298) the accounts of English and Welsh food control committees are made up yearly to March 31st, and are audited by the district auditors, as those of urban district councils are audited.

Under an Order of January 2nd, 1918 (St. R. & O., 1918, No. 2), a conviction for a summary offence against an Order of the Food Controller disqualifies for membership of a committee or sub-committee.

(2) Powers and Duties of English and Welsh Committees.

The powers and duties of a food control committee are those assigned to them by Orders of the Food Controller.

Under the "Enforcement (England and Wales) Order, 1917" (St. R. & O., 1917, No. 1130), a food control committee is empowered to enforce within its area all Orders of the Food Controller made or hereafter to be made and to summarily prosecute breaches of the same.

A committee can (with the Controller's approval) arrange with their appointing local authority for the exercise by the latter of the committee's prosecution powers, either concurrently or exclusively; if such an arrangement is come to the local authority can under the Local Authorities (Food Control) Order No. 3, 1917 (St. R. & O., 1917, No. 1176), enforce any Order for breaches of which they are so authorised to prosecute.

The Food Control Committees (Local Distribution) Order, 1917 (St. R. & O., 1917, No. 1325), empowers a Committee, with the consent of the Controller, to adopt a scheme for controlling within their area the distribution and consumption of any article of food.

With a view to the proper distribution of foodstuffs, Committees are empowered by the Food Control Committees (Requisitioning) Order, 1918 (St. R. & O., 1918, No. 115) to require any retailer (except a caterer) to hold at their disposal any foodstuffs, and thereunder a Committee can dispose of the same as they think fit.

Besides these general powers, extensive powers are vested in the Committees by the Orders relating to particular articles of food. Reference to such powers so far as conferred by Orders made by the Controller to October 21st last, and therefore printed
Scottish Food Control Committees and their Powers.

in this Manual, is given under the heading "Food Committees" in the Index hereto. The number of Orders conferring such powers has since that date largely increased, and for the Orders now (January 31, 1918) in force reference should be made to the new Editions of Part II. of this Manual referred to under 3, p. viii above.

(iii) Scottish System.

(1) Constitution of Committees, (2) Powers and Duties of Scottish Committees, p. xi.

(1) CONSTITUTION OF COMMITTEES.—The Food Control Committees (Constitution) Order, 1917, (printed p. 199) applies also to Scotland and provides that there shall be a food control committee for every Royal Parliamentary or Police burgh with a population exceeding 5,000 (according to the 1911 Census), and also for the remaining parts of each county.

Each burgh committee is appointed by the town council, and each county one by a joint committee of the county council and the town councils of the included smaller burghs.

The town council of a larger burgh may decide to join the joint committee instead of appointing a separate burgh committee, or any of the joint committees or town councils or larger burghs may combine in appointing a joint food control committee for the whole or parts of their areas.

Under these provisions there were in Scotland, on December 11th last, 104 Food Control Committees, of which 33 were "county" committees, i.e., for a county area and associated burghs and 71 were burgh committees, i.e., each for a separate burgh. All the areas in Scotland are grouped in 3 Food Divisions, each of which is under a Divisional Food Commissioner.

The "Constitution" Order was accompanied by an Order of the Secretary for Scotland ("The Local Authorities (Food Control) (Scotland) (No. 2) Order, 1917," printed p. 206) which conferred on the appointing local authorities above mentioned, the powers necessary for the discharge of their functions under the Constitution Order, provided for the expenses of such appointing authorities, and authorised any county town or parish council, district committee, school board or other local body to lend without charge to a food control committee, officers or the services of officers.

Under an Order of December 14th (St. R. & O., 1917, No. 1298) the accounts of Scottish Food Control Committees are made up yearly to March 31st and are audited in the case of a joint (county) committee by the auditor appointed by the Secretary of Scotland to audit the accounts of the county concerned, and in the case of a burgh committee by the auditor of the public health general assessment accounts of the burgh.

Under an Order of January 2nd, 1918 (St. R. & O., 1918, No. 2) a conviction for a summary offence against an Order of the Food Controller disqualifies for membership of a committee or sub-committee.
Food Control Committee for Ireland and its Powers.

(2) Powers and Duties of Scottish Committees.—The powers and duties of a food control committee are those assigned to them by Orders of the Food Controller.

Under the "Food Control Committees (Scotland) Powers Order, 1917," (St. R. & O., 1917, No. 1189), a food control committee is empowered to enforce within its area all Orders of the Food Controller made or hereafter to be made.

This the Scottish "Powers" Order differs from the corresponding English "Enforcement" Order (as to which see (ii) p. x. above) in that it advisedly contains no provision as to prosecutions; all summary prosecutions in Scotland proceeding at the instance, and being conducted by the procurator-fiscal.

The Local Authorities (Food Control) (Scotland) (No. 3) Order, 1917 (1917, No. 1187), made by the Secretary for Scotland and issued November 30th 1917, concurrently with the Scottish "Powers" Order, applied the Secretary for Scotland's No. 2 Order (printed p. 206 and referred to above) to the said "Powers" Order in like manner as it already applied to the "Constitution" Order.

The Food Control Committees (Local Distribution) Order, 1917 (St. R. & O., 1917, No. 1325), empowers a Committee, with the consent of the Controller, to adopt a scheme for controlling within their area the distribution and consumption of any article of food.

With a view to the proper distribution of foodstuffs, Committees are empowered by the Food Control Committees (Requisitioning) Order, 1918 (St. R & O., 1918, No. 115) to require any retailer (except a caterer) to hold at their disposal any foodstuffs, and thereunder a Committee can dispose of the same as they think fit.

Besides these general powers, extensive powers are vested in the Scottish Committees by the Orders relating to particular articles of food. Reference to such powers so far as conferred by Orders made by the Controller to October 21st last, and therefore printed in this Manual, is given under the heading "Food Committees" in the Index hereto. The number of Orders conferring such powers has since that date largely increased, and for the Orders now (January 31st, 1918) in force reference should be made to the new Editions of Part II. of this Manual referred to under 3 (p. viii) above.

(iv) Irish System.

(1) Food Control Committee for Ireland, p. xii.

(2) Powers and Duties of Committee for Ireland, p. xiii.

(1) Food Control Committee for Ireland.—By Minute dated August 31st, 1917 (printed p. 208), the Food Controller nominated certain persons therein mentioned as the "Food Control Committee for Ireland."

By the "Food Control Committee for Ireland (Constitution) Order, 1917," (St. R. & O., 1917, No. 1160), dated November 7th, 1917, the persons so nominated with such others as might be thereafter nominated by the Controller were constituted the Food Control Committee for Ireland. A member holds office until his
nomination is revoked by the Controller, who also nominates the chairman and vice-chairman.

The Order makes provision as to quorum, proceedings, voting, and sub-committees (which may be either for the whole of Ireland or local), and as to proof of directions or decisions of the general committee or of a sub-committee.

A sub-committee reports to the general committee, and both the general committee and sub-committees report to the Controller.

The general committee are empowered to arrange for the rendering either to themselves or to any sub-committee of the services of the police or of local authorities' officers.

Under an Order of January 2nd, 1918 (St. R. & O., 1918, No. 2), a conviction for a summary offence against an Order of the Food Controller disqualifies for membership of the Irish Committee or of a sub-committee.

(2) Powers and Duties of Committee for Ireland.—The powers and duties of this Committee are, like those of the English and Scottish Committees, such as are assigned to them by Orders of the Food Controller: the powers and duties for a sub-committee are those which may be assigned to them by the Controller or delegated to them by the general committee.

Previously to the Irish "Constitution" Order referred to above the only power assigned to the Irish Committee by Order was that of granting certificates of registration to local dealers in sugar (St. R. & O., 1917, No. 1094). But the "Constitution" Order was followed two days later by the "Food Control Committee for Ireland (Powers) Order, 1917" (St. R. & O., 1917, No. 1138) which—

(a) assigned to the Irish Committee the same rights or powers as regards Ireland that had already been assigned by any Order of the Controller of earlier date than November 9th and for the time being affecting Ireland on either food control committees or local authorities in Great Britain;

(b) conferred on that Committee the power of enforcing all Orders heretofore made or hereafter to be made by the Food Controller;

(c) authorised the Committee and such persons as they may designate or appoint for the purpose to summarily prosecute breaches of any of the Controller's Orders.

This "Powers" Order also:

(d) provided that the Controller may withdraw any of his Orders from these enforcement and prosecutions provisions, but that in any proceedings it is to be presumed, until the contrary be proved, that those provisions apply in respect of the Order contraventions of which are being prosecuted;

(e) extended the Orders fixing maximum prices for butter (see p. 127) and for meat (see p. 118) to Ireland, and gave the Irish Committee powers as to licences authorising increased retail prices under Clause 6 of the Flour and Bread (Prices) Order (p. 55).
Besides these general powers, extensive powers are vested in the Irish Committee by Orders relating to particular articles of food issued since Part II. of this Manual was printed off. For such Orders reference should be made to the new Editions of Part II. of this Manual referred to under 3 (p. viii) above.

III. Food Powers of the Naval and Military Departments.

As stated in the Editorial Note (pp. 407, 408) which forms Part VIII. of this Manual the Admiralty, Army Council, and Ministry of Munitions possess under certain of the Defence of the Realm Regulations printed in section 2 of Part I. hereof powers which as regards articles of food are concurrent with those of the Food Controller. An outline of such concurrent powers is given in Section II. 2 (p. iv) of this Introductory Note.

As regards specific articles of "food" no Orders have been made by the three first named Departments; but the Army Council and the Minister of Munitions have made various Orders indirectly affecting food supply or production which are referred to under Section VIII (p. xxxiii) of this outline of food legislation.

IV. The Agricultural Departments and Food Production.

2. Minimum Corn Prices and Agricultural Rents, p. xviii.

1. General Character and Operation of the Food Production Legislation.

(1) Initiation of the Legislation, p. xiv.
(2) Character of the Legislation, p. xvi.
(3) Central and Local Food Production Authorities, p. xvi.

(1) Initiation of the Legislation.—In June, 1915, the President of the Board of Agriculture and Fisheries, the Secretary for Scotland, and the Vice-President of the Irish Department of Agriculture respectively appointed Departmental "Food Production" Committees to report what steps should be taken by legislation or otherwise for the purpose of maintaining, and if possible increasing, the production of food in the three parts of the Kingdom.

The Reports (July 17 and October 15, 1915) of the English (Lord Milner's) Committee form Parl. Papers [Cd. 8048], [Cd. 8095] of 1915; those (August, 1915, December 29, 1916, and April 12, 1917) of the Scottish Committee are printed for sale as
Initiation of the Food Production Legislation.


All but 5 per cent. of the wheat grown in the United Kingdom is produced in England and Wales, and in their Interim (July) Report, Lord Milner's Committee recommended the guarantee of a minimum price for home grown wheat for a period of several years and anticipated that the effect would be an increase of the English and Welsh wheat area by 50 per cent., and thus to the 3 million acres it stood at before the fall of prices in the later seventies. They considered, but did not advocate as then necessary, a compulsory minimum wage for labourers or legislative restriction on the raising of agricultural rents. They recommended the creation of a system of agricultural committees on a county basis. It was, as stated by Mr. Prothero (94 H.C. Deb. 5s. 980), in the Report of this Committee, which was appointed for the specific purpose of saying what should be done if the submarine menace became a peril, that the Corn Production Bill originated.

In August, 1916, the Prime Minister appointed an "Agricultural Policy Sub-Committee" of the Reconstruction Committee. In Part I. of the Report of that Sub-Committee (Lord Selborne's) (Parl. Paper, 1917 [Cd. 8506]) the effects of the Agricultural Depression of 1875 to 1907 were reviewed: British agriculture was compared with that of Germany (see "The Recent Development of German Agriculture," Parl. Paper, 1916 [Cd. 8305]) and Denmark, and the need for a new agricultural policy urged: guaranteed minimum prices for wheat and oats and a minimum wage and wages boards were advocated, and these and the effect on rents considered in detail—the establishment of a Land Court being discussed but advised against: the introduction of the sugar beet industry was advocated.

Effect has been given by the legislation of which the following is an outline to certain of the above and other recommendations and considerations of the several Reports.

The War Food Production Legislation, i.e., legislation directed to the improved cultivation of land with a view to increasing the food resources of the country, to which these various reports and suggestions gave birth, was, like the Food Supply Legislation (see Section II. 1 (p. iv) of this Introductory Note), initiated at the end of the year 1916 by the conferment of powers by Defence of the Realm Regulations.

The land cultivation powers so conferred were at their commencement exercisable only with the consent of both owner and occupier except with regard to unoccupied land and were restricted to Great Britain. By a series of amendments and additions there has been built up on this foundation the extensive group of Regulations which are printed in the form in which they apply in the three parts of the Kingdom in Parts V., VI. and VII. of this Manual and in the Addenda, pp. 616-8 629, 630, and of which an outline is given in sub-sections 4, 5 and 6 of this part of this Introductory Note, pp. xxi-xxix.
Central and Local Food Production Authorities.

On February 8th, 1917, an amendment on the Address gave birth to an important debate on food production, in which the agricultural position was reviewed (90 H.C. Deb. 5s. 110-232). On February 23rd certain of the Government proposals were stated and discussed (90 H.C. Deb. 5s. 1601 et seq.), and on April 5th the Corn Production Bill was presented (92 H.C. Deb. 5s. 1483).

On April 25th, after two days' debate (92 H.C. Deb. 5s. 2250-2547) the Bill was read a second time, on June 13th a debate (94 H.C. Deb. 5s. 980-1095) occurred on the financial resolution, and on July 10th, 11th, 18th, 19th, 23rd, and 31st, and August 1st (95 H.C. Deb. 5s. 1759-1875; 1917, 1917, 1922-2054; 2114-2161) the Bill was discussed and amended in Committee.

As so amended it was considered August 6th and 7th (97 H.C. Deb. 5s. 35-182; 233-325) being on the latter day read a third time, and passed. On August 21st, 1917, the Bill received the Royal Assent.

(2) Character of the Legislation.—The Food Production Legislation in its now (January 31, 1918) more comprehensive form is comprised in Parts IV., V., VI. and VII. of this Manual, as supplemented by the Addenda at the end of the volume (pp. 605-630). It is of two different classes, viz., (1) Defence of the Realm Regulations conferring powers of encouraging and enforcing Improved Cultivation on the three Agricultural Departments, and (2) the Corn Production Act, Part IV. of which is, like the said Regulations, directed to Improved Cultivation, and Parts I., II., III. to the guaranteeing to farmers of a minimum price for Wheat and Oats, and to agricultural workers of a Minimum Wage, and to providing that landlords shall not in consequence of the corn prices legislation raise Agricultural Rents.

(3) Central and Local Food Production Authorities.—Whilst the Food Supply Legislation powers are vested in the Ministry of Food (see Section II. 2, p. iv above), the central administration of the Food Production Legislation is as regards England and Wales vested in the Board of Agriculture and Fisheries, as regards Scotland in the Board of Agriculture for Scotland, and as regards Ireland in the Department of Agriculture and Technical Instruction for Ireland. A précis of the enactments constituting each of these three Agricultural Departments is given in the Introductory Note prefaceing the Part of this Manual which comprises their Defence of the Realm Powers (English Department, Part. V., p. 258, Scottish, Part VI., p. 342, Irish, Part VII., p. 380).

For the local administration of the Food Production Legislation 2 sets of ad-hoc authorities have been established—one for the Minimum Wage provisions, and the other for Improved Cultivation generally.

To fix and enforce the Minimum Wage, there is for each of the 3 parts of the Kingdom a series of Boards and Committees (described in detail under 3, p. xviii below), having this common factor, that each consists of an equal number of representatives of
employers and workmen with a minor number of Departmentally appointed members.

To enforce the general Improved Cultivation provisions (see Regulation 2m) there are throughout Great Britain agricultural executive committees to whom the English and Scottish Boards have delegated certain of their powers (see as to England, Regulation 2m and Order and Memoranda thereunder—Addenda, pp. 616-628; and pp. 277-315, and as to Scotland, Regulation 2m and Circulars and Memoranda thereunder, Addenda, p. 629; and pp. 353-367). The executive committee area is in England and Wales the administrative county, and in Scotland each local government district of the county. These executive committees though formed on, and from, the War Agricultural Committees, which were at an earlier stage of the War established by each county council, &c., act as agents and delegates of the two Agricultural Boards, and are in a totally different position from an ordinary committee appointed by a local council. In this respect they are of the same character as the food control committees (described in detail under Section II. 4 p. viii above) who though appointed by, and reporting to, a local authority, act independently of, and without authorisation or confirmation by, that authority.

On the other hand as regards lands in towns and their vicinities, the powers of both the English and Scottish Boards of Agriculture have been delegated not to an ad-hoc authority but to the London County Council, the borough and urban district councils, and to the Scottish town Councils (see as to England, Regulation 2L, and Order and Memoranda thereunder, pp. 259-269, and as to Scotland, Regulation 2L, and Order and Memoranda thereunder pp. 343-349).

In Ireland schemes for increased food production are administered partly through the county committees of agriculture, appointed under s. 14 of the 1899 Act, which established the Irish Department of Agriculture, and partly through the rural and urban district councils (see Memorandum, pp. 383-392, setting out these schemes) and there are no ad-hoc agricultural executive committees—Regulation 2m not applying to Ireland, except so far as it relates to drainage and prevention of floods (Addenda, 5, p. 630).

(4) Operation of the Legislation.—On August 21st, 1917, the date on which the Corn Production Act received the Royal Assent, the Minimum Prices and Minimum Wages provisions of that Act came into force throughout the United Kingdom. The Improved Cultivation provisions (Part IV.) of the Act likewise came into force in Ireland on that same day, and in that country operate concurrently with the Food Production Regulations; but throughout Great Britain Part IV. of the Act is suspended for a period, after which it will come into operation and the Food Production Regulations will cease to operate in Great Britain.

This being the position, it will be convenient in this Introductory Outline to deal first with the Corn Prices and Wages
Minimum Corn Prices, and Agricultural Rents; 
Minimum Rate for Agricultural Wages in England and Wales.

legislation which is already in operation in and is (save as to the constitution of the Wages Boards) common to all three parts of the United Kingdom, and then with the Improved Cultivation provisions—viewing the last as they operate in England and Wales, Scotland, and Ireland respectively.

2. Minimum Corn Prices, and Agricultural Rents.

Part I. of the Corn Production Act (pp. 211-213) fixes the minimum price for wheat and oats for 6 years (viz., 1917, and the next 5 years) and confers on growers the right to payment from the Agricultural Departments out of Parliamentary funds in the case of wheat of four times, and in the case of oats of five times, the amount by which such minimum price exceeds the average price calculated on the returns made under the Corn Returns Act, 1882.

Part III. of the Act (pp. 215, 216) provides that agricultural rents shall not be raised in consequence of the above State guarantee of corn prices. Questions as to whether a rent has been raised in violation of this provision are determinable:—

In England and Wales by a single arbitrator under and in accordance with Sch. 2 of the Agricultural Holdings Act, 1908 (8 Edw. 7, c. 28);

In Scotland by a single arbiter under and in accordance with the corresponding Scottish enactments (8 Edw. 7, c. 64, sch. 2) subject to the provisions of the Small Landholders (Scotland) Acts, 1886 to 1911 and to the arbiter being appointed by the sheriff principal in any arbitration to which the Board of Agriculture for Scotland is a party (Corn Production Act, s. 18 (1) (c) (f) (p. 224));

In Ireland by the Land Commission subject to the provisions of the Land Law (Ireland) Acts (Corn Production Act, s. 18 (2) (d), (e) (p. 226)).

3. Minimum Wages for Agricultural Workers.

Part II. and Schs. I. and II. of the Corn Production Act (pp. 212-215, 227-231) set up throughout the United Kingdom wages boards and committees who fix minimum rates of wages for agricultural workers for time work, and so far as it is found necessary for piece-work. The time-work rates throughout England, Wales, and Scotland are to be at least twenty-five shillings a week for ordinary days' work.

The administrative arrangements in each part of the United Kingdom are as follows:—

For England and Wales there is under Regulations made by the Board of Agriculture and Fisheries (pp. 239-241) an Agricultural Wages Board consisting of 39 members, of whom 16 represent employers, 16 represent workmen and 7 are appointed
by the Board of Agriculture and Fisheries. The Board of Agriculture and Fisheries also select from the members of the Wages Board a chairman, and appoint a secretary. The constitution and proceedings of the Wages Board are provided for by the Regulations. The District Wages Committees Regulations, 1918 (Addenda, pp. 605-608) provide for the establishment of such Committees throughout England and Wales, for such areas as the Wages Board determine. Like the Central Board these Committees consist of an equal number of representatives of employers and workmen and also of appointed members; the chairman and deputy-chairman of each committee is selected from amongst the members by the Board of Agriculture and Fisheries, who also appoint the secretary of each committee.

Minimum rates of wages can be fixed, varied or cancelled only by the Central Wages Board. The District Committees recommend minimum rates to the Central Board, and a rate or a variation thereof does not take effect in a district unless the District Committee have either recommended the same or have had an opportunity of reporting thereon to the Central Board.

A complaint may be made by an agricultural worker to the Wages Board,—

(a) as to inadequate payment for piece-work where no minimum piece-rate has been fixed; and the Board may thereupon direct the employer to pay the worker the difference between what has been already paid and what the worker would have got if on a minimum time-rate;

(b) as to infraction of minimum wage rates; and the Board may thereupon take proceedings on behalf of the workman. (ss. 6, 7 of Corn Production Act, p. 215.)

The Agricultural Wages Regulations, 1918 (Addenda, pp. 608-610) made by the Board of Agriculture and Fisheries under s. 12 (1) (b) (c) of the Corn Production Act (p. 221) on January 22nd, 1918, empower the Wages Board to by order prescribe what benefits or advantages may and may not be reckoned as payment of wages in lieu of cash either to agricultural workers generally or of a special class or in a special area.

For Scotland there are under Schedule 2 (1) of the Corn Production Act (p. 230) 12 District Wages Committees, one for each of the 12 districts into which the Board of Agriculture for Scotland have as specified in their Memorandum of September 22nd, 1917 (p. 242) divided the country for the purpose of constituting such Committees.

Each District Committee consists of a chairman and representatives of employers and workmen in equal numbers; the Board have indicated (p. 244) that 11 members would form a committee of convenient size.

The 12 districts mentioned are combined so as to form 5 combination districts (Corn Production Act, Sch. 2 (4), p. 230),
from each of which, under a scheme prescribed by the Board, two representatives of the district committees within the combination (one representing employers, and one workmen) are elected. These 10 persons form the Central Wages Committee for Scotland.

Minimum rates of wages are fixed by a District Wages Committee who report the same to the Central Committee; if not disallowed by the Central Committee the rates take effect (p. 231).

The Central Committee have such powers and duties as the Board may confer on them; in particular they—

(a) fix minimum rates on failure of a district committee to do so;

(b) decide questions on which district committees fail to agree (p. 231).

An agricultural worker in Scotland has the same rights of complaint to a District Wages Committee as an English worker has to the English Central Wages Board (Corn Production Act, ss. 6, 7, 18 (1), pp. 215, 224).

For Ireland there is the "Agricultural Wages Board for Ireland," which under Regulations of the Department of Agriculture and Technical Instruction for Ireland (pp. 246-8) consists of 16 members, of whom 6 represent employers, 6 represent workmen, and 4 are appointed by the Department. The Regulations, which set out the names of the first members, provide for vacancies in, and proceedings of the Board.

Further Regulations of the Department (pp. 249, 250) empower the Wages Board for Ireland to define areas for each of which there will be a District Wages Committee of 9 persons, 4 representing employers, 4 representing workmen, and 1 (the chairman) appointed by the Department with a secretary appointed by the Wages Board.

These Regulations provide as to vacancies on, and the meetings and proceedings of such Committees.

Maximum rates of wages can be fixed, varied or cancelled only by the Central Wages Board. The District Committees recommend minimum rates to the Central Board, and a rate or a variation thereof does not take effect in a district unless the District Committee have either recommended the same or have had an opportunity of reporting the same to the Central Board.

An agricultural worker in Ireland has the same rights of complaint to the Wages Board for Ireland as any English worker has to the English Board (Corn Production Act, ss. 6, 7, 18 (2) (b), pp. 215, 225).

A third set of Regulations (Addenda, pp. 610-612) made by the Department under s. 12 (1) (b) (c) of the Corn Production Act (p. 221) confer on the Irish Wages Board similar powers to those possessed by the English Wages Board (see above) as to prescribing what benefits or advantages may or may not be reckoned as cash in calculating minimum wages.
4. Improved Cultivation in England and Wales.


(2) Cultivation of lands in Towns, p. xxi.

(3) Improved Cultivation Generally, p. xxii.

(4) Drainage of Lands, p. xxii.

(5) Reduction of Acreage under Hops, p. xxii.

(6) Keeping of Pigs, p. xxii.

(7) Destruction of Birds, Hares, Rabbits, Vermin and Pests, p. xxi.

(8) Destruction of Stray Dogs, p. xxiii.

(9) Supply of Horses for Agriculture, p. xxiii.

(10) Information on Cesser of Agricultural Employment, p. xxiii.

(11) Agriculture Executive Committees, pp. xxiii, xxiv.

(1) Provisions now in force.—The provisions as to improved cultivation for the purpose of encouraging and maintaining food supply in England and Wales now (January 31, 1918) in force are contained in Regulations 2L, 2M, 2X, 2XX, 2O, 2R, 2S, 2T, and 41AAA of the Defence of the Realm Regulations, which confer extensive powers on the Board of Agriculture and Fisheries. The specified Regulations in the form in which they on October 21st last applied in England and Wales, are printed in Part V. thereof. Since that Part of this Manual was printed, Regulation 2M has been considerably amended, and is in its present (January 31, 1918) form reprinted in the Addenda hereto (p. 620): certain other amendments recently made in the series of Regulations are noted in the outline thereof which follows.

The powers of the Board under the said Regulations will cease to operate with respect to matters dealt with in Part IV. of the Corn Production Act (pp. 216-221) on August 21st, 1918, or on the termination of the War (whichever is the earlier), and thenceforth Part IV. of the said Act will come into operation (s. 11 (3) of the Act, p. 220).

(2) Cultivation of lands in Towns.—Regulation 2L as amended and applying to England and Wales (p. 259) empowers the Board of Agriculture and Fisheries to enter on any land whether occupied or unoccupied without the owner’s or occupier’s consent and cultivate the land or arrange for its cultivation. The compensation payable to a cultivator under such an arrangement is settled by the Board, and that payable on the determination of the occupation by an arbitrator under the Agricultural Holdings Act. The Cultivation of Lands Order, 1917 (No. 2) (pp. 260-262) delegates to the London County Council and borough and urban district council the Board’s powers under Reg. 2L save that Councils may not enter on gardens, &c., or commons or occupied land without the sanction of the Board or the occupier’s consent or that of the Agricultural Executive Committee (as to whom see (11) p. xxiii below) in the respective cases provided for.

The objects of the Regulation and Order and the powers, expenses, &c., of the councils who act as the Board’s agents thereunder are dealt with in detail in Memoranda of the Board (pp. 263-269). (a)

(a) Amendment of Regulation 2N.—This Regulation (p. 260) which relates to unlawful entry, &c., on land occupied under Reg. 2L, has been subsequently amended, and as so amended is reproduced in the January (Monthly) Edition of the D.R. Regulations.
Improved Cultivation in England and Wales.

(3) Improved Cultivation Generally.—Regulation 2M (as to which in its now extended form, see Addenda, p. 620) comprises the most important part of the cultivation provisions in force in England and Wales. It empowers the Board of Agriculture and Fisheries to inter alia take possession of under-cultivated land, agricultural machinery, farm produce and live stock, adapt the land for cultivation, provide farm buildings, require an occupier to repair, &c., fences or ditches, prohibit growing of particular crops, determine tenancies, require returns from individual farmers, and direct cultivation inconsistent with the contract of tenancy. The Board’s powers under Regulation 2M have been in great part delegated to the Agricultural Executive Committees by the Cultivation of Lands Order, 1918 (Addenda, p. 617), as to which and the powers exerciseable by such Committees see (11) below. The Regulation also comprises the following provisions as to drainage.

(4) Drainage of Lands.—Paragraphs (h) to (n) of Regulation 2M (1) confer powers on the Board of Agriculture and Fisheries as to drainage and flow of water and as to increasing the amount of a limited rate leviable by a drainage authority. These powers, except those of paragraphs (h)-(j), which are delegated to the Agricultural Executive Committees (see (11) below), are retained in the hands of the Board. (See Cultivation of Lands Order, 1918, Addenda, p. 617.)

(5) Reduction of Acreage under Hops.—Regulation 2NN (which was amended after Part V. of this Manual had been printed off and is in its present form given in the Addenda, p. 628) provides that the acreage under hops on any holding in England and Wales shall be reduced to one-half of that so planted in June, 1914—planting after October 1, 1913, not being taken into account. This provision takes effect notwithstanding any lease or contract to the contrary. No compensation is payable in consequence of such reduction. The Regulation provides for the grant by the Board of Agriculture and Fisheries of licences exempting hop growers therefrom: applications for licences are considered and reported on by the Agricultural Executive Committees as to whom see (11) below (Memoranda, p. 317).

The main “cultivation” Regulations (2n, 2m) outlined above are followed by supplemental ones directed to allied subjects: these call for but brief mention here.

(6) Keeping of Pigs.—Regulation 2o (p. 319) empowers a public health local authority, who have issued restrictive byelaws, to permit the keeping of pigs notwithstanding the same.

(7) Destruction of Birds, Hares, Rabbits, Vermin and Pests.—Regulation 2r (p. 320) empowers the Board of Agriculture and Fisheries or their delegates to take action for preventing injury to crops or trees or wastage of pasturage by birds, hares, rabbits or vermin and pests and to authorise the killing and sale of birds, hares or rabbits when the same would otherwise be unlawful, or for securing migratory birds for food supply, and the manner of disposal of birds, hares or rabbits.
The various Orders and Memoranda which have been issued under these powers are printed, pp. 321-333. Thereby provision is made for the killing of grouse and black game, pheasants, rooks, migratory wild birds, and rabbits, the hatching of pheasants under a hen, or feeding the birds by hand is prohibited, except under licence, and hares and leverets may be sold at any time of the year: various powers are delegated to the agricultural executive committees (see (11) below).

Regulation 2r ceases to operate in England and Wales on August 21st, 1918, or the termination of the war as regards the destruction of rabbits or vermin and the powers of s. 10 of the Corn Production Act (p. 219) then take its place.

(8) **Destruction of Stray Dogs.**—Regulation 2s (p. 334) extends the powers of the Dogs Act, 1906 on this subject.

(9) **Supply of Horses for Agriculture.**—Regulation 2r, and the Sale of Horses Order (which together with the Memoranda issued thereunder are printed pp. 335-339) prohibit the parting with horses used in agriculture except with a licence granted by an agricultural executive committee (see (11) below), the clerk of the London County Council, or the town clerk of a county borough.

(10) **Information on Cesser of Agricultural Employment.**—Regulation 41AAA and the Agricultural Employment Order (p. 340) provide that notice of such cesser shall be given by the employer to the secretary of an agricultural executive committee.

(11) **Agricultural Executive Committees.**—These bodies, who consist of certain members appointed by the War Agricultural Committee of each county council, together with additional members appointed by the Board of Agriculture and Fisheries, were originally constituted by the Cultivations of Lands Order, 1917 (p. 259 of the Defence of the Realm Manual, February 1917 Edition) and now derive their powers from the Cultivation of Lands Order, 1918 (Addenda, p. 617), which takes the place of the earlier Orders and was made under Regulation 2m (Addenda, p. 620) as to which, see (3) above. Their powers are exercisable throughout their administrative county and also within any county boroughs, surrounded wholly or partly by the county, if that borough’s council consent. (See the Cultivation of Lands (County Boroughs) Order, 1917, Addenda, p. 627.)

The 1918 Order like its predecessors provides for the proceedings, &c., of Executive Committees, and these and questions relating to sub-committees, staff, and accounts and expenses of a Committee, and to office accommodation, supply of maps, utilisation of valuation records, insurance, &c., are explained and dealt with in detail in Circulars and Memoranda of the Board of Agricultural and Fisheries which are all embodied in the Summary printed pp. 277-291.

The 1918 Order delegates to Executive Committees all the powers conferred on the Board by Regulation 2m in its amended form (Addenda, p. 620) except those relating to the prohibition of particular crops (par. (6e)), determination of tenancies (f), certain provisions as prevention of floods and improvement of
flow of water and increase of drainage rates (pars. (k), (l), (m), (n)), and the requiring of returns from individuals as to cultivation, crops, and livestock (par (o)) which are reserved for direct exercise by the Board; as to the determination of tenancies, see Memorandum pp. 300-303. The provision of the new Order, under which the Committee cannot take possession of any inhabited dwelling house without the further consent of the Board, are explained by the Circular accompanying it (Addenda, p. 624).

The powers of the Committees as to inspecting, directing cultivation of, taking possession of and letting of land, and of undertaking manuring, and their position as to payment of tithe, rates, and taxes were dealt with by various Memoranda of the Board all of which are comprised in the Summary, pp. 292-299.

A further Memorandum (pp. 304-306) relates to compensation claims in consequence of action taken by Executive Committees; it would appear that a claim in consequence of reduction of hop acreage is not sustainable (p. 318).

Besides these general cultivation powers the Committees consider applications for licences for exemption from the hop-acreage restrictions (see (5) p. xxii above).

They can also authorise:

- the entry on land to see that the restrictions as to rearing of pheasants are complied with (pp. 323, 324);
- the killing and disposal of by an occupier, or the person having the shooting rights, of pheasants in or out of the close season (pp. 324-327);
- the entry by their nominees into a rookery to kill the rooks (pp. 328, 329) or upon land to kill the rabbits (pp. 331, 332);
- by licence, the sale of horses by farmers (pp. 335-338).

5. Improved Cultivation in Scotland.

(2) Cultivation of lands in Towns, p. xxv.
(3) Improved Cultivation Generally, p. xxv.
(4) Keeping of Pigs, p. xxv.

(1) Provisions now in force.—The provisions as to improved cultivation for the purpose of encouraging and maintaining food supply in Scotland now (January 31st, 1918) in force are contained in Regulations 2L, 2m, 2N, 2o, 2q, 2r, 2s, 2t and 41AAA of the Defence of the Realm Regulations which confer extensive powers on the Board of Agriculture for Scotland. The specified Regulations in the form in which they on October 21st last applied in Scotland, are printed in Part VI. hereof. Since that
Part of this Manual was printed, Regulation 2m has been considerably amended—for its present (January 31st, 1918) form see p. 629 of Addenda hereto.

The powers of the Board under the said Regulations will cease to operate with respect to matters dealt with Part IV. of the Corn Production Act (pp. 216-221) on August 21st, 1918, or on the termination of the War (whichever is the earlier), and therefrom Part IV. of the said Act will, with certain modifications, come into operation in Scotland (ss. 11 (3), 18 (1) (a) (g) (h) of the Act, p. 220, 224, 225).

(2) Cultivation of lands in Towns.—Regulation 2l as amended and applying to Scotland (p. 343) empowers the Board of Agriculture for Scotland to enter on any land whether occupied or unoccupied without the owner’s or occupier’s consent, and cultivate the land or arrange for its cultivation. The compensation payable to a cultivator under such an arrangement is settled by the Board; that payable on the determination of the occupation is determined by an arbitrator under the Scottish Agricultural Holding Act. The Cultivation of Lands (Scotland) Order, 1917, No. 2 (p. 345), like the 1918 Order (Addenda, p. 629), which takes its place, delegates to Town Councils the Board’s powers under Reg. 2l save that Councils may not enter on occupied land without the written consent of the occupier or the sanction of the Board. The provisions of the Order are employed chiefly for the purpose of growing potatoes and other vegetables upon small plots by members of the working classes for consumption by their families: in the vicinity of mining villages, &c., Parish Councils co-operate for the same purposes (see Board’s Memoranda, pp. 346-349).

(3) Improved Cultivation Generally.—Regulation 2m (as to which in its now extended form, see Addenda, p. 629) comprises the most important part of the cultivation provisions in force in Scotland. It empowers the Board of Agriculture for Scotland to inter alia take possession of under-cultivated land and adapt it for cultivation, take possession of agricultural machinery farm produce and live stock, provide farm buildings, prohibit growing of particular crops, determine tenancies, require returns from individual farmers, direct cultivation inconsistent with contract of tenancy. The regulation also empowers an occupier to set fire to heaths or muirs. The Board’s powers under Regulation 2m are largely exercised through District Agricultural Executive Committees, as to whom see (9) below. It is to be observed that paragraphs (ee) (fencing and ditching by occupiers) and (h) to (n) (drainage) of the Regulation have no application in Scotland (see Addenda, p. 629).

The main "cultivation" Regulations (2l, 2m) outlined above are followed by supplemental ones directed to allied subjects; these call for but brief mention here.

(4) Keeping of Pigs.—Regulation 2o (p. 368) empowers a public health local authority, who have issued restrictive byelaws, to permit the keeping of pigs notwithstanding the same.

(a) Amendment of Regulation 2x.—This Regulation (p. 344) which relates to unlawful entry, &c., on land occupied under Reg. 2n, has been subsequently amended, and as so amended is reproduced in the January (Monthly) Edition of the D.R. Regulations.
(5) Destruction of Deer, Birds, Hares, Rabbits, Vermin and Pests.—Regulations 2q, 2r (pp. 369, 370) empower the Board of Agriculture for Scotland or their delegates to take action for preventing injury to crops or trees or wastage of pasturage by deer, birds, hares, rabbits or vermin and pests and to authorise the killing and sale of birds, hares or rabbits when the same would otherwise be unlawful, or for securing migratory birds for food supply, and the manner of disposal of the birds, hares or rabbits.

The various Orders and Memoranda which have been issued under these powers are printed, pp. 369-375. Thereby provision is made for the killing of deer, grouse and black game, and rabbits.

Regulation 2r ceases to operate in Scotland on August 21st, 1918, or the termination of the War as regards the destruction of rabbits or vermin and the powers of section 10 of the Corn Production Act (p. 219) then takes its place.

(6) Destruction of Stray Dogs.—Regulation 2s (p. 376) extends the powers of the Dogs Act, 1906, on this subject.

(7) Supply of Horses for Agriculture.—Regulation 2t (p. 377) prohibits the parting with horses used in agriculture except with a licence of the Board of Agriculture for Scotland.

(8) Information on Cesser of Agricultural Employment.—Regulation 41AAA and the Agricultural Employment (Scotland) Order (p 378) provide to whom notice of such cesser shall be given by the employer.

(9) District Agricultural Executive Committees.—No Order corresponding to the English Cultivation of Lands Order, 1918 (see 4 (11), p. xxiii, above) has (January 31st, 1918) been made by the Board of Agriculture for Scotland under Regulation 2m (Addenda p. 629), but District Agricultural Executive Committees have been formed for the local government districts in most of the Scottish counties. Such Executive Committees, being elected by the District Agricultural Committees which were set up under arrangements made by the Board in pursuance of the 1st Report of the Scottish Food Production Committee (see 1 (1), p. xiv, above).

The powers of the Board under Regulation 2m are exercised in consultation with and largely through the agency of these District Executive Committees.

The constitution, executive officer and other staff, and travelling and other expenses of the Executive Committees were dealt with by the first portion of the Board’s Circular of February 14th, 1917 (pp. 356-8), and the Committee’s powers under Regulation 2m in the latter portion of the same Circular (pp. 358-361).

Further Circulars of the Board (pp. 361-367) are directed to the organisation of local committees, the supply for the use of Committees of horses and agricultural machinery, increased cultivation in 1918, compulsory orders, and the ploughing of a larger area than that authorised by the lease.

The February 1917 Circular provides (p. 358) that applications submitting “cultivation schemes” under Reg. 2m (2) inconsistent with the contract of tenancy should be made in the first instance to the Committees who also make recommendations to the Board.
Improved Cultivation in Ireland.

as to the issue of cultivation directions under Reg. 2m (1) (e) as to entry on and taking possession of land under Reg. 2m (1) (a) (g), and as to all cases where compulsory action by the Board seems needed (Memorandum June 8th, 1917, p. 363) Compensation claims come before the Defence of the Realm (Losses) Commission (pp. 359, 364, 366). These Committees also make suggestions for preventing injury to crops, &c., by deer, birds, rabbits, &c.

6. Improved Cultivation in Ireland.

(1) Provisions now in force,

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(2) Improved Cultivation Generally.

(6) Destruction of Birds, Hares, Rabbits, Vermin and Pests,

(3) Compulsory Tillage, p. xxviii.

(7) Destruction of Stray Dogs,

(4) Drainage of Lands, p. xxviii.

(8) Exportation of Horses, p. xxix.

(5) Keeping of Pigs, p. xxviii.

(1) Provisions now in force.—The enactments and regulations now (January 31, 1918) in force in Ireland as to Improved Cultivation for the purpose of encouraging and maintaining food supply differ widely from those in force in Great Britain. Irish cultivation is now regulated by two distinct sets of provisions, viz., Regulations 21, 2m, 2n, 2o, 2p, 2r, 2s and 2r of the Defence of the Realm Regulations as adapted to and applying in Ireland, and Part IV. as supplemented by s. 18 (2) (a) (d) (f) (g) and Schedule III. of the Corn Production Act (pp. 216-221, 224-227, 231-233). Both the said Regulations and the said enactments of the Act are (unlike the case in Great Britain) concurrently in force in Ireland, and both confer extensive powers on the Department of Agriculture and Technical Instruction for Ireland. The specified Regulations in the form in which they on October 21st last applied in Ireland, are printed in Part VII. thereof. Since that Part of this Manual was printed, Regulation 2m has been considerably amended, in particular as regards Ireland by the addition to sub-section (1) of paragraph (k) to (n) relating to improvement of flow of water, prevention of flooding, &c. (as to which see (4) below)—for its present (January 31, 1918) form, see p. 630 of the Addenda.

(2) Improved Cultivation Generally.—In its application to Ireland, Regulation 2t takes a wholly different form (see p. 381, where it is printed as so applying) to that in which it applies in Great Britain and has different objects in view. Thereunder the Department of Agriculture and Technical Instruction for Ireland can enter on land, without the owner's or occupier's consent, in the case of land which is or was on November 29th, 1916, unoccupied or is land of certain specified characters, but in the case of other land only with both owner's and occupier's consent, and cultivate the same or arrange for its cultivation. The compensation payable to a cultivator under such an arrangement is settled by the Department. (a)

(a) Amendment of Regulation 2x.—This Regulation (p. 382) which relates to unlawful entry, &c., on land occupied under Reg. 2t., has been subsequently amended, and as so amended is reproduced in the January (Monthly) Edition of the D.R. Regulations.
Under Section 9 of the Corn Production Act (p. 216) as applied to Ireland by Section 18 (2) (a), (d), (f) the Department of Agriculture, &c., may serve notice on an occupier requiring him to cultivate his land in accordance with their directions: if the occupier is aggrieved he may require the question to be referred to the Irish Land Commission.

The provisions of Section 9 (3) (p. 217) as to determination of tenancies have no application in Ireland (see Section 18 (2) (f) (iii), p. 227).

(3) Compulsory Tillage.—Both the Defence of the Realm Regulations (Regulation 2f, p. 396) and the Corn Production Act (Schedule III., pp. 231-233) contain provisions on this matter which have neither present nor future application in Great Britain. Regulation 2f imposes on the occupier of arable land to cultivate a certain proportion of his holding. By Declaration of the Department of Agriculture (p. 398) certain classes of holdings have been excepted from the Regulation. The Department’s Memoranda explaining the effect of the Regulation and the exemption are printed pp. 399-403.

Schedule III. of the Corn Production Act provides for the cultivation of the “minimum tillage portion” as prescribed and defined by Orders of the Department—such portion to in no case exceed half the holding. The Tillage (Ireland) General Order, 1918, and the Tillage (Ireland) Racecourses and Golf Links Order, 1918, which accordingly define the “minimum tillage portion” of a holding are printed in the Addenda (pp. 612-615).

(4) Drainage of Land.—The only provisions of Regulation 2m (from which in Great Britain the main existing “cultivation” powers are derived) which are in force in Ireland are those relating to drainage, and the prevention of flooding, &c. (see Addenda, p. 630). Paragraphs (h) to (n) of subsection (1) of the Regulation confer powers on the Department of Agriculture, &c., as to these matters, and empower them to increase the amount where the amount of a rate leviable by a drainage authority is limited by local Act to increase its amount.

The “cultivation” and compulsory tillage Regulations (2l, 2m, 2f) outlined above are in the Defence of the Realm Code grouped with others directed to allied subjects; these call for but brief mention here.

(5) Keeping of Pigs.—Regulation 2o (p. 395) empowers a public health local authority, who have issued restrictive bye-laws, to permit the keeping of pigs notwithstanding the same.

(6) Destruction of Birds, Hares, Rabbits, Vermin and Pests.—Regulation 2r (p. 404) empowers the Department of Agriculture, &c., for Ireland or their delegates to take action for preventing injury to crops or trees or wastage of pasturage by birds, hares, rabbits or vermin and pests and to authorise the killing and sale of birds, hares or rabbits when the same would otherwise be unlawful or for securing migratory birds for food supply and the manner of disposal of birds, hares or rabbits.

Section 10 of the Corn Production Act (p. 219), which as stated above is in Ireland in force concurrently with Regulation 2r,
Trial of Food Offences under the Regulations.

confers similar powers on the Department, but as to rabbits and vermin only.

(7) Destruction of Stray Dogs.—Regulation 2s (p. 405) extends the powers of the Dogs Act, 1906 on this subject.

(8) Exportation of Horses.—Regulation 2r, as applying to Ireland (p. 406) empowers the Department of Agriculture, &c., to prohibit the exportation of horses from Ireland. The Order made July 14th last (p. 406) under this power was withdrawn as from February 1st, 1918, by Order of January 26th (St. R. & O., 1918, No. 136).

V. Trial and Punishment of Offences as to Food Supply or Production.


1. TRIAL OF OFFENCES UNDER THE REGULATIONS.

Part IX. of this Manual comprises all those of the Defence of the Realm Regulations which relate to this matter. Those Regulations declare the contravention of particular Regulations or Orders thereunder to be a "summary offence" and provide (Reg. 56 (2)) that a person alleged to be guilty of an offence so declared to be a "summary offence" shall (if not subject to the Naval Discipline Act or to military law) be tried by a court of summary jurisdiction and not otherwise.

A contravention of any of Regulations 2r to 2s (printed in Part I.) conferring powers on the Food Controller or of his orders thereunder; or

A contravention of Regulations 2l to 2r (printed as applying in England and Wales, Scotland and Ireland respectively in Parts V., VI. and VII.) conferring powers on the three Agricultural Departments, or of their orders thereunder,

is so declared to be a "summary offence."

A contravention of Regulations 2n or 2n (pp. 5, 6, which confer on the Admiralty, Army Council, Minister of Munitions and Food Controller powers which so far as regards food supply are concurrent) or of an order of any one of those Departments thereunder, and the improper disclosure of information as to an invention or process under Reg. 8cc (p. 14) are "offences" and therefore not being declared to be a "summary offence" may fall to be tried either by a Court of summary jurisdiction, or by court-martial, or by a civil court with a jury as the designated authority may decide. (See Introductory Note to Part IX. (p. 409)).

The vast majority of prosecutions for contraventions of Food Regulations and Orders are before Courts of Summary Jurisdiction. In view of this, the Defence of the Realm Regulations relating solely to Summary Trial and Punishment have in this Manual been arranged in a separate group and severed from those which relate solely to the other two modes of trial; miscellaneous provisions as to offences which are common to all three modes of trial being brought together as a fourth group.

Under this plan only sections 1 (Trial and Punishment by Courts of Summary Jurisdiction) and 4 (Miscellaneous Provisions
Salient Features of Summary Prosecution provisions.

as to Offences) of Part IX. of the Manual affect or need be referred to by those concerned with prosecutions before Courts of Summary Jurisdiction.\(^{(a)}\)

The Trial and Prosecution Regulations as so printed in this Manual are accompanied by full Editorial Notes which give information, inter alia, as to the constitution of the various courts of summary jurisdiction and their areas of jurisdiction.

2. Salient Features of Summary Prosecution provisions.

The following is an outline of the more salient features of the Regulations as regards summary prosecutions.

1. Forum.—The question of how an offence not declared to be a summary offence shall be tried is determined as provided by Reg. 56 (pp. 411, 412, 418-420).

2. Venue.—The "determining place" may be taken as either that at which the offence was committed, or that in which the offender may be (Reg. 58, p. 416).

3. Who May Prosecute.—In England and Ireland an offence may not (without the consent of the Attorney-General) be prosecuted summarily except by a food control committee or by certain official persons (Reg. 56 (11), p. 414). In Scotland all prosecutions in the Sheriff Court (which is the court for the trial of summary offences (Reg. 58, p. 416) proceed at the instance of, and are conducted by, the procurator-fiscal.

4. Claim to Trial by Jury.—This cannot, notwithstanding s. 17 of the Summary Jurisdiction Act, 1879, be claimed in a case triable summarily (Reg. 58, p. 416).

5. Punishment.—The maximum sentence may be six months' imprisonment with or without hard labour and a fine of £100 and forfeiture of any goods in respect of which the offence was committed (Reg. 58, p. 416).

6. Appeals.—An appeal from a summary conviction lies—

\(^{(a)}\) In England or Wales to quarter sessions, or to the High Court (i.e., to a Divisional Court of the King's Bench Division) by special case on the ground that the conviction is erroneous in point of law, or is in excess of jurisdiction (42 & 43 Vict. c. 49, s. 39); but an appeal by special case is an abandonment of the right of appeal to quarter sessions "finally and conclusively and to all intents and purposes" (20 & 21 Vict. c. 43, s. 14). The decision of quarter sessions in the one case and the Divisional Court in the other is final and conclusive.

\(^{(b)}\) In Scotland by stated case to the High Court of Justiciary (8 Edw. 7, c. 65, ss. 60-76) or by "any other competent mode of appeal," see s. 76 of that Act. There is no appeal "on the merits" in any case, nor any further appeal from the High Court of Justiciary.

\(^{(c)}\) In Ireland to quarter sessions, or by special case on point of law to the High Court.

\(^{(a)}\) Amendment of Regulation 51. This Regulation (p. 434) reproduced as amended in the January (Monthly) Edition of the D.R. Regulations now provides that the power to order destruction, &c., of articles seized on search is exercisable by the "competent authority" or the "chief officer of police," but in either case subject to certain Departmental consents.
VI. Proof and Construction of Food Regulations and Orders.

The Acts constituting the Ministry of Food, the Board of Agriculture and Fisheries, and the Department of Agriculture and Technical Instruction for Ireland respectively make provision for the reception in evidence of Orders which are under seal authenticated by certain signatures, or signed by certain persons.

See as to the—

Food Ministry (6 & 7 Geo. 5, c. 68, s. 11 (2) (3)) (p. 3).
Board of Agriculture and Fisheries (52 & 53 Vict. c. 30, s. 7; 3 Edw. 7, c. 31, s. 2 (2)).
Department of Agriculture, &c., for Ireland (62 & 63 Vict. c. 50, s. 21).

The Documentary Evidence Acts, which as amended and applied to any of the Departments connected with food legislation are reproduced as Section 1 of Part X. of this Manual, provide that *prima facie* evidence of Orders in Council and of the Orders of any of the Departments within the scope of those Acts may also be given by the production of copies thereof printed "Under the Authority of H.M.'s Stationery Office." This Manual is printed under that Authority, and the Orders therein printed are evidence accordingly.

Regulation 63 of the Defence of the Realm Regulations applies the Interpretation Act, 1889, for the purpose of the interpretation of the Regulations and of all Orders thereunder. The effect of that application would seem to be as stated in the Editorial Note on p. 440, where Regulation 63 is printed. Regulations 64 to 66 (pp. 440, 441) make further provision for the construction of the Defence of the Realm Regulations.

VII. Effect of Requirements or Restrictions of the Food Controller, and of the Agricultural and other Departments, on Contracts.

The provisions on this subject form Part XI. of this Manual. They may be thus briefly stated in outline:—

1. **Compliance with Requirement Good Defence to Action for Non-Fulfilment of Contract.**—It is a good defence to proceedings for the non-fulfilment of a contract that the defendant:—

(a) was under the necessity of complying with a requirement, restriction, or regulation of the Food Controller under the Defence of the Realm Regulations (5 Geo. 5, c. 37, s. 1 (2), as amended by Food Controller (Concurrent Powers) Order, p. 445); or

(b) complied with any such requirement, &c., regulation, order, restriction, direction or advice imposed or given in connection with the present war except so far as a contract of tenancy might be affected (7 & 8 Geo. 5, c. 25, s. 3, p. 445).

2. **Powers of Court to Suspend or Annul Contract.**—Where on the application of any party to any contract the Court is satisfied that owing to any restriction imposed by or under the Defence of the Realm Regulations any term of a contract cannot be enforced without serious hardship the Court can suspend or
Outline of Auxiliary and Applied Legislation.

annul the contract on such conditions as it thinks fit (7 & 8 Geo. 5, c. 25, s. 1 (2) (3), p. 443).

3. Relief as between Landlord and Tenant in respect of Obligations.—Parties to contracts of tenancy are temporarily relieved from liability to mandatory orders, injunctions, payments and forfeitures for not doing or doing acts or things which such contracts bound them to do or not to do if such not-doing or doing was consequential on the Defence of the Realm Regulations (7 & 8 Geo. 5, c. 25, s. 2, p. 444).

4. Abrogation of Contracts by Food Controller’s Order.—An order of the Food Controller may direct that all contracts or any class of contracts, or any special contract, affected by the order shall be abrogated, or shall remain in force notwithstanding anything in the order but subject to any exceptions or modifications for which provision may be made by the order. (Defence of the Realm Regulations 2s (3), p. 12; Index to this Manual sub-voc. “Contracts.”)

VIII. Auxiliary and Applied Legislation.

It has been attempted to include in this Manual all the legislative and relative documents which the necessity for “encouraging and maintaining the food supply of the country” has produced. That legislation chiefly consists of the Food Supply powers of the Food Ministry and the Food Production provisions of the Corn Production Act and of the Defence of the Realm Regulations; they form the first eight Parts of this Volume, and the earlier portions of this Introduction give an outline of them and of the connected provisions as to prosecutions, evidence, and contracts.

In the Appendixes will be found various other documents connected with food supply and production. Foremost amongst these is His Majesty’s Proclamation as to economy in the use of Grain (Appendix I., p. 449). The Maintenance of Live Stock Acts and Orders form Appendix III. (pp. 453-464), and the Output of Beer (Restriction) Acts have been reproduced in consolidated form as Appendix V. (pp. 470-474). Appendix II. (pp. 450-452) contains a summary of the Rules and Directions which have been issued to Institutions with the object of bringing their dietary within the Food Controller’s scale, and Appendix IV. (pp. 465-469) the regulations for the sale of Government Imported Cheese and Meat.

The legislation of the last 50 years has on the occasions of the creation of new Ministerial offices extended by a series of enactments the list of those Offices of Profit immediate succession from one to the other of which does not (under legislation of 1867 and 1868) vacate a seat in the House of Commons. Since the outbreak of war, 7 new Offices have been added to the list, and certain Ministerial Offices existing in 1867 are now obsolete. It has therefore been considered convenient to reproduce the list in question as Appendix VII. (pp. 510, 511) to this Manual in the form it now appears to assume.
Outline of Auxiliary and Applied Legislation.

In the same Appendix will also be found (p. 511) the recent enactment which relieves a member of the House of Commons from disqualification where property of his is requisitioned by a Department.

The last Appendix VIII. (p. 512) contains provisions as to payment and allocation of fines and fees in England and Wales.

Appendix VI. (pp. 475-509) consists of an epitome of Acts and Orders which, though not forming part of the Food Supply and Production Legislation in its strictest sense which is given in extenso in the body of this volume, are connected therewith.

Therein will be found highly condensed summaries of the Allotments, Small Holdings, Land Settlement, Destructive Insects and Pests, Diseases of Animals, Fertilisers and Feeding Stuffs and Sale of Food Drugs Acts and Orders. Such summaries are designed to do no more than indicate what legislation of those respective classes is now in force.

The numerous Orders made by the Admiralty, Army Council and Minister of Munitions under the Defence of the Realm Regulations requisitioning, restricting dealings in, and fixing maximum prices for, various goods and commodities are all printed in the "War Material Supplies Manual" now in the press. But, with the object of as far as might be making this present Manual embrace, or at least afford direct reference to, all the legislation relative to Food Production, epitomes of such of the "War Material" Orders as relate to agricultural machines and vehicles, flax, hay and straw, manures, road material, and home-grown timber, and wool have been included therein.

Sections 7 and 12 of the same Appendix VI. contain epitomes, which while in the press have been revised to to-day’s date, of the restriction on the exportation and the importation, respectively, both of articles of food and commodities connected with its production.

In the preparation of this Manual, as in the preparation of all the various Manuals of Emergency Legislation which have been published since the outbreak of the War, the Editor has been in daily communication with the numerous Government Departments concerned, and has received from each and every such Department constant assistance by the aid of which he has attempted to make the information this Manual contains complete and exhaustive.

For the plan of the Manual, the system of arrangement, and the numerous consolidations, summaries, epitomes and editorial notes that it contains, and for the outline of the food legislation which is comprised in this Introductory Note, the Editor is alone responsible.

Suggestions for improvements, or corrections called for, in any of the Emergency Manual publications will be welcomed: these should be addressed to the Editor by name at his address as below.
The publications are to be obtained as stated on the title page; communications as to the date of appearance, &c., of forthcoming publications should be addressed to the Controller of His Majesty's Stationery Office and not to the Editor.

ALEXANDER PULLING.

Chambers of the Editor of "The Manuals of Emergency Legislation,"
2, Harcourt Buildings,
The Temple, E.C.4.

January 31st, 1918.
PART I.

CONSTITUTION AND POWERS OF THE MINISTRY OF FOOD.

1. The New Ministries and Secretaries Act, 1916 (6 & 7 Geo. 5. c. 68) so far as it relates to the Ministry of Food.

An Act for establishing certain new Ministries and for the appointment of additional Secretaries or Under Secretaries in certain Government Departments; and for purposes incidental thereto.

[22nd December 1916.]

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, 2. [These sections relate solely to the Ministry of Labour, and are therefore omitted from this Manual.]

MINISTRY OF FOOD.

3. For the purpose of economising and maintaining the food supply of the country during the present war, it shall be lawful for His Majesty to appoint a Minister of Food under the title of Food Controller, who shall hold office during His Majesty's pleasure.

4. It shall be the duty of the Food Controller to regulate the supply and consumption of food in such manner as he thinks best for maintaining a proper supply of food, and to take such steps as he thinks best for encouraging the production of food, and for those purposes he shall have such powers or duties of any Government department or authority, whether conferred by statute or otherwise, as His Majesty may, by Order in Council, transfer to him, or authorise him to exercise or perform concurrently with,
or in consultation with, the Government department or authority concerned, (a) and also such further powers as may be conferred on him by regulations under the Defence of the Realm Consolidation Act, 1914, and regulations may be made under that Act accordingly, (b)

5-9.—[These sections relate solely to the Ministry of Shipping and the Air Board, and to the suspension of the limit on number of Parliamentary Under Secretaries of State and of Secretaries of Ministry of Munitions, etc., and are therefore omitted from this Manual.]

GENERAL.

10.—(1) Any Minister appointed under this Act may appoint such secretaries, officers and servants as the Minister may determine.

(2) There shall be paid out of moneys provided by Parliament to any Minister appointed under this Act . . . . an annual salary not exceeding two thousand pounds, and to the secretaries, officers and servants of each of the Ministers established under this Act, such salaries or remuneration as the Treasury may from time to time determine.

(3) The expenses of each of the Ministers established under this Act, to such an amount as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament.

11.—(1) Each Minister appointed under this Act may adopt an official seal and describe himself generally by the style and title . . . . in the case of the Minister of Food, of Food Controller . . . . ; and the seal of the Minister shall be officially and judicially noticed, and shall be authenticated by the signature of the Minister or of a secretary or some person authorised by the Minister to act in that behalf.

(a) Transferred and Concurrent Powers of Food Controller.— Under this provision two (and only two) Orders in Council have been made, viz.:

1. "The Food Controller (Concurrent Powers) Order, 1917" (St. R. & O., 1917, No. 124), which amended s. 1 (2) of the Defence of the Realm (Amdt.) (No. 2) Act, 1915 (relating to interference with contracts) by giving the Food Controller concurrent powers thereunder. That sub-section as thus and otherwise amended is printed in the form it now appears to assume in Part XI. ("Relief from Liability under Contracts affected by Departments' Requirements or Restrictions") of this Manual, p. 368.

2. "The Food Controller (Transfer of Powers) Order, 1917" (St. R. & O., 1917, No. 287), transferring to the Controller certain powers of the Board of Trade as to Certificates authorising Brewing for Military Canteens. That Order amends the Output of Beer Restriction Acts which as thus amended are printed in the Consolidated Form which they appear to assume as Appendix V. to this Manual.

(b) Powers of Food Controller under Defence of the Realm Regulations.— Such of these Regulations as confer express powers on the Controller are printed pp. 5-14.
(2) Every document purporting to be an order or other instrument issued by a Minister appointed under this Act, and to be sealed with the seal of the Minister authenticated in manner provided by this section, or to be signed by the secretary or any person authorised as aforesaid, shall be received in evidence and be deemed to be such order or instrument without further proof, unless the contrary is shown.

(3) A certificate signed by a Minister appointed under this Act, that any order or other instrument purporting to be made or issued by him is so made or issued, shall be conclusive evidence of the fact so certified.

(4) The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, (a) shall apply to a Minister appointed under this Act in like manner as if that Minister were mentioned in the first column to the Schedule of the first-mentioned Act, or as if that Minister or a Secretary of the Ministry, or any person authorised by the Minister to act on his behalf, were mentioned in the second column of that Schedule, and as if the regulations referred to in those Acts included any document issued by the Minister.

(5) Where in connection with the undertaking of any duties or powers by a Minister appointed under this Act, it appears to the Minister and the department or authority concerned, that in any notice, order, contract, or other document, the name of the Minister should be substituted for the name of any department or authority, or that the name of any officer of the Ministry should be substituted for the name of any officer of any such department or authority, the Minister may order that the substitution shall take effect, subject to any limitations contained in the order, and, where such an order is made, the notice, order, contract, or document, shall have effect in accordance with the order.

12.—(1) The office of a Minister appointed under this Act, or of secretary in a Ministry established under this Act, shall not render the holder thereof incapable of being elected to, or sitting or voting as a member of, the Commons House of Parliament, but not more than one secretary in each Ministry shall sit as a member of that House at the same time.

(a) DOCUMENTARY EVIDENCE ACTS.—These Acts as amended and applied by various Acts provide three alternative modes of proving (inter alia) Orders of the Food Controller. Those modes are the production of (1) a copy of the Gazette, (2) an officially printed copy of the Order or (3) a certified copy or extract.

One of the objects of the Rules Publication Act, 1883, was to avoid unnecessary gazetting (see s. 3 (3) thereof), and accordingly none of the Orders of the Food Controller have been published in the London Gazette, but have all been officially printed as "Statutory Rules and Orders."

This Manual comprises officially printed copies of all the Orders of the Food Controller in force, and any such Order may accordingly be proved by the production of this Manual, or of a separate Statutory Rule and Order copy of the Order.

So much of the Documentary Evidence Acts as relates to the reception in evidence of any of the Orders printed or noted in this Manual is printed as Part X (1) ("Proof of Regulations Orders and Documents") of this Manual in the form which as applying to that matter it appears to assume.
(2) The office of a Minister appointed under this Act shall be deemed to be an office included in Schedule H. of the Representation of the People Act, 1867, and Schedule H. of the Representation of the People (Scotland) Act, 1868, and Schedule E. of the Representation of the People (Ireland) Act, 1868. (a)

(3) A Minister appointed under this Act shall take 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. (b)

13. The office of Food Controller ... and the Ministry of Food ... shall cease to exist on the termination of a period of twelve months after the conclusion of the present war, or such earlier date as may be fixed by His Majesty in Council, and then any appointments made under the powers conferred by this Act shall be determined, and any powers or duties which have been transferred to the Food Controller ... under this Act shall, without prejudice to any action taken in pursuance of those powers or duties, revert to the department or authority from which they were transferred.

14.—(1) Any Order in Council made for the purposes of this Act may be added to, varied, or revoked by a subsequent Order in Council.

(2) Where any powers and duties are transferred by virtue of this Act, the transfer shall take effect as from a date to be fixed by Order of His Majesty in Council, and different dates may be fixed for different powers and duties.

15. This Act may be cited as the New Ministries and Secretaries Act, 1916.

(a) Non-vacation of seat in Parliament on acceptance of another office.—The effect of this enactment is to add the new offices to the list of those offices immediate succession from the one to the other of which does not vacate a seat in the House of Commons. The list as enacted in 1867 and 1868 for England, Scotland, and Ireland was in identical terms, but on the one hand it has been extended by numerous enactments, and on the other certain Ministerial Offices existing in 1867 are now obsolete. It has therefore been thought convenient to print that list in its present form as Appendix VII (1) to this Manual.

(b) Officers by whom the oaths are to be taken.—The effect of this enactment is that the oaths are to be tendered to the Food Controller by the Clerk of the Council and taken in the presence of His Majesty in Council or otherwise as His Majesty shall direct.

EDITORIAL NOTE.—The whole of the Defence of the Realm Regulations reproduced under the authority of Regulation 64 as one single Consolidated Code (which by successive additions now comprises over 200 Regulations), and revised to the last day of each month, are published at the commencement of the ensuing month. In "the Defence of the Realm Manual," which will hence-forward be issued at half-yearly intervals, the Regulations are accompanied by full editorial notes, by the full text of both the enabling Acts and of the Departmental Orders made under the Regulations with full notes, and by an analytical index to the whole of the Defence of the Realm Legislation.

This Food Supply Manual comprises only those of the Regulations which relate expressly to food and the encouragement and maintenance of the food supply of the country, or to the trial and prosecution of persons contravening such provisions or the Departmental Orders made thereunder. This present part of the Manual is confined to the powers of the Food Controller; the remainder of the Regulations falling within the Manual's scope, will be found in subsequent Parts.

DEFENCE OF THE REALM REGULATIONS 2b, 2e, 2f, 2g, 2gg, 2h, 2j, 7, 8c, and 8cc conferring powers on the Food Controller(a) as amended to October 21st, 1917.

2b. It shall be lawful for the Admiralty or Army Council or the Minister of Munitions(b) to take possession of any war material, food, forage and stores of any description and of any articles required for or in connection with the production thereof.

Where any goods, possession of which has been so taken, are acquired by the Admiralty or Army Council or the Minister of Munitions, the price to be paid in respect thereof shall in default of agreement be determined by the tribunal by which claims for compensation under these regulations are, in the absence of any express provision to the contrary, determined.

In determining such price regard need not be had to the market price but shall be had—

(a) if the goods are acquired from the grower or producer thereof, to the cost of production and to the rate of profit usually earned by him in respect of similar goods before the war and to whether such rate of profit was unreasonable or excessive, and to any other circumstances of the case;

(a) Consultation with Food Controller as to exercise of certain land cultivation powers. Regulation 2m (1) (printed as 2 (1) of Part V of this Manual, in the form in which it applies to England and Wales, and as 2 (1) of Part VI thereof, in the form in which it applies to Scotland) provides that the powers of the Board of Agriculture and Fisheries, and of the Board of Agriculture for Scotland as to land not cultivated so as to increase food supply shall be exercised "after such consultation with the Food Controller as may be arranged."

(b) Food Powers of Admiralty, Army Council, and Minister of Munitions. As to these powers see Part VIII of this Manual.
Powers of Food Controller, &c., to Regulate Manufacture or Dealings in Food.

(b) if the goods are acquired from any person other than the grower or producer thereof, to the price paid by such person for the goods and to whether such price was unreasonable or excessive, and to the rate of profit usually earned in respect of the sale of similar goods before the war, and to whether such rate or profit was unreasonable or excessive, and to any other circumstances of the case; so, however, that if the person from whom the goods are acquired himself acquired the goods otherwise than in the usual course of his business, no allowance, or an allowance at a reduced rate, on account of profit shall be made:

Provided that where by virtue of these regulations or any order made thereunder the sale of the goods at a price above any price fixed thereunder is prohibited the price assessed under this regulation shall not exceed the price so fixed.

If, after the Admiralty or Army Council or the Minister of Munitions have issued a notice that they have taken or intend to take possession of any war material, food, forage, stores or article in pursuance of this regulation, any person having control of any such material, food, forage, stores or article (without the consent of the Admiralty or Army Council or the Minister of Munitions) sells, removes, or secretes it, or deals with it in any way contrary to any conditions imposed in any licence, permit, or order that may have been granted in respect thereof, he shall be guilty of an offence against these regulations.

The Food Controller may, as respects articles to which his powers under Regulations 2r to 2j extend, exercise the like powers as are by this regulation conferred on the Admiralty, Army Council, and Minister of Munitions. (a)

2E. The Admiralty or Army Council or the Minister of Munitions may by order regulate, restrict, or prohibit the manufacture, purchase, sale, delivery of or payment for, or other dealing in, any war material, food, forage, or stores of any description or any article required for or in connection with the production thereof, (b) and if any person refuses to sell any article, the sale whereof is regulated by any such order, he may be required by the Admiralty or Army Council of the Minister of Munitions to sell it on the terms and subject to the conditions on and subject to which the sale thereof is authorised by the order and to deliver it to them or to any person or persons named by them, delivery to be made in such quantities and at such times and places as may be specified by them or on their behalf.

(a) Taking Possession of Growing Crops.—Regulation 2B is valid and under it any of the Departments on whom it confers specific powers can give a valid notice to take possession of growing crops when gathered. See Lipton Limited v. Ford: 116 Law Times Reports 632; 33 Times Law Reports 459. It would seem (see view expressed by Atkin, J.) that the Regulation does not authorise the Departments to send men to gather the crops themselves.

(b) Food powers of Admiralty, Army Council, and Minister of Munitions.—As to these powers, see Part VIII. of this Manual.
Powers of Food Controller as to maintenance of Food Supply.

If any person fails to comply with any provision of any such order or any requirements made thereunder, or aids or abets any other person, whether or not such person is in the United Kingdom, in doing anything which, if done in the United Kingdom, would be a contravention of any such order, he shall be guilty of an offence against these regulations.

The Food Controller may, as respects articles to which his powers under Regulation 2x to 2y extend, exercise the like powers as are by this regulation conferred on the Admiralty, Army Council, and Minister of Munitions.

2F.—(1) The Food Controller may make orders (a) regulating, or giving directions with respect to the production, manufacture, treatment, use, consumption, transport, storage, distribution, supply, sale or purchase of, or other dealing in, or measures to be taken in relation to any article (b) (including orders providing for the fixing of maximum and minimum price) where it appears to him necessary or expedient to make any such order for the purpose of encouraging or maintaining the food supply of the country, and making such provisions as to entry, inspection, or otherwise as appear to him necessary or expedient for the purpose of his duties.

(2) The Food Controller may by order require all or any persons owning or having power to sell or dispose of any article, or any stocks thereof, to place at the disposal of the Controller the article, or the whole or any part of the stocks thereof, as may be directed by the Controller, on such terms as he may direct, and to deliver to the Controller or to any person or persons named by him the article or stocks in such quantities and at such times as the Controller may require, where it appears to him necessary or expedient to make any such order for the purpose of encouraging or maintaining the food supply of the country.

Such compensation shall be paid for any article or stocks so requisitioned as shall, in default of agreement, be determined by the arbitration of a single arbitrator appointed in manner provided by the order; but in determining the amount of the compensation the arbitrator shall have regard to the cost of production of the article and to the allowance of a reasonable profit, without necessarily taking into consideration the market price of the article at the time.

(a) Orders of the Food Controller.—The Orders of the Food Controller under Reg. 2f in force on October 21st, 1917, are printed in Part II. of this Manual at pp. 21–186. As to proof of Orders of the Food Controller, see Part X. of this Manual and as to Relief from Liability under Contracts affected by such Orders, see Part XI. thereof.

(b) “Article.”—This expression includes animals alive or dead. See Reg. 2n (4) p. 12.
Power of Food Controller to Require Returns.

[(3) of this Reg., which provided that Orders thereunder might be general or special, was revoked by an amending Order in Council; its place is now taken by Reg. 2s (3), p. 11, which is to the like purport as the revoked provision, but of extended scope.]

(4) The Food Controller shall, as respects any article to which his powers extend, have the same power as the Board of Trade have of giving directions, pending the issue of a Proclamation or the making of an Order of or in Council, with respect to the export of the article.(a)

(5) If any person acts in contravention of or fails to comply with any provision of any order made under this regulation, or aids or abets any other person, whether or not such other person is in the United Kingdom, in doing anything which, if done in the United Kingdom, would be a contravention of any such provision, such person shall be guilty of a summary offence against these regulations.(b)(c)

2G.—(1) The Food Controller may by order require persons engaged in the production, manufacture, purchase, sale, distribution, transport, storage, or shipment, of any article(d) to which the powers of the Food Controller extend, to make returns giving such particulars as to their businesses as may be specified by or on behalf of the Food Controller and may require the returns to be verified as he may direct.(e)

(2) For the purpose of testing the accuracy of any return made to the Food Controller under this regulation, or of obtaining information in case of a failure to make a return, any officer of the Food Controller authorised in that behalf by the Food Controller may enter any premises belonging to or in the occupation of the person making or who has failed to make the return, or on which he has reason to believe that any articles with respect to which an order under this regulation has been made are kept stored, manufactured, or produced, and may carry out such inspections and examinations (including the inspection and examination of books) as the officer may consider necessary for testing the accuracy of the return or for obtaining any such information.

(a) Action in Anticipation of Restriction of Exports.—If the Food Controller, in accordance with Reg. 2v (4), so directs, the Commissioners of Customs and Excise have, pending the issue of such a Proclamation or Order, the same power to take any action for preventing the export of any article as if the Proclamation or Order were in force. See s. 3 (1) of the Customs (War Powers) Act, 1916 (6 & 7 G. 5. c. 102).

(b) Summary Offences by Companies.—See Reg. 48A printed in Part IX. 4 (6) ("Liability of Directors and Officers") of this Manual.

(c) Information as to Contravention of Orders.—Information regarding Contravention of Orders should be given to the police or to an officer of the local authority and not to the Ministry of Food. As to disclosing contraventions, see also Reg. 49, printed in Part IX, 4 (8) ("Public Duties"), of this Manual.

(d) "Article."—This expression includes animals alive or dead. See Reg. 2s (4), p. 12.

(e) Orders Under Reg. 2G.—As to the Orders made under Reg. 2s see the Chronological Table of Orders, pp. 16–20. Such of these Orders as have not (Oct. 21st, 1917), expired, are printed in Part II. of this Manual.
Powers of Food Controller as to taking Possession of Factories, &c.

(3) If any person—
(a) refuses or without lawful excuse neglects to make a return as required by this regulation to the best of his knowledge and belief, or makes or causes to be made a false return; or
(b) obstructs or impedes an officer of the Food Controller in the exercise of any of his powers under this regulation; or
(c) refuses to answer or gives a false answer to any question, or refuses to produce any books or documents, required for obtaining the information to be furnished in pursuance of this regulation; that person shall be guilty of a summary offence against these regulations.

(4) No individual return or part of a return made under this regulation, and no information as to any person or his business obtained under this regulation, shall without lawful authority be published or disclosed except for the purposes of a prosecution under such of these regulations as relate to the powers and duties of the Food Controller; and if any person acts in contravention of this provision he shall be guilty of a summary offence against these regulations.

(5) If in any case the Food Controller is of opinion that it is necessary or expedient to obtain information from any person in connection with any article as to all or any of the matters with respect to which returns may be required under sub-section (1) of this regulation, the Food Controller shall have power, without making an order for the purpose, to require that person to furnish him with that information; and any person who is so required to furnish information shall furnish it accordingly.

In such a case, all the foregoing provisions of this regulation shall apply to information so given and the giving of such information as they apply to returns made and the making of returns.

2GG.—(1) Where the Food Controller is of opinion that it is necessary or expedient to do so for the purpose of his powers and duties, he may by order apply the provisions of this regulation to factories and workshops and other premises in which any article of food specified in the order is manufactured, stored or produced or adapted for sale, or to any plant used in connection therewith.

(2) Any factory, workshop or premises or plant to which this regulation is so applied, shall by virtue of the order pass into the possession of the Food Controller as from the date of the order or from any later date mentioned in the order, and the occupier of every such factory, workshop or premises or plant, and every officer of such occupier, and where the occupier is a company, every director of the company shall comply with the directions Power of Food Controller to take possession of factory or premises in which food is manufactured or adapted for use.
of the Food Controller as to the management and use of the factory, workshop or premises or plant, and if he fails to do so, he shall be guilty of a summary offence against these regulations.\(\text{(a)}\)

(3) It is hereby declared that the possession by the Food Controller under this regulation of any factory, workshop or premises or plant shall not affect any liability of the actual occupier thereof under the Factory and Workshop Act, 1901,\(\text{(b)}\) or any Act amending the same.

(4) It shall be lawful for the Food Controller—

\(\text{(a)}\) To require any work in any such factory or workshop or other premises as aforesaid to be done in accordance with his directions given with the object of making the factory or workshop or other premises or the plant or labour therein as useful as possible for the production of food.

\(\text{(b)}\) To regulate or restrict the carrying on of any work in any such factory workshop or other premises as aforesaid, or the engagement or employment of any workman, or all or any classes of workmen, therein, or to remove the plant therefrom, with a view to maintaining or increasing the production of food.

(5) The occupier and every officer and servant of the occupier of any factory, workshop or other premises, or any other person affected by any such directions, regulations, or restrictions, and where the occupier is a company, every director of the company, shall obey the directions, regulations or restrictions of the Food Controller, and if he fails to do so he shall be guilty of a summary offence against these regulations.

(6) Where under this regulation any directions regulating the priority to be given to work at any factory, workshop, or other premises, have been given and any person in any certificate or document given or issued for the purpose of securing priority for any work in pursuance of such directions, makes any false statement or false representation, he shall be guilty of a summary offence against these regulations.

\(\text{2H.}\)—(1) If the Food Controller in any special case is of opinion that, before exercising any of his powers under these regulations in relation to any article,\(\text{(c)}\) it is expedient to hold an inquiry with respect to that article in any locality, the Food Controller may appoint such persons as he thinks fit to hold an inquiry as respects that article and report to the Food Controller on such points as the Food Controller may direct.

(2) Any persons so appointed shall have power to take evidence on oath and to administer an oath for the purpose.

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\(\text{a)}\) Order under Reg. 2GG.—See "The Flour Mills Order, 1917" (p. 42), and "The Flour Mills Order, No. 2, 1917" (p. 48), taking possession of all the flour mills in the United Kingdom.

\(\text{b)}\) Factory and Workshop Acts.—The Act of 1901 (1 Edw. 7, c. 22) has been amended by s. 5 of the Factory and Workshop Act, 1907 (7 Edw. 7, c. 39), as to certain charitable institutions. The 1901 Act has also been otherwise amended, but such amendments do not relate to the subject of Regulation 2GG (3).

\(\text{c)}\) "Article."—This expression includes animals alive or dead. See Reg. 2s (4), p. 12.
The Food Controller may make arrangements with any other Government Department for the exercise by that Department on behalf of the Food Controller of the powers of the Food Controller under the Regulations numbered 2b, 2f, 2g, 2h, and 7 with respect to any particular article, (a) and in such case the Department and the officers thereof shall, as respects that article, have and exercise the same powers as are by those regulations conferred on the Food Controller and the officers of the Food Controller, (b) and the Local Government Board (or as respects Scotland the Secretary for Scotland, and as respects Ireland the Local Government Board for Ireland) may, by arrangement with the Food Controller, confer and impose on any local authorities and their officers any powers and duties in connection with the enforcement of the said Regulations, (c) and any powers and duties necessary to provide for the due discharge of any functions assigned to local authorities by any order made by the Food Controller under the said Regulations, and the Food Controller may by order provide for the exercise and performance by local bodies constituted by or under any such order of such powers and duties as may be conferred or imposed on them by the order.

(2) Nothing in the regulations numbered 2g and 2h shall prevent the exercise by the Food Controller of any of his powers in relation to any article under these regulations or otherwise, without having obtained or endeavoured to obtain returns under Regulation 2g or having held an inquiry under Regulation 2h.

(3) Any order of the Food Controller under these regulations may be revoked or varied as occasion requires, and any such order may be made either so as to apply generally, or so as to apply to any special locality, or so as to apply to any special supplies of any article or to any special producer, manufacturer,

(a) "ARTICLE."—This expression includes animals alive or dead. See Reg 2f (4), p. 12.

(b) INTERDEPARTMENTAL ARRANGEMENTS.—The Sea Fishing (England and Wales) Order, 1917 (p. 90), confers certain powers on the Board of Agriculture and Fisheries; the Sea Fishing (Scotland) Order, 1917 (p. 99), confers certain powers on the Fishery Board for Scotland; and the Freshwater Fish (Ireland) Order, 1917 (p. 88), the Fisheries (Ireland) Order, 1917 (p. 92), and the Sea Fishing (Ireland) Order, 1917 (p. 94), confer certain powers on the Department of Agriculture and Technical Instruction for Ireland.

The Board of Trade by arrangement with the Food Controller administers the Horses (Rationing) Order No. 2, 1917, p. 61.

(c) ENFORCEMENT OF ORDERS BY LOCAL AUTHORITIES.—"The Local Authorities (Food Control) Order (No. 1), 1917" and "The Local Authorities (Food Control) (Scotland) Order, 1917," made by the Local Government Board and the Secretary for Scotland, respectively, empowering Local Authorities in England, Wales, and Scotland, to enforce certain Orders of the Food Controller are printed in Part III. of this Manual together with lists of the later Orders of the Food Controller which have been made enforceable under the two "Local Authorities" Orders mentioned. The footnotes appended to those Orders show where information as to the area of each local authority is to be found, and a footnote is added to each of the Controller's Orders which is made so enforceable.

No corresponding Order providing for enforcement in Ireland of the Controller's Orders has (Oct. 21st, 1917) been made by the Local Government Board for Ireland.
Powers of Food Controller, &c., to Requisition Output of Factories Manufacturing Food.

dealer or person, or to any class or description of factories workshops premises or plant, or to any special factory workshop premises or plant; and any such order may direct that all contracts, or any class of contracts, or any special contract, affected by the order shall be abrogated, or shall remain in force notwithstanding anything in the order but subject to any exceptions or modifications for which provision may be made by the order. (a)

(4) It is hereby declared that in the regulations numbered 2r, 2g, 2h and 2j, the expression "article" includes animals, live or dead; but this provision shall not be construed so as to limit the general interpretation of that expression.

(5) Where the Food Controller considers it desirable to do so for the purpose of maintaining the supply of hops, he may, after consultation with the Board of Agriculture and Fisheries, exercise, with respect to hops, any of the powers conferred on him by Regulations 2r to 2h. (b)

7. The Admiralty or Army Council or the Minister of Munitions may by order require the occupier of any factory or workshop in which arms, ammunition, food, forage, clothing, equipment or stores of any description or any articles required for the production thereof, are or may be manufactured, or in which any operation or process required in the production, alteration, renovation or repair thereof is or may be carried on, to place at their disposal the whole or any part of the output of the factory or workshop as may be specified in the order, and to deliver to them, or to any person or persons named by them the output or such part thereof as aforesaid in such quantities and at such times as may be specified in the order (c); and the price to be paid for the output so requisitioned shall, in default of agreement, be determined by the arbitration of a judge of the High Court selected by the Lord Chief Justice of England in England, of a judge of the Court of Session selected by the Lord President of the Court of Session in Scotland, or of a judge of the High Court of Ireland selected by the Lord Chief Justice of Ireland in Ireland.

In determining such price regard need not be had to the market price, but shall be had to the cost of production of the output so requisitioned and to the rate of profit usually earned in respect of the output of such factory or workshop before the war, and to whether such rate of profit was unreasonable or excessive, and to any other circumstances of the case.

(a) Relief from Liability under Contracts Affected by Departments' Requirements or Restrictions.—The enactments on this subject form Part XI. of this Manual.

(b) Hops.—The Hops (Restriction) Order, 1917 (p. 77), restricts dealings in hops, and Regulation 2NN (printed with Memoranda by the Board of Agriculture and Fisheries thereon as 3 ("Reduction of Acreage under Hops") of Part V. of this Manual) provides for the reduction of the acreage under hops in England and Wales.

(c) Food Powers of Admiralty, Army Council and Minister of Munitions.—As to these powers see Part VIII. of this Manual.
Authorisation by Food Controller, &c., of use of Registered Design.

If the occupier of the factory or workshop fails to comply with the order, or without the leave of the Admiralty or Army Council or the Minister of Munitions delivers to any other person any part of the output of the factory or workshop to which the order relates, he shall be guilty of an offence against these regulations.

For the purpose of ascertaining the amount of the output of any factory or workshop or any plant therein and the cost of production of such output, and the rate of profit usually earned in respect of the output of such factory or workshop before the war, the Admiralty or Army Council or the Minister of Munitions may require the occupier of any such factory or workshop, or any officer or servant of the occupier, or where the occupier is a company any director of the company, to furnish to the Admiralty or Army Council or the Minister of Munitions such particulars as to such output, cost, and rate of profit as they may direct, and may require any such particulars to be verified in such manner as they may direct, and if any such person fails to comply with any such requirement he shall be guilty of an offence against these regulations.

The Food Controller may, as respects any factory or workshop in which any article to which the powers of the Food Controller under Regulations 2f to 2r extend is or may be manufactured, produced or adapted for sale, exercise the like powers as are by this regulation conferred on the Admiralty, Army Council, and the Minister of Munitions.

8c. It shall be lawful for the Admiralty, Army Council, Minister of Munitions, or Food Controller to authorise or require any contractor holding a contract with the Admiralty, Army Council, Minister of Munitions, or Food Controller, or any sub-contractor, to use any registered design for the purposes of such contract, and thereupon the contractor or sub-contractor shall be entitled for the purposes aforesaid to use the registered design and to apply the same to any article in any class of goods in which the design is registered without the consent of the registered proprietor, and the consideration to be paid for the use of the registered design shall, in default of agreement between the proprietor of the design and the Admiralty, Army Council, Minister of Munitions, or Food Controller, as the case may be, be determined, at the option of the Treasury, either in the manner in which other claims for compensation under these regulations are determined, (a) or in the

(a) Claims for Compensation under Regulations.—A Royal Commission (printed at p. 367, 368 of Supplement No. 3 to the Manual of Emergency Legislation) was appointed March 31st, 1915, to inquire as to payments out of public funds in respect of direct and substantial loss or damage to property and business in U.K. through the exercise by the Crown of its rights and duties in the defence of the Realm. The terms of this Commission, and the membership, &c., thereof are stated in footnote (a) to the Memorandum as to Compensation Claims in consequence of action by Agricultural Executive Committees which is printed under 2. “Agricultural Executive Committees, &c.,” of Part V of this Manual.
manner in which the consideration for the use of a patent is determined under section twenty-nine of the Patents and Designs Act, 1907.\textsuperscript{(a)}

\textbf{8CC.} It shall be lawful for the Admiralty or Army Council or Minister of Munitions, with a view to the more efficient or increased production of war material, to require any person to communicate to a person nominated for that purpose by the Admiralty, Army Council, or Minister of Munitions all such particulars as may be in his possession of any invention, or process or method of manufacture, or of any article manufactured or proposed to be manufactured, and to furnish drawings, models, or plans thereof, and to explain and demonstrate the same to such person, in all or any of its uses and workings; and if any person fails or neglects to comply with any such requirement he shall be guilty of an offence against these regulations; and if the requirement is addressed to a company, every director, manager, or officer of the company who fails or neglects to comply with such requirement shall also be guilty of an offence against these regulations.

If any person, except as authorised by the Admiralty or Army Council or Minister of Munitions, discloses or makes use of any information obtained in consequence of any requirement made under this regulation or communicated to him by the person by whom it was so obtained, he shall be guilty of an offence against these regulations.

No communication of an invention made in consequence of any requirement under this regulation, or the use thereof by any person authorised under this regulation to use it, shall prejudice any right of the inventor or owner thereof subsequently to apply for or obtain a patent for the invention.

The Food Controller may, as respects articles to which his powers under Regulations 2\textsuperscript{r} to 2\textsuperscript{r} extend, exercise the like powers as are by this regulation conferred on the Admiralty, Army Council, and Minister of Munitions.

\textsuperscript{(a)} \textbf{Consideration for Use of Patent.}—S. 29 of the Act of 1907 (7 Edw. 7. c. 29) makes the following provision:—"Provided that any Government department may, by themselves, their agents, contractors, or others, at any time after the application, use the invention for the services of the Crown on such terms as may, either before or after the use thereof, be agreed on, with the approval of the Treasury, between the department and the patentee, or, in default of agreement, as may be settled by the Treasury after hearing all parties interested."
ORDERS OF THE FOOD CONTROLLER UNDER DEFENCE OF THE REALM REGULATIONS AS TO MAINTENANCE OF FOOD SUPPLY,
AND ORDERS OF THE DEPARTMENTS ANCILLARY THERETO.\(^{(a)}\)

**Chronological Table of all such Orders made by the Board of Trade \(^{(b)}\) or by the Food Controller.**

\(^{(a)}\) Information as to contravention of Orders.—Information regarding contravention of Orders should be given to the police or to an officer of the local authority, and not to the Ministry of Food.

\(^{(b)}\) Board of Trade Orders.—The Orders made in 1916 by the Board of Trade (all of which have now been revoked or have expired) had effect as though made by the Food Controller. See Defence of the Realm Regulations 211(2) printed at p. 9 of 1st Edit. of this Manual but omitted from the present Edition as being now spent.

\(^{(c)}\) Licences of the Food Controller.—In this statement General Licences which have been put on sale as Statutory Rules and Orders are counted with the Orders. References to other Licences are given in the footnotes to the Orders.

\(^{(d)}\) Statutory Rules and Orders.—Any Order referred to may be obtained from a bookseller at the price of 1d., or direct from H.M. Stationery Office, Kingsway, W.C. 2, post free, 1½d.
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<td>General Licence under Milk Order, 1917. (1917, No. 1029)</td>
<td>139</td>
</tr>
<tr>
<td></td>
<td>General Licence under Public Meals Order, 1917. (1917, No. 1030)</td>
<td>162</td>
</tr>
<tr>
<td>Oct. 10</td>
<td>General Licence under Dried Fruits (Restriction) Order, 1917. (1917, No. 1032)</td>
<td>86</td>
</tr>
<tr>
<td></td>
<td>Sea Fishing (Scotland) Order, 1917. (1917, No. 1033)</td>
<td>99</td>
</tr>
<tr>
<td>Oct. 12</td>
<td>General Licence under Flour and Bread (Prices) Order, 1917, (1917, No. 1048)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sugar Order, 1917. (1917, No. 1049)</td>
<td>172</td>
</tr>
<tr>
<td>Oct. 13</td>
<td>Potato Bags (Returns) Order, 1917. (1917, No. 1051)</td>
<td>156</td>
</tr>
<tr>
<td></td>
<td>Currants and Sultanas (Quisition) Order, 1917. (1917, No. 1053)</td>
<td></td>
</tr>
<tr>
<td>Oct. 15</td>
<td>Beer (Prices and Description) Order, 1917. (1917, No. 1058)</td>
<td>80</td>
</tr>
<tr>
<td></td>
<td>Intoxicating Liquor (Output and Delivery) Order, No. 3, 1917. (1917, No. 1059)</td>
<td></td>
</tr>
<tr>
<td>Oct. 16</td>
<td>General Licence under the Jam (Prices) Order, 1917. (1917, No. 1065)</td>
<td>78</td>
</tr>
<tr>
<td>Oct. 17</td>
<td>General Licence as to Lard under the Bacon, Ham and Lard (Maximum Prices) Order, 1917. (1917, No. 1062)</td>
<td>112</td>
</tr>
<tr>
<td></td>
<td>Tea (Provisional Prices) Order, 1917. (1917, No. 1063)</td>
<td>184</td>
</tr>
<tr>
<td>Oct. 20</td>
<td>Sugar (Sales for Ireland Returns) Order, 1917. (1917, No. 1072)</td>
<td>180</td>
</tr>
</tbody>
</table>
Bacon, Ham and Lard (Maximum Prices) Order, 1917.

[Attention is directed to the Introductory Note at p. iii which states the scope and arrangement of this Manual.]

ORDERS OF THE FOOD CONTROLLER UNDER DEFENCE OF THE REALM REGULATIONS AS TO MAINTENANCE OF FOOD SUPPLY, AND ORDERS OF OTHER DEPARTMENTS ANCILLARY THERETO.

2. Beans, Peas and Pulse, p. 25.
4. Brewing, Malting, and In-\textit{toxicating Liquors}, p. 68.
5. Conditions on Sale of Food, p. 84.
7. Fish, p. 88.
8. Hoarding of Food, p. 100.
12. Potatoes and Swedes, p. 140.

1. Bacon, Ham and Lard.\textbf{(a)}

Bacon, Ham and Lard (Maximum Prices) Order, p. 21.

General Licence thereunder as to Bacon, p. 23.


\textbf{THE BACON, HAM AND LARD (MAXIMUM PRICES) ORDER, 1917.}

\textit{DATED AUGUST 30, 1917.}

1917. No. 910.

In exercise of the powers conferred upon him by Regulation 2f of the Defence of the Realm Regulations and of all other powers enabling him in that behalf the Food Controller hereby orders that, except under the authority of the Food Controller,\textbf{(b)} the following regulations shall be observed by all persons concerned:

1. No Bacon, Ham or Lard shall on or after the date of this Order be sold by the Importer, Manufacturer or Curer thereof at prices exceeding the maximum prices specified for such Bacon, Ham or Lard in the Schedule hereto.

2. A person shall not sell or offer for sale or buy or offer to buy any Bacon, Ham or Lard at prices exceeding the maximum prices provided by Clause 1 of this Order, or in connection with any sale or disposition or proposed sale or disposition of Bacon, Ham or Lard enter or offer to enter into any artificial or fictitious transaction or make or demand any unreasonable charge.

3. This Order shall not apply to any sale by retail.

\textbf{(a) Export and Import of Bacon, Ham and Lard.\textemdash An epitome of the restrictions on the export and import of Bacon, Ham and Lard will be found in Appendix VI (7, Exportation; 8, Importation).}

\textbf{(b) General Licences allowing Sales at Prices Exceeding Maxima.\textemdash The Licence of Sept. 21st, 1917, as to sales of certain descriptions of Bacon, is printed p. 24, and the Licence of Oct. 17th, 1917, as to sales of American Lard, p. 25.
Interpretation.

4. The expression "Importer" shall include any person sighting the shipper's draft but this provision shall not be construed so as to limit the general interpretation of that expression.

Penalties.

5. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

Title.

6. This Order may be cited as the Bacon, Ham and Lard (Maximum Prices) Order, 1917.

By order of the Food Controller,

U. F. Wintour, 30th August, 1917. Secretary of the Ministry of Food.

Schedule.

<table>
<thead>
<tr>
<th>Bacon.</th>
<th>Per 112 lb.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irish (Wiltshire Cut)</td>
<td>f.o.b. 162s</td>
</tr>
<tr>
<td>Spencers (Green)</td>
<td>162s</td>
</tr>
<tr>
<td>Gammons (Green)</td>
<td>168s</td>
</tr>
<tr>
<td>Irish Rolled Bacon (skin on)</td>
<td>ex Factory 176s</td>
</tr>
<tr>
<td>(skin off)</td>
<td>190s</td>
</tr>
<tr>
<td>North of Ireland Dried Rolls</td>
<td>f.o.b. 184s</td>
</tr>
<tr>
<td>English (Wiltshire Cut) (Green)</td>
<td>ex Factory 163s</td>
</tr>
<tr>
<td>Wet Shoulder Bellies</td>
<td>174s</td>
</tr>
<tr>
<td>Wet Special Sides</td>
<td>174s</td>
</tr>
<tr>
<td>Scotch Ayrshire Rolled Bacon</td>
<td>190s</td>
</tr>
<tr>
<td>Danish</td>
<td>ex Port 162s</td>
</tr>
<tr>
<td>Wiltshire Cut</td>
<td>157s</td>
</tr>
<tr>
<td>American</td>
<td>Canadian Cured 154s</td>
</tr>
<tr>
<td>Long Rib</td>
<td>153s</td>
</tr>
<tr>
<td>Cumberland</td>
<td>155s</td>
</tr>
<tr>
<td>Long Hams</td>
<td>146s</td>
</tr>
<tr>
<td>(If box weight terms 1s. per cwt. less.)</td>
<td></td>
</tr>
<tr>
<td>Dutch</td>
<td>ex Port 162s</td>
</tr>
<tr>
<td>American</td>
<td></td>
</tr>
<tr>
<td>Wiltshire Cut</td>
<td>152s</td>
</tr>
<tr>
<td>Cumberland Cut</td>
<td>152s</td>
</tr>
<tr>
<td>Bellies</td>
<td>160s</td>
</tr>
<tr>
<td>Long Clear</td>
<td>160s</td>
</tr>
<tr>
<td>Short Clear Backs</td>
<td>157s</td>
</tr>
<tr>
<td>Short Rib</td>
<td>157s</td>
</tr>
<tr>
<td>Short Clear</td>
<td>160s</td>
</tr>
<tr>
<td>Rib Backs</td>
<td>150s</td>
</tr>
<tr>
<td>Long Hams</td>
<td>137s</td>
</tr>
<tr>
<td>A/C. Hams</td>
<td>137s</td>
</tr>
<tr>
<td>Manchester Cut Hams</td>
<td>137s</td>
</tr>
<tr>
<td>Skinned Hams</td>
<td>145s</td>
</tr>
<tr>
<td>Fatless Hams</td>
<td>150s</td>
</tr>
<tr>
<td>Stafford Cut Hams</td>
<td>142s</td>
</tr>
<tr>
<td>Square Shoulders</td>
<td>128s</td>
</tr>
<tr>
<td>New York Shoulders</td>
<td>122s</td>
</tr>
<tr>
<td>Picnics</td>
<td>110s</td>
</tr>
<tr>
<td>Long Rib</td>
<td>148s</td>
</tr>
<tr>
<td>Dublin Cut</td>
<td>146s</td>
</tr>
</tbody>
</table>

(If box weight terms 1s. per cwt. less.)
General Licence as to Bacon under Bacon, Ham and Lard (Maximum Prices) Order.

LARD.

<table>
<thead>
<tr>
<th>Description of Lard</th>
<th>Per 112 lb.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scotch Bladders</td>
<td>153s.</td>
</tr>
<tr>
<td>Irish Bladders (16/30s)</td>
<td>148s.</td>
</tr>
<tr>
<td>American, Pails</td>
<td>125s. 3d.</td>
</tr>
<tr>
<td>Boxes</td>
<td>124s.</td>
</tr>
<tr>
<td>Tierces</td>
<td>124s.</td>
</tr>
<tr>
<td>(Prime Steam)</td>
<td>122s.</td>
</tr>
</tbody>
</table>

HAMS.

<table>
<thead>
<tr>
<th>Description of Ham</th>
<th>f.o.b.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irish Fresh</td>
<td>144s.</td>
</tr>
<tr>
<td>ex Salt</td>
<td>154s.</td>
</tr>
<tr>
<td>smoked or pale dried</td>
<td>190s.</td>
</tr>
<tr>
<td>Long Cut</td>
<td>184s.</td>
</tr>
<tr>
<td>Boneless Smoked</td>
<td>194s.</td>
</tr>
</tbody>
</table>

All these prices are subject to the following terms:—Cash in seven days less 2d. in the £ discount, or Cash in One Month less 1d. in the £ discount.


The Food Controller hereby as respects bacon of the several descriptions specified in the Schedule hereto imported into the United Kingdom on or after the 21st September, 1917, authorises the sale of such bacon by the Importer, Manufacturer or Curer thereof at any prices not exceeding the prices specified for the same in the Schedule provided that this authority shall not apply to any bacon imported before the 21st September, 1917, and the Food Controller may withdraw this authority at any time if in his opinion the circumstances warrant the withdrawal thereof and provided further that for the purposes of this authority "Importer" shall have the same meaning as in the Bacon, Ham and Lard (Maximum Prices) Order, 1917(a); and Bacon shall be deemed to be imported as at the time when the ship is brought to at the place where the bacon is to be unshipped.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

21st September, 1917.

The Schedule.

<table>
<thead>
<tr>
<th>Description of Bacon</th>
<th>Price per 112 lbs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canadian:</td>
<td></td>
</tr>
<tr>
<td>Wiltshire Cut</td>
<td>162s.</td>
</tr>
<tr>
<td>Wiltshire Cut (Ame Cured American)</td>
<td>159s.</td>
</tr>
<tr>
<td>Long Rib</td>
<td>158s.</td>
</tr>
<tr>
<td>Cumberland</td>
<td>160s.</td>
</tr>
</tbody>
</table>

(a) BACON, HAM AND LARD (MAXIMUM PRICES) ORDER, 1917.—That Order is printed p. 21.
General Licence as to Lard under Bacon, Ham and Lard (Maximum Prices) Order.

The Schedule.

<table>
<thead>
<tr>
<th>Description of Bacon</th>
<th>Price per 112 lbs. ex Port.</th>
</tr>
</thead>
<tbody>
<tr>
<td>American:</td>
<td></td>
</tr>
<tr>
<td>Wiltshire Cut</td>
<td>157s.</td>
</tr>
<tr>
<td>Cumberland Cut</td>
<td>157s.</td>
</tr>
<tr>
<td>Bellies</td>
<td>165s.</td>
</tr>
<tr>
<td>Long Clear</td>
<td>165s.</td>
</tr>
<tr>
<td>Short Clear Backs</td>
<td>162s.</td>
</tr>
<tr>
<td>Short Rib</td>
<td>162s.</td>
</tr>
<tr>
<td>Short Clear</td>
<td>165s.</td>
</tr>
<tr>
<td>Rib Backs</td>
<td>164s.</td>
</tr>
<tr>
<td>Long Rib</td>
<td>153s.</td>
</tr>
<tr>
<td>Dublin Cut</td>
<td>151s.</td>
</tr>
</tbody>
</table>

If Box weight terms 1s. per 112 lbs. less for all the above descriptions.

General Licence, dated October 17, 1917, as to Lard under the Bacon, Ham and Lard (Maximum Prices) Order, 1917. 1917. No. 1062.

The Food Controller hereby as respects Lard of the several descriptions specified in the Schedule hereto authorises the sale of such Lard by the Importer, Manufacturer or Curer thereof at any prices not exceeding the prices specified for the same in the Schedule.

For the purpose of this authority "Importer" shall have the same meaning as in the Bacon, Ham and Lard (Maximum Prices) Order, 1917 (a).

The Food Controller may withdraw this authority at any time if in his opinion the circumstances warrant the withdrawal thereof.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.
17th October, 1917.

The Schedule.

<table>
<thead>
<tr>
<th>Description of Lard</th>
<th>Price per 112 lbs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Pails...</td>
<td>(Ex Port) 131s. 3d.</td>
</tr>
<tr>
<td>&quot;&quot; Boxes</td>
<td>130s.</td>
</tr>
<tr>
<td>&quot;&quot; Tierces</td>
<td>130s.</td>
</tr>
<tr>
<td>&quot;&quot; (Prime Steam)</td>
<td>128s.</td>
</tr>
</tbody>
</table>

All these prices are subject to the following terms:—
Cash in seven days less 2d. in the £ discount, or Cash in one month less 1d. in the £ discount.

(a) Bacon, Ham and Lard (Maximum Prices) Order, 1917.—That Order is printed p. 21.
Beans, Peas and Pulse (Requisition) Order, 1917.

2. Beans, Peas and Pulse (a).
Beans, Peas and Pulse (Requisition) Order, p. 25.
Beans, Peas and Pulse (Retail Prices) Order, p. 26.
General Licence under Retail Prices Order, p. 29.
Winter Beans Order, p. 28.


[This Order, printed p. 31, with the other Orders relating to Cereals prohibits the feeding of pulse, &c. to game birds.]


1917. No. 457.

In exercise of the powers conferred upon him by Regulation 2r of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. All persons owning or having power to sell or dispose of any beans, peas or pulse suitable for human food which have arrived in the United Kingdom or which shall hereafter arrive (except beans, peas and pulse arrived which have been sold by the original consignees and paid for by the purchasers) shall place and hold such beans, peas and pulse at the disposal of the Food Controller.

2. The beans, peas and pulse are taken over by the Food Controller from the original consignees and the Food Controller will subsequently communicate to them the prices which he will be prepared to pay for the same.

3. Except as otherwise determined by the Food Controller in any particular case all contracts made by the original consignees or any persons claiming under them for the sale of any beans, peas and pulse taken over under this Order are cancelled, and sellers and/or buyers are to stand released from all liability as to brokerage.

4. The arbitrator to determine in default of Agreement the compensation to be paid for stocks requisitioned under this Order shall be appointed by the Lord Chief Justice of England.

5. The original consignees shall on or before the 21st May, 1917, furnish to the Royal Commission on Wheat Supplies, Trafalgar House, Waterloo Place, S.W.1, full particulars of all beans, peas and pulse taken over under this Order.

(a) Export and Import of Beans and Peas.—An epitome of the restrictions on the export and import of Beans and Peas will be found in Appendix VI. (7 Exportation; 12 Importation).
6. This Order shall apply to all peas, beans and pulse imported or to be imported into the United Kingdom except as mentioned above and except Burmah peas and beans taken over by the Food Controller under an Order in that behalf dated 1st May, 1917.

7. This Order may be cited as the Beans, Peas and Pulse (Requisition) Order, 1917.

Devonport,
Food Controller.

16th May, 1917.

The Beans, Peas and Pulse (Retail Prices) Order, 1917. Dated May 29, 1917.

1917. No. 511.

In exercise of the powers conferred upon him by Regulation 2f of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. Except under the authority of the Food Controller no person shall sell or buy or offer to sell or buy by retail any beans, peas or pulse of the descriptions mentioned in the Schedule at prices exceeding the prices applicable as therein specified(a).

2. The maximum price shall include all charges for bags and other packages and no additional charge may be made therefor.

3. All such peas, beans and pulse shall be sold by weight only and shall be used only for human consumption.

4. No person shall in connection with a sale or proposed sale of any article to which this Order applies enter or offer to enter into any fictitious or unreasonable transaction or make or propose to make any unreasonable charge.

5. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent.

6. This Order may be cited as the Beans, Peas and Pulse (Retail Prices) Order, 1917.

Devonport,
Food Controller.

(a) Sale of Peas at Prices Exceeding Maxima.—By the Controller's General Licence of August 14, 1917 (p. 29) the sale by retail in packages of peas to which the May Order applies at prices exceeding those permitted by that Order was authorised.
Beans, Peas and Pulse (Retail Prices) Order, 1917.

Schedule.

<table>
<thead>
<tr>
<th></th>
<th>Until June 30th, 1917</th>
<th>During July, 1917</th>
<th>On and after August, 1917</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large Butter Beans</td>
<td>10d.</td>
<td>9d.</td>
<td>8d.</td>
</tr>
<tr>
<td>White Haricot Beans</td>
<td>8d.</td>
<td>7d.</td>
<td>6d.</td>
</tr>
<tr>
<td>Coloured Haricot Beans</td>
<td>7½d.</td>
<td>6½d.</td>
<td>5½d.</td>
</tr>
<tr>
<td>Blue and Green Peas (Whole and Split)</td>
<td>9d.</td>
<td>9d.</td>
<td>9d.</td>
</tr>
<tr>
<td>Large Manufactured Lentils</td>
<td>8d.</td>
<td>8d.</td>
<td>8d.</td>
</tr>
<tr>
<td>Small Manufactured Lentils</td>
<td>7d.</td>
<td>7d.</td>
<td>7d.</td>
</tr>
<tr>
<td>Yellow Split Peas</td>
<td>6d.</td>
<td>6d.</td>
<td>6d.</td>
</tr>
</tbody>
</table>

The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (a) shall apply to the above Order of the Food Controller as if that Order were mentioned in column 1 and the whole of that Order were mentioned in column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this First day of June, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877, (b)

With the concurrence of the Secretary for Scotland, I order that the Local Authorities (Food Control) (Scotland) Order, 1917, (c) shall apply to the above Order.

Devonport,
Food Controller.

(a) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187), coupled with the Food Controller’s Order of the same date (p. 192), is to empower Local Authorities in England and Wales to enforce the present Order, and to prosecute before courts of summary jurisdiction for breaches of the same.


(c) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.
In exercise of the powers conferred upon him by Regulation 2F of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following provisions shall be observed by all persons concerned:

1. A person shall not before the 1st December, 1917, use any winter-sown Winter Beans grown in the United Kingdom in the year 1917 (hereinafter called Winter Beans) for any purpose other than Seed.

2. A person shall not before the 1st December, 1917, buy or otherwise acquire any Winter Beans unless either he, being a person who ordinarily deals in Winter Beans for seed purposes acquires them with a view to re-sale for such purpose, or he requires Winter Beans for the purpose of seed; and unless, in either case, he gives to the person from whom he acquires the Winter Beans a certificate stating the purpose for which such Beans are required.

3. A person shall not before the 1st December, 1917, sell or otherwise dispose of any Winter Beans to any person except to a person who ordinarily deals in Winter Beans for seed, or to a person who is reasonably believed to require such Beans for the purpose of seed, and who, in either case, gives such a certificate as is referred to in the preceding clause.

4. Every Certificate given under this Order shall contain the name and address of the person giving such Certificate and shall be retained by the person to whom it is given. All such Certificates shall at all times be open to the inspection of any person authorised by the Food Controller or by a Local Authority empowered to enforce this Order or as respects England and Wales by the Board of Agriculture and Fisheries, or as respects Scotland by the Board of Agriculture for Scotland.

5. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

6. (a) This Order may be cited as Winter Beans Order, 1917. (b) Nothing in this Order shall affect the use of any Winter Beans in Ireland or any transaction taking place in Ireland.

By Order of the Food Controller,

U. F. Wintour,
Secretary of Ministry of Food.

27th July, 1917.
The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (a) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and the whole of that Order were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this Thirtieth day of July, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877. (b)

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (c) shall apply to the above Order.

By Order of the Food Controller,

U. F. Wintour,
Secretary of the Ministry of Food.

GENERAL LICENCE, DATED AUGUST 14, 1917, UNDER THE BEANS, PEAS AND PULSE (RETAIL PRICES) ORDER, 1917.

1917, No. 823.

The Food Controller hereby authorises, until further notice, the sale and purchase by retail in packages of peas to which the above Order applies, subject to the following conditions:

1. The package may contain only peas and a bag of cooking requisites, and no packets shall be sold except packets of the approximate gross weight of 1 lb., \(\frac{1}{2}\) lb., or \(\frac{1}{4}\) lb.

(a) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187), coupled with the Food Controller’s Order of the same date (p. 192), is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.

(b) General Order of May 26, 1877.—See footnote (b) to the Local Government Board Determination on Beans, Peas, and Pulse (Retail Prices) Order, 1917, p. 27.

(c) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.
The Horses (Rationing) Order, No. 2, 1917.

2. There shall be plainly printed on the outside of the package the name of the person by or for whom it was packed, the month in which it was packed, the gross weight of the packet and the net weight of the peas.

3. A 1 lb. (gross weight) packet may be sold at a price not exceeding 9d., provided that the net weight of the peas is not less than 14½ ozs.

4. A ½ lb. (gross weight) packet may be sold at a price not exceeding 6½d., provided that the net weight of the peas is not less than 10½ ozs.

5. A ¼ lb. (gross weight) packet may be sold at a price not exceeding 4½d., provided that the net weight of the peas is not less than 6½ ozs.

By Order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.

August 14th, 1917.


[This Order, printed p. 61, with the other Orders relating to Cereals restricts the feeding of beans to horses.]
3. Bread, Flour and Cereals. (a)(b)(c)

Barley (Requisition) Order, p. 38.
Barley (Restriction) Order, p. 52.

Bread Order, p. 35.

General Licence thereunder, p. 48.
Bread (Use of Potatoes) Order, p. 66.
Cake and Pastry Order, p. 39.
Dealings in Oats (Restriction) Order, p. 46.
Feeding of Game Order, p. 31.
Flour and Bread (Prices) Order, p. 55.

General Licence thereunder, p. 67.
Flour Mills Order, p. 42.
Flour Mills Order No. 2, p. 48.
Grain (Prices) Order (Grain of 1917), p. 49.

Horses (Rationing) Order No. 2, p. 61.

Maize, Barley and Oats (Restriction) Order, p. 43.
Manufacture of Flour and Bread Order (No. 2) Order, p. 32.
Oat and Maize Products (Retail Prices) Order, p. 44.

Wheat, Barley and Oats (Prices) Order (Grain of 1918), p. 37.
Wheat, Rye and Rice (Restriction) Order, p. 41.

Winter Oats and Rye (Restriction) Order, p. 54.

THE FEEDING OF GAME ORDER, 1917. DATED JANUARY 11, 1917.

In exercise of the powers conferred upon him by Regulation 2F of the Defence of the Realm (Consolidation) Regulation 1914, and of all other powers enabling him in that behalf, the Food Controller orders as follows:—

1. Except under the authority of the Food Controller, no person shall feed any game birds with any wheat, pulse or other grain or foodstuffs. (d)

(a) ORDERS AS TO MALT AND MALTING.—These Orders are printed under the heading, Brewing, Malting and Intoxicating Liquors, p. 68.

As to the export of Malt and Malt Extract, see footnote (a) to Brewing, Malting and Intoxicating Liquors, p. 68.

(b) EXPORT AND IMPORT OF BREAD, FLOUR AND CEREALS.—An epitome of the restrictions on the export of Bread, Flour and Cereals will be found in Appendix VII (7 Exportation). As to Import of Yeast, see 12 (Importation) of that Appendix.

(c) USE OF GRAIN OR RICE FOR MANUFACTURE OF SPIRITS.—Regulation 30D of the Defence of the Realm Regulations, printed in Part V of this Manual, prohibits the use of Grain or Rice in the Manufacture of Whiskey, &c., without a permit from the Minister of Munitions. Further restrictions on the use of Grain and Rice are imposed by the Food Controller's Orders, printed in this Section.

(d) ENFORCEMENT OF CLAUSE 1 AND PROSECUTIONS BY LOCAL AUTHORITIES.—Clause 1 of this Order is enforceable by Local Authorities in England, Wales, and Scotland (see "The Local Authorities (Food Control) Order (No. 1), 1917," p. 187, and "The Local Authorities (Food Control) (Scotland) Order, 1917," p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller's Order of May 8th, 1917, p. 192).

No grain to be fed to game birds.
Penalty.

Interpretation.

Short Title and Commencement of Order.

2. Any person acting in contravention of this Order is guilty of a summary offence against the Defence of the Realm Regulations.

3. For the purposes of this Order, the expression “game birds” shall include pheasants, partridges, quail, and wild duck.

4.—(1) This Order may be cited as the Feeding of Game Order, 1917.

(2) This Order shall come into force on the 15th day of January, 1917.

11th January, 1917.

Devonport,

Food Controller.

THE MANUFACTURE OF FLOUR AND BREAD ORDER (No. 2), 1917.

DATED FEBRUARY 24, 1917. (a)

1917. No. 187.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller no person shall manufacture any wheaten flour other than a straight run flour.

2. Except under the authority of the Food Controller no person shall after 12th March, 1917, mill any wheat so that the percentage of the extract of flour obtained from the cleaned wheat ground in his mill during any month or other period is less than the percentage (hereinafter called the prescribed percentage) ascertained on the basis of the percentages set forth in the Schedule hereto, or such other percentages as the Food Controller may from time to time prescribe.

Provided always that the following adjustments shall be made in ascertaining the prescribed percentage:

(i) The percentage applicable to any Argentine wheat shall be increased by \( \frac{1}{2} \) per cent. in respect of each \( \frac{1}{2} \) lb. by which the actual bushel weight of the Argentine wheat milled shall exceed the bushel weight specified as applicable thereto and shall be decreased by \( \frac{1}{4} \) per cent. in respect of each \( \frac{1}{2} \) lb. by which the actual bushel weight shall be less than the bushel weight so specified.

(ii) In any case where the total product of the mill in question is obtained exclusively from English, Scotch and Irish wheat or any of them the percentage shall be less by one than the percentage otherwise applicable.

(a) SAMPLES OF FLOUR.—The Food Controller's Order of June 11th, 1917, relating to Prosecutions by Inspectors of Weights and Measures, and printed in Part III of this Manual (p. 193), empowers such an Inspector to take samples of any flour in the possession of any miller or baker or seller of bread or flour.
3.—(a) Except under the authority of the Food Controller there shall, after the 12th March, 1917, (a) be mixed with the wheaten flour not more than 15(a) per cent. and not less than 5(a) per cent. of flour obtained from rice, barley, maize, maize semolina, oats, rye or beans or any other cereal for the time being authorised by the Food Controller.  
(b) The mixture shall be made either by addition to the wheaten flour after it has been milled, or by milling the permitted cereals with wheat, or partly in one way and partly in the other way. In any case rice shall be milled to a 95 per cent. extraction, maize semolina to a 70 per cent. extraction, and maize and barley to a 60 per cent. extraction.  
(c) The mixture shall be made by the miller before selling or otherwise disposing of his flour.  

4. Imported flour shall be dealt with only in manner prescribed by the Food Controller from time to time.  

5. Except under the authority of the Food Controller no person shall after the 26th March, 1917, sell or offer for sale or manufacture bread or any other article of food for which wheaten flour is used unless the wheaten flour used therein is flour which has been manufactured and otherwise dealt with as required by this Order. (b) (c)  

6. For the purpose of any statute, wheaten flour which has been mixed with flour obtained from rice, barley, maize, maize semolina, oats, rye, beans, in manner provided by this Order or has been otherwise mixed in manner authorised by the Food Controller, and does not contain any other ingredient, shall be deemed to be exclusively composed of wheaten flour. (b)  

7. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. (d)  

8. This Order may be cited as the Manufacture of Flour and Bread Order (No. 2), 1917.  

24th February, 1917.  

Devonport,  
Food Controller.  

(a) Mixture.—After April 10th, 1917, the mixture with the wheaten flour is to be not more than 25 and not less than 10 per cent. See The Manufacture of Flour and Bread Order (No. 3), 1917, printed p. 36.  
(b) Wheaten Flour.—The Bread Acts which are referred to in footnote (d), p. 35, to the Bread Order, 1917, prohibited the admixture with wheaten flour of any ingredients, and the Sale of Food and Drug Acts impose penalties on the adulteration of flour.  
(c) Enforcement of Clause 5.—Clause 5 of this Order is enforceable by Local Authorities in England, Wales, and Scotland (see “The Local Authorities (Food Control) Order (No. 1), 1917,” p. 187, and “The Local Authorities (Food Control) (Scotland) Order, 1917,” p. 194), and breaches of that Clause may be prosecuted by Local Authorities in England and Wales (see Food Controller’s Order of May 8th, 1917, p. 192), or by Inspectors of Weights and Measures in England, Wales, and Ireland (see Food Controller’s Order of June 11th, 1917, p. 194).  
(d) Liability of Directors, &c., of Company.—Reg. 48A of the Defence of the Realm Regulations (printed in Part IX, 4, “Miscellaneous Provisions as to Offences,” of this Manual), which was added to the Code since this Order was made, provides that directors and officers shall be liable for offences by their corporation or company.
## Manufacture of Flour and Bread Order (No. 2), 1917.

### Schedule.

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<td>Blue Stem</td>
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In exercise of the powers conferred upon him by Regulation 2v of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that the following provisions shall, except under the authority of the Food Controller, be observed by all persons concerned:

1. No bread which has not been made at least 12 hours shall be sold or offered or exposed for sale.

2. No loaf of bread shall be sold or offered or exposed for sale except in the shape either of a one piece oven bottom loaf or a tin loaf. (c)(d)

3. No currant bread, sultana bread or milk bread shall be sold or offered or exposed for sale.

4. No sugar(ē) shall be used in the making of bread.

5. No baker or seller of bread shall exchange any bread for other bread which he has sold.

6. All bread shall be sold by weight and not otherwise, (f) except bread sold for consumption on the premises of the seller.

7. No loaf of bread shall be sold or offered or exposed for sale unless its weight be one pound or an even number of pounds. (d)

8. No roll of bread shall be sold or offered or exposed for sale except a roll weighing two ounces. (g)

(a) Enforcement of Order and Prosecutions by Local Authorities.—This Order is enforceable by Local Authorities in England, Wales, and Scotland (see "The Local Authorities (Food Control) Order (No. 1), 1917," p. 187, and "The Local Authorities (Food Control) (Scotland) Order, 1917," p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller’s Order of May 8th, 1917, p. 192) or by Inspectors of Weights and Measures in England, Wales and Ireland (see Food Controller’s Order of June 11th, 1917, p. 193).

(b) Samples of Flour.—The Food Controller’s Order of June 11th, 1917, relating to Prosecutions by Inspectors of Weights and Measures, and printed in Part III of this Manual (p. 193), empowers such an Inspector to take samples of any flour in the possession of any miller or baker or seller of bread or flour.

(c) Shape of Loaves.—By the Controller’s General Licence of May 23, 1917 (p. 48), the sale of loaves in the shape of Pan Cuborg loaves and twin-sister brick loaves was authorised.

(d) Shape, Size, and Weight of Bread under Bread Acts.—The special provisions of the Statute book as to bread are comprised in three Acts passed nearly a century ago. Of these the London Bread Act of 1822 (3 Geo. 4. c. cvi.; local) applies to the area within 10 miles of the Royal Exchange, the Bread Act, 1836 (6 & 7 Will. 4. c.37) to the rest of England and to Scotland, and the Bread (Ireland) Act, 1838 (1 & 2 Vict. c. 28) to Ireland. These Acts are to a great extent in identical terms: s. 3 of each of them permitted bakers to make and sell bread of any weight or size.

(e) Use of Sugar.—For other restrictions on use of sugar, see Orders printed under "14. Sugar" pp. 163-182.

(f) Sale by Weight.—S. 4 of each of the Bread Acts referred to in footnote (d) above, prohibited the sale of bread throughout the U.K. except by weight, but this provision did not extend to the sale of bread "usually sold as French or fancy bread" when those Acts came into force. See the proviso to s. 4 in each Act and Aerated Bread Co., v. Gregg (1873) L.R. 8 Q.B. 355; the test of whether bread is "fancy bread" is a question of shape and size rather than of quality. V.V. Bread Co. v. Stubbs (1896) 74 L.T. 704; Bailey v. Barsby (1909) 2 K.B. 610.

(g) Weight of Rolls.—By the Controller’s General Licence of May 23, 1917 (p. 48), the sale of rolls weighing not less than 1 oz. or more than 2 oz. was authorised.
9. Any person authorised by the Food Controller or any Inspector of Weights and Measures(a) may require any person offering or exposing any bread for sale to weigh such bread in his presence and may also require any person in the course of delivering any bread to permit him to weigh such bread.

10. For the purpose of this Order bread may be weighed at any time within 30 hours of the completion of the baking thereof but not later.

11. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent.(b)

12.—(a) This Order may be cited as the Bread Order, 1917.
(b) This Order shall come into force on the 12th March, 1917.

26th February, 1917.

Devonport,

Food Controller.

THE PUBLIC MEALS ORDER 1917. DATED APRIL 4, 1917.

[This Order, printed p. 158, restricts the quantity of flour and bread to be used in or by any public eating place.]

THE MANUFACTURE OF FLOUR AND BREAD ORDER (No. 3), 1917.
DATED APRIL 4, 1917.(c)
1917. No. 315.

In exercise of the powers conferred upon him by Regulations 2f and 2j of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders that the Manufacture of Flour and Bread Order (No. 2) 1917 (hereinafter called the principal order)(d) shall be varied as follows:—

1. In lieu of the mixtures mentioned in Article 3 (a) of the principal order, there shall after the 10th April 1917 be mixed with the wheaten flour therein referred to, not more than 25 per cent. and not less than 10 per cent. of flour obtained from the cereals mentioned in such article, and the principal Order shall stand varied accordingly.

2. This Order may be cited as the Manufacture of Flour and Bread Order (No. 3.) 1917.

Devonport.

4th April, 1917.

Food Controller.

(a) INSPECTORS OF WEIGHTS AND MEASURES.—These are officers of, and appointed by, the local authorities, viz. in the City, the Court of Aldermen, in certain English municipal boroughs of over 10,000 population the Town Council, in Scottish burghs the Magistrates, in Dublin the Commissioners of Police, in Irish boroughs the Town Council, and elsewhere throughout the U.K. the County Councils. See s. 50 and sch. 4 of the Weights and Measures Act, 1878 (41 & 42 Vict. c. 49) as amended by the Local Government Acts.
(b) LIABILITY OF DIRECTORS, &c., OF COMPANY.—See footnote (d) to Manufacture of Flour and Bread Order (No. 2), 1917, p. 33.
(c) SAMPLES OF FLOUR.—The Food Controller’s Order of June 11th, 1917, relating to Prosecutions by Inspectors of Weights and Measures, and printed in Part III of this Manual (p. 193), empowers such an Inspector to take samples of any flour in the possession of any miller or baker or seller of bread or flour.
(d) MANUFACTURE OF FLOUR AND BREAD ORDER (NO. 2), 1917.—That Order is printed p. 32.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller no wheat, Maximum barley (other than kiln dried barley) or oats harvested in the United Kingdom in the year 1916 may be sold at prices exceeding prices at the following rates:
   - Wheat—78s. per quarter of 480 lbs.
   - Barley—65s. per quarter of 400 lbs.
   - Oats—55s. per quarter of 312 lbs.

2. The buyer shall be entitled to require the grain to be placed on rail or (at the option of the seller) to be delivered to the buyer's premises, and no additional charge may be made in respect thereof.

3. Except in so far as the Food Controller may in any particular case otherwise determine, the following provision shall have effect in the case of any contract subsisting at the date of this Order for the sale of any of the grains mentioned where the contract price exceeds the permitted maximum price:

   The contract shall stand so far as concerns any such grain which has been paid for or has been delivered or which under the contract is to be delivered within one month from the date of such contract, but otherwise shall be avoided.

4. No person shall sell or buy or offer to sell or buy any of the grain mentioned at a price exceeding the permitted maximum price or in connection with a sale or proposed sale of any such grain enter or offer to enter into any fictitious or artificial transaction or make any unreasonable charge.

5. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. (c)

6. This Order may be cited as the Wheat, Barley and Oats (Prices) Order, 1917.

16th April, 1917.

Food Controller.

Devonport.

(a) Application of Order.—On April 19th it was announced that the Order would not apply prior to 26th May to bona fide sales of grain (for seed purposes) to growers.

On April 30th a general permit was issued entitling wholesale dealers to add a commission of 1s. per quarter to the prices in the Order and retail dealers to add a further 2s. per quarter, the price with all commissions added in no event to exceed by more than 3s. the prices in the Order. This general permit also took the opportunity of stating the terms upon which the prices in the Order were understood to be based. The Order refers only to home grown wheat, barley and oats of the 1916 crop and excludes kiln dried barley.

With the exception of kiln dried barley now held by the Royal Commission on Wheat Supplies, very little of the 1916 grain crop remains in existence.

(b) Maximum Prices for Grain Harvested in 1917.—See Grain (Prices) Order, 1917, p. 49.

(c) Liability of Directors, &c., of Company.—See footnote (d) to Manufacturers of Flour and Bread Order (No. 2), 1917, p. 33.

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In exercise of the powers conferred upon him by Regulations 2r and 2s of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. All persons owning or having power to sell or dispose of any barley (other than home grown barley which has not been kiln dried) shall place such barley at the disposal of the Food Controller and shall deliver the same to him or such persons as may be named by him in such quantities and at such time as the Food Controller may from time to time require.

2. Pending any direction no person shall remove or otherwise dispose of any such barley (whether in pursuance of a contract existing at the date of this Order or not) and all persons concerned shall take such steps as may be reasonably necessary to maintain the same in good condition.

3. All persons owning or having power to sell or dispose of such barley shall on or before the 30th April, 1917, furnish to the Food Controller, Grosvenor House, Upper Grosvenor Street, London, W.1, a statement on forms to be obtained from the Food Controller, giving particulars of all such barley in their possession or under their control at the date of this Order, and of all their existing contracts if any for the sale of such barley.

4. The Food Controller will subsequently communicate to the owners of barley taken over by him the prices which he will be prepared to pay for the same.

5. The arbitrator to determine in default of agreement the compensation to be paid for barley requisitioned under this Order shall be appointed by the Lord Chief Justice of England.

6. This Order shall not apply
   (a) to persons who do not own more than 25 qrs. (448 lbs. per quarter) of barley at the date of the Order;
   (b) to barley in the hands of or held to the order of flour millers at the date of this Order;
   (c) to barley agreed to be sold to the Royal Commission on the Wheat Supply.

7. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent.\(^{(a)}\)

8. This Order may be cited as the Barley (Requisition) Order, 1917.

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\(^{(a)}\) **Liability of Directors, &c., of Company.**—See footnote \(^{(d)}\) to Manufacture of Flour and Bread Order (No. 2), 1917, p. 33.
THE CAKE AND PASTRY ORDER, 1917. DATED APRIL 18, 1917.(a)

1917. No. 372.

In exercise of the powers conferred upon him by Regulation 2r of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders that, except under the authority of the Food Controller, the following regulations shall be observed by all persons concerned:

1. No person shall after the 21st April, 1917, make or attempt to make for sale, or after the 24th April, 1917, sell or offer to sell or have in his possession for sale:
   (a) Any crumpet, muffin, tea cake or fancy bread, or any light or fancy pastries, or any other like article.
   (b) Any cake, bun, scone or biscuit, which does not conform to the requirements of the two following provisions of this Order.

2. In the making of any cake, bun, scone or biscuit, no edible substance shall be added to the exterior of the cake mixture or dough after it has been mixed, or to the article during the process of or after baking.

3. Cake.—No cake shall contain more than 15 per cent. of sugar or more than 30 per cent. of wheaten flour.

   Bun.—No bun shall contain more than 10 per cent. of sugar or more than 50 per cent. of wheaten flour.

   Scone.—No scone shall contain any sugar or more than 50 per cent. of wheaten flour.

   Biscuit.—No biscuit shall contain more than 15 per cent. of sugar.

The percentage shall be determined in every case by reference to the weight of the baked article taken at any time. The percentage of sugar shall be ascertained by analysis of a sample representing a fair average of the whole article, and all sugar contained in the baked article shall be taken into account, in whatsoever form it may have been introduced.

4. The foregoing provisions of this Order shall not apply to any cake or biscuit proved to have been made before the 23rd April, 1917.

5. The provisions of the Sale of Food and Drugs Acts relating to warranties and invoices shall apply to any proceedings under

(a) ENFORCEMENT OF ORDER AND PROSECUTIONS BY LOCAL AUTHORITIES.

This Order is enforceable by Local Authorities in England, Wales, and Scotland (see "The Local Authorities (Food Control) Order (No. 1), 1917," p. 187, and "The Local Authorities (Food Control) (Scotland) Order, 1917" p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller's Order of May 8th, 1917, p. 192), or by Inspectors of Weights and Measures in England, Wales, and Ireland (see Food Controller's Order of June 11th, 1917, p. 193).
the foregoing provisions of this Order in the same way as they apply to proceedings under those Acts. (a)

6. Any person authorised by the Food Controller, and any Inspector of Weights and Measures (b) may enter upon any premises where he has reason to suspect any article is being made or sold or exposed for sale in contravention of this Order, and take samples thereof.

7. This Order shall apply to articles made or supplied in Clubs in the same way as it applies to articles made or supplied for sale.

8. (a) The following provision shall apply to every public eating place as defined in the Public Meals Order 1917 (c) which is excepted from that Order under clause 7 (b) thereof:

No individual customer shall be served at any meal whatsoever which begins between the hours of 3 p.m. and 6 p.m. with more than 2 ozs. in the whole of bread, cake, bun, scone and biscuit.

(b) This clause shall not apply to any public eating place where:

(1) No customer is ever charged more than 6d. in respect of a meal (including the charge for beverages) begun between 3 p.m. and 6 p.m. which does not include meat, fish or eggs; and

(2) There is exhibited on every tariff card and also in a conspicuous position in every room where meals are usually served a notice to the effect that no customer will be so charged.

(c) This clause shall not come into force until the 23rd April, 1917.

9. For the purpose of this Order the expression "Wheaten Flour" shall mean any flour for the time being authorised to be used in the manufacture of wheaten bread, and the expression "sugar" shall include glucose.

(a) Provisions of Sale of Food and Drugs Acts as to Warranties and Invoices.—S. 25 of the 1875 Act (38 & 39 Vict. c. 63) provides that if a defendant in any prosecution under that Act proves that he bought the article in the same state as sold and with a warranty he shall be discharged. There must be some writing connecting the particular consignment with the warranty. A series of reported cases turn on the question as to whether an invoice amounts to a warranty and it would seem that it does so amount if it contains a statement guaranteeing the article, provided that it can be regarded as the actual contract of sale.

S. 7 of the Margarine Act, 1887 (50 & 51 Vict., c. 52), makes provision as to warranties, and s. 12 of that Act provides for proceedings thereunder being the same as are prescribed by ss. 12 to 28 of the Sale of Food and Drugs Act, 1875.

S. 20 of the 1899 Act (62 & 63 Vict. c. 51) provides that a warranty or invoice shall not be available as a defence unless the defendant sends a copy thereof to the purchaser within 7 days after service of the summons and makes further provision as to warranties.

(b) Inspectors of Weights and Measures.—See footnote (a) to Bread Order, 1917, p. 36.

(c) Public Meals Order, 1917.—That Order is printed as amended by the Public Meals Orders (Nos. 2 and 3), 1917, p. 158.
10. If any person acts in contravention of this Order or aids and abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. (a)

11. This Order may be cited as the Cake and Pastry Order, 1917.

Devonport,
Food Controller.

18th April, 1917.

THE WHEAT, RYE AND RICE (RESTRICTION) ORDER, 1917. DATED APRIL 20, 1917. (b)

1917, No. 376.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders that, except under the authority of the Food Controller, the following regulations shall be observed by all persons concerned:

1.—(a) No person shall use any wheat or rye except for the purpose of seed or except in the process of manufacturing flour. (b) This clause shall not apply to tailings or screenings or to wheat or rye which has been so damaged as to be unsaleable for milling.

2.—(a) No person shall after the 28th April, 1917, use any wheaten flour, rye flour, rice or rice flour, except in the manufacture of articles suitable for human food, or use any article containing any wheaten flour, rye flour, rice or rice flour except as human food. (b) This clause shall not apply to wheaten flour, rye flour, rice or rice flour which on the 28th April, 1917, had been so treated as to be unfit for the purposes of human food, or to any article which on the 28th April, 1917, is unfit for such purposes.

3. No person shall damage or permit to be damaged or after the 28th April, 1917, treat or permit to be treated any wheat, wheaten flour, rye, rye flour, rice or rice flour, or any article containing wheaten flour, rye flour, rice or rice flour so as to render the same less fit for the purposes for which under this Order it is reserved.

4. No person shall waste or permit to be wasted any flour or other article referred to in the last preceding clause.

(a) LIABILITY OF DIRECTORS, &c., OF COMPANY.—See footnote (d) to Manufacture of Flour and Bread Order (No. 2), 1917, p. 33.

(b) ENFORCEMENT OF ORDER AND PROSECUTIONS BY LOCAL AUTHORITIES. —This Order is enforceable by Local Authorities in England, Wales, and Scotland (see “The Local Authorities (Food Control) Order (No. 1), 1917” p. 187, and “The Local Authorities (Food Control) (Scotland) Order, 1917” p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller’s Order of May 8th, 1917, p. 192).
Flour Mills Order, 1917.

5. Any person authorised by the Food Controller may take samples of any wheat, wheaten flour, rye, rye flour, rice or rice flour or other article which he has reason to suspect is being used, treated or damaged or is intended to be used, treated or damaged in contravention of this Order.

6. For the purposes of this Order the expression "Wheaten Flour" shall include any flour of which flour obtained from wheat forms part.

7. The Waste of Wheat Order 1916, and the Wheat (Restriction) Order 1917 are hereby revoked(a) without prejudice to any proceedings in respect of any contravention thereof.

8. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent.(b)

9. This Order may be cited as the Wheat, Rye and Rice (Restriction) Order, 1917.

Devonport,
Food Controller.

20th April, 1917.


In exercise of the powers conferred upon him by Regulation 2(c) of the Defence of the Realm Regulations, which is set out at the foot of this Order,(d) and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. The provisions of Regulation 2(c) of the Defence of the Realm Regulations are hereby applied as from the 30th April, 1917, to all flour mills in the United Kingdom which at the date of this Order use any wheat in the making of flour except mills the output capacity of which is less than 5 sacks of flour per hour.

2. This Order may be cited as the Flour Mills Order, 1917.

Devonport,
Food Controller.

20th April, 1917.

(a) REVOKED ORDERS.—The two revoked Orders are printed at pp. 210, 212 of the February, 1917, Edition of the "Defence of the Realm Manual."

(b) LIABILITY OF DIRECTORS, &c., OF COMPANY.—See footnote (d) to Manufacture of Flour and Bread Order (No. 2), 1917, p. 33.

(c) SAMPLES OF FLOUR.—The Food Controller's Order of June 11th, 1917, relating to Prosecutions by Inspectors of Weights and Measures and printed in Part III. of this Manual (p. 193) empowers such an Inspector to take samples of any flour in the possession of any miller or baker or seller of bread or flour.

(d) REGULATION 2(c).—This Regulation is printed at p. 9, and is therefore not reprinted at the foot of this Order.
THE MAIZE, BARLEY AND OATS (RESTRICTION) ORDER, 1917. DATED MAY 2, 1917. (a)

1917. No. 404.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders that, except under the authority of the Food Controller, the following regulations shall be observed by all persons concerned:

1.—(a) No person shall, after the 9th May, 1917, use or treat any maize, barley, (b) or oats, or any product obtained from maize, barley, (b) or oats, or any article containing maize, barley, (b) or oats, or containing any such product except for the purposes permitted by this clause.

(b) The permitted purposes are seed, human and animal food, and the manufacture of articles of food, but do not include the manufacture of glucose.

(c) This clause shall not apply to such products and articles as on the 9th May, 1917 are unfit to be used in human or animal food.

2. No person shall, after the 9th May, 1917, use or treat any tapioca, sago, manioc, or arrowroot for any purpose except for human food or in the manufacture of articles suitable for human food.

3. Any person authorized by the Food Controller may take samples of any cereal or other article which he has reason to suspect is being used or treated, or is intended to be used or treated, in contravention of this Order.

4. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. (c)

(a) Enforcement of Order and Prosecutions by Local Authorities.—This Order is enforceable by Local Authorities in England, Wales and Scotland (see “The Local Authorities (Food Control) Order (No. 1), 1917,” p. 187), and “The Local Authorities (Food Control) (Scotland) Order, 1917” (p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller’s Order of May 8th, 1917, p. 192).

(b) Revocation of Order as to Barley. This Order is revoked as regards barley by Art. 7 of the Barley (Restriction) Order, 1917, p. 53.

(c) Liability of Directors, &c., of Company.—See footnote (d) to Manufacture of Flour and Bread Order (No. 2), 1917, p. 33.
THE OAT AND MAIZE PRODUCTS (RETAIL PRICES) ORDER, 1917.
DATED MAY 9, 1917. (a)

1917. No. 429.

In exercise of the powers conferred upon him by Regulation 2r of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. Except under the authority of the Food Controller no person shall on or after the 21st May, 1917, sell or buy or offer to sell or buy by retail,

   (a) any maize flour, maize flakes, maize semolina, hominy, cerealine or maize meal at a price exceeding a price at the rate of 4d. (b) per lb.;

   (b) any oatmeal, rolled oats or flaked oats or other like products of oats at a price exceeding a price at the rate of 5½d. (c) per lb.

2. The maximum price shall include all charges for bags and other packages and no additional charge may be made therefor.

3. No person shall in connection with a sale or proposed sale of any article to which this Order applies enter or offer to enter into any fictitious or unreasonable transaction or make or propose to make any unreasonable charge.

(a) Enforcement of Order and Prosecutions by Local Authorities.—As to the enforcement of this Order by Local Authorities in England and Wales, see the Order printed at the foot hereof, and as to such enforcement in Scotland, see "The Local Authorities (Food Control) (Scotland) Order, 1917" (p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller's Order of May 8th, 1917, p. 192).

(b) Maximum Prices for Maize Meal, &c.—From June 18, 1917, the maximum price is decreased to 3½d., see the Oat and Maize Products (Retail Prices) Order, No. 2, 1917, p. 47.

(c) Maximum Prices for Oat Meal, &c.—From June 18, 1917, the maximum price is decreased to 5d. in England and Ireland, and to 4½d. in Scotland, see the Oat and Maize Products (Retail Prices) Order, No. 2, 1917, p. 47.
4. Except in such cases as the Food Controller may otherwise determine, this Order shall apply to proprietary brands of the articles mentioned. (a)

(a) Licences for Selling Proprietary Brands.—The Food Controller has issued 5 licences under the Oat and Maize Products (Retail Prices) Order, 1917, as varied by the Oat and Maize Products (Retail Prices) Order (No. 2), 1917, as follows:—

[Notice of August 20th, 1917.]

(1) All persons concerned may sell “Quaker Oats” in 1 lb. packets (gross weight) for 5d. and in 2 lb. packets (gross weight) for 9d.

(2) The International Plasmon, Limited, 66a, Farringdon Street, E.C. 4, may sell their “Plasmon Oats” packed in 1 lb. (nett weight) packets at a price not exceeding 9d. per packet.

The following conditions are attached to this licence:—

(a) No variation must be made in percentage of constituents from those submitted to the Ministry of Food.

(b) The authorised price must be advertised to the Public.

(c) The following label must be attached to each package:—

“This Package contains 1 lb. (nett weight) and is licensed by the Food Controller to be sold at a price not exceeding 9d.”

(3) The Manbre Saccharine Company, Limited, Britannia Works, Hammer-smith, W. 6, may sell “Melah” at a price not exceeding 6d. per 1 lb. (nett weight).

The following conditions are attached to this licence:—

(a) No variation must be made in percentage of constituents or treatment from those submitted to the Ministry of Food.

(b) The permit must be advertised on each package in the following form:

“Melah” is licensed by the Food Controller to be sold at price not exceeding 6d. per 1 lb. (nett weight).

(4) J T. Saunders, 2, Orchard Road, Kingston-on-Thames, may sell “Saunders’ Scotch Porridge Meal” at a price not exceeding 8½d. per lb. (nett weight).

The following announcement must be made on each package or by advertisement:—

“Saunders’ Scotch Porridge Meal is licensed by the Food Controller to be sold at a price not exceeding 8½d. per 1 lb. (nett weight).”

U. F. Wintour,
Secretary of the Ministry of Food.

20th August, 1917.

[Notice of September 25th, 1917.]

(5) Messrs. J. & J. Colman, Ltd., 108, Cannon Street, E.C., are authorised to sell by retail a preparation manufactured and sold by them as “Robinson’s Groats” at a price not exceeding 1s. per pound net weight.

The following conditions are attached to this licence:—

(a) It shall extend only to groats delivered from their mill prior to 1st January, 1918, and to a quantity of groats not exceeding 50 per centum of the quantity delivered from the mill during the months of September, October, November and December, 1916.

(b) That every retail packet of groats packed by them after this date or delivered by them after the 30th September, 1917, whether packed before or after this date shall, when sold by them, and at the time of the retail sale thereof bear a conspicuous slip or label as follows:—

“This packet is licensed by the Food Controller to be sold at a retail price not exceeding 1s. per pound net weight, and is for the use of invalids and young children only.”

W. H. Beveridge,
Second Secretary of the Ministry of Food.

25th September, 1917.
Dealings in Oats (Restriction) Order, 1917.

5. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent.\(^{(a)}\)

6. This Order may be cited as the Oat and Maize Products (Retail Prices) Order, 1917.

Devonport,

Food Controller.

The Local Government Board, by arrangement with the Food Controller, hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and the whole of that Order were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.\(^{(b)}\)

Dated this 10th day of May, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877.\(^{(c)}\)

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1917. No. 444.

In exercise of the powers conferred upon him by Regulation 2\(^{r}\) of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. Except under the authority of the Food Controller, no person shall either on his own behalf or on behalf of any other person:

(a) buy, sell or deal in; or

(b) offer, or invite an offer, or propose to buy, sell or deal in; or

(c) enter into negotiations for the sale or purchase or other dealing in any Oats outside the United Kingdom, whether or not the sale, purchase or dealing is, or is to be, effected in the United Kingdom: provided that until further notice all persons are authorised

(a) to ship, dispose of, and deal in Oats already bought for future shipment;

\(^{(a)}\) Liability of Directors, &c., of Company.—See footnote \(^{(d)}\) to Manufacture of Flour and Bread Order (No. 2), 1917, p. 33.

\(^{(b)}\) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 197) coupled with the Food Controller's Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.

\(^{(c)}\) General Order of May 26, 1877.—See footnote \(^{(b)}\) to Local Government Board Determination on Beans, Peas and Pulse (Retail Prices) Order, p. 27.
(b) to buy, sell or deal in Oats on passage to, or arrived at, or already landed in the United Kingdom;

c) to fulfil any sales made prior to the date of this Order whether on a c.i.f. basis or on any other basis.

2. All persons concerned shall before the 21st May, 1917, furnish to the Secretary of the Oats Control Committee, Grosvenor House, Upper Grosvenor Street, London, W. 1, a statement showing—

(i) stocks of their oats afloat,
(ii) unshipped purchases of oats at the date of this Order,
(iii) quantity sold or unsold in each case.

3. If any person acts in contravention of this Order or aids or abets any other person, whether or not such other person is in the United Kingdom, in doing anything which if done in the United Kingdom would be a contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent.(a)

4.—(a) This Order may be cited as theDealings in Oats (Restriction) Order, 1917.

(b) This Order shall come into force on the 15th May, 1917.

14th May, 1917.

Devonport,
Food Controller.

The Oat and Maize Products (Retail Prices) Order, No. 2, 1917. Dated May 23, 1917.

1917. No. 482.

In exercise of the powers conferred upon him by Regulations 2r and 2s of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. On and after the 18th June, 1917, the maximum price mentioned in Clause 1 (a) of the Oat and Maize Products (Retail Prices) Order, 1917 (hereinafter called the Principal Order)(b) for maize flour, maize flakes, maize semolina, hominy, cerealine or maize meal shall be 33d. per lb. in the United Kingdom and the maximum price mentioned in clause 1 (b) of the Principal Order for oatmeal, rolled oats, flaked oats or other like products of oats shall be 44d. per lb. in Scotland and 5d. per lb. elsewhere in the United Kingdom, and the Principal Order shall take effect accordingly.

2. This Order may be cited as the Oat and Maize Products (Retail Prices) Order, No. 2, 1917.

Devonport,
Food Controller.

23rd May, 1917.

(a) Liability of Director, &c., of Company.—See footnote (d) to Manufacture of Flour and Bread Order (No. 2), 1917, p. 33.

(b) Oat and Maize Products (Retail Prices) Order, 1917.—That Order is printed p. 44.
General Licence under Bread Order; Flour Mills Order No. 2, 1917.

General Licence, dated May 23, 1917, under the Bread Order, 1917. (a)

1917. No. 483.

The Food Controller hereby authorises all persons concerned to sell and expose for sale—

(a) loaves of bread in the shape of Pan Coburg loaves and twin sister brick loaves; and

(b) rolls of bread weighing not less than one ounce and not more than two ounces,

provided that the provisions of the Bread Order, 1917, (a) are in all other respects complied with.

Devonport,

23rd May, 1917.

Food Controller.

The Flour Mills Order No. 2, 1917. Dated July 31, 1917. (b)

1917. No. 774.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. The provisions of Regulation 266 of the Defence of the Realm Regulations are hereby applied as from the close of business on the 11th August, 1917:—

(a) To every Flour Mill in the United Kingdom, which uses any wheat in the making of flour or meal, (hereinafter referred to as a flour mill) except a mill to which the Flour Mills Order, 1917, applies; and

(b) to every provender and grist mill connected with any flour mill as part of the same establishment.

2. Every person having the management or control of a Flour Mill shall before the 7th August, 1917, forward to the Food Controller, Grosvenor House, London, W.1, particulars of the name or names of the proprietor or proprietors and postal address of the mill and the hourly and weekly output capacity of the mill for the production of flour.

3. From and after the 11th August, 1917, no person shall grind wheat except at a mill in respect of which the particulars required by the foregoing clause have been furnished.

4.—(i.) Every person having the control or management of a flour mill shall keep such records relating to grain received, held and used, and relating to the operations of the mill as the Food Controller may from time to time direct, and shall make such returns relating to the operations of the mill as the Food Controller may from time to time require.

(ii.) All records and documents kept in accordance with this clause shall upon any request in that behalf be produced to and open to the inspection of any person authorised by the Food Controller.

(a) Bread Order, 1917.—That Order is printed p. 35.
(b) Samples of Flour.—The Food Controller's Order of June 11th, 1917, relating to Prosecutions by Inspectors of Weights and Measures and printed in Part III of this Manual (p. 193) empowers such an Inspector to take samples of any flour in the possession of any miller or baker or seller of bread or flour.
5. If a person refuse or neglect to make a return or makes or causes to be made a false return, or otherwise infringes the provisions of this Order, he is guilty of a summary offence against the Defence of the Realm Regulations.

6. This Order may be cited as the Flour Mills Order No. 2, 1917.

By order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.

THE GRAIN (PRICES) ORDER, 1917, DATED AUGUST 14, 1917, RELATING TO GRAIN HARVESTED IN 1917.(a)

1917: No. 820.

In exercise of the powers conferred upon him by Regulation 2f of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:

1. No Wheat, Rye, Oats or Barley harvested in the United Kingdom in the year 1917, may be sold at prices exceeding the maximum prices(b) applicable according to the provisions of this Order.

2._(a) The maximum price applicable on any transaction shall subject as hereinafter provided be a price at the rate specified in the following table:

<table>
<thead>
<tr>
<th>Agreed date of delivery of Grain sold.</th>
<th>Wheat and Rye Rate per Quarter of 904 lbs.</th>
<th>Oats Rate per Quarter of 836 lbs.</th>
<th>Barley Rate per Quarter of 448 lbs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where delivery is to be made before the 1st December, 1917, the price shall not exceed</td>
<td>73 6</td>
<td>44 3</td>
<td>62 9</td>
</tr>
<tr>
<td>Where delivery is to be made in the month of December, 1917, or January, 1918, the price shall not exceed</td>
<td>74 6</td>
<td>45 3</td>
<td>62 9</td>
</tr>
<tr>
<td>Where delivery is to be made in the month of February or March, 1918, the price shall not exceed</td>
<td>75 6</td>
<td>46 3</td>
<td>62 9</td>
</tr>
<tr>
<td>Where delivery is to be made in the month of April or May, 1918, the price shall not exceed</td>
<td>76 9</td>
<td>47 3</td>
<td>62 9</td>
</tr>
<tr>
<td>Where delivery is to be made on or after the 1st June, 1918, the price shall not exceed</td>
<td>77 9</td>
<td>48 6</td>
<td>62 9</td>
</tr>
</tbody>
</table>

(a) MAXIMUM PRICES FOR GRAIN HARVESTED IN 1916.—See Wheat, Barley and Oats (Prices) Order, 1917, p. 37.

(b) MINIMUM GROWERS' PRICES OF WHEAT AND OATS.—Part I. of the Corn Production Act, 1917 (printed as Part IV, 1, of this Manual) provides for payments to growers where average price of wheat or oats is less than the minimum prescribed by that Act. A Memorandum of the Department of Agriculture and Technical Instruction for Ireland as to Minimum Prices under the Act and Maximum Prices under the Order is printed as Part IV. 4, of this Manual.
(b) The rate per quarter applicable for delivery during any period according to the foregoing period is hereinafter called the standard rate.

3.—(a) Where Oats suitable for the manufacture of Oatmeal rolled Oats or flaked Oats for human consumption are bought by an Oatmeal Miller specifically for the purpose of such manufacture, or by a recognised dealer specifically buying for re-sale for such manufacture, the maximum price shall be ascertained by adding 3s. per quarter to the standard rate.

(b) Where Barley is bought by a person requiring and holding a License from the Food Controller granted for the purpose of entitling him to use Barley for a manufacturing business carried on by him, or by a recognised dealer specifically buying for re-sale to such a person, the maximum price shall be ascertained by adding 5s. 3d. per quarter to the standard rate.

4.—(a) In the case of Wheat and Rye so damaged as to be unfit for milling, and Wheat and Rye tailings and dressings, the maximum price shall be ascertained by deducting 7s. per quarter from the standard rate.

(b) In the case of Barley so damaged as to be unfit for milling and Barley tailings and dressings, the maximum price shall be ascertained by deducting 7s. 9d. per quarter from the standard rate.

(c) In the case of Oats improperly cleaned or containing an undue quantity of soil, and Oat tailings and dressings, the maximum price shall be ascertained by deducting 5s. per quarter from the standard rate.

5. On the occasion of the purchase of any of the grains mentioned from any person who is a recognised dealer in grain and who is not the producer of the Grain sold, the following provisions shall have effect:—

(i) Where the purchase is made by a Flour Miller buying for the purpose of his Mill, the maximum price shall be ascertained by adding 1s. per quarter to the price otherwise applicable according to the foregoing provisions of this Order.

(ii) Where a purchase is made otherwise than by a Flour Miller buying for the purpose of his Mill, the maximum price shall be ascertained by adding 2s. per quarter to the price otherwise applicable according to the foregoing provisions of this Order, provided that where the total quantity of a particular kind of Grain purchased by one buyer from one seller does not in any period of seven consecutive days including the day of sale exceed 15 sacks, the maximum price in respect of each quarter so purchased shall be ascertained by adding 4s. per quarter to the price otherwise applicable according to the foregoing provision of this Order, and where such total quantity does not in that period amount to one sack the maximum price in
Grain (Prices) Order, 1917.

respect of each quarter so purchased shall be ascertained by adding 8s. per quarter to the price otherwise applicable according to the foregoing provisions of this Order.

6.—(a) The maximum prices under this Order are fixed on the basis of the following terms and conditions being applicable to the transaction:

(i) Payment to be net cash within seven days of completion of delivery and monies then unpaid thereafter to carry interest not exceeding the rate of 5 per cent. per annum or Bank Rate whichever be the higher.

(ii) Delivery of Grain by producer to be free on rail or barge or to Mill or Store in accordance with the usual custom of the District.

(iii) Freight, haulage, porterage and cartage from the point where delivery has been or is to be made by the producer to be for the Buyer's account.

(iv) All sack hire up to and including the time of delivery to rail, barge, mill or store by producer to be for the producer's account and all charges for sacks subsequent thereto to be for buyer's account.

(b) Where the grain is sold on terms or conditions other than the terms and conditions stated in the foregoing part of this clause, a corresponding adjustment shall be made in the maximum price, and for this purpose the cost of delivery for which the producer is liable under the above terms shall be reckoned at the rate of 6d. per ton per mile.

7. If the buyer of any Home Grown Grain sold should require the Grain bought to be mechanically treated, the cost of such treatment shall be the subject of a separate agreement and shall not be made a condition of the sale.

8. No person shall sell or buy or offer to sell or buy any of the Grain mentioned at a price exceeding the price applicable under this Order or in connection with a sale or disposition or proposed sale or disposition of any such Grain enter or offer to enter into a fictitious or artificial transaction or make any unreasonable charge.

9. None of the foregoing provisions of this Order shall apply to any grain which is suitable for seed and which is also sold specifically for the purpose of seed, and no grain so sold shall be used for any other purpose.

10. No person shall after the 31st August, 1917, sell any Wheat, Rye, Oats or Barley whether imported or home-grown otherwise than by weight.

11. No person shall after the 31st August, 1917, torrefy or bleach any Wheat, Rye, Oats or Barley whether imported or home grown.

12. Where any grain is sold to a Flour Miller such grain shall be deemed to be sold to him for the purpose of his Mill until the contrary be proved.
Barley (Restriction) Order, 1917.

Interpretation.

13. For the purpose of this Order:
“Quarter” shall mean in relation to Wheat and Rye a weight of 504 lbs., and in relation to Oats a weight of 336 lbs., and in relation to Barley a weight of 448 lbs.
“Sack” shall mean half a quarter.
“Recognised dealer” shall mean a person who in the ordinary way of his business deals in Grain for the purpose of his livelihood.

Penalty.

14. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

Revocation.

15. From and after the date of this Order the 1917 Crop (Restriction) Order, 1917, shall cease to be in force except as regards potatoes(a) but without prejudice to any proceedings in respect of any contravention thereof.

16. This Order may be cited as the Grain (Prices) Order, 1917.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

14th August, 1917.


1917. No. 821.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:

1.—(a) No person shall on or after the 1st September, 1917, use any Barley except for the purpose of seed or except in the process of manufacturing flour.
(b) This clause shall not apply to tailings or screenings or Barley which has been so damaged as to be unfit for milling.

2.—(a) No person shall on or after the 1st September, 1917, use any Barley Flour, except in the manufacture of articles suitable for human food or use any article containing any Barley Flour except as human food.
(b) This clause shall not apply to Barley Flour which on the 1st September, 1917, had been so treated as to be unsuitable for the purpose of human food, or to any Barley Flour or any article containing Barley Flour which is or may become unfit for such purpose.

3. No person shall damage or permit to be damaged on or after 1st September, 1917, treat or permit to be treated any Barley or Barley Flour or any article containing Barley Flour so as to render the same less fit for the purpose for which under this Order it is reserved.

(a) 1917 Crop (Restriction) Order, 1917.—The remainder of that Order was revoked by the Potatoes Order, 1917, p. 143.
4. Any person authorised by the Food Controller and any Local Authority empowered to enforce the provisions of this Order, may take samples of any Barley or Barley Flour, or other article which he has reason to suspect is being used, treated or damaged in contravention of this Order.

5. If any question shall arise whether any Barley is so damaged as to be unfit for milling or whether any Barley Flour or article containing Barley Flour is unfit for the purpose of human food such question may be referred to and determined by any person authorised in that behalf by the Food Controller or in England and Wales and Scotland by a Local Authority empowered to enforce this Order as to Barley or Barley Flour or any such article within the district of such Local Authority.

6. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

7. After the 31st August, 1917, the Maize, Barley and Oats (Restriction) Order, 1917,(a) shall cease to be in force so far as the same relates to Barley but without prejudice to any proceedings in respect of any previous contravention thereof.

8. This Order may be cited as the Barley (Restriction) Order, Title. 1917.

By order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.

August 15th, 1917.

The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917,(b) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and the whole of that Order were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 16th day of August, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877.(c)

(a) MAIZE, BARLEY AND OATS (Restriction) Order, 1917.—That Order is printed p. 43.

(b) LOCAL AUTHORITIES (Food Control) Order (No. 1), 1917.—The effect of that order (printed p. 187), coupled with the Food Controller’s Order of the same date (p. 192), is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.

(c) GENERAL ORDER OF MAY 26, 1877.—See footnote (b), to the Local Government Board Determination on Beans, Peas, and Pulse (Retail Prices) Order, 1917, p. 27.
With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (a) shall apply to the above Order.

U. F. Wintour,
Food Controller.


1917. No. 822.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. Except under the authority of the Food Controller no person shall before the 1st November, 1917, use any Winter Sown Winter Oats (hereinafter called Winter Oats) grown in the United Kingdom in the year 1917, or before the 1st January, 1918, use any Rye so grown, for any purpose other than seed.

2. So long as the restrictions imposed by Clause 1 are in force no person shall buy or otherwise acquire any Winter Oats or Rye unless either he being a person who ordinarily deals therein for seed purposes acquires them with a view to re-sale as seed, or he requires them for the purpose of seed.

3. So long as the restrictions imposed by Clause 1 are in force no person shall sell or otherwise dispose of any Winter Oats or Rye except to a person who ordinarily deals therein for seed or to a person who is reasonably believed to require them for the purpose of seed.

4. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

5.—(a) This Order may be cited as the Winter Oats and Rye (Restriction) Order, 1917.

(b) Nothing in this Order shall affect the use of any Winter Oats in Scotland or in Ireland or any transaction affecting Winter Oats taking place in Scotland or Ireland.

By order of the Food Controller,

U. F. Wintour.
Secretary to the Ministry of Food.

14th August, 1917.

(a) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present order.
Flour and Bread (Prices) Order, 1917. Dated September 6, 1917. (a)

1917. No. 937.

In exercise of the powers conferred upon him by the Regulation 2r of the Defence of the Realm Regulations and of all other powers enabling him in that behalf the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:

1. On and after the 17th September, 1917, no flour or bread may be sold at prices exceeding the maximum prices applicable under the provisions of this Order or on terms involving the payment of higher or other charges than those permitted under this Order.

2. (a) On the occasion of a sale (other than a retail sale) of home-milled flour the maximum price shall be at the rate of 44s. 3d. per 280 lbs. subject to a discount of 6d. for settlement within 7 days and of 3d. for settlement within 21 days: Provided that where the flour is sold in sacks or packages as mentioned in the first column of the following table the maximum price shall be as set forth in such table:

<table>
<thead>
<tr>
<th>Sack or Package containing</th>
<th>Price.</th>
<th>Discount for settlement within 7 days</th>
<th>Discount for settlement within 21 days</th>
</tr>
</thead>
<tbody>
<tr>
<td>240 lbs.</td>
<td>38s.</td>
<td>6d.</td>
<td>3d.</td>
</tr>
<tr>
<td>224 &quot;</td>
<td>35s. 6d.</td>
<td>6d.</td>
<td>3d.</td>
</tr>
<tr>
<td>140 &quot;</td>
<td>22s. 14d.</td>
<td>3d.</td>
<td>1½d.</td>
</tr>
<tr>
<td>120 &quot;</td>
<td>19s.</td>
<td>3d.</td>
<td>1½d.</td>
</tr>
<tr>
<td>112 &quot;</td>
<td>17s. 9d.</td>
<td>2d.</td>
<td>½d.</td>
</tr>
<tr>
<td>98  &quot;</td>
<td>15s. 6d.</td>
<td>2d.</td>
<td>½d.</td>
</tr>
<tr>
<td>70  &quot;</td>
<td>11s. 1d.</td>
<td>1½d.</td>
<td>½d.</td>
</tr>
<tr>
<td>56  &quot;</td>
<td>8s. 10½d.</td>
<td>1d.</td>
<td>½d.</td>
</tr>
</tbody>
</table>

And provided also that where flour is sold divided into packets ready for retail sale higher wholesale prices may be charged by License of the Food Controller.

(b) Where credit is given a reasonable extra charge may be made provided that the price for cash is quoted on the invoice.

(c) All delivery charges after loading into a vehicle or truck standing or barge lying alongside the mill where the flour was manufactured may be added to the price and shall be shown as a separate item on the invoice relating to the sale.

(a) Samples of Flour.—The Food Controller’s Order of June 11th, 1917, relating to Prosecutions by Inspectors of Weights and Measures and printed in Part III of this Manual (p. 193) empowers such an Inspector to take samples of any flour in the possession of any miller or baker or seller of bread or flour.
(d) The permitted charges for sacks and outside packages shall be added to the price and shown as a separate item on the invoice relating to the sale. Except in the case of cotton bags, the amount charged shall be repaid on the return of the sacks or other outside packages in good condition.

(e) This clause shall not apply to any proprietary flour or self-raising flour until the Food Controller shall otherwise determine.

Sack charges.

3. The permitted charges for sacks and outside packages are:

(a) Thick sack holding 224 lbs. or over 2s. 6d. per sack.
   Thick sacks holding more than 70 lbs. and less than 224 lbs. 1s. 6d. per sack.

(b) Thin sacks holding 224 lbs. or over 1s. 6d. per sack.
   Thin sacks holding 112 lbs. and less than 224 lbs. 1s. per sack.
   Thin sacks holding 70 lbs. and less than 112 lbs. 9d. per sack.
   Thin sacks holding 56 lbs. and less than 70 lbs. 6d. per sack.

(c) Cotton bags holding 98 lbs. or over 1s. per bag.
   Cotton bags holding 70 lbs. and less than 98 lbs. 9d. per bag.
   Cotton bags holding 56 lbs. and less than 70 lbs. 6d. per bag.

(d) Other outside packages enclosing small bags of flour, the reasonable customary charges.

Retail sale of flour.

4.—(a) On the occasion of a retail sale of flour other than proprietary flour or self-raising flour where the quantity sold is 140 lbs. or more the maximum price shall be at the rate of 25s. per 140 lbs. and where the quantity sold is less than 140 lbs., but is not less than 7 lbs., the maximum price shall be at the rate of 2s. 8d. per 14 lbs., and where the quantity sold is less than 7 lbs. the maximum price shall be, for every half-quartern of 1\frac{1}{2} lbs. included in the amount sold, 4\frac{1}{2}d. and, for any quantity not being a complete half quartern included in such amount, at the rate of 2\frac{1}{2}d. per lb.

On the occasion of a retail sale of proprietary flour the maximum price shall, except where the Food Controller otherwise determines, be the price applicable under the foregoing provision.

On the occasion of a retail sale of self-raising flour, the maximum price shall be at the rate of 3\frac{1}{4}d. per lb.

(b) No charges may be made for packages except that, where the retail sale includes 56 lbs. of flour or more, the permitted charges for sacks and outside packages may, if shown as a separate item in the invoice relating to the sale, be added to the price. The amount so added shall except in the case of cotton bags be repaid on the return of the sacks or outside packages in good condition.

(c) A reasonable additional charge may be made for giving credit or for making delivery.
5.—(a) The maximum price for bread shall be at the rate of 2½d. per lb. provided that

(i) A person may sell to a customer a loaf weighing 1 lb. at 2½d. and a roll or rolls of bread at any price if at the time of such sale he is able and willing to sell to the customer quarter or half-quarter loaves or other bread at the rate of 2½d. per lb. to the extent of the customer’s requirements; and

(ii) a person may sell proprietary bread to a customer at or under the price authorised by the Food Controller for such proprietary bread if at the time of such sale he is able and willing to sell to such customer other bread at the rate of 2½d. a lb.

(b) A reasonable additional charge may be made for giving credit or for making delivery.

(c) This clause shall not apply to bread sold for consumption on the premises of the seller.

6.—(a) Where the Food Controller or a Food Control Committee is satisfied that by reason of some exceptional circumstance flour or bread cannot be sold by retail at the maximum prices provided by this Order so as to secure a reasonable profit the Food Controller may issue a licence or such Committee may issue a provisional licence authorising the sale of flour or bread at prices higher than such maximum prices.

(b) The powers of the Committee may be exercised in respect of the whole or part of their area or in respect of a particular retailer or class of retailers.

(c) For the purpose of this clause the Committee may make or hold such enquiries as they shall think fit.

(d) The powers of the Committee shall not be exercised by reason of some exceptional ingredient being used in the making of the flour or bread.

(e) The Committee shall forthwith send to the Food Controller a copy of every licence issued by them under this Clause, together with a statement of all the relevant circumstances and shall cancel or modify such licence if so required by the Food Controller.

(f) In Ireland the powers expressed to be conferred upon a Food Control Committee by this clause shall be exercisable by such Magistrates or other persons as the Chief Secretary for Ireland may from time to time nominate for the purpose.

7.—(a) A person shall not on or after the 1st October, 1917, deal in home-milled flour except under and in accordance with the terms of a licence for the time being in force granted to him by the Food Controller. The holder of a licence shall keep accurate records of all his dealings in flour and such records and all relevant documents shall at all times be open to the inspection of any person acting under the authority of the Food Controller.

(b) This clause shall not apply to a person who deals in home-milled flour only by way of retail sale, or to a person who deals only in flour milled by him.
8. On the occasion of a sale of imported flour the maximum price shall be the price (if any) for the time being prescribed by the Food Controller or the Royal Commission on Wheat Supplies. 

9. Except in such cases or to such extent in any particular case as the Food Controller shall otherwise determine, the following provisions shall have effect as to contracts for the sale of flour or bread subsisting on the 15th September, 1917: 

(a) Contracts for sale of any flour other than self-raising flour or proprietary flour. 

(i) The seller shall fulfil his contract so far as the same relates to flour not delivered or in course of transit on the 15th September, 1917, at the maximum price applicable under this Order on the occasion of a like sale, or in the case of imported flour at such price as may be determined by the Food Controller or the Royal Commission on Wheat Supplies. 

(ii) Nothing in this provision shall except the seller from the necessity of complying with the provisions of the Clause 10 of this Order.

(b) Contracts for sale of self-raising flour and proprietary flour. All such contracts shall unless the parties otherwise agree be cancelled as to any flour not delivered or in course of transit on the 15th September, 1917.

(c) Contracts for sale of bread (other than proprietary bread). The seller shall fulfil his contract so far as the same relates to bread not delivered or in course of transit on the 16th September, 1917, at a price which shall in default of agreement be determined by the Food Controller. Provisional payments on account of such price shall be made at the rate of 2d. per lb. of bread.

(d) Contracts for sale of proprietary bread. All such contracts shall unless the parties otherwise agree be cancelled as to any bread not delivered or in course of transit on the 16th September, 1917.

10. (a) Except under and in accordance with the terms of a licence granted to him by or under the authority of the Food Controller a person shall not after the 15th September, 1917, take delivery of any flour—

(i) for the manufacture of biscuits intended for wholesale sale, or

(ii) for any industrial purposes—or

(a) ROYAL COMMISSION ON WHEAT SUPPLIES.—The offices of the Commission are, Trafalgar House, Waterloo Place, S.W.1.

(b) LICENCES FOR DELIVERY OF FLOUR.—The same conditions apply to the manufacture of cake mixtures, baking powders, egg powders, blane-mange powders, custard powders, Italian pastes, soup squares or pastes, macaroni, spaghetti, sweet manufacture, chocolate and cocoa powders,Infants' and Invalids' foods, mustard, spices, condiments, and all such preparations. Applications for licences must be made to the Ministry of Food (Flour and Bread Section), Palace Chambers, Westminster, S.W.1. If granted, these will be issued on payment of 1s. per 280 lb.

No person may make delivery of flour if he believes it is required for any of the above purposes unless a licence authorising such delivery has been handed to him.
(iii) for ship's stores, or
(iv) for export to any destination—or
(v) for any such other purpose as the Food Controller may from time to time determine (hereinafter called "a precluded purpose").

(b) A person shall not use for the manufacture of biscuits intended for wholesale sale or for any precluded purpose any flour except—

(i) flour which he has in stock on the 15th September, 1917, or which is then in course of transit to him, and

(ii) flour of which he shall obtain delivery under and in accordance with the terms of a licence granted under the foregoing provision of this clause.

(c) A person shall not after the 15th September, 1917, make delivery of any flour if he believes or has reasonable grounds for believing that the flour is or may be required for any of the purposes mentioned in sub-clause (a) of this clause unless a licence authorising such delivery has been handed to him, which licence shall be returned by him to the Food Controller together with such particulars in relation to the flour delivered pursuant thereto as the Food Controller may direct.

(d) Every person requiring a licence for the delivery to him of flour for the manufacture of biscuits intended for wholesale sale or any industrial purpose or any precluded purpose shall keep accurate records of the amount of flour used and the purposes for which the flour is used in all the trades or businesses carried on by him.

(e) "Industrial purpose" shall mean any purpose other than the manufacture of an article intended for human food.

(f) "Ships Stores" shall mean stores for a ship departing on a voyage from the United Kingdom to parts beyond the seas.

11. In connection with this Order persons holding stocks of flour at the close of business on the 15th September, 1917, may make application on a form to be prescribed by the Food Controller for compensation in respect of such stocks and compensation will be granted in such cases in such manner and subject to such conditions as the Food Controller thinks fit.

12. Except under and in accordance with the terms of a licence granted by the Food Controller a person shall not after the 15th September, 1917, ship or consign any flour or bread from any part of the United Kingdom to any destination in the Channel Islands, or to the Isle of Man.

13. No person shall sell or offer or expose for sale or knowingly buy or agree to buy any flour or bread at a price exceeding the price applicable under this Order or in connection with a sale or disposition or proposed sale or disposition of any flour or bread, enter or offer to enter into any fictitious or artificial transactions or make or demand any unreasonable charge.
14. All parties affected by this Order shall make all such returns as to stocks, purchases, sales payments, prices dealings in or consumption of flour or bread as shall from time to time be required by or under the authority of the Food Controller.

15. A person shall not

(a) knowingly make or connive at the making of any false statement in any application for compensation in respect of flour or in any application for a license exempting him or any article from the provisions of this Order or authorising delivery of flour or bread or in any enquiry held for the purposes of this Order;

(b) forge or alter any licence authority or other document issued in connection with or for the purposes of this Order; or

(c) personate or falsely represent himself to be a person to whom such a licence authority or other document has been issued or applies.

16. A person employed by the Food Controller or a member of or person employed by a Food Control Committee shall not without lawful authority communicate to any person any information acquired by him from any application made or enquiry held in connection with or for the purposes of this Order.

17. If any question arises whether flour is proprietary flour or whether bread is proprietary bread such question shall be determined by the Food Controller.

18. For the purposes of this Order:

“Food Control Committee” shall mean a Committee constituted in accordance with the provisions of the Food Control Committees (Constitution) Order, 1917.(a)

“Flour” shall mean any wheat meal or wheaten flour or any flour containing flour milled from wheat.

“Home-milled flour” shall mean any flour manufactured in the United Kingdom.

“Self-raising flour” shall mean flour containing such ingredients that the flour when mixed with water forms a dough which aerates itself.

19. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

20. This Order may be cited as the Flour and Bread (Prices) Order, 1917.

Rhondda,
Food Controller.

6th September, 1917.

(a) Food Control Committees (Constitution) Order, 1917.—That Order is printed in Part III of this Manual, p. 199.
The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and so much of the Order as relates to retail transactions were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 10th day of September, 1917.

F. J. Willis,  
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877.

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917, shall apply to so much of the above Order as relates to retail transactions.

Rhondda,  
Food Controller.

THE HORSES (RATIONING) ORDER No. 2, 1917. DATED SEPTEMBER 26, 1917.

1917, No. 954.

In exercise of the powers conferred upon him by Regulation 2F of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. No person shall feed any horse or permit any horse to be fed with cereal foodstuffs except as provided in this Order, or under the authority of the Food Controller.

2. This Order shall not apply to horses falling within the classes mentioned in the first Schedule.

(a) The Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187), coupled with the Food Controller's Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.

(b) General Order of May 26, 1877.—See footnote (b) to the Local Government Board Determination on Beans, Peas and Pulse (Retail Prices) Order, 1917, p. 27.

(c) Local Authorities (Food Control) (Scotland), Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.

General prohibition against feeding cereal food-stuffs to horses. Horses excluded from the operation of this Order.
Limited rations to certain horses.

Prohibition as regards certain horses.

Hay, straw, &c.

Records.

Interpretation.

Penalty.

Horses (Rationing) Order No. 2, 1917.

3.—(a) Horses falling within the classes mentioned in the second and third Schedules may not on any day be fed with more than the quantity of cereal foodstuffs prescribed for such horses.

(b) The maximum quantity of oats which may be fed on any one day is prescribed in the Schedules, but maize, beans or peas may be used in lieu of oats, and if so used they shall be deemed for the purpose of this Order to be the equivalent of oats in the following proportions:

- 7½ lbs. Maize = 10 lbs. oats.
- 9 lbs. Beans = 10 lbs. oats.
- 9 lbs. Peas = 10 lbs. oats.

No other cereal foodstuffs may be used, except as specified in Clause 5 of this Order.

4. Horses falling within the classes mentioned in the fourth Schedule may not be fed with any cereal foodstuffs except as specified in Clause 5 of this Order.

5. No restriction is placed by this Order on the use of hay, straw, bran or dried brewer’s grains for the feeding of any horse.

6. Any person or persons in possession of a horse or horses falling within the classes mentioned in the second and third Schedules shall keep records of the number and classes of horses kept, in sufficient detail to show (1) the total maximum rations authorised by this Order (2) the description and quantities of the foodstuffs fed to such horses per week, and (3) the description and quantities of all cereal foodstuffs purchased; and such records shall at all reasonable times be open to the inspection of an officer of police or any person authorised by the Food Controller, or by a Local Authority as defined in the Local Authorities (Food Control) Order (No. 1), 1917, (a) in England or Wales, or by a Local Authority as defined in the Local Authorities (Food Control) (Scotland) Order, 1917, (b) in Scotland, or by the Food Control Committee appointed for Ireland(c) by the Food Controller in Ireland.

7. For the purpose of this Order:

"Horse" shall include mare, gelding, colt, filly, pony and mule.

"Thoroughbred horse" shall mean a horse whose sire and dam are entered in the General Stud Book.

"Cereal foodstuffs" shall include all grains and beans and products thereof.

8. If any person owning a horse or horses, or having control or management of a horse or horses, for the time being, acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations.

(a) Local Authorities in England and Wales.—The Local Authorities (Food Control) Order (No. 1), 1917, is printed p. 187, and footnote (c) (p. 188) thereto gives details as to the Authorities and their Districts.

(b) Local Authorities in Scotland.—The Local Authorities (Food Control) (Scotland) Order, 1917, is printed p. 194, and footnote (c) (p. 194) thereto gives details as to the Authorities and their Districts.

(c) Food Control Committees for Ireland.—See Notice of the Ministry of Food printed in Part III, p. 208.
9.—(a) This Order may be cited as the Horses (Rationing) Order, No. 2, 1917.

(b) This Order shall come into force on the 1st October, 1917, and the Horses (Rationing) Order, 1917,(a) is hereby revoked as from that day, without prejudice to any proceedings in respect of any previous infringement thereof, and without prejudice to any exemptions granted or to be granted by, or with the authority of the Food Controller thereunder.

Rhondda.

Food Controller.

20th September, 1917.

The Local Government Board, by arrangement with the Food Controller, hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917(b) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and the whole of that Order were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 26th day of September, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877.(c)

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917,(d) shall apply to the above Order.

By order of the Food Controller.

W. H. Beveridge,
Second Secretary.

(a) Horses (Rationing) Order, 1917.—That Order is printed p. 41 of 1st Edition of this Manual.

(b) Local Authorities (Food Control) Order, No. 1, 1917.—The effect of that Order (printed p. 187) coupled with the Food Controller’s Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.

(c) General Order of May 26, 1877.—See footnote (b) to the Local Government Board Determination on Beans, Peas and Pulse (Retail Prices) Order, 1917, p. 27.

(d) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.
Horses (Rationing) Order No. 2, 1917.

Schedule I.
Horses excluded from the operation of this Order:—
(a) Horses in the possession of the Army Council or the Admiralty, or exclusively used for the purposes of the Army Council or the Admiralty.
(b) Horses maintained and used exclusively for agricultural purposes.
(c) Stallions used exclusively for Stud purposes.

Schedule II.
Horses solely or mainly used for trade or business purposes to be rationed:

<table>
<thead>
<tr>
<th>Class of Horse</th>
<th>Maximum Daily Ration in terms of Oats</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When in hard and continuous Work.</td>
</tr>
<tr>
<td>(a) Heavy dray and cart horses, and trotting vanners.</td>
<td>16 lbs.</td>
</tr>
<tr>
<td>(b) Light draught horses, and light trotting vanners.</td>
<td>14 &quot;</td>
</tr>
<tr>
<td>(c) Other light horses and cobs</td>
<td>11 &quot;</td>
</tr>
<tr>
<td>(d) Ponies 14 hands and under</td>
<td>7 &quot;</td>
</tr>
</tbody>
</table>

Note.—(1) The jobbing out of horses is not in itself a trade or business purpose within the meaning of this Order.
(2) Pit horses and ponies working in the pits or at the pit mouth may be given 2 lbs. extra per day.

Schedule III.
Horses not used for trade or business purposes to be rationed:

<table>
<thead>
<tr>
<th>Class of horse</th>
<th>Maximum daily ration in terms of oats</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Brood Mares</td>
<td>7 lbs.</td>
</tr>
<tr>
<td>(b) Weaned Foals</td>
<td>6 &quot;</td>
</tr>
<tr>
<td>(c) Yearlings—</td>
<td></td>
</tr>
<tr>
<td>1st Jan. to 31st May</td>
<td>6 &quot;</td>
</tr>
<tr>
<td>1st June to 31st Aug.</td>
<td>3 &quot;</td>
</tr>
<tr>
<td>1st Sept. to 31st Dec.</td>
<td>6 &quot;</td>
</tr>
<tr>
<td>(d) Two and three year olds—</td>
<td></td>
</tr>
<tr>
<td>1st Jan. to 30th April</td>
<td>7 &quot;</td>
</tr>
<tr>
<td>1st May to 31st Oct.</td>
<td>3 &quot;</td>
</tr>
<tr>
<td>1st Nov. to 31st Dec.</td>
<td>7 &quot;</td>
</tr>
<tr>
<td>(e) Entire thoroughbreds, two years old and upwards not used for stud purposes</td>
<td>7 &quot;</td>
</tr>
</tbody>
</table>
(f) Hunters between the ages of 4 and 12 years (both inclusive), regularly hunted, sound and suitable for military service as (a) Officers’ chargers, (b) Cavalry troop horses, or (c) Artillery riding horses; such horses being the property of (1) the Master or Committee of a recognised pack of hounds or of (2) recognised followers living within the limits of the Hunt. The horses to be registered by the Master or his authorised deputy who shall notify the owners of the horses and the Committee on the Utilisation and Feeding of Horses, 7, Whitehall Gardens, S.W.1., of such registration. Horses so registered are liable to be called up by the Army Remount Department at any moment.

(g) Racehorses registered with the Committee on the Utilisation and Feeding of Horses, 7, Whitehall Gardens, S.W.1, for the purposes of the limited racing scheme

6 lbs. from 1st Oct. to 31st Oct.

10 lbs. from 1st Nov. till end of season.

Note.—The age of a horse is to be reckoned as beginning on the 1st January of the year in which the horse was foaled.

Schedule IV.

Horses not to receive any cereal foodstuffs:—
Horses not falling within any of the classes mentioned in Schedules I., II., and III., including:—

(a) Racehorses, hunters, and thoroughbreds, other than those specified in Schedules 1 and 3.

(b) Carriage horses, hacks; Char-a-banc horses, polo ponies, including all horses let out on hire for these purposes, and horses used in entertainments.

(c) Horses mainly used for other than business or trade purposes including all horses let out on hire for other than these purposes.

Note.—Correspondence with respect to this Order should be addressed to:

THE SECRETARY,
Committee on the Utilisation and Feeding of Horses,
7, Whitehall Gardens, S.W.1.


1917. No. 1006.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under and in accordance with the terms of a licence granted by or with the authority of the Food Controller, a person shall not after the 1st October, 1917, consign or ship any wheat from any part of the United Kingdom to any destination in the Channel Islands or to the Isle of Man except wheat already on shipboard for transport on that day.

2. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

3. This Order may be cited as the Wheat (Channel Islands and Isle of Man Export) Order, 1917.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

1st October, 1917.


1917. No. 1025.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. It shall be lawful for any person in the manufacture of bread to add to and to mix with the ingredients thereof before baking any quantity of potatoes not exceeding the maximum quantity hereinafter specified, and any potatoes so added not exceeding the quantity aforesaid shall for the purpose of any statute be deemed to have been wheaten flour. (a)

2. The maximum quantity of potatoes that may be so added in the manufacture of any bread, for sale shall be one pound of potatoes for every seven pounds of flour used in the manufacture of the bread, or such other quantity as the Food Controller may from time to time direct.

3. This Order may be cited as The Bread (Use of Potatoes) Order, 1917.

Rhondda.
Food Controller.

5th October, 1917.

(a) "WHEATEN FLOUR."—See the Manufacture of Flour and Bread Order (No. 2), 1917 (p. 32), which as amended by the Manufacture of Flour and Bread Order (No. 3), 1917 (p. 36), prescribes what mixture of cereals shall be deemed to be "wheaten flour."
The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917,(a) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and the whole of that Order were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 8th day of October, 1917.

Noel T. Kershaw,
Assistant Secretary.

 Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877.(b)

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917,(c) shall apply to the above Order.

By Order of the Food Controller.

W. H. Beveridge,
Second Secretary to the Ministry of Food.

GENERAL LICENCE, dated October 12, 1917, UNDER THE FLOUR AND BREAD (PRICES) ORDER, 1917,(d)

1917. No. 1048.

The Food Controller hereby authorises all persons selling flour by retail in cotton bags to make the following extra charges for the bag:—

Where the cotton bag holds not less than a half-quartern of flour (12 lbs.) and less than 28 lbs. a charge per bag at a rate not exceeding one farthing for every complete half-quartern of flour contained therein;

Where the cotton bag holds 28 lbs. and less than 56 lbs., a charge not exceeding 4d. per bag.

The extra charge so added to the price of the flour shall be shown as a separate item in the invoice (if any) relating to the sale and, unless otherwise agreed, shall not be repayable on the return of the bag.

By Order of the Food Controller.

U. F. Wintour,
12th October, 1917. Secretary to the Ministry of Food.

(a) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187), coupled with the Food Controller’s Order of the same date (p. 192), is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.


(c) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.

(d) Flour and Bread (Prices) Order, 1917.—That Order is printed p. 55.
4. Brewing, Malting and Intoxicating Liquors. (a)(b)(c)

Beer (Prices and Description) Order, p. 80.
Brewers (Malt Purchases) Order, p. 68.
Hops (Restriction) Order, as amended by Hops (Restriction) Order No. 2, p. 77.
Intoxicating Liquor (Output and Delivery) Order, p. 71.
Treasury Rules under Part II. of that Order, p. 75.
Intoxicating Liquor (Output and Delivery) Order No. 3, p. 78.
Malt (Restriction) Order, p. 69.
Malt (Restriction) No. 2 Order, p. 70.
Malt (Restriction on Shipping) Order, p. 70.

The Brewers (Malt Purchases) Order, 1917. Dated February 3, 1917. (d)

1917. No. 132.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller no maltster or dealer in malt shall on or after the 10th February, 1917, agree to sell any malt to any brewer for sale or make delivery to any brewer for sale of any malt other than malt deliverable under contracts made before that date.

2. Except under the authority of the Food Controller no brewer for sale shall on or after the 10th February, 1917, agree to buy any malt or to take delivery of any malt other than malt deliverable under contracts made before that date.

3. Except under the authority of the Food Controller no brewer for sale shall manufacture any malt from any barley agreed to be bought on or after the 10th February, 1917.

4. For the purposes of this Order—
The expression “brewer for sale” shall mean any person who brews beer for the use of any other person at any place other than the premises of the person for whose use the beer shall be brewed and any person licensed to deal in or retail beer who brews beer. (e)

(a) Export and Import of Malt, Hops and Intoxicating Liquors.—An epitome of the restrictions on the export and import of Malt, Hops and Intoxicating Liquors will be found in Appendix VI (7. Exportation; 12. Importation).

(b) Use of Grain, Sugar, &c., for Manufacture of Spirits.—Regulation 80 of the Defence of the Realm Regulations, printed in Part VIII of this Manual, prohibits the use of Grain (Malted or Unmalted), Rice, Sugar or Molasses in the Manufacture of Whiskey, &c., without a permit from the Minister of Munitions. Further restrictions on the use of Grain, Rice, Sugar, and Molasses are imposed by the Food Controller’s Orders, printed in Sections 3, “Bread, Flour and Cereals,” and 14, “Sugar,” of this Part (II) of this Manual.

(c) Requisition of Rum. The Admiralty Order of October, 1917, taking possession of stocks of rum is printed in Part VIII (“Food Powers of Admiralty, Army Council and Minister of Munitions”).

(d) Returns by Brewers.—The Brewers (Malt Purchases) Order, 1917, was preceded by an Order of Jan. 26th, 1917 (1917, No. 51), requiring Returns to be made by Brewers for Sale, &c., by Feb, 17th, 1917. That Order is omitted from this Manual as “spent.”

(e) “Brewer for Sale.”—This definition is identical with that of s. 19 of the inland Revenue Act, 1880 (43 & 44 Vict. c. 20).
Malt (Restriction) Order, 1917.

The expression "beer" includes ale, porter, spruce beer, black beer and any other description of beer. The expression "malt" shall mean malt suitable for use in the brewing of beer.  

5. Any person acting in contravention of this Order is guilty of a summary offence against the Defence of the Realm Regulations.  

6. This Order may be cited as the Brewers (Malt Purchases) Order, 1917.  

Devonport,  
Food Controller.  
3rd February, 1917.  

The Brewers Sugar Order, 1917. DATED FEBRUARY 8, 1917.  

[This Order which relates to the warehousing of certain "brewers sugar" other than sugar used for brewing, and to the sale by retail of "brewers sugar," is printed with other Orders relating to Sugar at p. 164].  

The Malt (Restriction) Order, 1917. DATED FEBRUARY 20, 1917.  

1917. No. 159.  

In exercise of the powers conferred upon him by Regulation 2r of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—  

1. Except under the authority of the Food Controller no person shall manufacture from barley or any other cereals any malt suitable for use in the brewing of beer.  

2. This Order shall not apply to barley or other cereals steeped at the date of this Order.  

3. For the purposes of this Order, the expression "beer" shall include ale, porter, spruce beer, black beer and any other description of beer.  

4. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. (a)  

5. This Order may be cited as the Malt (Restriction) Order, 1917.  

Devonport,  
Food Controller.  
February 20th, 1917.  

(a) LIABILITY OF DIRECTORS, &C., OF COMPANY.—Reg. 48a of the Defence of the Realm Regulations (printed in Part IX, 4 "Miscellaneous Provisions as to Offences," of this Manual) which was added to the Code since this Order was made, provides that directors and officers shall be liable for offences by their corporation or company.

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The Malt (Restriction on Shipping) Order, 1917. Dated March 21, 1917.

1917. No. 259.

In exercise of the powers conferred upon him by Regulation 2F of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller no person shall export, ship or consign any malt,
   (a) from Ireland to any destination in any part of Great Britain, the Channel Islands or the Isle of Man; or
   (b) from any part of Great Britain to any destination in Ireland, the Channel Islands or the Isle of Man.(a)

2. If any person acts in contravention of this Order or aids or abets any other person, in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent.(b)

3. (a) This Order may be cited as the Malt (Restriction on Shipping) Order, 1917.
   (b) This Order shall come into force on the 26th March, 1917.

Devonport,
Food Controller.

21st March, 1917.

The Malt (Restriction) No. 2 Order, 1917. Dated April 12, 1917.

1917. No. 345.

In exercise of the powers conferred upon him by Regulation 2F of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1.—(a) Except under the authority of the Food Controller no person shall after the date of this Order manufacture any malt from any cereals.
   (b) This article shall not apply to cereals in course of being manufactured into malt at the date of this Order.

(a) Export of Malt.—An epitome of the restrictions on the export of malt will be found in Appendix VI, 7 (Exportation).
(b) Liability of Directors, &c., of Company.—See footnote (a) to Malt (Restriction) Order, 1917, p. 69.
2. No person shall after the date of this Order agree to sell any malt or after the 14th April, 1917, make delivery of any malt except under and in accordance with the terms of a licence issued by the Food Controller, or except to a brewer for sale in manner permitted by the Brewers' (Malt Purchases) Order, 1917. (a)

3.—(a) Except under the authority of the Food Controller no person shall after the 14th April, 1917, use any malt for any purpose.

(b) This article shall not apply to a brewer for sale so far as is necessary for enabling him to brew the maximum barrelage permitted to him under the Intoxicating Liquor (Output and Delivery) Order, 1917. (b)

4. If any person acts in contravention of this Order or aids or abets any other person, in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. (c)

5. This Order may be cited as the Malt (Restriction) No. 2 Order, 1917.

Devonport,

Food Controller.

12th April, 1917.

The Intoxicating Liquor (Output and Delivery) Order, 1917.

Dated March 29, 1917.

1917. No. 270.

Whereas the Food Controller is empowered by Regulation 28 of the Defence of the Realm Regulations to make orders regulating, or giving directions with respect to the production, manufacture, treatment, use, consumption, transport, storage, distribution, supply, sale or purchase of, or other dealing in, or measures to be taken in relation to, any article (including orders as to maximum or minimum price) where it appears to him necessary or expedient to make any such order for the purpose of encouraging or maintaining the food supply of the country:

And whereas it appears to the Food Controller to be expedient, for the purpose of encouraging and maintaining the food supply of the country, to extend the existing restrictions on the output,

(a) Brewers' (Malt Purchases) Order, 1917.—That Order is printed p. 68.

(b) Intoxicating Liquor (Output and Delivery) Order, 1917.—That Order is printed below.

(c) Liability of Directors, &c., of Company.—See footnote (a) to Malt (Restriction) Order, 1917, p. 69.
Intoxicating Liquor (Output and Delivery) Order, 1917.

delivery, and distribution of beer and other intoxicating liquor, in manner appearing in this Order.\(^{(a)}\)

Now, therefore, in pursuance of his powers under the said regulations and all other powers enabling him in that behalf, the Food Controller hereby orders, as follows:—

I.—Beer.

1.—(1) A brewer for sale shall not brew at his brewery in any quarter more than the maximum barrelage for the quarter\(^{(b)}\) as determined under this Order.

(2) The maximum barrelage shall be determined for the purposes of this Order in the same manner as under the Output of Beer (Restriction) Acts, 1916,\(^{(c)}\) except that—

(a) in ascertaining the standard barrelage under subsection (2) of Section two of the Output of Beer (Restriction) Act, 1916, 66\% per cent. shall be substituted as the amount of reduction where 15 per cent. is under that provision the amount of reduction, and 72 per cent. shall be substituted as the amount of reduction where 30 per cent. is under that provision the amount of reduction; and

(b) ten million barrels shall be substituted for twenty-six million barrels as the rate of the total output of beer in the United Kingdom under the proviso to subsection (2) of Section two of that Act; and

(c) in determining the maximum barrelage for the quarter commencing on the first day of April, 1917, or any subsequent quarter, any surplus barrelage accrued in respect of any quarter previous to that commencing on the first day of April, 1917, shall not be taken into account.

(3) Where it appears to the Commissioners of Customs and Excise (hereinafter referred to as the Commissioners)\(^{(d)}\) that, owing to the transfer of licensed premises from one brewery to

\(^{(a)}\) **Relief in respect of restriction of business caused by order.**—As from March 31st, 1917, the holders of wholesale dealers' licences and of retailers' on-licences and off-licences for spirits, beer or wine, and of (annual) passenger vessel licences are entitled on the expiration of their licences to repayment of \(\frac{1}{3}\)th of the licence duty for every month or part of a month during the currency of both the order and the licence. This relief is in lieu of that conferred by the Acts of 1914 and 1915 in cases where sale of liquor was curtailed. See Finance Act, 1917 (7 & 8 Geo. 5, c. 31), s. 7.

\(^{(b)}\) **Maximum barrelage for quarter commencing october 1st, 1917.**—For that quarter the maximum barrelage is increased by the Intoxicating Liquor (Output and Delivery) Order, No. 3, p. 78.

A similar increase in the maximum barrelage for the past quarter, i.e., that commencing July 1st, 1917, was made by the Intoxicating Liquor (Output and Delivery) Order, No. 2 (St. R. & O., 1917, No. 700), which was in identical terms with Order No. 3, except as to dates and except that the "original gravity" referred to in Clauses 3 (a) and 6 (c) thereof was 1036\% instead of 1042\%.

\(^{(c)}\) **Output of beer restriction acts.**—Those Acts as amended by the Food Controller (Transfer of Powers) Order, 1917, which transferred certain powers conferred by those Acts from the Board of Trade to the Food Controller, are reproduced in consolidated form as Appendix V to this Manual.

\(^{(d)}\) **Commissioners of Customs and Excise.**—This Department was formed as from April 1, 1909, by the Excise Transfer Order, 1909 (St. R. & O., 1909, No. 197) which transferred the excise powers of the Commissioners of Inland Revenue to the new Board.
another or for the purpose of meeting any change in the amount of beer required to meet the supply of any localities, it is expedient to transfer barrelage from one brewer to another, the Commissioners may by order make the necessary transfer, and the maximum barrelages of the respective brewers shall be increased or decreased accordingly.

(4) The rights of brewers under subsection (3) of Section 2 of the Output of Beer (Restriction) Act, 1916, shall be suspended while this Order is in force.

(5) If the Food Controller, at the request of the Army Council, grants a special certificate to any brewer authorising him to brew beer in excess of the limits prescribed by this Order, on the ground that the addition is required for the use of military canteens, (a) the amount of beer which that brewer is entitled to brew shall thereupon be increased by the number of barrels stated in the certificate; and this Order shall apply accordingly.

2.—(1) The same provision shall be applicable in relation to the effect of this Order on contracts as is applicable in relation to the effect of the Output of Beer (Restriction) Act, 1916, on contracts under Section 4 of that Act.

(2) Licence holders, and persons having the same rights as licence holders under Section 5 of the Output of Beer (Restriction) Act, 1916, as amended by any subsequent Act, shall have the same rights, and brewers shall be under the same obligations, in connection with the output of beer as limited by this Order as under the said Section 5, except that the percentage of reduction in the number of standard barrels which a licence holder is entitled to obtain under that section and the reduction from the amount stated in the certificate for the purpose of ascertaining the reduction and transfer of maximum barrelage shall be increased so as to be 66\(\frac{2}{3}\) per cent. instead of 15 per cent.

(3) Any brewer who has not given to a licence holder any particulars or certificate which the licence holder is entitled to obtain from him under Section 5 of the Output of Beer (Restriction) Act, 1916, shall give the particulars or certificate to the licence holder within fourteen days after a request in writing therefor is made by the licence holder.

(4) A brewer shall give to a licence holder a copy of any certificate which has been obtained from him for the purpose of Section 5 of the Output of Beer (Restriction) Act, 1916, within fourteen days after a request in writing for the copy is made to him by the licence holder showing that the certificate originally obtained is either lost or for some other reason not available for use by the licence holder.

(a) Food Controller’s Certificates Authorising Brewing for Canteens.—These Certificates can be granted by the Food Controller under s. 6 of the Output of Beer (Restriction) Act, 1916, which as amended by the Amendment Act and by the Food Controller (Transfer of Powers) Order, 1917 (1917, No. 287) which transferred to the Food Controller the powers of the Board of Trade as to granting the special certificates referred to, is printed in Consolidated Form in Appendix V to this Manual.
Intoxicating Liquor (Output and Delivery) Order, 1917.

(5) Where beer has been supplied to a licence holder through a person recognised by the brewer as his agent—
(a) the agent shall be under the same obligation to give particulars and certificates of the beer as if he was the brewer; and
(b) the beer shall be deemed to be beer supplied by the brewer to the licence holder and not by the brewer to the agent.

3. Expressions to which a special meaning is attached by the Output of Beer (Restriction) Act, 1916, have (unless the context otherwise requires) the same meaning when used in this Part of this Order. (a)

II.—Wine and Spirits.

4.—(1) No wine or spirits shall be delivered from ship's side or a warehouse (including a distiller's spirit store) for home consumption on the payment of duty to any person—
(a) unless he is the holder of an authority for the time being in force under this provision,
(b) in excess of the amount which is authorised to be delivered to him under that authority; and
(c) unless particulars as to the warehouse or place from which the wine or spirits are delivered, and of the date of delivery are entered on the authority for delivery.

(2) Authorities for the purposes of this provision shall be issued by the Commissioners in such manner and subject to such conditions as may be prescribed by rules made for the purpose by the Treasury (b) and the Commissioners shall attach to any authority so issued such conditions as they think fit for ensuring the proper distribution of the wine or spirits authorised to be delivered.

The rules made by the Treasury may provide for the appointment of a committee for the purpose of advising and assisting the Commissioners in the performance of their duties, and the exercise of their powers under this Part of this Order. (b)

(3) Authority shall (except in cases where special directions are given by the Commissioners) be granted only to persons to whom or on whose behalf wine or spirits were delivered during the year 1916, and so that the total amount delivered to that person during the year beginning on the first day of April shall not exceed the amount delivered to that person during the year 1916 reduced by 50 per cent.

(4) This provision shall not prevent the delivery of spirits in cases where the Commissioners are satisfied that the spirits are—
(a) spirits delivered to a manufacturing chemist, or to a manufacturer of perfumes, for use in their manufactures; or

(a) Meaning of Expressions.—S. 7 of the 1916 Act defines "brewer" and "quarter." See Appendix V to this Manual in which the Act is printed.
(b) Treasury Rules.—These are printed p. 75.
Authorities under Food Controller’s Order for Delivery of Wine or Spirits for Home Consumption.

(b) spirits delivered for scientific purposes; or
(c) spirits supplied for the purpose of making medicines, to registered medical practitioners, to hospitals, and to persons, firms, and bodies corporate entitled to carry on the business of a chemist and druggist; but the Commissioners may attach conditions to the delivery of any spirits for those purposes in order to ensure their use for the purposes for which they are delivered.

(5) A person shall not procure, or attempt to procure, the delivery of wine or spirits in contravention of this provision, or make any entry on an authority which is false in any material particular, or make any statement which is false in any material particular, for the purpose of obtaining any authority under this provision.

Every person shall comply with any conditions attached by the Commissioners to an authority issued by them under this provision, or to the delivery of spirits under this provision.

If it is shown to the Commissioners that any condition attached by them to the issue of an authority under this provision has not been complied with, the Commissioners may, if they think fit, withdraw the authority; but the power of the Commissioners to withdraw the authority shall not prejudice the liability of the holder of the authority to any penalty to which he may be liable for not complying with the condition.

III.—General.

5. Infringements of this Order are summary offences subject to penalties under the Defence of the Realm Regulations.

6. This Order may be cited as the Intoxicating Liquor (Output and Delivery) Order, 1917.

Devonport,
Food Controller.

29th March, 1917.


1917. No. 375.

(1) Authorities for the delivery of Wine and Spirits from ship’s side or warehouse (including a distiller’s spirit store) for home consumption on the payment of duty as prescribed by section 4 (1) of the Intoxicating Liquor (Output and Delivery) Order, 1917, (a)

(a) Intoxicating Liquor (Output and Delivery) Order, 1917.—That Order is printed p. 71.
shall be issued only to a person who has made application to the Commissioners of Customs and Excise(a) on the form provided for the purpose supplied by the Commissioners, giving the particulars required thereby.

(2) The authority shall be granted for a period not exceeding six months ending either 30th September, or the 31st March, and the quantity of wine or spirits of which it shall authorise delivery shall not exceed 25 per cent. of the total quantity delivered to the same person or on his behalf during the year 1916.

(3) Where special directions are given by the Commissioners of Customs and Excise under section 4 (3) of the Order, Rules (1) and (2) may be varied by order of the Commissioners to meet the circumstances.

(4) The quantity of spirits to the delivery of which a rectifier or compounder who deposits spirits in a warehouse on drawback shall be entitled shall be determined in the following manner:—

The quantity of spirits so deposited in the period corresponding to that for which an authority is granted shall be deducted from the total quantity delivered to him or on his behalf in the same period, and the authority shall be granted for the amount of the difference reduced by 50 per cent.; but such rectifier or compounder shall be entitled to a special authority for delivery of a quantity of spirits equal to the quantity deposited on drawback in addition to the quantity expressed in his authority. The special authority shall be granted on an application being made to the Commissioners of Customs and Excise by the rectifier or compounder who deposited the spirits, and on production to them of a certificate of deposit signed by the Officer and the Surveyor of Customs and Excise by whom the warehouse of deposit is controlled.

(5) In any case where a person entitled to apply for an authority is unable or unwilling to clear wine or spirits from warehouse with which to supply a dealer or retailer who purchased wine or spirits from him in 1916, that person shall on demand by the dealer or retailer furnish him with a certificate of the quantity so supplied and on production of that certificate to the Commissioners of Customs and Excise, the Commissioners if satisfied as to the facts, may grant a special authority to the dealer or retailer to obtain delivery of an equivalent quantity less 50 per cent., the authority of the person giving the certificate being decreased by the amount he is unable or unwilling to supply. The special authority may at the option of the dealer or retailer be transferred to a person who is willing to supply the wine or spirits.

This rule shall also apply, with the necessary modifications, where a person who has supplied wine or spirits from a warehouse in 1916 to a dealer or retailer is able or willing to supply the dealer or retailer with a portion only of the restricted quantity of wine or spirits, based upon 1916 purchases, which the dealer or retailer desires to obtain from him.

(a) Commissioners of Customs and Excise.—See footnote (c) p. 72.
(6) A Committee (to be known as the Advisory Committee (Customs and Excise), consisting of persons nominated by the Chancellor of the Exchequer, shall be appointed to advise and assist the Commissioners of Customs and Excise in the performance of their duties and the exercise of their powers under Part 2 of the Intoxicating Liquor (Output and Delivery) Order 1917, and any action of this Committee done under the authority of the Commissioners shall have the same effect as though it were the action of the Commissioners.(a)

Stanley Baldwin,
James F. Hope.

March 29th, 1917.


1917. No. 914 as amended by No. 925.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller after consultation with the Board of Agriculture and Fisheries hereby orders as follows:—

1. No person shall without a permit issued under the authority of the Food Controller either on his own behalf or on the behalf of any other person, buy or sell or agree or offer to buy or sell any Hops whether imported or home grown. A person shall not without a permit issued under the authority of the Food Controller make delivery of any hops contracted to be sold by him before the 4th September, 1917.

2. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

3. (a) This Order may be cited as the Hops (Restriction) Order, 1917.

(b) This Order shall come into force on the 1st September, 1917.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

31st August, 1917.

(a) ADVISORY COMMITTEE (CUSTOMS AND EXCISE).—The Members of this Committee are:—Mr. John Archer (Chairman of the Wine and Spirit Association) (Chairman); Mr. R. William Byass (late Chairman of the Wine and Spirit Association); Mr. Henry Tait Moore (of Brook’s Wharf, Upper Thames Street); and Mr. J. N. Stickland (late Superintending Inspector of Customs and Excise). The Secretary is Mr. Percy L. Aston, and the address of the Committee is 110, Cannon Street, London, E.C.4.
Intoxicating Liquor (Output and Delivery) Order No. 3, 1917.


1917. No. 1059:

In exercise of the powers conferred upon him by the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. During the quarter commencing on the 1st October, 1917 (hereinafter referred to as the current quarter) the maximum barrelage which a brewer for sale is authorised to brew under the Intoxicating Liquor (Output and Delivery) Order, 1917 (hereinafter referred to as the principal Order) shall be increased:

   (a) By twenty per cent. if he gives such notice and complies with such conditions as are hereinafter mentioned and such increase is, in this Order, referred to as the twenty per cent. increase; and

   (b) By such further amount, if any, as in his case may be authorised by licence of the Food Controller if he complies with the conditions subject to which such licence is granted, and the increase authorised by such licence is hereinafter called the licensed increase:

Provided that the aggregate amount of the licensed increases shall not exceed such an amount as with the aggregate amount of the twenty per cent. increases will increase the aggregate barrelage to be brewed by all brewers for sale in the current quarter by more than thirty-three and one-third per cent.

2. A brewer for sale shall be authorised to brew in the current quarter the twenty per cent. increase if he gives notice to the Commissioners of Customs and Excise (hereinafter referred to as the Commissioners) on or before the 20th October, 1917, that he accepts and will comply with the conditions subject to which the twenty per cent. increase is authorised by this Order, and such brewer is hereinafter referred to as an accepting brewer.

3. The conditions subject to which the twenty per cent. increase is authorised are the following:

   (a) One-half of the total amount of beer brewed by the accepting brewer in the current quarter (exclusive of the licensed increase) shall be brewed and delivered out of his brewery at a gravity not exceeding an original gravity of 1042°:

   (b) Intoxicating Liquor (Output and Delivery) Order, 1917.—That Order is printed p. 71.
   (c) Commissioners of Customs and Excise.—See footnote (d), p. 72.
(b) The remaining half of the beer brewed (exclusive of the licensed increase) shall be brewed at an average original gravity not exceeding the average original gravity of the total beer brewed at his brewery during the quarter commencing on the 1st October, 1916:

(c) In the month of October not more than one-third and in the months of October and November not more than two-thirds of the total amount of beer which the brewer is entitled to brew during the current quarter (exclusive of the licensed increase) shall be delivered out of his brewery:

And it shall be the duty of every accepting brewer to comply with such conditions.

4. The additional barrelage authorised to be brewed by this Order and by licences under this Order shall not be taken into account in reckoning the ten million barrels referred to in subsection (2) of Clause 1 of the principal Order.

5. The same provision shall be applicable in relation to the effect of this Order on contracts as is applicable in relation to the effect of the Output of Beer (Restriction) Act, 1916, on contracts under Section 4 of that Act. (a)

6. The following provisions shall apply with respect to certificates available for the current quarter granted or to be granted to a licence holder:

(a) Except under the authority of the Food Controller a certificate granted by an accepting brewer shall not during the current quarter be used to transfer barrelage to a person who is not an accepting brewer.

(b) The number of standard barrels which a licence holder may obtain from an accepting brewer under a certificate shall be increased by 20 per cent.

(c) An accepting brewer who has undertaken to supply the licence holder with beer under a certificate shall not supply more than one-half of such beer at a gravity exceeding an original gravity of 1042°.

(d) This clause shall apply to persons having the same rights as licence holders in the same way as it applies to licence holders.

7. If any question shall arise under this Order as to the average original gravity of beer such question shall be determined by the Commissioners.

8. Every accepting brewer shall keep such records as to gravity and amount of beer brewed and delivered and other matters as are requisite to determine whether or not the provisions of this Order are being complied with, and all such records and documents connected therewith shall at all times be open to the inspection of the Food Controller and of the Commissioners.

(a) Output of Beer (Restriction) Act, 1916 (6 & 7 Geo. 5, c. 26).—That Act as amended by the Amendment Act (6 & 7 Geo. 5, c. 57) and by the Food Controller (Transfer of Powers) Order, 1917, is printed as Appendix V. to this Manual.
9.—(a) No account shall be taken of any surplus barrelage accrued since the 1st April, 1917, for the purpose of computing the increase permitted by Clause 1 of this Order.

(b) In the case of a brewer who was an accepting brewer within the meaning of the Intoxicating Liquor (Output and Delivery) Order (No. 2), 1917(a) such surplus barrelage may except in such cases as the Food Controller otherwise directs, only be brewed subject to the conditions applicable under conditions (a) and (b) of clause 3 of this Order to the beer therein referred to.

10. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

11. This Order may be cited as the Intoxicating Liquor (Output and Delivery) Order No. 3, 1917, and should be read as one with the principal Order.

Rhondda,
Food Controller.

15th October, 1917.


1917. No. 1058.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:

1. A person shall not on or after the 28th October, 1917, sell or offer to sell any beer of the gravities hereinafter mentioned in

(a) "Accepting Brewer within the Meaning of Order (No. 2)," i.e., a brewer for sale who gave notice to the Commissioners of Customs and Excise on or before the 21st July, 1917, that he accepted and would comply with the three following conditions:

1. One-half of the total amount of beer brewed by the accepting brewer in the quarter commencing on the 1st July, 1917 (exclusive of the licensed increase) shall be brewed and delivered out of his brewery at a gravity not exceeding an original gravity of 1036°:

2. The remaining half of the beer brewed (exclusive of the licensed increase) shall be brewed at an average original gravity not exceeding the average original gravity of the total beer brewed at his brewery during the quarter commencing on the 1st July, 1916:

3. In the month of July not more than one-third and in the months of July and August not more than two-thirds of the total amount of beer which the brewer is entitled to brew during the quarter commencing on the 1st July, 1917 (exclusive of the licensed increase) shall be delivered out of his brewery:

[See Clauses 1, 2, 3 of Order (No. 2) printed as St. R. & O., 1917, No. 700, but omitted from this Manual as being, save as reproduced in this footnote, 'spent.']
Beer (Prices and Description) Order, 1917.

any part of any licensed premises having a public bar or public bars unless—

(a) such beer at the time of such sale or offer for sale is on sale by imperial measure in the public bar or public bars of the licensed premises; and also

(b) such beer when sold by imperial measure in the public bar or public bars is sold at prices not exceeding the maximum prices provided by this Order.

2. Where beer is sold by imperial measure in a public bar, the maximum price for beer of an original gravity less than 1036° shall be at the rate of 4d. per imperial pint, and for beer of an original gravity not exceeding 1042° and not less than 1036° shall be at the rate of 5d. per imperial pint.

3. (a) Where beer is delivered after the 18th October, 1917, in a barrel or cask—

(i) the brewer or dealer disposing of such beer shall state on the invoice, if such be the fact, that the original gravity of the beer exceeds 1042° and, in any other case, the maximum price at which the beer in each such barrel or cask may under this Order be sold in the public bar of licensed premises; and

(ii) the brewer shall also before permitting delivery out of his brewery plainly and durably mark on the head of any barrel or cask containing beer of an original gravity less than 1036° the mark "4d." and on any barrel or cask containing beer of an original gravity not exceeding 1042° and not less than 1036° the mark "5d." the figures to be not less than two inches long.

(b) No dealer in or retailer of beer shall alter or deface such mark or permit such mark to be altered or defaced, or dilute or permit to be diluted the beer in any barrel or cask.

4. A person authorised in that behalf by the Food Controller, or a Food Committee to procure for analysis samples of beer on sale in any licensed premises shall have all the powers of procuring samples conferred by the Sale of Food and Drugs Acts, and a person selling beer by retail shall, on tender of the price for the quantity which he shall reasonably require for the purpose of analysis, sell the same to him accordingly.

5. In any proceedings in respect of an infringement of this Order the production of the certificate of the principal chemist of the Government Laboratories or of an analyst appointed under the Sale of Food and Drugs Acts shall be sufficient evidence of the facts therein stated unless the defendant require that the person who made the analysis be called as a witness.

The certificate of the principal chemist or of the analyst shall, so far as circumstances permit be in the form required by the Sale of Food and Drugs Acts.

(a) Sale of Food and Drugs Acts.—A Note as to the scope of these Acts and of the Orders thereunder is given in Appendix VI (16) ("Sale of Food and Drugs Acts and Orders").
Defence.

6. If in any proceedings against a retailer of beer in respect of an infringement of this Order, it is proved that an offence has been committed but the person charged with the offence proves:

(a) that he purchased the beer, in respect of which the offence was committed, from a person who sold the beer as or for beer which might lawfully be sold in a public bar at the price charged;

(b) that he had no reason to believe at the time of sale that the gravity of the beer was not such as permitted of it being sold at the price charged or that the provisions of Clause 3 (b) of this Order had not been duly observed; and

(c) that he has given due notice to the prosecutor that he intended to rely on the provisions of this clause;

such person shall be entitled to be discharged from the prosecution.

Contracts.

7. Where the Food Controller is of opinion that the price payable under any contract subsisting at the date of this Order for the sale of beer of a gravity not exceeding an original gravity of 10.42° is such that the beer cannot at the prices permitted by this Order be sold or supplied by retail in a public bar at a reasonable profit, he may, if he thinks fit, cancel such contract or may modify the terms thereof in such manner as shall appear to him to be just.

Use of words Government Ale and Government Beer.

8. A person shall not on the occasion of a sale of any beer of an original gravity less than 10.36° or in any advertisement, circular or placard relating to any such beer describe the same as "Government Ale" or "Government Beer" or use any other form of words calculated to lead to the belief that such beer is brewed under the authority, or pursuant to the directions of His Majesty's Government, or any Government Department.

Bottled Beer.

9. Except in Clause 8 the expression "Beer" shall not include "Bottled Beer."

Interpretation.

10. In this Order:

The "Food Committee" means in respect of any area in Great Britain the Food Control Committee established for the area pursuant to the Food Control Committees (Constitution) Order, 1917(a) and in respect of Ireland the Food Control Committee appointed for Ireland by the Food Controller.(b)

"Beer" includes ale, porter, spruce beer, black beer and any other description of beer.

"Public Bar" means:

(a) where there is only one bar on the licensed premises such bar;

(a) Food Control Committees (Constitution) Order, 1917.—That Order is printed in Part III of this Manual, p. 199.

(b) Food Control Committee for Ireland.—See Notice by the Ministry of Food, p. 208.
Beer (Prices and Description) Order, 1917.

(b) where there is more than one bar on the licensed premises, all such bars except that bar or those bars if any, where prior to the 1st October, 1917, beer has customarily been sold at a higher rate than the rate charged for the like beer in some other bar on such premises; and

(c) any place where beer is sold for consumption off the premises.

"Licensed Premises" shall not include any registered club, canteen, theatre, music hall, passenger vessel, railway restaurant car, or any buffet at a railway station, but subject as aforesaid shall include any premises where the sale of intoxicating liquor is carried on under a license.

11. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

12. This Order may be cited as the Beer (Prices and Description) Order, 1917.

Rhondda.

Food Controller.

15th October, 1917.

The Local Government Board, by arrangement with the Food Controller, hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (a) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and the whole of that Order were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 19th day of October, 1917.

F. J. Willis,

Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877. (b)

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (c) shall apply to the above Order.

By Order of the Food Controller,

W. H. Beveridge,

Second Secretary of the Ministry of Food.

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(a) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187) coupled with the Food Controller's Order of the same date (p. 192), is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.


(c) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.
5. Conditions on Sale of Food.

The Food (Conditions of Sale) Order, 1917. Dated March 21, 1917. (a)

1917. No. 261.

In exercise of the powers conferred upon him by Regulation 2r of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller no person shall in connection with a sale or proposed sale of any article of food impose or attempt to impose any condition relating to the purchase of any other article.

2. For the purposes of this Order, the expression article of food includes any article used for food by man and any article which ordinarily enters into the composition or preparation of human food.

3. If any person acts in contravention of this Order or aids or abets any other person, in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. (b)

4. (a) This Order may be cited as the Food (Conditions of Sale) Order, 1917.

(b) This Order shall come into force on the 23rd March, 1917.

Devonport,
Food Controller.

21st March, 1917.

(a) Enforcement of Order and Prosecutions by Local Authorities.

—This Order is enforceable by Local Authorities in England, Wales and Scotland (see "The Local Authorities (Food Control) Order (No. 1), 1917," p. 187, and "The Local Authorities (Food Control) (Scotland) Order, 1917," p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller's Order of May 8th, 1917, p. 192).

(b) Liability of Directors, &c., of Company.—Reg. 48A of the Defence of the Realm Regulations (printed in Part IX, 4 "Miscellaneous Provisions as to Offences," of this Manual), which was added to the Code since this Order was made, provides that directors and officers shall be liable for offences by their corporation or company.
THE DRIED FRUITS (RESTRICTION) ORDER, 1917.
DATED SEPTEMBER 8, 1917.

1917. No. 940.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller no person shall on or after the 8th September, 1917, either on his own behalf or on behalf of any other person—
   (a) Buy, sell or deal in;
   (b) Offer or invite an offer or propose to buy, sell or deal in;
   (c) Enter into negotiations for the sale or purchase or other dealing in
any dried fruits of the varieties mentioned in the Schedule to this Order outside the United Kingdom whether or not the sale or purchase or dealing is or is to be effected in the United Kingdom.

Provided that all persons are authorised to buy, sell and deal in any of the Dried Fruits to which this Order applies on passage to the United Kingdom at the date of this Order.

2. All persons concerned shall before the 15th September, 1917, furnish to the Secretary of the Ministry of Food, Grosvenor House, Upper Grosvenor Street, W.1., a statement showing the quantities of the Dried Fruits mentioned in the Schedule to this Order which were purchased but not shipped at the date of this Order and the quantity thereof sold or unsold.

3. This Order shall not be construed as prohibiting the insurance of any Dried Fruits.

4. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

5. This Order may be cited as the Dried Fruits (Restriction) Order, 1917.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

8th September, 1917.

(a) EXPORT AND IMPORT OF DRIED FRUITS.—An epitome of the Restrictions on the export and import of dried fruits will be found in Appendix VI (7. Exportation: 12. Importation).
General Licence under Dried Fruits (Restriction) Order, 1917; Currants and Sultanas (Requisition) Order, 1917.

Schedule.

Valencias, Muscatels, Sultanas, and all other varieties of Raisins.

Dates.
Dried Currants.
   ,, Figs.
   ,, Prunes and Plums.
   ,, Peaches and Nectarines.
   ,, Apricots.
   ,, Pears.
   ,, Apples.

GENERAL LICENCE DATED OCTOBER 10, 1917, UNDER THE DRIED FRUITS (RESTRICTION) ORDER, 1917.(a)

1917. No. 1032.

The Food Controller hereby authorises all persons until further notice, to buy, sell and deal in Tunis and Egyptian Dates outside the United Kingdom.

By Order of the Food Controller.

W. H. Beveridge,
Second Secretary to the Ministry of Food.

10th October, 1917.

THE Currants and Sultanas (Requisition) ORDER, 1917. DATED OCTOBER 13, 1917.

1917. No. 1053.

In exercise of the powers conferred upon him by Regulations 2f and 2g of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:—

1. All persons owning or having power to sell or dispose of any currants or sultanas which at the date of this Order are afloat and shipped to the United Kingdom shall place and hold such currants and sultanas at the disposal of the Food Controller.

(a) DRIED FRUITS (RESTRICTION) ORDER, 1917.—That Order is printed p. 85 above.
2. The Food Controller will subsequently communicate to the persons from whom the currants and sultanas are requisitioned under this Order the prices which he will be prepared to pay for the same.

3. The arbitrator to determine in default of agreement the compensation payable for currants and sultanas requisitioned under this Order shall be appointed by the Lord Chief Justice of England.

4. All persons concerned shall before the 20th October, 1917, furnish to the Secretary, Ministry of Food, Grosvenor House, W.1, a return showing:
   (i) Currants and Sultanas afloat:
   (ii) Quantity sold and unsold in each case:
   and shall also furnish such other particulars relating thereto as may from time to time be required.

5. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

6. This Order may be cited as the Currants and Sultanas (Requisition) Order, 1917.

By Order of the Food Controller.

W. H. Beveridge,
Second Secretary to the Ministry of Food.

13th October, 1917.
7. Fish(a), (b).

Fisheries (Ireland) Order, p. 92.
Freshwater Fish (Ireland) Order, p. 88.
Table of Local Orders thereunder, p. 89.
Pickled Herring (Returns) Order, p. 93.
Pickled Herrings Order, p. 97.
Sea Fishing (England and Wales) Order, p. 90.
Sea Fishing (Scotland) Order, p. 99.
Sea Fishing (Ireland) Order, p. 94.
Order (No. S.1) thereunder, p. 96.

THE FRESHWATER FISH (IRELAND) ORDER, 1917. DATED APRIL 25, 1917.

1917. No. 387.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller orders as follows:

1. The Department of Agriculture and Technical Instruction for Ireland(e) may by Order authorize—

(a) the use of any methods or appliances for the purpose of taking freshwater fish the use of which would otherwise be unlawful;

(b) the use of any methods and appliances for the purpose aforesaid at times and places and in circumstances at and in which the use of such methods and appliances would otherwise be unlawful; and

(c) the possession, sale and purchase of any freshwater fish at times at which the possession sale and purchase thereof would otherwise be unlawful;

Any such Order may be made so as to apply to inland waters generally or to any rivers or lakes, or parts thereof specified in such Order or so as to apply generally to all persons or to any particular person or class of persons named or described in the Order, and may contain such qualifications conditions and restrictions as appear to the Department to be necessary or proper.(d)

(a) EXPORT AND IMPORT OF FISH.—An epitome of the restrictions on the export and import of fish will be found in Appendix VI (7 Exportation; 12 Importation).

(b) CARRIAGE OF FROZEN FISH.—See Orders in Council referred to in footnote (e), "Frozen Meat," p. 113.

(c) DEPARTMENT OF AGRICULTURE AND TECHNICAL INSTRUCTION FOR IRELAND.—As to the constitution of this Department, see Editorial Note at the commencement of Part VII ("Powers and Orders of the Department of Agriculture and Technical Instruction for Ireland") of this Manual.

(d) ORDERS MADE BY THE DEPARTMENT.—Under this power the Department have (Oct. 21, 1917) made 29 Orders, and under this power and that of the Sea Fishing (Ireland) Order, 1917 (p. 94), 3 further Orders, all of which are of a local character. A table showing the subjects of these 32 Orders, and which of them are still in force will be found at the end of this Order.
1. Any Order of the Department may be revoked or varied as occasion requires.

2. For the purposes of this Order the expression "freshwater fish" shall mean fish, other than salmon, sea trout or pollan, which live wholly or partly in fresh water.

3. (a) This Order shall extend only to Ireland.
(b) This Order may be cited as the Freshwater Fish (Ireland) Order 1917.

Devonport,
Food Controller.

25th April, 1917.

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Sea Fishing (England and Wales) Order, 1917.

The Sea Fishing (England and Wales) Order, 1917.
Dated July 30, 1917. (a)

1917. No. 768.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller orders as follows:

1. The Board of Agriculture and Fisheries (b) may by Order authorise:

(a) the use in tidal or territorial waters, for the purpose of taking sea fish, of any method or appliance the use of which would otherwise be unlawful;

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(a) Corresponding Orders for Scotland and Ireland.—The Sea Fishing (Scotland) Order, 1917 (p. 99), makes similar provisions as to the waters adjoining Scotland, and the Sea Fishing (Ireland) Order, 1917 (p. 94) makes similar provision as to the waters adjoining Ireland.

(b) Board of Agriculture and Fisheries.—As to the constitution of this Board see Editorial Note at the commencement of Part V (“Powers and Orders of the Board of Agriculture and Fisheries”) of this Manual.
(b) the use in tidal or territorial waters for the purpose afore-
said of any method or appliance at times and places
and in circumstances at and in which the use of such
methods or appliance would otherwise be unlawful;
and
(c) the fishing for or removal of sea fish in tidal or territorial
waters, or the possession, sale, exposure or consign-
ment for sale or purchase of any sea fish, at times
otherwise unlawful.

Any such Order may be made so as to apply to tidal or to
territorial waters generally, or to the parts thereof specified in
such Order, or so as to apply generally to all persons or to any
particular person or class of persons named or described in the
Order, or to sea fish generally or to any particular kind of sea fish,
and may contain such qualifications, conditions and restrictions
as appear to the Board to be necessary and proper.

Provided that no such order shall authorise, without the consent
of the Board of Trade first being obtained, any fixed net, stake net
or other erection to be placed or used on tidal lands, or authorise
any such erection to be placed or used on the foreshore under the
control of the Commissioners of Woods and Forests (a) without
the consent of those Commissioners first being obtained. (b)

2. In this Order the words and expressions hereinafter men-
tioned shall have respectively the meaning hereby assigned to
them, that is to say:

"Sea Fish" means fish of all kinds (c) found in the sea, in-
cluding crustacea and shell fish.

"Tidal Waters" means the sea and every creek, channel,
bay, estuary and river as far up the same as the tide
flows.

"Territorial Waters" means any part of the sea adjoining
the coast of England and Wales within which His
Majesty's subjects have by International Law the
exclusive right of fishing. (d)

(a) COMMISSIONERS OF WOODS AND FORESTS.—i.e., "The Commissioners of
H.M.'s Woods, Forests, and Land Revenues" see s. 12 (12) of Interm. Act, 1889
(52 & 53 Vict. c. 63). For the enactments relating to those Commissioners, see
the heading "Woods, Commissioners of" in the "Index to the Statutes in Force"
(1916 Ed.)

(b) ORDERS MADE BY THE BOARD OF AGRICULTURE AND FISHERIES.—No
Orders have (Oct. 21, 1917) been made by the Board under the Sea Fishing
(England and Wales) Order, 1917.

(c) SALMON, &c.—Salmon, sea trout, &c., are excluded from the corresponding
Scottish Order (p. 99). In Ireland they are provided for as regards 1917 by the
Fisheries (Ireland) Order, p. 92, but are excluded from the Irish "Freshwater"
(p. 88) and Irish "Sea Fishing" (p. 94) Orders.

(d) EXCLUSIVE RIGHT OF FISHING WITHIN TERRITORIAL WATERS.—Various
International Conventions make provision for the exclusive right of fishery
within 3 miles from low-water mark; e.g., Art. II. of the North Sea Fisheries
Convention of May 6th, 1882, which is scheduled to the Sea Fisheries Act, 1883
(46 & 47 Vict. c. 22) and was brought into operation May 15, 1884 (see Board
of Trade Notice, dated March 26, 1884, St. R. & O. Revised (1904), vol. 8 "Merchant
Shipping," p. 133), and Art. II of the Regulations of May 24, 1843, as to
fishing in the seas lying between the coasts of England and France which are
scheduled to the Sea Fisheries Act, 1843 (6 & 7 Vict. c. 79). The Convention
between Great Britain and France of Nov. 11th, 1867, which is scheduled to the
Sea Fisheries Act, 1868 (31 & 32 Vict. c. 45) has never (Oct. 21, 1917) been
brought into operation (see Board of Trade Notice, Feb. 6, 1869, St. R. & O.
Revised (1904), vol. 8 "Merchant Shipping," p. 133, and s. 30 of the 1882 Act).
3. Any Order of the Board may be revoked or varied, as occasion requires.

4. (a) This Order shall, except as otherwise expressly stated, extend only to England and Wales.

(b) This Order may be cited as the Sea Fishing (England and Wales) Order, 1917.

By Order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.

30th July, 1917.


1917. No. 769.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. (a) The Department of Agriculture and Technical Instruction for Ireland (a) may by Order authorise the taking in Ireland of salmon and sea trout by engines other than single rod and line until such date in the year 1917 as the Department shall think fit.

(b) Any such Order may be made so as to apply to tidal or inland waters generally or to any rivers or lakes or districts or parts of districts specified in such Order, and may contain such qualifications, conditions and restrictions as appear to the Department to be necessary or proper.

(c) Any such Order may be revoked or varied as occasion requires.

2. (a) From and after the date of this Order, Section 24 of the Act 26 and 27 Victoria, chapter 114, shall take effect in all Fishery Districts in Ireland as if the words “the hours of 9:25 o'clock in the evening” were substituted for the words “the hours of 8 o'clock in the evening” contained in such section.

(a) Department of Agriculture and Technical Instruction for Ireland.—As to the constitution of this Department see Editorial Note at the commencement of Part VII (“Powers and Orders of the Department of Agriculture and Technical Instruction for Ireland”) of this Manual.

(b) Orders of the Department.—Under Clause 1 of this Order the Department made 7 Orders extending the annual season for netting of salmon and sea trout in certain waters. All these Orders had by September 30th, 1917, expired.

(c) S. 24 of Salmon Fishery (1) Act, 1863.—This section as thus amended takes effect as follows:—

“24. It shall not be lawful for any person to use any net except a landing net, for the capture of salmon or trout in the fresh-water portion of any river, as defined by the Commissioners under this Act, between the hours of 9:25 o'clock in the evening and 6 o'clock in the morning, except so far as the same may have heretofore been used within the limits of a several fishery next above the tidal flow, and held under grant or charter, or by immemorial usage; and every person offending against the provisions of this section shall be subject to a penalty not exceeding ten pounds, and to the forfeiture of all boats, nets and gear used in such illegal fishing.”
Pickled Herring (Returns) Order, 1917.

(b) This provision shall remain in force until and including the last day on which in each Fishery District in the year 1917 it shall be lawful to take salmon by means of nets. (a)

3. This Order may be cited as the Fisheries (Ireland) Order, Title, 1917.

By Order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.

30th July, 1917.

THE PICKLED HERRING (RETURNS) ORDER, 1917. DATED JULY 31, 1917.

1917. No. 770.

In exercise of the powers conferred upon him by Regulation 26 of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. Every person owning or having power to sell or dispose of any pickled herrings of the kinds mentioned in the Schedules which were cured on or after the 1st May, 1917, shall on or before the 14th day of each month, beginning with the month of August, 1917, furnish to the Food Controller a return giving—

(a) particulars of all such herrings in his possession or under his control on the last day of the month immediately preceding that in which the return falls to be made;

(b) particulars of all such herrings sold or disposed of by him during that month; and

(c) such other particulars as may be required to complete the prescribed form of return. (b)

2. The returns shall be made on forms prescribed by the Food Controller and to be obtained from and when completed to be returned to the Secretary, Cured Fish Committee, Grosvenor House, London, W.1.

3. A person who does not own or have power to sell or dispose of more than 25 barrels of such herrings at the end of any month shall not be required to make a return in respect of that month.

(a) Expiration of Article 2 of Order.—The result of this provision is that Article 2 which is printed in italics expired on September 30th, 1917.

(b) Dealings in Pickled Herrings.—See the Pickled Herrings Order (p. 97), which prescribes maximum prices and regulates certain dealings.
Sea Fishing (Ireland) Order, 1917.

4. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

5. This Order may be cited as the Pickled Herring (Returns) Order, 1917.

By order of the Food Controller,

U. F. Wintour,

Secretary to the Ministry of Food.

31st July, 1917.

Schedule.

Classes of Pickled Herrings.

<table>
<thead>
<tr>
<th>Large Fulls</th>
<th>Fulls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mat Fulls</td>
<td>Gutted and Ungutted.</td>
</tr>
<tr>
<td>Medium Fulls</td>
<td>Matties</td>
</tr>
<tr>
<td>Large Spents</td>
<td>Spents</td>
</tr>
<tr>
<td>Tornbellies</td>
<td>Gutted only.</td>
</tr>
</tbody>
</table>


1917. No. 915.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. The Department of Agriculture and Technical Instruction for Ireland(a) may by Order authorise:—

(a) the use in tidal or territorial waters, for the purpose of taking sea fish, of any method or appliance the use of which would otherwise be unlawful;

(b) the use in tidal or territorial waters for the purpose aforesaid of any method or appliance at times and places and in circumstances at and in which the use of such methods or appliance would otherwise be unlawful; and

(a) Department of Agriculture and Technical Instruction for Ireland.—As to the constitution of this Department, see Editorial Note at the commencement of Part VII (“Powers and Orders of the Department of Agriculture and Technical Instruction for Ireland”) of this Manual.
(c) the fishing for or removal of sea fish in tidal or territorial waters, or the possession; sale, exposure or consignment for sale or purchase of any sea fish, at times otherwise unlawful.

Any such Order may be made so as to apply to tidal or to territorial waters generally, or to the parts thereof specified in such Order, or so as to apply generally to all persons or to any particular person or class of persons named or described in the Order, or to sea fish generally or to any particular kind of sea fish, and may contain such qualifications, conditions and restrictions as may appear to the Department to be necessary and proper.

Provided that no such Order shall authorise, without the consent of the Board of Trade first being obtained, any fixed net stake net or other erection to be placed or used on tidal lands, or authorise any such erection to be placed or used on the foreshore under the control of the Commissioner of His Majesty's Woods, Forests and Land Revenues in charge of the Land Revenues and Hereditary possessions of the Crown in Ireland without the consent of that Commissioner first being obtained. (a) (b) (c)

2. In this Order the words and expressions hereinafter mentioned shall have respectively the meaning hereby assigned to them, that is to say:

"Sea Fish" means fish of all kinds (except salmon and sea trout) found in the sea, including crustacea and shell fish.

"Tidal Waters" means the sea and every creek, channel, bay, estuary and river as far up the same as the tide flows.

"Territorial Waters" means any part of the sea adjoining the coast of Ireland within which His Majesty's subjects have by International Law the exclusive right of fishing. (d)

(a) Order of the Department.—The General Order of September 18, 1917, No. S. 1, made, by the Department under the Sea Fishing (Ireland) Order as to Drift Net Fishing for Herring, is printed at the end of this Order. The Department has also under the powers of this Order and of the Freshwater Fish (Ireland) Order (p. 88) made (Oct. 21, 1917) 3 further Orders (Nos. S. 2, S. 3 and S. 4) purely of a local character which are specified in the Table at the end of the last named Order, p. 89.

(b) Commissioners of Woods and Forests. See footnote (a) to Sea Fishing (England and Wales) Order, 1917 (p. 91).

(c) Corresponding Order for England and Wales and Scotland.—The Sea Fishing (England and Wales) Order, 1917 (p. 90) makes similar provisions as to the territorial waters of England and Wales, and the Sea Fishing (Scotland) Order, 1917 (p. 99), makes similar provision for Scottish waters.

(d) Exclusive Right of Fishing within Territorial Waters.—Various International Conventions, of which instances are given in footnote (d) to the Sea Fishing (England and Wales) Order (p. 91), make provision for the exclusive right of fishery within three miles from low water mark.
Order as to Drift Net Fishing for Herrings in Ireland.

1917. No. 999.

In exercise of the powers conferred upon them by the Sea Fishing (Ireland) Order, 1917, (a) made by the Food Controller on the 31st August, 1917, the Department of Agriculture and Technical Instruction for Ireland do hereby suspend, during the months of January, February, March, October, November and December in each year, the operation of Section 7 of the Fisheries (Ireland) Act, 1842 (5 & 6 Victoria, Chapter 106) in so far as concerns the use between sunrise and sunset of drift nets for the capture of herrings in tidal and territorial waters off the coast of Ireland.

In Witness whereof the Department of Agriculture and Technical Instruction for Ireland have hereunto set their Official Seal this Eighteenth day of September, One Thousand Nine Hundred and Seventeen.

(L.S.)

H. G. Smith,

On behalf of the Secretary.

(a) Sea Fishing (Ireland) Order, 1917.—That Order is printed, p. 94.
The Pickled Herrings Order, 1917. Dated September 20, 1917. (a)(b)

1917. No. 964.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby Orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:—

1. No person on any occasion to which this Order applies shall directly or indirectly sell or offer for sale or buy or offer to buy any pickled herrings at prices exceeding the maximum price applicable under this Order.

2.—(a) On the occasion of a sale by or on behalf of a fish curer to a wholesale dealer the maximum price shall be in accordance with the rates specified in the Schedule to this Order.

(b) On the occasion of any other sale except a sale by a retail fishmonger or other retail dealer selling in the usual course of his retail trade the maximum price shall be in accordance with the rates specified in the same Schedule with an addition thereto at the rate of ten per cent.

(c) The maximum prices hereby prescribed include the cost of the barrels or other containers and the cost of packing and packages and the cost of delivery at the purchaser’s option either at the railway station or alongside ship at the place or port at which the herrings are lying when sold. If any further cost of transport is borne by the seller including the cost of marine insurance (if any) such further cost may be added to the price.

3. No pickled herrings shall be packed or sold or offered for sale by or on behalf of a fish curer or wholesale dealer in selections other than those mentioned in the said Schedule. The selection known as Large Matjes shall not be less than ten and a quarter inches in length. The selection known as Medium Matjes shall be not less than nine and a quarter inches in length and any other selections for which a minimum length is for the time being prescribed by the current regulations for the time being of the Fishery Board for Scotland shall be not less than the length so prescribed.

(a) Returns of Pickled Herrings.—The Pickled Herrings Order was preceded by the Pickled Herring (Returns) Order (p. 93) requiring monthly Returns as to certain kinds of pickled herrings.

(b) Canned Fish.—The Food Controller is not prepared, save in very exceptional circumstances, to recommend the issue of licences for the exportation of canned fish. Importers are, therefore, warned not to import grades of canned fish that are unsuitable for home markets. (Notice appearing in the Press, Sept. 6, 1917.)

(c) Regulations of the Fishery Board for Scotland.—This Board was established by the Fishery Board (Scotland) Act, 1882 (45 & 46 Vict., c. 78), which transferred to that Board the powers and duties of the previous Board of British White Herring Fishery. The Regulations, dated April 15, 1913, made by the Board as to construction and capacity of barrels and half-barrels filled or intended to be filled with Cured White Herrings; and quality, cure, packing, &c., of White Herrings intended for the official crown brand are printed as St. R. & O., 1914, No. 683.
Offers and Conditions

4. No person shall in connection with a sale or proposed sale of pickled herrings to which this Order applies enter or offer to enter into a fictitious or artificial transaction or make or propose any unreasonable charge.

Export sale excluded.

5. This Order does not apply to sales for immediate export where such export is authorised. (a)

Definition.

6. For the purpose of this Order:

"Fish Curer" shall mean the person who cured or pickled the herrings the subject of the sale.

"Pickled Herrings" shall not include kippers or bloaters taken out of pickle within three days.

Penalty

7. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

Title

8. This Order may be cited as the Pickled Herrings Order, 1917.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

20th September, 1917.

Schedule above referred to.

1. Gutted Herrings.

<table>
<thead>
<tr>
<th>Size</th>
<th>Price per Whole Barrel</th>
<th>Price per Half Barrel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large Fulls</td>
<td>50s.</td>
<td>26s. 6d.</td>
</tr>
<tr>
<td>Fulls</td>
<td>50s.</td>
<td>26s. 6d.</td>
</tr>
<tr>
<td>Mat Fulls</td>
<td>47s.</td>
<td>25s. 0d.</td>
</tr>
<tr>
<td>Medium Fulls</td>
<td>47s.</td>
<td>25s. 0d.</td>
</tr>
<tr>
<td>Matties</td>
<td>44s.</td>
<td>23s. 6d.</td>
</tr>
<tr>
<td>Large Spents</td>
<td>40s.</td>
<td>21s. 6d.</td>
</tr>
<tr>
<td>Spents</td>
<td>40s.</td>
<td>21s. 6d.</td>
</tr>
<tr>
<td>Tornbellies</td>
<td>28s.</td>
<td>15s. 6d.</td>
</tr>
<tr>
<td>Large Matjes</td>
<td>50s.</td>
<td>26s. 6d.</td>
</tr>
<tr>
<td>Medium Matjes</td>
<td>45s.</td>
<td>24s. 0d.</td>
</tr>
</tbody>
</table>

2. Ungutted Herrings.

Hand packed, direct into barrels 42s. per barrel, 22s. 6d. per half barrel.

Hand packed into barrels ex vats or tanks 42s. per barrel, 22s. 6d. per half barrel.

The above prices apply when the sale is a sale of barrels or half barrels. When the goods are sold in packages containing less than a half barrel the rate per package shall be in proportion (according to contents) to the rate per whole barrel plus twenty per cent.

If the goods are packed otherwise than as above the price shall be based upon and proportionate to the price per whole barrel.

(a) Export of Pickled Herrings.—An epitome of the restrictions on the export of fish will be found in Appendix VI. (7. Exports) to this Manual.
THE SEA FISHING (SCOTLAND) ORDER, 1917. DATED OCTOBER 10, 1917.

1917. No. 1033.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller Orders as follows:—

1. The Fishery Board for Scotland (a) with the consent of the Secretary for Scotland may by Order authorise:—

(a) the use for the purpose of taking sea fish in the parts of the sea adjoining Scotland whether within or beyond the territorial waters of any method or appliance the use of which would otherwise be unlawful;

(b) the use in such parts of the sea for the purpose aforesaid of any method or appliance at times and places and in circumstances at and in which the use of such methods or appliances would otherwise be unlawful;

(c) the landing and sale in Scotland of any fish which it would otherwise be unlawful to land or sell in Scotland; and

(d) the fishing for or removal of sea fish in such parts of the sea or the possession, sale, exposure or consignment for sale or purchase of any sea fish, at times otherwise unlawful.

Any such Order may be made so as to apply generally to all parts of the sea adjoining Scotland or to any such parts specified in such Order, or so as to apply generally to all persons or to any particular person or class of persons named and described in this Order, or to sea fish generally or to any particular kind of sea fish, and may contain such qualifications, conditions and restrictions as appear to the Board to be necessary and proper. (b)(c)

2. In this Order the expression "sea fish" has the same meaning as in the Sea Fisheries Regulation (Scotland) Act, 1895. (d)

3. Any Order of the Board may be revoked or varied as occasion requires.

4. (a) This Order shall, except as otherwise expressly stated, extend only to Scotland.

(b) This Order may be cited as the Sea Fishing (Scotland) Order, 1917.

By Order of the Food Controller.

U. F. Wintour,

Secretary to the Ministry of Food.

10th October, 1917.

(a) Fishery Board for Scotland.—As to the constitution of this Board see footnote (c) to Pickled Herrings Order 1917, p. 97.

(b) Orders of the Fishery Board for Scotland.—No Orders have (Oct. 21, 1917) been made by the Board under the Sea Fishing (Scotland) Order, 1917.

(c) Corresponding Orders for England and Wales and Ireland.—The Sea Fishing (England and Wales) Order, 1917 (p. 90) makes similar provisions as to the territorial waters of England and Wales, and the Sea Fishing (Ireland) Order, 1917 (p. 94) makes similar provision for Irish waters.

(d) Sea Fisheries Regulation (Scotland) Act, 1895 (58 & 59 Vict. c. 42).—See s. 28 of that Act, which provides that "sea fish" shall not include salmon, sea trout or other migratory fish of the salmon kind.
8. Hoarding of Food.

The Food Hoarding Order, 1917: Dated April 5, 1917.

1917. No. 317.

In exercise of the powers conferred upon him by Regulation 2r of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. — (a) Except under the authority of the Food Controller no person shall after the 9th April 1917 acquire any article of food so that the quantity of such article in his possession or under his control at any one time exceeds the quantity required for ordinary use and consumption in his household or establishment.

(b) In any proceedings for breach of this clause, the burden of showing what quantity of any article of food is so required shall rest upon the person charged.

2. No person shall sell any article of food to a purchaser where he has reasonable grounds for believing (whether on account of the quantity of the article sold or any other circumstances) that the quantity of such article which may lawfully be acquired by the purchaser will by reason of such sale be exceeded.

3. Any person specially authorised in writing by the Food Controller may enter upon any premises in which he has reason to believe that any article of food is being kept in contravention of this Order and carry out such inspection and examination of the premises as he may think necessary.

4. This Order shall not apply to—

(a) Any article of food acquired or held in the ordinary course of business by any producer, dealer or manufacturer.

(b) Any home-produced or home-made article of food in the possession of the producer or maker or the materials reasonably necessary in the ordinary course for such production.

5. For the purpose of this Order, the expression article of food shall include every article which is used for food by man, or which ordinarily enters into the composition or preparation of human food.

6. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a Company every director or officer of the Company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent: (a)

7. This Order may be cited as the Food Hoarding Order, 1917.

Devonport, 5th April, 1917.

Food Controller.

(a) Liability of Directors, &c., of Company.—Reg. 48a of the Defence of the Realm Regulations (printed in Part IX. 4 “Miscellaneous Provisions as to Offences,” of this Manual) which was added to the Code since this Order was made provides that directors and officers shall be liable for offences by their corporation or company.
9. Jam and Fresh Fruit. (a) (b) (c)

Apricot Pulp and Bitter Oranges Order, p. 111.
Jam (Prices) Order, p. 107.
General Licence thereunder as to Orkneys and Shetlands, p. 112.
Raspberries (Jam Manufacturers’ Prices) Order, p. 103.
Raspberries (Scotland) Delivery Order, p. 106.
Stone Fruit (Jam Manufacturers’ Prices) Order, p. 101.

The Stone Fruit (Jam Manufacturers’ Prices) Order, 1917.
Dated July 6, 1917.

1917. No. 694.

In exercise of the powers conferred upon him by Regulation 2F of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following provisions shall be observed by all persons concerned:

1. A person who for purposes of sale manufactures jam, or bottles or otherwise in any form preserves fruit (hereinafter called a jam manufacturer) shall not after the date of this Order by himself or his agent buy or agree to buy for the purposes of such manufacture or preserving any fruit of the varieties mentioned in the Schedule at a price exceeding that specified as applicable thereto or pay to the seller or his agent in respect of such fruit any charges other than those permitted under this Order.

2. The price specified shall in all cases include all charges for picking and packing.

3. Where the fruit is bought to be placed on rail, ship or barge at the grower’s station, port or wharf, the specified price in such case is the price, free on rail, ship or barge.

4. The additional charges permitted under this Order are:

(a) Where the fruit is delivered by the seller to the purchaser’s premises, or for sale in a market, the customary charges in respect of such delivery, not exceeding in any case an amount equal to the reasonable cost of transport from the grower’s railway station, port or wharf to the purchaser’s premises or the market where sold.

(a) Export and Import of Jam and Fresh Fruit.—An epitome of the restrictions on the export and import of jam and fresh fruit will be found in Appendix VI. (7. Exportation; 12. Importation).
(b) Carriage of Refrigerated Produce.—See Orders in Council referred to in footnote (c) “Foreign Meat,” p. 113.
(c) Sugar for Domestic Preserving.—See Sugar (Domestic Preserving) Order, 1917, p. 168.
(b) For the use of baskets or usual packages (other than sacks) a charge not exceeding the rate of 25s. per ton of fruit.

(e) All market tolls actually paid in respect of the fruit.

5. Where a jam manufacturer employs an agent in the purchase of any fruit to which this Order applies, he shall not pay to such agent a commission or other remuneration exceeding 12s. 6d. per ton of such fruit bought through the agent.

6. Where any fruit to which this Order applies is bought by or on behalf of a jam manufacturer, such fruit shall until the contrary be proved be deemed to be bought for the purpose of manufacturing jam or preserving fruit for sale.

7. A person shall not knowingly sell or offer to sell to a jam manufacturer for the purpose of manufacturing jam or preserving fruit for sale any fruit to which this Order applies at a price or subject to a charge not permitted under this Order.

8. A person shall not in connection with a purchase or disposition or proposed purchase or disposition of any fruit to which this Order applies enter or offer to enter into any fictitious or artificial transaction.

9. This Order shall not apply to any fruit grown outside the United Kingdom.

10. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

11. This Order may be cited as the Stone Fruit (Jam Manufacturer's Prices) Order, 1917.

Rhondda,
Food Controller.

6th July, 1917.

The Schedule.

<table>
<thead>
<tr>
<th>Variety of Fruit</th>
<th>Price at Rate per Ton</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>£</td>
</tr>
<tr>
<td>Egg Plums</td>
<td>10</td>
</tr>
<tr>
<td>Other Plums</td>
<td>12</td>
</tr>
<tr>
<td>Farleigh or Kent Damsons...</td>
<td>12</td>
</tr>
<tr>
<td>Pin, or Prune or other Damsons...</td>
<td>14</td>
</tr>
<tr>
<td>Greengages</td>
<td>22</td>
</tr>
</tbody>
</table>
The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (a) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and the whole of that Order were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this ninth day of July, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877. (b)

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) Order, (Scotland) 1917, (c) shall apply to the above Order.

Rhondda,

THE RASPBERRIES (JAM MANUFACTURERS’ PRICES) ORDER, 1917.
DATED JULY 10, 1917.

1917. No. 702.

In exercise of the powers conferred upon him by Regulation 2f of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders that the Local Authorities (Food Control) Order, the following provisions shall be observed by all persons concerned:

1. A person who for the purposes of sale manufactures jam or essence from raspberries (hereinafter called a jam manufacturer) shall not, after the date of this Order, by himself or his Agent buy or agree to buy for the purposes of such manufacture any raspberries at a price exceeding a rate of £35 per ton or pay to the

(a) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187), coupled with the Food Controller’s Order of the same date (p. 192), is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.


(c) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.
seller or his Agent in respect of such raspberries any charges other than those permitted under this Order.(a)

2. The price specified shall include all charges for picking and packing.

3. Where the raspberries are bought to be placed on rail, ship or barge, at the grower's station, port or wharf, the specified price in such case is the price, free on rail, ship or barge.

4. The additional charges permitted under this Order are:—

(a) Where the raspberries are delivered by the seller to the purchaser's premises, or for sale in a market, the customary charges in respect of such delivery, not exceeding in any case an amount equal to the reasonable cost of transport from the grower's railway station, port or wharf to the purchaser's premises or the market where sold.

(b) For the use of tubs, baskets, or usual packages, a charge not exceeding the rate of 25s. per ton of raspberries.

(c) All market tolls actually paid in respect of the raspberries.

5. Where a jam manufacturer employs an agent in the purchase of any raspberries, he shall not pay to such agent a commission or other remuneration exceeding 20s. per ton of such raspberries bought through the agent.

6. Where any raspberries are bought by or on behalf of a jam manufacturer, such raspberries shall until the contrary be proved be deemed to be bought for the purpose of manufacturing jam or essence for sale.

7. A person shall not knowingly sell or offer to sell to a jam manufacturer for the purpose of manufacturing jam or essence for sale any raspberries at a price or subject to a charge not permitted under this Order.

8.—(a) Where any contract subsisting at the date of this Order for the purchase of raspberries bought for the purpose of manufacturing jam or essence for sale or bought with a view to the same being resold for such purpose provides for payments in excess of those permitted under this Order the contract shall stand so far as concerns any raspberries delivered on or before the date of this Order but otherwise shall be avoided.

(b) For the purpose of this clause raspberries bought in quantities of five cwt. or more shall, until the contrary be proved, be deemed to have been bought for the purpose or with the view aforesaid.

(c) This clause shall not apply to any contract where the Food Controller otherwise determines or where the amount of raspberries agreed be delivered or, at the date of this Order remaining to be delivered, is less than five cwt.

(a) SCOTTISH RASPBERRIES.—The Raspberries (Scotland) Delivery Order, 1917 (p. 106), provides that all raspberries grown in Scotland are to be delivered to the Food Controller.
Raspberries (Jam Manufacturers' Prices) Order, 1917.

9. A person shall not in connection with a purchase or disposition or proposed purchase or disposition of any raspberries enter or offer to enter into any fictitious or artificial transaction.

10. This Order shall not apply to any raspberries grown outside the United Kingdom.

11. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

12. This Order may be cited as the Raspberries (Jam Manufacturers' Prices) Order, 1917.

By order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.

10th July, 1917.

The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (a) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and the whole of that Order were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this eleventh day of July, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877, (b)

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (c) shall apply to the above Order.

By order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

(a) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187), coupled with the Food Controller's Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.


(c) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.

1917, No. 703 S. 66.

In exercise of the powers conferred upon him by Regulation 2F of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. Any contract to the contrary notwithstanding all raspberries grown in Scotland shall, as picked, be delivered to the Food Controller by the grower in accordance with the instructions of a person nominated for the purpose by the Food Controller and such raspberries when so delivered shall become the property of the Food Controller and will be paid for as to raspberries in good condition at the maximum prices applicable to raspberries under the Raspberries (Manufacturers' Prices) Order(a); and no raspberries grown in Scotland shall be delivered to any other person or on any other terms except under and in accordance with the terms of a licence granted by the Food Controller.

Exception.

2. This Order shall not apply to a grower of raspberries whose total crop does not exceed 1 cwt.

Penalty.

3. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

Title.

4. This Order may be cited as the Raspberries (Scotland) Delivery Order, 1917.

By order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

10th July, 1917.

(a) Raspberries (Manufacturers' Prices) Order.—The reference is to the Raspberries (Jam Manufacturers' Prices) Order, 1917, printed p. 103.
THE JAM (PRICES) ORDER, 1917. DATED AUGUST 15, 1917.

1917. No. 824.

In exercise of the powers conferred on him by Regulation 2 of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller(a) the following regulations shall be observed by all persons concerned:

1. No person shall sell or buy or offer to sell or buy any jam or jelly of the descriptions set out in the Schedules to this Order at prices exceeding the maximum prices applicable thereto in each case.

2. The maximum prices of jam of the descriptions set out in the Schedules to this Order shall be as follows:

(a) On and after the 20th August, 1917, on the occasion of a sale by wholesale, the prices set out in the 1st Schedule to this Order.

(b) On and after the Ist September, 1917, on the occasion of a sale by retail, the prices set out in the 2nd Schedule to this Order.

3. On the occasion of a sale by wholesale the following provisions shall apply:

(a) The buyer may require the jam sold to be delivered to his railway station and no additional charge may be made therefor.

(b) The seller may add to the maximum price applicable the cost of the outside package enclosing the jars or other containers:

Provided that the buyer shall be entitled to recover from the seller the amount so charged on returning to the seller's railway station the outside package in good condition.

(c) Save as is hereinbefore provided the maximum prices shall include all charges for jars or other containers and for packing and packages and no additional charge may be made therefor.

4. On the occasion of a sale by retail the maximum prices shall include all charges for jars or other containers and for all packing and packages and no additional charge may be made therefor.

(a) SALES OF JAMS AT PRICES EXCEEDING MAXIMA, OR OTHERWISE NOT IN ACCORDANCE WITH ORDER.—By the Controller’s Licence of Oct. 16, 1917 (p. 112), the sale by retail of jam or jelly, for delivery to, or in, the Orkney or Shetland Islands at prices exceeding 4d. per lb. those prescribed by this Order was authorised.

In addition to this General Licence, 26 licences have (Oct. 21, 1917) been issued to particular firms to place certain jam on the wholesale and retail markets at prices other than those fixed by or under conditions varying from those prescribed by this Order.

Each such Licence is subject to the condition that a label as set out therein to the effect that the jam is sold under the authority of the Food Controller, and stating the maximum price at which it may be sold by retail, be affixed to each container.

In a case of suspicion that the conditions are being contravened, a copy of the Licence can be obtained from the Ministry of Food.
5. The maximum prices of jelly of the descriptions set out in the Schedules to this Order on the occasion of sale by wholesale or a sale by retail shall be the same as are applicable under this Order to jam of the corresponding description on the occasion of a like sale, together with any additions to such maximum prices as are authorised by any Article of this Order on the occasion of a like sale of jam, and together with the addition of one-halfpenny per pound:

Provided that nothing in this Order shall apply to red currant jelly or to black currant jelly.

6. Where on the sale (whether by wholesale or by retail) of any jam or jelly to which this Order applies, such jam or jelly is contained in a 7-lb. jar the buyer shall be entitled to recover from the seller the sum of sixpence for each such 7-lb. jar returned by the buyer to the seller in good condition.

7. No jam or jelly of the descriptions set out in the Schedules to this Order shall be offered for sale unless such jam or jelly is made in accordance with the following provisions:

(a) Not more than 10 per cent. of the jam or jelly measured by weight shall consist of added fruit juice.

(b) Where more than one fruit is mentioned in the description of any jam or jelly, the amount of each such fruit measured by weight shall not be less than 25 and one-half per cent. of the total amount of fruit contained in the jam or jelly.

(c) The dried weight of the ingredients of any jam or jelly shall not be less than 65 per cent. of the total weight of such jam or jelly.

8. The provisions of the Sale of Food and Drugs Acts relating to warranties and invoices shall apply to any proceedings under Article 7 of this Order in the same way as they apply to proceedings under those Acts (a).

9. Where any contract subsisting at the date of this Order for the sale of any jam or jelly provides for payment of a price in excess of the permitted maximum price, the contract shall stand so far as concerns jam or jelly delivered on or before the date of this Order but shall be avoided so far as concerns jam or jelly agreed to be sold above the permitted maximum price which has not been so delivered.

10. No person shall in connection with a sale or disposition or proposed sale or disposition of any jam or jelly to which this Order applies enter or offer to enter into any fictitious or unreasonable transaction or make or demand any unreasonable charge.

11. For the purpose of this Order the following provisions shall apply:

(a) The expression "jam" shall include conserve.

(b) The expression "sale by wholesale" shall mean a sale to a person for the purpose of re-sale or the sale of a quantity of jam and jelly or either of them of not less than 144 lbs.

(a) PROVISIONS OF SALE OF FOOD AND DRUGS ACTS AS TO WARRANTIES AND INVOICES.—See footnote (a) to "Cake and Pastry Order, 1917," p. 40.
(c) The expression "sale by retail" shall mean any sale other than a sale by wholesale.

12. Infringements of this Order are summary offences against Offences. the Defence of the Realm Regulations.

13. This Order may be cited as the Jam (Prices) Order, 1917. Title.

By Order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.

15th August, 1917.

Schedule I.

SALE BY WHOLESALE.

<table>
<thead>
<tr>
<th>Description</th>
<th>Maximum prices of Jam.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 lb.</td>
</tr>
<tr>
<td>Apricot</td>
<td>s. d.</td>
</tr>
<tr>
<td>Cherry</td>
<td></td>
</tr>
<tr>
<td>Black currant</td>
<td>0 10½</td>
</tr>
<tr>
<td>Strawberry</td>
<td></td>
</tr>
<tr>
<td>Pineapple</td>
<td>0 10</td>
</tr>
<tr>
<td>Pineapple and apricot</td>
<td>0 9½</td>
</tr>
<tr>
<td>Peach</td>
<td>0 9</td>
</tr>
<tr>
<td>Raspberry</td>
<td>0 8½</td>
</tr>
<tr>
<td>Raspberry and red currant</td>
<td>0 8½</td>
</tr>
<tr>
<td>Greengage</td>
<td>0 8</td>
</tr>
<tr>
<td>Blackberry</td>
<td>0 7½</td>
</tr>
<tr>
<td>Loganberry</td>
<td>0 7½</td>
</tr>
<tr>
<td>Red currant</td>
<td></td>
</tr>
<tr>
<td>Raspberry and gooseberry</td>
<td></td>
</tr>
<tr>
<td>Strawberry and gooseberry</td>
<td></td>
</tr>
<tr>
<td>Apricot and apple</td>
<td></td>
</tr>
<tr>
<td>Gooseberry</td>
<td>0 8</td>
</tr>
<tr>
<td>Raspberry and plum</td>
<td>0 8</td>
</tr>
<tr>
<td>Damson</td>
<td>0 8</td>
</tr>
<tr>
<td>Plum</td>
<td>0 8</td>
</tr>
<tr>
<td>Blackberry and apple</td>
<td></td>
</tr>
<tr>
<td>Black currant and apple</td>
<td></td>
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<tr>
<td>Raspberry and apple</td>
<td></td>
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<tr>
<td>Strawberry and apple</td>
<td></td>
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<tr>
<td>Plum and apple</td>
<td></td>
</tr>
<tr>
<td>Any other description</td>
<td></td>
</tr>
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</table>
### Schedule II.

**Sale by Retail.**

<table>
<thead>
<tr>
<th>Description of Jam or Jelly</th>
<th>Maximum Prices</th>
<th>1 lb.</th>
<th>2 lb.</th>
<th>3 lb.</th>
<th>4 lb.</th>
<th>7 lb.</th>
<th>If sold without Container, Per lb.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apricot</td>
<td></td>
<td>s. d.</td>
<td>s. d.</td>
<td>s. d.</td>
<td>s. d.</td>
<td>s. d.</td>
<td>s. d.</td>
</tr>
<tr>
<td>Cherry</td>
<td></td>
<td>1 0</td>
<td>1 10</td>
<td>2 9</td>
<td>3 8</td>
<td>6 5</td>
<td>0 11</td>
</tr>
<tr>
<td>Black currant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pineapple</td>
<td></td>
<td>1 0</td>
<td>1 10</td>
<td>2 9</td>
<td>3 8</td>
<td>6 5</td>
<td>0 11</td>
</tr>
<tr>
<td>Strawberry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Pineapple and apricot</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peach</td>
<td></td>
<td>0 11</td>
<td>1 9</td>
<td>2 7</td>
<td>3 6</td>
<td>6 1</td>
<td>0 10</td>
</tr>
<tr>
<td>Raspberry</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Raspberry and red currant</td>
<td></td>
<td>0 11</td>
<td>1 9</td>
<td>2 7</td>
<td>3 6</td>
<td>6 1</td>
<td>0 10</td>
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<tr>
<td>Blackberry</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Greengage</td>
<td></td>
<td>0 10</td>
<td>1 7</td>
<td>2 4</td>
<td>3 2</td>
<td>5 6</td>
<td>0 9</td>
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<tr>
<td>Loganberry</td>
<td></td>
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<td></td>
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<tr>
<td>Red currant</td>
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<td></td>
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<tr>
<td>Raspberry and gooseberry</td>
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<tr>
<td>Strawberry and gooseberry</td>
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<td></td>
<td></td>
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<tr>
<td>Apricot and apple</td>
<td></td>
<td>0 10</td>
<td>1 6</td>
<td>2 3</td>
<td>3 0</td>
<td>5 3</td>
<td>0 9</td>
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<tr>
<td>Gooseberry</td>
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<td>Raspberry and plum</td>
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<td>Damson</td>
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<tr>
<td>Plum</td>
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<td>0 9</td>
<td>1 5</td>
<td>2 1</td>
<td>2 10</td>
<td>4 11</td>
<td>0 8</td>
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<tr>
<td>Blackberry and apple</td>
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<td></td>
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<tr>
<td>Black currant and apple</td>
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<td>Raspberry and apple</td>
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<td>Strawberry and apple</td>
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<td></td>
</tr>
<tr>
<td>Plum and apple</td>
<td></td>
<td>0 9</td>
<td>1 4</td>
<td>2 0</td>
<td>2 8</td>
<td>4 8</td>
<td>0 8</td>
</tr>
<tr>
<td>Any other description</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (a) shall apply to the above Order of the Food Controller as if that Order were mentioned in column 1 and the whole of that Order were mentioned in column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 15th day of August, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order, dated the 26th day of May, 1877. (b)

(a) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187) coupled with the Food Controller’s Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.

With the concurrence of the Secretary for Scotland, the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (a) shall apply to the above Order.

By order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.


1917. No. 868.

In exercise of the powers conferred upon him by Regulation 2f of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller no person shall on or after the 28th August, 1917, either on his own behalf or on behalf of any other person—

(a) Buy, sell, or deal in; or

(b) Offer or invite an offer or propose to buy, sell, or deal in; or

(c) Enter into negotiations for the sale or purchase or other dealing in;

any Apricot Pulp or Bitter or Sour Oranges or Pulp made from such oranges outside the United Kingdom, whether or not the sale or purchase or dealing is or is to be effected in the United Kingdom.

Provided that all persons are authorised to buy, sell and deal in Apricot Pulp and Bitter or Sour Oranges and Pulp made from such Oranges on passage to the United Kingdom at the date of this Order.

2. All persons concerned shall before the 28th August, 1917, furnish to the Secretary of the Ministry of Food, Grosvenor House, Upper Grosvenor Street, W.1, a statement showing the quantity of Apricot Pulp and Bitter or Sour Oranges and Pulp made from such Oranges purchased but not shipped at the date of this Order and the quantity thereof sold or unsold.

3. This Order shall not be construed as prohibiting the insurance of Apricot Pulp or Bitter or Sour Oranges or Pulp made from such Oranges.

4. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

(a) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.
5. This Order may be cited as the Apricot Pulp and Bitter Oranges Order, 1917.

By order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.

21st August, 1917.

General Licence, dated October 16, 1917, under the Jam (Prices) Order, 1917. (a)

1917. No. 1065.

1. The Food Controller hereby authorises all persons selling jam or jelly by wholesale for delivery to any place in the Orkney Islands or Shetland Islands and all persons selling jam or jelly by retail within those Islands to charge a sum at the rate of 3d. per lb. for jam so delivered or so sold in addition to the prices authorised by that Order upon sales of the same jam or jelly by wholesale and by retail respectively and the Food Controller hereby authorises all persons concerned to pay such additional sums accordingly.

2. In this Licence, expressions defined in the Jam (Prices) Order, 1917, (a) shall have the meaning thereby assigned to them.

By Order of the Food Controller,

W. H. Beveridge,
Second Secretary to the Ministry of Food.

16th October, 1917.

(a) Jam (Prices) Order, 1917.—That Order is printed p. 107.
Meat (Sales) Order, 1917.


1917. No. 520.

In exercise of the powers conferred upon him by Regulation 2F of the Defence of the Realm Regulations, and of all other powers

(a) Army Cattle Purchase.—The following Notice appeared in the Press of September 1st, 1917:—“The arrangements made for the purchase of cattle in the United Kingdom for the feeding of the Army during the next few months have been revised in the light of a reduction in the demands of the Army, which were originally estimated at 250,000 head. The reduction in the weekly purchases will be spread over the whole area, and a smaller number of stock will be taken from England, Scotland, and Ireland. The purchases will be carried out in England by traders nominated by the Auctioneers’ Institute and in Scotland by a Committee of auctioneers, but in Ireland the Army authorities will buy cattle through their own agents, as the Army has for some time been possessed of an organisation for the direct purchase of agricultural produce in Ireland. The buyers have been instructed to purchase cattle in a condition to yield good lean meat, beyond that of ‘stores’ three quarters fat but not ‘prime.’ The purchases will be effected at market rates, which are expected to rule below the maxima fixed by the Food Controller.”

(b) Export and Import of Cattle and Meat.—An epitome of the restrictions on the export of meat will be found in Appendix VI. (7 Exportation). As to the importation of certain cattle, see 6. “Diseases of Animals Acts and Orders” of same Appendix.

(c) Frozen and Other Imported Meat.—In 1915 three Orders in Council (all printed as Statutory Rules and Orders), of which the dates and scope are specified below, requisitioned for the carriage of refrigerated produce the insulated spaces in certain British steamships.

<table>
<thead>
<tr>
<th>Date of Order in Council</th>
<th>St. R. &amp; O. number</th>
<th>British Steamships insulated spaces in which were requisitioned</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 13, 1915</td>
<td>1915–303</td>
<td>All steamships trading between the Commonwealth of Australia or the Dominion of New Zealand and the United Kingdom.</td>
</tr>
<tr>
<td>April 20, 1915</td>
<td>1915–385</td>
<td>Steamships owned by certain companies trading between the Argentine or Uruguay Republics and the United Kingdom or Europe.</td>
</tr>
<tr>
<td>Oct. 14, 1915</td>
<td>1915–999</td>
<td>Certain steamships specified by name trading between the Argentine or Uruguay Republics and the United Kingdom.</td>
</tr>
</tbody>
</table>

Two further Orders in Council of Nov. 10, 1915 (1915, No. 1071), and Dec. 22, 1915 (1915, No. 1219), empowered the President of the Board of Trade to requisition—

(i) any British ship registered in the United Kingdom for the carriage of food-stuffs;

(ii) the insulated spaces for the carriage of refrigerated produce in any British steamship registered in the United Kingdom or hereafter to be so registered and fitted or hereafter to be fitted with such spaces and not liable to requisition under the three first-mentioned Orders in Council.

All these five Orders in Council are printed pp. 400–409 of Vol. I of the Annual Volume of St. R. & O. for 1915.

Regulation 39BBB (3) of the Defence of the Realm Regulations empowers the Shipping Controller to requisition any ships or any cargo spaces in any ships “in order that they may be used in the manner best suited for the needs of the country.”

The General Regulations for the sale of frozen meat from Australia and New Zealand are printed in Appendix IV. to this Manual.
Meat (Sales) Order, 1917.

enabling him in that behalf, the Food Controller hereby orders that, except under the authority of the Food Controller, the following provisions shall be observed by all persons concerned:—

I.—Sales of Fat Cattle.

1. A person who has bought any fat cattle (hereinafter called the dealer) shall not resell the same except to a person (hereinafter called the permitted buyer) who gives a written undertaking that he is buying such cattle for slaughter, and the permitted buyer shall not sell the fat cattle bought but shall cause the same to be slaughtered within 14 days of the date of his purchase.

2. When the resale was made to the permitted buyer in a cattle market, the written undertaking shall be made and entered by the permitted buyer in a book to be kept for the purpose by the market authority for such market, and in any other case shall be in the form set forth in the schedule and shall be sent by the dealer to the market authority of the cattle market nearest to the place where the sale was made.

3. The permitted buyer shall within seven days of the cattle being slaughtered forward particulars of the place and time of such slaughter to the market authority to whom the written undertaking was given or sent.

4. Where any cattle are sold in the market, the determination of the market authority whether such cattle are or are not fat cattle shall be conclusive for all purposes, and the market authority shall not permit any fat cattle to be moved from the market until the necessary written undertaking has been given.

5. A person shall not make any false statement in the written undertaking or particulars referred to in this part of this Order.

6. The market authority shall retain all written undertaking and particulars received by them, and shall inform the Food Controller, or, as he may direct, of any case where it appears to them that the provisions of this part of this Order have not been complied with.

II.—Sales of Dead Meat.

7. This part of this Order shall apply on the occasion of any sale of dead meat, by or on behalf of a person (hereinafter called the salesman) who has bought such meat, or has received for sale on commission meat previously bought as dead meat:

Provided that—

(a) Nothing in this part shall apply to meat imported by the Board of Trade or to a retail sale of meat; and that

(b) Clauses 8, 9 and 10 shall not apply on the occasion of a sale of imported meat by the first importer thereof.

8. The salesman shall not sell any part of such meat except to a retail butcher buying for retail sale or to a person buying for consumption.
9. The salesman shall not sell any carcase, side or quarter at a price more than 3d. a stone above the cost to him of the meat sold, or in the case of meat consigned to him for sale on commission at more than 3d. per stone above the price at which the meat was bought by the consignor, together with cost of transport to the place of sale.

10. The salesman shall not sell a carcase, side or quarter cut into smaller joints at such prices as will in the aggregate make the total amount charged by him for the meat sold more than 1d. a stone above the price at which the like carcases, sides or quarters are on the same day being sold or offered for sale.

11. No wholesale butcher or meat importer shall sell a carcase, side or quarter cut in smaller joints at such prices as will in the aggregate make the total amount charged by him for the meat sold more than 1d. per stone above the price at which the like carcases, sides or quarters are on the same day being sold or offered for sale.

12. In any proceedings for a breach of the provisions of this part of this Order, the burden of proving the amount of the price at which meat was bought and cost of transport shall be upon the person charged.

13. Every person selling meat in a market shall furnish to the market authority, as and when required by the market authority, a statement showing classification and weight of meat sold by him in such market and prices realised.

III.—GENERAL.

14. A person shall not buy, sell or deal in or offer to buy, sell or deal in, any cattle or meat in contravention of any of the provisions of this Order.

15. All persons concerned shall keep such records of cattle bought, sold and slaughtered, and meat bought and sold, prices paid and charged and the names of sellers and buyers as are necessary for the purpose of ascertaining whether or not the provisions of this Order are being complied with, and such records shall at all times be open to the inspection of the Food Controller or of any local authority or market authority.

16. The market authority of a market shall cause copies of this Order to be kept affixed in some conspicuous place in such market.

17. For the purpose of this Order:—

"Market" shall include a fair.

"Market authority" shall mean any person, company or corporation having the control or management of any market or in receipt of tolls in respect thereof.

"Cattle" shall include, in addition to cattle usually so called, ram, ewe, wether, lamb, and swine.

"Meat" shall mean any meat obtained from cattle as defined.

"Sale" shall include barter.

"Stone" shall mean a stone of 8 lbs.
18. If any person acts in contravention of this Order, or aids or abets any other person, in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. (a)

19.—(a) This Order may be cited as the Meat (Sales) Order, 1917.

(b) Part I. of this Order shall come into force on the 11th June, 1917, and Part II. shall come into force on the 4th June, 1917.

Devonport,
Food Controller.

31st May, 1917.

Schedule.

I declare that the animal[s] described at the foot of this undertaking was (were) bought by me for slaughter and will be slaughtered within 14 days hereof.
It is intended that such animal shall be slaughtered at

Signature
Address
Date

<table>
<thead>
<tr>
<th>Class of animal.</th>
<th>Name of seller</th>
<th>Address of seller</th>
<th>Price</th>
</tr>
</thead>
</table>

The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (b) shall apply to the above Order of the Food Controller as if that Order were

(a) LIABILITY OF DIRECTORS, &c., OF COMPANY.—Reg. 48a of the Defence of the Realm Regulations (printed in Part IX, 4 "Miscellaneous Provisions as to Offences," of this Manual) which was added to the Code since this Order was printed provides that directors and officers shall be liable for offences by their corporation or company.

(b) LOCAL AUTHORITIES (FOOD CONTROL) ORDER (No. 1), 1917.—The effect of that Order (printed p. 187) coupled with the Food Controller's Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.
mentioned in Column 1 and the whole of that Order were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 1st day of June, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877. (a)

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (b) shall apply to the above Order.

Devonport,
Food Controller.


1917. No. 767.

In exercise of the powers conferred upon him by Regulation 2g of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby Orders as follows:—

1. All persons engaged in the production, purchase, sale, distribution, transport, storage or shipment of any cattle or any meat; shall furnish such particulars as to their businesses as may from time to time be specified by or on behalf of the Food Controller, and shall verify the same in such manner as he may direct.

2. For the purpose of this Order, the expression "Cattle" shall include in addition to cattle usually so called Ram, Ewe, Wether, Lamb, Deer, Goats and Swine; and the expression "Meat" shall mean any meat obtained from cattle as defined.

3. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

4. This Order may be cited as the Cattle and Meat (Returns) Order, 1917.

By Order of the Food Controller,

U. F. Wintour,
Secretary of the Ministry of Food.

28th July, 1917.

(a) GENERAL ORDER OF MAY 26, 1877.—That Order which authorised the Secretaries and Assistant Secretaries of the Local Government Board to execute certain instruments is printed S. R. & O. Revised (1904), Vol. VII., "Local Government Board, E.", p. 1.

(b) LOCAL AUTHORITIES (FOOD CONTROL) (SCOTLAND) ORDER, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.
Meat (Maximum Prices) Order, 1917, as amended.

The Meat (Maximum Prices) Order, 1917, dated August 29, 1917, as amended by the Meat (Maximum Prices) Order (No. 2), 1917, dated September 11, 1917. (a)

1917, No. 903, as amended by No. 943.

In exercise of the powers conferred upon him by Regulation 2f of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:—

PART I.—Maximum Wholesale Prices.

1. No person shall on or after the 3rd September, 1917:—

(a) Sell by way of wholesale sale any carcase of any of the kinds of dead meat specified in the Schedule or any hind quarter or fore quarter of imported beef or veal at a price exceeding the maximum price therein mentioned. Provided that—

(i) In the case of Kosher meat the maximum wholesale price shall in each case be 1½d. per stone in excess of the price otherwise applicable under the Schedule; and

(ii) Where the carcase is cut by the seller into smaller portions a further charge not exceeding a charge at the rate of 1d. per stone may be made for such cutting; or

(b) Sell by way of wholesale sale in any area any side, quarter, joint, or cut of the kinds of dead meat so specified at a price exceeding such maximum price as the Food Controller may from time to time direct for that area.

2. The maximum price applicable under the immediately preceding clause (hereinafter called the Maximum Wholesale Price) shall in each case be the price ex market, warehouse, store, or other place of sale.

3. Nothing contained in this Part of this Order shall exempt any person from any of the obligations imposed by Part II. of the Meat (Sales) Order, 1917. (b)

PART II.—Maximum Retail Prices.

4.—(a) No person shall in the fortnight ending the 15th September, 1917, or any succeeding fortnight sell meat by retail in about or from any premises except at such prices as

(a) Memoranda for the Guidance of the Local Food Office. Two such Memoranda (M.G. Meat 1 and 2) have been issued in connection with this Order, of which the second explains the object and effect of Order No. 2.
(b) Meat (Sales) Order, 1917. —That Order is printed p. 113.
secure that the aggregate of the prices charged for meat so sold during the fortnight in question does not exceed the actual cost to him of such meat by more than the prescribed percentage of such actual cost or by more than an amount representing 2½d. for every lb. of meat so sold, whichever shall be the less.

(b) The prescribed percentage shall be 20 per cent. or such other percentage as the Food Controller may from time to time direct either generally or in any particular case or class of case.

5. In ascertaining the prices charged for the purpose of clause 4 hereof there shall be excluded such sum (not exceeding a sum at the rate of ¾d. per lb.) as may be charged for delivery and for giving credit.

6. In ascertaining the actual cost for the purpose of clause 4 hereof, regard shall be had to the following rules—

(a) Where meat sold has been bought as dead meat the actual cost shall be the sum paid or payable for such meat ex Market, warehouse, store, or other place where so bought without any addition whatsoever.

(b) Where the meat sold is obtained from cattle bought alive by the person in question and slaughtered within 14 days of his purchase, the actual cost shall be taken to be the sum paid for such cattle less the value of any part thereof not sold as meat or the maximum wholesale price for the carcase as at the time of slaughter whichever shall be the less.

(c) Where the person in question imports meat which is sold by him at any premises the actual cost of such meat shall be taken to be its value at the market price for the time being fixed by or under arrangement with the Food Controller.

(d) In all other cases the actual cost of any meat in respect of which a maximum wholesale price is provided under Part I. of this Order shall be taken to be the maximum wholesale price for the time being applicable thereto in the area in which the premises are situate, and the actual cost of any side, quarter or other cut, in respect of which there is for the time being no such maximum price, shall be deemed to be such sum as is fair and reasonable on the basis of such maximum wholesale price.

7.—(a) A Food Control Committee may from time to time prescribe a scale or alternative scales of maximum prices applicable to sales of meat by retail in about or from any premises situate within their area, and may from time to time revoke or vary any scale so prescribed and where alternative scales are prescribed may make such provisions as they shall think fit as to the application of any such scale to any premises or class of premises within their area. Any scale prescribed under the powers conferred by this clause shall be in accordance with any general directions which may from time to time be given by the Food Controller.
(b) Where any scale has been so prescribed then (subject to any limitations or exceptions prescribed by the Committee) no meat shall be sold by retail in or about or from any premises situate within the area of the Committee at prices exceeding the prices provided by the scale applicable to such premises.

(c) Where the Food Controller so directs a Food Control Committee shall in exercise of the powers and duties conferred by this clause act in combination with any other Food Control Committee or Committees and in such case the scale or scales prescribed shall apply to the areas of all such Committees.

(d) Compliance with the terms of a scale prescribed under the provisions of this clause shall not relieve any person from the necessity of complying with the foregoing provisions of this part of this Order.

(e) This clause shall not apply to Ireland.

8. In any proceedings for a breach of any of the provisions of this part of this Order, the burden of proving the actual cost of the meat sold during any fortnight shall be upon the person charged.

PART III.—GENERAL.

9. On and after the 3rd September, 1917, every person selling meat by retail in any shop shall keep posted in a conspicuous position so as to be clearly visible to all customers throughout the whole time during which the meat is being sold or exposed for sale, a notice stating in plain words and figures the prices for the time being of the usual cuts of meat on sale in about or from such shop and a copy of every such notice shall within 48 hours of the same being posted be sent by him to the Food Control Committee.

10. A person shall not sell or offer or expose for sale or buy or offer to buy any meat at prices exceeding the maximum prices provided by or under this Order, or in connection with any sale or disposition or proposed sale or disposition of meat enter or offer to enter into any artificial or fictitious transaction or make any unreasonable charge.

11. Every person dealing in meat shall keep accurate records containing such particulars as are necessary to show whether or not he is complying with the provisions of this Order so far as they relate to him or his trade, and shall make such returns as to his trade and otherwise as may from time to time be required by the Food Controller or a Food Control Committee. All such records and relevant documents shall be open to the inspection of any person authorised by the Food Controller or the Committee.

12. Where any contract subsisting at the date of this Order for the sale of meat provides for the payment of a price in excess of the maximum price fixed by this Order applicable on the occasion of such a sale, the contract shall stand so far as concerns meat delivered before the 17th September, 1917; but unless the Food Controller otherwise determines, shall be avoided so far as concerns meat which is to be delivered on or after that date.
13. Infringements of this Order are summary offences against Infringe-
ments.

14. For the purpose of this Order:—
“Food Control Committee” shall mean a Committee
appointed in pursuance of the Food Control Committees
(Constitution) Order, 1917.(a)
“Premises” shall include any van, stand, cart, or other
vehicle.
“Cattle” shall include in addition to cattle usually so
called, ram, ewe, wether, lamb and swine.
“Meat” shall except where otherwise stated mean any
meat (including sausages and edible offal) obtained from
cattle as defined, other than bacon, ham, preserved and
potted meats, and cooked meats.
“Kosher Meat” shall mean meat obtained from cattle
slaughtered by butchers in accordance with the Jewish
practice of slaughter.
“Stone” shall mean a stone of 8 lbs.

15. This Order may be cited as the Meat (Maximum Prices) Title of
Order, 1917.

Rhondda,
Food Controller.

29th August, 1917.

Schedule of Maximum Wholesale Meat Prices.

<table>
<thead>
<tr>
<th></th>
<th>Beef and Veal</th>
<th>Mutton and Lamb</th>
<th>Pork</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Price per stone</td>
<td>Price per stone</td>
<td>Price per stone</td>
</tr>
<tr>
<td>1917.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sept.</td>
<td>8 8</td>
<td>8 4</td>
<td>7 0</td>
</tr>
<tr>
<td>Oct.</td>
<td>8 4</td>
<td>8 0</td>
<td>6 8</td>
</tr>
<tr>
<td>Nov.</td>
<td>8 0</td>
<td>7 8</td>
<td>6 4</td>
</tr>
<tr>
<td>Dec.</td>
<td>8 0</td>
<td>7 8</td>
<td>6 4</td>
</tr>
<tr>
<td>1918.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jan.</td>
<td>7 4</td>
<td>7 0</td>
<td>5 8</td>
</tr>
</tbody>
</table>

NOTE.—In ascertaining weight, the offals are to be excluded.

(a) Food Control Committees (Constitution) Order, 1917.—That
Order is printed in Part III. of this Manual (p. 199).
Meat (Maximum Prices) Order, 1917, as amended.

The Local Government Board, by arrangement with the Food Controller, hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (a) shall apply to the above Order of the Food Controller as if that Order were mentioned in column 1, and Parts 2 and 3 of the Order except so far as they relate to wholesome transactions were mentioned in column 2, of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 1st day of September, 1917.

Noel T. Kershaw,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877, (b)

With the concurrence of the Secretary for Scotland the Food Controller orders that the provisions of Local Authorities (Food Control) (Scotland) Order, 1917 (c) shall apply to the above Order as if that Order were mentioned in column (1), and Parts 2 and 3 of the Order, except so far as they relate to wholesale transactions were mentioned in column 2, of the Schedule to the Local Authorities (Food Control) (Scotland) Order, 1917.

U. F. Wintour,
Secretary, Ministry of Food.

(a) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187), coupled with the Food Controller’s Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.

(b) General Order of May 26, 1877.—That Order which authorised the Secretaries and Assistant Secretaries of the Local Government Board to execute certain instruments is printed St. R. & O. Revised (1904), Vol. VII. “Local Government Board, E,” p. 1.

(c) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.
11. Milk, Butter and Cheese. (a)(b)

Butter (Maximum Prices) Order, p. 127.
Cheese (Maximum Prices) Order, p. 126.
Cheese (Maximum Prices) Order, No. 2, p. 137.
Cheese (Requisition) Order, p. 124.
Milk Order, 1917, p. 131.
General Licence thereunder, p. 139.
Milk (Returns) Order, p. 125.
Milk (Use in Chocolate) Order, p. 123.


1917. No. 64.

In exercise of the powers conferred upon him by Regulation 2f of the Defence of the Realm (Consolidation) Regulations, 1914,

(a) Export of Milk, Butter and Cheese.—An epitome of the restrictions on the export of Milk, Butter and Cheese will be found in Appendix VI. (7. Exportation).

(b) Carriage of Refrigerated Dairy Produce.—In 1917 three Orders in Council (all printed as Statutory Rules and Orders) of which the dates and scope are specified below requisitioned for the carriage of refrigerated produce the insulated spaces in certain British steamships.

<table>
<thead>
<tr>
<th>Date of Order in Council</th>
<th>St. R. &amp; O. number</th>
<th>British Steamships insulated spaces in which were requisitioned</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 13, 1915</td>
<td>1915—303</td>
<td>All steamships trading between the Commonwealth of Australia or the Dominion of New Zealand and the United Kingdom.</td>
</tr>
<tr>
<td>April 29, 1915</td>
<td>1915—385</td>
<td>Steamships owned by certain Companies trading between the Argentine or Uruguay Republics and the United Kingdom or Europe.</td>
</tr>
<tr>
<td>Oct. 14, 1915</td>
<td>1915—999</td>
<td>Certain steamships specified by name trading between the Argentine or Uruguay Republics and the United Kingdom or Europe.</td>
</tr>
</tbody>
</table>

Two further Orders in Council of Nov. 10, 1915 (1915, No. 1071), and Dec. 22, 1915 (1915, No. 1219), empowered the President of the Board of Trade to requisition,—

(i) any British ship registered in the United Kingdom for the carriage of food-stuffs;

(ii) the insulated spaces for the carriage of refrigerated produce in any British steamship registered in the United Kingdom or hereafter to be so registered and fitted or hereafter to be fitted with such spaces and not liable to requisition under the three first-mentioned Orders in Council.

All these five Orders in Council are printed pp. 400-409 of Vol. I of the Annual Volume of St. R. & O. for 1915.

Regulation 39bbb (3) of the Defence of the Realm Regulations empowers the Shipping Controller to requisition any ships or any cargo spaces in any ships "in order that they may be used in the manner best suited for the needs of the country."
and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. Except under the authority of the Food Controller no person shall use in the process of the manufacture of Chocolate any milk produced after the date that this Order comes into force and before the first day of April, 1917, or any milk powder or condensed milk manufactured between the same dates.

2. Any person acting in contravention of this Order is guilty of a summary offence against the Defence of the Realm Regulations.

3.—(1) This Order may be cited as the Milk (Use in Chocolate) Order, 1917.

(2) This Order shall come into force on the 15th day of January, 1917.

Devonport,
Food Controller.

11th January, 1917.


In exercise of the powers conferred upon him by Regulation 2v of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1. All cheese which shall after the date of this Order arrive in the United Kingdom from the United States of America, the Dominion of Canada, the Commonwealth of Australia, or the Dominion of New Zealand shall be placed and held at the disposal of the Food Controller.

2. The cheese is taken over by the Food Controller from the original consignees, and the Food Controller will subsequently communicate to them the prices which he will be prepared to pay for the same.

3. Except as otherwise determined by the Food Controller in any particular case, all contracts for sale of any such cheese made by the original consignees or any persons claiming under them are cancelled and sellers and/or buyers are to stand released from all liability as to brokerage.

4. The arbitrator to determine in default of agreement the compensation for stocks requisitioned under the Order shall be appointed by the Lord Chief Justice of England.
5. Original consignees of cheese are required to furnish to the Board of Trade, Whitehall Gardens, S.W. 1, on or before the 9th June, 1917, full particulars of all engagements for cheese taken over whether bought, consigned, or agreed to be bought or consigned, date of shipment, invoice price and such other particulars as may from time to time be required.

6. This Order shall not apply to cheese agreed to be bought by the Board of Trade. (a)

7. This Order may be cited as the Cheese (Requisition) Order, 1917.

Devonport,
Food Controller.

29th May, 1917.

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THE MILK (RETURNS) ORDER, 1917. DATED JULY 31, 1917.

1917. No. 776.

In exercise of the powers conferred upon him by Regulation 26 of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby Orders as follows:

(1) All persons engaged in the production, purchase, sale, distribution, transport, storage of any milk, shall furnish particulars as to their businesses as may from time to time be specified by or on behalf of the Food Controller, and shall verify the same in such manner as he may direct.

(2) Infringements of this Order are summary offences against the Defence of the Realm Regulations.

(3) This Order may be cited as the Milk (Returns) Order, 1917.

By Order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.

31st July, 1917.

(a) IMPORTED CHEESE BOUGHT BY BOARD OF TRADE.—The General Regulations for the sale and distribution of cheese imported from Australia, Canada, New Zealand, and United States on account of H.M.'s Government are printed in Appendix IV. 1 ("Cheese") to this Manual.

1917. No. 911.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:

1.—(a) On and after the 3rd September, 1917, Cheese shall not be sold by or on behalf of the maker thereof at prices exceeding the maximum prices for the time being prescribed by the Food Controller as first hand prices.

(b) Until further notice the first hand prices shall for the varieties of cheese mentioned in the Schedule be prices at the rates set forth in the Schedule (a).

2.—(a) On and after the 3rd September, 1917, no person (other than a maker in respect of cheese made by him) shall sell any cheese at a price in excess of whichever shall be the less of the two following prices namely:

(i) a price at the rate of 6s. per cwt. above the price paid by him together with the addition of all monies actually paid for transport.

(ii) a price at the rate of 10s. per cwt. above the first hand price fixed by this Order, or where further or other first hand prices are fixed under this Order, the first hand price in force at the time of his purchase, with the addition in either case of all monies actually paid for transport.

(b) No addition may be made on account of shrinkage.

(c) The amount of the monies paid for transport shall be shown separately on the invoice.

(d) In any proceedings the burden of proving the amount actually paid for transport shall lie upon the person charged.

3. A person shall not sell or offer for sale or buy or offer to buy any cheese at prices exceeding the maximum prices provided by or under this Order, or in connection with any sale or disposition or proposed sale or disposition of cheese enter or offer to enter into any artificial or fictitious transaction or make any unreasonable charge.

4. Every person dealing in cheese shall keep accurate records containing such particulars as are necessary to show whether or not he is complying with the provisions of this Order so far as they relate to him or his trade, and shall make such returns as to his trade in cheese as may from time to time be required by the Food Controller. All such records and relevant documents shall be open to the inspection of any person authorised by the Food Controller.

(a) Alteration in first hand prices.—By the Cheese (Maximum Prices) Order, No. 2, 1917 (p. 137), the first hand prices were increased for certain varieties of cheese.
Butter (Maximum Prices) Order, 1917.

5. This Order shall not apply to any sale or purchase by retail. Exclusion of Retail transactions.

6. Infringements of this Order are summary offences against the Defence of the Realm Regulations. Penalty.

7. This Order may be cited as the Cheese (Maximum Prices) Order, 1917. Title of Order.

By Order of the Food Controller.

U. F. Wintour, Secretary to the Ministry of Food.

31st August, 1917.

The Schedule.

First Hand Prices for British-made Cheese.

<table>
<thead>
<tr>
<th></th>
<th>s.</th>
<th>d.</th>
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</thead>
<tbody>
<tr>
<td>Cheddar make</td>
<td>...</td>
<td>132</td>
</tr>
<tr>
<td>Cheddar Loaf make</td>
<td>...</td>
<td>132</td>
</tr>
<tr>
<td>Derby and Leicester make</td>
<td>...</td>
<td>132</td>
</tr>
<tr>
<td>Caerphilly make</td>
<td>...</td>
<td>119</td>
</tr>
<tr>
<td>Dunlop make</td>
<td>...</td>
<td>130</td>
</tr>
<tr>
<td>Cheshire, Stafford and Lancashire make</td>
<td>129</td>
<td>0</td>
</tr>
<tr>
<td>Partially skimmed</td>
<td>...</td>
<td>115</td>
</tr>
<tr>
<td>Stilton make</td>
<td>...</td>
<td>1</td>
</tr>
<tr>
<td>Wensleydale, Flat shape make</td>
<td>...</td>
<td>129</td>
</tr>
<tr>
<td>Wensleydale, Stilton shape make</td>
<td>...</td>
<td>1</td>
</tr>
</tbody>
</table>

In all cases prices are ex factory or ex farm and include delivery as customary.

All these prices are subject to the following terms:—

For cash in 7 days, 2d. in the £ discount.
For cash in 1 month, 1d. in the £ discount.


1917. No. 913.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:—

1.—(a) On and after the 3rd September, 1917, butter shall not be sold by or on behalf of the importer or the maker thereof at a price exceeding the maximum price for the time being prescribed by the Food Controller as the first hand price.

(b) Until further notice the first hand price shall for the several varieties of butter mentioned in the schedule to this Order be a price at the rate set forth in the Schedule as applicable thereto.(a)

(a) First Hand Price for Butter.—By the Butter (Maximum Prices) Order, No. 2, 1917, p. 136, the first hand price for certain varieties of butter was varied as from Sept. 24, 1917, and by the Butter (Maximum Prices) Order, No. 3, 1917, p. 138, the first hand prices for certain varieties of butter were further varied as from Oct. 2, 1917.
2.—(a) On and after 3rd September, 1917, no person (other than an importer in respect of butter imported by him or a maker in respect of butter made by him) shall sell any butter at a price which exceeds by more than the permitted amount whichever shall be the less of the two following prices namely:

(i) the price paid by him for such butter or
(ii) the first hand price fixed by this Order or where further or other first hand prices are fixed under this Order the first hand price in force at the time of his purchase.

(b) The permitted amount shall be a sum at the rate of 7s. 6d. per cwt., with the addition of—

(i) all monies, if any, actually paid for transport, after sale by the importer or maker; and
(ii) necessary cold storage charges or expenses (not exceeding the rates current in the district where stored) incurred by the seller before the 3rd September, 1917.

(c) The amount of the monies paid for transport or paid or charged for cold storage shall be shown separately on the invoice.

(d) In any proceedings the burden of proving the amount actually paid for transport shall lie upon the person charged.

3. Clauses 1 and 2 of this Order shall not apply to a retail sale.

4.—(a) On and after 10th September, 1917, no person shall sell butter by retail at a rate per lb. exceeding by more than 2½d. the actual cost to him of the butter sold.

(b) An additional sum not exceeding 3d. per lb. may be charged for giving credit and for delivery otherwise than by post or rail. No additional charge may be made for packages.

(c) The actual cost shall in the case of all butter (other than butter imported or made by the person in question) be the net price paid for such butter (not exceeding the maximum price applicable under Clause 2 hereof) together with all monies actually paid for transport not included in such price, and in the case of all butter in respect of which there is for the time being a first hand price shall be the first hand price in force at the time of sale, together with any monies actually paid for transport in the United Kingdom.

(d) In any proceedings the burden of proving the actual cost of the butter sold shall lie on the person charged.

5.—(a) A Food Control Committee may from time to time prescribe a scale of maximum prices applicable to sales of butter by retail in their area, and may from time to time revoke or vary any scale so prescribed. Any scale prescribed under the powers conferred by this clause shall be in accordance with any general directions which may from time to time be given by the Food Controller.

(b) Where any scale has been so prescribed then (subject to any limitations or exceptions prescribed by the Committee) no butter shall be sold by retail within the area of the Committee at prices exceeding the prices provided by the scale.
Butter (Maximum Prices) Order, 1917.

(c) Where the Food Controller so directs a Food Control Committee shall in exercise of the powers and duties conferred by this clause act in combination with any other Food Control Committee or Committees and in such case the scale or scales prescribed shall apply to the areas of all such Committees.

(d) Compliance with the terms of a scale prescribed under the provisions of this clause shall not relieve any person from the necessity of complying with the provisions of clause 4 of this Order.

(e) This clause shall not apply to Ireland. (a)

6. A person shall not sell or offer for sale or buy or offer to buy any butter at prices exceeding the maximum prices provided by or under this Order, or in connection with any sale or disposition or proposed sale or disposition of butter enter or offer to enter into any artificial or fictitious transaction or make any unreasonable charge.

7. Every person dealing in butter shall keep accurate records containing such particulars as are necessary to show whether or not he is complying with the provisions of this Order so far as they relate to him or his trade, and shall make such returns as to his trade in butter as may from time to time be required by the Food Controller or a Food Control Committee. All such records and relevant documents shall be open to the inspection of any person authorised by the Food Controller or the Committee.

8. For the purposes of this Order the expression "importer" shall include the person sighting the shipper's draft; but this provision shall not be construed so as to limit the general interpretation of that expression.

The expression "maker" shall include a blender of butter.

The expression "retail sale" shall include any sale of a quantity not exceeding 4 lbs. of butter by the maker of such butter where the total quantity of butter so sold by the maker to the buyer in any one calendar week does not exceed 8 lbs.

The expression "Food Control Committee" shall mean a committee appointed in pursuance of the Food Control Committees (Constitution) Order, 1917. (b)

9. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

(a) IRISH BUTTER TRADE.—This has been hitherto regulated by the Butter Trade (Ireland) Acts of 1812 (52 Geo. 3, c. 134), 1827 (7 & 8 Geo. 4, c. 61), and 1829 (10 Geo. 4, c. 41). Those Acts were repealed as to the borough of Cork which has a special Butter Market Act (47 & 48 Vict. c. cxix).

(b) FOOD CONTROL COMMITTEES (CONSTITUTION) ORDER, 1917.—That Order is printed in Part III of this Manual (p. 199).
Butter (Maximum Prices) Order, 1917.

10. This Order may be cited as the Butter (Maximum Prices) Order, 1917.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

31st August, 1917.

The Schedule.

**FIRST HAND PRICES.**

<table>
<thead>
<tr>
<th>Description</th>
<th>Per doz. lbs.</th>
<th>Per 112 lbs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>French Fresh Rolls (ex port)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>  &quot; Paris (unsalted) (ex port)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Australian</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Zealand</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Argentine</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Canadian</td>
<td></td>
<td></td>
</tr>
<tr>
<td>American</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irish Creamery, or other best, f.o.r.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>56-lb. boxes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28-lb. boxes and casks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kegs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irish Creamery or factory, f.o.r.</td>
<td>Per doz. lbs.</td>
<td></td>
</tr>
<tr>
<td>Rolls or bricks (1 or 2-lb.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>½-lb.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prints</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blended Butter, English Factory, delivered</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rolls and bricks (1 or 2-lb.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>½-lb.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prints</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(All unsalted 3s. per cwt. extra.)

Except where the price is stated as a net price, discount shall be allowed at 2d. in the £ for cash within 7 days and at 1d. in the £ for cash within one calendar month.

The Local Government Board by arrangement with the Food Controller, hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (b) shall apply to the above Order of the Food Controller as if that Order were

(a) Alteration in First Hand Prices.—By the Butter (Maximum Prices) Order, No. 2, 1917 (p. 136) the first hand prices were increased in certain cases as from September 24, 1917, and by the Butter (Maximum Prices) Order, No. 3, 1917, p. 133, the first hand prices of certain varieties of butter were varied as from October 2, 1917.

(b) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187) coupled with the Food Controller's Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.
milk Order, 1917.

mentioned in Column 1 and Clauses 4, 5, 6 and 7, of that Order except so far as they relate to wholesale transactions were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 4th day of September, 1917.

Noel T. Kershaw,
Assistant Secretary.
Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877. (a)

With the concurrence of the Secretary for Scotland the Food Controller Orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (b) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and Clauses 4, 5, 6 and 7 of that Order except so far as they relate to wholesale transactions were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) (Scotland) Order, 1917.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.


1917. No. 939.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf the Food Controller hereby Orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:

1. No person shall directly or indirectly sell or offer for sale or buy or offer to buy any milk at prices exceeding the maximum prices provided by or in pursuance of this Order.


(b) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.
2. Until otherwise determined pursuant to this Order the maximum price applicable on the occasion of a retail sale of milk shall be:

(a) For milk delivered within the area of a Rural District Council in England or Wales or within a district other than a burgh in Scotland at the rate of 2s. per imperial gallon in the month of October, 1917, and of 2s. 4d. per imperial gallon thereafter until the end of March, 1918.

(b) For milk delivered elsewhere in England, Scotland or Wales at the rate of 2s. 4d. per imperial gallon in the month of October, 1917, and 2s. 8d. per imperial gallon thereafter until the end of March, 1918.

(c) An addition may be made to the foregoing prices at the rate of 1d. per quart for milk delivered in bottles to the consumer's premises if bottled at or before reaching the seller's premises.

(d) The foregoing prices shall include all charges for delivery but it shall be permissible for the Food Control Committee for any area, from time to time, subject to the provisions of this Order, to fix for all or any of the milk sold within their area and not delivered to the purchaser's premises, a rate different from the rate for the time being applicable to milk which is so delivered.

3. Where milk is sold wholesale by or on behalf of the producer the maximum price chargeable shall be as follows:

(a) For milk delivered during the month of October, 1917, the rate shall be 1s. 5d. per imperial gallon for milk delivered during the month of November, 1917, the rate shall be 1s. 7½d. per imperial gallon and for milk delivered thereafter until the end of March, 1918, the rate shall be 1s. 9d. per imperial gallon together in each case with a sum equal to the net amount of the charges for railway transport actually incurred by the seller.

(b) The rates applicable under sub-clause (a) of this clause are fixed on the basis that the milk is delivered at the seller's expense to the buyer's premises or (at the option of the seller) to the buyer's railway station and that in the latter case all charges for transport beyond the buyer's railway station are borne by the buyer. Where milk is not sold on this basis, a corresponding adjustment shall be made in the rates; and for this purpose the cost of delivery to the buyer's premises or the seller's railway station shall be reckoned a sum not less than a sum at the rate of ½d. per gallon.

(c) No additional charges may be made for the provision of churns or other vessels.
4.—(a) Where milk is sold wholesale by or on behalf of any person other than the producer the maximum prices chargeable shall until otherwise determined pursuant to this Order be as follows:—

(i) In the case of milk other than accommodation milk the rate shall be 1s. 8d. per imperial gallon for milk delivered during October, 1917, and 2s. per imperial gallon for milk delivered thereafter until the end of March, 1918.

(ii) In the case of accommodation milk the rate shall be 1s. 10d. per imperial gallon for milk delivered during October, 1917, and 2s. 2d. per imperial gallon for milk delivered thereafter until the end of March, 1918.

(iii) The rates mentioned in sub-clauses (i) and (ii) of this clause include all charges for delivery to the buyer’s railway station if the milk is carried by rail and for delivery to the buyer’s premises if not so carried. If rail-borne milk is delivered by or at the expense of the seller to the buyer’s premises the rate may be 1/4d. per imperial gallon higher than the rates so mentioned.

(iv) The rate fixed by the foregoing sub-clauses of this clause are fixed upon the basis that the cost of providing churns or other vessels is borne by the seller; and where milk is not sold on this basis, then the rate shall be ascertained by deducting from the rate applicable under this clause the sum of 1/4d. per gallon.

(b) No milk sold shall be sold wholesale by a person other than the producer of the milk sold except upon the terms that the milk is to be delivered by or at the expense of the seller to the buyer’s premises or the buyer’s railway station.

(c) For the purpose of this clause accommodation milk shall not include:—

(a) Milk on the occasion of the sale of any such milk by or on behalf of the person owning the stock from which such milk is produced; or

(b) Milk sold under a contract or arrangement for delivery over a continuous period exceeding three days, or

(c) Milk sold otherwise than for the purpose of meeting fluctuating demands of the buyer.

5. A Food Control Committee (a) may except in the case of wholesale sales by or on behalf of producers from time to time by resolution vary the maximum price for milk delivered within their area or any part of such area but:

(a) every such resolution shall be reported to the Food Controller within seven days and shall not take effect

(a) Food Control Committees.—As to the constitution of these Committees, see Part III, 2. "Food Control Committees" of this Manual. The Order was accompanied by a Memorandum ("M.G. Milk. 1") for the guidance of Food Control Committees.
Milk Order, 1917.

(i) in the case of a resolution reducing the maximum price until three days after it shall have been so reported or such later time as the Food Controller may direct, and (ii) in the case of a resolution increasing a maximum price until the same has been sanctioned by the Food Controller (a) and

(b) every resolution of a Food Control Committee under this clause shall be subject at any time to review by the Food Controller and shall be withdrawn or varied as he may direct.

6. A person dealing in milk shall not buy or agree to buy or deal in any milk of which in the ordinary course of business he does not intend to take actual delivery.

7. No person shall, in connection with the sale or disposition or proposed sale or disposition of any milk enter or offer to enter into any fictitious or artificial transaction or make or demand any unreasonable charge.

8. A Food Control Committee may subject to the consent of the Food Controller

(a) buy milk from any person and sell milk so bought at a price estimated to cover at least the cost of purchasing and distributing such milk; and

(b) make arrangements as to the distribution of milk in their area.

9.—(a) A Food Control Committee may

(i) direct any wholesale or retail dealer delivering milk in their area to deliver such milk to any consumer or class of consumers in priority to any other person in their area; and

(ii) direct any person selling milk by retail within their area to deliver in that area only within such parts thereof as the Committee may prescribe; and

(iii) with the consent of the Food Controller give directions in their area for securing the purity, cleanliness and wholesomeness of milk, provided that any directions so given shall not relieve Local Authorities of their powers and duties under any existing statutory provisions in regard to milk or relieve cow-keepers, dairy-men, purveyors of milk or occupiers of milk shops from their obligations under any such provisions.

(b) Every person to whom any direction is given under the powers conferred by this clause shall comply with such direction.

(a) Report by Committee.—The proposals of the Committee should be accompanied by a short report showing the grounds on which the Committees recommendations are based and should be addressed to—

The Secretary,
Ministry of Food (Milk Section),
Palace Chambers,
Westminster, S.W.1.
10. A Food Control Committee shall not without the consent of the Local Authority or Authorities by whom they were appointed, exercise the powers conferred upon them by the two immediately preceding clauses in such a manner as may involve an expense which is ultimately to be borne by such authority or authorities; Provided that the validity of any direction given by a Food Control Committee under any such powers shall not be questionable on the ground that such consent has not been obtained.

11. The provisions of this Order relating to prices shall not apply to—

(a) Condensed Milk, Dried Milk or Milk preparations; or
(b) Milk sold for consumption on the premises of the seller.

Interpretation.

12. For the purposes of this Order—

"Food Control Committee" shall mean a Committee appointed in pursuance of the Food Control Committees (Constitution) Order, 1917. (a)

"Buyer's Railway Station" shall mean the railway station to which in the ordinary course of business the milk would be consigned by the seller to the buyer.

13. Infringements of this Order are summary offences against Penalties.

the Defence of the Realm Regulations.

14. The Price of Milk Order, 1917, (b) and the Price of Milk Order, No. 2, 1917, (c) are hereby revoked as on the date when this Order comes into force, but without prejudice to any proceedings in respect of any previous contravention thereof.

Revocation.

15.—(a) This Order may be cited as the Milk Order, 1917.
(b) This Order shall come into force on the 1st day of October, 1917.
(c) This Order shall extend only to Great Britain.

Rhondda.

7th September, 1917.

The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (d) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and the whole Order except so much as relates to wholesale transactions were mentioned in Column 2 of

(a) Food Control Committees (Constitution) Order, 1917.—That Order is printed in Part III. of this Manual, p. 199.
(b) Price of Milk Order, 1917.—That Order is printed at p. 58 of the 1st Edit. of this Manual.
(c) Price of Milk Order, No. 2, 1917.—That Order is printed at p. 61 of the 1st Edit. of this Manual.
(d) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187) coupled with the Food Controller’s Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present order and to prosecute before courts of summary jurisdiction for breaches of the same.
the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 14th day of September, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877. (a)

With the concurrence of the Secretary for Scotland the Food Controller Orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (b) shall apply to the above Order except so far as the same relates to wholesale transactions.

By Order of the Food Controller,

W. H. Beveridge,
Second Secretary to the Ministry of Food.


1917. No. 965.

Pursuant to Clause 1 (a) of the Butter (Maximum Prices) Order, 1917, (c) the Food Controller hereby prescribes maximum prices at the rates set forth in the Schedule hereto as the first-hand prices for the several varieties of butter mentioned in such Schedule upon all sales of butter by or on behalf of the importer or maker thereof for delivery on or after the 24th September, 1917.

By Order of the Food Controller,

U. F. Wintour,
Secretary to the Ministry of Food.

20th September, 1917.

The Schedule.

First Hand Prices. (d)

French Fresh Rolls (ex port) ... ... 26s.
;;, Paris (unsalted) (ex port) ... ... 238s.


(b) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.

(c) Butter (Maximum Prices) Order, 1917.—That Order is printed p. 127.

(d) First Hand Prices.—This Schedule is superseded as from October 2 1917, by the Schedule to Butter (Maximum Prices) Order, No. 3, 1917, p. 138.
THE CHEESE (MAXIMUM PRICES) ORDER (No. 2), 1917. DATED OCTOBER 1, 1917.

1917. No. 1005.

Pursuant to Clause (1) (a) of the Cheese (Maximum Prices) Order, 1917, the Food Controller hereby prescribes as the first hand prices for the several varieties of cheese mentioned in the first column of the Schedule hereto, maximum prices at the rates set forth in the second column of the same Schedule upon all sales of such cheese by or on behalf of the Maker thereof, for delivery at any time during the month of October, 1917, and at the rates set forth in the third column of the same Schedule upon all sales of such cheese by or on behalf of the maker thereof for delivery on or after the 1st November, 1917.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

1st October, 1917.

---

**The Schedule.**

**FIRST HAND PRICES.**

<table>
<thead>
<tr>
<th>Variety of Cheeses</th>
<th>First hand Prices for delivery in October.</th>
<th>First hand Prices for delivery on or after 1st November, 1917.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wensleydale and similar makes, ripened</td>
<td>1s. 7d. per lb.</td>
<td>1s. 7d. per lb.</td>
</tr>
<tr>
<td>Stilton, ripened</td>
<td>1s. 7d. per lb.</td>
<td>1s. 7d. per lb.</td>
</tr>
<tr>
<td>Any Whole Milk Cheese not exceeding 2 lbs. weight un-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>cut. Caerphilly</td>
<td>1s. 6d. per lb.</td>
<td>1s. 6d. per lb.</td>
</tr>
<tr>
<td>All other Whole Milk Cheese</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Partially skimmed (British)</td>
<td>124s. per cwt. of 112 lbs.</td>
<td>129s. per cwt. of 112 lbs.</td>
</tr>
<tr>
<td></td>
<td>137s. per cwt. of 112 lbs.</td>
<td>142s. per cwt. of 112 lbs.</td>
</tr>
<tr>
<td></td>
<td>120s. per cwt. of 112 lbs.</td>
<td>125s. per cwt. of 112 lbs.</td>
</tr>
</tbody>
</table>

In all cases prices are ex factory or ex farm and include delivery as customary.

All these prices are subject to the following terms namely:

For cash within seven days 2d. in the £ discount.
For cash within one month 1d. in the £ discount.

(a) CHEESE (MAXIMUM PRICES) ORDER, 1917.—That Order is printed p. 126.
The Butter (Maximum Prices) Order (No. 3), 1917. Dated October 2, 1917.

1917. No. 1009.

Pursuant to Clause 1 (a) of the Butter (Maximum Prices) Order, 1917, the Food Controller hereby prescribes maximum prices at the rates set forth in the Schedule hereto as the first hand prices for the several varieties of butter mentioned in such Schedule upon all sales of butter by or on behalf of the importer or maker thereof for delivery on or after the 2nd October, 1917.

Rhondda,

Food Controller.

2nd October, 1917.

The Schedule.

First Hand Prices (b)

<table>
<thead>
<tr>
<th>Variety</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian (ex port)</td>
<td>206</td>
<td>0</td>
</tr>
<tr>
<td>New Zealand (ex port)</td>
<td>208</td>
<td>0</td>
</tr>
<tr>
<td>Argentine (ex port)</td>
<td>206</td>
<td>0</td>
</tr>
<tr>
<td>Canadian (ex port)</td>
<td>206</td>
<td>0</td>
</tr>
<tr>
<td>American (ex port)</td>
<td>206</td>
<td>0</td>
</tr>
<tr>
<td>Irish Creamery, F.O.R.</td>
<td>224</td>
<td>0</td>
</tr>
<tr>
<td>56 lb. boxes</td>
<td>225</td>
<td>0</td>
</tr>
<tr>
<td>28 lb. boxes and casks</td>
<td>226</td>
<td>0</td>
</tr>
<tr>
<td>Kegs</td>
<td>238</td>
<td>0</td>
</tr>
<tr>
<td>Rolls or Bricks (1 or 2 lbs.)</td>
<td>242</td>
<td>8</td>
</tr>
<tr>
<td>Rolls, Bricks, or Prints (½ lb.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irish Factory or Farmers' Butter in original packages, F.O.R.:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>56 lb. boxes</td>
<td>220</td>
<td>0</td>
</tr>
<tr>
<td>28 lb. boxes and casks</td>
<td>221</td>
<td>0</td>
</tr>
<tr>
<td>Kegs</td>
<td>222</td>
<td>0</td>
</tr>
<tr>
<td>Rolls or Bricks (1 or 2 lbs.)</td>
<td>234</td>
<td>0</td>
</tr>
<tr>
<td>Rolls, Bricks or Prints (½ lb.)</td>
<td>238</td>
<td>8</td>
</tr>
<tr>
<td>Irish Farmers' Lump Butter, F.O.R.</td>
<td>210</td>
<td>0</td>
</tr>
<tr>
<td>British made Butter (ex Creamery, Factory, or Farm)</td>
<td>230</td>
<td>0</td>
</tr>
<tr>
<td>Rolls or Bricks (1 or 2 lbs.)</td>
<td>244</td>
<td>0</td>
</tr>
<tr>
<td>Rolls, Bricks or Prints (½ lb.)</td>
<td>248</td>
<td>8</td>
</tr>
</tbody>
</table>

Note.—The above prices are all for salted Butter. If unsalted, 3s. per cwt. extra in each case.

(a) Butter (Maximum Prices) Order, 1917.—That Order is printed p. 127.
(b) First Hand Prices.—This Schedule superseded as from October 2, 1917, those to the Butter (Maximum Prices) Order, 1917, p. 130, and to the Butter (Maximum Prices) Order, No. 2, 1917, p. 136.
French Fresh Rolls (ex port) ... ... 26 0 per dozen lbs.
" " Paris unsalted (ex port) ... ... 238 0 " 112 "
Blended Butter, English Factory,
delivered:—
Rolls and Bricks (1 or 2 lbs.) ... ... 25 0 " dozen lbs.
Rolls and Bricks (½ lb.) ... ... 25 3 " " "
Prints (½ lb.) ... ... 25 9 " " "

The first hand prices for French and Blended Butters are the same whether salted or unsalted.

Except where the price is stated as a net price, discount shall be allowed at 2d. in the £ for cash within seven days, and at 1d. in the £ for cash within one calendar month.

GENERAL LICENCE, DATED OCTOBER 8, 1917, UNDER THE MILK ORDER, 1917. (a)

1917. No. 1029.

The Food Controller hereby authorises a person who sells milk by retail from a retail shop to sell from such shop milk to a person buying for re-sale, at a price not exceeding the retail price of milk in the area in which such shop is situate: Provided that not more than eight imperial gallons of milk may be so sold by any one seller to any one buyer on any day: Provided also that this licence may be revoked at any time by the Food Controller, either generally, or as respects any particular person.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

8th October, 1917.

(a) MILK ORDER, 1917.—That Order is printed p. 131.
12. Potatoes and Swedes. (a) (b) (c)

Potatoes Order, p. 143.
Potato Bags (Returns) Order, p. 156.
Seed Potatoes (Immune Varieties) Order, p. 141.
Swedes (Prices) Order, p. 140.


In exercise of the powers conferred upon him by Regulation 2r of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller no person shall sell or offer to sell any Swedes or Swedish Turnips at a price (including the cost of bags or other packages) exceeding the rate of 1½d. per lb.

2. If any person acts in contravention of this Order or aids or abets any other person, in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. (e)

3. This Order may be cited as the Swedes (Prices) Order, 1917.

Devonport,
Food Controller.

21st March, 1917.

(a) EXPORT OF POTATOES.—An epitome of the restrictions on the export and import of potatoes, &c., and potato flour will be found in Appendix VI. (7. Exportation).

(b) DISEASES OF POTATOES.—An epitome of the Destructive Insects and Pests Acts and of the Orders thereunder will be found in Appendix VI. (5) to this Manual.

(c) USE OF POTATOES IN MAKING BREAD.—This is provided for by “The Bread (Use of Potatoes) Order, 1917,” printed p. 66.

(d) ENFORCEMENT OF ORDER AND PROSECUTIONS BY LOCAL AUTHORITIES.—This Order is enforceable by Local Authorities in England, Wales and Scotland (see “The Local Authorities (Food Control) Order (No. 1), 1917,” p. 187, and “The Local Authorities (Food Control) (Scotland) Order, 1917,” p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller's Order of May 8th, 1917, p. 192).

(e) LIABILITY OF DIRECTORS, &c., OF COMPANY.—Reg. 48A of the Defence of the Realm Regulations (printed in Part IX, 4 “Miscellaneous Provisions as to Offences,” of this Manual), which was added to the Code since this Order was made, provides that directors and officers shall be liable for offences by their corporation or company.
Seed Potatoes (Immune Varieties) Order, 1917.


1917. No. 935.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and all other powers enabling him in that behalf, the Food Controller hereby orders that, except under the authority of the Food Controller, the following regulations shall be observed by all persons concerned:

1. (a) No potatoes of the varieties "King George V.," "Great Scot," "Lochar," and "Templar" grown in Scotland or in England or Wales in the year 1917, may be sold or otherwise disposed of or moved from the premises on which they were situate on the 6th September, 1917, except under a licence issued by the Board of Agriculture and Fisheries (a) or by the Board of Agriculture for Scotland. (b)

(b) Contracts existing at the date of this Order for the sale of any such potatoes shall stand cancelled except so far as relates to potatoes which are delivered prior to the 6th September, 1917, or which may be delivered on or after that date under and in accordance with the terms of any licence that may be granted under this clause.

(c) The foregoing provisions of this Order shall not affect the use of any potatoes by the grower thereof in his own household or as seed for the purpose of his farm or holdings.

2. Clause (1) of this Order shall apply only to potatoes in the hands of a person who has in his hands upwards of 5 tons of potatoes of the description mentioned in Clause (1) or who has under cultivation upwards of a half acre of such potatoes.

3. (a) Every such person as is mentioned in Clause 2 shall before the 15th September, 1917, make a return on the form prescribed in the Schedule, showing the quantity in tons of potatoes of the descriptions mentioned in clause (1), in his possession on that day and the acreage which he has under potatoes of such description and the situation of such potatoes and acreage.

(b) The returns shall be made as to potatoes in England and Wales to the Board of Agriculture and Fisheries and as to potatoes in Scotland to the Board of Agriculture for Scotland.

4. This Order shall not apply in Scotland to potatoes which will pass through a riddle having a mesh of one inch, or in England or Wales to potatoes which will pass through a riddle having a mesh of one and a quarter inches.

5. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

(a) Board of Agriculture and Fisheries.—As to the constitution of this Board, see Introductory Note to Part V. of this Manual.

(b) Board of Agriculture for Scotland.—As to the constitution of this Board, see Introductory Note to Part VI. of this Manual.
6. (a) This Order may be cited as the Seed Potatoes (Immune Varieties) Order, 1917.
(b) This Order shall not apply to Ireland.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

5th September, 1917.

The Schedule.

<table>
<thead>
<tr>
<th>Name (of owner of potatoes)</th>
<th>Address</th>
<th>Nearest Railway Station</th>
</tr>
</thead>
</table>

**PARTICULARS OF POTATOES.**

<table>
<thead>
<tr>
<th>Variety</th>
<th>* Acreage</th>
<th>Quantity (If lifted)</th>
<th>Place where potatoes are situ-ate. (Address of farm and name of field if growing or in pits or address of premises if stored.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>King George V.</td>
<td>Acres.</td>
<td>Tons. Cwts.</td>
<td></td>
</tr>
<tr>
<td>Great Scot.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lochar.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Templar.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Where the potatoes are in the ground the acreage alone should be given.

I declare that the particulars given in the Schedule regarding the potatoes of the above-mentioned varieties in my possession are to the best of my knowledge and belief accurate.

Signature of Owner ........................................

Copies of this form may be obtained on application (1) the Director-General of Food Production, Food Production Department of the Board of Agriculture and Fisheries, 72, Victoria Street, London, S.W.1., (2) The Secretary, Board of Agriculture for Scotland, 29, St. Andrew Square, Edinburgh.
THE POTATOES ORDER, 1917. DATED SEPTEMBER 13, 1917, AS AMENDED BY THE POTATOES (POSTPONEMENT OF DATE) ORDER, 1917. (a)

1917. No. 949 as amended by No. 998.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders that, except under the authority of the Food Controller, the following regulations shall be observed by all persons concerned:—

PART I.—DEFINITION AND RESTRICTIONS.

1. In this Order:

A "Wholesale Dealer" means a person for the time being authorised under this Order to sell potatoes by wholesale.

A "Retail Dealer" means a person for the time being authorised under this Order to sell potatoes by retail.

The "Food Committee" means in respect of any area in Great Britain the Food Control Committee established for the area pursuant to the Food Control Committee (Constitution) Order, 1917, (a) and in respect of Ireland the Food Control Committee appointed for Ireland by the Food Controller. (b)

"Seed Potatoes" means potatoes grown in Scotland or Ireland in the year 1917, or grown in England or Wales in the year 1917 from seed grown in Scotland or Ireland in the year 1916, which will pass through a riddle having a 1 ½ inch mesh, and will not pass through a riddle having a 1½ inch mesh.

"Ware Potatoes" means potatoes which will not pass through a riddle having a 1½ inch mesh.

The expression "his own potatoes" with reference to a grower of potatoes means the potatoes grown by such grower.

2. Ware potatoes which are fit for human food shall not be sold or offered for sale or bought for any purpose except for seed or for human food.

3. Except where a grower is selling under the authority of clause 44 of this Order no person shall on or after the 15th September, 1917, sell or buy potatoes otherwise than by weight.

(a) GOVERNMENT GUARANTEE TO GROWER AND CONTROL OF POTATO TRADE.—This Order gives effect to the Government guarantee to the grower in respect of potatoes sold on and after September 15th, 1917, by prescribing (Art. 26) a minimum grower's price of £5 a ton. It provides also for control of the potato trade at all stages by prescribing (Art. 28) a maximum grower's prices of £6 10s. 0d. per ton, by limiting (Art. 32) the profits of wholesalers and fixing (Art. 36) a scale of maximum retail prices, and by requiring (Part II.) all dealers in potatoes whether by wholesale or by retail to be registered. This control applies in general as from 8th October, 1917. A Notice by the Food Controller appearing in the Press of September 13th, 1917, states that the grower's maximum price will hold good until further notice, but will be adjusted if necessary later in the season to compensate for the wastage and expense involved in keeping back potatoes that have good lasting quality.

(b) FOOD COMMITTEES.—See the Food Control Committee (Constitution) Order, 1917, p. 199 and Memorandum as to the Food Control Committee for Ireland (p. 208), printed in Part III. of this Manual.
Potatoes Order, 1917.

4. Except a grower selling his own potatoes no person shall after the 7th October, 1917, sell potatoes by wholesale either on his own account or as agent on commission unless he is entitled to and has applied for registration as a wholesale dealer, or by retail unless he is entitled to and has applied for registration as a retail dealer under part II of this Order, and except a grower selling his own potatoes, no person shall after the 31st October, 1917, sell potatoes by wholesale either on his own account or as agent on commission unless he holds a certificate of registration as a wholesale dealer under part II of this Order for the time being in force or by retail unless he holds a certificate of registration as a retail dealer under part II of this Order for the time being in force. Provided that this clause shall not prevent a wholesale dealer from selling direct to consumers in quantities of not less than 1 cwt.

5. No person other than the grower thereof shall on or after the 15th September, 1917, sell seed potatoes or sell potatoes as or for seed unless he holds a certificate of registration as a dealer in potatoes for seed under part II of this Order.

6. After the 31st October, 1917, a retail dealer (unless registered as a hawker or costermonger) shall not sell potatoes by retail except at a place in respect of which he holds a certificate of registration as a retail dealer, but this shall not prevent a retail dealer from selling from his cart in the ordinary course of his business. A retail dealer registered as a hawker or costermonger shall sell only from his cart stall or barrow and at such other place if any as may be named in his certificate.

7. A grower of potatoes shall not on or after the 15th September, 1917, sell or offer for sale his own potatoes (being sound marketable ware potatoes of the 1917 crop) at a price below the lowest or minimum price fixed by Part III. of this Order, and no person shall on or after the same date buy or offer to buy any such potatoes from the grower at a price below the same price; provided that this clause shall not apply to sales in quantities of less than 1 cwt.

8. A grower or retail dealer shall not on or after the 15th September, 1917, directly or indirectly sell or offer or expose for sale any potatoes of the 1917 crop (other than seed potatoes) at prices above the maximum prices authorised by Part III. of this Order in relation to sales by growers and retailers respectively, except for actual delivery before the 1st October, and a wholesale dealer shall not sell or offer to sell any such potatoes at such a price as to infringe the provisions of Part III. of this Order restricting the profits of wholesale dealers.

9. No potatoes shall after the 30th September, 1917, pass through the hands of more than two wholesale dealers between the grower and the retail dealer, and, accordingly, all persons concerned shall on and after the 1st October, 1917, observe the rules in relation to wholesale dealings contained in the First Schedule to this Order.

10. On and after the 1st October, 1917, and until further notice from the Food Controller, no sound marketable ware potatoes of the following varieties shall be sold or otherwise dealt with (except by the grower for his own consumption)
without the licence of the Food Controller, namely:—“King Edward,” “Arran Chief,” “Langworthy,” “What’s Wanted,” and “Golden Wonder,” and every grower shall comply with any general or special direction that may be issued by or on behalf of the Food Controller prohibiting the removal of sound marketable ware potatoes of any other variety from the premises of the grower. The prohibition contained in this clause shall not apply to potatoes grown by a grower whose whole acreage of potatoes of all varieties in 1917 has not exceeded one acre.

PART II.—REGISTRATION.

11. Every person who or whose predecessor in business was on the 1st January, 1916, and now is dealing in potatoes by wholesale as a regular part of his business shall be entitled, on making application pursuant to this Order on or before the 8th October, 1917, (a) to receive a certificate of registration as a wholesale dealer in potatoes.

12. (a) Every person who or whose predecessor in business was on the 1st January, 1916, and who now is dealing in potatoes by retail as a regular part of his business shall be entitled, on making application pursuant to this Order on or before the 8th October, 1917, (a) to receive a certificate or certificates of registration as a retail dealer in potatoes in respect of the premises at which at the date of this Order he is carrying on such business or as a hawker or costermonger as the case may be.

(b) A retail dealer who carries on his business (including the selling of potatoes by retail) at more than one shop or place shall be entitled on making the proper applications to receive a separate certificate of registration in respect of each such shop or place. Sales in quantities of 1 cwt. and upwards direct to consumers by a person whose business is substantially wholesale shall not for the purposes of this clause be deemed to be sales by retail.

(c) A hawker or costermonger shall be so described in his certificate.

13. The Food Committee shall not refuse a certificate of registration applied for by a person entitled to receive the same under the foregoing provisions except with the consent of the Food Controller and in circumstances in which the Food Committee might have revoked the certificate if it had been already granted. Upon the refusal of a certificate the applicant’s title (if any) shall cease.

14. Any applicant for registration whether as a wholesale or as a retail dealer may include in his application an application for registration as a dealer in seed potatoes and any application for registration may be made in respect of seed potatoes only, but

(a) FORMS OF APPLICATION FOR REGISTRATION.—Forms

P.1. Form of Application for Registration as a Retail Dealer in Potatoes; and

P.2. Form of Application for Registration as a Wholesale Dealer in Potatoes

for forwarding to the Local Food Office were duly issued.
the Food Committees shall have full discretion as to granting or refusing every such application and any certificate of registration granted in respect of seed potatoes may so far as it relates to seed potatoes be revoked by the Food Committee at any time at its discretion and shall be revoked if the Food Controller so directs.

15. The Food Committee for any area or the Food Committee in Ireland, may in any case in which in their opinion it is desirable so to do in the interest of the public within their area with the consent of the Food Controller grant to any other person a certificate of registration either as a wholesale dealer or as a retail dealer in respect of any premises within their area or as a costermonger or hawker and unless they see any good reason to the contrary they shall without any such consent grant an appropriate certificate to every applicant who has served in the Forces of the Crown during the present war and before so serving was carrying on business as a wholesale or retail potato dealer within their area.

16. Every application for a certificate of registration shall be made on a form to be prescribed by the Food Controller and every applicant shall furnish upon such form a true statement of the particulars required for completing the form which statement shall be signed by the applicant or his duly authorised agent.

17. Every application in Great Britain shall in the case of a wholesale dealer be made to the Food Committee for the area in which his only or principal place of business at the date of this Order is situated and in the case of a retail dealer (other than a hawker or costermonger) to the Food Committee for the area in which his premises are situated at the date of this Order (in cases where the retail dealer is applying in respect of premises situated in more than one area separate applications being made in each area in respect of the premises situated therein) and in the case of a hawker or costermonger to the Food Committee for the area in which he resides at the time of such application. In Ireland every application shall be made to the Food Committee as that Committee may direct.

18. A person duly entitled may receive certificates of registration both as a wholesale dealer and as a retail dealer on making due application in both capacities.

19. A grower of potatoes shall not be entitled to receive a certificate of registration merely by reason of his having sold his own potatoes whether by wholesale or by retail but he shall be qualified to receive appropriate certificates if on the 1st January, 1916, he or his predecessor was and he now is as a regular part of his business dealing in potatoes other than those grown by him.

20. Every certificate of registration shall be in the form prescribed by the Food Controller.

21. The Food Committee may with the consent of the Food Controller revoke any certificate of registration if they are satisfied that any of the provisions of this Order or regulation or direction made or given by or under the authority of the Food Controller relating to potatoes has not been observed by the holder of such certificate or any of his servants or agents, and
shall revoke such certificate if required so to do by the Food Controller.

22. The Food Committee shall keep a register of the persons to whom, and the premises in respect of which certificates of registration have been granted under this Order.

23. In the event of the transfer of any business in connection with which a certificate of registration is held, or in the event of the death of the holder of a certificate of registration, it shall be lawful for the transferee or other person claiming under the holder of such certificate, on making an application for a certificate of registration, to sell and deal in potatoes from the date of such application until the decision thereon is intimated by the Food Controller, in the same manner and subject to the same conditions as the holder of such certificate was entitled to deal by virtue thereof.

24. The holder of any certificate of registration, his servants and agents, shall give to the Food Committee such information, reports and returns relating to his stocks of potatoes and dealings in potatoes as the Food Controller or Food Committee may from time to time require, and shall produce all books, documents and accounts relating thereto for inspection on lawful demand.

25. Every certificate of registration as a wholesale dealer shall be kept by the holder at his only or principal place of business, and every certificate of registration of a retail dealer shall be kept at the premises to which the same relates, or in the case of a hawker or costermonger shall be carried with him wherever engaged in selling potatoes, and every certificate shall be produced by the holder on lawful demand.

PART III.—PRICES.

26. The lowest or minimum price at which potatoes of the 1917 crop (being sound marketable ware potatoes) may be sold by the grower thereof on or after the 15th September, 1917, shall be £6 per ton, but this provision shall not apply upon a sale of any quantities of less than 1 cwt.

27. As respects every sound crop of potatoes, the grower shall cause the ware potatoes to be dressed out so that they may be sold separately at not less than the authorised lowest price.

28. The highest or maximum prices at which potatoes of the 1917 crop, other than seed potatoes, may be sold by the grower thereof shall be £6 10s. per ton. Except that a grower of potatoes may sell quantities of less than 1 cwt. to consumers at a price not exceeding 1d. per lb.

29. The foregoing minimum and maximum prices are fixed on the basis (i) that the potatoes are either loaded by the seller into trucks at the seller’s railway station, or (at the buyer’s option) into a ship or barge not less convenient to the seller than the seller’s railway station, (ii) that bags (if required) are supplied by the buyer, and (iii) that no commission is paid. If the potatoes are delivered otherwise than as above, a corresponding Register of certificates.

Transfer of business.

Information and inspection.

Preservation and production of certificates.

Minimum price for growers.

Separation of ware potatoes.

Maximum prices for growers.

Basis of prices and adjustments where the basis is varied.
variation shall be made in the price and in particular if bags are supplied by the grower, the above-mentioned minimum and maximum prices shall each be increased by a sum of 5s., whether the bags are returnable or not, and if any commission is paid by the grower to a wholesale dealer not exceeding the rate authorised by Clause 32 the minimum and maximum prices shall each be increased by the amount of the commission.

30. Upon a sale of his own potatoes by a grower, it may be made a condition of the sale that the buyer supplies any labour required for lifting or otherwise handling the potatoes, or undertaking the carriage of the potatoes from the seller's premises to station, ship, barge or other place of delivery. Provided that by the contract of sale a fair value is placed upon the services so agreed to be rendered by the buyer, and in any such case the value so agreed shall be deemed, for the purposes of this Order, to form part of the price paid by the buyer for the potatoes.

31. The foregoing provisions in relation to sales by a grower are subject to the special provisions contained in the First Schedule hereto in case where the grower is also a wholesale dealer, and such provisions shall be observed by all persons concerned accordingly.

32. (a) No wholesale dealer shall, in the week ending 6th October, 1917, or in any succeeding week sell potatoes, other than seed potatoes, except at such prices as secure that the aggregate of the prices charged for potatoes so sold during the week in question does not exceed the cost to him of such potatoes by more than an amount representing 7s. 6d. for every ton of potatoes so sold.

(b) No wholesale dealer shall after the 30th September, 1917, sell potatoes other than seed potatoes as agent on commission at a commission exceeding 7s. 6d. per ton.

33. The cost of potatoes to a wholesale dealer for the purpose of the preceding clause shall be reckoned as including the following items and no more, viz.:

(a) The price actually paid or payable or by virtue of clause 30 deemed to have been paid by him for the potatoes, including the authorised charge for bags where the potatoes are bought by him already bagged.

(b) A sum not exceeding 5s. per ton for bags where the potatoes are bought by him unbagged and bags (whether returnable or not) are supplied by him;

(c) Any reasonable costs of transportation (including marine insurance) or cartage borne by him in respect of the potatoes; and

(d) Any market charges or port dues paid or payable by him in respect of the potatoes.

34. Every wholesale dealer shall keep accurate records containing such particulars as may be necessary for showing whether or not he is complying with the foregoing provisions of this Order and shall make such returns as to his wholesale trade in potatoes.
as may from time to time be required by the Food Controller or by the Food Committee for any area in which he has a place of business. All such records and relevant documents shall be produced by the dealer on lawful demand.

35. Where a wholesale dealer carries on business in different places the requirements of clauses 32 and 34 of this Order shall be satisfied in respect of the transactions at each of his places of business separately.

36. The highest or maximum prices which may be charged by a retail dealer on a sale of potatoes shall (except as may be otherwise determined for any area by the Food Committee) vary according to the prices actually paid for the potatoes by the retail dealer and shall be in accordance with the scale set out in the Second Schedule hereto, provided that this clause shall not apply to seed potatoes or to potatoes sold as seed by a dealer authorised to deal in seed potatoes.

37. The cost of potatoes to a retail dealer for the purpose of the preceding clause shall be reckoned as including the following items and no more, viz.:—

(a) The actual price paid for the potatoes by the retail dealer;

(b) any sums actually paid or payable for the carriage of the potatoes by the retail dealer except the carriage of the potatoes from the place at which in the ordinary course of business potatoes would be delivered to him.

38. A retail dealer if he is ready and willing to sell potatoes over the counter at prices not exceeding the maximum prices applicable under this Order may in addition to the foregoing prices make such charges as may be agreed between him and the purchaser, for the delivery of potatoes ordered for delivery at the purchaser’s premises, not exceeding 2d. for any quantity not exceeding one stone with a further penny for each further half stone or part of a half stone so delivered, such payment to cover any charge for giving the usual credit in respect of the sale.

39. Where potatoes of which the cost to the retailer is different are mixed for sale the scale of maximum prices for the mixture shall be the scale applicable to the potatoes the cost of which is lowest.

40. Every retail dealer shall so long as he shall have any potatoes on sale display prominently at the shop or other place of sale (including his cart, stall or barrow if he is a hawker or costermonger) a statement or statements showing the prices at which he is selling the potatoes at such shop or place, and when he is selling different potatoes at different prices the statement or statements shall be in such a form or shall be so displayed as to show clearly which are the prices for each lot.

41. Every retail dealer shall keep an account in which he shall regularly and punctually and at the earliest practicable time enter the particulars of all his purchases of potatoes showing the description of potatoes purchased, the quantity purchased, the Branch businesses to observe conditions separately. Retailer to observe maximum prices according to schedule. Reckoning of retailer’s cost prices. Retailer’s charge for delivery. Maximum prices where potatoes are mixed. Prices to be displayed by retailer. Retail dealer to keep records.
price paid or payable for the potatoes, and all sums (if any) paid or payable for the carriage of the potatoes, and he shall in the same account enter the prices per stone, per half stone, and per lb. at which he has sold the potatoes or is offering them for sale, and he shall preserve for not less than three months all invoices, bills, receipts, and other documents relating to his purchases of potatoes, and he shall on lawful demand produce such account and all such invoices, bills, receipts, and other documents for inspection, and point out which entries in his account and which of the invoices, bills, receipts, or other documents relate to the potatoes which he has on sale at the time of the demand, and give such other information as to his dealings in potatoes as the person making such demand shall reasonably require.

42. A Food Committee may from time to time by resolution vary the scheduled scale of maximum prices for potatoes sold by retail within their area or any part of such area or fix a standard maximum price for all kinds of potatoes or standard maximum prices for sound and damaged or undersized potatoes or for different qualities of potatoes, but——

(a) every such resolution shall be reported to the Food Controller within seven days, and shall not take effect (i) in the case of a resolution reducing any scheduled maximum price until three days after it shall have been so reported or such later time as the Food Controller may direct, and (ii) in the case of a resolution increasing a scheduled maximum price or fixing any standard prices until the same has been sanctioned by the Food Controller; and

(b) every resolution of a Food Committee under this clause shall be subject at any time to review by the Food Controller, and shall be withdrawn or varied as he may direct.

43. Wherever upon any sale of potatoes the seller supplies and is entitled to charge for bags, he may, if the bags are of such quality and in such condition as to be reasonably capable of being used again, require a deposit to be paid by the buyer of not exceeding 1s. 6d. for each bag, in addition to the sum charged for the use of the bag, which deposit shall be refunded upon the return of the bag in such condition as is reasonable having regard to its condition when supplied and to ordinary wear and tear in use. Where a buyer is a wholesale dealer he may on re-sale of the potatoes require the amount, if any, of the deposit paid in relation thereto to be re-imbursted to him by the buyer of the potatoes, who shall in that event have the like right as his vendor would have had to repayment of the deposit upon a return of the bags.

44. A grower may sell his potatoes in the ground by auction or otherwise to a wholesale dealer but in every such case the buyer of the potatoes so sold shall be deemed for all the purposes of this Order to be the grower thereof and the terms of this Order
shall apply to any such potatoes subject to the following variations namely:

(a) the minimum price upon subsequent sales by the person who is deemed to be the grower shall be £6 7s. 6d. per ton in lieu of £6 per ton and

(b) on every sale of such potatoes by him he shall be deemed to sell as a wholesale dealer and not as grower.

PART IV.—SUBLIARY AND MISCELLANEOUS PROVISIONS.

45. Whenever potatoes which are not sound marketable ware potatoes are sold by or on behalf of a grower at prices less than the minimum price for sound marketable ware potatoes the potatoes so sold shall be expressly sold and invoiced as "undersized potatoes" or as "damaged potatoes" or as "undersized and damaged potatoes" with the addition (if the parties think proper) of any further particulars of the damage and any such potatoes shall not be sold either by a wholesale dealer or by a retail dealer except under the same description with or without any such addition as aforesaid and any retail dealer who exposes any such potatoes for sale shall show by a notice prominently displayed in connection with such potatoes the description of such potatoes as above.

46. No potatoes which are not sound marketable ware potatoes shall be mixed by any grower or wholesale or retail dealer with any potatoes which are sound marketable ware potatoes.

47. Nothing contained in this Order or either of the Schedules to this Order shall prevent accommodation sales from one retail dealer to another retail dealer but the purchasing dealer shall not sell potatoes so purchased by him at prices higher than those at which the selling dealer might have sold them and the purchasing dealer shall upon every such accommodation sale take from the selling dealer a note of the transaction showing the scale of highest prices at which the selling dealer might have sold.

48. A grower of potatoes shall not knowingly deliver to the purchaser thereof in connection with any sale of potatoes or to any other person for the use or benefit of the purchaser or by his directions, a greater quantity of potatoes than the quantity paid for or agreed to be paid for by the purchaser or agree to give more than the usual credit or make or agree to make any remission or rebate, or return of purchase money or pay or offer to pay any commission or make or offer to make any gift in money or in kind unless, after deduction of the amount or value of the rebate commission or gift, the purchase price paid upon such sale amounts to or exceeds the appropriate minimum price according to the foregoing provisions; and no person shall propose to a grower of potatoes or invite him to do any act or thing which would constitute an infringement of this Clause.

49. No person shall, in connection with the sale or disposal or proposed sale or disposal of any potatoes, enter or offer to enter into any fictitious or artificial transaction, or make or demand any unreasonable charge.
50. Whenever in this Order or any Schedule hereto any person is required to produce any documents or class of documents, or give any information on lawful demand, he shall produce or give the same at all reasonable times and places on demand of any officer or constable of police, or any person authorised by the Food Controller or Food Committee to make such demand either particularly or as holding any office or position, and either generally or in the particular case.

51. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

52. Nothing contained in this Order shall prejudice or affect any contract entered into before the date of this Order for the sale of potatoes not being potatoes of the 1917 main crop varieties.

53. This Order shall not apply to cooked, dried or evaporated potatoes.

54. (a) This Order is without prejudice to the Seed Potatoes (Immune Varieties) Order, 1917. (a)

(b) The Potatoes 1916 Main Crop (Prices) Order (No. 2), 1917, (b) and the 1917 Crop (Restriction) Order, 1917, (c) so far as not already revoked are hereby revoked without prejudice to any proceedings in respect of any contravention thereof.

55. This Order may be cited as the Potatoes Order, 1917.

Rhondda,
Food Controller.

13th September, 1917.

First Schedule.

Rules for restricting wholesale dealings and adjusting the terms of the Order to the case of wholesale dealers who are also growers or retail dealers.

1. In this Schedule:

"Grower-dealer" means a grower of potatoes who is also a wholesale dealer.

"Wholesale and Retail Dealer" means a person who is a wholesale dealer and also a retail dealer.

2. A wholesale dealer shall not re-sell to or through the agency of another wholesale dealer (whether or not such other dealer is also a retail dealer) any potatoes which he has himself bought or agreed to buy from a wholesale dealer or from a grower-dealer selling either as a wholesale dealer or through a wholesale dealer on commission.

(a) Seed Potatoes (Immune Varieties) Order, 1917.—That Order is printed p. 141.

(b) Potatoes 1916 Main Crop (Prices) Order (No. 2) 1917.—That Order is printed at p. 74 of the 1st Edition of this Manual.

(c) 1917 Crop (Restriction) Order, 1917.—That Order was revoked except as to Potatoes by Art. 15 of Grain (Prices) Order 1917, p. 52.
3. Every wholesale dealer shall keep the potatoes which he is at liberty to re-sell to a wholesale dealer separate from those which he is not at liberty to re-sell, and shall keep separate accounts in relation to the two classes of potatoes, and shall cause his accounts to be kept in such a form as to show clearly from which class the potatoes delivered upon each sale made by him have been taken.

4. A wholesale and retail dealer may as respects any potatoes bought by him treat the purchase (and enter the same in his books) as made by him for the account of his retail trade, or transfer any part of a purchase at cost price to the account of his retail trade. In every such case the potatoes so dealt with shall be disregarded in applying the provisions of clause 32 of this Order, and the transaction shall be dealt with in the account relating to the dealer’s retail trade as if he had not been also a wholesale dealer.

5. A wholesale and retail dealer may also and in the alternative treat any potatoes as sold by his wholesale business or department to his retail business or department at any price and on any terms which would have been permissible under this Order as between him and a retail dealer buying such potatoes from him and in that case:

(a) In the application of clauses 32 and 34 of this Order the potatoes shall be treated as having been sold by the dealer at that price and on those terms in the course of his wholesale business; and

(b) in determining the maximum prices that may be charged for the potatoes on the sale thereof by retail such potatoes shall be treated as having been purchased by the dealer at that price and on those terms in the course of his retail business.

6. A grower-dealer may sell his own potatoes either as a grower or as a wholesale dealer, but he shall be deemed to sell as wholesale dealer unless he expressly sells as the grower.

7. Where a grower-dealer sells his own potatoes as grower the sale shall be subject to the provisions applicable under this Order to a sale by a grower.

8. Where a grower-dealer sells his own potatoes as a wholesale dealer the sale shall be subject as respects price and conditions of sale to the provisions applicable under this Order to a sale by a grower except that the maximum price shall be increased by the sum of 7s. 6d. per ton and by any reasonable costs of transportation (including marine insurance) or cartage, and the amount of the market charges and port dues (if any) incurred by the vendor in relation to the potatoes sold over and above the charges which would have been included in the maximum prices applicable if the sale had been made by him as grower.
9. Sales of his own potatoes made by a grower-dealer as a wholesale dealer shall in his account be kept separate from any other sales made by him, and shall not be taken into account for the purpose of clause 32 of this Order.

10. For the purpose of this Schedule every sale of potatoes in excess of one ton to a single purchaser not being a public institution or body or otherwise known to be a large consumer shall be deemed to be a sale to a wholesale dealer unless it is proved that in fact—

(a) the purchaser is not a wholesale dealer; and
(b) the purchaser is either a retail dealer or purchases the potatoes for his own consumption.

Second Schedule.

SCALE OF MAXIMUM RETAIL PRICES.

<table>
<thead>
<tr>
<th>Retailer's buying price per cwt. for potatoes delivered at the place at which he ordinarily takes delivery</th>
<th>Rate per stone of 14 lbs. for potatoes sold in lots of 14 lbs. or upwards.</th>
<th>Rate per half stone of 7 lbs. for potatoes sold in lots of 7 lbs. or upwards, but less than 14 lbs.</th>
<th>Rate per lb. for lots of less than 1/2 stone.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any price up to and including 3s. 3d. ...</td>
<td>s. d.</td>
<td>d.</td>
<td>d.</td>
</tr>
<tr>
<td>Exceeding 3s. 3d. but not exceeding 3s. 7d.</td>
<td>0 7</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>&quot; 3s. 7d. &quot;</td>
<td>3s. 11d. 0 8</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>&quot; 3s. 11d. &quot;</td>
<td>4s. 2d. 0 81</td>
<td>4</td>
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<td>&quot; 4s. 2d. &quot;</td>
<td>4s. 6d. 0 9</td>
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<td>&quot; 4s. 6d. &quot;</td>
<td>4s. 9d. 0 91</td>
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<td>5s. 4d. 0 101</td>
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<td>&quot; 5s. 4d. &quot;</td>
<td>5s. 8d. 0 11</td>
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<td>&quot; 5s. 8d. &quot;</td>
<td>5s. 11d. 0 111</td>
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<td>&quot; 5s. 11d. &quot;</td>
<td>6s. 3d. 1 0</td>
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<td>&quot; 6s. 3d. &quot;</td>
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<td>&quot; 6s. 11d. &quot;</td>
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<td>&quot; 7s. 10d. &quot;</td>
<td>8s. 1d. 1 3</td>
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<td>&quot; 8s. 1d. &quot;</td>
<td>8s. 5d. 1 31</td>
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<td>&quot; 8s. 5d. &quot;</td>
<td>8s. 9d. 1 4</td>
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<td>&quot; 8s. 9d. &quot;</td>
<td>9s. 1d. 1 41</td>
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<td>&quot; 9s. 1d. &quot;</td>
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<td>&quot; 9s. 5d. &quot;</td>
<td>9s. 9d. 1 51</td>
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<td>8</td>
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<tr>
<td>&quot; 9s. 9d. &quot;</td>
<td>9s. 1d. 1 5</td>
<td>8</td>
<td>8</td>
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<tr>
<td>&quot; 9s. 1d. &quot;</td>
<td>9s. 5d. 1 51</td>
<td>8</td>
<td>8</td>
</tr>
</tbody>
</table>

Note.—The grower's minimum price for sound marketable ware potatoes being £6 per ton the maximum retail prices below 1s. per stone will apply only to damaged or undersized potatoes.
The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (a) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1, and the whole Order, except so far as it relates to wholesale dealers and wholesale dealings, were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 17th day of September, 1917.

F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877. (b)

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (c) shall apply to the above Order as if that Order were mentioned in Column 1, and the whole Order, except so far as it relates to wholesale dealers and wholesale dealings, were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) (Scotland) Order, 1917.

By Order of the Food Controller.

W. H. Beveridge,
Second Secretary to the Ministry of Food.

(a) Local Authorities (Food Control) Order (No. 1) 1917.—The effect of that Order (printed p. 187), coupled with the Food Controller’s Order of the same date (p. 192), is to empower Local Authorities in England and Wales to enforce the present Order, and to prosecute before courts of summary jurisdiction for breaches of the same.


(c) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.

1917. No. 1051.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Every person owning potato bags (whether manufactured by himself or not) other than bags which will not hold more than half a cwt. of potatoes, shall on or before the 29th October, 1917, furnish to the Food Controller a return giving particulars of such bags owned by him at the close of business on the 22nd October, 1917, and such other particulars as may be required to complete the prescribed form of return.

2. The return shall be made on the form prescribed by the Food Controller to be obtained from and when completed to be returned to the Secretary, The Ministry of Food, 14, Upper Grosvenor Street, W.I. A copy of the form of return is set out at the foot of this Order. (a)

3. A person who does not own more than one thousand potato bags at the close of business on the 15th October, 1917, shall not be required to make any return under this Order.

4. For the purpose of this Order the expression "potato bags" shall include any bags or sacks which are used or intended to be used for holding potatoes, or which in the ordinary course of business would be so used.

5. Failure to make a return in accordance with this Order or the making of a false or incomplete return is a summary offence against the Defence of the Realm Regulations.

6. This Order may be cited as the Potato Bags (Returns) Order, 1917.

By Order of the Food Controller.

W. H. Beveridge.
Second Secretary to the Ministry of Food.

13th October, 1917.

(a) Disclosure of Information.—No individual return or part of a return, and no information as to any person or his business obtained from a return, may without lawful authority be published or disclosed except for the purposes of prosecution.
Potato Bags (Returns) Order, 1917.

FORM OF RETURN.

Defence of the Realm.
Ministry of Food.

Potato Bags (Returns) Order, 1917.

Return of Potato Bags.

1. Name of Firm.

2. Full address of Firm.


4. Number of bags owned by firm on 22nd October, 1917.
   (a) Returnable bags in stock.
      (i) New.
      (ii) Used.
   (b) Returnable bags in use by customers or otherwise.
      (i) New.
      (ii) Used.
   (c) Non-returnable bags.

I hereby declare that all the particulars of this return are truly stated to the best of my knowledge and belief.

*Signature.
Position in Firm.
Date.

Note.—When a firm has two or more separate establishments, the figures for each establishment must be appended on a separate sheet, but the figures given on the printed form must cover all the bags owned by the firm.

* In the case of a firm, the declaration must be signed by a partner or other duly authorised representative of the firm.

Public Meals Order, p. 158.
General Licence thereunder as to Meals after 9.30 p.m., p. 161.

The Public Meals Order, 1917. Dated April 4, 1917, as amended by the Public Meals Orders (Nos. 2 and 3, 1917).

1917, No. 314 as amended by Nos. 445 and 664.

In exercise of the powers conferred upon him by Regulation 2r of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller the following regulations as to food stuffs shall be observed in every inn, hotel, restaurant, refreshment house, club, boarding house and every place of refreshment open to the general public, (hereinafter referred to as a public eating place), and by every person having the management or control thereof.

2. (This Article which restricted the serving potatoes in public eating places was repealed by the Public Meals Order (No. 3), 1917, and potatoes may now be supplied on any day in the week.)

3. The total quantities of meat, flour, bread and sugar used in or by any public eating place in any week shall not exceed the gross quantities ascertained in accordance with the following scale of average quantities per meal.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Breakfast ... ... ...</td>
<td>2 ozs.</td>
<td>2/7 oz.</td>
<td>2 ozs.</td>
<td>Nil.</td>
</tr>
<tr>
<td>Luncheon (including middle day dinner).</td>
<td>5 ozs.</td>
<td>2/7 oz.</td>
<td>2 ozs.</td>
<td>1 oz.</td>
</tr>
<tr>
<td>Dinner (including supper and meat tea).</td>
<td>5 ozs.</td>
<td>2/7 oz.</td>
<td>2 ozs.</td>
<td>1 oz.</td>
</tr>
<tr>
<td>Tea ... ... ...</td>
<td>Nil.</td>
<td>2/7 oz.</td>
<td>2 ozs.</td>
<td>Nil.</td>
</tr>
</tbody>
</table>

(a) Enforcement of Order and Prosecutions by Local Authorities.—This Order is enforceable by Local Authorities in England, Wales and Scotland (see "The Local Authorities (Food Control) Order (No. 1), 1917," p. 187, and "The Local Authorities (Food Control) (Scotland) Order, 1917," p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller's Order of May 8th, 1917, p. 192).
4. The following provisions shall have effect as to weight:

(a) 2 ozs. of poultry and game to be reckoned as 1 oz. of meat.

(b) The weight of meat to be the uncooked weight including bone as usually delivered by the butcher, and the weight of poultry and game to be the uncooked weight as usually delivered by the poulterer without feathers or without skin, as the case may be, but including offal.

(c) 25 per cent. to be added to the weight of meat delivered cooked into the public eating place and 50 per cent. when delivered cooked and without bone.

Sugar, Bread and Flour.

(d) 4 ozs. of bread to be reckoned as 3 ozs. of flour.

(e) Where the flour or sugar used in any articles is not otherwise brought into account, cakes to be reckoned as containing 30 per cent. of flour by weight, buns as 50 per cent., scones 70 per cent., biscuits 60 per cent., and macaroni and other like articles as 80 per cent. Cakes and biscuits to be reckoned as containing 15 per cent. of sugar by weight, and buns as containing 10 per cent.

5. In reckoning the quantities of meat, sugar, bread and flour for meals served, no account shall be taken of any meal which begins before 5 a.m. or after 9.30 p.m. (a)

6. None of the foregoing provisions of this Order shall apply to food served over the counter of a buffet at a railway station.

7. This Order shall not apply to:

(a) any boarding house where the number of bedrooms let and available for letting does not exceed 10; or

(b) any public eating place where no meal is served the total charge for which (exclusive of usual charges for beverages) exceeds 1s. 3d. and where there is exhibited on every tariff card and also in a conspicuous position in every room where meals are usually served a notice to the effect that no such meal will be served.

8. The person or persons having the management of any public eating place shall for the purposes of this Order keep a register in the form prescribed by the Food Controller and shall also keep invoices, vouchers and such other documents relating to food-stuffs purchased and used, meals served and other matters as the Food Controller may from time to time prescribe.

(a) Meals taken after 9.30 p.m.—As to such meals see General Licence of October 8th, 1917, p. 161.
Definitions.

9. For the purposes of this Order:

The expression "meat" includes butcher's meat, sausages, ham, pork, bacon, venison, and preserved and potted meats and other meats of all kinds but does not include suet, lard, or dripping.

The expression "poultry and game" includes rabbits and hares, and any kind of bird killed for food.

The expression "flour" shall mean any flour for the time being authorised to be used in the manufacture of wheaten bread and any barley flour, barley meal or maize flour.

The expression "week" shall mean a calendar week ending on a Saturday midnight.

Revocation.

10. The Regulation of Meals Order, 1916, is hereby revoked as on the date when this Order comes into force.

Penalty.

11. If any person acts in contravention of this Order or aids or abets any other person, in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. 

Title and commencement of Order.

12.—(a) This Order may be cited as the Public Meals Order, 1917.

(b) This Order shall come into force on the 15th April, 1917.

Devonport,
Food Controller.

(a) Liability of Directors, &c., of Company.—Reg. 48A of the Defence of the Realm Regulations (printed in Part IX, 4 "Miscellaneous Provisions as to Offences," of this Manual), which was added to the Code since this Order was made, provides that directors and officers shall be liable for offences by their corporation or company.
<table>
<thead>
<tr>
<th>Date of last day of week</th>
<th>Number of Breakfasts served after 5 a.m.</th>
<th>Number of Luncheons or Midday Dinners served</th>
<th>Number of Dinners, Meat Teas and Suppers served before 9.30 p.m.</th>
<th>Number of Teas served</th>
<th>Total number of all Meals served</th>
<th>Maximum quantity of Meat permissible</th>
<th>Total Quantity of Meat used</th>
<th>Maximum quantity of Flour permissible</th>
<th>Total quantity of Flour used</th>
<th>Maximum quantity of Sugar permissible</th>
<th>Total quantity of Sugar used</th>
</tr>
</thead>
<tbody>
<tr>
<td>14th April</td>
<td>80</td>
<td>220</td>
<td>130</td>
<td>50</td>
<td>480</td>
<td>119 lbs. 6 ozs.</td>
<td>66 lbs. 14 ozs.</td>
<td>8 lbs. 9½ ozs.</td>
<td>12</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
General Licence as to Meals after 9.30 p.m. under Public Meals Order, 1917.


[Art. 8 of this Order, printed p. 40, provides for the rationing of tea shops falling within the exception of Art. 7 (b) of the Public Meals Order, 1917 (printed p. 159) as eating places where the maximum charge is 1s. 3d.]

General Licence, Dated October 8, 1917, under the Public Meals Order, 1917.(a)

1917. No. 1030.

In the case of Inns, Hotels and Boarding Houses the Food Controller hereby authorises the following variation in the manner of ascertaining the gross quantities of meat, flour, bread and sugar which may be used therein in any week, namely:

A meal taken at any Inn, Hotel or Boarding House and beginning after 9.30 p.m. on any day may be allowed for according to the scale set out in Clause 3 of the Public Meals Order, 1917,(a) if such meal is served to a person who is passing the night in the Inn, Hotel, or Boarding House: Provided that for the purpose of this authority the hours between midnight and 2 a.m. shall be deemed to form part of the preceding day; Provided further that the Food Controller may at any time revoke this authority either generally or in any particular case or class of cases.

By, Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

8th October, 1917.

(a) Public Meals Order, 1917.—That Order is printed p. 158.
14. Sugar.(a)(b)

Brewers' Sugar Order, p. 164.
Dealings in Sugar (Restrictions) Order, p. 166.
Sugar Order, p. 172.
List of Forms, Directions, &c., thereunder, p. 179.
Sugar (Confectionery) Order, p. 163.
Sugar (Domestic Preserving) Order, p. 168.
Sugar (Registration of Retailers) Order, p. 170.
Sugar (Restriction) Order as amended, p. 167.
Sugar (Sales for Ireland Returns) Order, p. 180.


1917. No. 65.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm (Consolidation) Regulations, 1914, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:—

1.—(a) Except under the authority of the Food Controller no person shall after the 1st day of February, 1917, manufacture or supply or offer to supply from goods manufactured by him any chocolate for sale by retail in the United Kingdom at a price exceeding the rate of 3d. per oz., or any other sweetmeats for sale by retail in the United Kingdom at a price exceeding the rate of 2d. per oz., and no person shall after the 1st day of May, 1917, sell or buy or offer to sell or buy by retail any chocolate or other sweetmeats at a price exceeding the rate specified above in each case.

(b) The price specified in the foregoing paragraph shall in each case include the price of any box, package, or covering in which the goods are sold by retail.(c)

2. Except under the authority of the Food Controller, no person shall after the first day of February, 1917, use any sugar (whether icing sugar or not) or chocolate for the external covering of any cake, pastry, or any other like article, or after the 1st day of March, 1917, sell or buy or offer to sell or buy any cake, pastry, or other like article which had been covered with sugar or chocolate.(c)

(a) Export and Import of Sugar.—An epitome of the restrictions on the export and import of sugar will be found in Appendix VI (7. Exportation; 12. Importation).

(b) Use of Sugar for Manufacture of Spirits.—Regulation 30D of the Defence of the Realm Regulations, printed in Part VIII. of this Manual, prohibits the use of Sugar or molasses in the Manufacture of Whiskey, &c., without a permit from the Minister of Munitions. Further restrictions on the use of Sugar are imposed by the Food Controller's Orders, printed in this Section.

(c) Enforcement of Clauses 1 and 2, and Prosecutions by Local Authorities.—Clauses 1 and 2 of this Order are enforceable by Local Authorities in England, Wales and Scotland (see "The Local Authorities (Food Control) Order (No. 1) 1917," p. 187, and "The Local Authorities (Food Control) (Scotland) Order, 1917," p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller's Order of May 8th, 1917, p. 192).

3167
(a)3.—(a) Except under the authority of the Food Controller no person shall in any of the prescribed periods use in the manufacture of sugar confectionery or chocolate more than 50 per cent. of such an amount of sugar as bears the same proportion to the total amount of sugar used by him for the same purpose in the year 1915 as the length of the same prescribed period bears to a whole year.

(b) The prescribed periods shall be the several periods of 3, 6, 9 and 12 months, commencing in each case on the first day of January, 1917.

4. Any person acting in contravention of this Order is guilty of a summary offence against the Defence of the Realm Regulations.

5. This Order may be cited as the Sugar (Confectionery) Order, 1917.

Devonport,

Food Controller.

11th January, 1917.

The Brewers Sugar Order, 1917. Dated February 8, 1917. (b)

1917. No. 90.

In exercise of the powers conferred upon him by Regulation 2F of the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1.—(a) Except under the authority of the Food Controller all brewers sugar in a ship arrived or to arrive, or on quay shall be delivered into a warehouse, and no brewers sugar shall be delivered from any warehouse.

(b) This article shall not apply to—

(i) British West India Grocery Crystallised Sugar or British West India Muscovado Sugar or British West India Grocery Syrup Sugar;

(a) Further Restrictions on Use of Sugar.—The Sugar (Restriction) Order, 1917 (p. 167), repeals Art. 3 of the Sugar (Confectionery) Order and restricts the use of sugar for manufacturing purposes except as regards jam, marmalade, or condensed milk.

(b) Returns as to Brewers Sugar.—The Brewers Sugar Order was accompanied by another Order of the same date—"The Brewers Sugar (Returns) Order, 1917" (1917, No. 91) requiring Returns to be made by owners by Feb. 22nd, 1917. That Order is omitted from this Manual as "spent."
(ii) any brewers sugar which has been or shall be sold to any brewer or to any manufacturer of brewers sugar to be used for the purpose of their respective trades;

(iii) any brewers sugar which has been or shall be imported under any licence issued by the Royal Commission on the Sugar Supply (a) the terms whereof provide that such sugar shall be sold only to brewers or brewers sugar manufacturers.

2. Except under the authority of the Food Controller no brewers sugar shall be sold by retail at a price exceeding the current retail price for granulated sugar. (b)

3. For the purpose of this Order the expression “brewers sugar” shall mean sugar which when tested by the polariscope indicates a polarisation not exceeding 89 degrees.

4. Any person acting in contravention of this Order is guilty of a summary offence against the Defence of the Realm Regulations.

5. This Order may be cited as the Brewers Sugar Order, 1917.

Devonport,
Food Controller.
February 8, 1917.

(a) Sugar Supply Commission.—The names of the present (Oct. 21, 1917) Commissioners are as follows:—Captain Sir Charles Bathurst, K.B.E., M.P. (chairman); The Rt. Hon. Sir Henry Primrose, K.C.B., C.S.I., I.S.O.; Sir Robert Park Lyle, Bart.; Mr. H. Fountain, C.B., C.M.G.; Mr. Austin Taylor; Mr. George E. May; and Sir Joseph White Todd, Bart. The Secretary is Mr. C. S. Rewcastle. (See 93 H. C. Deb. 5s. May 1, 1917, col. 299; since which there have been changes in the Commission, the personnel of which is now as specified in this note). The address of the Royal Commission on Sugar Supply is “Scotland House, Victoria Embankment, S.W.1.”

(b) Enforcement of Clause 2 and Prosecutions by Local Authorities.—Clause 2 of this Order is enforceable by Local Authorities in England, Wales and Scotland (see “The Local Authorities (Food Control) Order (No. 1), 1917,” p. 187, and “The Local Authorities (Food Control) (Scotland) Order, 1917,” p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller’s Order of May 8th, 1917, p. 192).
THE DEALINGS IN SUGAR (RESTRICTION) ORDER, 1917. DATED FEBRUARY 8, 1917.

1917. No. 131.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. No person shall on or after the 15th February, 1917, without a permit issued under the authority of the Royal Commission on the Sugar Supply, (a) either on his own behalf or on behalf of any other person—
   (a) buy, sell, or deal in, or
   (b) offer or invite an offer, or propose to buy, sell, or deal in, or
   (c) enter into negotiations for the sale or purchase of or other dealing in, any sugar outside the United Kingdom, whether or not the sale, purchase or dealing is or is to be effected in the United Kingdom.

If any person acts in contravention of this Order, or aids or abets any other person, whether or not such other person is in the United Kingdom, in doing anything which if done in the United Kingdom would be a contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company, every director and officer of the company is also guilty of a summary offence against those regulations, unless he proves that the contravention took place without his knowledge or consent. (b)

2. This Order shall not be construed as prohibiting the insurance of sugar.

3. This Order may be cited as the Dealings in Sugar (Restriction) Order, 1917.

Devonport,
Food Controller.

February 8th, 1917.

THE BREAD ORDER 1917. DATED FEBRUARY 26, 1917.

[Art. 4 of this Order, printed p. 35, prohibits the use of sugar in the making of bread.]

(a) SUGAR SUPPLY COMMISSION.—See footnote (a), p. 165.
(b) LIABILITY OF DIRECTORS, &C., OF COMPANY.—Reg. 48A of the Defence of the Realm Regulations (printed in Part IX, 4 "Miscellaneous Provisions as to Offences," of this Manual), which was added to the Code since this Order was made, provides that directors and officers shall be liable for offences by their corporation or company.
The Sugar (Restriction) Order, 1917, dated March 16, 1917, as amended by the Sugar (Restriction) Orders Nos. 2 and 3, 1917.

1917. No. 252 as amended by Nos. 281 and 458.

In exercise of the powers conferred upon him by Regulation 2f of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Except under the authority of the Food Controller (a) no person shall during any of the periods hereinafter referred to use in the manufacture of articles manufactured by him for sale more sugar than the amount prescribed for such period.

2. The prescribed amount shall be ascertained by reference to the total amount of sugar used in the year 1915 for manufacturing purposes by the person in question or, in the case where there has been a transfer of a continuing business in or since the year 1915, by such person and his predecessors in that business.

The prescribed amount for each period shall be the percentage of such total amount shown for that period in the following table:

<table>
<thead>
<tr>
<th>Percentage of total sugar used in 1915 (a)</th>
<th>Period for which such percentage is applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>6(\frac{1}{4}) per cent.</td>
<td>1st June, 1917, to 31st August, 1917.</td>
</tr>
<tr>
<td>12(\frac{1}{4})</td>
<td>1st June, 1917, to 30th November, 1917.</td>
</tr>
<tr>
<td>18(\frac{1}{4})</td>
<td>1st June, 1917, to 28th February, 1918.</td>
</tr>
<tr>
<td>25</td>
<td>1st June, 1917, to 31st May, 1918.</td>
</tr>
</tbody>
</table>

(a) Supplies of Sugar to Mineral Water Manufacturers.—A General Licence dated August 27, 1917 (not printed in separate form), provides as follows:

"In exercise of the powers vested in him under the Defence of the Realm Regulations and of all other powers enabling him in that behalf the Food Controller hereby authorises every Mineral Water Manufacturer to use in the manufacture of Mineral Waters during the period 1st June 1917 to 31st August 1917 12\(\frac{1}{4}\) per cent. of the total quantity of sugar so used by him in 1915 and during the period 1st June 1917 to 30th November 1917 18\(\frac{1}{4}\) per cent. of the total quantity of sugar so used in 1915 provided that the total quantity of sugar used by him for that purpose shall not exceed during the period 1st June 1917 to 21st May 1918 25 per cent. of the total quantity so used in 1915."

The effect of this Licence is that many, if not all, Mineral Water Manufacturers who are entitled to use, during the period 1st June 1917 to 31st May 1918 25 per cent. of the quantity used in 1915, will have arranged to draw in advance during the period 1st June to 4th November 1917 a portion of the deliveries to which they would otherwise have been entitled for the period 4th November 1917 to 31st May 1918. A Food Control Committee, when considering an application from a Mineral Water Manufacturer, should ascertain exactly what excess supply the applicant has arranged to draw up to November 4th since the 1st June last, and should deduct this quantity from the allotment of sugar to be made to him. (M. G. Sugar 7a.)
3. This Order shall not apply to the use of sugar in the manufacture of jam, marmalade or condensed milk.

4. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order, that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent. (a)

5. Article 3 of the Sugar (Confectionery) Order, 1917, (b) is hereby revoked.

6. This Order may be cited as the Sugar (Restriction) Order, 1917.

Devonport.
Food Controller.

16th March, 1917.

THE PUBLIC MEALS ORDER, 1917. DATED APRIL 4, 1917.

[This Order, printed p. 158, restricts the quantity of sugar to be used in any public eating place.]

THE CAKE AND PASTRY ORDER, 1917. DATED APRIL 18, 1917.

[Art. 3 of this Order, printed p. 39, restricts the percentage of sugar in cakes, buns, scones and biscuits; and Art. 2 prohibits the adding of edible substances to cakes, &c., after baking.]

THE SUGAR (DOMESTIC PRESERVING) ORDER, 1917. DATED JUNE 11, 1917.

1917. No. 537.

In exercise of the powers conferred upon him by Regulation 2 of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders as follows:

1. Where any person receives any sugar issued by the Royal Commission on the Sugar Supply (hereinafter called the Sugar Commission) (c) for the purpose of the domestic preserving of fruit

(a) LIABILITY OF DIRECTORS, &c., OF COMPANY.—See footnote (b) to Dealings in Sugar (Restriction) Order, 1917, p. 166.
(b) SUGAR (CONFECTIONERY) ORDER, 1917.—That Order is printed p. 163.
(c) SUGAR SUPPLY COMMISSION.—See footnote (a) to Brewers' Sugar Order, 1917, p. 165.
or for the purpose of the domestic preserving of fruit grown by
the preserver, such person shall not dispose of or deal with such
sugar so as to divert the same to any other purpose, or use the
sugar except for the purpose for which such sugar was issued.

2. On any sale of any such sugar the vendor shall on the invoice
or package clearly state that the sugar may be used only for the
domestic preserving of fruit or for the domestic preserving of
fruit grown by the preserver, as the case may be.

3. Where the invoice relating to any sugar or the package
containing the same bears a statement to the effect that the sugar
in question may be used only for the domestic preserving of fruit
or for the domestic preserving of fruit grown by the preserver,
the sugar shall be deemed to have been issued by the Sugar Com-
mission for the purpose stated.

4.—(a) No grocer or retailer shall sell or dispose of any sugar
issued by the Sugar Commission for the purpose of domestic
preserving of fruit grown by the preserver except to such persons
as have lodged with him formal applications for such sugar in
manner required by the Sugar Commission.

(b) No grocer or retailer shall sell or dispose of any sugar
issued by the Sugar Commission for the domestic preserving of
fruit except to such persons as the grocer or other retailer reason-
able believes to require the same for such purpose.

(c) In the case of all the sugar mentioned in this clause the
grocer or other retailer shall comply with such directions as the
Sugar Commission may give from time to time.

5. No person shall acquire or attempt to acquire any such sugar
except for the purposes for which the same was issued or make
any false statement on any application or declaration to be made
in connection with such sugar.

6. Every person dealing with any sugar to which this Order
applies shall keep records of the persons to whom any such sugar
was supplied and the quantities supplied and the dates of such
supply and such records shall at all times be open to the inspec-
tion of any person authorised by the Food Controller or the local
authority or of any Inspector of Weights and Measures or
Deputy Inspector of Weights and Measures.\(^{(a)}\)

7. If any person acts in contravention of this Order or aids
or abets any other person in doing anything in contravention of
this Order, that person is guilty of a summary offence against the
Defence of the Realm Regulations, and if such person is a com-
pany every director and officer of the company is also guilty
of a summary offence against those regulations unless he proves
that the contravention took place without his knowledge or
consent.\(^{(b)}\)

8. This Order may be cited as the Sugar (Domestic Preserving) Order, 1917.

11th June, 1917.

\(^{(a)}\) INSPECTORS OF WEIGHTS AND MEASURES.—See footnote (a) to Bread
Order, 1917, p. 36.

\(^{(b)}\) LIABILITY OF DIRECTORS, AND COMPANY.—See footnote (b) to
Dealings in Sugar (Restriction) Order, 1917, p. 166.
Sugar (Registration of Retailers) Order, 1917.

The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (a) shall apply to the above Order of the Food Controller as if that Order were mentioned in Column 1 and the whole of that Order were mentioned in Column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 12th day of June, 1917.

(Signed) F. J. Willis,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877. (b)

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (c) shall apply to the above Order.

Devonport,
Food Controller.


1917. No. 885.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller, the following regulations shall be observed by all persons concerned:

1. A person shall not on or after the 1st October, 1917, sell or deal in sugar by retail on any premises unless he is the holder in respect of such premises of a certificate of registration for the time being in force granted by the Food Control Committee (hereinafter called the Committee) (d) within whose area such premises are situate.

(a) Local Authorities (Food Control) Order (No. 1), 1917.—The effect of that Order (printed p. 187), coupled with the Food Controller’s Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the same.


(c) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 184) is to empower Local Authorities in Scotland to enforce the present Order.

(d) Food Control Committee.—See Part III. (2. Food Control Committees) of this Manual. A Memorandum (M.G. Sugar 2) for the guidance of local food officers under the Registration of Retailers Order was issued by the Ministry.
2. Every person who applies for a certificate of registration shall furnish on the prescribed form a true statement of the particulars therein required to be specified.

3. The Committee shall grant a certificate of registration to any applicant who makes an application to them before the 15th September, 1917, and who or whose predecessor in business was during the year 1915 dealing in sugar by retail in the ordinary way of his trade in their area, and who at the date of his application is so dealing in sugar, and may grant such certificate to any other applicant in any case in which in their opinion it is necessary in the interests of the public within their area that such certificate should be granted.

4. Every certificate of registration shall be in the form prescribed by the Food Controller.

5. The Committee may, with the consent of the Food Controller, revoke any certificate of registration if they are satisfied that any regulation or direction made or given by or under the authority of the Food Controller relating to sugar has not been observed by the holder of such certificate or any of his servants or agents, and shall revoke such certificate if required so to do by the Food Controller.

6. The Committee shall keep a register of the persons to whom, and the premises in respect of which certificates of registration have been granted under this Order.

7. In the event of the transfer of the business in connection with which a certificate of registration is held, or in the event of the death of the holder of a certificate of registration, it shall be lawful for the transferee or other person claiming under the holder of such certificate on making an application for a certificate of registration, to sell and deal in sugar by retail from the date of such application until the decision thereon is intimated by the Committee, in the same manner and subject to the same conditions as the holder of such certificate was entitled to deal.

8. The holder of any certificate of registration, his servants and agents, shall give to the Committee such information, reports and returns relating to his stocks of sugar and dealings in sugar as the Food Controller or the Committee may from time to time require, and shall permit any person authorised by the Food Controller or the Committee to inspect all relevant books, documents and accounts.

9. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

10.—(a) This Order may be cited as the Sugar (Registration of Retailers) Order, 1917.

(b) This Order shall not apply to Ireland.

By Order of the Food Controller,

U. F. Wintour,

Secretary to the Ministry of Food.

23rd August, 1917.
THE SUGAR ORDER, 1917. DATED OCTOBER 12, 1917.

1917. No. 1049.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:

PART 1.—(Definitions).

Definitions.

1. In this Order and in all authorities, vouchers, forms of application, directions and other documents issued or deemed to be issued under this Order the following words and expressions shall bear the following meanings, viz.:

"Food Control Committee" shall mean in respect of any area the Committee constituted for such area in pursuance of the Food Control Committees (Constitution) Order, 1917. (a)

"Wholesaler" shall mean a wholesale dealer in sugar or person obtaining sugar for the purpose of selling the same by wholesale or a person deemed under this Order to be a wholesale dealer in sugar and "Wholesale business" shall have a corresponding meaning.

"Retailer" or "Registered Retailer" shall mean a person registered as a retailer of sugar under the Sugar (Registration of Retailers) Order, 1917, (b) and "Retail Business" shall bear a corresponding meaning.

"Catering Business" shall mean the business or undertaking of an inn, public house, hotel, restaurant, railway buffet, coffee stall, or other place of refreshment open to the public, or of any club, boarding house (other than a boarding house in which the number of bedrooms let and available for letting does not exceed 10), refreshment contractor or canteen, and "Caterers" shall bear a corresponding meaning.

A "Manufacturing Business" shall mean any other business in the course of which sugar is used otherwise than in catering for the persons engaged therein, including among other businesses the business of a pastry cook or confectioner or baker and confectioner, and "manufacturer" shall bear a corresponding meaning.

"Institution" shall include:

(a) Public or private hospitals, sanatoria, convalescent or nursing homes, workhouses, infirmaries, asylums, corporations, or companies not established for the purpose of trading or profit, religious or charitable communities, residential schools and colleges, and non-residential schools and colleges at which meals other than teas are provided for the pupils or teachers, and residential hostels of all kinds.

(a) Food Control Committees (Constitution) Order, 1917.—That Order is printed in Part III, p. 199.

(b) Sugar (Registration of Retailers) Order.—That Order is printed p. 170.
(b) Boarding Houses which are not catering businesses as herein defined, and the catering or kitchen Departments of businesses where meals other than teas are provided for the staffs of the business or their guests but not for other members of the public, and other like establishments, and establishments of public utility not carried on primarily for profit and requiring sugar for any of their purposes—

Provided that in any case a Food Control Committee may decide that an Institution within the area of such Committee be treated as private consumers, and so long as any such decision remains in force the institution shall be exempted from the restrictions hereinafter contained in relation to Institutions.

2. Upon any application to a Food Control Committee for an authority to procure sugar the Committee shall have power conclusively to determine in all cases of doubt whether or not the application is made on behalf of an Institution or for the purposes of a catering or manufacturing business, and every such determination shall be conclusive for all purposes unless and until it shall have been varied by the Food Control Committee or the Food Controller.

PART II.—(BUSINESSES AND INSTITUTIONS).

3. A person shall not purchase or take delivery of any sugar after the 4th November, 1917, for the purposes of any catering or manufacturing business, or after the 30th December, 1917, for the purposes of any wholesale or retail business or Institution, except under and to the extent specified in an authority issued by a Food Control Committee or by the Food Controller pursuant to this Order authorising him to take delivery of the sugar for that purpose, and a person having the disposal of sugar shall not after the same respective dates knowingly deliver sugar for any of the purposes aforesaid except against a voucher issued by a Food Control Committee or the Food Controller pursuant to this Order authorising such delivery.

4. (a) Authorities and vouchers for the delivery of sugar for the purposes of a wholesaler’s business may be issued by the Food Control Committee for any area in which he has an office for transacting such business, and if he has two or more such offices in different areas the Committee for any one of such areas may issue authorities and vouchers covering the whole of his business or the Committees for different areas may issue authorities and vouchers covering different parts thereof.

(b) Authorities and vouchers for the delivery of sugar for the purposes of a retailer’s business may be issued by the Food Control Committee for the area in which the retailer is registered in respect of such business.
(c) Authorities and vouchers for the delivery of sugar for the purposes of a manufacturing business may be issued by the Food Control Committee for the area in which the manufacture is carried on, but a manufacturer who manufactures for sale by wholesale may if he so desires apply to the Food Controller for authorities and vouchers in relation to his business and the Food Controller may if he so thinks proper issue authorities and vouchers accordingly.

(d) Authorities and vouchers for the delivery of sugar for the purposes of a catering business or an Institution may be issued by the Food Control Committee for the area in which the catering business or Institution is situated or carried on.

(e) Authorities and vouchers for the delivery of sugar for any purpose may be issued by the Food Controller in any case in which he thinks proper so to do.

5. Every applicant for authorities and vouchers under this Order shall furnish to the proper Food Control Committee or—in the cases provided for in Clause 4 (c)—to the Food Controller, upon such form as may be from time to time prescribed for the purpose by or on behalf of the Food Controller, a true statement of the particulars required for completing such form.

6. Authorities and vouchers shall be issued in such manner and in respect of such quantities of sugar and periods of time and subject to such conditions as may from time to time be prescribed or directed whether generally or in particular cases by the Food Controller, and any person requiring the issue of any authority or voucher shall apply to the Food Control Committee authorised to issue the same or to the Food Controller, as the case may be, within such time as may be prescribed by the Food Controller.

7. A person shall not (except as expressly provided by Clause 13) use any sugar obtained by virtue of an authority issued pursuant to this Order except for the purposes of the business or Institution in respect of which the authority has been issued, and shall until the sugar is so used cause the same to be stored in the place in which the sugar supplies of such business or Institution are usually stored, or in such other place as the Food Control Committee or the Food Controller may direct or authorise, and permit the same to be inspected upon lawful demand.

8. A wholesaler or retailer shall in the disposition of sugar obtained by him for the purpose of his wholesale or retail business by virtue of an authority issued pursuant to this Order observe any directions whether general or special that may from time to time be given to him by or under the authority of the Food Controller.
9. Every wholesaler shall keep accurate and punctual accounts and records showing the disposition of all sugar dealt with or used by him in the course of his business and shall produce all such accounts and all relevant vouchers and documents on lawful demand, and every retailer shall keep all such accounts in relation to the sugar disposed of by him as the Food Controller may from time to time prescribe.

10. A wholesaler or retailer shall preserve all vouchers received by him for the delivery by him of sugar and upon making any application to a Food Control Committee for authority to take delivery of sugar, he shall produce such vouchers and deal with as any Food Control Committee may direct, and so long as any such vouchers are retained by him he shall produce the same on lawful demand.

11. Any authority or voucher issued pursuant to this Order may at any time be revoked by the Food Control Committee by whom it was issued or by the Food Controller.

12. All authorities and vouchers for the purpose of this Order shall be in such form and shall contain such particulars as the Food Controller may from time to time direct, and all persons acting upon any such authority or voucher shall duly comply with the terms thereof.

13. Notwithstanding clause 7 of this Order a caterer, pastry cook, baker, or other like manufacturer who provides for his household wholly or partly out of the food supplies used or manufactured in his business may (unless the Food Control Committee otherwise directs) use for the consumption of his household sugar or the products of his manufacture containing sugar obtained for the purpose of his business.

14.—(a) Where an authority is issued under this Order for the purpose of any manufacture in respect of sugar other than brewer's sugar, any brewer's sugar supplied thereunder or under any corresponding voucher shall be reckoned at the amount of brewer's sugar so supplied less 20 per cent. For the purpose of this Clause brewer's sugar means sugar which when tested by the polariscop indicates a polarisation not exceeding 89 degrees but does not include West India Grocery Crystallised Sugar, or British West India Muscovado Sugar, or British West India Grocery Syrup Sugar.

(b) The preparation of sugar syrup whether pure or flavoured shall for the purposes of this Order be deemed to be a manufacture and the syrup as manufactured, shall be deemed to be sugar equivalent to the quantity of sugar contained therein, but nothing in this Order contained shall prevent a pharmaceutical chemist or chemist and druggist from obtaining syrup (whether flavoured or unflavoured) for the purpose only of compounding medicines: Provided that no person shall use any syrup obtained for that purpose for any other purpose whatsoever.
PART III.—(MULTIPLE AND COMBINED BUSINESSES).

15. A person who carries on a catering, manufacturing or retail business at two or more places shall for all the purposes of and incidental to this Order be deemed to carry on a separate business at each such place.

16.—(a) Where a person carries on the business of a caterer and in conjunction therewith the business of a pastry cook or baker or baker and confectioner or any other manufacturing business in such a manner that the sugar consumed in the separate businesses cannot be distinguished, he may if the Food Control Committee so decide receive authorities and vouchers covering a single supply of sugar for the combined businesses.

(b) In every other case in which a person carries on two or more of the businesses of a wholesaler, a retailer, a caterer or a manufacturer, whether at the same premises or not, such businesses shall be deemed to be separate businesses, and where a manufacturer carries on the manufacture of two or more classes of products, the manufacture of each class shall be deemed to constitute a separate business and manufacturers shall for this purpose be classified in such manner as the Food Controller may from time to time prescribe.

17. Where an Institution or a person providing the meals taken at an Institution carries on any wholesale, retail, manufacturing or catering business, the business so carried on shall be deemed to be a separate business and shall be deemed not to be one of the purposes of the Institution.

18. In every case in which a person or Institution carries on or is deemed to carry on any two or more separate businesses or any separate business, separate authorities and vouchers shall be required in respect of each such business and in respect of such Institution, and the sugar obtained for the purposes of each business or Institution shall be kept and stored wholly separate and distinguished from the sugar obtained for the purpose of every other Institution or business, and where the sugar obtained for different purposes is stored at the same premises, the owner or other person having control of the sugar shall cause records to be kept showing the quantities of sugar from time to time taken out of store for each purpose and the sugar remaining in store and the records kept pursuant to this Clause shall be open for inspection on lawful demand.

19. A person who carries on two or more separate businesses, whether retail or manufacturing or catering, or who manages an Institution having two or more branches, and procures sugar in bulk for distribution among such businesses or branches, shall be deemed to procure the same as a wholesaler and to carry on a separate wholesale business in respect of such sugar, and he shall deliver for the purposes of each of the manufacturing or retail or catering businesses or branches so much only of the sugar obtained by him as wholesaler as shall accord with the authority held by him in relation to such manufacturing or retail business.
or branch, and every delivery so made shall be made against and in satisfaction of a voucher issued in respect of such business or branch covering the sugar so delivered, and every such person shall keep a full and accurate account recording all deliveries of sugar for the purpose of each of such businesses or branches.

20. Where a person carries on a business as a caterer and also as a manufacturer and uses the products of his manufacturing business partly in the course of a catering business and partly for sale or for use in some other business, he may notwithstanding anything contained in this Order use the products of his manufacturing business in the course of his catering business.

PART IV.—(MISCELLANEOUS AND SUBSIDIARY PROVISIONS).

21. For the purpose of facilitating a just distribution to private persons of the sugar from time to time available for household consumption there may be issued by or with the authority of the Food Controller sugar registration cards to such persons and upon such application and in such form and to be used in such manner and to carry such rights or privileges and subject to such conditions as the Food Controller may from time to time prescribe. Sugar Registration Cards already issued by any Food Control Committee shall be deemed to have been issued under this Order.

22. No authority, voucher, or card issued under this Order shall be transferable.

23. A person shall in making and completing any application or return or other documents issued or to be made in connection with this Order, follow the instructions relating thereto issued by or under the authority of the Food Controller.

24. Every Food Control Committee shall in the exercise of the powers conferred upon the Committee by this Order comply with such directions as may from time to time be given to them by the Food Controller, and it shall be the duty of every person to comply with any requirement or instruction given by the Committee under the powers conferred by this Order.

25. A person shall not:—

(a) Knowingly make or connive at the making of any false statement in any application or return made in connection with or for any of the purposes of this Order;

(b) Forge or alter any authority, sugar registration card, voucher, licence or other document issued under or for any of the purposes of this Order;

(c) Personate or falsely represent himself to be a person to whom such an authority, sugar registration card, voucher, licence or other document has been issued or applies;

(d) Retain any authority, sugar registration card, voucher, licence or other document when he has no right to retain it, or fail to comply with any directions issued by lawful authority with regard to the return thereof.

Combined businesses of caterer and manufacturer.

Sugar Registration Cards.

Authorities not transferable. Applications, returns, and other documents.

Food Control Committee to act under directions of Food Controller.

False statements, &c.
(e) Make or knowingly have in his possession any card or paper marked so as to resemble or colourably imitate a sugar registration card or any part of a sugar registration card, either in blank or wholly or partly completed, not being a sugar registration card or part of a sugar registration card issued under this Order;

(f) Knowingly retain, make use of or deal with any sugar registration card or any part of a sugar registration card issued upon any application made or deemed to be made under this Order containing a statement false in any material particular, or obtain or attempt to obtain sugar by means of any sugar registration card so issued.

Information to be confidential.

26. A person employed by the Food Controller or a member of or a person employed by a Food Control Committee shall not without lawful authority communicate to any person any information acquired by him from any application, return, sugar card, voucher, certificate, or other document made or issued in connection with this Order.

Meaning of "Lawful Demand."

27. Whenever in this Order or in any authority, voucher, rules or direction issued under this Order any person is required to produce any documents or give any information on lawful demand, he shall produce or give the same at all reasonable times and places on demand of any person empowered by or under the authority of the Food Controller to make such demand either particularly or as holding any office or position and either generally or in the particular case.

Forms, &c., already issued to be dated.

28. All forms of application, authorities, vouchers, instructions and directions issued, whether before or after the date of this Order, by or under the authority of the Food Controller purporting to be issued under this Order or headed "Sugar Order, 1917," and all applications made upon any such form, and all acts to be done pursuant to any such instructions and directions shall be deemed respectively to have been issued made and done under and pursuant to this Order.

Limits of Order.

29. Nothing in this Order shall effect the consignment or delivery of sugar to Ireland.

Penalty.

30. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

Title and extent of Order.

31. (a) This Order may be cited as the Sugar Order, 1917. 
(b) This Order shall not apply to Ireland.

Rhondda,
Food Controller.

12th October, 1917.
The Local Government Board by arrangement with the Food Controller hereby determine that the provisions of the Local Authorities (Food Control) Order (No. 1), 1917, (a) shall apply to the above Order of the Food Controller as if that Order were mentioned in column 1 and the whole of that Order were mentioned in column 2 of the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917.

Dated this 16th day of October, 1917.

Walter T. Jerred,
Assistant Secretary.

Acting on behalf of the Local Government Board under the authority of their General Order dated the 26th day of May, 1877. (b)

With the concurrence of the Secretary for Scotland the Food Controller orders that the Local Authorities (Food Control) (Scotland) Order, 1917, (c) shall apply to the above Order.

By Order of the Food Controller,

W. H. Beveridge,
Second Secretary to the Ministry of Food.

(a) Local Authorities (Food Control) Order, No. 1, 1917.—The effect of that Order (printed p. 187) coupled with the Food Controller's Order of the same date (p. 192) is to empower Local Authorities in England and Wales to enforce the present Order and to prosecute before courts of summary jurisdiction for breaches of the Act.


(c) Local Authorities (Food Control) (Scotland) Order, 1917.—The effect of that Order (printed p. 194) is to empower Local Authorities in Scotland to enforce the present Order.
THE SUGAR (SALES FOR IRELAND RETURNS) ORDER, 1917. DATED OCTOBER 20, 1917.

1917. No. 1072.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:

1. Every person carrying on business in England, Scotland or Wales as a wholesale dealer in sugar who is supplying sugar in accordance with the Rules of the Royal Commission on the Sugar Supply(a) as set out in the Schedule to this Order directly to any customer in Ireland, and who desires to continue such supply, shall, not later than the 31st October, 1917, make a return to the Food Controller, on a form to be obtained from the Ministry of Food, showing (i) the name and address of every such customer to whom he is so supplying sugar, (ii) the amount of sugar supplied by him to each customer during the year 1915 as ascertained for the purpose of the said rules, and (iii) whether as regards each customer such customer is to his knowledge a manufacturer and if so of what products.

2. Every person making such return shall communicate to each customer shown in the return not later than the 7th November, 1917, a statement of the particulars shown in the return in relation to such customer.

3. The making of a false return is a summary offence against the Defence of the Realm Regulations.

4. This Order may be cited as the Sugar (Sales for Ireland Returns) Order, 1917.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

20th October, 1917.

The Schedule.

1. It has been decided to continue, until further notice, the present scheme of wholesale distribution based on the distribution of 1915, and that for this purpose the first day of January shall be considered to be the commencement of a fresh period, no adjustment being made in this period as the result of any irregularity in the preceding period.

2. In all calculations the basis is the quantity supplied during the whole of 1915 and not during any particular portion of that year.

(a) SUGAR SUPPLY COMMISSION.—For names of Commissioners, Secretary, &c., see footnote (a) to p. 165.
3. **British Refiners** will continue to issue sugar only to their 1915 customers. The quantities to be issued will be proportioned to those of 1915, but the proportion will vary from time to time in accordance with the general proportion which all available supplies bear to the total quantity used or distributed in 1915.

4. **The Sugar Commission** will continue to distribute its imported sugar (and such quantities of British Refined Sugar as it may have at its disposal) to its 1915 buyers according to the index number of each. This will give each buyer as his share of available supplies, the amount proportional to his total use or distribution in 1915 of all sugar other than British refined.

5. **British West Indian Sugar.**—The sale of this and other sugar imported under licence will continue to be regulated by the West India Brokers' Committee, which will report all sales to the Sugar Commission. These will be taken into account when determining the quantities of Royal Commission sugar which should be allotted to the buyers. There will thus be no "free" sugar in 1917.

6. All wholesale dealers are instructed to distribute to their customers on the same principle; that is to say, to let each of their customers of the year 1915 have his equivalent proportion of the supplies of all descriptions, and from all sources, which they have at their disposal.

7. Experience has shown during the past six months that for a wholesale dealer who has some thousands of customers, a distribution on the basis of a fixed percentage of each customer's purchases in 1915 would be the most satisfactory method of procedure.

It will be readily understood that it is quite impossible under present circumstances to determine in advance the exact percentage of 1915 supplies which will be available, and the Commission accordingly recommends to all wholesale dealers who experience a difficulty in carrying out the instructions contained in this Memorandum:

(a) Forthwith to agree with their 1915 customers as to the quantity delivered to each in 1915, which is the quantity upon which the distribution for 1917 should be based. This basis quantity should be the total of all descriptions obtained from all sources.

(b) To distribute during January on a fixed low basis of, say, 50 per cent.

(c) To distribute during February on the fixed percentage of all supplies actually received during January, and so on from month to month.

This method will tend to obviate the difficulties arising from the adoption of too high a basis at the commencement, and the consequent inconvenience caused by subsequent adjustments.
8. The Commission must impress upon all those engaged in carrying out the distribution the extreme importance of adhering rigidly to the rules laid down. Haphazard distribution by the Wholesalers leads to innumerable complications and hardships for others. Any departure from these rules will render the offending Wholesaler liable to be excluded from obtaining further supplies.

9. Copies of this Memorandum may be obtained through the same sources as those through which sugar is supplied.
15. Tea.(a)

Tea (Nett Weight) Order, p. 183.
Tea (Provisional Prices) Order, p. 184.

The Tea (Nett Weight) Order, 1917. DATED April 5, 1917. (b)
1917. No. 318.

In exercise of the powers conferred upon him by Regulation 2f of the Defence of the Realm Regulations, and of all other powers enabling him in that behalf, the Food Controller hereby orders that, except under the authority of the Food Controller, the following regulations shall be observed by all persons concerned:

1.—(a) On and after the 1st July 1917, all tea sold by retail, whether contained in a package or not, shall be sold by nett weight and in ounces or pounds or in multiples of ounces or pounds and not otherwise.

(b) This Article shall not apply to tea sold in a quantity of less than 2 ounces.(c)

2. Where on or after the 1st July 1917 any package of tea or any wrapper, band or label on such package contains any statement as to weight, no person shall sell such package by retail or offer or have the same in his possession for sale by retail unless such statement is a true statement of the nett weight of the tea contained in such package.(c)

3. Articles 1 and 2 shall not apply to a package of tea proved to have been delivered to the retailer before the 15th May, 1917, and to be in the same state as it was when delivered to him.

4. On and after the 1st May 1917 no person shall place on any package of tea intended for sale or on any wrapper, band or label affixed thereto any statement as to weight which is not a true statement of the nett weight of the tea contained in such package.

(a) Export and Import of Tea.—An epitome of the restrictions on the export and import of tea will be found in Appendix VI. (7. Exportation; 12. Importation).

(b) Enforcement of Order and Prosecutions by Local Authorities.
—This Order is enforceable by Local Authorities in England, Wales and Scotland (see "The Local Authorities (Food Control) Order (No. 1), 1917," p. 187, and "The Local Authorities (Food Control) (Scotland) Order, 1917," p. 194), and breaches thereof may be prosecuted by Local Authorities in England and Wales (see Food Controller's Order of May 8th, 1917, p. 192) or by Inspectors of Weights and Measures in England, Wales and Ireland (see Food Controller's Order of June 11th, 1917, p. 193).

(c) Weighing by Retailers of Packages.—The Food Controller's Order of June 11th, 1917, relating to Prosecutions by Inspectors of Weights and Measures, and printed in Part III of this Manual (p. 193), empowers such an Inspector to require the weighing of a package of tea or its contents in his presence.
Warranties.

5. The provisions of the Sale of Food and Drugs Acts relating to warranties and invoices shall apply to any proceedings under Articles 1 and 2 of this Order in the same way as they apply to proceedings under those Acts.\(^{(a)}\)

Penalty.

6. If any person acts in contravention of this Order or aids or abets any other person in doing anything in contravention of this Order that person is guilty of a summary offence against the Defence of the Realm Regulations, and if such person is a company every director and officer of the company is also guilty of a summary offence against those regulations unless he proves that the contravention took place without his knowledge or consent.\(^{(b)}\)

Title of Order.

7. This Order may be cited as the Tea (Nett Weight) Order, 1917.

Devonport,
Food Controller.

5th April, 1917.

THE TEA (PROVISIONAL PRICES) ORDER, 1917. DATED OCTOBER 17, 1917.

1917. No. 1063.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby orders that except under the authority of the Food Controller the following regulations shall be observed by all persons concerned:

1. The "Tea Control Scheme" shall mean the scheme commonly known as "The 90 per cent. Tea Control, 1917."\(^{(c)}\) Class A Tea, Class B Tea and Class C Tea shall respectively mean such Teas as have been or may be so classified under that scheme, whether as originally framed or as amended.

2. No Class A Tea, Class B Tea, or Class C Tea shall be sold or disposed of at prices exceeding the prices permitted under the Tea Control Scheme or except in accordance with the provisions of such scheme.

3. No Tea other than Class A Tea, Class B Tea, and Class C Tea shall, after the 31st October, 1917, be sold or be delivered pursuant to any contract for sale made before that date at a price exceeding a price at the rate of 4s. per lb.

\(^{(a)}\) PROVISONS OF SALE OF FOOD AND DRUGS ACTS AS TO WARRANTIES AND INVOICES.—See footnote \(\text{(a)}\) to "Cake and Pastry Order, 1917," p. 40.

\(^{(b)}\) LIABILITY OF DIRECTORS, &c., TO COMPANY.—Reg. 48A of the Defence of the Realm Regulations (printed in the Manual), which was added to the Code since this Order was made, provides that directors and officers shall be liable for offences by their corporation or company.

\(^{(c)}\) THE 90% TEA CONTROL, 1917.—By arrangement with the trade 30 per cent. of the total imports of tea from India and Ceylon is allocated to be sold to the public retail at 2s. 4d. per lb., 35 per cent. at 2s. 8d., and 25 per cent. at 3s. The balance of 10 per cent. consists of fine teas at above 3s. a lb.
Tea (Provisional Prices) Order, 1917.

Provided, that as respects sales in Ireland the Food Control Committee appointed for Ireland (a) by the Food Controller may, subject to any directions of the Food Controller, vary such rate either generally or in any particular case or class of cases.

4. Where the purchaser requires Tea to be delivered to his premises, a reasonable additional charge may be made for such delivery not exceeding a charge at the rate of 3d. per lb. or any reasonable sum actually paid by the seller for carriage.

5. A person shall not sell or offer or expose for sale or make delivery of or knowingly buy or agree to buy or take delivery of any Tea at a price exceeding the price applicable under this Order, or in connection with a sale or disposition of Tea, enter into any fictitious or artificial transaction or make or demand any unreasonable charge.

6. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

7. This Order may be cited as the Tea (Provisional Prices) Order, 1917.

Rhondda,
Food Controller.

17th October, 1917.

(a) Food Control Committee for Ireland.—See Notice by the Food Ministry printed p. 208.
PART III.

ENFORCEMENT OF FOOD CONTROLLER’S ORDERS, AND PROSECUTION OF OFFENCES BY LOCAL AUTHORITIES AND OFFICERS; FOOD CONTROL COMMITTEES, AND DISCHARGE OF LOCAL AUTHORITIES FUNCTIONS.

[Part III. like Parts I. and II. of this Manual is restricted to Legislation affecting the Ministry of Food, Part III. being confined to the Orders relating to the Enforcement and Prosecution by Local Authorities of Contraventions of the Food Controller’s Orders (printed in Part II.), and to Food Control Committees. That portion of the Defence of the Realm Code which relates to the Trial and Prosecution of Offences applies not only to contravention of Regulations or Orders concerning or made by the Food Controller, but also to contraventions of all other Defence of the Realm Regulations or of Orders thereunder including those of the Agricultural Departments. That portion of the Code forms Part IX. of this Manual.]

1. Enforcement of Food Controller’s Orders and Prosecution of Offences by Local Authorities and Officers.

A. In England and Wales, p. 187.

B. In Scotland, p. 194.

C. In Ireland, p. 198.

1. Enforcement of Food Controller’s Orders and Prosecution of Offences by Local Authorities and Officers.

A. In England and Wales.

The Local Authorities (Food Control) Order (No. 1), 1917, dated May 8, 1917, made by the Local Government Board under Regulation 2(j) (1) of the Defence of the Realm Regulations empowering Local Authorities to Enforce certain Orders of the Food Controller.

1917. No. 425.

To the Mayor, Aldermen, and Commons of the City of London, in Common Council assembled;—

To the Councils of the several Metropolitan Boroughs, Municipal Boroughs, and other Urban Districts in England and Wales;—

(a) Local Authorities (Food Control) Order (No. 2), 1917.—This further Order, also made by the Local Government Board, relates to the powers and duties of local authorities in connection with Food Control Committees, and is printed (p. 204) under the heading “2 Food Control Committees, &c.”
Enforcement by English Local Authorities of certain Orders of the Food Controller.

To the Councils of the several Rural Districts in England and Wales;—
To the Council of the Isles of Scilly;—
And to all others whom it may concern.

Whereas by Regulation numbered 2j of the Defence of the Realm Regulations it is among other things provided that We, the Local Government Board(a) may, by arrangement with the Food Controller, confer and impose on any local authorities and their officers any powers and duties in connection with the enforcement of Regulations numbered 2r and 2g of the Defence of the Realm Regulations(b);

And whereas the Food Controller has, in pursuance of the said Regulation numbered 2r, made the Orders the titles of which are set forth in column I of the Schedule to this Order:

Now therefore, in pursuance of Our powers in that behalf, and by arrangement with the Food Controller, We hereby Order as follows:—

ARTICLE I.—In these Regulations, unless the contrary intention appears:—

(a) The expression "Local Authority" means, as the case may be, the Mayor, Aldermen, and Commons of the City of London in Common Council assembled, the Council of a Metropolitan Borough, the Council of a Municipal Borough or other Urban District, the Council of a Rural District, or the Council of the Isles of Scilly(c);

(a) Local Government Board.—This Board was established by the Local Government Board Act, 1871 (34 & 35 Vict. c. 70). As to the construction and proof of Orders of the Board, see Part X. to this Manual.

(b) Defence of the Realm Regulations.—Reg. 2j is printed in Part I. of this Manual p. 11, and Regs. 2r and 2g pp. 7-9.

(c) Local Authorities in England and Wales and Their Districts.—The Common Council, to whom the whole of the powers of the former Commissioners of Sewers were transferred by 60 & 61 Vict., c. cxxxiii., are now the Public Health authority for the city.

There are 28 Metropolitan Borough Councils constituted by Orders in Council (S. R. & O. 1900, Nos. 389-407) under the London Government Act, 1899 (62 & 63 Vict., c. 14), the borough areas comprising the whole administrative county of London except the city. Many of the municipal boroughs and urban districts are now co-terminous with a single parish: the rural districts comprise groups of parishes and as originally constituted, and still in certain cases, are co-terminous with a poor law union—minus the boroughs or other urban districts within the union. A statement showing what parishes were on April 1st, 1915, within the district of each borough, urban, or rural district council ("Statement of the County Boroughs, &c., in England and Wales") is published by H.M. Stationery Office.

The Council of the Isles of Scilly, which was established by 53 & 54 Vict., c. cxxvi. (confirming an Order of the Local Government Board), has amongst other powers those of a Rural District Council.

The Local Authorities for the purposes of the enforcement of Orders and of prosecution of contraventions thereof are, in England and Wales, identical with those who have functions under the Food Control Committees (Constitution) Order, 1917. See Local Authorities (Food Control) Order (No. 2), 1917, p. 204.
Enforcement by English Local Authorities of certain Orders of the Food Controller.

(b) The expression "District" means the District subject to the jurisdiction of the Local Authority for the purposes of the Public Health (London) Act, 1891, or of the Public Health Act, 1875, as the case may be.

ARTICLE II.—We hereby confer and impose upon every Local Authority and upon such of their officers as they may designate or appoint for the purpose the powers and duties of enforcing within their District, in conformity with the Defence of the Realm Regulations, so much of the Orders specified in column 1 of the Schedule to this Order as is comprised within the parts of those Orders which are respectively set forth in column 2 of the said Schedule, and so much of any Order hereafter issued by the Food Controller as We may determine and notify thereon.

ARTICLE III.—Any expenses incurred by a Local Authority in the execution of this Order shall be defrayed in like manner as if the expenses had been incurred in the execution of the Public Health Act, 1875, or the Public Health (London) Act, 1891, as the case may be.

ARTICLE IV.—This Order may be cited as "the Local Authorities (Food Control) Order (No. 1), 1917."

(a) Enforcement of Orders.—This Order leaves it to the Local Authority to arrange as they think fit for the enforcement of the Orders. It is suggested that Sanitary Inspectors or other officials whose duties take them about their district could make enquiry as to the operation of the Orders in the course of their usual occupations.

Any correspondence in regard to the provisions which are to be enforced should be addressed to The Ministry of Food, Grosvenor House, London, W.1. (Local Government Board Circular, St. B. & O., 1917, No. 435.)

The Food Controller's Order of June 11th, 1917 (p. 193) empowers Inspectors of Weights and Measures in England and Wales to prosecute for breaches of Art. 3 of the Manufacture of Flour and Bread Order (No. 2), 1917, the Bread Order, 1917, the Cake and Pastry Order, 1917, and the Tea (Nett Weight) Order, 1917—all these being Orders under which the "Local Authorities" can also prosecute.

A list of those further Orders which have (Oct. 21, 1917) been brought within the scope of the present Order is printed (p. 191) immediately after that Order.

The effect of the Food Controller's Order of May 8th, 1917 (p. 192), is that Local Authorities (as thereby defined) in England and Wales can without the specific consent of the Attorney-General prosecute before Courts of Summary Jurisdiction for breaches of any of the Orders specified in:

(i) The Schedule to this Order ; or
(ii) The List printed, p. 191.

(b) Expenses in Execution of Order.—For enactments referred to see official "Index to Statutes in Force" (1916 Edit.), sub voc. "District Council, England 3 (Financial Provisions)"; "London County 2 (f) (3)."
Enforcement by English Local Authorities of certain Orders of the Food Controller.

Schedule (a)

Title of Order. | Part of the Order in respect of which powers and duties are conferred and imposed on Local Authorities and their Officers.
--- | ---
The Potatoes 1916 Main Crop (Prices) Order (No. 2), 1917. (b) | So much as relates to potatoes sold or offered for sale by retail.
The Price of Milk Order, 1917. (c) | So much as relates to milk sold or offered for sale by retail.
The Feeding of Game Order, 1917 (p. 31). | Clause 1.
The Sugar (Confectionery) Order, 1917 (p. 163). | Clauses 1 and 2.
The Bread Order, 1917 (p. 35) ... | The whole Order.
The Swedes (Prices) Order, 1917 (p. 130). | The whole Order.
The Food (Conditions of Sale) Order, 1917 (p. 84). | The whole Order.
The Manufacture of Flour and Bread Order (No. 2), 1917 (p. 32). | The whole Order.
The Public Meals Order, 1917 (p. 158). | The whole Order.
The Cake and Pastry Order, 1917 (p. 39). | The whole Order.
The Wheat, Rye and Rice (Restriction) Order, 1917 (p. 41.) | The whole Order.
The Maize, Barley (d) and Oats (Restriction Order), 1917 (p. 43). | The whole Order.

Given under the Seal of Office of the Local Government Board, this Eighth day of May, in the year One thousand nine hundred and seventeen.

(L.S.)

H. C. Monro,
Secretary.

Rhondda, President.

(a) Reference Pages in Schedule.—The page number following each Order in column I of this Schedule which is now (Oct. 21, 1917) in force is that on which it is printed in this Manual. The titles of those Orders which have now ceased to be in force are printed in *italics*.

(b) Potatoes 1916 Main Crop (Prices) Order (No. 2), 1917.—That Order is printed p. 74 of 1st Edition of this Manual which was rev. by Art. 54 of Potatoes Order 1917 (p. 152).

(c) Price of Milk Order, 1917.—That Order, which was rev. by Milk Order, 1917 (p. 131), is printed p. 58 of 1st Edition of this Manual.

(d) Maize, Barley and Oats (Restriction) Order, 1917.—That Order was revoked as to barley by Barley (Restriction) Order, 1917, p. 52.
**List of Further Orders brought (October 21st, 1917) within the scope of the Local Authorities (Food Control) Order (No. 1), 1917, by Determinations of the Local Government Board.**

[These Determinations, made under Article II. of the Local Authorities (Food Control) Order (No. 1), 1917, are printed in Part II. of this Manual at the foot of the Order to which they respectively relate.]

<table>
<thead>
<tr>
<th>Title of Order and page of this Manual at which it is printed.</th>
<th>Part of the Order in respect of which powers and duties are conferred and imposed on Local Authorities and their Officers.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oat and Maize Products (Retail Prices) Order, 1917 (p. 44).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>Beans, Peas and Pulse (Retail Prices) Order, 1917 (p. 26).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>Meat (Sales) Order, 1917 (p. 113) ... Sugar (Domestic Preserving) Order, 1917 (p. 168).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>Stone Fruit (Jam Manufacturers’ Prices) Order, 1917 (p. 101).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>Winter Beans Order, 1917 (p. 23) ... Raspberries (Jam Manufacturers’ Prices) Order, 1917 (p. 103).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>Jam (Prices) Order, 1917 (p. 107) ... Barley (Restriction) Order, 1917 (p. 52).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>Meat (Maximum Prices) Order, 1917 (p. 118).</td>
<td>Parts 2 and 3, except so far as they relate to wholesale transactions.</td>
</tr>
<tr>
<td>Butter (Maximum Prices) Order, 1917 (p. 127).</td>
<td>Clauses 4, 5, 6 and 7, except so far as they relate to wholesale transactions.</td>
</tr>
<tr>
<td>Flour and Bread (Prices) Order, 1917 (p. 55).</td>
<td>Except so far as relates to wholesale transactions.</td>
</tr>
<tr>
<td>Milk Order, 1917 (p. 131) ...</td>
<td>Except so far as relates to wholesale transactions.</td>
</tr>
<tr>
<td>Potatoes Order, 1917 (p. 143) ...</td>
<td>Except so far as relates to wholesale dealers and wholesale dealings.</td>
</tr>
<tr>
<td>Horses Rationing Order, No. 2, 1917 (p. 61).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>Bread (Use of Potatoes) Order, 1917 (p. 66).</td>
<td></td>
</tr>
<tr>
<td>Sugar Order, 1917 (p. 172) ...</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>Beer (Prices and Description) Order, 1917 (p. 80).</td>
<td></td>
</tr>
</tbody>
</table>
Prosecutions by English Local Authorities for breaches of Orders of the Food Controller they are empowered to enforce.

Order, dated May 8, 1917, made by the Food Controller, under Regulation 56 (11) of the Defence of the Realm Regulations authorising Local Authorities in England and Wales to prosecute before Courts of Summary Jurisdiction Offences occasioned by breaches of such Orders of the Food Controller as they are empowered to enforce. (a)

1917. No. 424.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations, the Food Controller hereby authorises every local authority and such of their officers as they may designate or appoint for the purpose to prosecute any offence against the Defence of the Realm Regulations occasioned by any breach of any Order made or to be made by the Food Controller the power of enforcing which within the district of such local authority is or may be conferred by or in pursuance of the Local Authorities (Food Control) Order (No. 1), 1917. (b)

For the purposes of this instrument the expression "Local Authority" means, as the case may be, the Mayor, Aldermen and Commons of the City of London in Common Council assembled, the Council of a Metropolitan Borough, the Council of a Municipal Borough or other Urban District, the Council of a Rural District or the Council of the Isles of Scilly. (c)

7th May, 1917.

Food Controller.

(a) Prosecutions before Courts of Summary Jurisdiction.—Regulation 56 (11) of the Defence of the Realm Regulations (printed as 1 (2) ("Restrictions on Prosecutions") of Part IX. of this Manual which comprises all of those Regulations which relate to Trial and Punishment of Offences whether occasioned by breach of Food Controller's Orders or other food provisions) provides that except with the consent of the Attorney General summary offences against the Regulations shall not be prosecuted before a court of summary jurisdiction except by certain specified officers or "a person authorised by the Government Department concerned." The present Order confers such authority on local authorities in England and Wales so far as regards breaches of such Orders of the Food Controller as they are empowered to enforce, and the Food Controller's Order of June 11, 1917, confers such authority on inspectors of weights and measures in England, Wales and Ireland as respects contraventions of certain of the Controller's Orders.

(b) Orders breaches of which may be prosecuted by Local Authorities.—A full list of these Orders is comprised in the Schedule to the Local Authorities (Food Control) Order (No. 1), 1917 (p. 187), as supplemented by the List of further Orders brought (Oct. 21, 1917) within its scope (p. 191).

(c) Local Authorities in England and Wales.—The definition of "Local Authority" is identical with that in the Local Authorities (Food Control) Order (No. 1), 1917, footnote (c) (p. 188) to which gives detail as to the Authorities and their districts.
Powers as to Sampling and Weighing by Inspectors of Weights and Measures and Prosecutions by them in England and Ireland for breaches of certain Orders of the Food Controller.

Order, dated June 11, 1917, made by the Food Controller under the Defence of the Realm Regulations conferring certain powers on Inspectors of Weights and Measures and authorising them in England and Ireland to prosecute offences before Courts of Summary Jurisdiction.

1917. No. 538.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations the Food Controller hereby authorises every Inspector of Weights and Measures and Deputy Inspector of Weights and Measures(a) and every other person performing the duties of an Inspector of Weights and Measures:—

(a) to take samples of any flour in the possession of any miller or baker or seller of flour or bread;

(b) to require any person, having in his possession for sale by retail any package of tea, to weigh such package or its contents in his presence; and

(c) in England and Ireland to prosecute any offence against the Defence of the Realm Regulations occasioned by any breach of Article 5 of the Manufacture of Flour and Bread Order (No. 2), 1917, the Bread Order, 1917, the Cake and Pastry Order, 1917, and the Tea (Nett Weight) Order, 1917, and of any other Order hereafter to be made by the Food Controller in respect of which any powers or duties are conferred upon an Inspector of Weights and Measures.(b)

Devonport,
Food Controller.

11th June, 1917.

(a) Inspectors of Weights and Measures.—These are officers of, and appointed by, the Local authorities, viz., in the City, the Court of Aldermen, in certain English municipal boroughs of over 10,000 population, the Town Council, in Scottish burghs the Magistrates, in Dublin the Commissioners of Police, in Irish boroughs the Town Council, and elsewhere throughout the U.K. the County Councils. See s. 50 and sch. 4 of the Weights and Measures Act, 1878 (41 & 42 Vict. c. 49), as amended by the Local Government Acts.

(b) Orders, breaches of which may be Prosecuted by Inspectors of Weights and Measures in England or Ireland.—The following is a list of such of these Orders as are now (Oct. 21, 1917) in force showing the page on which each such Order appears in this Manual:—

Bread Order, 1917, p. 35.
Cake and Pastry Order, 1917, p. 39.
Manufacture of Flour and Bread Order (No. 2), 1917, p. 32.
B. In Scotland.

The Local Authorities (Food Control) (Scotland) Order, 1917, dated May 14, 1917, made by the Secretary for Scotland under Regulation 2j (1) of the Defence of the Realm Regulations empowering Local Authorities to Enforce certain Orders of the Food Controller. (a)

1917. No. 441.

In pursuance of the powers conferred on me by Regulation 2j of the Defence of the Realm Regulations (b) and by arrangement with the Food Controller I hereby confer and impose upon all Local Authorities in Scotland which are Local Authorities for the purposes of the Public Health (Scotland) Act, 1897, (c) and upon such of their officers as they may designate for the purpose, the powers and duties of enforcing within their respective districts in conformity with the Defence of the Realm Regulations so much of the Orders specified in Column 1 of the Schedule to this Order as is comprised within the parts of those Orders which are respectively set forth in Column 2 of the said Schedule, and so much of any Order hereafter issued by the Food Controller to which this Order may by Order of the Food Controller, made so

(a) Local Authorities (Food Control) (Scotland), No. 2, Order, 1917.—This further Order, also made by the Secretary for Scotland, relates to the powers and duties of local authorities in connection with Food Control Committees, and is printed at p. 206 under the heading “2. Food Control Committees, &c.” below.

(b) Defence of the Realm Regulations.—Reg. 2j is printed in Part I of this Manual, p. 11.

(c) Local Authorities in Scotland and their Districts.—The Local Authorities under the Public Health (Scotland) Acts, 1897 and 1907, are the Town Councils of all burghs (including police burghs) and outside burghs the County Council or where the county is divided into districts the District Committee. A statement showing what parishes are within the district of each local authority forms the Parl. Paper 1915 [7062]. Since the date of that Return, Findochty has been "declared to be a burgh."

The Local Authorities for the purposes of the enforcement of Orders in Scotland are not identical with those who exercise functions as to Food Control Committees, joint committees of the county council and the town councils of the smaller burghs being constituted for the latter purposes, see Local Authorities (Food Control) (Scotland) (No. 2) Order, 1917, p. 206.
Enforcement by Scottish Local Authorities of certain Orders of the Food Controller.

far as regards the application of this Order with the concurrence of the Secretary for Scotland, be applied. (a)

Any expenses incurred by a Local Authority in the execution of this Order shall be defrayed out of the public health general assessment provided that such expenses shall not be reckoned in any calculation as to the statutory limit of that assessment. (b)

This Order may be cited as the Local Authorities (Food Control) (Scotland) Order, 1917.

Robert Munro,
His Majesty's Secretary for Scotland.
Scottish Office, Whitehall.
14th May, 1917.

(a) Enforcement of Orders.—The Order leaves it to the Local Authority to arrange as they think fit for the enforcement of the Orders. It is suggested that Sanitary Inspectors or other officials whose duties take them about their district could make enquiry as to the operation of the Orders in the course of their usual occupations.

Any correspondence in regard to the provisions which are to be enforced should be addressed to the Ministry of Food, Grosvenor House, London, W.1. (Scottish Office Circular, No. 1081.)

The Order does not of course affect the general status of the police in regard to contraventions of the law, but it is hoped that it will tend to relieve them of a certain part of the burden of enforcing the Food Controller's Orders (Scottish Office Circular, No. 1081a).

A list of those further Orders which have (Oct. 21, 1917) been brought within the scope of the present Order is printed, p. 197, immediately after this Order.

The Food Controller's Order of June 11, 1917 (p. 193) empowers Inspectors of Weights and Measures to take samples of any flour in the possession of any miller or baker or seller of flour or bread and to require retailers to weigh packages of tea or their contents in the presence of an Inspector.

Regulation 56 (11) of the Defence of the Realm Regulations (under which the Food Controller's Order of May 8, 1917 (p. 192), relating to prosecutions in England was made) does not apply to Scotland, where all prosecutions in the sheriff court (which is the court for the trial of summary offences, see Reg. 58, printed under (3) of 1 ("Trial and Punishment by Courts of Summary Jurisdiction") of Part IX of this Manual) proceed at the instance, and are conducted by, the Procurator-Fiscal, to whom all contraventions of the Order should accordingly be reported.

(b) Expenses in Execution of Order.—As to the public health general assessment, see ss. 135, 136, 137 of the Public Health (S.) Act, 1897 (60 & 61 Vict. c. 38).
Enforcement by Scottish Local Authorities of certain Orders of the Food Controller.

Schedule. (a)

<table>
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<th>Part of the Order in respect of which powers and duties are conferred and imposed on Local Authorities and their Officers.</th>
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<tr>
<td>The Potatoes 1916 Main Crop (Prices) Order (No. 2), 1917 (b)</td>
<td>So much as relates to potatoes sold or offered for sale by retail.</td>
</tr>
<tr>
<td>The Price of Milk Order, 1917 (c)</td>
<td>So much as relates to milk sold or offered for sale by retail.</td>
</tr>
<tr>
<td>The Feeding of Game Order, 1917 (p. 31)</td>
<td>Clause 1.</td>
</tr>
<tr>
<td>The Sugar (Confectionery) Order, 1917 (p. 163).</td>
<td>Clauses 1 and 2.</td>
</tr>
<tr>
<td>The Bread Order, 1917 (p. 35)</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>The Swedes (Prices) Order, 1917 (p. 140).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>The Food (Conditions of Sale) Order, 1917 (p. 34).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>The Manufacture of Flour and Bread Order (No. 2), 1917 (p. 32).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>The Public Meals Order, 1917 (p. 158).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>The Cake and Pastry Order, 1917 (p. 39).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>The Wheat, Rye and Rice (Restriction) Order, 1917 (p. 41)</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>The Maize, Barley (d) and Oats (Restriction) Order, 1917 (p. 49)</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>The Oat and Maize Products (Retail Prices) Order, 1917 (p. 44).</td>
<td>The whole Order.</td>
</tr>
<tr>
<td>The Horses Rationing Order, 1917 (e)</td>
<td>The whole Order.</td>
</tr>
</tbody>
</table>

(a) Reference Pages in Schedule.—The page number following each Order in column 1 of this Schedule, which is now (Oct. 21, 1917) in force, is that on which it is printed in this Manual. The titles of those Orders which have now ceased to be in force are printed in italics.

(b) Potatoes 1916 Main Crop (Prices) Order (No. 2), 1917.—That Order, which was rev. by Art. 54 of Potatoes Order, 1917 (p. 152), is printed p. 74 of 1st Edition of this Manual.

(c) Price of Milk Order, 1917.—That Order, which was rev. by Milk Order, 1917, is printed p. 58 of 1st Edition of this Manual.

(d) Maize, Barley, and Oats (Restriction) Order, 1917.—That Order was rev. as to barley by Barley (Restriction) Order, 1917, p. 52.

(e) Horses (Rationing) Order, 1917.—That Order, which was rev. by Horses (Rationing) Order, No. 2, 1917 (p. 61), is printed p. 41 of 1st Edition of this Manual.
**Enforcement by Scottish Local Authorities of certain Orders of the Food Controller.**

**LIST OF FURTHER ORDERS TO WHICH THE LOCAL AUTHORITIES (FOOD CONTROL) (SCOTLAND) ORDER, 1917, HAS (OCTOBER 21ST, 1917) BEEN APPLIED BY ORDERS OF THE FOOD CONTROLLER MADE WITH THE SECRETARY FOR SCOTLAND'S CONCURRENCE.**

[These Orders, made under the Local Authorities (Food Control) (Scotland) Order, 1917, are printed in Part II. of this Manual at the foot of the Order to which they respectively relate.]

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Enforcement of Food Controller’s Orders by Local Authorities in Ireland.

C. In Ireland.

Editorial Note.—No Orders similar to the Local Authorities (Food Control) Order (No. 1), 1917 (p. 187), providing for the Enforcement of certain of the Food Controller’s Orders, and no Order similar to the Food Controller’s Order of May 8th, 1917 (p. 192) authorising Local Authorities to prosecute Offences before Courts of Summary Jurisdiction have (October 21st, 1917) been made as to Ireland.

Order dated June 11, 1917, made by the Food Controller conferring certain powers as to Sampling and Weighing on Inspectors of Weights and Measures in Ireland, and authorising them to prosecute before Courts of Summary Jurisdiction for breaches of certain Orders of the Food Controller.

1917. No. 538.

[This Order which applies also to England and Wales is printed with other Orders so relating at p. 193 above.]
2. Food Control Committees and Discharge of Local Authorities' Functions as to such Committees.

A. In England and Wales, p. 199.  
B. In Scotland, p. 206.

A.—In England and Wales.


1917. No. 869.

In exercise of the powers conferred upon him by the Defence of the Realm Regulations and of all other powers enabling him in that behalf, the Food Controller hereby Orders as follows:—

1. There shall be a Food Control Committee appointed for the district of every Local Authority and such Committee shall be appointed by the Local Authority(a)(b):

Provided that a Local Authority may combine with any other Local Authority or Authorities in appointing a Food Control Committee and in assigning to such Committee the whole or such parts of the districts of the constituent Local Authorities as they may determine.(c)(d)

(a) Food Control Committees.—These Committees administer the new scheme of sugar distribution, continue the campaign for food economy and have certain powers as to prices of dairy produce. They will, when their organisation is complete, deal with other foodstuffs, including bread and meat.

As to their appointment and the immediate steps to be taken thereon, see M.G. 1.

The chief powers and duties assigned to them by Orders of the Food Controller are capitulated in footnote (a) to Art. 16 of the present Order, p. 202, and references to certain of the Memoranda issued by the Food Ministry for their guidance are given in the notes to the Orders to which they relate.

(b) Local Authority.—The definition contained in Art. 22 is identical with that in all the other Orders relating to England and Wales and comprised in this Part of the Manual. See footnote (e), p. 188, which gives detail as to the Authorities and their Districts.

(c) Report of Appointment of Food Control Committee or Sub-Committee.—A return in duplicate should be made to the Ministry on form (L.F.O. 1A) of the membership of every Food Control Committee and of every Sub-Committee as appointed.

A separate form should be made up for every Committee or Sub-Committee. In column 4 should be entered, wherever applicable, the letter "L" if the member referred to is a representative of labour, "W" if a women, and "A" if also a member of the appointing Authority.

Changes in membership should also be reported as they occur.—(M.G. 6. Ministry of Food, August, 1917.)

(d) Joint Appointment of Food Control Committees.—In certain cases Local Authorities have combined for the purpose of the appointment of a Food Control Committee. In others, Food Control Committees have combined to appoint a joint executive officer. The Food Controller approves of such arrangements in suitable cases. They may, in particular, prove convenient if, as is contemplated, powers to vary the retail prices of foodstuffs are entrusted to these Committees, as any unnecessary variations of price as between neighbouring districts can thus be readily avoided.

In some cases Local Authorities, who have already appointed Food Control Committees, may find it convenient, in the light of experience, to combine their districts for Food Control work. There is nothing to prevent them, in such cases, from agreeing to constitute a joint Food Control Committee from members of the separate Committees already appointed. The separate Committees could then, no doubt, by arrangement be appointed Sub-Committees by the new Joint Committee.—(M.G. 4. Ministry of Food, August, 1917.)
A person appointed to be a member of the Committee need not be a member of the Authority by which he is appointed. At least one member of every Committee shall be a woman, and at least one other member a representative of labour.

2. The Food Control Committee shall, except in such cases as the Food Controller may otherwise determine, consist of such number of persons not being more than 12 as the appointing Authority may determine.

3. The Clerk of the appointing Authority shall notify the Food Controller of the names and addresses of the persons appointed as members of the Food Control Committee.

4. The term of office of a person appointed to be a member of a Food Control Committee shall be one year, and any person on ceasing to be a member of a Committee may be re-appointed provided that—

(a) If a person so appointed is a member of the appointing Authority, he shall cease to be a member of the Committee if he ceases to be a member of that Authority; and

(b) A member of the Committee may resign by sending to the Clerk of the appointing Authority notice of his desire so to do; and

(c) A member whose office expires by effluxion of time, shall continue to hold office until his successor is appointed; and

(d) The appointing Authority may if they think fit at any time remove any member of the Committee and appoint another person to be a member of the Committee in his place.

5. If any vacancy occurs in a Food Control Committee by death, resignation or otherwise, the appointing Authority shall as soon as possible fill up the vacancy.

6. A Food Control Committee may subject to the provisions of this Order meet together for the despatch of business adjourn and otherwise regulate their meetings as they think fit.

7. The quorum necessary for the transaction of the business of a Food Control Committee may be determined by the Committee provided that in no case shall the quorum be less than three.

8. A Food Control Committee shall appoint some member of their body to be their Chairman, and the person so appointed shall, if he so long remain a member of the Committee, hold office as Chairman for such period as may be specified in the resolution of the Committee by which he is so appointed or until he resign the office. In the absence of the Chairman from any meeting the Committee may appoint some member of the Committee to act as Chairman at that meeting.
9. Every question at a meeting of a Food Control Committee shall be determined by a majority of the votes of the members of the Committee present and voting on the question, and, in case of equal division of votes, the Chairman shall have a second or casting vote.

10. The proceedings of a Food Control Committee shall not be invalidated by any vacancy in their number or by any defect in the appointment of any member of the Committee or of the Chairman.

11. A Food Control Committee shall make to the appointing Authority or Authorities such reports as to their acts and proceedings as such Authority or Authorities may require, but no act direction or decision of a Food Control Committee shall require confirmation by any such Authority.

12. A Food Control Committee shall appoint such officers to hold office during the pleasure of the Committee as they shall think fit, but no salary shall be payable to any officer during such time as he is a member of the Committee or of any Authority appointing any member of the Committee or of any Sub-Committee appointed by the Committee.

13. A Food Control Committee may appoint such and so many Sub-Committees consisting wholly or partly of the members of the Committee as the Committee think fit, and except so far as the Food Controller may direct a Committee may delegate subject to such conditions as they may think fit to any such Sub-Committee any powers and duties of the Committee, and any such delegation may be for the whole or part of the area for which the Committee acts.

14. Where a Committee delegates any of its powers or duties to a Sub-Committee the following provisions shall have effect:—

(a) So far as is practicable at least one member of the Sub-Committee shall be a woman and at least one other member a representative of labour.

(b) The Committee shall send notice of the appointment of the Sub-Committee to the Food Controller, and the notice so sent shall specify the area for which the Sub-Committee is appointed to act, and shall state which of the powers and duties of the Committee have been delegated to the Sub-Committee.

(c) The provisions of this Order relating to the Chairman and proceedings of a Committee shall apply to a Sub-Committee as they apply to a Committee with the necessary modifications.

15. If any difficulty arises with respect to the constitution of a Food Control Committee or otherwise in relation to the operation of this Order, the Food Controller may make any appointment, and do anything which appears to him necessary or expedient for the establishment of such a Committee or otherwise for securing the full operation of this Order and of any subsequent Order relating to the constitution, powers and duties of Food Control Committees.
16. The powers and duties of a Food Control Committee shall be such as are from time to time assigned to them by the Food Controller and the Committee shall in the exercise of those powers and the performance of those duties comply with such directions as may be given by the Food Controller from time to time.(a)

17. A Food Control Committee shall furnish such reports, returns and information as may from time to time be required by or on behalf of the Food Controller.(b)

18. Powers and duties conferred or imposed on a Food Control Committee by the Food Controller shall, unless otherwise expressed, be exercisable and shall operate within and in relation to the area for which such Committee acts.

19.—(i) Any direction or decision of a Food Control Committee given under any power conferred by the Food Controller may be proved;

(a) by the production of a newspaper purporting to contain a copy of the direction or decision as an advertisement, or,

(b) by the production of a copy of the direction or decision purporting to be certified as a true copy by the Chairman of the Committee or by some person authorised by the Committee in that behalf.

(ii) A direction, or decision, so proved shall be taken to have been duly given, unless and until the contrary is proved.

(a) Powers and Duties of Food Control Committees.—The chief duties assigned to Food Control Committees in Great Britain by Orders of the Food Controller up to to-day (Oct. 21st, 1917), relate to the following matters:—

The fixing of Maximum Prices for:—

bread and flour (retail-increase of normal maxima) (Flour and Bread (Prices) O., p. 55);

butter (retail) (Butter (Maximum Prices) O., p. 127);

meat (retail) (Meat (Maximum Prices) O., p. 118);

milk (wholesale, except by or on behalf of producers and retail) (Milk O., p. 131);

potatoes (retail) (Potatoes O., p. 143).

The granting of Certificates of Registration in Great Britain only as dealers in:—

potatoes (wholesale and retail) (Potatoes O., p. 143);

sugar (retail) (Sugar O., p. 172).

The administration of the sugar Distribution Scheme (Sugar O., p. 172).

(b) Disclosure of Information.—The Food Control Committee will receive in the course of their work much confidential information from traders in their district, and it is of the greatest importance that information of this kind should not be disclosed improperly. It will be an offence for any person employed by the Food Controller, and for any member of, or person employed by a Food Control Committee, without lawful authority, to communicate to any person any information acquired by him from any application, return, sugar card, voucher, certificate, or other similar document. This instruction should be brought specially to the attention of every member of the Committee, and be noted by every officer or other person employed by the Committee.—(M.G. 6. Ministry of Food, August, 1917.)
20. A Food Control Committee shall expend only such monies as are authorised generally or specially by the Food Controller and such further monies as may be authorised by the appointing Authority or Authorities, and the expenses of the Food Control Committee shall be payable in the first instance by the appointing Authority or Authorities, and so far as not repaid by the Food Controller shall be borne by such Authority or Authorities.

21. A Committee appointed after the 27th July, 1917, by a Local Authority or Authorities as a Food Control Committee, shall, if the Committee conform as to membership with the provisions of this Order, be deemed to have been appointed pursuant to this Order.

22. In the application of this Order to England and Wales the expression "Local Authority" shall mean the Common Council of the City of London and the Councils of Metropolitan and Municipal Boroughs and of urban and rural districts and the Council of the Isles of Scilly.

23. In the application of this Order to Scotland, the expression "Local Authority" shall mean:

(i) in each County a Joint Committee of the County Council and the Town Councils of the Royal, Parliamentary and Police Burghs within the County with a population, according to the 1911 Census, not exceeding 5,000, provided that the Town Council of any other Royal, Parliamentary or Police Burgh may, if it so decides, agree to join the Joint Committee;

(ii) in all other Royal, Parliamentary or Police Burghs, the Town Council.

24. (a) This Order may be cited as the Food Control Committees (Constitution) Order, 1917.

(b) This Order shall not apply to Ireland.

By Order of the Food Controller.

U. F. Wintour,
Secretary to the Ministry of Food.

22nd August, 1917.

(a) Local Authorities in England and Wales and their Districts.—See footnote (c) p. 188 to Local Authorities (Food Control) Order (No. 1), 1917.

(b) Local Authorities in Scotland and their Districts.—A statement showing what parishes are within the district of each local authority forms the Parl. Paper 1915 [7992]. Since the date of that Return, Findochty has been “declared to be a burgh.”

(c) Food Control Committee for Ireland.—See Notice by the Ministry of Food, p. 208.
Functions of English Local Authorities as to Food Control Committees.

The Local Authorities (Food Control) Order (No. 2), 1917, dated August 22, 1917, made by the Local Government Board under Regulation 2j (1) of the Defence of the Realm Regulations.

1917. No. 887.

To the Mayor, Aldermen, and Commons of the City of London, in Common Council assembled;—
To the Councils of the several Metropolitan Boroughs, Municipal Boroughs, and other Urban Districts in England and Wales;—
To the Councils of the several Rural Districts in England and Wales;—
To the Council of the Isles of Scilly;—
And to all others whom it may concern.

Whereas by Regulation numbered 2j of the Defence of the Realm Regulations(a) it is among other things provided that We, the Local Government Board,(b) may, by arrangement with the Food Controller, confer and impose on any local authorities and their officers any powers and duties in connection with the enforcement of certain of the Defence of the Realm Regulations, and any powers and duties necessary to provide for the due discharge of any functions assigned to local authorities by any Order made by the Food Controller under the said Regulations;

And whereas the Food Controller has, in pursuance of the said Regulations, made the Food Control Committees (Constitution) Order, 1917(c):

Now therefore, in pursuance of Our powers in that behalf, and by arrangement with the Food Controller, We hereby Order as follows:—

Article I.—In these Regulations, unless the contrary intention appears:—

(a) The expression "Local Authority" means, as the case may be, the Mayor, Aldermen, and Commons of the City of London in Common Council assembled, the Council of a Metropolitan Borough, the Council of a Municipal Borough or other Urban District, the Council of a Rural District, or the Council of the Isles of Scilly(d);

(a) Defence of the Realm Regulations.—Reg. 2j is printed in Part I of this Manual, p. 11.
(b) Local Government Board.—This Board was established by the Local Government Board Act, 1871 (34 & 35 Vict. c. 70). As to the construction and proof of Orders of the Board, see Appendix X to this Manual.
(c) Food Control Committees (Constitution) Order, 1917.—That Order is printed p. 199.
(d) Local Authority.—The definition contained in Art. I is identical with that in all the other Orders relating to England and Wales and comprised in this Part of this Manual. See footnote (c), p. 188, which gives details as to the Authorities and their Districts.
(b) The expression "District" means the District subject to
the jurisdiction of the Local Authority for the pur-
oposes of the Public Health (London) Act, 1891, or
of the Public Health Act, 1875, as the case may be.
(c) The expression "Food Control Committee" means a
Food Control Committee appointed pursuant to the
Food Control Committees (Constitution) Order, 1917.(a)

ARTICLE II.—We hereby confer and impose upon the Local
Authority and upon such of their officers as they may designate
or appoint for the purpose the powers and duties necessary to
provide for the due discharge within their District, in conformity
with the Defence of the Realm Regulations, of the functions
assigned to Local Authorities by the Food Control Committees
(Constitution) Order, 1917.(a)

ARTICLE III.—A Local Authority may lend without charge to
any Food Control Committee wholly or partly appointed by them,
for the purposes of the powers and duties of the Committee,
and for such period as the Local Authority may from time to time
determine, any premises which the Local Authority may have
available, and the services of any of the officers and servants of
the Local Authority.

ARTICLE IV.—(1) Any expenses incurred by a Local Authority
in the execution of this Order shall be defrayed in like manner
as if the expenses had been incurred in the execution of the
Public Health Act, 1875, or the Public Health (London) Act,
1891, as the case may be.(b)

(2) Where two or more Local Authorities have concurred in
the appointment of a Food Control Committee, any expenses
incurred by those Local Authorities under this Order shall be
defrayed in such proportions as may be agreed upon, or in
default of agreement as may be determined by the Local Govern-
ment Board.

ARTICLE V.—This Order may be cited as "The Local
Authorities (Food Control) Order (No. 2), 1917."

Given under the Seal of Office of the Local Government
Board, this Twenty-second day of August, in the year One
thousand nine hundred and seventeen.

(l.s.)

W. Hayes Fisher,
President.

H. C. Monro,
Secretary.

(a) Food Control Committees (Constitution) Order, 1917.—That
Order is printed p. 199.

(b) Expenses in Execution of Order.—For enactments referred to see
official "Index to Statutes in Force" (1916 Edit.), sub voc. "District Council,
England" 3 (Financial Provisions); "London County" 2 (f) (3).
Functions of Scottish Local Authorities as to Food Control Committees.

B.—In Scotland.


[This Order which constitutes Food Control Committees for the district of every Local Authority throughout Scotland is printed at p. 199.]

The Local Authorities (Food Control) (Scotland) (No. 2) Order, 1917, made by the Secretary for Scotland on the 22nd August, 1917, under Regulation 21 of the Defence of the Realm Regulations.

1917, No. 864
S. 73

In pursuance of the powers conferred on me by Regulation 21 of the Defence of the Realm Regulations and by arrangement with the Food Controller, I hereby order as follows:—

(1) In this Order:—

(a) the expression "Local Authority" shall mean:—
   (i) in each County a Joint Committee of the County Council and the Town Councils of the Royal, Parliamentary and Police Burghs within the County with a population, according to the 1911 Census, not exceeding 5,000, provided that the Town Council of any other Royal, Parliamentary or Police Burgh may, if it so decides, agree to join the Joint Committee;
   (ii) in all other Royal, Parliamentary or Police Burghs the Town Council.

(b) the expression "Food Control Committee" shall mean a Food Control Committee appointed pursuant to the Food Control Committees (Constitution) Order, 1917.

(2) I hereby confer and impose upon the Local Authority and upon such of their officers as they may designate or appoint for the purpose the powers and duties necessary to provide for the due discharge within their district, in conformity with the Defence of the Realm Regulations, of the functions assigned to Local Authorities by the Food Control Committee (Constitution) Order, 1917.

(a) Local Authorities in Scotland.—The definition is identical with that in Art. 23 of the Food Control Committees (Constitution) Order, 1917 (p. 203), which see, and footnote (b) thereto.

(b) Food Control Committees (Constitution) Order, 1917.—That Order is printed p. 199.
Functions of Scottish Local Authorities as to Food Control Committees.

(3) (i) Any expenses incurred by a Local Authority in the execution of this Order shall be defrayed out of the public health general assessment, provided that such expenses shall not be reckoned in any calculation as to the statutory limit of that assessment, and where the local authority is a Joint Committee Sub-sections (8) and (10) of Section 76 of the Local Government (Scotland) Act, 1889, shall apply as if the Joint Committee were appointed under that Section, provided that the rate therein referred to shall mean the public health general assessment. (a)

(ii) Where two or more Local Authorities have combined in the appointment of a Food Control Committee any expenses incurred by those Local Authorities under this Order shall be defrayed in such proportions as may be agreed.

(4) A County or Town Council, District Committee, Parish Council, School Board, or other local body may make available, without charge, to a Food Control Committee, for the purposes of the powers and duties of the Committee any of their premises and the services of any of their officers.

This Order may be cited as the Local Authorities (Food Control) (Scotland) (No. 2) Order, 1917.

(L.S.)

Robert Munro,  
His Majesty's Secretary for Scotland.

Scottish Office, Whitehall.  
22nd August, 1917.

(a) Section 76 (8) (10) of Local Government (S.) Act, 1889 (52 & 53 Vict. c. 50).—These subsections which provide for the costs of a joint committee are as follows:—

"76 (8). The costs of a joint committee shall be defrayed by the councils by whom any of its members were appointed in the proportion agreed to by them. The proportion of the costs falling to be defrayed by any county council or town council shall be paid out of the county fund or burgh fund, as the case may be, and shall be provided for by a rate to be imposed and levied as nearly as may be in the same manner and subject to the same provisions as if the costs had been incurred by the county council or by a district committee, or by the town council, as the case may be.

(10). For the purposes of this section town council shall include police commissioners of a burgh or police burgh."

Section 8 of the Town Councils (Scotland) Act, 1900 (63 & 64 Vict. c. 49), transferred the powers of police commissioners to the town councils of burghs, including police burghs.
C.—In Ireland.

NOTICE APPEARING IN THE PRESS OF SEPTEMBER 1ST, 1917, AS TO
FOOD CONTROL COMMITTEE FOR IRELAND. (a)

The Food Controller on the recommendation of the Chief Secretary to the Lord Lieutenant for Ireland, has appointed the following to be a Committee under the name of Food Control Committee for Ireland for the purposes set out below:

The Rt. Hon. F. S. Wrench (Chairman).
Mr. Robert A. Anderson.
Mr. Harold A. Barbour.
Mr. W. T. Green.
Mr. E. Bourke.
Mr. J. R. Campbell.
Mr. Dominick J. Daly.
Mr. Thos. Farren.
Mr. Patrick Lynch.
Mr. Matthew J. Minch.
Mr. Robert Waugh.

The duties of the Committee will be:

A.—To advise the Food Controller
   (i) as to maintenance of the food supply and its distribution in Ireland.
   (ii) as to any modifications that may be necessary in Orders made or proposed to be made by him under the Defence of the Realm Regulations in view of any special requirements of Ireland.
   (iii) as to the steps to be taken for the administration and enforcement of the Food Controller’s Orders in Ireland.
   (iv) and generally as to any question referred to them by the Food Controller.

B.—To take steps, subject to the direction of the Food Controller, for giving effect in Ireland to Orders issued by the Food Controller.

It is in contemplation to set up Local Committees in the County Boroughs of Dublin, Belfast, Cork, Derry, Limerick and Waterford. (b)

Ministry of Food,
Grosvenor House, W.1.
1st September, 1917.

(a) POWERS OF FOOD CONTROL COMMITTEE FOR IRELAND.—This Committee has (unlike the English and Scottish Committees) the power of fixing the Maximum Prices of higher class Teas (Tea (Provisional Prices) O., Art. 3, p. 184).

The powers of English and Scottish Committees of increasing the maximum retail prices for bread and flour are in Ireland exercisable by such magistrates or other persons as the Chief Secretary nominates (Flour and Bread (Prices) O., Art. 6 (f), p. 57).

(b) IRISH COUNTY BOROUGHS.—The 6 boroughs named are the only county boroughs in Ireland.
[Attention is directed to the Introductory Note at p. iii which states the scope and arrangement of this Manual.]

PART IV.

THE CORN PRODUCTION ACT, 1917, AND REGULATIONS AND MEMORANDA THEREUNDER.

INTRODUCTORY NOTE TO PART IV.

Operation and Duration of Act.—Subject to an exception, the Corn Production Act, 1917, came into force throughout the United Kingdom on August 21st, 1917, and expires December 31st, 1922, unless meanwhile continued by Parliament.

That exception is that Part IV. (Power to Enforce proper Cultivation) of the Act does not come into force in England, Wales, or Scotland until August 21st, 1918, or the termination of the present War whichever is the earlier.

Object of Act.—The Act is directed to securing a larger area of cultivation and an increase in home food production.

The three first Parts of the Act which are in force throughout the United Kingdom enact a State guarantee to farmers of a minimum price for the two principal grain crops, wheat and oats, prohibit the raising of rents in consequence of such guarantee, and concurrently set up machinery for securing a minimum wage for agricultural labourers.

Enforcement of Cultivation Powers.—Part IV. of the Act, which is at present in force in Ireland only, gives powers of enforcing the increased cultivation of land which are in Ireland exercisable concurrently with the powers under the Defence of the Realm Regulations directed to the same object which are comprised in Part VII. of this Manual.

When at the future period above specified Part IV. of the Act comes into operation in England, Wales and Scotland those powers under the Defence of the Realm Regulations comprised in Parts V. and VI. of this Manual which relate to matters dealt with in Part IV. of the Act will cease to operate.

ALEXANDER PULLING.
Minimum Price of Wheat and Oats in United Kingdom.

[Part I. of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).]

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4. Wages for Agricultural Workers in Ireland, p. 247.
5. Minimum and Maximum Prices for Grain in Ireland, p. 250.

1. Corn Production Act, 1917 (7 & 8 Geo. 5. c. 46).

An Act for encouraging the production of Corn, and for purposes connected therewith (including provision as to Agricultural Wages and Rents).

[21st August, 1917.]

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:

PART I.

MINIMUM PRICE OF WHEAT AND OATS. (a) (b)

1. If the average price for the wheat or oats of any year for which a minimum price is fixed under this Act, as ascertained for the purpose of this Part of this Act, is less than the minimum price as fixed by this Act, the occupier of any land on which wheat or oats have been produced in that year shall be entitled to be paid by the Board of Agriculture and Fisheries (c) in respect of each acre on which he proves to the satisfaction of the Board that wheat or oats have been so produced, a sum equal in the case of wheat to four times, and in the case of oats to five times, the difference between the average price and the minimum price per quarter:

Provided that—

(a) if it appears to the Board in respect of any land on which wheat or oats have been produced that the wheat or oats were intermixed with any other crop, the amount payable in respect of that land shall be adjusted accordingly in such manner as the Board think proper; or

(a) Minimum and Maximum Prices for Grain.—See Memorandum of the Department of Agriculture and Technical Instruction for Ireland, printed as 5 (p. 250) of this Part of this Manual.

(b) Application of Part I of Act to Scotland and Ireland.—This Part of the Act applies in Scotland subject to the modifications of s. 18 (1) (a) (e), and in Ireland subject to the modifications of s. 18 (2) (a) (c) (g).

(c) Board of Agriculture and Fisheries.—As to the constitution of this Board see Editorial Note at the commencement of Part V ("Powers and Orders of the Board of Agriculture and Fisheries") of this Manual.
Minimum Price of Wheat and Oats in United Kingdom.
[Part I. of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).]

(b) if it appears to the Board that any such land has been negligently cultivated, the Board may either withhold altogether the payments to which the occupier would otherwise have been entitled or may diminish the amount of those payments to such extent as the Board think proper to meet the circumstances of the case.

2.—(1) The following minimum prices shall be fixed for the wheat and oats of the following years:

<table>
<thead>
<tr>
<th>Crop for Year</th>
<th>Wheat Price, per quarter.</th>
<th>Oats Price, per quarter.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1917</td>
<td>60s.</td>
<td>38s. 6d.</td>
</tr>
<tr>
<td>1918</td>
<td>55s.</td>
<td>32s.</td>
</tr>
<tr>
<td>1919</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1920</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1921</td>
<td>45s.</td>
<td>24s.</td>
</tr>
<tr>
<td>1922</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(2) The average price for the wheat or oats of any year shall for the purposes of this Part of this Act be taken to be the average price for the seven months beginning on the first day of September in that year ascertained by adding together the weekly averages of the weeks included in those seven months, and dividing the total by the number of weeks.

For the purposes of this provision, the weekly averages for any week shall be taken to be the average price per quarter for that week of wheat or oats, as the case may be, ascertained in accordance with the Corn Returns Act, 1882.(b)

(3) The Board of Agriculture and Fisheries shall, as soon as may be after the end of March in any year, cause the average price of wheat and oats for the preceding year, as ascertained under this section, to be published in the London Gazette.(c)

3.—(1) The person who was, on the first day of September in the year in which the wheat or oats were produced, the occupier of the land on which they were produced shall be deemed to be the occupier entitled to receive any payments under this Part of this Act:

(a) "QuArter."—This is defined in imperial pounds, s. 17 (1) (c) of the Act, p. 224.
(b) Corn Returns Act, 1882 (45 & 46 Vict. c. 37).—This Act provides for weekly returns of wheat, oats and barley, from which annual and septennial averages are derived, on the latter of which the tithe rent charges are calculated. This legislation dates from the Corn Laws, on the abolition of which the machinery was retained for tithe purposes: till 1865 the returns covered rye, peas and beans, as well as corn proper (see 27 & 28 Vict. c. 87, s. 1).

By Order in Council of July 30th, 1891 (Statutory Rules and Orders Revised (1904), "Corn Returns," p. 1), all the powers and duties of the Board of Trade under that Act were transferred to the Board of Agriculture and Fisheries, and by a further Order in Council of October 11th, 1912 (St. R. & O., 1912, No. 1612), corn returns are made from 173 specified towns under the 1882 Act.

(c) Gazette.—As regards Scotland, the publication is in the Edinburgh, and as regards Ireland in the Dublin, Gazette (see s. 18 (1) (e), (2) (g) of the Act, pp. 224, 227).
Provided that when there has been any change in the occupation of the land on which the wheat or oats were produced, then—

(a) if the outgoing tenant is under any custom or otherwise entitled to harvest any wheat or oats grown on the land, the outgoing tenant shall in lieu of the incoming tenant or the landlord be entitled to receive any payments under this Part of this Act in respect of the wheat or oats; and

(b) if the outgoing tenant is under any custom or otherwise entitled to receive compensation from his landlord or the incoming tenant in respect of the wheat or oats as for an away-going crop or otherwise, the right of the landlord or incoming tenant to receive payments under this Part of this Act in respect of the wheat or oats shall be taken into account in the assessment of the compensation so payable.

(2) All claims for payments under this Part of this Act shall be made to and determined by the Board of Agriculture and Fisheries in accordance with regulations made under this Act, and the decision of the Board shall be final and conclusive for all purposes:

Provided that if at any time it is found that a payment has been obtained, or payment in excess of the amount properly payable has been obtained, by means of any false statement or false representation, the person to whom the payment was made shall, without prejudice to any criminal liability in respect of any false statement or false representation, be liable to pay the Board the amount of such payment or excess, and any such amount may, without prejudice to the recovery thereof as a debt due to the Crown, be recovered by the Board summarily as a civil debt.

(3) If for the purpose of obtaining a payment under this Part of this Act, either for himself or for any other person, any person makes any false statement or false representation, he shall be liable on summary conviction to imprisonment with or without hard labour for a term not exceeding six months, or to a fine not exceeding fifty pounds, unless he proves that he did not know and could not with reasonable diligence have ascertained that the statement or representation was false.

**PART II.**

**AGRICULTURAL WORKMEN (MINIMUM WAGE). (a)(b)**

4.—(1) Any person who employs a workman in agriculture (c) shall pay wages to the workman at a rate not less than the minimum rate as fixed under this Act and applicable to the case,

(a) Application of Part II to Scotland and Ireland.—This Part of the Act applies in Scotland subject to modifications of s. 18 (1) (a), (b), and in Ireland subject to the modifications of s. 18 (2) (a) (b).

(b) Wages for Agricultural Workers.—See the Regulations and Memoranda printed as regards England and Wales as 2 (p. 234), as regards Scotland as 3 (p. 242), and as regards Ireland as 4 (p. 247), of this Part of this Manual.

(e) "Workmen," "Agriculture," "Employ."—These expressions are defined s. 17 (a) (c) (d).
and if he fails to do so, shall be liable on summary conviction in respect of each offence to a fine not exceeding twenty pounds, and to a fine not exceeding one pound for each day on which the offence is continued after conviction therefor:

Provided that such a person shall not be liable to be so convicted if he proves that he did not know and could not with reasonable diligence have ascertained that the wages paid were less than the wages required under this Act to be paid.

(2) In any proceedings against an employer under this section the court may, whether there is a conviction or not, order the employer to pay, in addition to the fine, if any, such sum as appears to the court to be due to the workman employed on account of wages, the wages being calculated at the minimum rate; but the power to order the payment of wages under this provision shall not be in derogation of any right of the workman to recover wages by any other proceedings.

(3) Any agreement for the payment of wages in contravention of this section, or for abstaining to exercise any right of enforcing the payment of wages in accordance with this section, shall be void.

(4) The provisions of this section as to payment of wages at a minimum rate shall operate as respects able-bodied men as from the commencement of this Act (although a minimum rate of wages may not have been fixed), but only so as to enable any sum which would have been payable under this section to an able-bodied man on account of wages for time-work if a minimum rate for able-bodied men had been fixed to be recovered by the workman from his employer at any time not exceeding three months after the rate is fixed:

Provided that no sum shall be recoverable under this provision except in a case in which and to the extent to which the wages paid have not, in the opinion of the court, been equivalent to wages for an ordinary day's work at the rate of twenty-five shillings a week.

5.—(1) The Board of Agriculture and Fisheries shall, as soon as may be and after consultation with the Minister of Labour, (a) establish an Agricultural Wages Board; and such of the provisions of the Trade Boards Act, 1909, as are set out (with modifications) in the First Schedule to this Act shall be deemed to be incorporated in this Part of this Act. (b)(c)

(a) MINISTER OF LABOUR.—The Ministry of Labour was established by s. 1 of the New Ministries and Secretaries Act, 1916, and by the Ministry of Labour (Transfer of Powers) Order, 1917 (S. R. & O., 1917, No. 46), the powers and duties of the Board of Trade under inter alia the Trade Boards Act, 1909, were transferred to the new Ministry as from Jan. 10th, 1917.

(b) AGRICULTURAL WAGES COMMITTEES IN SCOTLAND.—S. 5 (1) does not apply to Scotland (see s. 18 (1) (b) and in that country there will, in lieu of a Wages Board, be District Wages Committees constituted under Sch. 2, who will save as by that Sch. provided, have the powers and duties of an Agricultural Wages Board. (See par. 5 of Sch. 2, p. 230, and Memorandum of the Board of Agriculture for Scotland, printed under 3, p. 242, as to the constitution of such Committees.)

(c) AGRICULTURAL WAGES BOARD FOR IRELAND.—For Ireland there is a separate Agricultural Wages Board. See s. 18 (2) (b) of Act and Regulations, printed under 4 below, as to the Constitution and Proceedings of that Board.
Minimum Wage of Agricultural Workmen in United Kingdom.
[Part II. of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).]

(2) The Agricultural Wages Board shall fix minimum rates of wages for workmen employed in agriculture for time-work, and may also, if and so far as they think it necessary or expedient, fix minimum rates of wages for workmen employed in agriculture for piece-work.

(3) Any such minimum rates may be fixed so as to apply universally to workmen employed in agriculture, or to any special class of workmen in agriculture, or to any special area, or to any special class in a special area, subject in each case to any exceptions which may be made by the Agricultural Wages Board for employment of any special character, and so as to vary according as the employment is for a day, week, month, or other period, or according to the number of working hours or the conditions of the employment, or so as to provide for a differential rate in the case of overtime:

Provided that if the Agricultural Wages Board are satisfied that any workman employed or desiring to be employed on time-work to which a minimum rate fixed by the Board is applicable is affected by any mental or other infirmity or physical injury which renders him incapable of earning that minimum rate, the Board may grant to the workman, subject to such conditions, if any, as they prescribe, a permit exempting the employment of the workman from the provisions of this Act requiring wages to be paid at not less than the minimum rate, and while the permit is in force an employer shall not be liable to any penalty for paying wages to the workman at a rate less than the minimum rate so long as any conditions prescribed by the Board on the grant of the permit are complied with.

(4) Before fixing any minimum rate of wages, the Agricultural Wages Board shall give notice of the rate which they propose to fix, and consider any objections to the rate which may be lodged with them within one month; and the Board shall give notice of any minimum rates fixed by them in such manner as they think fit with a view to bringing the minimum rates, so far as practicable, to the knowledge of the persons affected.

(5) The Agricultural Wages Board may, if they think it expedient, cancel or vary any minimum rate fixed by them, and shall reconsider any such minimum rate if the Board of Agriculture and Fisheries direct them to do so, whether an application is made for the purpose or not; and the provisions of this section as to notices shall apply where it is proposed to cancel or vary the minimum rate in the same manner as they apply where it is proposed to fix the minimum rate.

(6) In fixing minimum rates under this section, the Agricultural Wages Board shall, so far as practicable, secure for able-bodied men wages which, in the opinion of the Board, are adequate to promote efficiency and to enable a man in an ordinary case to maintain himself and his family in accordance with such standard of comfort as may be reasonable in relation to the nature of his occupation.
(7) In fixing minimum rates for time-work under this section, the Agricultural Wages Board shall secure for able-bodied men wages which, in their opinion, are equivalent to wages for an ordinary day's work at the rate of at least twenty-five shillings a week.

(8) Nothing in this Part of this Act shall prejudice the operation of any agreement entered into or custom existing before the passing of this Act for the payment of wages at a rate higher than the minimum rate fixed under this Part of this Act.

(9) In this Part of this Act the expression "able-bodied man" means any male workman who is not incapable, by reason of age or mental or other infirmity or physical injury, of performing the work of a normally efficient workman.

6. Any workman employed in agriculture on piece-work for which no minimum piece-rate has been fixed, or any person authorised by such a workman, may complain to the Agricultural Wages Board that the piece-rate of wages paid to the workman for that work is such a rate as would yield in the circumstances of the case to an ordinary workman a less amount of wages than the minimum time-rate applicable in the case of that workman, and the Board may on any such complaint direct that the employer shall pay to the workman such additional sum by way of wages for any piece-work done by him at that piece-rate at any time within fourteen days before the date of complaint, or at any time after the date of complaint and before the decision of the Board thereon, as in the opinion of the Board represents the difference between the amount which would have been paid if the work had been done by an ordinary workman at the minimum time-rate and the amount actually received by the workman making the complaint, and any sum so directed to be paid may be recovered by the workman from the employer summarily as a civil debt.

7. Any workman employed in agriculture, or any person authorised by a workman so employed, may complain to the Agricultural Wages Board that the wages paid to the workman by any employer are at a rate less than the minimum rate applicable in the case of that workman, and the Board shall consider the matter, and may, if they think fit, take any proceedings under this Act on behalf of the workman.

Part III.

Restriction on Raising of Agricultural Rents. (b)

8.—(1) The rent payable under any contract of tenancy made or varied after the passing of this Act in respect of an agricultural holding shall, notwithstanding any agreement to the contrary, not exceed such rent as could have been obtained if Part I. of this Act had not been in force, and any question as to

(a) Investigation of Complaints.—S. 14 provides for the appointment by the three Agricultural Departments of officers to investigate complaints and otherwise secure the proper observance of Part II of the Act.

(b) Application of Part III to Scotland and Ireland.—This Part of the Act applies in Scotland subject to the modifications of s. 18 (1) (c) (f), and in Ireland subject to the modifications of s. 18 (2) (d) (e).
Future as regards Great Britain and present as regards Ireland powers of Agricultural Departments to Enforce proper Cultivation.

[Part IV. of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46.)]

Part IV of the Act has no present operation in England or Scotland, see ss. 11 (3), 18 (2) (f) (ii).

whether the rent payable under such a contract is in excess of the rent permitted by this section or as to the amount of the excess shall be determined by a single arbitrator under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings Act, 1908:

Provided that the rent payable under a contract of tenancy shall not be deemed to be in excess of that permitted under this section unless notice in writing requiring the question to be referred to arbitration has been served on the landlord within one year from the commencement or variation of the tenancy.

(2) If on any such arbitration it is determined that the rent payable under the contract of tenancy is in excess of the amount permitted under this section, the contract shall, as from the commencement or variation of the tenancy, have effect as if the rent payable under the contract was reduced by the amount of the excess.

(3) This section shall not affect any proceedings by a landlord for enforcing payment of any rent except so far as the rent has before the commencement of such proceedings been determined in manner hereinafter provided to be in excess of the rent permitted by this section, but any rent in excess of the rent permitted by this section which is paid or recovered before the award of the arbitrator shall be recoverable by the tenant from the landlord by way of deduction from rent or otherwise.

(4) In this section expressions have the same meaning as in the Agricultural Holdings Act, 1908. (a)

PART IV.

POWER TO ENFORCE PROPER CULTIVATION. (b)

9.—(1) The Board of Agricultural and Fisheries, if in any case they are of opinion—

(a) that any land is not being cultivated according to the rules of good husbandry; or

(b) that for the purpose of increasing in the national interest the production of food the mode of cultivating any land or the use to which any land is being put should be changed;

may serve notice on the occupier of the land requiring him to cultivate the land in accordance with such directions as the

(a) APPLICATION OF PART III TO SCOTLAND AND IRELAND.—This part of the Act applies to Scotland subject to the modifications of s. 18 (1) (c) (f) (p. 224), and in Ireland subject to the modifications of s. 18 (2) (d) (e) (p. 226) which provide inter alia that questions under Part III shall in Ireland be determined by the Irish Land Commission, as to whom see footnote (b), p. 226.

(b) OPERATION OF PART IV SUSPENDED IN GREAT BRITAIN.—This Part of the Act does not come into force in England, Wales or Scotland until August 21st, 1918, or the termination of the war whichever is earlier, and pending this the powers to enforce cultivation comprised in Parts V and VI of this Manual are in operation.

Part IV of the Act, as modified by s. 18 (2) (a) (d) (f) and Sch. 3, is in force in Ireland and its powers are concurrent with those comprised in Part VII of this Manual.
Future as regards Great Britain and present as regards Ireland powers of Agricultural Departments to Enforce proper Cultivation.

[Part IV. of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).]

This Part of the Act has no present operation in England or Scotland, see ss. 11 (3), 18 (2) (f) (ii).

Board may give for securing that the cultivation shall be according to the rules of good husbandry or for securing the necessary change in the mode of cultivating or in the use of the land, as the case may be, and where compliance with any such directions, in the case of land in the occupation of a tenant, involves any breach of or non-compliance with any covenant or condition of the contract of tenancy, the Board may in the same or any subsequent notice so served direct that any such covenant or condition, so far as it interferes with compliance with such directions, shall be suspended, and may provide for securing to the landlord such payments or other benefits (if any) as the Board think just on account of any profit or benefit derived or expected to be derived by the tenant by reason of the suspension of the covenant or condition, and any such provision of the notice shall have effect as if it was contained in the contract of tenancy:

Provided that if any person on whom any notice is served under this section is aggrieved by the notice, he may within the prescribed time require the question whether the land has been cultivated according to the rules of good husbandry, or whether it is undesirable in the interest of food production that the change should apply to any portion of the land included in the notice, to be referred to arbitration in accordance with this Part of this Act, and where any question is so referred to arbitration no action shall be taken for enforcing the directions given by the Board until the determination of the reference or except in accordance with the terms of the award, and, where the person on whom any notice is served is a tenant, the landlord shall have the same right as the tenant of requiring any question to be referred to arbitration. (a)

(2) Where any notice is served on a tenant, a copy of the notice shall at the same time be served on the landlord.

(3) If, in the opinion of the Board, the occupier fails to cultivate the land in accordance with directions so given, the Board, after the prescribed notice, may, if the occupier in default is a tenant, make such order as seems to them required in the circumstances, either authorising the landlord to determine the tenancy of the holding, or determining the tenancy by virtue of the order, and, if the occupier in default is not a tenant, enter on and take possession of the land, or of the holding of which it forms part, for such time, and (either themselves or by any person authorised by them) do all such things, as appear to the Board necessary or desirable for the cultivation of the land of which possession has been taken, or for adapting such land for cultivation. (b)

(a) Arbitrations under Part IV.—See s. 11 (1) of the Act, p. 220, and footnote (b) thereto.

(b) Powers of Entry and Determination of Tenancy in Ireland.—See footnote (a), p. 218.
This Part of the Act has no present operation in England or Scotland, see ss. 11 (3), 18 (2), (f), (ii).

Any such order of the Board may contain such provisions as the Board think fit for adjusting the relations of landlord and tenant where the tenancy is determined; and any such provision of the order shall have effect as if it was contained in the contract of tenancy. (a)

(4) If, within three months after the Board have entered on any land, the person who was in occupation of the land at the time of the entry so requires, a record of the condition of the buildings, fences, gates, roads, drains, ditches, and cultivation of the land shall be made within three months after the date of the requisition by a person to be appointed, in default of agreement, by the President of the Surveyors' Institution; and in default of agreement, the cost of making such record shall be borne by the Board and the person so previously in occupation in equal portions.

(5) Where the Board have entered on any land under this provision they may, after the prescribed notice, let the land, or, with the consent of the owner, any part thereof, for any term not exceeding five years on such terms and conditions as the Board think fit, and at the best rent that, having regard to such terms and conditions, can reasonably be obtained:

Provided that—

(a) before any contract of tenancy is executed by the Board under this provision a draft thereof shall be sent to the owner of the land and a reasonable opportunity afforded him of objecting to any provision therein; and

(b) a copy of the contract of tenancy shall be sent to such owner as soon as possible after its execution.

(6) Any notice given by the Board of Agriculture and Fisheries for the purposes of this section, which directs the suspension of any covenant or condition, shall be a sufficient defence to any action or other proceeding in respect of any breach of, or non-compliance with, the covenant or condition so far as the breach or non-compliance is authorised by the notice of suspension.

(7) If, at any time after a contract of tenancy of any land has been created by the Board, the owner of the land requires the Board to withdraw, the Board shall so withdraw as soon as reasonably may be.

(a) Powers of Entry and Determination of Tenancy in Ireland.—In Ireland the powers of entry, taking possession, and cultivation may be exercised whether the occupier is or is not a tenant, and the provisions as to determination of tenancies do not apply (see s. 18 (2) (f) (i) (iii) of the Act, pp. 226, 227).
Future as regards Great Britain and present as regards Ireland
powers of Agricultural Departments to Enforce proper Cultivation.

[Part IV. of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).]

This Part of the Act has no present operation in England or Scotland,
see ss. 11 (3), 18 (2), (f), (ii).

(8) When the Board at any time withdraw from possession of any land of which they have taken possession under this section—

(a) they shall before withdrawing (except where the withdrawal is required by the owner of the land) give the prescribed notice in writing of their intention to the person then entitled to resume occupation of the land, and such notice shall be given not less than three months previously to the withdrawal by the Board, and shall expire on one of the half-yearly days customary in the district where the land is situate; and

(b) they may recover from the person then entitled to resume occupation of the land such amount as represents the value to him of all acts of cultivation or adaptation for cultivation executed by the Board; and

(c) the land shall be subject to any tenancy created by the Board in like manner as if the tenancy had been created by the person who would but for the tenancy have been entitled to resume occupation of the land.

(9) Any person who is interested in any land in respect of which any notice is served or order made under this section or of which possession is taken under this section, and who suffers any loss by reason of the exercise of the powers conferred by this section shall, if he makes a claim for the purpose before the expiration of such period, not being less than one year, after the exercise of the powers as may be prescribed by the Board, be entitled to be paid by the Board such amount or amounts by way of periodical payments or otherwise as may represent the loss.

(10) The amount recoverable or payable by the Board under subsection (8) or subsection (9) of this section shall be determined in each case in default of agreement by arbitration under this Part of this Act.

10.—(1) The Board of Agriculture and Fisheries may in any case where they are satisfied that crops, trees or pasturage are being damaged by reason of the failure of an occupier of land to destroy sufficiently the rabbits or vermin on the land in his occupation, after giving to the occupier and owner such opportunity of destroying the rabbits or vermin as in the opinion of the Board is reasonable, authorise in writing any person to enter on the land and kill and take the rabbits or vermin thereon, and the Board may recover from the occupier, summarily as a civil debt, the net cost incurred by the Board in connection with the action so taken.
Future as regards Great Britain and present as regards Ireland powers of Agricultural Departments to Enforce proper Cultivation.

[Part IV. of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).]

This Part of the Act has no present operation in England or Scotland, see ss. 11 (3), 18 (2), (f), (ii).

(2) Any person acting under the authority given by the Board under this section shall, if so required, produce his authority, and if any person obstructs any person so authorised in the exercise of his powers or duties under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

(3) The person entitled to kill rabbits or vermin on any common land shall for the purpose of this section be deemed to be the occupier of the land. (a)

11.—(1) Arbitrations under this Part of this Act shall be before a single arbitrator under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings Act, 1908: Provided that the arbitrator shall be nominated, in default of agreement, by the President of the Surveyors’ Institution. (b)

(2) The Board may, with respect to any area consisting of one or more counties or county boroughs, authorise any body of persons constituted in the prescribed manner, to exercise on behalf of the Board, subject to such appeal to the Board as may be prescribed, any of the powers of the Board under this Part of this Act, and may if they think fit prescribe the procedure and the method of authentication of any notice or other instrument issued by any such body: Provided that the regulations shall provide that the body so constituted shall in the first instance consist of or comprise the persons who immediately before this Part of this Act comes into operation were acting as members of the War Agricultural Executive Committees, if any, constituted under the Defence of the Realm Regulations for the counties and county boroughs comprised in the area. (c)

(a) Destruction of Rabbits and Vermin.—S. 10 like the rest of Part IV. of the Act has no present operation in Great Britain (see ss. 11 (3) 18 (1) (a)). The existing powers of the Board of Agriculture and Fisheries and of the Board of Agriculture for Scotland on this subject, are derived from Reg. 2 of the Defence of the Realm Regulations, which extends also to birds and hares, and together with the Orders and Memoranda issued thereunder is comprised, as regards England and Wales in Part V. 5 of this Manual, and as regards Scotland in Part VI. 6.

As regards Ireland s. 10 is in operation, and the powers of the Department of Agriculture and Technical Instruction for Ireland thereunder are concurrent with their powers under Reg. 2 of the Defence of the Realm Regulations as comprised in Part VII. 5 of this Manual.

(b) Arbitrations under Part IV.—Attention is called to the fact that this Part of the Act and consequently the Arbitration provisions have no present effect in Great Britain. When they come into effect, they will in Scotland be subject to the modifications of s. 18 (1) (c) (d). In Ireland questions under Part IV. are determined by the Irish Land Commission. See footnote (b) to (s. 18 (2) (d)) of the Act, p. 226.

(c) Agricultural Executive Committees.—As to such Committees in England and Wales see Memorandum printed under 2 (3) (“Agricultural Executive Committees”) of Part V. of this Manual and as to District Agricultural Executive Committees in Scotland see s. 18 (1) (d) of the Act (p. 224) and Memoranda printed under 2 (2) (“District Agricultural Executive Committees, &c.”) of Part VI. of this Manual.
Regulations of Agricultural Departments of United Kingdom for carrying Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46) into effect.

(3) The powers under the Defence of the Realm regulations exercisable by the Board of Agriculture and Fisheries with a view to maintaining the food supply of the country with respect to the matters dealt with in this Part of this Act shall cease to operate at the expiration of one year from the passing of this Act, or at the termination of the present war, whichever is the earlier, and thereupon this Part of this Act shall come into operation. (a)

(4) In this Part of this Act the expression "prescribed" means prescribed by regulations made by the Board.

PART V.

GENERAL.

12.—(1) The Board of Agriculture and Fisheries shall, in addition to any special power to make regulations given to them under this Act, have power to make regulations generally for the purposes of carrying this Act into effect, and in particular—

(a) for prescribing the manner in which claims for payment under Part I. of this Act are to be made, and the evidence to be required in support of any such claim; (b) and

(b) for requiring the Agricultural Wages Board to define the benefits or advantages (not being benefits or advantages prohibited by law) which may be reckoned as payment of wages in lieu of payment in cash, and the value at which they are to be so reckoned, and for enabling the Agricultural Wages Board to limit or prohibit the reckoning of benefits or advantages as payment of wages in lieu of cash, and for enabling the Agricultural Wages Board, on the application of any employer or workman, to determine any question which may arise as to the value of any such benefits or advantages, or generally as to any contract of employment so far as the application of the provisions of this Act thereto is concerned; and

(c) for requiring the Agricultural Wages Board to define for the purposes of any differential rate for overtime the employment which is to be treated as overtime employment. (c)

(a) Powers of Agricultural Departments under Defence of the Realm Regulations as to Matters within Part IV of Corn Production Act.—The powers under those Regulations as to these matters of the Board of Agriculture and Fisheries are comprised in Part V of this Manual, and those of the Board of Agriculture for Scotland (to whom s. 11 (3) applies, see s. 18 (1), (a)) in Part VI thereof.

Section 11 (3) does not apply to Ireland (see s. 18 (2), (f), (ii)) and the powers of the Department of Agriculture and Technical Instruction for Ireland under Part IV of the Act as modified by s. 18 (2), (a), (d), (f) and Sch. 3 are concurrent with their powers under the said Regulations which are comprised in Part VII of this Manual.

(b) Regulations as to Claims for Payments.—No regulations have (Oct. 21, 1917), been made by either of the three Agricultural Departments as to this matter; questions as to such payments will not arise until after March 31st, 1918 (see ss. 1, 2).

(c) Benefits or Advantages Reckoned as Cash for Wages; Overtime Employment.—No Regulations have (Oct. 21, 1917), been made by either of the three Agricultural Departments as to these matters.
Powers of Entry and Inspection; Powers of Officers. [United Kingdom.] [Sections 13, 14 of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).]

(2) Any regulation made under this Act shall be laid before each House of Parliament forthwith, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-eight days on which that House has sat after any such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.(a)

13. Any person authorised in that behalf by the Board of Agriculture and Fisheries, or by any body of persons exercising any powers of the Board on their behalf, may, for the purpose of carrying this Act into effect, on the production (if so required) of his authority, enter on and inspect any land. The occupier shall in all such cases be served with notice of the date on which the inspection is to take place.

If any person prevents or obstructs the entry, for the purpose of this Act, upon any land of any person authorised under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

14.—(1) The Board of Agriculture and Fisheries may appoint such officers as they think necessary for the purpose of investigating complaints and otherwise securing the proper observance of Part II. of this Act, and any officer so appointed shall, if the Board of Agriculture and Fisheries so determine, act under the directions of the Agricultural Wages Board.

(2) Any officer so appointed shall have power—

(a) to require the production of and to inspect and take copies of wages sheets or other records of wages paid to workmen employed in agriculture;

(b) to require the employer of any such workman to give any information which it is in his power to give with respect to the employment of the workman or the wages paid to him.

(3) If any person refuses to produce any document or give any information which any officer requires him to produce or give under this section, or produces or gives to any officer acting in the exercise of the powers given by this section, any document or information knowing the same to be false, he shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months with or without hard labour.

(a) Date of Operation and Making of Regulations.—The Regulations will operate as from making or from the date of operation therein specified until annulled by Order in Council. The terms of s. 12 (2) of the present Act bring all Regulations thereunder of the Board of Agriculture and Fisheries and of the Department of Agriculture and Technical Instruction for Ireland within s. 1 of the Rules Publication Act. 1893.
Agricultural Returns; Expenses; Definitions. [United Kingdom.]
[Sections 15, 16, 17 of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).]

15.—(1) The Board of Agriculture and Fisheries may, in order to obtain such information as is necessary for the purpose of the proper exercise by the Board of their powers under this Act, by notice served on the occupier of any agricultural land or the person having the management of any such land, require him to make, within such time and in such form and to such person as the Board may prescribe, a return in writing with respect to the cultivation of that land, the crops and live stock thereon, and the owner thereof.

(2) No individual return or part of a return made under this section shall be published or disclosed except for the purposes of a prosecution or other proceedings under this Act.

(3) If any person—
   (a) refuses or without lawful excuse neglects to make a return under this section to the best of his knowledge and belief; or
   (b) makes or causes to be made a return which is false in any particular; or
   (c) discloses or publishes contrary to the provisions of this section any individual return, or part of a return;
   he shall be liable on summary conviction to a fine not exceeding twenty pounds, or, if the court is of opinion that the offence was committed wilfully, to imprisonment, with or without hard labour, for a period not exceeding three months.

16. Any expenses incurred by the Board of Agriculture and Fisheries in meeting payments under this Act, and any expenses of that Board or of any other Department or body to whom any powers or duties are entrusted under or in pursuance of this Act, and any expenses of the Agricultural Wages Board or any district committees thereof, including any expenses incurred with the consent of the Board of Agriculture and Fisheries by any members thereof in the performance of their duties, and any sums paid with such consent to any such members by way of compensation for loss of time, in each case, up to an amount approved by the Treasury, shall be defrayed out of moneys provided by Parliament.

17.—(1) For the purposes of this Act—
   (a) the expression "agriculture" includes the use of land as grazing, meadow, or pasture land, or orchard, or osier land, or woodland, or for market gardens or nursery grounds, and the expression "agricultural" shall be construed accordingly; and
   (b) the expression "cultivation" includes use for grazing, meadow, or pasture; and the expression "cultivate" has a corresponding meaning; and
   (c) the expression "workmen" includes boys, women, and girls; and
   (d) The expression "employment" means employment under a contract of service or apprenticeship, and the expressions "employ" and "employer" shall be construed accordingly; and
(e) the expression "quarter" means, in the case of wheat, four hundred and eighty imperial pounds, and in the case of oats three hundred and twelve imperial pounds.

(2) Any notice under this Act may be served on the person to whom it is to be given either personally or by registered post.

18.—(1) This Act shall apply to Scotland with the following modifications:

(a) The Board of Agriculture for Scotland(a) shall be substituted for the Board of Agriculture and Fisheries;

(b) Subsection (1) of the section of this Act relating to the establishment of a Wages Board shall not apply to Scotland, and in lieu thereof the provisions contained in the Second Schedule of this Act shall be deemed to be incorporated in Part II. of this Act;

(c) The Agricultural Holdings (Scotland) Act, 1908, shall be substituted for the Agricultural Holdings Act, 1908:

Provided that where under this Act the Board of Agriculture for Scotland is a party to an arbitration, the sheriff principal of the sheriffdom in which the land affected is situate shall, in the Second Schedule to the first-mentioned Act, be substituted for the Board;

(d) The sheriff principal of the sheriffdom in which the land affected is situate shall be substituted for the President of the Surveyors' Institution, and an agricultural executive committee and the district thereof, shall, respectively, be substituted for a war agricultural executive committee constituted under the Defence of the Realm Regulations, and a county or county borough;

(e) The Edinburgh Gazette shall be substituted for the London Gazette;

(f) Part III. of this Act shall have effect subject to and without prejudice to the provisions of the Small Landholders (Scotland) Acts, 1886 to 1911, and in fixing the rent of a holding the Scottish Land Court shall not take into consideration the operation of Part I. or Part II. of this Act;

(g) The provisions of Part IV. of this Act with respect to the determination of tenancies shall not apply to land in the occupation of a landholder or a statutory small tenant under the Small Landholders (Scotland) Acts, 1886 to 1911, but the powers of entering on and taking possession of land and cultivating the land, or

(a) Board of Agriculture for Scotland.—As to the constitution of this Board see Editorial Note at the commencement of Part VI. ("Powers and Orders of the Board of Agriculture for Scotland") of this Manual.
adapting it for cultivation, conferred by this Act may, notwithstanding anything in Part IV. of this Act, be exercised in respect of land in such occupation(a); and

(h) Where a tenant of shootings is, or under the operation of Part IV. of this Act becomes, the only tenant of land, the owner of the land shall for the purposes of the said Part IV., if the Board of Agriculture for Scotland so by order decide, be deemed to be the occupier thereof, and the Board’s power to suspend any covenant or condition of the contract of tenancy shall in such case be deemed to include a power to determine the tenancy or any such covenant or condition and to make such provisions as the Board think fit for the adjustment of the relations of landlord and tenant.(a)

(2) This Act shall apply to Ireland with the following modifications:

(a) References to the Board of Agriculture and Fisheries shall be construed as references to the Department of Agriculture and Technical Instruction for Ireland(b);

(b) A separate Agricultural Wages Board shall be established for Ireland(c); and the separate Board so established shall be substituted for the Agricultural Wages Board; the provision as to wages at the rate of at least twenty-five shilling a week, and the provisions as to the retrospective effect of a minimum rate of wages for able-bodied men shall not apply, except that the Agricultural Wages Board for Ireland in fixing a minimum rate of wages for able-bodied men may, if they think proper, direct that the rate so fixed shall operate as from such earlier date as may be specified by them, not being a date prior to the passing of this Act, and in that event the last-mentioned provisions shall apply as respects that rate with the substitution of a reference to the date so specified for the reference to the commencement of this Act;

(a) Application of Part IV. of Act to Scotland.—The operation of Part IV. of the Act in Scotland is suspended, see footnote (b) to p. 216.

(b) Department of Agriculture and Technical Instruction for Ireland.—As to the constitution of this Department, see Editorial Note at the commencement of Part VII. ("Powers and Orders of the Department of Agriculture and Technical Instruction for Ireland ") of this Manual.

(c) Agricultural Wages Board for Ireland.—The Regulations as to the Constitution and Proceedings of this Board and of District Wages Committees (as to whom see Sch. 1 of the Act, p. 228) are printed as 4 (p. 246-250) of this Part of this Manual.
(c) Where a person other than the occupier was, on the first day of September in the year in which wheat or oats were produced, entitled under a conacre agreement (a) to the use of the land on which they were produced, that person shall be substituted for the occupier for the purpose of any payments in respect of the wheat or oats under Part I. of this Act;

(d) Questions and amounts requiring to be determined for the purposes of Part III. or Part IV. of this Act shall be determined by the Irish Land Commission on the application of any person interested instead of by arbitration, and the powers and jurisdiction exercisable by the Land Commission in relation to applications under the Land Law (Ireland) Acts may be exercised by the Land Commission in relation to any applications under this provision (b);

(e) Part III. of this Act in its application to Ireland shall have effect subject and without prejudice to the provisions of the Land Law (Ireland) Acts, and, in fixing the judicial rent of a holding after the passing of this Act, the court shall not take into consideration the operation of Part I. or Part II. of this Act as respects the holding or tenant. Proceedings by way of ejectment for non-payment of rent shall be deemed to be proceedings for enforcing payment of rent within the meaning of Part III. of this Act;

(f) Part IV. of this Act in its application to Ireland shall have effect subject to the following further modifications:

(i) the powers of entering on and taking possession of land and cultivating the land or otherwise dealing with it may be exercised whether the occupier in default is or is not a tenant;

(ii) the provisions of subsection (3) of section eleven shall not apply; and

(a) Conacre Agreement.—A conacre agreement is not a letting of the lands but a mere licence to take the crop off the lands. There are two kinds of such agreements; under one the owner permits the land to be tilled; under the other before doing so he prepares and manures the land at his own expense. The crop planted by the conacre holder cannot be removed until it is paid for. (See Booth v. MacManus, 1861, 12 I.C.L.R. 435; Dease v. O'Reilly, 1845, 81 I.L.R. 52.)

(b) Irish Land Commission.—This Commission was constituted by the Land Law (Ireland) Act, 1881 (44 & 45 Vict. c. 49), and empowered to administer the land purchase policy which was inaugurated by the Bright clauses of the Land Act of 1870 (33 & 34 Vict. c. 46).

Constitution, Proceedings, &c., of Agricultural Wages Boards for England and Ireland.

[Schedule I of Corn Production Act, 1917 (7 & 8 Geo. 5, c 46).]

(iii) the provisions with respect to the determination of tenancies shall not apply;

For the purpose of enforcing proper cultivation of land in Ireland the additional provisions set out in the Third Schedule to this Act shall have effect as if they were included in Part IV. of this Act;

(g) The "Dublin Gazette" shall be substituted for the "London Gazette."

19.—(1) This Act may be cited as the Corn Production Act, 1917.

(2) This Act shall, except as otherwise provided, come into operation at the date of the passing of this Act and shall continue in force until the end of the year nineteen hundred and twenty-two, and no longer, unless meanwhile Parliament makes provision for the continuation thereof, but the expiration of this Act shall not affect the right to any payments under Part I. of this Act in respect of wheat and oats of that year or any previous year, or any rights, privileges, obligations, or liabilities acquired, accrued, or incurred under this Act before the date of the expiration thereof, or any penalty, forfeiture, or punishment incurred in respect of any offence committed under this Act before that date, or in respect of any statement or representation made in connection with a claim under this Act, whether the statement, representation, or claim was made before or after that date.

Schedules.

First Schedule.

Sections 11, 12, 13, and 17 of the Trade Boards Act, 1909.

Constitution, Proceedings, &c., of Wages Board. (a)

11.—(1) The Board of Agriculture and Fisheries may make regulations with respect to the constitution of the Agricultural Wages Board, which shall consist of members representing employers and members representing workmen (in this Act referred to as representative members) in equal proportions and of the appointed members.

(2) Women shall be eligible as members of the Agricultural Wages Board as well as men.

(3) The representative members shall be elected or nominated by the Board of Agriculture and Fisheries or otherwise, or partly elected and partly so nominated, as may be provided by the regulations.

(a) Constitution and Proceedings of Agricultural Wages Board.—See Memorandum and Regulations of the Board of Agriculture and Fisheries, printed as 2 (pp. 234–241) of this Part of this Manual. As to the constitution and proceedings of the Wages Board for Ireland, see Regulations of the Department of Agriculture and Technical Instruction for Ireland printed as 4 (1) (pp. 246–248) of this Part of this Manual.
Constitution, Proceedings, &c., of Agricultural Wages Boards for England and Ireland.

[Schedule I. of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).]

(4) The chairman of the Agricultural Wages Board shall be such one of the members as the Board of Agriculture and Fisheries may appoint, and the secretary of the Agricultural Wages Board shall be appointed by the Board of Agriculture and Fisheries.

(5) The proceedings of the Agricultural Wages Board shall not be invalidated by any vacancy in their number, or by any defect in the appointment, election, or nomination of any member.

(6) In order to constitute a meeting of the Agricultural Wages Board, at least one third of the whole number of the representative members and at least one appointed member must be present.

(7) The Board of Agriculture and Fisheries may make regulations with respect to the proceedings and meetings of the Agricultural Wages Board, including the method of voting; but subject to the provisions of this Act and to any regulations so made the Agricultural Wages Board may regulate their proceedings in such manner as they think fit.

12.—(1) The Agricultural Wages Board may, and if so required by the Board of Agriculture and Fisheries shall, establish district wages committees(a) consisting, subject as hereinafter provided, of persons representing employers or workers engaged in agriculture and constituted in accordance with regulations made for the purpose by the Board of Agriculture and Fisheries, and acting for such area as the Agricultural Wages Board may determine.

(2) Provision shall be made by the regulations for at least one member of the Agricultural Wages Board or other person nominated by the Board of Agriculture and Fisheries acting as a member of each district wages committee, and for the equal representation of local employers and local workmen on the committee.

(3) The Agricultural Wages Board may refer to a district wages committee for their report and recommendations any matter which they think it expedient so to refer, and may also, if they think fit, delegate to a district wages committee any of their powers and duties under this Act other than their power and duty to fix minimum rates of wages, and, subject to regulations made by the Board of Agriculture and Fisheries, authorise any such district wages committee to delegate to a sub-committee thereof any of the powers so delegated to the committee.

(4) Where a district wages committee has been established for any area, it shall be the duty of the committee to recommend to the Agricultural Wages Board minimum rates of wages applicable to that area, and no such minimum rate of wages fixed under this Act, and no variation or cancellation of

(a) District Wages Committees.—As to such Committees in England and Wales, see pars 22-26 of the Memorandum of the Board of Agriculture and Fisheries printed (pp. 237, 238) as 2 (1) of this Part of this Manual; as to such Committees in Ireland, see Regulations printed (p. 249) as 4 (2) of this Part of this Manual.
such a rate, shall have effect within that area unless either the rate or the variation or cancellation thereof, as the case may be, has been recommended by the district wages committee, or an opportunity has been given to the committee to report thereon to the Agricultural Wages Board, and the Agricultural Wages Board have considered the report (if any) made by the committee.

13.—(1) The Board of Agriculture and Fisheries may appoint such number of persons (including women) as they think fit to be appointed members of the Agricultural Wages Board or to act as members of district wages committees: Provided that the number of persons so appointed shall not exceed one quarter of the total number of members of the Agricultural Wages Board or of any district wages committee.

17.—(1) Any officer appointed by the Board of Agriculture and Fisheries under this Act, and any officer of any Government Department for the time being assisting in carrying this Act into effect, shall have power in pursuance of any special or general directions of the Board of Agriculture and Fisheries to take proceedings under this Act, and the Agriculture Wages Board may also take any such proceedings in the name of any officer appointed by the Board of Agriculture and Fisheries for the time being acting under the directions of the Agricultural Wages Board in pursuance of this Act, or in the name of their secretary or any of their officers authorised by them.

(2) Any officer appointed by the Board of Agriculture and Fisheries under this Act, or any officer of any Government Department for the time being assisting in carrying this Act into effect, and the secretary of the Agricultural Wages Board, or any officer of the Agricultural Wages Board authorised for the purpose, may, although not a counsel or solicitor or law agent, prosecute or conduct before a court of summary jurisdiction any proceedings arising under this Act.

In the application of this Schedule to Ireland, references to the Board of Agriculture and Fisheries shall be construed as references to the Department of Agriculture and Technical Instruction for Ireland, and references to the Agricultural Wages Board shall be construed as references to the Agricultural Wages Board for Ireland.
Constitution, Proceedings, &c., of Agricultural Wages Committees in Scotland.

[Schedule 2 of Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).]

Second Schedule.

CONSTITUTION OF AGRICULTURAL WAGES COMMITTEES IN SCOTLAND.

1. The Board of Agriculture for Scotland (in this Schedule referred to as the Board) may from time to time divide Scotland into districts and combinations of districts, and fix such districts and combinations for the purposes of this Schedule. (a)

2. Where and so long as the Board are satisfied that in any district fixed by them a representative joint committee, comprising a chairman and representatives of employers of agricultural labour and of workmen employed in agriculture in equal numbers, exists for purposes which include the fixing of minimum rates of wages for workmen employed in agriculture, the Board may recognise and certify that committee as a district wages committee for the district.

3. Where in any district, after a date to be fixed by the Board, the Board are satisfied that no representative joint committee as aforesaid exists in the district, the Board may proceed to nominate a joint committee, constituted as aforesaid, for the district and the committee so nominated shall be certified by the Board as the district wages committee for the district: Provided that the Board may require any committee so nominated to demit office if at any time they are satisfied that a representative joint committee exists in the district in terms of the immediately preceding paragraph.

4. The Board shall, for the purpose of constituting a central agricultural wages committee for Scotland (hereinafter referred to as "the central committee"), combine districts so as to form five combination districts from each of which two representatives of district wages committees within the combination, one of whom shall represent employers and the other workmen, shall be elected by the district committees under a scheme prescribed by the Board. The Board shall appoint a chairman and a secretary for the central wages committee and may appoint two women as additional members thereof. The ten elected members, with the chairman and any additional members appointed by the Board, shall constitute the central committee.

5. Subject as hereinafter provided, a district wages committee shall, within its district, have the powers and duties conferred and imposed on the Agricultural Wages Board by or under this Act, except any of such powers and duties which the Board may by regulation reserve to and confer and impose on the central committee, and references in this Act to the Agricultural Wages Board shall be construed accordingly as references to district wages committees or the central committee, as the case may be.

6. Every decision of a district wages committee fixing a minimum rate of wages shall be reported to the central committee and to the Board, and if the central committee do not disallow

(a) Districts into which Scotland has been divided for the purpose of constituting District Wages Committees.—The Memorandum of September 22nd, 1917, of the Board of Agriculture for Scotland specifying these Districts is printed as 3 (p. 242) of this Part of this Manual.
the same within a period to be prescribed by the Board, the minimum rate so fixed shall be deemed to be the minimum rate fixed under this Act.

7. Where a district wages committee fail within a period to be prescribed by the Board to fix minimum rates of wages for time work within the district, the Board shall refer the question of fixing such rates to the central committee, and thereupon the powers and duties of the district wages committee to fix such rates shall, so far as required for the purposes of the reference, be transferred to the central committee, and any rate fixed under such a reference by the central committee after consultation with the district wages committee shall be deemed to be the minimum rate fixed under this Act.

8. Any other question within their jurisdiction under this Act on which a district wages committee fail to agree shall, if the representatives of the employers or the representatives of the workmen on the committee so request in writing, be referred to the central committee by the district wages committee for decision, and any decision by the central committee on such a reference shall be reported to the Board and shall have the like effect and validity as if it were the decision of the district wages committee.

9. The Board may by regulation prescribe the tenure of office and procedure of a district wages committee, so far as certified for the purposes of this Act, and of the central committee and its chairman and officers, and make other necessary provision for the efficient conduct of their business including provision as to sub-committees and the authentication of any notice, finding, or other instrument issued by them respectively.

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Third Schedule.

Additional provisions for the Enforcement of Proper Cultivation of Land in Ireland.(a)

1. It shall be the duty of every occupier of arable land to cultivate and maintain in cultivation a portion of the arable land held by him (in this Schedule referred to as the "holding"), not less in extent than the minimum tillage portion as prescribed by an order of the Department of Agriculture and Technical Instruction for Ireland made under this Schedule and applying to the holding for the time being: Provided that no occupier shall be required by virtue of any such order to cultivate more than one-half of the area of his holding.

(a) Compulsory Tillage.—As to enforcement in 1917 of the cultivation to which this Schedule is directed, see Reg. 2r of the Defence of the Realm Regulations and Declaration and Memoranda thereunder printed as 4 of Part VII of this Manual.
2. The Department of Agriculture and Technical Instruction for Ireland (in this Schedule referred to as the "Department") may make orders for the purpose of prescribing the minimum tillage portion of holdings, and may make any such order so as to apply to all holdings throughout Ireland, or to all holdings in any area specified in the order, or to any class or classes of holdings specified in the order whether throughout Ireland or in any area so specified, subject in each case to any exceptions which may be made by or under the order, or so as to apply to any particular holding or holdings.(a)

3. If in any year the occupier of a holding fails to cultivate the minimum tillage portion of the holding, the Department, after affording him an opportunity of being heard in such manner as may be prescribed by regulations under this Act, shall ascertain how much of the minimum tillage portion he has failed without reasonable cause to cultivate, and subject to the provisions of the next following article of this Schedule shall specify in a certificate under their seal the acreage thereof and the amount which, in their opinion, ought to be paid by way of penalty in respect of such failure as aforesaid, not exceeding five pounds for each acre of the acreage specified in the certificate and not exceeding a proportionate amount for any fraction of an acre so specified.

Upon the making of the certificate the occupier shall become liable to pay to the Department on demand the amount specified therein as aforesaid, and the certificate shall be conclusive evidence of such liability.

Where there has been a change of occupiers during the year, the amount shall be payable by the person who was occupier at the end of the year.

4. The Department before making any such certificate shall send a draft thereof to the occupier, and if the occupier within the prescribed time and in the prescribed manner serves a notice of objection to the draft certificate, any questions raised by the notice as to the making of the certificate or as to the particulars specified in the draft, shall be referred to a tribunal designated or constituted by or in accordance with regulations under this Act, and provision shall be made by those regulations for the hearing and determination by the tribunal of the questions so referred to them with power to postpone or stay the making of a certificate or to vary the draft certificate in such manner as seems proper, and generally for regulating the procedure on any such powers may be exercised concurrently.

The certificate shall not be made whilst any objection to the draft certificate is pending before the tribunal, and effect shall be given by the Department to any rulings of the tribunal, and, where the draft certificate is varied by the tribunal, the certificate if made by the Department shall be made in accordance with the draft as so varied and not otherwise.

(a) Orders as to "Minimum Tillage Portions" of Holding.—No General Order applying throughout Ireland has (Oct. 21, 1917) been made by the Department under this power.
5. Any sum payable to the Department under this Schedule shall, irrespective of the amount, be recoverable by the Department by ordinary civil bill before the county court judge of any county in which the holding or any part thereof is situated, and the decision of the county court judge shall be final. Any such sum, when received or recovered by the Department, shall be applied by them for the purposes of agriculture and other rural industries within or in connection with the county or counties in which the holding is situated.

6. The powers of the Department under this Schedule shall be in addition to and not in substitution for their other powers for the enforcement of proper cultivation under this Act and all such powers may be exercised concurrently.

7. No penalty by way of increase of rent or otherwise shall be incurred by any tenant under any contract of tenancy in respect of any acts of cultivation which may be necessary in order to comply with the requirements of this Schedule.

8. For the purpose of this Schedule, except where the context otherwise requires,

To face page 232.

See now (Jan. 31, 1918) the Tillage (Ireland) General Order, 1918, and the Tillage (Ireland) Racecourses and Golf Links Order, 1918, printed in the ADDENDA, pp. 612-615.

(c) the expression “arable” means capable of being tilled.
2. Wages for Agricultural Workers in England and Wales.

(1) Memorandum, dated September, 1917, of the Board of Agriculture and Fisheries explaining the principal provisions of the Corn Production Act, 1917, as regards Agricultural Wages in England and Wales.

[The Notes and references to this Manual do not form part of the Memorandum (A.W. 2) as issued by the Board but have been added by the Editor.]

This Memorandum is intended for the information of persons engaged in Agriculture who are affected by the provisions of the Corn Production Act relating to minimum rates of wages. It gives a general idea of the main provisions of the Act in this respect, but it must not be regarded as a full and authoritative interpretation of the measure. The Act itself should be consulted in the case of any dispute or uncertainty.

The main provisions of the Act relating to minimum rates of wages in England and Wales are set out in Part II. (Sections 4, 5, 6 and 7) (pp. 212-215), and the First Schedule (pp. 227-229) to the Act. Certain definitions and additional provisions are contained in Part V. (Sections 12, 14, 16 and 17) (pp. 221, 222, 223). Special provisions as to minimum rates of wages in Scotland and Ireland are contained in Section 18 (pp. 224-227) and in the Second Schedule (pp. 230, 231) to the Act.

Agricultural Wages Board.

1. The Act provides for the establishment by the Board of Agriculture and Fisheries, after consultation with the Minister of Labour, of an Agricultural Wages Board for England and Wales. The main object for which the Wages Board is established is the fixing of minimum rates of wages for "workmen" employed in Agriculture, that is to say, rates of wages which, in the opinion of the Wages Board, are the lowest which ought to be paid to "workmen" in the district for which the rates are fixed. The term "workmen" includes boys, women and girls, and employment in Agriculture includes work not only on farms, but also on osier land, woodland, orchards, market gardens and nursery grounds. [Section 17 (1) (a) (c) p. 223.]

2. The minimum rates when fixed will be legally payable as explained below.

Constitution of the Wages Board.

3. The Wages Board will consist of three classes of persons: (a) "appointed members," that is to say, persons directly appointed by the Board of Agriculture and Fisheries who are not necessarily engaged in Agriculture but are expected to form an impartial judgment as between employers' and workers' interests; (b) members representing employers; and (c) members representing workers.
4. Women are eligible as members of the Wages Board as well as men.

5. The numbers of appointed and of representative members of the Wages Board will be fixed by Regulations made by the Board of Agriculture and Fisheries, and those Regulations will also settle the methods of choosing members to represent employers and members to represent workers respectively. The Chairman and Secretary of the Wages Board will be appointed by the Board of Agriculture and Fisheries.

6. The members representing employers and the members representing workers must be equal in number. The appointed members must not be greater in number than one quarter of the total number of members of the Wages Board.

\[ \text{Minimum Rates of Wages.} \]

7. It will be the duty of the Wages Board to fix \textit{minimum rates of wages for time-work} for all classes of workers, and they may, if they think it necessary or expedient, also fix \textit{minimum rates of wages for piece-work}. If

\[ \text{of at least 25s. a week. This provision does not apply in the case of boys, women and girls. In computing the wages, the value of such customary allowances as are not prohibited by law may be included in so far as the Wages Board may authorise and on a basis of value to be fixed by the Wages Board. Deductions from cash wages in respect of an allowance of intoxicating drink are illegal under the Truck Acts.} \]

8. In fixing minimum rates, whether for time-work or for piece-work, the Wages Board are required by the Act to secure, so far as practicable, for able-bodied men such wages as are in the opinion of the Wages Board adequate to promote efficiency and to enable a man in an ordinary case to maintain himself and his family in accordance with such standard of comfort as may be reasonable in relation to the nature of his occupation.

9. Any minimum rates fixed under the Act will be without prejudice to the payment, under any agreement entered into or custom existing before the passing of the Act, of rates higher than the minimum rates.

10. The term "able-bodied man" means any male workman who is not incapable by reason of age, or mental or other infirmity, or physical injury, of performing the work of a normally efficient workman.

\[ (a) \text{ Truck Acts.—These are the Truck Acts, 1831 (1 & 2 Will. 4, c. 37), 1887 (50 & 51 Vict. c. 46) and 1896 (59 & 60 Vict. c. 44).} \]
Procedure in Fixing Minimum Rates.

11. Before fixing any minimum rate of wages the Wages Board must give notice of the rate which they propose to fix, and must consider any objections which may be lodged with them within one month; and when a rate has been fixed, notice of such rate must be given by the Wages Board for the information of the employers and workers affected.

12. The Wages Board may, if they think it expedient, after due notice, cancel or vary any minimum rate fixed by them, and must reconsider any rate if directed to do so by the Board of Agriculture and Fisheries.

Enforcement of Minimum Rates of Wages.

13. When a minimum rate of wages has been fixed, any agreement for the payment or acceptance of wages at less than the minimum rate is void, and payment of wages at less than the minimum rate renders the employer liable to a fine of not more than £20, and to a fine not exceeding £1 for each day on which the offence is continued after conviction therefor, unless he proves that he did not know and could not with reasonable diligence have ascertained that the wages paid were at a rate less than the minimum rate.

14. In cases, however, where the Wages Board are satisfied that a worker on time-work is affected by any mental or other infirmity or physical injury which renders him incapable of earning the minimum time-rate applicable, they may grant the worker a Permit of Exemption; and so long as any conditions prescribed by the Wages Board on the grant of the Permit are complied with, the employer is not liable to penalty for paying the worker wages at less than the minimum rate. [Section 5, (3), p. 214.]

15. Where legal proceedings are taken against an employer for the payment of a worker at less than the minimum rate, the Court may, whether they convict the employer or not, require him to pay to the worker any arrears of wages which may appear to the Court to be due to the worker by reason of his having been paid at less than the minimum rate.

16. Any worker may complain, or may authorise another person to complain, to the Wages Board that he is being paid wages at less than the minimum rate fixed by the Wages Board, and the Wages Board may, if they think fit, take proceedings on behalf of the worker, either for the recovery of the arrears of wages due to the worker or by way of prosecution of the employer.

17. Moreover, a worker may take proceedings on his own behalf for the recovery as a civil debt of any arrears of wages which may be due to him in respect of his payment at less than the minimum rate.
18. Where a worker is employed on piece-work and a minimum time-rate, but no minimum piece-rate, has been fixed by the Wages Board for the work on which he is employed, the worker may complain, or may authorise another person on his behalf to complain, to the Wages Board that the piece-rate paid to him is so low that the earnings of an ordinary workman paid at such rate would be less than he would have earned for the same work at the minimum time-rate applicable to the case, and the Wages Board in that case may direct the employer to pay the difference. The worker may recover from the employer summarily as a civil debt any sum which the Wages Board so direct to be paid.

19. Officers may be appointed by the Board of Agriculture and Fisheries for the purpose of investigating complaints and otherwise securing the proper observance of the provisions of the Act relating to minimum rates of wages.

20. These Officers have power to require the production of wages sheets and other relevant information.

21. Persons who refuse to produce documents or give information which the Officers have power to require, or knowingly furnish the Officers with false wages sheets or other false information, are liable, on conviction, to a fine not exceeding £20, or to imprisonment for not more than three months with or without hard labour. The Officers have power, in pursuance of directions of the Board of Agriculture and Fisheries, to take legal proceedings for the enforcement of the Act.

District Wages Committees.

22. The Wages Board may, and if required by the Board of Agriculture and Fisheries must, establish District Wages Committees to act for such areas as the Wages Board may determine. Any District Wages Committees established will consist of representatives of employers and of workers and also of such persons as the Board of Agriculture and Fisheries may appoint. Their composition is settled by Regulations made by the Board of Agriculture and Fisheries. There will be equal representation, on a District Committee, of local employers and local workers, and at least one member of the Wages Board or other person nominated by the Board of Agriculture and Fisheries will act on each District Committee.

23. It is the duty of District Wages Committees to recommend to the Wages Board minimum rates of wages applicable to their districts. Minimum rates of wages can only be fixed, varied or cancelled by the Wages Board itself, but no minimum rate fixed to apply to an area for which a District Wages Committee has been established, and no variation or cancellation of such rate, can have effect in that area unless the District Wages Committee has either recommended the rate or its variation or cancellation, or has had an opportunity of reporting thereon to the Wages Board.
24. The Wages Board may refer any matter to a District Committee for report and recommendation, and may also delegate to a District Committee any of their powers and duties (other than their power and duty to fix minimum rates of wages). They may also authorise a District Wages Committee to delegate any such powers to a sub-committee. Among the powers which may be so delegated is that of issuing Permits of Exemption to non-able-bodied workmen.

Expenses and Remuneration of Members.

25. Expenses incurred with the consent of the Board of Agriculture and Fisheries by members of the Wages Board or a District Committee and sums paid with such consent to members by way of compensation for loss of time, will be paid out of public funds.

Provisions of the Act now in Force.

26. Some time must necessarily elapse before the Wages Board and District Committees are set up and the above provisions come into operation. In the meantime an able-bodied man employed on time-work (but no other class of worker to whom Part II. of the Act applies) who since the commencement of the Act, viz., the 21st August, 1917, has received payment of wages (including allowances) at a rate which, in the opinion of the Court, is less than the equivalent for an ordinary day's work of 25s. a week, will be entitled to recover the difference from his employer as a civil debt, at any time within three months after the minimum is fixed. The value of allowances in such cases will, in case of dispute, be determined by the Court.

It is advisable, therefore, that employers should at once arrange to pay all able-bodied men employed in Agriculture on time-work, wages for an ordinary day's work equivalent to at least 25s. per week, and should provisionally agree with such workers as to the customary or reasonable value of any allowances which are reckoned as part payment of wages. It is illegal under the Truck Acts(a) to reckon beer or cider or other intoxicants as allowances in part payment of wages.

Board of Agriculture and Fisheries,
September, 1917.

(a) Truck Acts.—See footnote (a) to par. 7 of this Memorandum (p. 235).
Constitution, &c., of Agricultural Wages Board (England and Wales).

(2) Provisional Regulations dated September 28, 1917, made by the Board of Agriculture and Fisheries with respect to the Constitution and Proceedings of the Agricultural Wages Board (England and Wales).

In pursuance of the provisions of Part II. of the Corn Production Act, 1917, and of Section 2 of the Rules Publication Act, 1893, the Board of Agriculture and Fisheries hereby certify that on account of urgency the following Regulations with respect to the constitution and proceedings of the Agricultural Wages Board (England and Wales) should come into immediate operation, and accordingly make the following Regulations to come into operation forthwith as Provisional Regulations(a):—

1. An Agricultural Wages Board shall be established for England and Wales, consisting of 39 persons, of whom seven shall be appointed members and the remainder representative members. The representative members shall be members representing employers and workmen, respectively, in equal proportions.

2. The Chairman and Deputy Chairman shall be appointed by the Board of Agriculture and Fisheries from among the members of the Wages Board, and each of them shall (provided that he continues to be a member of the Wages Board) hold office for such period as the Board of Agriculture and Fisheries may determine.

3. The appointed members shall be such persons as may be selected by the Board of Agriculture and Fisheries to act on the Wages Board, provided that at least one shall be a woman.

4. The selection and appointment of representative members shall, subject to the provisions of paragraph 5 of these Regulations, be as follows:—

Of the members representing employers, eight shall be elected as follows:

2 representatives by the Council of the Royal Agricultural Society of England.

2 representatives by the General Executive Committee of the National Farmers' Union.

2 representatives by the Council of the Central and Associated Chambers of Agriculture.

2 representatives by the Welsh Agricultural Council.(b)

Eight members representing employers shall be nominated by the Board of Agriculture and Fisheries, after due consideration of any names which may be submitted by agricultural associations or otherwise, and after such local enquiries as the President of the Board may deem desirable.

(a) Provisional Regulations.—The effect of s. 12 (2) of the Corn Production Act is to bring Regulations thereunder within s. 1 of the Rules Publication Act, 1893 (56 & 57 Vict. c. 66), and these Provisional Regulations have (subject to annulment by Order in Council) effect until Statutory Rules are made in accordance with the said section 1.

(b) Welsh Agricultural Council.—This Council was constituted by Order of the Board of Agriculture and Fisheries in 1912 for the purpose of advising the Board with regard to all questions relating to Agriculture in Wales. The members were nominated by the Welsh County Councils, the Welsh University Colleges and the Board.
Of the members representing workmen six shall be elected by the Executive Committee of the National Agricultural Labourers' and Rural Workers' Union and two by the General Executive Committee of the Workers' Union. Eight members representing workmen shall be nominated by the Board of Agriculture and Fisheries, after consultation with the Ministry of Labour, and after due consideration of any names submitted by workmen and their representatives.

5. In the election and nomination of representative members, regard shall be had, so far as practicable, to securing on the Wages Board a fair representation of all classes of farming, and of the various conditions of employment in agriculture in all parts of the country. Where, as the result of any elections under the provisions of paragraph 4, such fair representation cannot, in the opinion of the Board of Agriculture and Fisheries, be secured on the Wages Board, the Board of Agriculture and Fisheries may, in addition to the persons nominated by them under paragraph 4, nominate a representative member in place of any person so elected.

6. The Board of Agriculture and Fisheries may, notwithstanding the provisions of paragraph 1, if they think it necessary to secure the proper representation of any classes of employers or workmen, after giving the Wages Board an opportunity to be heard, nominate additional representative members of the Wages Board to serve for such period, not exceeding three years, as may be determined by the Board of Agriculture and Fisheries. The number of such additional representative members shall always be an even number not exceeding four in all, of whom half shall be representatives of employers and half shall be representatives of workmen.

7. Any member representing employers who becomes a workman in agriculture shall vacate his seat. Any member representing workmen who becomes an employer in agriculture shall vacate his seat. The question of fact shall in each case be determined by the Board of Agriculture and Fisheries.

8. Any representative member who, in the opinion of the Board of Agriculture and Fisheries, fails without reasonable cause to attend one-half of the total number of meetings in a calendar year shall vacate his seat.

9. If in the opinion of the Board of Agriculture and Fisheries any representative member shall be incapable of acting as a member of the Wages Board, the Board of Agriculture and Fisheries may determine his appointment, and he shall thereupon vacate his seat.

10. At the end of one year from the date of the establishment of the Wages Board five representative members to be chosen by lot from among the members representing employers and five representative members to be chosen by lot from among the members representing workmen (in each case excluding additional representative members nominated under paragraph 6 of these Regulations) shall retire from the Wages Board.

(a) MINISTRY OF LABOUR.—As to the constitution of this Ministry see footnote (a) to s. 5 (1) of the Act (p. 213).
11. At the end of two years from the date of the establishment of the Wages Board five representative members to be chosen by lot from among the members representing employers and five representative members to be chosen by lot from among the members representing workmen (in each case excluding additional representative members nominated under paragraph 6 of these Regulations and excluding members filling the vacancies created by the operation of paragraph 10) shall retire from the Wages Board.

12. The term of office of an appointed member shall be two years, and, subject to the provisions of paragraphs 6, 7, 8, 9, 10 and 11, the term of office of a representative member shall be three years, provided that—

(a) A member appointed to fill a casual vacancy shall sit only for the unexpired portion of the term of office of his predecessor; and

(b) A seat rendered vacant by effluxion of time shall, in the event of delay occurring in filling it, be temporarily occupied by the retiring member until a successor is appointed.

13. Any person vacating his seat on the Wages Board under any of the preceding paragraphs or for any other reason otherwise than under paragraph 9 of these Regulations shall be eligible to be re-appointed as a member of the Wages Board.

14. A vacancy among representative members shall be filled in the same manner as in the case of the original appointment to the vacated seat.

15. Every member of the Wages Board shall have one vote. If at any meeting of the Board the number of members present representing employers and workmen, respectively, is unequal, it shall be open to the side which is in the majority to arrange that one or more of their members shall refrain from voting, so as to preserve equality. Failing such an arrangement, the Chairman, or, in his absence, the Deputy Chairman, may, if he thinks it desirable, adjourn the voting on any question to another meeting of the Board. The Chairman, or, in his absence, the Deputy Chairman, shall, in the event of an equal division, have a second or casting vote.

16. The expressions "agriculture" and "workmen" in these Regulations shall have the meanings given in Section 17 (1) of the Corn Production Act, 1917.

17. The Wages Board shall be known under the title of "The Agricultural Wages Board (England and Wales)."

18. Any question upon the construction or interpretation of these Regulations shall, in the event of dispute, be referred to the Board of Agriculture and Fisheries for decision.

Given under the Official Seal of the Board of Agriculture and Fisheries, this twenty-eighth day of September, in the year one thousand nine hundred and seventeen.

(L.S.)

A D. Hall,
Secretary.
3. Wages for Agricultural Workers in Scotland.


[The Crossheadings and Notes do not form part of the Memorandum as issued by the Board, but have been added by the Editor.]

Division of Scotland into Districts. [Sch. 2 (1) of Act, p. 230.]

The Board of Agriculture for Scotland, in pursuance of the powers conferred upon them by the Second Schedule to the Corn Production Act, 1917, have divided Scotland into the following districts for the purpose of certifying representative joint committees (comprising a chairman and representatives of employers of agricultural labour and of workmen employed in agriculture in equal numbers), hereinafter referred to as District Wages Committees, whose principal statutory duty will be to fix minimum rates of wages for work within their respective districts.

DISTRICTS INTO WHICH SCOTLAND HAS BEEN DIVIDED BY THE BOARD OF AGRICULTURE FOR SCOTLAND FOR THE PURPOSE OF CONSTITUTING DISTRICT COMMITTEES UNDER THE CORN PRODUCTION ACT, 1917. (a)

(1) Counties of Shetland, Orkney, Caithness, and Sutherland.

(2) County of Ross-shire—Districts of Black Isle, Easter Ross, and Mid-Ross, except the Parish of Lochbroom.
   County of Inverness—Districts of Inverness,
   Aird.
   Badenoch.

  County of Nairn.
  County of Moray.

(3) Counties of Banff, Aberdeen, Kincardine.

(4) County of Forfar.
   County of Perth—Central District.
   Perth District.
   Blairgowrie District.
   Western District—Parishes of Ardoch, Dunblane, and Lecropt, Kincardine, Kilmadock, Port of Menteith.

(a) COMBINATION DISTRICTS FOR ELECTING CENTRAL AGRICULTURAL WAGES COMMITTEE.—The 12 Districts specified in the list, which comprise all the counties of Scotland, will be, but have not yet (October 21, 1917) been, combined into 5 Combination Districts for the purpose of electing the Central Committee.
Constitution of District Wages Committees in Scotland.

(5) Counties of Fife and Kinross.
(6) Counties of the Lothians and Peebles.
(7) Counties of Berwick, Roxburgh, and Selkirk.
(8) Counties of Dumfries, Kirkcudbright, and Wigtown.
(9) County of Ayr.
(10) Counties of Lanark, Renfrew, Dumbarton, Stirling, Clackmannan.
(11) County of Argyll.
  County of Bute (including Arran).
  County of Perth—Highland District.
  Western District — Parishes of Callander, Aberfoyle, Balquhidder, Killin.
(12) County of Inverness—Lochaber and Insular Districts.
  County of Ross—Mid-Ross (Parish of Lochbroom only), Western, South-Western, Lewis Districts.

Definitions of "Workmen" and "Agriculture." [s. 17. (a) (c) of Act, p. 223.]

For the purpose of determining who are workmen employed in agriculture, the Act defines "workmen" as including "boys, women, and girls," and agriculture as including the use of land as grazing, "meadow, or pasture land, or orchard, or osier land, or woodland, or for market gardens or nursery grounds," i.e., in addition to the ordinary meaning of arable cultivation.

Date by which Committees are to be Formed. [Sch. 2 (3) of Act, p. 230.]

The Act contemplates the District Wages Committees being formed by local initiative, but empowers the Board to fix a date by which, if no effective District Committee has been so formed, it will be the duty of the Board to form a committee for the district. As the District Wages Committees grouped in combinations of districts have to elect the Central Wages Committee, which committee in turn has to lay down certain rules for the guidance of the District Wages Committees, the Board, desiring to have the whole machinery for fixing minimum wages in working order as soon as possible, have fixed 15th November as the date by which District Committees should be formed.

Recognition and Certification of Committees. [Sch. 2 (2) of Act, p. 230.]

Where in any of the afore-mentioned districts the Board are satisfied that a representative joint committee, comprising a chairman and representatives of employers of agricultural labour and of workmen employed in agriculture, in equal numbers, exists for purposes which include the fixing of minimum rates of wages
for workmen employed in agriculture, the Board will be prepared to recognise and certify such a committee as a District Wages Committee for the district, subject to any modification that may be necessary in the event of the area within which any such committee operates not coinciding exactly with the area of any one of the districts afore-mentioned. Any such existing committee is therefore requested to report to the Board without delay its area, its composition, constitution, and rules of procedure.

Where no such committee exists local efforts should be made to form a committee. The Board will be prepared to recognise and certify in terms of the Act as the District Wages Committee for any of the afore-mentioned districts a committee, which may be formed in this way before the prescribed date, similar in character to the committees referred to in the foregoing paragraph.

**Recommendations for Formation of Committees.**

For the purpose of indicating what in their view constitutes a representative joint committee for the purpose of the Act, and with a view to facilitate the formation of such committees, the Board make the following recommendations:

1. That such committee shall consist of 5 representatives of employers of labour and 5 representatives of workmen and a chairman appointed by the 10 other members,

2. that the Employers' Representatives shall be selected by local or general organisations of employers of agricultural labour approved by the Board,

3. that the Workmen's Representatives shall be selected by any association of workmen employed in agriculture approved by the Board,

4. that the committees comprise as far as possible representatives of each kind of workmen (including women workers) employed in the district, and correspondingly of employers of labour occupying the various types of agricultural holding found in the district,

5. that every effort should be made to ensure that the representatives of both parties represent an actual majority of employers and workmen in the district respectively.

The Board reserve to themselves the right, in cases where the representative character of the committee in this sense is not fully established to their satisfaction by the committee at the time of applying for certification, to recognise and certify such committee subject to the addition of such further members as the Board may think fit to nominate.
When in any district the two groups of constituent bodies have selected the respective representatives of employers and workmen, each group should instruct one of their officers to intimate to the other group the collection of members of the District Wages Committee, and to arrange for the first meeting of the District Wages Committee, at which a chairman should be appointed. The intimation of the formation of the committee with a statement of the grounds on which the application for recognition and certification is based should be made to the Board. For the purposes of facilitating proceedings under this paragraph, associations of employers, or workmen proposing to take action in any district with a view to selecting workmen's representatives for a District Wages Committee, are invited to notify their intention to the Board.

Expenses of Members of Committees. [s. 16 of Act, p. 223.]

The Act contemplates the payment of the expenses incurred with the consent of the Board by any members of District Wages Committees in the performance of their duties, and of any sums paid (also with the consent of the Board) to any such members by way of compensation for loss of time, in each case up to an amount approved by the Treasury. No such amounts having yet been approved; the Board are not in a position to say more than that they are prepared generally to consent to payments of this nature, especially in view of the somewhat large areas of some of the districts and the consequent expense of travelling.

Tenure of Office and Procedure of Committee. [Sch. 2 (9) of Act, p. 231.]

The Board are authorised by regulation to prescribe the tenure of office and procedure of a certified District Wages Committee. This they will do in due course; but in the meantime they think it sufficient to state that in their view three years would be a suitable term of office for a District Wages Committee.

H. M. Conacher,
Secretary.

Board of Agriculture for Scotland,
22nd September, 1917.

(a) Regulations by Board.—No Regulations have yet (October 21, 1917) been made.
4. Wages for Agricultural Workers in Ireland.

(1) **Provisional Regulations dated September 15, 1917, made by the Department of Agriculture and Technical Instruction for Ireland as to the Constitution and Proceedings of the Agricultural Wages Board for Ireland.**

1. The Board shall consist of six members representing employers, six members representing workmen, and four appointed members.

2. The first members of the Board shall be:
   - Charles H. O’Conor, Local Government Board, Dublin (Chairman).
   - J. Clarke, J.P., Porthall, Strabane.
   - J. Kelly Grehan, Lisbride, Co. Roscommon.
   - Cornelius Buckley, County Councillor, Fair Hill Cottage, Cork.
   - Patrick Bradly, President, Irish Land Labour Association, Patrick-street, Cork.
   - James Crangle, Culcavy, Hillsborough, Co. Down.
   - Thomas Foran, Irish Transport Workers’ Union, Liberty Hall, Beresford Place, Dublin.
   - James Murphy, President, Irish National Trade and Labour League, Enniscorthy, Co. Wexford.
   - Timothy Raleigh, Pallassgreen, Co. Limerick.
   - Miss E. Margaret Cunningham, M.A., Trinity Hall, Dartry Road, Dublin.
   - The Lord Killanin, Spiddal, Co. Galway.
   - Lady Russell, Olney, Terenure, Co. Dublin.

3. The said Charles H. O’Conor shall be Chairman of the Board.

4. The first meeting of the Board shall be held on Tuesday, the 18th day of September, 1917, at 11 o’clock, a.m., at 14, St. Stephen’s Green, North, Dublin, and meetings after the first shall be held at times and places to be appointed by the Board, or in default of appointment to be notified by the Chairman.

5. The Chairman may convene additional meetings of the Board as and when he shall deem it necessary, and shall convene an additional meeting on any occasion when he shall be requested so to do by any writing signed by not less than five members of the Board.
6. Save as hereinafter provided, the members of the Board other than the Chairman shall be deemed to be appointed for one year and shall be eligible for re-appointment.

7. A member of the Board who shall be absent from four consecutive meetings shall be reported by the Chairman to the Board and to the Department to have been so absent, and shall cease to be a member, but may be re-appointed by the Department if the Department shall think fit.

8. Vacancies in the Board shall be filled by the Department.

9. The meetings of the Board shall be open only to members of the Board, the Secretary, and such other officers of the Board whose presence shall be required.

10. The Chairman shall preside at all meetings of the Board at which he shall be present. In case if his absence from a meeting a Chairman for the occasion shall be selected by the members who shall be present.

11. The decision of the Board shall be by open vote of the members present, and shall be the decision which in the opinion of the Board shall be deemed to be the decision of the Board.

To face page 246.

See now (Jan. 31, 1918) Regulations defining certain Benefits or Advantages connected with Wages, printed in the ADDENDA, pp. 610-612.

13. Minutes of the proceedings and decisions of the Board and of the committees, if any, shall be regularly kept, and shall be produced, if required, in accordance with any directions in that behalf made by the Department.

14. Seven days' notice at least shall be given of any meeting of the Board at which a resolution to fix a minimum rate of wages is to be considered, and such notice of meeting shall state the nature of the business to be transacted thereat.

15. An order of the Board whereby a minimum rate of wages is fixed shall show the date from which the rate so fixed is to operate, and whether such rate is to be in force until further order or for a fixed period, and shall specify the period, if any, for which such rate is fixed, and shall be subject to the statutory power of the Board to cancel or vary a minimum rate fixed by them.

16. If at a meeting of the Board it shall appear to the Chairman that, by reason of inadequate attendance of representatives of employers or of workers, a vote of the members present would not fairly represent the opinions of the Board, the Chairman may postpone to the next meeting, or next meeting but one, the vote upon any resolution which shall be before the Board for consideration, and notice of such postponement shall forthwith be given to every member.
17. A motion to vary or rescind a rate of wages fixed by the Board during the period fixed by the Board for the operation of such rates of wages shall not be considered except at a meeting called upon ten clear days' notice of the time and place of the meeting and of the terms of the intended motion.

18. The Board may appoint a committee or committees of its own members to inquire and report with regard to the rate or rates of wages in any district, and to make recommendations as to a minimum rate of wages in such district, and at the meeting at which any such committee is appointed may fix a date for the meeting at which any report or recommendation of that Committee shall be considered by the Board.

19. In pursuance of the provisions of Part 2 of the Corn Production Act, 1917, and of Section 2 of the Rules Publication Act, 1893, the Department of Agriculture and Technical Instruction for Ireland hereby certify that on account of urgency the foregoing Regulations with respect to the constitution and proceedings of the Agricultural Wages Board (Ireland) should come into immediate operation; and accordingly the Department make these Regulations to come into operation forthwith as Provisional Regulations.(a)

Given under the Official Seal of the Department this fifteenth day of September, in the year One Thousand Nine Hundred and Seventeen.

T. P. Gill,
Secretary.

(a) Provisional Regulations.—The effect of s. 12 (2) of the Corn Production Act is to bring Regulations thereunder within s. 1 of the Rules Publication Act, 1893 (56 & 57 Vict. c. 66), and these Provisional Regulations have (subject to annulment by Order in Council) effect until Statutory Rules are made in accordance with the said section 1.
2. A District Wages Committee (hereinafter called "the Committee") shall consist of four members representing employers and four members representing workmen, who shall be appointed by the Agricultural Wages Board for Ireland (hereinafter called "the Board"), and one other person nominated by the Department.

3. Before proceeding to appoint members of the Committee, the Board shall give notice of their intention to make such appointment in such manner as the Board think fit, with a view to bringing the intended appointment of members to the knowledge of the persons affected, and shall not proceed to make any appointment until the expiration of 14 days after such notice shall have been given and in the appointment of members the Board shall duly consider any representations which may be made to them from the district for which the Committee is to act.

4. The Chairman of the Committee shall be the member of the Board or other person nominated by the Department.

5. The duties of the Committee shall include the making of recommendations to the Board in regard to the minimum rates of wages for the various classes of agricultural workmen in their district, and the carrying out of any of the Board’s duties which can be lawfully delegated to them under the Corn Production Act.

6. The Committee shall meet as often as it is necessary to properly carry out their work, and whenever required so to do by the Board, and they shall sit from day to day until the business before them has been disposed of.

7. The first meeting of the Committee shall be held on such date as shall be fixed by the Board, and subsequent meetings shall be held at times and places to be appointed by the Committee in consultation with the Board.

8. Additional meetings of the Committee may be convened by the Chairman as and when he deems necessary, and on a requisition signed by not less than three members of the Committee being presented to the Chairman asking him to summon a meeting of the Committee, and stating the purpose for which it is proposed that the meeting should be held, it shall be the Chairman’s duty to call a meeting within four days of the date of the receipt of such notice.

A quorum of the Committee shall be not less than five members.

9. Save as hereinafter provided the members of the Committee shall be deemed to be appointed for one year.

10. A member of the Committee who shall be absent from four consecutive meetings shall be reported by the Chairman to the Committee and to the Board to have been so absent, and shall cease to be a member, but may be re-appointed if it be thought fit to do so by the Board.
Constitution, &c., of District Wages Committees in Ireland.

11. Vacancies on the Committee in the case of members representing employers or members representing labourers shall be filled by the Board, and in the case of the nominated member shall be filled by the Department.

12. The meetings of the Committee shall be open only to the members of the Committee, the Secretary, and such other officers of the Committee, if any, whose presence shall be required.

13. The Chairman shall preside at all meetings of the Committee at which he shall be present. In case of his absence from a meeting, a Chairman for the occasion shall be selected by the members present.

14. The decision of the Committee shall be by open vote of the members present, each member having one vote.

15. Minutes of the proceedings and decisions of the Committee shall be regularly kept, and copies thereof shall be sent within three days of the date of meeting to the Board.

16. Seven days' notice shall be given to members of any meeting of the Committee at which a resolution to recommend a minimum rate of wages is to be considered, and such notice shall state the nature of the business to be transacted thereat.

17. If at a meeting of the Committee it shall appear to the Chairman that, by reason of inadequate attendance of representatives of employers or of workers, a vote of the members present would not fairly represent the opinions of the Committee, the Chairman may postpone to the next meeting, or next meeting but one, the vote upon any resolution which shall be before the Committee for consideration, and notice of such postponement shall forthwith be given to every member.

18. In case any question shall arise as to whether any proceedings of the Committee have been duly conducted in accordance with these Regulations, such question shall be determined by the Board after receiving any information thereon from the parties concerned which the Board may think fit to require.

19. The Secretary to the Committee shall be appointed by the Board.

20. The Secretary shall be the Executive Officer of the Committee, subject in all matters to the control of the Committee.

21. These Regulations respectively shall be in force until they shall be revoked or varied by the Department.

22. In pursuance of the provisions of Part II. of the Corn Production Act, 1917, and of Section 2 of the Rules Publication Act, 1893, the Department of Agriculture and Technical Instruction for Ireland hereby certify that on account of urgency the foregoing Regulations with respect to the constitution and duties of District Wages Committee and the meetings and proceedings thereof, should come into immediate operation; and accordingly the Department make these Regulations to come into operation forthwith as Provisional Regulations.(a)

Given under the Official Seal of the Department this nineteenth day of October, in the year One Thousand Nine Hundred and Seventeen.

T. P. Gill,
Secretary.

(a) Provisional Regulations.—See footnote (a) to Reg. 19 of the Regulations for the Agricultural Wages Board, p. 248.
Memorandum as to Minimum Prices for Wheat and Oats.

5. Minimum and Maximum Prices for Grain in Ireland.

Memorandum, dated September, 1917, of the Department of Agriculture and Technical Instruction for Ireland as to Disposal of Grain Crops, 1917-18, and Minimum and Maximum Prices for Grain as prescribed by the Corn Production Act, 1917, and the Food Controller’s Grain (Prices) Order, 1917.

[The Notes, and the References to this Manual, do not form part of the Memorandum as issued by the Department, but have been added by the Editor.]

General.

1. The Corn Production Act (pp. 210-233) applies to the United Kingdom as a whole, with special modifications to suit the respective circumstances of Ireland and Scotland.

Its object is to secure a larger area of cultivation and an increase in home food production by the following methods:—

I. Minimum Prices.—A State guarantee to farmers of minimum prices for the two principal grain crops, wheat and oats, grown in the current year and in the next five years.

II. Minimum Wage.—Machinery for securing a minimum wage for agricultural labourers.

III. Cultivation.—Measures for securing proper cultivation and a further extension of the tillage area in Ireland.

2. The Food Controller’s Order(a) applies to the cereal crops of the 1917 harvest and fixes maximum prices for these crops.

3. The Corn Production Act deals with minimum prices; the Food Controller’s Order(a) with maximum prices. The one guarantees that if the market price for wheat or oats in any year goes below the minimum fixed for that year the State will make good the difference to the farmer. The other fixes prices above which it will not be legal to sell or buy wheat, oats, rye, or barley. The minimum prices guaranteed by the Corn Production Act cover a period of six years. The maximum prices of the Food Controller’s Order(a) apply to the 1917 crops, and may be continued, with or without alteration, until the conclusion of the war, when they would cease to operate.

I. Minimum Prices.

4. The guaranteed minimum prices for wheat and oats of the 1917 crops are:—

<table>
<thead>
<tr>
<th></th>
<th>Wheat</th>
<th></th>
<th>Oats</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>s. d.</td>
<td></td>
<td>s. d.</td>
</tr>
<tr>
<td>Per quarter (480 lb.)</td>
<td>60 0</td>
<td>Per quarter (312 lb.)</td>
<td>38 6</td>
</tr>
<tr>
<td>Per barrel (20 stone)</td>
<td>35 0</td>
<td>Per barrel (14 stone)</td>
<td>24 2</td>
</tr>
<tr>
<td>Per stone</td>
<td>1 9</td>
<td>Per stone</td>
<td>1 8½</td>
</tr>
</tbody>
</table>

These prices, it will be understood, represent an improvement on those guaranteed by the Food Controller in connection with the

(a) Food Controller’s Order.—The reference is to the “Grain (Prices) Order, 1917,” p. 49.
Memorandum as to Minimum Prices for Wheat and Oats.

Food Production scheme at the beginning of 1917. In the latter case the price referred to a quarter of 504 lb. for wheat and a quarter of 336 lb. for oats.(a)

5. If the market price keeps higher than the guaranteed price no need will arise for calling the machinery of the guaranteed price into operation. That machinery becomes operative only if the market price is below the guaranteed minimum.

6. The market price is to be the average paid in the markets for the seven months from the 1st of September in each year as ascertained in accordance with the Corn Returns Act, 1882, and published in the London Gazette. As regards Ireland the prices published in the Dublin Gazette are to be substituted for those published in the London Gazette.(b)

7. If at the end of the seven months it is found that the market price as above defined was below the guaranteed minimum the grower becomes entitled to be paid a bonus or subsidy for every acre of wheat or oats produced by him in the previous year. This bonus or subsidy is based on an estimated yield per statute acre(2) of 4 quarters of 480 lb. (i.e., 1,920 lb.) in the case of wheat, and of 5 quarters of 312 lb. (i.e., 1,560 lb.) in the case of oats. The amount per statute acre to be so paid is therefore fixed in the case of wheat at four times the difference between the average price and the minimum price per quarter of 480 lb., and in the case of oats at five times the difference between the average price and the minimum price per quarter of 312 lb.

8. If the land was negligently cultivated the payments to which the occupier might be otherwise entitled might be withheld altogether or diminished.

9. Where an occupier has let land to a conacre tenant, the conacre tenant will be regarded as the occupier of such land for the purpose of these payments during the year of his letting.(d)

10. In regard to the 1917 crop, the Department have already announced (on September 15th) that the War Office would buy oats in Ireland on and after the 15th November, when the 1917 crop would be fit for army purposes, and that they would be prepared to buy at 38s. 6d. per quarter of 312 lb. (the guaranteed minimum price) on rail or in store, for clean sound oats in good condition. The Department have advised farmers, in order to make the grain fit for army purposes, and for other reasons mentioned below, to stack and thatch as much as possible of their corn this season.

(a) "Quarter," weight of.—So too by Art. 13 (p. 52) of the Grain (Prices) Order, 1917, relating to 1917 harvest the quarter of wheat is defined as a weight of 504 lbs. or 1/45th more than the quarter of the Act, and the quarter of oats as 336 lbs. or 1/45th more than the quarter of the Act. Under the Wheat, Barley and Oats (Prices) Order 1917 (p. 37), relating to 1916 harvest the quarter of wheat and oats is that of the Act.

(b) Corn Returns Act 1882.—See S. 2 (2) of Corn Production Act (p. 211) and footnote (2) thereto as to the 1882 Act.

(c) "Statute Acre."—S. 12 of the Weights and Measures Act 1878 (41 & 42 Vict. c. 49) enacts that the acre shall contain 4,840 square yards.

(d) Conacre Agreements.—See footnote (a) to s. 18 (2) (c) of the Act, p. 226.
II. Maximum Prices.

11. The following are the maximum prices per quarter(a) as fixed by the Food Controller's Grain (Prices) Order, 1917, (p. 49), and the equivalent prices to the nearest 1/4d. per barrel and per stone for wheat, rye, oats, and barley of this year's growth:

<table>
<thead>
<tr>
<th>Period in which Delivery is made</th>
<th>Wheat and Rye.</th>
<th>Oats.</th>
<th>Barley.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>per qr. (50c lb.)</td>
<td>per brl. (120 lb.)</td>
<td>per qr. (336 lb.)</td>
</tr>
<tr>
<td>Before 1st Dec., 1917</td>
<td>s. d.</td>
<td>49 10</td>
<td>2 0½</td>
</tr>
<tr>
<td>Dec., 1917, or Jan., 1918, Feb. or March, 1918, April or May, 1918 ...</td>
<td>73 6</td>
<td>41 44</td>
<td>2 1</td>
</tr>
<tr>
<td>On or after 1st June, 1918</td>
<td>77 9</td>
<td>43 2½</td>
<td>2 2</td>
</tr>
</tbody>
</table>

12. The above table shows the highest prices which, with the exceptions mentioned lower down, it will be legal for a grower to accept or for a purchaser to pay for wheat, rye, oats, and barley of the 1917 crop. The rates per quarter given in the table are called in the Order, "the standard rates."

13. Premium on Keeping Grain.—It will be seen that a feature of the Grain (Prices) Order, 1917 (p. 49), is the graduated increase in the maximum price for wheat and oats as the season advances. From a maximum of 40s. 10d. per barrel of 20 stone, for wheat sold before the 1st December, 1917, there is a steady increase every two months until 1st of June, 1918, when a maximum of 43s. 2½d. is reached, while the scale for oats rises from a maximum of 25s. 10d. per barrel of 14 stone previous to December, 1917, to a maximum of 28s. 3½d. per barrel, in June, 1918. These figures afford a substantial incentive to efficient storage and should have the effect of inducing farmers, who have not hitherto made a practice of doing so, to make arrangements for carefully stacking and thatching their corn so as to enable them to take advantage of the higher prices obtainable for their produce during the winter and spring.

14. Quality.—The prices set out in the table apply to oats of good average quality and in clean condition.

15. Oats suitable for Oatmeal.—In the case of oats of high quality, suitable for conversion into oatmeal, and purchased specifically for the purpose of human consumption, provision has been made for the payment by millers and their agents of a price

(a) QUARTER, WEIGHT OF.—As to the variance between the Act and the Grain (Prices) Order in the definition of "quarter" see footnote (a) to paragraph 4 of this memorandum.
in excess of the maximum fixed for good feeding oats. The excess price allowed for milling oats is 1s. 9d. per barrel of 14 stone, or 1½d. per stone. [Art 3 (a) of Grain (Prices) Order, 1917, p. 50.]

16. Damaged Grain.—The special attention of farmers is directed to the provision made for penalising those who do not take the precaution to market their oats in proper condition. In the Food Controller’s Order it is expressly stipulated that a deduction of at least 5s. per quarter (equivalent to 2s. 11d. per barrel of 14 stone, or 2¾d. per stone) shall be made from the standard price for oats that are improperly cleaned or contain an undue quantity of soil or oats tailings or dressings, or are otherwise damaged. [Art. 4 (c) of Grain (Prices) Order, 1917, p. 50.]

In the case of wheat, rye, and barley so damaged as to be unfit for milling, and wheat, rye, and barley tailings and dressings, the maximum prices shall be ascertained by deducting 7s. per quarter from the standard rate for wheat and rye, and 7s. 9d. per quarter from the standard rate for barley. [Art. 4 of Grain (Prices) Order, 1917, p. 50.]

17. Malting Barley.—Where barley is bought by a licensed manufacturer for the purpose of his business, or by a recognised dealer for resale to such manufacturer, 5s. 3d. per quarter (or 2s. 7¼d. per barrel of 16 stone) may be added to the standard rate. [Art. (b) of Grain (Prices) Order, 1917, p. 50.]

18. Seed.—On transactions in grain that is of sufficiently good quality to be used for seed there are to be no restrictions as to price. But it is specifically provided that grain for which a higher price than the maximum is paid because of its suitability for seed must be used for that purpose and for no other. Special steps will be taken to ensure that this condition is strictly complied with. [Art. 9 of Grain (Prices) Order, 1917, p. 51.]

19. Free buying and selling.—Beyond these limitations as to maximum prices for good grain of sound marketable quality and a definite provision as to the remuneration to be claimed by dealers for the handling of such grain as they purchase, there are to be no restrictions on dealings in the produce of the current year’s corn harvest. Corn merchants or others are therefore free to purchase, and farmers or producers are free to sell, at such prices as they may think fit, provided the maximum figures as prescribed are not exceeded.

20. Sale by Weight.—The Order also prescribes that, after 31st August, 1917, no person shall sell otherwise than by weight any wheat, rye, oats or barley, whether imported or home-grown. This provision does not apply to grain on foot or unthreshed. [Art 10 of Grain (Prices) Order, 1917, p. 51.]

21. Barley for Fodder.—Since 1st September, 1917, no person other than a licensed manufacturer, may use any barley (other than screenings or barley that has been so damaged as to be unfit for milling) except for the purpose of seed, or in the process of manufacturing flour. [Barley (Restriction) Order, 1917, p. 52.] This means that after the date specified no barley except that which is unfit for milling may be used for stock feeding purposes.
22. Use of Wheat and Rye for stock.—Under the Wheat, Rye, and Rice (Restriction) Order of 20th April, 1917, (p. 41) the use of wheat and rye for any purpose other than for seed or for manufacture into flour is prohibited; but such prohibition does not apply to tailings or screenings or to wheat or rye which has been so damaged as to be unsaleable for milling.

23. Restriction on the use of Cereals for Horses.—Under the Horses (Rationing) Order No. 2 of 1917, dated 25th September, 1917, (p. 41) restrictions are placed upon the feeding of cereals to horses. Horses maintained and used exclusively for agricultural purposes and Stallions used exclusively for stud purposes are, however, excluded from the operation of this Order.

24. Rye for seed.—Except under licence from the Food Controller, no person shall, before the 1st January, 1918, use any rye of the 1917 crop for any purpose other than seed. Prior to the same date no person shall sell or otherwise dispose of rye except to a person who is reasonably believed to require the rye for the purpose of seed. [Winter Oats and Rye (Restriction) Order, 1917, p. 54.]

25. Straw.—The sale of straw is controlled by the Army Council Order dated 17th July, 1917. (a) Under this Order no wheat or oat straw of the 1917 crop may be sold except under licence issued by the duly authorised officers of the War Department. Applications for sale under this Order must be made in writing to the District Purchasing Officer of the district in which the straw is standing. These districts are as under:

DISTRICT No. 1.—Comprising Carlow, Cavan, Dublin, Galway, Kildare, King’s Co., Leitrim (Southern part), Longford, Louth, Mayo, Meath, Queen’s Co., Roscommon, Westmeath, Wexford, Wicklow. The address of the Purchasing Officer for this district is ROYAL HOSPITAL, DUBLIN.

DISTRICT No. 2.—Comprising Antrim, Armagh, Down, Fermanagh (Southern part), Monaghan. The address of the Purchasing Officer for this district is VICTORIA BARRACKS, BELFAST.

DISTRICT No. 3.—Comprising Donegal, Sligo, Tyrone, Derry (Western part), and Northern parts of Fermanagh and Leitrim. The address of the Purchasing Officer for this District is CITY HOTEL, LONDONDERRY.

DISTRICT No. 4.—Comprising Clare, Cork, Kerry, Kilkenny, Limerick, Tipperary, Waterford. The address of the Purchasing Officer for this district is 6, LAPP’S QUAY, CORK.

(a) Straw. — An epitome of the other provisions of this Order (of which the full text will be printed in the “War Material Supplies Manual” now in course of preparation) will be found in Appendix VI 10 (1) to the present Manual.

A further Order of the Army Council of the same date prescribes the maximum prices for straw and chopped hay and straw which a producer and a seller respectively may not exceed. Of this Order (which will likewise be printed in full in the “War Material Supplies Manual”) an epitome will be found in Appendix VI 10 (2) to the present Manual.
Memorandum as to Stacking, Thatching, and Threshing Corn in Ireland.

III. Stacking, Thatching and Threshing.

26. Besides the increased maximum prices payable as the season advances, there is another reason why the careful stacking of corn crops should receive special attention this year. A large number of grain stores may not be available, and there is every likelihood of a shortage of suitable storage for the handling in the ordinary way of the largely increased quantity of corn that will come upon the market. In order, therefore, to obviate a glut and a consequent serious delay in securing delivery of their produce, farmers would be well advised to make such arrangements as will enable them to defer threshing until they are in a position to find an outlet for the grain they have for disposal.

27. A practice prevails in certain parts of the country where, owing to the threshing machines not being fitted with the proper screens or sieves, a large proportion of rubbish (small corn, dust, weed seeds, dirt and even small stones) is allowed to become mixed up with the grain proper. The effect of this is to depreciate considerably the value of the sample and lower the reputation of the oats coming from any district in which the practice obtains. Oats so handled will bring at least 5s. less per quarter, and cannot command the minimum prices now guaranteed for standard samples. The remedy is a simple one; the threshing machines should be so "set" and worked as to ensure the separation of the good, sound corn from rubbish of the nature referred to.

28. By co-operation among farmers in a particular locality as to the employment of machines, much may be done to economise valuable time at a critical period of the year. In the absence of such co-operation a great deal of time is frequently lost through machines being obliged to cover considerable distances going to and fro over the same roads when moving from one farm to another. This might easily be avoided if, by agreement among the farmers concerned, applications for the use of the machine were made in time to enable the owner to map out a systematic itinerary for the whole district.

29. Farmers are strongly advised to make adequate provision for having their corn made secure over-night when threshing is in progress. Much damage to the grain often occurs when stacks are left unprotected and rain falls during the night. Nor is this all. There is also, in such cases, a great waste of time next day, as after a heavy fall of rain over-night, threshing mills are sometimes held up for several hours before work can be proceeded with. For use in cases of this kind the most suitable cover is a special rick cloth or tarpaulin, but in the absence of a special cover much may be done to guard against injury by rain if a sheet is made out of old sacks or manure bags and thrown over a temporary "head" roughly shaped with hay, straw, or other material.
PART V.

[relating to England and Wales only].

POWERS AND ORDERS OF THE BOARD OF AGRICULTURE AND FISHERIES UNDER THE DEFENCE OF THE REALM REGULATIONS. (a) (b)

INTRODUCTORY NOTE TO PART V.

(1) Contents of Part V.—This Part of this Manual comprises those 9 Regulations (2l, 2m, 2N (which is ancillary to the two first named), 2NN, 2o, 2r, 2s, 2t and 41AAA) which confer express powers of “maintaining the food supply of the country” on the Board of Agriculture and Fisheries (those Regulations being here printed as amended to October 21, 1917, and in the form in which they apply to England and Wales), together with the full text of all Orders now (October 21, 1917) in force made by that Board and epitomes and notes of the Instructions and Memoranda issued by the Board to Agricultural Executive Committees, &c., explanatory of the Orders.

This Part of the Manual is subdivided in the manner shown in the Table at p. 259, each of the divisions which are arranged according to the sequence of the code comprising one of the 8 principal Regulations (b) and grouped therewith the Orders and Memoranda thereto relating.

(2) Duration of Powers of Board of Agriculture and Fisheries under the Defence of the Realm Regulations.—The powers of the Board under the Regulations as to maintaining the food supply of the country will cease to operate with respect to matters dealt with in Part IV. of the Corn Production Act, 1917 (printed pp. 216-221), on August 21st, 1918, or on the termination of the War (whichever is the earlier), and thereupon Part IV. of the said Act will come into operation (see Section 11 (3) of that Act, p. 220).

(a) SCOTTISH AND IRISH AGRICULTURAL POWERS AND ORDERS.—The powers of the Board of Agriculture and Fisheries under the Defence of the Realm Regulations are confined to England and Wales. Parts VI. and VII. of this Manual comprise the corresponding legislation, &c., affecting Scotland and Ireland respectively.

(b) REGULATION 2N.—This, which is ancillary to Regs. 2l and 2m, is repeated in divisions 1 and 2 thereto relating.
(3) Complete Official Editions of Defence of the Realm Regulations, &c.—The plain text of the whole of the Defence of the Realm Regulations reproduced under the authority of Resolution 64 as one single Consolidated Code (which by successive additions now comprises over 200 Regulations), and revised to the last day of each month, is published at the commencement of the ensuing month. In "the Defence of the Realm Manual," which will henceforth be issued at half-yearly intervals (i.e., the editions will be revised to May 31st and November 30th of each year), the Regulations are accompanied by full editorial notes, by the full text of both the enabling Acts and of the Departmental Orders made under the Regulations with full notes, and by an analytical index to the whole of the Defence of the Realm Legislation.

(4) Constitution and General Powers of Board of Agriculture and Fisheries.—This Board was established by the Board of Agriculture Act, 1889 (52 & 53 Vict. c. 50), which transferred to the new Board all the powers of the Land Commissioners for England (to whom the powers of the Copyhold, Inclosure, &c., and Tithe Commissioners had in 1882 been transferred) and the Diseases of Animals and Destructive Insects powers of the Privy Council. The Board of Agriculture and Fisheries Act, 1903 (3 Edw. 7 c. 31), transferred to the Board the superintendence of fisheries in England and Wales, and altered the Board's style accordingly. The Board consists of a number of H.M. Ministers (52 & 53 Vict. c. 50, s. 1 (1)), but in practice the President of the Board (who is a Minister appointed ad hoc) alone acts. The President is ex-officio a Commissioner of Woods (6 Edw. 7 c. 28, s. 1): his office is one of those immediate succession from one to the other of which does not vacate a seat in the House of Commons: a list of all such Offices is given in Appendix VII. to this Manual.

As to the proof of Orders of the Board and provisions of the Defence of the Realm Regulations and as to the construction of such Regulations and Orders see Part X. of this Manual.

Reference to all the various enactments conferring powers on the Board is afforded by the list of the Board’s powers and duties on p. 113 of the 1916 Edit. of the "Index to the Statutes in Force."

This Part of this Manual contains only the Board’s powers as to the “maintenance of the food supply of the country” under the Defence of the Realm Regulations—powers derived from Orders of the Food Controller being comprised in Part II.

The Board’s other powers as to food production are dealt with in other Parts of this Manual, and are capitated under the heading “Board of Agriculture and Fisheries” in the Index.

Alexander Pulling.
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2. Under - Cultivated Land; Agricultural Executive Committees: Drainage of Land, p. 270.
3. Reduction of Acreage under Hops, p. 316.
7. Supply of Horses for Agriculture, p. 335.

1. Increase of Cultivation of Urban Areas.

(1) Regulation 2L of the Defence of the Realm Regulations as amended so far as it applies to England and Wales, and Regulation 2N in that connection.

2L.—(1) Where the Board of Agriculture and Fisheries are of opinion that, with a view to maintaining the food supply of the country, it is expedient that they should exercise the powers given to them under this regulation as respects any land, the Board may enter on the land and cultivate the land, or arrange for its cultivation by any person either under a contract of tenancy or otherwise.

(2) The Board may after entry on any land do or authorise to be done all things which they consider necessary or desirable for the purpose of the cultivation of the land or for adapting the land to cultivation, including fencing, and may also during their occupation of the land or on the termination thereof remove any such fencing or work of adaption.

(3) Any person who cultivates land under any such arrangement shall, on the determination, by or on behalf of the Board, of the arrangement, if the determination takes effect before the first day of January nineteen hundred and nineteen, receive from the Board such compensation as may have been agreed under the terms of the arrangement, or, in default of any such agreement, as the Board may consider just and reasonable, and shall not be entitled to any other compensation.

(4) On the determination of the occupation of any land by the Board under this regulation, compensation shall be paid by the Board to any person injuriously affected by the exercise of the powers under this regulation, the amount of that compensation to be determined, in default of agreement, by a single arbitrator under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings Act, 1908.

(5) The Board may with respect to any land authorise any local authority to exercise on behalf of the Board any of the powers of the Board under this regulation.
Cultivation of Lands Order, 1917 (No. 2), applying to England and Wales.

(6) A local authority authorised to exercise on behalf of the Board any of the powers of the Board under this regulation may exercise such powers in respect of land of which the local authority is owner or occupier and may retain the rents and profits arising from such exercise of these powers, but shall not be entitled to receive from the Board any rent or compensation for the use thereof or for the exercise by the local authority of any powers under this regulation in respect of that land.

2W. If any person without lawful authority enters or remains on land of which a Government department or any body or person authorised by a Government department is in possession under the powers conferred by Regulation 2L, and on which notice of this provision is conspicuously displayed, or damages any crops growing on any such land, he shall be guilty of a summary offence against these regulations.

(2) The Cultivation of Lands Order, 1917 (No. 2), dated February 20, 1917, made by the Board of Agriculture and Fisheries as amended by the Cultivation of Lands Order, 1917 (No. 4), dated April 25, 1917.

1917. No. 188 as amended by No. 401.

Whereas under Regulation 2L of the Defence of the Realm (Consolidation) Regulations, 1914 (which was inserted in those Regulations by Order in Council, dated the fifth day of December, nineteen hundred and sixteen, and, as subsequently amended, is set out at the foot of this Order), (a) the Board of Agriculture and Fisheries (hereinafter referred to as “the Board”) are empowered to exercise certain powers with a view to maintain the food supply of the country and to authorise any Local Authority to exercise those powers on behalf of the Board.

And whereas the Board are of opinion that for the purpose aforesaid such Order should be made as is herein contained.

Now the Board of Agriculture and Fisheries do hereby authorise the council of the administrative county of London and the council of each municipal borough and urban district to exercise on behalf of the Board the powers conferred by Regulation 2L as amended as respects any land within the county of London or the borough or district, or which in the opinion of the council can conveniently be cultivated by persons residing in the county of

(a) Regulation 2L.—This Reg. as so amended is printed at p. 259, and is therefore not reprinted at the foot of this Order.
Cultivation of Lands Order, 1917 (No. 2), applying to England and Wales.

London or the borough or district, subject nevertheless to the provisions of this Order:

1. A council shall not enter on any garden or pleasure ground occupied or usually occupied together with a dwelling-house and shall not enter on any common land, as defined in this Order, without a further consent given by the Board, or on any occupied land, which is not within the county of London or in a county borough, except with the written consent of the occupier of the land or with the sanction of the War Agricultural Executive Committee of the county.

2. A council shall as soon as possible after entry on any land give notice of the entry to the owner of the land if he is not the occupier thereof.

3. A council may in the case of occupied land agree to pay a rent for the use thereof but not in excess of the rent payable by the occupier for the land, or if held with other land, in excess of a fair proportion of the total rent so payable, or where the land is occupied by the owner, in excess of the annual value for the purposes of income tax together with the tithe rentcharge (if any).

4. A council may arrange with any society having for its object the cultivation of vacant land for the cultivation of any land on which the council has entered, and may delegate to such society such of the powers of the council under this Order as may be necessary for the purposes of the arrangement.

5. A council may purchase any seed manures or implements required for the cultivation of the land and sell any article so purchased to the cultivators, or allow their use of the implements at a price or charge sufficient to cover the cost of purchase.

6. A council shall as far as practicable arrange that the payments made by the cultivators for the use of the land shall cover the cost incurred by the council in providing the land or adapting it for cultivation, and shall not incur any expenses in the exercise of the powers hereby conferred (except in respect of compensation payable under subsection (3) of Regulation 2t or payable under subsection (4) of that Regulation in respect of any deterioration of the land) which will involve the Board in a liability to repay the council a total amount exceeding two pounds for each acre provided by the council.

(a) War Agricultural Executive Committees.—As to the constitution of these Committees see the Cultivation of Lands Order 1917 (No. 3), made March 15th, 1917, under Reg. 2m, and printed p. 273.

(b) Excess Expenditure by Local Authorities.—The Board of Agriculture are not willing generally to increase their contribution beyond the £2 per acre already announced, but where it is shown to the satisfaction of that Department that a larger expenditure, not exceeding an additional £2 2s. per acre, was reasonably incurred, the grant will be increased so as to cover one-half of that excess, and the Local Government Board will be prepared, in the case of a Local Authority whose accounts are subject to audit by a District Auditor, to sanction, under the Local Authorities (Expenses) Act, 1887, the expenditure represented by the other half of the excess. (See Circular issued by the Local Government Board, January 31st, 1917.)
7. An arrangement with a person or society for the cultivation of the land shall be subject to determination by the council or the Board at any time by notice to that person or society, and shall not provide for payment of compensation to that person or society in excess of the value at the time of quitting of the crops growing on the land and the labour expended upon and manure applied to the land since the taking of the last crop in anticipation of a future crop or provide for the payment of any compensation if the determination takes effect on or after the 1st January, 1918. (a)

8. The land shall not be used for the production of vegetable crops which continue productive for more than one year or for grazing.

9. A separate account shall be kept by a council of all its receipts and expenditure under this Order or the Order hereby revoked, which shall at any time be open to inspection by an officer of the Board.

10. In this Order the expression "common land" includes any land subject to be enclosed under the Inclosure Acts, 1845 to 1882, and any town or village green and any other land subject to any right of common.

11. The Cultivation of Lands Order of 1916 (b) is hereby revoked, but so that such revocation shall not affect the previous operation of such Order or anything done under it, or affect any right or liability acquired or incurred under such Order, and any reference in any document to the Order hereby revoked shall be construed as a reference to this Order.

12. This Order applies only to England and Wales.

13. This Order may be cited as the Cultivation of Lands Order, 1917 (No. 2).

In witness whereof the Board have hereunto set their Official Seal this twentieth day of February, nineteen hundred and seventeen.

Sydney Olivier,
Secretary.

(a) Date of Determination of Arrangement.—The Cultivation of Lands Order, 1917 (No. 4), substitutes the date "1st January, 1919," for "1st January, 1918," and being confined to such substitution is not printed separately in this Manual.

(b) Cultivation of Lands Order of 1916.—This Order which was made under Reg. 2L in the form in which it was introduced into the Code by Order in Council of Dec. 5th, 1916, and before the powers of entry on land were extended by Order in Council of Feb. 16th, 1917, as to occupied land is printed as St. R. & O., 1916, No. 852.
I. General Object of Regulation 2L and Order (No. 2).

Regulation 2L as originally issued has been amended so as to empower the Board to enter on any land, whether occupied or unoccupied, without the necessity of obtaining the consent of the owner or occupier. The Order delegates to the Allotment Authorities in urban areas the powers conferred on the Board by the Regulation as amended, subject to the restriction that, except as regards land in the County of London or in a County Borough, the Allotment Authority may not enter on occupied land without the written consent of the occupier, unless they obtain the sanction of the Agricultural Executive Committee of the County.

The powers conferred by the Order should be exercised with the greatest possible care and discretion. The object of the Regulation and Order is to provide land for the purpose of increasing the crops available for consumption by the public, and their powers should not be used to interfere with land which is already being fully cultivated, or with meadow or pasture land of good quality the breaking up of which would involve considerable expenditure on restoration on the termination of the occupation.

In view of the urgent importance of maintaining the milk supply, land which is being used for the grazing of cows, or which is otherwise essential for dairy purposes, should not be taken under the Order.

II. Entry on Common Land.

[Art. 1 of Order No. 2, p. 261.]

Common land may be taken subject to the consent of the Board in each case, but consent will not be given to any scheme which would damage materially the natural beauty or amenities of a common or which would seriously prejudice the interests of the commoners or the public. Moreover, the Board will not consent to schemes for the taking of parts of commons unless they are satisfied that the local demand cannot reasonably be met from the other classes of land.
Powers conferred by Regulation 2L and Cultivation of Lands Order, 1917 (No. 2) in England and Wales.

III. Tenure of Land Taken.

The Board or a Council can give up possession of the land at any time, and this should be done whenever they are satisfied that the land is required by the owner for immediate use for building or other exceptional purposes.

IV. Rent payable by Councils for Land Taken.

(i) No rent will be payable by a Council for any unoccupied or common land taken under the Order.
(ii) The Council should endeavour to arrange the amount of rent to be paid in accordance with paragraph 3 of the Order for any occupied land taken under the Order. It is not necessary that the question of rent or compensation for the use of the land should be settled before entry on the land by the Council, but before entering on any land the Council should satisfy themselves that there is a reasonable probability that the payments which will be made by the cultivators will be sufficient to recoup the probable outlay by the Council.

V. Letting of Land Taken.

[Art. 4 of Order No. 2, p. 261.]

Land taken under the Order may be let by the Local Authority for cultivation in small allotments either to a society or to individual cultivators. Councils are advised where possible to arrange for the letting to or through the agency of any existing society operating in its district or to one formed for the purpose, and power is given by the Order to delegate to such society all the powers of the Council except the actual taking of the land. In the case of land let to individual cultivators it has been found by experience that as a general rule 10 rods is sufficient for each cultivator.

VI. Rent payable by Cultivators.

[Art. 3 of Order No. 2, p. 261.]

Councils should arrange as far as possible that the expenses of providing land should be recouped by payments made by the cultivators. In the case of unoccupied or common land, where no rent is paid by the Council, it may not be necessary to charge more than a nominal rent to the cultivators, but if rent is paid by the Council for occupied land the rents charged should be sufficient to cover the payments.
VII. Rates on Land Cultivated.

(i) The Local Authority are, under the Order, acting as the agents of the Board of Agriculture and Fisheries, and the land taken may be regarded as Crown land and thus not subject to rates. The cultivators will not be in the position of ordinary tenants, but rather in that of users of the land by permission of the Local Authority for the express purpose of increasing the total food supply of the country, and in these circumstances they may be regarded as not liable for the payment of rates:

(ii) In the case, however, of occupied land taken under the Order it will as a rule be reasonable that an equivalent of the rates which have hitherto been paid in respect of the land, or would have been payable under normal conditions, should be forthcoming; and it is desirable either that the terms made with the occupier from whom the land is taken should provide that he should continue to pay the rates, or that the Local Authority should themselves be responsible for the payment and include a suitable charge in the rents to be paid by the cultivators.

(iii) In the case of the cultivation of a garden attached to a house which is unoccupied any rates payable will be assessed on the garden alone, and the value of the house will not be taken into account.

VIII. Adaptation of Land for Cultivation.

[Reg. 2L (2), p. 259.]

Councils are authorised to do all things which are necessary or desirable to adapt any land taken for cultivation, including fencing, but it would obviously be unprofitable to incur any considerable expense on land held for a short and uncertain period. In some cases it may be essential to provide fencing, but, as a general rule, the responsibility of protecting the plots should be placed on the cultivators themselves. Councils who have horses and the necessary implements available can render valuable assistance by breaking up the land in the first instance.

IX. Provision of Seed, Manures or Implements.

[Art. 5 of Order No. 2, p. 261.]

The Order authorises Councils to provide seed, manures or implements at cost price to the cultivators. It will therefore be possible to arrange for the purchase in bulk of seed potatoes, for instance, a form of assistance which would be of the greatest possible value. If there is a military camp in the neighbourhood it will often be possible to obtain manures at very reasonable rates.
X. Restrictions on Use of Land Taken.

[Art. 8 of Order No. 2, p. 262.]

Land taken under the Order may not be used for the production of vegetable crops which remain productive for more than one year, or for grazing. The limited period of occupation makes it undesirable to allow such crops as rhubarb or asparagus, which can be grown profitably only when several crops can be taken, and the principal object of the scheme is to stimulate the growth of substantial foodstuffs, such as potatoes, rather than luxury crops. The use of land for grazing is prohibited in order to secure the greatest possible production from the land. It is not, however, intended to prohibit the keeping of poultry, rabbits, &c., if a Council thinks this is desirable in combination with the cultivation of the land.

XI. Cultivation of Land Owned, &c., by Local Authority.

[Reg. 2L (6), p. 260.]

Some Local Authorities have sought power to utilise for cultivation land in their own possession which is not immediately needed for the purpose for which it was acquired by, or transferred to, the Council and which can be used for the purpose of cultivation consistently with the trusts (if any) affecting the land, and they have assured the Board that this can be done without expense to the State. It is not thought that public recreation grounds in populated areas which are turfed and are used to any substantial extent for recreation can with advantage be broken up, but there is much public land which does not fall within this category, and the Regulation accordingly provides that a Council may arrange for the cultivation of such land, either under a contract of tenancy or otherwise, and may retain any rents or profits arising from the use of such land, provided that no claim is made on the Board for any financial assistance by way of rent, compensation, or other payment.

XII. Direct Cultivation of Land by Local Authorities.

If a Local Authority, having possession of a piece of land suitable for the purposes of the Order, find that they cannot dispose of it to cultivators, and that it would be left idle unless cultivated by the Council themselves, there is no objection to direct cultivation by the Local Authority, if they would thus be able to take advantage of spare labour which would not in any case be employed on food cultivation. The primary aim, however, of the policy of the Government is to promote the voluntary efforts of urban inhabitants to cultivate available lands in their spare time.
XIII. Cultivation of Gardens and Pleasure Grounds; Food Production Committees.

[Art. 7 of Order No. 2, p. 262]

The Order expressly excepts from compulsory acquisition gardens or pleasure grounds occupied or usually occupied with a dwelling house. It is considered that it would not be fair or reasonable to take over such land without the consent of the owner, but if such consent can be obtained, Local Food Production Committees could do most useful work by organising arrangements for the cultivation of gardens attached to empty houses.

It is suggested that this work might be organised on the following lines. A Food Production Committee, consisting of members of the Council and other local residents, might be appointed if this has not already been done. This Committee should then arrange for a public meeting to draw attention to the need for this work, to invite voluntary workers, including those who can give part of their time at regular stated periods, and to enlist the assistance of professional gardeners in the neighbourhood. Volunteers should be sought from all classes, and in particular the assistance of women should be invited. If a Women’s War Agricultural Committee is in existence in the district, their co-operation should be enlisted.

Lists of suitable vacant gardens should be prepared and the permission of the owners obtained to allow their cultivation as a purely temporary war measure. It should be made clear to the owners that they are only asked to allow the use of the land for cropping this year, and that possession will be surrendered at once without making any claim for compensation if the house should be let. When the owner’s permission has been obtained, arrangements should be made either to allot separate plots to individuals who have volunteered to work or to organise the cultivation of the whole garden on co-operative lines. In either case provision should be made so that the cultivators may obtain expert advice from professional gardeners or other competent persons.

Each district will be able to organise a scheme of this kind on the lines most suited to its own locality. In the urgent need for increased food production no means to that end should be neglected, and it will often be the case that any spare-time labour available can be employed to greater advantage in cultivating garden ground which has until recently been under cultivation than in breaking up vacant building sites.

XIV. Compensation on Quitting.

[Reg. 2L (4), p. 259]

(i) The Regulation provides that claims for compensation in respect of land upon which the Council has entered under the Regulation may be determined, in default of agreement, by a single arbitrator under, and in accordance with, the provisions in the second schedule of the Agricultural Holdings Act, 1908.
Powers conferred by Regulation 2L and Cultivation of Lands Order, 1917 (No. 2) in England and Wales.

[Reg. 2L (3); Art. 7 of Order No. 2, p. 262.]

(ii) Cultivators of land taken under the Order will not, in normal circumstances, be entitled to any compensation on quitting, as the possibility of retaining possession after the end of the war until the growing crop is secured should allow of arrangements being made so that the land should be vacated at a time of year and with sufficient notice to obviate any loss to the cultivators. But the Order provides that if in any case the tenancy of an allotment is terminated prior to 1st January, 1919, compensation may be paid in accordance with paragraph (3) of the Regulation and article 7 of the Order.

(iii) Any compensation payable as above, either to owners or cultivators, will be defrayed by the Board.

XV. Finance.

[Art. 6 of Order No. 2, p. 261.]

In exercising their powers under the Order, Councils will be acting on behalf of the Board, and no charge will fall on the local rates. It is hoped that in most cases the expenses of providing land will be recouped by the payments from the cultivators, but any deficiency will be met by the Board, provided that, apart from the compensation referred to in the preceding paragraph, it does not exceed a total sum of £2 for each acre taken by the Council. Within this limit Councils are authorised to incur expense in carrying out their powers under the Order. A separate account must be kept of all receipts and expenditure under the Order, which will be open to inspection at any time by an Officer of the Board, and the Board will settle any claim by a Council as soon as the occupation of the land terminates.

The Board are not willing generally to increase their contribution beyond £2 per acre, but where it is shown to the satisfaction of the Board that a larger expenditure, not exceeding an additional £2 an acre, was reasonably incurred, the grant will be increased so as to cover one-half of that excess, and the Local Government Board will be prepared, in the case of a Local Authority whose accounts are subject to audit by a District Auditor, (a) to sanction, under the Local Authorities (Expenses) Act, 1887 (50 & 51 Vict. c. 72), the expenditure represented by the other half of the excess.

(a) Local Authorities Accounts Subject to District Auditors Audit.

The accounts of the London County Council and those of every Urban District Council are subject to such audit. Of Municipal Borough Councils the accounts are, in the cases of the boroughs of Aberystwith, Barnsley, Bournemouth, Chelmsford, Cheltenham, Christchurch, Dover, East Ham, Hastings, Ilkeston, Lancaster, Llanelli, Margate, Merthyr Tydfil, Monmouth, Newport, Newcastle-under-Lyme, Plymouth, Pontefract, Poole, Shrewsbury, Southampton, Southend-on-Sea Swindon, Totnes, Tunbridge Wells, Warrington and Weymouth, likewise subject under the provisions of Local Acts and Provisional Orders to such audit. In the great majority of boroughs the accounts are audited by two elective auditors and an auditor appointed by the Mayor (Municipal Corporations Act, 1882, 45 & 46 Vict. c. 50 ss. 27-29).
XVI. Local Control.

The President is most anxious that Local Authorities who are familiar with local conditions, should be free to use their own discretion to the fullest extent and that they should be as little fettered as possible by departmental control.

The Government consider it of the utmost importance that full effect should be given to the Order, but they realise this can only be done if there is a real driving power in each district. As a rule this driving power must come from the Local Authority, and it is therefore desirable that, where satisfactory measures have not been adopted by voluntary organisations, the Local Authority should immediately take all necessary steps to secure a full cultivation of available land within their district. For this purpose it may be well to appoint a working Committee which will inspire general confidence to carry the scheme into full execution. It is essential for the success of the scheme to secure the active co-operation of women in order that female labour should be utilised as fully as possible.

XVII. Appeal to Owners and Occupiers of Land.

In many parts of the country there are considerable areas of land which, though technically occupied, are not fully cultivated owing to shortage of labour or other causes. Such land, especially if it is close to urban areas where spare-time labour for more intensive cultivation is available, might with great advantage be used temporarily for the purposes of the Order. The Board feel sure that owners and occupiers will be ready to assist Councils by placing suitable portions of such land at their disposal and that many of them will be willing in addition to give materials for fencing and help in laying out the plots and preparing the soil.
Regulation 2M of the Defence of the Realm Regulations so far as applying to England and Wales.

2. Under-Cultivated Land; Agricultural Executive Committees; Drainage of Land.


[(2)-(6) relate to Committees and Cultivation.]


(3) Agricultural Executive Committees (Organization and Finance) Summary of Memoranda, &c., p. 277.

(4) Taking Possession of Land; Arrangements for Cultivation; Letting; Summary of Memoranda, &c., p. 292.

(5) Determination of Tenancies; Summary of Memoranda, &c., p. 300.

(6) Compensation Claims; Summary of Memoranda, &c., p. 304.

[(7)-(11) relate to Drainage.]


(8) Maintenance of Banks and Cleansing of Channels; Summary of Memorandum, p. 309.

(9) Obstruction of Streams and Rivers; Summary of Memorandum, p. 311.


(11) Drainage of Lands and Protection from Floods; Summary of Memorandum, p. 314.

(1) Regulation 2M of the Defence of the Realm Regulations as amended so far as it applies to England and Wales and Regulation 2N in that connection.

2M.—(1) Where the Board of Agriculture and Fisheries, after such consultation with the Food Controller(a) as may be arranged, are of opinion that, with a view to maintaining the food supply of the country, it is expedient that they should exercise the powers given to them under this regulation, the Board may—

(a) enter on and take possession of any land which in their opinion is not being so cultivated as to increase, as far as practicable, the food supply of the country, and, after entry thereon, do all things necessary or desirable for the cultivation of the land or for adapting it for cultivation; and for such purposes enter on and take possession of any buildings on the land or convenient for such purposes; and

(b) take possession of any machinery, implements of husbandry or plant (other than machinery, implements or plant in the possession or under the control of a dealer or manufacturer), or any farm produce, stock or animals, which, in the opinion of the Board, are required for the cultivation of land or the increase of the food supply of the country; and

(a) Food Controller.—As to the constitution and powers of the Ministry of Food, see Part I of this Manual.

(b) Taking Possession and Cultivation of Land.—See Summary of Memoranda by Board (4), p. 292.
(c) provide housing accommodation for persons employed for any such purposes by taking possession of any land or unoccupied premises; and

(d) utilise any water supply or motive power for any such purposes; and

(e) by notice served on the occupier of any land require him to cultivate the land in accordance with such requirements as the Board may think necessary or desirable for maintaining the food supply of the country and may prescribe in the notice(a); and

(f) by notice served on the tenant of any land which or part of which, in the opinion of the Board, is not being so cultivated as to increase as far as practicable the food supply of the country, determine his tenancy of the land on such date as may be specified in the notice, or on the application of the landlord by order authorise him in any such case to determine the

To face page 270.

See now (Jan. 31, 1918) Regulation 2m as amended to this date and Cultivation of Lands Order, 1918, and Circular accompanying same, all of which, with Cultivation of Lands (County Boroughs) Order, 1917, are printed in the ADDENDA, pp. 616-628.

of channels as is mentioned in section fourteen of the Land Drainage Act, 1847,(c) and subject to, and after the expiration of seven days from, the service of such notice as is required by that section, exercise such powers of executing all necessary works and recovering the expenses thereof as are by that section conferred on the proprietor or occupier of any land which is injured by any such neglect, and for any such purpose enter on any land without any warrant or authority; and

(i) by notice served on the occupier or person in control of any dam, mill, lock, sluice, weir, or other obstruction of the flow of water in any river or stream, require such occupier or person to keep open any mechanical appliance by which the flow of water is regulated during such times and in such manner as the Board, having regard to the use by such occupier or person

(a) Effect of Notice on Contract of Tenancy.—See Part XI (2) "Relief from certain liabilities arising from Contract of Tenancy," of this Manual.

(b) Determination of Tenancy.—The Boards' powers under par. (f) are excepted from those delegated to War Agricultural Executive Committees. See Art. 3 of the Cultivation of Lands Order, 1917 (No. 3) p. 275, and Summary of Memoranda by Board (b), p. 304.

(c) Land Drainage Act, 1847—10 & 11 Vict. c. 38.
of the obstruction and of the water thereby impounded, consider to be necessary or desirable for the prevention of floods or for the draining of land adjoining or near the river or stream(a); and

(j) where, in the opinion of the Board, any land is injured or likely to be injured by flooding or inadequate drainage which might be remedied wholly or partially by the exercise of powers which are conferred by any general or local Act, or by any award made under any Act, or by any Commission of Sewers, and which are not being exercised or in the opinion of the Board are being insufficiently exercised, exercise any such power and also any power conferred by any such Act or award or commission for defraying the expenses so incurred or for any purpose incidental to the exercise of any such power.(b)

(2) An occupier of land may, with a view to maintaining the food supply of the country, submit to the Board a scheme for the cultivation of the land in a manner not consistent with the contract of tenancy of the land, and the Board, if satisfied that the adoption of the scheme is necessary or desirable for the maintenance of the food supply, may direct that the land shall be cultivated in accordance with the scheme, subject to any modification which the Board may think fit to make therein.

(3) An occupier of land on whom a notice is served or to whom a direction is given by the Board under the preceding provisions who negligently or wilfully fails to cultivate the land therein referred to in accordance with the requirements of the notice or direction, shall be guilty of a summary offence against these regulations.

(4) If the Board at any time withdraw from possession of any land of which possession has been taken under this regulation, they may recover from the person then entitled to resume occupation of the land such amount as represents the value to him of all acts of cultivation or adaptation for cultivation executed by the Board; such amount to be determined, in default of agreement, by a single arbitrator under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings Act, 1908.

(5) Any person authorised by the Board in that behalf may, for the purposes of this regulation and upon production if so required of his authority, enter on and inspect any land or building and inspect any machinery, implements of husbandry, farm stock or produce thereon.

(6) The Board may with respect to any land or land in any district authorise any person or any body constituted by the Board for the purpose to exercise on behalf of the Board any of

(a) Powers under pars. (h) and (j).—See (7) The Drainage of Lands Order, 1917, p. 307, and Memoranda of the Board thereunder, pp. 309, 311.

the powers of the Board under this regulation and prescribe the procedure of any such body, and the authentication of any notice or other instrument issued by any body or person so authorised. (a)

(7) The powers conferred on the Board by this regulation shall be in addition to and not in derogation of any other powers of the Board.

(8) In this regulation the expression "cultivation" includes use for grazing and the expression "cultivate" has a corresponding meaning.

[Sub-articles (9) and (10) which relate solely to Scotland and Ireland are omitted from this reprint.]

(11) Any notice under this regulation may be served on the person to whom it is to be given, either personally or by leaving it for him at his last known place of abode, or by sending it through the post in a registered letter addressed to him there. (b)

2N. If any person without lawful authority enters or remains on land of which a Government department or any body or person authorised by a Government department is in possession under the powers conferred by Regulation 2M and on which notice of this provision is conspicuously displayed, or damages any crops growing on any such land, he shall be guilty of a summary offence against these regulations.

(2) THE CULTIVATION OF LANDS ORDER, 1917 (No. 3), DATED MARCH 15, 1917, MADE BY THE BOARD OF AGRICULTURE AND FISHERIES UNDER REGULATION 2M OF THE DEFENCE OF THE REALM REGULATIONS.

1917. No. 254.

Whereas under Regulation 2M of the Defence of the Realm (Consolidation) Regulations, 1914 (which was inserted in those Regulations by Order in Council, dated the tenth day of January, nineteen hundred and seventeen, and, as amended is, so far as the same is applicable to England and Wales, set out at the foot of this Order), (c) the Board of Agriculture and Fisheries (hereinafter referred to as "the Board") are empowered, after such consultation with the Food Controller (d) as may be

(a) Orders under Reg. 2M and Agricultural Executive Committees.— See (2) the Cultivation of Lands Order, 1917 (No. 3), below, and (7), (10) the Drainage of Lands Orders, pp. 307, 313.

(b) Service by Post.—See provisions of s. 26 of Interpretation Act, 1889 (52 & 53 Vict. c. 63) as to time when service by post is deemed to be effected.

(c) Regulation 2M.—This Reg. as amended is printed at p. 270, and is therefore not reprinted at the foot of this Order.

(d) Food Controller.—As to the constitution and powers of the Ministry of Food, see Part I. of this Manual.
Cultivation of Lands Order, 1917 (No. 3) relating to War Agricultural Executive Committees in England and Wales.

arranged, to exercise certain powers with a view to maintaining the food supply of the country, and to authorise any person, or any body constituted by the Board for that purpose, to exercise on behalf of the Board the powers conferred on the Board by Regulation 2m, and to prescribe the procedure of any such body and the authentication of any notice or other instrument issued by any body so authorised.

And whereas the Board, after consultation with the Food Controller, made under Regulation 2m, the Cultivation of Lands Order, 1917, dated the 19th January, 1917: (a)

And whereas the Board, after consultation with the Food Controller, are of opinion that for the purpose aforesaid the said Order should be revoked, and that such Order as is herein contained should be substituted therefor.

Now the Board of Agriculture and Fisheries do hereby order as follows:—

1. The persons who are for the time being appointed by a county council of an administrative county to act as members of the War Agricultural Committee for the county are hereby constituted as the body to exercise in manner herein provided the powers conferred on the Board by Regulation 2m which are hereby authorised to be so exercised. (b)

2. The body hereby constituted shall maintain an executive committee consisting (1) of members appointed by the said body, not less than four nor more than seven in number, unless the Board otherwise direct, and (2) of such additional members as the Board may appoint. In the case of a county in Wales (including Monmouthshire), two of the members so appointed by the body hereby constituted shall be the members representing the council of the county on the Welsh Agricultural Council. (c)

Until an executive committee is appointed in accordance with

(a) Cultivation of Lands Order, 1917.—This Order which was made under Reg. 2m in the form in which it was introduced into the Code by Order in Council of Jan. 10th, 1917, and before the powers thereof were extended by Order in Council of March 13th, 1917, is printed at pp. 259-261 of the February, 1917, Edition of the Defence of the Realm Manual. It is revoked by Art. 15 of the present Order.

(b) Powers of Committees.—These War Agricultural Executive Committees exercise powers under the Cultivation of Lands Order, 1917 (No. 2) (p. 260), and under the Drainage of Lands Orders (pp. 307, 313), the Pheasants (Rearing) Order, 1917 (p. 323), the Destruction of Pheasants Order, 1917 (No. 2) (p. 324), the Rabbits Order, 1917 (p. 331), and the Rookeries Order, 1917 (p. 328), as well as under Reg 2m, as by the present Order provided.

There is also a War Agricultural Executive Committee for the City of Birmingham (see footnote (a) to Art. (4) of the Rabbits Order, 1917 (p. 331)), which has the same powers as the County Executive Committee's powers under the Cultivation of Lands Order, 1917 (No. 3) and the Drainage of Land Orders (pp. 273, 307, 313).

(c) Welsh Agricultural Council.—This Council was constituted by Order of the Board of Agriculture and Fisheries in 1912 for the purpose of advising the Board with regard to all questions relating to Agriculture in Wales. The members were nominated by the Welsh County Councils, the Welsh University Colleges and the Board.
this provision, an executive committee of the War Agricultural Committee existing at the date of this Order may act as the executive committee for the purposes of this Order. If any vacancy occurs among those members of an executive committee who are appointed by the body hereby constituted, the executive committee may appoint any person to fill the vacancy so arising.

3. The body hereby constituted for a county, acting through the executive committee, may on behalf and at the expense of the Board, but subject to such directions as to approval of expenditure or otherwise as may from time to time be given by the Board, exercise within the county any of the powers of the Board under Regulation 2M (except the powers conferred by paragraph (1) (f) of that Regulation) and appoint such officers (a) and incur such expenses (b) as the committee may consider necessary or expedient for such purposes; provided always that the committee shall not enter on or take possession of any common land as defined by this Order, without a further consent given by the Board. The rights of any person dealing with the committee shall not be affected by any question as to compliance by the committee with any directions so given by the Board to the committee, or the requirement of consent in the case of common land.

4. An executive committee shall from time to time report their proceedings to the body constituted by this Order for the county, but the acts of the committee shall not be subject to confirmation by that body.

5. A member of an executive committee shall not take part in any decision of the committee which relates to land of which he is the owner or occupier, or the agent of the owner or occupier, or enter into any contract with the committee, unless such contract has been approved by the Board.

6. Accounts shall be kept by an executive committee of their receipts and expenditure and be open to inspection by any officer of the Board and those accounts shall be made up and audited in such manner as the Board shall direct.

7. An executive committee shall appoint a chairman of the committee. At any meeting at which the chairman is not present a person appointed by the meeting shall be entitled to act as chairman of the committee. At any meeting of an executive committee the chairman shall, in case of an equal division of votes, have a second or casting vote.

8. The quorum proceedings and place of meeting of an executive committee shall be such as the committee determine.

9. The proceedings of an executive committee shall not be invalidated by any vacancy among its members, or by any defect in the appointment or qualification of any of its members.

(a) **Staff of Executive Committee.**—See Memorandum and Suggestions by the Board, printed as (3) IV., "Staff of Executive Committees," p. 284.

(b) **Expenses of Committees.**—See Summary of Memoranda, p. 286.
Cultivation of Lands Order, 1917 (No. 3) relating to War Agricultural Executive Committees in England and Wales.

10. Minutes of the proceedings of an executive committee shall be kept in a book provided for that purpose and a minute of those proceedings signed at the same or the next ensuing meeting by a person describing himself as, or appearing to be, chairman of the meeting at which the minute is signed shall be received in evidence without further proof.

11. Any notice, direction or other instrument (a) signed by a person describing himself or appearing to be chairman of an executive committee shall be received in evidence without further proof as a notice, direction or instrument issued by the executive committee.

12. Until the contrary is proved an executive committee shall be deemed to have been duly constituted.

13. An executive committee may, subject to any directions given by the Board, appoint such sub-committees as the committee thinks fit. A sub-committee may consist either wholly or partly of persons not being members of the executive committee. (b)

14. In this Order, the expression "common land" includes any land subject to be enclosed under the Enclosure Acts, 1845 to 1882, and any town or village green and any other land subject to any right of common, and the expression "Regulation 2m" means Regulation 2m as subsequently amended.

15. The Cultivation of Lands Order, 1917, (c) is hereby revoked, but so that such revocation shall not affect the previous operation of such Order anything done under it, or affect any right or liability acquired or incurred under such Order, and any reference in any document to the Order hereby revoked shall be considered as a reference to this Order.

16. This Order applies only to administrative counties in England and Wales.

17. This Order may be cited as the Cultivation of Lands Order, 1917 (No. 3).

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this fifteenth day of March, nineteen hundred and seventeen.

(L.S.)

F. L. C. Floud,
Assistant Secretary.

(a) Signing of Notices, &c.—Art. 11 does not make such signing as is therein referred to essential but provides that a Notice, &c., so signed shall be received in evidence without further proof. If the Notice is not signed by the Chairman, it should be signed by a person thereto authorised by the Committee’s Minutes.

(b) Sub-committees.—See Memorandum and Suggestions by the Board, printed as (3) III., "Sub-committees," p. 278.

(c) Cultivation of Lands Order, 1917.—See footnote (a), p. 274.
Agricultural Executive Committees in England and Wales.

(3) AGRICULTURAL EXECUTIVE COMMITTEES, THEIR ORGANISATION, STAFF, ACCOUNTS AND EXPENSES, SUMMARY OF CIRCULARS AND MEMORANDA ISSUED BY THE BOARD OF AGRICULTURE AND FISHERIES.

This Summary is arranged as follows:

I. Agricultural Executive Committees, p. 277.
II. Control by Board, p. 277.
III. Sub-Committees, p. 278.
IV. Staff, p. 284.
V. Accounts and Expenses, p. 286.
VI. Office Accommodation, p. 291.
VII. Supply of Maps, p. 291.
VIII. Utilisation of Valuation Records, p. 291.
IX. Insurance of Buildings, &c., p. 291.

I. AGRICULTURAL EXECUTIVE COMMITTEES.

[Arts. 1, 2, 3, 7 of Order No. 3, pp. 274, 275.]

By the Cultivation of Lands Order 1917 (No. 3) (pp. 273-276) the persons who were for the time being appointed by the County Council of each administrative county to act as members of the War Agricultural Committee for the county were constituted as the body to exercise the powers conferred upon the Board by Regulation 2m, and were directed to maintain an Executive Committee consisting (1) of members appointed by the War Agricultural Committee, ordinarily not less than four nor more than seven in number, and (2) of such additional members as the Board may appoint. The Executive Committee is empowered to appoint its own Chairman, and to fill up any vacancy (not arising among the additional members appointed by the Board). All the powers of the Board under Regulation 2m, except the power of determining a tenancy or of authorising the landlord to do so, are delegated to the Executive Committee so formed; provided always that the Committee shall not enter on or take possession of any common land, as defined by the Order, without a further consent given by the Board. The President of the Board has appointed the Board's District Commissioner to be a member of the Executive Committee, and reserves the right to appoint other members. The Executive Committee is required from time to time to report its proceedings to the War Agricultural Committee of the County, but its acts are not subject to confirmation by that body.

II. CONTROL BY THE BOARD OVER EXECUTIVE COMMITTEES.

It is intended that the Executive Committees should be free to exercise their powers with as little departmental control as possible. It is clearly desirable in carrying out a policy which aims at promoting good farming and stimulating food production

*(a) Determination of Tenancies.—See Memorandum of the Board printed as (5) p. 300.
that the fullest use should be made of local knowledge and experience. But the Committees will be acting as the agents and at the expense of the Board, and it is necessary that the Board should be fully informed of their proceedings. The Board direct, therefore, that a report should be sent to them at the end of each week by the Executive Officer of each Executive Committee, which should contain information as to any action taken by the Committee under the powers conferred on them by the Order, and should include a general account of the proceedings of the Committee during the week. The Board direct also that if, in regard to any action which the Committee propose to take, their District Commissioner informs the Executive Committee that in his opinion it should be referred to the Board for their approval, the Executive Committee shall so refer it and shall not proceed further till they have received the Board’s approval.

III. Sub-Committees.

[Art. 13 of Order (No. 3), p. 276.]

1. Sub-Committees Generally.

By Para. 13 of the Order, an Executive Committee may, subject to any directions given by the Board, appoint such Sub-Committees as it thinks fit, and a Sub-Committee may consist either wholly or partly of persons not being members of the Executive Committee.

2. District Sub-Committees.

The following suggestions have been made by the Board for the guidance of County Agricultural Executive Committees in constituting District Sub-Committees, and in defining their duties:

(1) As a rule, it is desirable that the County Executive Committee should divide the county into convenient districts for the purpose of the increased production of food, which would in most cases correspond with the existing Rural Districts, and should appoint to each district a Sub-Committee of not less than four or more than seven members, having experience in agriculture, and willing to attend meetings regularly during the war. To each Sub-Committee should be appointed as Secretary someone who will be able and willing to give a substantial amount of time to the work of the post, and who is not already overburdened by other duties.

(2) A District Sub-Committee should meet at least once a fortnight, and if possible once a week, on a different day from that on which the Rural District Council meets, so that those members who are on both bodies may be able to give their undivided attention to food production work.

(3) It should keep Minutes of its proceedings, and forward a report after each meeting to the County Executive Committee and to the Board of Agriculture’s Commissioner for the District.
(4) It should appoint one or more persons experienced in agriculture as its correspondents and representatives in each parish or convenient group of (usually not more than three) parishes in its district, and report the names of these Parish Correspondents to the County Executive Committee.

(5) It should report to the County Executive Committee any land within its district which is from any cause not at present producing its full quota of food for the nation, suggest the action necessary to obtain the best possible output of food from the land, and assist the County Executive Committee in carrying out any measures which it may decide to take with that object.

(6) It should report to the County Executive Committee any grass land which in its opinion ought to be ploughed up for the 1918 cropping.

(7) It should report any special cases of labour shortage and should see that farmers needing labour are put in touch with any available source of supply, such as women, soldiers, &c. It should co-operate closely with other organisations for the supply of labour, such as the Women’s War Agricultural Committee and the Agricultural Representative of the National Service Department.

(8) It should assist farmers in obtaining, through the County Executive Committee, good seed and manures, spraying materials for potatoes, and, where necessary, the use of horses and implements.

(9) It should do everything in its power to facilitate the working of any motor tractors and steam tackle available in the county, and make known to farmers the terms on which their use can be obtained.

(10) It should call the attention of farmers to the facilities for obtaining credit from the Banks through the County Committee under the scheme arranged by the Board.

(11) It should help to organise measures for the destruction of rabbits, rats, rooks, sparrows and other pests, and use its influence with the local bodies which are authorised to spend money for this purpose.

(12) It should report any difficulties in maintaining the food supply due to the land being detrimentally affected by the blocking of water-courses, or of the holding-up of water by mill-dams and locks.

(13) It should assist the provision of land for allotments where needed, encourage the adoption of co-operative methods for the purchase of seed, manure, &c., and take steps to see that all existing allotments and gardens are fully cultivated.

(14) It should employ its Parish Correspondents to obtain detailed information, and carry out measures decided upon by the County Executive Committee, and generally to keep it in close touch with individual farmers throughout its area.
(15) It should keep the Board's District Commissioner and Sub-Commissioner informed of the dates of its meetings and where they are to be held, in order that they may have an opportunity of attending and advising on any question under discussion.

The County Executive Committee should keep each District Sub-Committee informed without delay of the general instructions issued by the Board, and of any action taken which affects the area under the charge of the Sub-Committee. While it must be borne in mind that the County Committee cannot delegate to a Sub-Committee the executive powers conferred on it by the Order, it should endeavour to keep each Sub-Committee fully occupied with work of a responsible character, and thus save itself from becoming overburdened by a mass of detail which can be better dealt with by men of local knowledge. The measure of success that will attend the work of the Executive Committees in stimulating the increased production of food depends very largely on the amount of work that is done by the District Committees, and unless Executive Committees can rely on obtaining effective and constant assistance from the District Committees, they cannot hope to bring home to the individual farmers of the county the urgent call for increased production, or to afford them the help that they may need in their difficulties.

3. County Sub-Committees.

(1) The programme of increasing largely the production of cereals for the harvest of 1918 will make great demands on the time and attention of the Executive Committees and renders it necessary to develop the organisation and increase the staff of the Committees.

(2) It has therefore been decided to ask Executive Committees to appoint Sub-Committees, each of which should be entrusted with a definite branch of the work, so as to relieve the Executive of the detailed work of carrying into effect the programme, leaving the Executive free to consider the more important matters of policy while exercising a general supervision of the work of the Sub-Committees. It will be necessary to retain in the hands of the Executive Committee as a whole the exercise of any of the powers conferred on it by the Defence of the Realm Regulations, but much of the preliminary work of inquiry could be delegated to Sub-Committees.

(3) Steps should be taken at once to set up the following Sub-Committees, each of which might consist of not more than two members of the Executive together with other persons co-opted from outside. The Chairman of the Executive and the Board's District Commissioner should be ex-officio members of all Sub-Committees.

Labour Sub-Committee.

(4) In the first place it is essential that there should be a special Sub-Committee to deal with the all important subject of labour. In many counties a Sub-Committee has already been appointed to
deal with the distribution of soldier labour, but its functions should be extended to deal with matters relating to the supply, distribution, housing and wages of all forms of labour, including women, as well as questions affecting the retention of the existing labour on the land, the work of the Tribunals, substitution, &c. In view of the necessity of encouraging the employment of women, and particularly of those women who have been trained under the Board’s scheme, the Organising Secretary of the Women’s War Agricultural Committee should be co-opted as a member of the Labour Sub-Committee. It is highly important that the Labour Sub-Committee should give their active assistance to the Women’s Committee, and if there is any difficulty in placing the women who are trained the Sub-Committee should use their influence with the farmers to induce them to engage the women. The present and prospective shortage of man-power in all industries is so serious that dilution of labour is as essential in agriculture as in any other business, and if any farmers unreasonably decline to employ available women, the Sub-Committee might refuse to allot to them soldiers or other male labour until they agree to engage a proportion of women. The Labour Sub-Committee might deal also with the supply and distribution of Army or other horses and with any questions that will arise under the Billeting of Civilians Act, 1917 (7 & 8 Geo. 5, c. 20).

Machinery Sub-Committee.

(5) A revised scheme for the operation of the Government tractors has been issued under which the Executive Committees are asked to undertake a much greater measure of responsibility for the working of the tractors than was the case under the original scheme, which had to be improvised at short notice before the Executive Committees were sufficiently organised to deal with the matter. In view of the new duties entrusted to the Committees by the revised scheme and of the volume of work involved in making arrangements for the ploughing up of the quota of grass land apportioned to each county, it will be essential to appoint a special Sub-Committee for the purpose. It should be called the Machinery Sub-Committee and should deal with the work of the tractors, the sets of steam tackle in the county and should also be responsible for the organisation of all kinds of agricultural machinery, especially threshing machines. The Sub-Committee should consist of not more than two members of the Executive, together with the tractor representative and the steam tackle representative of the Board.

Supplies Sub-Committee.

(6)—(i) The increased quantity of fertilizers, seeds and other agricultural requirements that will be needed in connection with the increase of the arable area makes it necessary that timely steps should be taken to secure their supply and distribution. A special Supplies Sub-Committee should therefore be appointed.
Supplies Sub-Committees of Agricultural Executive Committees in England and Wales.

It should consist of two members of the Executive Committee together with representatives of the principal dealers, merchants and agricultural co-operative trading societies in the county. The Sub-Committee should arrange with the traders concerned for adequate supplies of fertilisers, seeds, &c., to be available at approved prices for use when required and should ensure that farmers, dealers and others take delivery of their probable requirements during the summer and early autumn. If orders are deferred until later in the year it may not be possible for them to be executed. The Sub-Committee should use their influence to ensure that all land in the county is adequately and properly manured and should undertake any purchases needed for land on which the Executive Committee enter under the Cultivation of Lands Order. The Food Production Department will be prepared to give the Sub-Committee any advice and assistance in their power as to the supplies, prices, &c., of requirements.

The work this Sub-Committee is invited to perform is of the highest importance in view of the largely increased demand for materials which is likely to arise owing to the Food Production Policy, but it presents a number of special difficulties which can only be overcome by action on well-considered lines.

(ii) The requirements of the country in the coming season may differ appreciably from those of the period before the war, and it is necessary while making the best use possible of existing distributing agencies to devise measures which will enable Executive Committees to ensure that farmers are not prevented from giving effect to the Food Production Policy owing to lack of materials.

(iii) The first step is to ascertain the probable requirements of the county. The survey which is to be carried out for the purpose of selecting the land to be ploughed for the harvest of 1918 affords a means whereby these requirements can be estimated with fair accuracy. The further requirements should be gauged and the results of the survey checked by consultation with the principal agricultural merchants and co-operative societies, from whom estimates of the probable demand based on their actual sales for the past season should be obtained. It is important that the requirements should be based on the minimum rather than the maximum quantities likely to be needed, as the available supplies are necessarily limited.

The principal articles which it is suggested Supplies Committees should have in view are seed-corn, clovers, rye-grass, root-seeds, seed potatoes, sulphate of ammonia, superphosphate, basic slag, lime, sulphate of copper, binder twine and pipes for land drainage. Other articles which Committees may think necessary in view of local requirements should be added to this list.

The result of the enquiries should be furnished to the Department as soon as possible. The Department will then endeavour to ensure that the requirements of the County are met, or that it receives a reasonable share of those articles of which the supply is very limited.
Organising Distribution by Agricultural Executive Committees in England and Wales.

Organising Distribution.

(7)—(i) One means which should immediately be considered by Committees as a step in the direction of organising distribution is the preparation of a list of co-operative societies, dealers and merchants who, on complying with the stipulations indicated below, should be recognised by this Department as "Approved Agents," for the supply of those commodities which may require special measures for their proper distribution. In order to secure a reasonable uniformity it will be necessary that the conditions on which the agents are recognised shall be submitted to this Department before action is taken.

By requiring these agents to maintain a sufficient stock of materials and to sell at certain agreed prices Committees could to a large extent ensure that farmers' requirements were promptly met.

(ii) Local storage is essential in the case of many agricultural requirements in order to prevent shortage in supply and delay in delivery owing to railway congestion. The recognition of a dealer, merchant or co-operative society as an "Approved Agent" should therefore be subject to a requirement that certain minimum quantities of seeds, fertilisers, &c., are stored on the agent's premises. Traders who are unable to offer satisfactory warehouse accommodation should not be recognised, but subject to suitable undertakings being given no firm of repute should be excluded from the list of "Approved Agents" as it is important to avoid the suspicion of favouritism. The minimum quantities to be stored need not be uniform, the essential point being that the agent should undertake to carry a stock appreciably higher than normal.

In addition to the increased quantities stored in the ordinary course of business, a consideration of local requirements may lead Committees to the opinion that further and special provision is necessary and in such cases it would be open to them to arrange with "Approved Agents" for the storage of additional quantities on paying the charges involved.

(iii) Arrangements are being made with manufacturers in regard to the prices at which fertilisers and other articles should be sold by them at the works, and information on these points will be supplied to Committees from time to time as it becomes available. As the conditions applicable to each individual article vary, it is suggested that the appointment of an "Approved Agent" should be subject to an undertaking to sell those agricultural requisites in which he trades for cash at prices to be agreed.

In view of the special importance of storing sulphate of ammonia during the summer and autumn in order to enable the works to continue production to the maximum extent, it may be necessary to require "Approved Agents" to take sulphate of ammonia into store, but in that case a suitable adjustment as to price will be made.
(iv) It is desirable that the purchases made by the Executive Committees on their own account should be made either through Co-operative Societies or through local firms agreeing to purchase on behalf of Committees at fixed rates of commission.

Other Sub-Committees.

(8) Executive Committees may find it desirable to appoint other Sub-Committees to deal with such matters as Finance, the Survey (on which the District Valuer of the Land Valuation Department should be appointed) and other branches of the work.

IV.—Staff of Executive Committees.

[Art. 3 of Order No. 3, p. 275.]

1. The Order authorises the Executive Committees to appoint such officers as they may consider necessary, subject to such directions as to approval of expenditure or otherwise as may from time to time be given by the Board. It is recognised that additional staff will be necessary, but it is assumed that the creation of new salaried posts will be restricted as much as possible and that full use will be made of any existing officers of the Local Authorities and of voluntary workers. Executive Committees when increasing their staff should ascertain whether competent men cannot be obtained from the ranks of the Agricultural Companies. These Companies often comprise a number of men who are not suited for work on the land but who have had useful clerical or business experience and who might be of considerable assistance in the work of the Executive Committee.

2. In the first place the Executive Committee should select and appoint a suitable Executive Officer, who should have a competent knowledge of agriculture and some administrative experience. In most cases it should be possible to obtain for this post the services of some member of the County staff, such as the Agricultural Organiser or the County Land Agent. Where this is the case the Board will be prepared, if the appointment is approved by them, to reimburse to the County Council two-thirds of the normal salary and travelling expenses of such officer, but they are not prepared to sanction the payment of any additional salary to whole-time salaried officers of the County Council who undertake work under the Executive Committees. If an Executive Committee is unable to obtain the services of a suitable officer from the County staff, the Board will be prepared to consider proposals for the appointment of a paid Executive Officer, not on that staff, but his name and particulars of his qualifications together with the salary proposed, which must not exceed £300 a year, should be submitted to the Board for their approval before any permanent appointment is made.

3. In some counties the post of Executive Officer is held by an officer of the County Council whose salary is less than £300 a year, which is the scale applicable in the case of Executive-
Officers appointed from outside. In these cases the Board will be prepared to consider proposals for some additional payment to the Executive Officer, in view of the increased burden of work placed upon him.

4. In several counties the posts of Secretary and of Executive Officer to the Executive Committee are held by the same person. In view of the increasing burden of the duties entrusted to the Executive Committees the Board think that it is necessary that the offices referred to should be separated in all cases. The Secretary should be responsible for the minutes, correspondence and office work of the Committee, and the Executive Officer should be the principal technical outdoor officer of the Committee entrusted with carrying out inspections, &c., and generally supervising the cultivation of any land taken over by the Committee. It will be impossible for one man to perform effectively the duties of both posts, and Committees should therefore arrange as soon as possible to appoint a separate Secretary if this has not already been done. The Secretary of a Committee may be paid a salary not exceeding £250 a year if he gives his whole time to the work.

It will probably be found necessary to appoint a special officer for the work of the Labour Sub-Committee, who should be called the Labour Officer, and who may be paid a salary not exceeding £250 a year if he gives his whole time to the work.

*Machinery Officer.*

5. It will be essential that the Machinery Sub-Committee should have a special whole-time officer, who should be called the Machinery officer. It will be his duty, under the directions of the Sub-Committee, to inspect land in order to see that it is suitable for mechanical ploughing, to make the contracts with the farmers, to arrange with the farmers how the land should be ploughed, and to get them to mark out the fields and state the headlands required. He will also be responsible for planning the route of the tractors from field to field, so as to avoid road journeys as far as possible, and should advise the tractor representative of the Board how the tractors should get to the land to be ploughed. He should also arrange where the stores of paraffin, oil and petrol should be kept, and should supervise generally the ploughing undertaken by the tractors. It will be necessary, therefore, that this officer should be an agriculturist possessed of practical experience of mechanical cultivation. The Executive Committee should proceed at once to select this officer and should submit his name with a statement of his qualifications to the Board for approval before he is definitely appointed. A salary not exceeding £250 a year may be offered for this post.

*Clerk of Supplies Sub-Committee.*

6. It may be necessary to appoint an officer to act as a whole-time clerk to the Supplies Sub-Committee, and, if so, a salary not exceeding £3 a week may be offered for this post.
Clerks of District Committees.

7. The Board authorise the payment of an honorarium to Clerks of District Committees in cases where the Executive Committee are satisfied that it is desirable and necessary. The amount of the payments should be varied according to the size of the district, subject to a maximum payment for the financial year 1917-18 of £25 in any one case, and subject also to the proviso that the total payments under this head shall not exceed such sum as represents an average of £20 for each District Committee in the County. The payments should be made out of the funds placed at the disposal of Executive Committees for staff and administrative expenses, and the Board will be prepared to supply the necessary funds for the purpose.

It must be understood that Executive Committees should not make such payments as a matter of course to every existing Clerk of a District Committee. They should take such steps as may be necessary to secure the services of men who are able and willing to give a substantial amount of time to the work of the Committees and who are not already over-burdened by other duties.

Further Clerical Assistance.

8. The Board recognise that the work which will fall on the District Committees in connection with the programme for the harvest of 1918 will be very heavy and that in some cases it may be necessary to provide for further expenditure in addition to these honoraria to the clerks. The Board think that it is desirable that the engagement of clerical assistance for the District Committees should be kept under the control of the Executive Committees themselves, and those Committees are authorised to incur commitments for additional clerical assistance for District Committees up to an amount not exceeding £200 a year in any one county without further reference to the Department. Committees should, however, bear in mind the paramount importance of strict economy and should satisfy themselves in each case that the fullest possible use is made of the services of volunteers.

V.—Accounts and Expenses.

(i) General Principles to be observed.

The Treasury desire that in connection with money placed at the disposal of Agricultural Executive Committees from time to time by this Department, the following general principles should apply, so far as the circumstances may admit:—

(1) Imprests or advances issued by a Committee should be kept at the lowest figure compatible with the requirements of the case, and the period to be covered by any imprest should be as short as is reasonably convenient.
Expenses and Accounts of Agricultural Executive Committees in England and Wales.

(2) Surprise inspections of public cash in the hands of Officers of the Committee or other persons are generally desirable, and should not be waived by a Committee on personal considerations. The inspections (i.e., the check of the accuracy of the amount of cash produced) will be materially facilitated if the imprest account of the Officer or other person entrusted with money be kept on the "standing imprest" system. The "standing imprest" system contemplates an advance to an Officer in the first instance, and the subsequent payment in full of his accounts of expenditure, either monthly or at shorter periods as may be convenient. An Officer's balance at any moment will consequently be represented by the amount of his standing imprest less any expenditure incurred during his current period of account.

(3) Accounts should be required to be rendered promptly and regularly, and delay in rendering accounts should be regarded as a serious irregularity in regard to which suitable action should be taken forthwith.

(ii) Accounts Generally.

The following instructions are issued with regard to the Accounts to be furnished to the Board in respect of Grants made to Executive Committees:—

(1) Grants will be made for:—

(a) Administrative and Office Expenses.

(b) Cultivation and other purposes.

(2) Transactions under these heads should be kept separate in the Accounts.

(3) An account should be furnished to the Board quarterly for the periods to 31st March, 30th June, 30th September and 31st December.

(4) The Account should reach the Board within 10 days of the close of the quarter.

(5) The expenditure out of the Grant for Administrative and Office Expenses should be set out under headings corresponding to those contained in the Estimate previously submitted by the Committee, namely, Salaries, Travelling Expenses, Postages, &c.

(6) The expenditure out of the Cultivations Grant should be similarly set out under appropriate headings, each undertaking being shown separately with suitable subheadings. Any sums, including the Grants, received by the Committee should be brought to account against the relative undertaking.
(7) The unexpended balance at the close of the quarter should be shown in the Accounts, the amount under (a) and (b) above being given separately.

(8) A bank statement should be furnished with each quarterly account showing the balance at bank on the last day of the quarter. Allowing for cash in hand and for cheques not cleared, the bank balance will ordinarily agree with the account balance. The necessary particulars establishing agreement should be given on the account.

(9) The Committee should arrange, if possible, for the Account to be audited and certified as a voluntary War Service either by the County Accountant, or by some other local qualified accountant or auditor of recognised standing. If the Committee find themselves unable to secure this the matter should be reported to the Board with a view to some other arrangement being made for audit.

(10) In addition to the quarterly cash account a full account including stock and revenue accounts and a balance sheet, should be furnished for each farm or other undertaking at the close of the year, or earlier if the particular undertaking should terminate within the year.

This account should be drawn up so as to show clearly the outcome of the undertaking over the year.

(11) Furniture, implements and all other articles of equipment purchased out of grants are the property of the State.

An inventory should be kept of such articles of a value of 20s. and upwards. A copy of the inventory revised to date should be furnished to the Board periodically with the accounts.

(12) The salaries of officers of the County Council whose services are lent to the Executive Committee should continue to be paid by the County Council. Where these officers are lent for whole time service under the Committee, the Board will be prepared to refund to the County Council two-thirds of the normal salaries, less any amounts payable in respect of the same out of the Board's Education Grants or out of the Small Holdings Account.

In order to simplify accounting the Board requested the General War Agricultural Committee in each County to close its separate account on 31st March, 1917, and to transfer the unexpended balance to the Executive Committee. This balance should be brought to charge as a receipt by the Executive Committee. Expenses (if any) incurred thereafter by the General Committee should be defrayed by the Executive Committee and included in the latter's quarterly accounts.
The Board do not propose at this stage to indicate in greater detail the manner in which the Committee should keep its accounts. If, however, difficulties are experienced which it is desired to bring to the notice of the Board, it will be convenient that the facts should be stated fully in a separate letter.

The Board desire finally to impress on the Committee the need for the exercise of the greatest care and economy in the expenditure of public moneys, and in almost equal degree the importance of a sound system of accounts. Careful attention to these matters, particularly in the early stages of operations, will amply repay time spent upon them, not only in the actual conduct of the various undertakings, but as well in the greater facility and clearness with which the Committee will be able to present accounts of its transactions.

(iii) Advances on Account of Grants.

In order to avoid the accumulation of unnecessarily large cash balances on the accounts of Executive Committees at local banks, the following procedure is proposed for the future in connection with the payment by the Department from time to time of moneys on account of Grants:

1. When a Grant is approved by the Department a formal notification to that effect in writing will be sent to the Committee, but as a rule payment will not actually be made at this stage.

2. Once a month the Finance Sub-Committee should frame an Estimate of its receipts and expenditure over the ensuing month, and application should be made to the Department as and when required for such an amount as is found to be necessary to enable the Committee to carry on for the month.

3. The application to the Department should be accompanied by a copy of the Finance Sub-Committee’s Estimate which should be drawn up in the manner shown in the accompanying form and should be signed on behalf of the Finance Sub-Committee.

4. A Grant statement in the form also shown should at the same time be furnished showing that the sums applied for are for purposes for which the Department have authorised expenditure and are within the amounts respectively authorised.

The above procedure should suffice to meet ordinary requirements, but in exceptional circumstances and to meet urgent and unforeseen demands the Department will be prepared, if necessary, to consider applications as exceptional cases arise.
Form of Estimate, Grant Statement, and Petty Expenses of Agricultural Executive Committees in England and Wales.

I. Estimate of the Receipts and Expenditure of the Executive Committee for the County of During the Period From To

<table>
<thead>
<tr>
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<th>£</th>
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<tbody>
<tr>
<td>Balance in hand</td>
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<tr>
<td>Estimated Receipts (if any)... (State separately the amount for each authorised service).</td>
<td></td>
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</tr>
<tr>
<td>Total Amount required</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Apportioned as shown in Statement II.).</td>
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<td></td>
</tr>
</tbody>
</table>

II. Grant Statement.

Grants authorised.

<table>
<thead>
<tr>
<th>Date and No. of Department's letter awarding Grant</th>
<th>Purpose of Grant</th>
<th>Amount already drawn by Committee</th>
<th>Balance undrawn</th>
<th>Amount now applied for in respect of each Grant. (See footnote.*)</th>
</tr>
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Totals ... ... £

* NOTE.—The amount applied for must be apportioned to the relative grants, and not stated merely in total amount.

(iv) Petty Expenses.

Committees are authorised to incur necessary and reasonable expenditure on payments to surveyors, additional clerical assistance, travelling expenses, printing, stationery, postage and general office expenses. With regard to travelling expenses it has been represented to the Board that the increase in the cost of railway travelling will throw a heavy burden of expense on the members of the Executive Committees, and the Board are prepared therefore to authorise Committees to pay any of their members who apply for it their out-of-pocket travelling expenses in attending meetings of the Committee, or when engaged on the work of the Committee. Payments for travelling expenses should be on the basis of 3rd class railway fares or, if a member or officer of the Committee uses his own motor car, at the rate of 7½d. a mile.
The exercise by an Executive Committee of the powers conferred by the Order and Regulation will in many cases involve considerable expenditure, apart from the administrative and office expenses of the Committees which have already been dealt with. It is realised that it is impossible at present for Committees to submit any accurate estimates of the amount of money that they are likely to require, but at the same time Committees cannot be given full authority to incur an unlimited liability for expenditure which the Board would have to defray. It is thought, therefore, that pending further directions the best course will be that Committees should make their plans on the assumption that the necessary funds will be provided, but that they should inform the Board at the earliest possible date of any specific action which they propose to take under the Order and Regulation, if it will involve substantial expenditure, and state the probable cost of the operations proposed. In order, however, to avoid unnecessary delay in matters which do not involve substantial expenditure, the Board are prepared to consider at once applications for imprests for specified sums, if particulars are given of the general purposes for which funds are required. It must be understood that expenditure can only be authorised in connection with work which the Committees themselves undertake under the Order and Regulation.

VI. Office Accommodation.

The Board will be prepared to approve any reasonable expenditure for this purpose; and any agreement into which the Executive Committee propose to enter for securing such accommodation should be submitted to the Board for sanction.

VII. Supply of Maps.

Committees who desire to obtain 6 inch Ordnance Survey maps for the purpose of making a survey of agricultural land should order the maps direct from the Director-General, Ordnance Survey, Southampton. If this course is adopted no payment need be made by the Committee, as the Board will settle the account with the Director-General direct.

VIII. Utilisation of Valuation Records.

The Board of Inland Revenue have been good enough to make arrangements to permit of the inspection by the Agricultural Executive Committees of the Record Plans of agricultural areas in the District Valuer's Office, and for the supply to them of information from the official records so far as this has not been obtained confidentially.

IX. Insurance of Buildings or Other Insurance.

Where possession is taken of land, buildings, produce, crops, stock, or other property by an Agricultural Executive Committee under Regulation 2, no insurance whether workmen's compensation, fidelity or of any other kind should be effected and no payments of premiums should be made by the Committee. Under the general rule of the Public Service the "risk" is borne by the State itself, and no payment by way of insurance premium is admitted as a charge against public funds.
Powers of Agricultural Executive Committees in England and Wales as to Inspection of Land.

(4) Taking Possession of Land and Arrangements for Cultivation and Letting. Summary of Circulars and Memoranda issued by the Board of Agriculture and Fisheries to Agricultural Executive Committees.

This Summary is arranged as follows:—

I. Power to Inspect Land, &c., p. 292.
II. Schemes for Cultivation of Land, p. 293.
III. Power to issue Directions as to Cultivation, p. 293.
IV. Power to Enter on, take Possession of, and Cultivate Land, p. 294.
V. Power to undertake Manuring, p. 295.
VI. Temporary Entry on Land, p. 295.

VII. Power to Let, p. 296.
VIII. Period for which Letting may be Effected, p. 296.
IX. Form of Agreement for Letting, p. 296.
X. Procedure on taking Possession of Land, p. 298.
XI. Payment of Tithe, p. 298.
XII. Payment of Rates and Taxes, p. 299.

I. Power to Inspect Land, &c.

[Regulation 2M (5), p. 272.]

It is hoped that in the great majority of cases no objection will be raised to the inspection of land or buildings on behalf of the Executive Committees in connection with any survey which they are undertaking of the land of the County, but to meet any case in which an owner or occupier refuses permission the Executive Committee are empowered by sub-section (5) of the Regulation to give the necessary authority, which might be in the following form:—

"The Executive Committee of the War Agricultural Committee being the body authorised to exercise on behalf of the Board of Agriculture and Fisheries within the administrative county of the powers in this behalf conferred by Regulation 2M of the Defence of the Realm Regulations, do hereby authorise for the purposes of the said Regulation and upon production if so required, of this authority to enter on and inspect any land or building in the said county and inspect any machinery, implements of husbandry, farm stock or produce thereon.

"By Order of the said Executive Committee.

"Chairman of the said Executive Committee."

Obstruction of any officer or other person in the execution of his duty under the Regulation is an offence under Regulation 43 of the Defence of the Realm Regulations.
Powers of Agricultural Executive Committees in England and Wales as to Schemes for Cultivation of Land.

II. Schemes for Cultivation of Land in manner inconsistent with Tenancy; Waiver of Restrictive Covenants.

[Regulation 2M(2) p. 272.]

It is probable that Executive Committees will receive a number of applications under sub-section 2 of the Regulation from occupiers of land for permission to cultivate their land in a manner not consistent with their contract of tenancy. The “scheme” referred to need not be of a formal character, but must sufficiently indicate the scope of the application. In such cases the Committee should satisfy themselves that the permission of the owner has been asked and refused and should then arrange for the land to be inspected on behalf of the Committee by a practical farmer together with a qualified local land agent, surveyor or valuer. Notice of the application should be given to the owner. If the Committee decide to grant the application they should issue a direction that the land in question shall be cultivated in such specified manner as they think desirable in the national interest and such direction, being obligatory, will relieve the occupier from any penalty for breach of contract due to compliance with the Committee’s direction (5 Geo. V., ch. 37, sec. 1 (2)).(a) Any question of compensation to be paid by the State to the owner for loss thus occasioned will be referred, in default of agreement, to the Defence of the Realm (Losses) Commission.(b)

III. Power to Issue Directions as to Cultivation.(c)

[Regulation 2M 1 (e) p. 271.]

(i) The Order empowers an Executive Committee under sub-section 1 (e) of the Regulation to serve a notice on the occupier of any land requiring him to cultivate the land in accordance with such requirements as they may think desirable for maintaining the food supply of the country. This power may be useful in cases where in the opinion of the Committee an occupier is using his land for the production of crops which from the national point of view are unprofitable at the present time, or without good cause is cultivating his land inadequately. If an occupier negligently or wilfully fails to cultivate the land in accordance with any notice served by the Committee he will be guilty of a summary offence against the Defence of the Realm Regulations.

(a) Effect of Departments’ Requirements on Contracts.—The enactments on this matter are printed as Part XI. of this Manual.

(b) Defence of the Realm (Losses) Commission.—See footnote (a), p. 304 to “(6) Compensation Claims” in which the terms and the personnel of that Commission are given.

(c) Land Cultivated with Hops.—This is the subject of a separate Regulation, 2MN, p. 316. See Memoranda by the Board, printed as 3 (2), p. 317 as to growing of other crops on such land.
Power of Agricultural Executive Committees in England and Wales to Enter on and Cultivate Land.

IV. Power to Enter on, Take Possession of, and Cultivate Land.

[Regulation 2M (1) (a) (b) (4) pp. 270, 272.]

1. The Order and Regulation empower Executive Committees to enter on and take possession of any land, with any machinery, implements, farm produce and stock, either on the land itself or on other land, and to farm the land themselves or adapt it for cultivation. This is a power which obviously should only be exercised in special cases, and where the Committee are satisfied not only that they can obtain the necessary labour, but also that the enterprise offers a reasonable probability of recouping the cost, and that it will result in a substantial increase in the food supply of the nation at an early date. There may, however, be cases of farms which are grossly and willfully neglected, and in such cases the Executive Committee should consider whether immediate action is desirable. The quickest and most satisfactory method will probably be to arrange with a neighbouring farmer to take over, on behalf of the Committee, the management and supervision of the farm, or to instal a competent bailiff, but before taking definite action a careful estimate must be made of the amount of capital required to work the farm and a full report embodying the detailed proposals of the Committee should be drawn up for consideration by the Board.

It is eminently desirable that wherever possible any action taken by the Executive Committees should be on terms agreed with the occupier and that compulsory powers should only be used in the last resort. The cultivation must technically be that of the Committee, but they may in some cases find it possible to employ the farmer as their agent for the purpose, and whenever it is possible they should arrange such terms with the occupier of the land as will recoup them for the cost. (a)

2. Sub-section 4 of the Regulation provides for the recovery from the occupier of such amount as represents the value to him of the cultivation or adaptation for cultivation, the amount due being determined in default of agreement by arbitration under the Agricultural Holdings Act, 1908. The actual payment of the amount due may, if the Committee are satisfied that prompt payment cannot reasonably be insisted on, be deferred for such reasonable period as they think fit, for example, till the crop has been realised.

3. The amount of assistance which Committees can give in this direction will necessarily be limited by the labour and machinery at their disposal for the purpose, but every effort should be made to develop co-operation in the use of any labour and machinery at present available in any district so that it may be used to the fullest possible extent. In this connection the powers conferred by paragraph 1 (b) of the Regulation may be found useful.

(a) Power to Let.—See Memoranda printed as VII and VIII below.
V. Power to undertake Manuring.

One of the most useful forms of action which Committees can take in the public interest would be to arrange for the application of such fertilizers as sulphate of ammonia or basic slag in cases in which they are satisfied that this will be advantageous but in which the farmer from want of means or for some other reason cannot reasonably be expected to take such action on his own account. If a Committee are of opinion that such an application would be advantageous they can arrange for the supply of the fertilizer to the tenant of the land and can employ him on their behalf to apply it in accordance with their directions. In such cases they may allow the tenant to defer payment for such period as they think reasonable, but it would be desirable, if possible, to obtain from him an undertaking to repay the cost to the Committee not later than a certain date. Where a tenant is not willing to come to such an arrangement a Committee should not be deterred from exercising their powers of temporary entry for the purpose of applying the manure, and recovering the value in accordance with the Regulation, in any case in which they think this course to be in the national interest.

VI. Temporary Entry on Land for Specific Acts of Cultivation.

[Regulation 2M (1) (a) (4) pp. 270, 272.]

Some Executive Committees do not fully realise that the Cultivation of Lands Order, 1917 (No. 3), authorises them to enter temporarily on any land for the purpose of doing specific acts of cultivation or adaption for cultivation, and to recover from the occupier such amount as represents the value to him of the work done.

If Committees are of opinion, for instance, that certain fields should be ploughed by motor tractors or other means, and the occupiers fail to enter into contracts with the Committee for the work to be done, the Committee may enter temporarily and do the work themselves. If the occupier refuses to pay the cost, the Committee should take proceedings for recovery of the amount due in accordance with sub-section 4 of Regulation 2M.

Similarly, the power of temporary entry may be used for the purpose of applying fertilisers to any land or doing any other acts of cultivation or adaptation for cultivation.

Action on these lines may be taken by Committees without the necessity of obtaining the previous sanction of the Board in each case. In order to avoid any unnecessary delay it might be well for Committees in connection with their ploughing programme, to pass a general resolution authorising entry under Regulation 2M on all the lands included in the programme, so that in case any
of the farmers fail to sign contracts entry may be made and the ploughing done forthwith without having to wait for the next meeting of the Committee. At the same time, every endeavour should be made to conclude contracts with the farmers, so as to avoid the exercise of the powers of the Regulation except where absolutely necessary.

**VII. Power to Let.**

[Regulation 2m (1) (g) p. 271.]

Power is also given under sub-section (1) (g) of the Regulation to the County Executive to let land of which they have taken possession in order to secure cultivation for an increase of the food supply. This will enable Committees to let land on which they have entered to Parish Councils or other bodies for allotment purposes.

**VIII. Period for which Letting may be Effected.**

The Board recognise that in many cases it is unreasonable to ask a tenant to take the land unless he has a certainty of occupying it for more than one year; and to meet this point the Board think that an Executive Committee, after taking possession of land under the Regulations, might lease the land to a tenant for a term of two years, or such term exceeding two years as will expire at the period of quitting usual in the locality, if the Committee’s occupancy should last so long. In such a lease there should be a provision for the payment of compensation to the tenant for any loss that he may incur by reason of his tenancy coming to an end before the expiration of the time specified in the lease. Thus, if a lease is granted under these powers in April, 1917, and the usual period of quitting in the locality is Michaelmas, the lease may be for a term ending Michaelmas, 1919, if the Committee’s occupancy should continue so long; with a provision that if that occupancy comes to an end before Michaelmas, 1919, and if, therefore, the lease comes to an end with it, the tenant shall be compensated by the State for any loss incurred by reason of the premature termination.

**IX. Form of Agreement for Letting.**

The accompanying model form of agreement is suggested for use where land, of which possession has been taken under Regulation 2m, is let to a tenant in the manner above indicated. It has not been found practicable to draw a form which shall be of universal application, and, consequently, it is not desired that the form should be used without alteration in every case.
Form of Agreement for Letting of Land by Agricultural Executive Committees in England and Wales.

Any agreement for such letting should be signed by the Chairman on behalf of the Executive Committee in conformity with article 11 of the Cultivation of Lands Order, 1917 (No. 3).

The agreements require to be stamped in accordance with the ordinary law.

Agreement made the day of , 1917, between the Board of Agriculture and Fisheries (hereinafter referred to as “the Board”) acting through the War Agricultural Executive Committee (hereinafter called “the Committee”), and being in possession of the lands described in the Schedule hereto under the powers conferred by the Defence of the Realm Regulations of the one part and of (hereinafter called “the tenant”) of the other part.

1. The Board agree to let and the tenant agrees to take the land particularly described in the Schedule hereto and coloured pink on the plan hereto annexed and known as Farm, in the Parish of , from the , 1917, until the , 1917, and thereafter on a yearly tenancy subject to the provisions hereinafter contained for payment of compensation to the tenant if his tenancy is determined before the 29th September, 1919, otherwise than by re-entry under Clause 11 hereof and also subject to the other agreements and conditions herein contained.

2. The rent shall be £ per annum which the tenant agrees to pay to the Committee on behalf of the Board half yearly on the and without deduction except for landlord’s property tax. The proportion of the yearly rent payable for the period to , 1917, shall be paid on such last-mentioned date.

3. The tenant shall pay all rates, taxes and outgoings except landlord’s property tax and tithe rent charge.

4. The tenant shall on demand pay to the Committee on behalf of the Board such sum as may have been paid by the Board or the Committee to the outgoing tenant or occupier in respect of tilleges crops unconsumed hay or straw or manure or for improvements for which compensation is payable under Part III. of the first Schedule to the Agricultural Holdings Act, 1908.

5. The tenant shall enter upon the premises immediately on signing this agreement and shall during his tenancy manage and cultivate the same in a good and husbandlike manner and so as not to injure or deteriorate the holding and in particular shall not cut down trees and will leave the premises at the expiration of the tenancy in good heart and condition.

6. The tenant shall keep all buildings (except the main walls main timbers and roofs) gates and fences in good tenantable repair and all ditches and drains clear and in good conditions.

7. The tenant shall not assign or underlet the premises or any part thereof without the consent of the Board or of the Committee on their behalf.

8. The tenancy may be determined at the end of any year of tenancy by six months notice given by the Board or the Committee on their behalf or by the tenant.

9. If in consequence of the termination of the Board’s possession of the land or of a notice to quit given by or on behalf of the Board the tenancy shall determine before the 1919, the tenant shall be entitled to compensation for his growing crops and for any loss that he may incur by reason of his tenancy so determining.

10. The tenant on quitting his holding on the determination of his tenancy shall be entitled to receive from the Committee payment for tillages, crops, unconsumed hay or straw produced on the holding in the last year of the tenancy or manure in addition to any compensation payable for improvements under the Agricultural Holdings Act, 1908.
11. The Board or the Committee on their behalf may without notice enter and determine the tenancy on non-payment of rent for 21 days after the same shall have become due whether legally demanded or not or on breach of any of the conditions or agreements herein contained and on the part of the tenant to be observed and performed.

12. All questions and matters in dispute arising hereunder as to compensation damages allowances or otherwise upon which the Board or the Committee on their behalf and the tenant fail to agree shall be referred to arbitration in accordance with the provisions of the Agricultural Holdings Act, 1908.

X. Procedure on taking Possession of Lana.

Enquiries have been received from the Executive Committees of several counties with regard to the steps to be taken after deciding to enter on, and take possession of, land under Regulation 2m. In the first place, it is unnecessary to serve any formal notice before proceeding; but when it has been decided to take possession, it will be advisable, as a matter of courtesy, to give notice of the decision to the owner and occupier in cases where their addresses can be ascertained. Secondly, before taking possession, the Executive Committee should submit to the Board a report of the manner in which it is proposed to arrange for the cultivation, whether by letting, or by employing an agent to cultivate on behalf of the Committee. If it is proposed to let, the period of tenancy should be stated as well as the rent. In any case, an estimate should be submitted of the total expenditure which is likely to be incurred and of the probable receipts. The Board will deal with each report as soon as received, and either before or after the receipt of authority to take possession, the Executive Committee should appoint a competent surveyor to make a record of the state of the land and any buildings upon it, as well as of the implements, stock, farm produce and any other things which are on the land, and which it is proposed to take over. He should also make an estimate of the value of all things taken over and of the value of growing crops, tillages, and other matters in the nature of tenant-right. Where it has not been possible to ascertain the owner of the land, a notice should be affixed, after entry, in some prominent position on the land to the effect that possession has been taken under Regulation 2m, and stating the effect of Regulation 2n.\(\text{a}\) As soon as possible after possession has been taken, the particulars required in paragraph 8 of the Memoranda as to Determination of Tenancies (printed p. 303) should be furnished to the Board.

XI. Payment of Tithe.

Where an Executive Committee have taken possession of land under the powers of Regulation 2m, they are authorised to pay the tithe rent-charge accruing due after the date of taking

\(\text{a}\) Regulation 2n.—This is printed at p. 273 of this Manual.
possession, as well as arrears for two years previous to that date, provided that proceedings for the recovery of the rent-charge are taken within two years of the due date of payment.

If the Committee make such payment of tithe, any claim made by the landlord for compensation on account of his having been dispossessed under Regulation 2km, will be subject to reduction on account of the Committee discharging the landlord’s obligations as to tithe rent-charge in the manner above indicated. It is possible that the landlord might prefer to pay the tithe rent-charge himself, even after possession has been taken by the Committee, and so be able to claim compensation without any reduction of this kind. Before the Committee pay the tithe rent-charge, current or in arrear, the landlord should be communicated with and asked to exercise his option; if he desires that the tithe rent-charge should be paid by the Committee, the Committee may make the payment to the extent above indicated.

XII. Payment of Rates and Taxes.

Although there is no liability to pay local rates while land is in the possession of the Agricultural Executive Committees on behalf of the Board, they are requested to do so, in order to avoid dislocation of local funds. Where the land is let by the Committee the tenant is liable to pay the rates and Income Tax in the ordinary way.
Determination of Tenancies in England and Wales.

(5) Determination of Tenancies. Summary of Memoranda issued by Board of Agriculture and Fisheries.

[Sub-section (1) (f) of Reg. 2M (p. 271) and Article 3 of Cultivation of Lands Order, 1917 (No. 3), p. 275.]

I. Generally.

1. In certain cases, it has come to the notice of the Board that the object of extended food production can best be secured by determining immediately the unexpired tenancy of land which has been indifferently cultivated or has been left uncultivated, in order to effect a change of tenant. Accordingly, power has been conferred on the Board by paragraph 1 (f) of Regulation 2M, in such a case, to determine the tenancy or to authorise the landlord to do so. The Board will be entitled to exercise this power in cases where the Agricultural Executive Committee has entered on and taken possession of land under the Regulation, as well as in cases where occupation by the Committee is not found to be necessary. But the power will be exercised very sparingly, and if the Committee desire in any case to recommend that the Board should determine the existing tenancy of any land, they should (whether the Committee are contemplating taking possession of the land or not), state fully to the Board their reasons for the recommendation. Any authority that the Board may give to a landlord to determine a tenancy will provide for the fair treatment of the tenant whose tenancy is to be determined.

2. It should be carefully noted that the power to determine tenancies, conferred by Regulation 2M, sub-section (1) (f), has not been delegated to such Committees but is retained in the hands of the Board of Agriculture (see Article (3) of the Cultivation of Lands Order, 1917 (No. 3)). This remark applies, whether it is proposed that the Board should itself determine the tenancy or that the Board should authorise the landlord to do so.

3. When, in either of these cases, recommending the Board to determine the tenancy of land which is not being so cultivated as to increase as far as practicable the food supply of the country, Agricultural Executive Committees are requested to furnish the Board with the following particulars:—

The full name and address of the landlord, including (where the land is vested in Trustees), the names and addresses of all the Trustees;

The full name and address of the tenant;

A sufficient description of the holding to enable it to be identified, together with its approximate extent;

The length of the unexpired term of tenancy, including (where notice to quit has been given), a statement of the date on which such notice expires.

The omission to give the above particulars often occasions delay in issuing the formal order where the Board decide to grant the authority desired.

In each case, the Committee should, of course, state fully the reasons for their recommendation.
4. The following is the Form of Order usually employed in authorising the Landlord to determine a Tenancy:

The Board of Agriculture and Fisheries, in exercise of the powers conferred on them by Regulation 2m of the Defence of the Realm Regulations, and being of opinion that the land described in the Schedule to this Order or part thereof is not being so cultivated as to increase as far as practicable the food supply of the country, hereby authorize

of the land described in the Schedule to this Order, of which is the tenant, by notice in writing to which a copy of this Order is annexed served on the said tenant, either personally or by leaving it for him at his last known place of abode or by sending it through the post in a registered letter addressed to him there, to determine the existing tenancy of the said land on such date, not later than fourteen days from the date of this Order, as may be specified in the notice, subject to the following conditions:

1. The tenant shall be entitled at the determination of his tenancy on quitting the holding to obtain from the landlord (a) such compensation as is on such determination payable to the tenant under agreement or custom or under the Agricultural Holdings Act, 1908 (except Section II thereof which relates to compensation for unreasonable disturbance) (b) compensation for the value to the landlord or an incoming tenant of any growing crops or of tillages or of any hay straw fodder or manure which is required by the contract of tenancy to be left on the holding (to be valued in accordance with the contract of tenancy or the custom of the country where such custom applies) or of any grass land which the tenant is entitled to break up without the consent of the landlord.

2. The landlord shall be entitled to obtain from the tenant compensation for any breach of the contract of tenancy, expressed or implied, (including any waste wrongfully committed or permitted by the tenant) and any rent or other payment payable to or benefit under such contract to be apportioned up to the determination of the tenancy.

3. The tenant shall notwithstanding the determination of the tenancy be permitted to continue, without payment therefor, in occupation of the house (if any) on the holding in which he is residing at the date of such determination for four weeks from such date, and with the consent of, and subject to any conditions imposed by the Board for such longer period as the Board may permit.

4. The tenant shall notwithstanding the determination of the tenancy be allowed, without payment therefor, such use of the buildings and other premises comprised in the holding as is reasonably required by him for his stock, live or dead, until sale or removal thereof, which shall be effected as soon as practicable, and be allowed to hold a sale on the holding of his stock and effects on any date not later than four weeks after the determination of the tenancy.

5. Any question arising between the landlord and tenant as to the compensation payable under these conditions or as to the construction of this Order or any matter arising thereunder, shall be referred on the application of either party to be determined by a single arbitrator under and in accordance with the Agricultural Holdings Act, 1908.

In witness whereof the Board have hereunto set their Official Seal this day of , nineteen hundred and seventeen.

(L.S.)

Assistant Secretary.

Schedule.
II. Where Possession has been Taken of Land under Paragraph (1) (a) of Reg. 2m (p. 270).

5. Where possession is taken of land under paragraph (1) (a) of Regulation 2m by an Agricultural Executive Committee on behalf of the Board of Agriculture, the contract of tenancy between the landlord and tenant has usually been allowed to continue. In many cases, the land taken over by the Committee forms only a comparatively small portion of the holding, and in these cases it is hoped that arrangements may be made by mutual consent between landlord and tenant for a re-adjustment of the tenancy, for an apportionment of the rent to the area of land retained by the tenant, and so on.

6. But there are also many cases where the Committee takes possession of an entire holding, or of the greater portion of a holding; and in such cases it may often be a hardship upon the tenant, if the contract between himself and the landlord remains in force. The tenant remains technically liable for the rent although his possession may be suspended for a period of some years, and he may have taken another farm or found some other employment. At the end of that period, he will (unless in the meantime his tenancy has been determined by the landlord by notice to quit) as the person entitled to resume possession, be liable to pay to the Board the unexhausted value of all acts of cultivation or adaptation for cultivation, executed during their occupation of the land. Under these circumstances, it would generally be fairer both to the tenant and to the landlord, and also desirable from the point of view of good cultivation that the contract of tenancy should be determined when possession has been taken of the land.

7. The Board have the power to determine the tenancy of an entire holding where necessary, under the conditions laid down in paragraph (1) (f) of Regulation 2m (p. 271), and the Board will generally be prepared to exercise this power, on the recommendation of the Agricultural Executive Committee concerned, in any case in which possession has been taken of the whole or the greater part of a holding, and where it is thought fair that this should be done. Any direct and substantial loss borne by the landlord or tenant in consequence of this action may be the subject of an application for compensation to the Defence of the Realm (Losses) Commission, (a) to be made according to the procedure indicated in the Board's Memorandum printed as (6) (p. 304), and on any such application the landlord will be entitled to claim in respect of the compensation for tenant right, etc., which under the contract of tenancy, custom or Agricultural Holdings' Act he has had to pay to the outgoing tenant on the determination of the tenancy.

(a) Defence of the Realm (Losses) Commission.—See footnote (a), p. 304
8. Agricultural Executive Committees are therefore requested when reporting any case for authority to take possession of land, to state at the same time whether they recommend that the tenancy of the holding should be determined, giving the reasons why this is recommended.

They are also requested to furnish the Board as soon as possible with a complete statement of the lands of which they have taken possession giving the following particulars:

(a) Name of parish.
(b) Name and acreage of holding.
(c) Acreage of which possession has been taken.
(d) Date when possession was taken.
(e) Names of dispossessed owner and occupier.
(f) Whether tenancy of dispossessed occupier has been determined.

(g) Whether the land is being farmed by the Committee or if it has been let by the Committee to a tenant, his name, the rent payable, and the date on which his tenancy commences.

In all cases where the tenancy of the dispossessed occupier has not been determined, it should be stated whether this course is now recommended, and if not for what reason.

Where possession has been taken for a temporary purpose only, such as manuring, mole-draining or specific acts of cultivation, the above remarks are not intended to apply.
(6) **Compensation Claims in Consequence of Action Taken by Agricultural Executive Committees. Memorandum Issued by Board of Agriculture and Fisheries.**

1. Claims for compensation of various kinds will arise in consequence of action taken by Agricultural Executive Committees in the exercise of the powers delegated to them under Regulation 2m (p. 270). Such claims may for example be made when the Committee have taken possession of land under sub-section (1) (a) of that Regulation, or of machinery, plant, &c., under sub-section (1) (b), or when directions have been given to cultivate in a particular manner inconsistent with the contract of tenancy; there may be claims by the tenant for loss due to possession being taken of his land or of his stock, and so on, or by the landlord for loss of rent or other matters. In short, claims of many kinds may be preferred, some of which may be admissible and others inadmissible, and it is not possible here to do more than instance subjects on which the claims received will probably be the most numerous. Arrangements have now been made with the Defence of the Realm (Losses) Commission(a) for the procedure in dealing with these claims. It has not been found possible to obtain powers either for the Board of Agriculture or for the Agricultural Executive Committees to enter into agreements for payments where action is taken under Regulation 2m.

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(a) **Defence of the Realm (Losses) Commission.**—The terms of reference of this Royal Commission (which was appointed March 31st, 1915, and is printed at length at pp. 367, 368 of Supplement No. 3 to the Manual of Emergency Legislation) are as follows:—

"to inquire and determine, and to report what sums (in cases not otherwise wise provided for) ought in reason and fairness to be paid out of public funds to applicants, who (not being subjects of an enemy State) are resident or carrying on business in the United Kingdom, in respect of direct and substantial loss incurred and damage sustained by them by reason of interference with their property or business in the United Kingdom through the exercise by the Crown of its rights and duties in the defence of the Realm."

The Commissioners thereby appointed are empowered:—

(i.) to call before them such persons as they shall judge likely to afford them any information upon the subject of the Commission; and also to call for, have access to and examine all such books, documents, registers and records as may afford them the fullest information on the subject, and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

(ii.) to visit and personally inspect such places as they may deem it expedient so to inspect for the more effectual carrying out of the purposes aforesaid.

The Commission further provides that if the Commissioners deem it expedient, the powers and privileges conferred on them shall belong to, and may be exercised by, any one or more of them, and that they shall, from time to time, report to the Treasury.

The (Oct., 21st, 1917) present members of the Commission are:—

Sir James T. Woodhouse (chairman);
Sir Matthew G. Wallace;
Mr. E. Shortt, K.C., M.P.; and
The Rt. Hon. Mr. Laurence Hardy, M.P.

Mr. D. du Bois Davidson is Secretary to the Commission, whose address is:—Spencer House, 27, St. James' Place, S.W.1.
2. The Commission will only consider applications for compensation in respect of direct and substantial loss incurred and damage sustained by reason of interference with property or business through the exercise by the Crown of its rights and duties in Defence of the Realm, that is to say, for the present purpose, through the exercise by Agricultural Executive Committees, on behalf of the Board of Agriculture, of the powers given by Regulation 2M. Such applications will only be dealt with by the Commission if made, in the first instance, to the Agricultural Executive Committee by whose action the interference has taken place, and if made on one of the forms prescribed by the Commission. Any person applying to the Executive Committee for compensation should be given two copies of these forms to fill up and return to the Committee. One copy should be sent on receipt by the Committee as filled up to the Secretary of the Defence of the Realm (Losses) Commission. (a) In the form, a concise statement must be given by the applicant of the particulars and grounds of the application, setting out in the appropriate places the acts causing the alleged loss and damage and the amount and detailed items of the loss incurred and damage suffered, and of the payments applied for. In cases where stock, &c., have been taken over, it will be necessary for the applicant, in filling up the form, to furnish an inventory of the items for which he requires payment with the value stated against each item. Upon receipt of an application in this form, the Executive Committee should instruct a qualified surveyor or land-agent of local experience in whom they have confidence, to furnish them with a report which, in addition to any general remarks, should deal specifically with each item of the claim. (b) Where a surveyor has prepared a record of the state of any land at the time of entry by the Committee, the same individual should ordinarily be instructed to report on the application for compensation. On receipt of this report, it should be forwarded to this Department together with the original application. It will be convenient where there are a number of items in the claim, that the report should be furnished in half-margin. The Committee, if they are unable to obtain the voluntary services of a surveyor or land-agent in any particular case, are at liberty to pay a reasonable fee for an examination of the claim and for the report.

3. The Commission have undertaken to make every endeavour to facilitate the work by disposing with all possible dispatch of applications which are submitted to them in the manner above indicated. No claim can be paid in full until it has been examined and decided upon by the Commission itself. For this purpose the report of the local surveyor will be furnished by the

(a) Defence of the Realm (Losses) Commission.—See footnote (a), p. 304.
(b) Form and Contents of Report.—A further Memorandum dated October 23, 1917 (F.P. 123), as to the form and contents of such reports with a specimen Form of report (F.P. 124) was issued whilst this Manual was passing through the press.
Board to the Commission. The Commission require the applicant to reply to any observations or objections made by this Department, or to any enquiries made by the Commission, within ten days after receipt of notice from the Commission; to attend the Commission either personally or by deputy if required by them, upon five days' notice; and to produce to the Commission upon request any book, document, register or record in his possession or power relating to the subject matter of the application. The determination of the Commission upon each application will be communicated to the applicant when it has been reported to the Treasury.

4. The above observations should be communicated to persons who apply to the Committee for compensation in order that they may be made aware of the procedure to be followed.

5. It is understood that the Commission do not object to sanctioning periodic payments to landlords or tenants in suitable cases; and this will be found useful in providing for loss of rent and so on. The making of claims by applicants, and the forwarding of them by Executive Committees according to the procedure above indicated, should not therefore be delayed, in any case where the Committee have taken possession of land, until their occupation has expired, but should be carried on simultaneously with the operations of the Committee in order to avoid hardship being caused to dispossessed landlords and tenants.

6. It is proposed from time to time to circulate, for the information of Committees and of surveyors or valuers employed by them, instructions for dealing with the claims to compensation in accordance with the decisions of the Defence of the Realm (Losses) Commission.
(7) The Drainage of Lands Order, 1917, dated March 31, 1917, made by the Board of Agriculture and Fisheries under Regulation 2m of the Defence of the Realm Regulations.

Whereas under Regulation 2m of the Defence of the Realm (Consolidation) Regulations, 1914, the Board of Agriculture and Fisheries (hereinafter referred to as "the Board") are empowered after such consultation with the Food Controller as may be arranged, and with a view to maintaining the food supply of the country.

(h) where, in the opinion of the Board, any land is injured or is likely to be injured by any such neglect on the part of the proprietor or occupier of any other land in relation to the maintenance of banks or the cleansing of channels as is mentioned in section fourteen of the Land Drainage Act, 1847, and subject to, and after the expiration of seven days from, the service of such notice as is required by that section, to exercise such powers of executing all necessary works and recovering the expenses thereof as are by that section conferred on the proprietor or occupier of any land which is injured by any such neglect, and for any such purpose to enter on any land without any warrant or authority; (d) and

(i) by notice served on the occupier or person in control of any dam, mill, lock, sluice, weir, or other obstruction of the flow of water in any river or stream, to require such occupier or person to keep open any mechanical appliance by which the flow of water is regulated during such times and in such manner as the Board, having regard to the use by such occupier or person of the obstruction and of the water thereby impounded, consider to be necessary or desirable for the prevention of floods or for the draining of land adjoining or near the river or stream.

(a) Regulation 2m.—This as amended, and so far as it applies to England and Wales, is printed as (1), p. 270.
(b) Food Controller.—As to the constitution and powers of the Ministry of Food, see Part I. of this Manual.
(c) Land Drainage Act, 1847.—10 & 11 Vict. c. 38.
(d) Paragraph (h), Maintenance of Banks and Cleansing of Channels.—See Memorandum of the Board on Regulation 2m (1) (h) and the powers of Agricultural Executive Committees thereunder, printed as (8), p. 309.
(e) Paragraph (i) Obstruction of Streams and Rivers—See Memorandum of the Board on Regulation 2m (1) (i), and the powers of Agricultural Executive Committees thereunder, printed as (9), p. 311.
Drainage of Lands Order, 1917, applying to England and Wales.

And whereas the Board are also empowered by the said Regulation with respect to any land or land in any district to authorise any body constituted by the Board for the purpose to exercise on behalf of the Board any of the powers of the Board under the said Regulation and to prescribe the procedure of any such body and the authentication of any Notice or other Instrument issued by any Body so authorised.

And whereas the Board after consultation with the Food Controller have under the said Regulation made the Cultivation of Lands Order 1917 (No. 3), (a) and are of opinion that such further Order should be made under the said Regulation as is herein contained.

Now the Board do hereby order as follows:—

1. The Body constituted by the Cultivation of Lands Order, 1917 (No. 3), for any County may exercise on behalf of the Board within the county any of the powers of the Board under the paragraphs (h) and (i) hereinbefore recited in the same manner as the powers which the said Body are by the said Order authorised to exercise. (b)(c)

2. Where any Notice is served under the powers contained in paragraph (i) hereinbefore recited such notice shall contain a provision to the following effect:—

This Notice shall take effect at the expiration of seven days from the date of service hereof, unless before such expiration notice of appeal to the Board of Agriculture and Fisheries is given in writing to the Secretary to the War Agricultural Executive Committee, (d) and in the event of any such appeal this Notice shall take effect on such date (if any) as the Board shall determine after considering the appeal.

This Order applies only to England and Wales.

This Order may be cited as the Drainage of Lands Order, 1917.

In witness whereof the Board have hereunto set their Official Seal this 31st day of March, 1917.

(L.S.) F. L. C. Floud,
Assistant Secretary.

(a) Cultivation of Lands Order, 1917 (No. 3).—This Order is printed as (2) of this section of the Manual, p. 273.
(b) Paragraph (h), Maintenance of Banks and Cleansing of Channels.—See Memorandum of the Board on Regulation 2M (1) (h) and the powers of Agricultural Executive Committees thereunder, printed as (8), p. 309.
(c) Paragraph (i) Obstruction of Streams and Rivers.—See Memorandum of the Board on Regulation 2M (1) (i) and the powers of Agricultural Executive Committees thereunder, printed as (9), p. 311.
(d) Agricultural Executive Committees.—As to these Committees see (2) the said Cultivation of Lands Order, 1917 (No. 3), p. 273, and (3) Summary of Memoranda by the Board, p. 277, as to the organisation staff and expenses of such Committees.
(8) **Maintenance of Banks and Cleansing of Channels.**

**Summary of Memorandum by the Board of Agriculture and Fisheries.**

[Reg. 2m (1) (h), p. 271; Drainage of Lands Order, 1917, p. 307.]

1. In many counties it has been found that the occupiers of land have neglected to maintain the banks or to cleanse the channels of drains, streams and water-courses lying in, or forming the boundaries of, the lands occupied by them; and that for this reason the channels fail to carry off the water, and often flood the adjoining lands, thus seriously interfering with the maintenance of the food supply. A remedy exists for this state of things in the provisions of section 14 of the Land Drainage Act, 1847 (10 & 11 Vict. c. 38); but it is unsuited to the present emergency and although paragraph (h), which has been added to sub-section (1) of Regulation 2m,(a) proceeds upon the principle of these provisions, they are considerably modified to meet the necessities of the present time. Under this paragraph of the Regulations the Executive Committee, where they find that any land is injured, or is likely to be injured, by any such neglect as has been above described, are empowered(b) to serve a notice upon the occupier who has neglected to maintain the portion of the bank or to cleanse (by cutting the weeds or otherwise) the portion of the channel lying in, or adjoining, his land, and to call upon him to execute all necessary works for maintaining that portion of the bank, or for cleansing that portion of the channel. The occupier will be given seven days in which to execute these works or satisfy the Committee that he will promptly do so. If at the expiration of these seven days he has not done so, the Committee may enter upon his land and do the work themselves. They may afterwards recover the cost in the manner provided by Section 14 of the Land Drainage Act, 1847; if the neglecting occupier fails to pay the sum apportioned upon him within one month after demand, they may apply to the Justices at Petty Sessions for a summons, and the Justices, on proof of the occupier's neglect to maintain the banks or to cleanse the channels, and of the injury caused or likely to be caused to any other land by such neglect, and of the expenses incurred by the County Committee in carrying out the work, may make an order for the payment of the expenses by the neglecting occupier, or of such proportion of the expenses as the Justices think he should pay. The money ordered to be paid is recoverable under Section 6 of the Summary Jurisdiction Act, 1879 (42 & 43 Vict. c. 49).

2. In exercising the powers above described, the Executive Committee should, wherever possible, give the required notices to the neglecting occupiers upon a line of banks or a line of channels at the same time, and if, at the expiration of the seven days named in the notice, the occupiers have not taken steps to carry out the works necessary, the Committee should arrange for

(a) **Regulation 2m.**—This Regulation is printed as (1), p. 270.

(b) **Drainage of Lands Order, 1917.**—That Order, which delegates powers to the Executive Committees, is printed as (7), p. 307.
Memorandum by Board as to Maintenance of Banks and Cleansing of Channels in England and Wales.

doing the work themselves, and should then apportion the cost according to the length of the bank lying in or adjoining the land of the particular occupier, or to the frontage of his land upon the channel cleansed, and according to the work involved in each case. It is hoped that by proceedings of this kind considerable improvements may be effected to the drainage of agricultural areas, and that substantial benefit may result to the food production of the country. In many counties the Executive Committee will probably be able to utilize the services of Agricultural Companies or of Conscientious Objectors for the purposes indicated.

3. A form of notice to occupiers is appended; in the schedule to the notice should be specified, (1) the land to the occupier of which the notice is addressed, and (2) the banks or channels, as the case may be, which the occupier is required to maintain or cleanse. Any notice to be served in the exercise of these powers should be signed by the Chairman of the Executive Committee and will then be received in evidence without further proof, as provided in Article 11 of the Cultivation of Lands Order, 1917 (No. 3). (a) Sub-section (11), which has been added to Regulation 2m. (b) provides for the method of service.

(Notice for Maintaining Banks or Cleansing Channels.)

DEFENCE OF THE REALM REGULATIONS.

Drainage of Land Order, 1917.

To

or other the occupier of the land described in the first schedule to this notice.

The War Agricultural Executive Committee for the County of being of opinion that land is injured or likely to be injured by reason of the neglect of the occupier of the said land* to maintain the banks or to cleanse and scour the channels of the drains, streams, or watercourses lying in or bounding such lands,* do by this notice require you effectually to execute all necessary works for maintaining such of the banks or for cleansing and scouring such of the said channels as are described in the second schedule hereto.

In case you shall neglect so to do within seven days from the service of this notice, the Committee are authorised by the Defence of the Realm Regulations and the above-mentioned Order to enter on your land and execute all necessary works for such purposes and to recover the expenses thereof from the occupier in the manner prescribed by Section 14 of the Land Drainage Act, 1847.

First Schedule.

Land occupied by the person to whom this notice is addressed.

Second Schedule.

Specific description of* banks or channels to be maintained, scoured or cleansed.

*Note.—Any words not required should be struck out.

(a) CULTIVATION OF LANDS ORDER, 1917 (No. 3).—Art. 11 of this Order is printed under (2), p. 276.

(b) REGULATION 2m.—Sub-section (11) of this Regulation is printed under (1), p. 273.
(9) Obstruction of Streams and Rivers. Summary of Memorandum by the Board of Agriculture and Fisheries.

[Reg. 2M (1) (i), p. 271; Drainage of Lands Order, 1917, p. 307.]

It has been found in certain cases that (apart from the cleansing of the channel) the holding up of an extensive quantity of water by obstructions such as mill-dams, locks and sluices, and so on, has had an injurious effect upon the drainage of agricultural land; and accordingly power has been given by sub-paragraph (a), which has been added to sub-section (1) of Regulation 2M, (a) to regulate the use of these obstructions, and has been delegated to County Executive Committees by the Drainage of Land Order, 1917, (b). This power can be exercised only where action is found to be necessary or desirable for the prevention of floods or for the draining of land in the vicinity of the river or stream, and in exercising it regard must be had to the use by the mill owner or navigation trustees or other person who occupies or controls the obstruction by which the water is impounded. Executive Committees may by notice require any mechanical appliance, by which the flow of water through such an obstruction is regulated, to be kept open during such times, and in such manner as they think fit; but in deciding upon their requirements the Committee must take care that the mill-owners or navigation trustees or other persons in question are allowed to retain a sufficient head of water to meet the necessities of their business, and at such times as their business requires. The notice is to allow a period of seven days before the requirements are to be carried out, in order to give the person to whom the notice is addressed time to make his arrangements, and in order to give him an opportunity of appealing to the Board against the requirements. This right of appeal has been reserved on account of the considerable interests which may, in certain cases, be involved.

A form of notice is appended, and the notice must specify in its schedules the obstruction, and the river or stream, to which it applies, as well as the time, extent and manner in which the mechanical appliance in question is to be kept open; it may, in some cases, be found advisable to specify the number of feet of water which may be kept at a stated point above the obstruction. Any notice to be served in the exercise of these powers should be signed by the Chairman of the Executive Committee and will be received in evidence without further proof, as provided in Article 11 of the Cultivation of Lands Order, 1917 (No. 3), (c) Sub-section (11), which has been added to Regulation 2M, (d) provides for the method of service.

(a) Regulation 2M.—This Regulation is printed as (1), p. 270.
(b) Drainage of Lands Order, 1917.—That Order is printed as (7), p. 307.
(c) Cultivation of Lands Order, 1917 (No. 3).—Art. 11 of this Order is printed under (2), p. 276.
(d) Regulation 2M.—Sub-section (11) of this Regulation is printed under (1), p. 278.
Memorandum by Board as to Obstruction of Streams and Rivers in England and Wales.

In the case of salmon waters, no notice should be served requiring measures to be taken which would constitute a contravention of Section 26 of the Salmon Fishery Act, 1861, as amended by Section 53 of the Salmon Fishery Act, 1873. (a)

(Notice for Regulating Obstructions to Flow of Water.)

Defence of the Realm Regulations.

Drainage of Land Order, 1917.

To

or other occupier or person in control of the* dam, mill, lock, sluice, weir or other obstruction described in the second schedule to this notice.

The War Agricultural Executive Committee for the County of being of opinion that it is necessary or desirable for the prevention of floods or for the draining of land adjoining or near the river or stream described in the first schedule hereto, and having regard to the use by you of the obstruction above mentioned and of the water thereby impounded, do hereby require you as the occupier or person in control of such obstruction to keep open the mechanical appliance(s) mentioned in the second schedule thereto during such times and in such manner as specified in the said schedule.

This notice shall take effect at the expiration of seven days from the date of service hereof, unless before such expiration notice of appeal to the Board of Agriculture and Fisheries is given in writing to the Secretary of the said Committee at his office at; and in the event of any such appeal this notice shall take effect on such date if any as the Board shall determine after considering the appeal.

First Schedule.

Name or description of river or stream.

Second Schedule.

Name or description of mill sluice or other obstruction.

Description of mechanical appliance(s).

Times and manner in which such appliance(s) is (are) to be kept open.

*Note.—Any words not required should be struck out.

(a) Section 26 of Salmon Fishery Act, 1861.—This section as amended by s. 53 of the 1873 Act is as follows:—

26.—The sluices, if any, for drawing off the water which would otherwise flow over any dam shall be kept shut on Sundays and at all times when the water is not required for milling purposes, in such manner as to cause such water to flow through the fish pass, if any, or over the dam; and any person making default in complying with the requisitions of this section shall incur a penalty not exceeding five shillings per hour for every hour during which such default continues; but this section shall not preclude any person from opening a sluice for the purpose of letting off water in cases of flood, or for milling purposes, or when necessary for the purposes of navigation, or for cleaning or repairing any dam or mill or the appurtenances thereof.
(10) The Drainage of Lands Order, 1917 (No. 2), dated May 7, 1917, made by the Board of Agriculture and Fisheries, under Regulation 2M of the Defence of the Realm Regulations.

1917. No. 428.

Whereas under Regulation 2M of the Defence of the Realm (Consolidation) Regulation, 1914, the Board of Agriculture and Fisheries (hereinafter referred to as "the Board") are empowered, after such consultation with the Food Controller, as may be arranged, and with a view to maintaining the food supply of the country:

(i) where in the opinion of the Board, any land is injured or likely to be injured by flooding or inadequate drainage which might be remedied wholly or partially by the exercise of powers which are conferred by any general or local Act, or by an award made under any Act, or by any Commission of Sewers, and which are not being exercised, or in the opinion of the Board are being insufficiently exercised, to exercise any such power and also any power conferred by any such Act or award or commission for defraying the expenses so incurred or for any purpose incidental to the exercise of any such power.

And whereas the Board are also empowered by the said Regulation with respect to any land or land in any district, to authorise any body constituted by the Board for the purpose to exercise on behalf of the Board any of the powers of the Board under the said Regulation, and to prescribe the procedure of any such body, and the authentication of any notice or other instrument issued by any body so authorised.

And whereas the Board, after consultation with the Food Controller, have under the said Regulation made the Cultivation of Lands Order, 1917 (No. 3), and the Drainage of Lands Order, 1917, and are of opinion that such further Order shall be made under the said Regulation as is herein contained.

Now the Board do hereby order as follows:

1. Paragraph 1 of the Drainage of Lands Order, 1917, shall apply as if the powers of the Board under the Paragraph (j) hereinbefore recited, were included in the powers which by Paragraph 1 of the Drainage of Lands Order, 1917, the Board constituted by the Cultivation of Lands Order, 1917 (No. 3) for any county are authorised to exercise on behalf of the Board within the county.

2. This Order applies only to England and Wales.

3. This Order may be cited as the Drainage of Lands Order, 1917 (No. 2).

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this 7th day of May, nineteen hundred and seventeen.

(L.S.) F. L. C. Floud, Assistant Secretary.

(a) Regulation 2M.—This as amended, and so far as it applies to England and Wales, is printed as (1), p. 270.

(b) Food Controller.—As to the constitution and powers of the Ministry of Food, see Part I. of this Manual.

(c) Cultivation of Lands Order, 1917 (No. 3).—That Order is printed as (2), p. 273.

(d) Drainage of Lands Order, 1917.—That Order is printed as (7), p. 307.
(11) DRAINAGE OF LANDS AND PROTECTION FROM FLOODS. SUMMARY OF MEMORANDUM BY THE BOARD OF AGRICULTURE AND FISHERIES.

[Reg. 2m (1) (j), p. 272; Drainage of Lands Order, 1917 (No. 2), p. 311.]

1. In various parts of the country it is found that powers given to Commissioners of Sewers, Drainage Boards and other bodies and persons by Commissioners of Sewers, by Inclosure and Land Drainage Acts and other General or Local Acts, and by Inclosure and Drainage Awards, (a) have either been unused, or have not been used to sufficient purpose, and that for this reason areas of land have become water-logged or liable to floods and cannot contribute sufficiently to the food supply of the country at the present juncture. Where, therefore, in the opinion of the Agricultural Executive Committee, any land is injured or likely to be injured by flooding or inadequate drainage which might be remedied wholly or partially by the exercise of the powers already existing for such a purpose, the Committee are now enabled, in cases where they think this is necessary, to exercise these powers in the place of the body or person empowered by any such Act, Award or Commission, to take measures for the drainage of any land within the country, or for its protection from floods. Any expenses incurred in taking action under these powers may be defrayed by the Committee in the manner indicated by the Act, Award or Commission; where, for instance, this empowers the authority constituted under it to raise a rate on the lands benefited or to recover the expenses from the owners or occupiers of particular lands, the Committee will be able to levy such a rate, or to recover the expenses from such owners or occupiers.

2. In many cases Executive Committees will require funds with which to commence operations, even though the expenses may afterwards be recovered as indicated above. Application should therefore be made to this Department for an advance which will be sufficient to enable the Committee to commence any particular work, and to carry it on until they are able to levy or recover the expense incurred; and the sums ultimately levied or recovered should be credited to the Department. In making such applications, it will not be necessary to furnish detailed estimates of the expenditure on each individual work, and in order to avoid unnecessary delay, the Department are prepared to consider

(a) COMMISSIONERS OF SEWERS, DRAINAGE BOARDS, &C.—A list of the places to which Commissions of Sewers have been directed under these provisions, with a description of the area included in each Commission, is given in the Parl. Paper, 1878 (170), LXXV. 89.

A return, arranged by counties, of all Inclosure Awards giving the name and parish of each common affected by an award, and the date of the authorising Act and of the award forms the Parl. Paper, 1904, 50. LXXVIII. 545.

Inclosure Awards are deposited with Clerks of the Peace and of County Councils.
Memorandum by Board as to Drainage of Lands and Protection from Floods in England and Wales.

immediately applications for imprests for specified sums, if particulars are given of the general nature of the work for which the advance is required.

3. It is desired that the powers now delegated to Agricultural Executive Committees should be exercised mainly with a view to securing combined action by the authorities already invested with drainage powers, and not for the purpose of superseding them by a central administrative machinery, and it should generally be possible for the Committee to arrange for considerable improvement of the present position without any actual exercise of the statutory powers which the Regulation and Order enables them to exercise.
3. Reduction of Acreage under Hops (a)

(1) Regulation 2NN of the Defence of the Realm Regulations.

2NN.—(1) Subject to the provisions of this regulation, the acreage cultivated with hops on any holding in England or Wales shall, before the thirtieth day of June nineteen hundred and seventeen, be reduced to one-half of the acreage on the holding which was so cultivated in the month of June nineteen hundred and fourteen, and thereafter, so long as this regulation remains in force, the acreage on the holding so cultivated shall never exceed that proportion (a) and if the occupier of any such holding fails to comply with this provision he shall be guilty of a summary offence against these regulations.

(2) This regulation shall have effect notwithstanding any covenant, agreement, condition, or provision as to the user of a holding whether contained in any lease or other instrument affecting the holding or in any verbal contract of tenancy or implied by law, and no such covenant, agreement, condition, or provision shall operate so as to penalise, impede, or interfere with compliance with the obligation imposed by this regulation (b).

(3) The Board of Agriculture and Fisheries may by licence exempt any occupier wholly or partly or for a specified period from the obligation imposed by this regulation in any case where it appears to the Board that by reason of exceptional circumstances the issue of such a licence is advisable, and may impose any conditions by such a licence, and if an occupier of land obtaining such licence fails to comply with any condition so imposed he shall be guilty of a summary offence against these regulations (c).

(4) Any person authorised by the Board in that behalf may, for the purposes of this regulation, and upon production if so required of his authority, enter on and inspect any land.

(5) The Board may with respect to land in any district authorise any person or any body constituted by the Board for the purpose to exercise on behalf of the Board any of the powers of the Board under this regulation, and prescribe the procedure of any such body, and the authentication of any notice or other instrument issued by any body or person so authorised.

(a) Restrictions on Dealings in Hops.—Reg. 2J (5) of the Defence of the Realm Regulations (p. 12) empowers the Food Controller, after consultation with the Board of Agriculture and Fisheries, to exercise, with respect to hops, any of the powers conferred on him by Regs. 2V to 2U (pp. 7-10), and the Hops (Restriction) Order as amended (p. 77) restricts dealings in hops.

(b) Reduction on Two or More Holdings.—See Memorandum of Board (2), I., p. 317.

(c) Contracts other than of Tenancy.—See Memorandum of Board (2), II., p. 317.
Memoranda of Board of Agriculture as to Reduction of Acreage under Hops in England and Wales.

(6) Land shall not for the purpose of this regulation be deemed to be cultivated with hops, by reason only of hop plants being retained therein, but not cropped, if the land is as far as practicable used for the production of some other crop.(a)

(2) Memoranda by the Board of Agriculture and Fisheries as to the Reduction of Acreage under Hops as provided by Regulation 2NN.

I. Reduction on Two or more Holdings.

Though Regulation 2NN enacts that the acreage bearing hops on each holding in 1917 is to be reduced to one-half of what it was in 1914, any occupier of two or more holdings may arrange the reduction on his various holdings as he wishes, provided a reduction of one-half is effected on the whole.

II. Contracts.
[Reg. 2NN (2), p. 316.]

Though subsection (2) of the Regulation deals only with

To face page 316.

See now (Jan. 31, 1918) Regulation 2NN as amended to this date, printed in the ADDENDA, p. 628.

III. Exemption Licenses.
[Reg. 2NN (3), p. 316.]

It will be seen from subsection (3) of the Regulation that in certain cases licenses may be granted by the Board to growers, allowing them to cultivate with hops more than the prescribed proportion of their acreage under hops in 1914. When such an application is made by a hop grower a copy will be forwarded to the Agricultural Executive Committee(c) of the County which is requested to consider the application and supply an opinion as to whether and if so to what extent a license should be granted, and whether any conditions should be attached.

(a) "Land Cultivated with Hops."—See Memorandum of Board (2), IV., p. 318.

(b) Contracts for Sale of Hops.—The Hops (Restriction) Order, 1917, made by the Food Controller (p. 77 of Part II. of this Manual) prohibits the purchase and sale of any hops, whether home grown or not, without a permit issued under that Controller's authority. As to the effect of the war legislation on contracts see Part XI. "Effect of Departments' Requirements on Contracts" of this Manual.

(c) Agricultural Executive Committees.—As to the organisation, &c., of these Committees which were established by the Cultivation of Lands Order (No. 3), 1917, printed as 2 (2), p. 273, see Memoranda by Board, printed as 2 (3), p. 277.
Memoranda of Board of Agriculture as to Reduction of Acreage under Hops in England and Wales.

IV. Meaning of "Land Cultivated with Hops."

[Reg. 2NN (6), p. 317.]

Apart from the provisions of subsection (6) of the Regulation all land is "cultivated with hops," if hops are growing thereon in any stage of growth. The effect of subsection (6) is to exclude from this definition any particular area on which all the hop plants are so treated that they do not crop (for instance by cutting or pulling the bines, or otherwise reducing the growth of the hop plants), if the area is devoted to such production of other crops as is practicable having regard to the retention of the hop plants as so treated.

A grower of hops would be deemed to be complying with the Order, even though he has failed to grub the hops, if a substantial crop is grown on the land between the rows of hops and if the hop plants are cut, pulled or otherwise reduced so that their continued growth does not materially interfere with the growth of the interplanted crop. But if the hops are otherwise cropped as usual, the growing of another crop among them would not of itself be taken as compliance with the Order.

V. Compensation.

The Board are unable to support any claim to compensation made by an occupier of land cultivated with hops in consequence of a reduction of the acreage so cultivated owing to the issue of Regulation 2NN. The Regulation is of general application and consequently a claim for compensation of this kind would not be within the scope of the reference of the Defence of the Realm (Losses) Royal Commission.(a)

(a) Defence of the Realm (Losses) Commission.—As to the scope of this Commission, see footnote (a) to 2 (6) "Compensation Claims," p. 304.
4. Keeping of Pigs.

Regulation 20 of the Defence of the Realm Regulations.

20. With a view to maintaining the stock of pigs in the country, any local authority by whom a byelaw has been made which is for the time being in force prohibiting, restricting, or regulating the keeping of pigs may grant permission, either generally or in particular cases, to keep pigs, notwithstanding or contrary to any provisions of any such byelaw; subject, however, to the observance of any directions of the local authority in the interests of public health.

(a) Keeping of Pigs.—See Memorandum of the Board of Agriculture and Fisheries. A leaflet on the subject can be obtained free of cost on application to the Secretary, Board of Agriculture and Fisheries, 4, Whitehall Place, S.W.1.

The enactments empowering the making of bye-laws, and containing other restrictions as to the keeping of pigs, are contained as regards:

County of London, Public Health (London) Act, 1891 (54 & 55 Vict. c. 76), ss. 16-18;
elsewhere in England, Public Health Act, 1875 (38 & 39 Vict. c. 55), ss. 44, 47, 91.

In so much of the metropolitan police district as is beyond the county of London, s. 60 (5) of the Metropolitan Police Act, 1839, is also in force.
Regulation 2r of the Defence of the Realm Regulations as amended and applying to England and Wales.


(1) Regulation 2r of the Defence of the Realm Regulations as amended so far as it applies to England and Wales.

2r.—(1) The Board of Agriculture and Fisheries may, with a view to preventing or reducing injury to crops or trees, or wastage of pasturage by birds hares or rabbits or by vermin or pests, or to securing for the food supply of the country any migratory kind of wild bird,

(a) take or authorise such action as, in the opinion of the Board, may be necessary for such purpose, or delegate to any body the powers conferred by this paragraph as respects any locality;

(b) provide for the manner in which birds or hares or rabbits killed in pursuance of the action so taken may be disposed of;

(c) by order, authorise the killing and taking, the sale and purchase, and the possession, of any birds or hares or rabbits at any time when the killing and taking, the sale and purchase, or the possession thereof would otherwise be unlawful. (a)

(2) A person authorised or directed to kill or dispose of birds or hares or rabbits under this regulation shall not be required to obtain for such purpose a licence to kill game, and shall have the same power of selling game killed by him or by the persons authorised by him as if he had a licence to kill game (b);

Provided that nothing in this regulation shall exempt any person from the provisions of the Gun Licence Act, 1870; (c)

(a) Close Time for Birds and Hares.—The close time for pheasants, partridges, grous and black game is fixed by the Game Acts, and is not under those Acts alterable by Statutory Order. See the Orders under (1) (a) as to grous and black game, p. 321, and under (1) (c) as to pheasants, p. 323, 324. The Hares Preservation Act, 1892 (55 Vict. c. 8) prohibits the selling of hares (other than foreign hares) between March 1st and July 31st. See the Order under (2) as to hares, p. 330. For rabbits there is no close time. The close times for woodcock, snipe, quail, landrail and wild duck, widgeon and teal and other wild birds depends on Orders of the Home Secretary under the Wild Birds Protection Acts.

(b) Licence to Kill Game.—Such a licence authorises the selling of game killed under it without any further licence.

(c) Gun Licence Act, 33 & 34 Vict. c. 57.—This Act makes an excise licence to use or carry a gun obligatory.
Grouse and Black Game (England and Wales) Order, 1917.

(2) Orders of the Board of Agriculture and Fisheries under Regulation 2r and the Board's Memoranda relative thereto grouped as follows:


(a) Grouse and Black Game,
(b) Migratory Wild Birds,
(c) Pheasants, p. 323.
(d) Rooks, p. 328.

(a) Grouse and Black Game.

The Grouse and Black Game (England and Wales) Order, 1917, dated August 3, 1917, made by the Board of Agriculture and Fisheries under Regulation 2r of the Defence of the Realm Regulations.

1917. No. 795.

The Board of Agriculture and Fisheries, in pursuance of the powers conferred on them by the above mentioned Regulation, do hereby authorise the killing and taking, the sale and purchase, and the possession of grouse and black game in England or Wales, at any time between the sixth day of August (including that day) and the date at which any of these things would become lawful in the current year if this Order had not been made, by any person who would be entitled to do any of these things after the last-mentioned date.

This Order may be cited as the Grouse and Black Game (England and Wales) Order, 1917.

In Witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this third day of August, Nineteen hundred and seventeen.

(L.S.)

A. D. Hall,
Secretary.

(a) Sparrows.—The Notice as to the arrangements for destruction of Rats and Sparrows is printed at p. 333, under "(iv) Vermin and Pests."
(b) Migratory Wild Birds.

Order, dated July 30, 1917, made by the Board of Agriculture and Fisheries under Regulation 2r of the Defence of the Realm Regulations, authorising the killing of certain migratory kinds of Wild Birds.

The Board of Agriculture and Fisheries in exercise of the powers conferred on the Board by Regulation 2r of the Defence of the Realm Regulations and with a view to securing for the food supply of the country the migratory kinds of wild birds enumerated in the Schedule to this Order, do hereby authorise in England and Wales:

1. The killing and taking of any kind of bird enumerated in the said Schedule on and after the first day of August, nineteen hundred and seventeen until the commencement of the close season for the year nineteen hundred and eighteen by any person who, but for the provisions of the Wild Birds Protection Acts, 1880 to 1896, or of an Order made by a Secretary of State under those Acts, relating to the period during which the killing and taking of such birds is prohibited, would be entitled to kill and take such birds.

2. This Order shall not apply to the killing or taking of any such bird in any area vested in the National Trust for preservation as a nature reserve (including any such area as may be in the temporary occupation of any Government Department).

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this thirtieth day of July, nineteen hundred and seventeen.

(L.S.)

F. L. C. Floud,
Assistant Secretary.

Schedule.


(a) Wild Birds Protection Acts, 1880 to 1896.—These are those of 1880 (43 & 44 Vict. c. 35), 1881 (44 & 45 Vict. c. 51), 1894 (57 & 58 Vict. c. 24) and 1896 (59 & 60 Vict. c. 56).

There are three further Wild Birds Protection Acts, viz. of:

1902 (2 Edw. 7. c. 6), relating to the forfeiture of birds or eggs in respect of which an offence has been committed;

1904 (4 Edw. 7. c. 4), prohibiting the setting of certain springs, traps and gins; and

1905 (8 Edw. 7. c. 11), prohibiting the taking of wild birds by hooks.

These three Acts are unaffected by the Order.

The local authorities in England and Wales under the Acts are in county boroughs the town councils and elsewhere the county councils (see s. 3 (xiii.) of the Local Government Act, 1888 (51 & 52 Vict. c. 41), and ss. 8, 9 of the Wild Birds Protection Act of 1880, and s. 3 of that of 1896.

(b) Orders of the Secretary of State.—For each county, and for many of the county boroughs, there are separate Orders, all of which are printed as Statutory Rules and Orders. A list of the Orders made each year is printed in the Classified List of Local Orders at the end of each year's annual volumes of St. R. & O.
Pheasants (Rearing) Order, 1917, applying in England and Wales.

(c) Pheasants.

(i) Pheasants Rearing Order, p. 323.
(ii) Memorandum thereon, p. 324.
(iii) Pheasants Destruction Order, p. 324.
(iv) Memorandum thereon, p. 326.

(i) The Pheasants (Rearing) Order, 1917, dated May 23, 1917, made by the Board of Agriculture and Fisheries under Regulation 2r of the Defence of the Realm Regulations.

1917. No. 495.

The Board of Agriculture and Fisheries in exercise of the powers conferred on the Board by Regulation 2r of the Defence of the Realm Regulations, 1914, and with a view to preventing injury to crops, do hereby order as follows:—

(1) The hatching and rearing of pheasants by any artificial means is hereby prohibited, except under and in accordance with the conditions (if any) imposed by licence granted by the Board of Agriculture and Fisheries.(a)

(2) Any person authorised by the Board in that behalf may, upon production if so required of his authority, enter on any land for the purpose of ascertaining whether the requirements of this Order are being complied with. An authority under this provision may be given on behalf of the Board by the War Agricultural Executive Committee, constituted for any county by any Order of the Board under the said Regulations,(b) for entry on land in the county.(c)

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this twenty-third day of May, nineteen hundred and seventeen.

(L.S.)

F. L. C. Floud,
Assistant Secretary.

(a) Licences.—See (ii) Memorandum by Board, p. 324.
(b) Agricultural Executive Committees.—As to these Committees, see the Cultivation of Lands Order, 1917 (No. 3), printed as 2 (2), p. 273, and Memorandum by the Board as to Organisation, &c., of such Committees, printed 2 (3), p. 277.
(c) Authority to Enter on Land.—See (ii) Memorandum by the Board, p. 324.
(ii) **Rearing of Pheasants. Summary of Memorandum by Board of Agriculture and Fisheries.**

1. By the Pheasants (Rearing) Order, 1917, the hatching and rearing of pheasants by any artificial means is prohibited except under licence issued by the Board. This prohibition applies (among other matters) to the common method of hatching pheasants by putting the eggs under a hen, to feeding the birds by hand, and so on. The power to issue licences is reserved by the Board and is not delegated to the Agricultural Executive Committee.

2. The Committee may, however, where they have reason to think that the prohibition contained in the Order is not being complied with, authorise any person to enter on any land for the purpose of ascertaining whether this is being done. Any such authority should be given in writing, as it must be produced if required. If the result of an enquiry by any person so authorised is to establish that the requirements of the Order are not being complied with, the facts should be reported to this Department.

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(iii) **The Destruction of Pheasants Order, 1917 (No. 2), dated May 24, 1917, made by the Board of Agriculture and Fisheries under Regulation 2(2) of the Defence of the Realm Regulations.**

1917. No. 514.

The Board of Agriculture and Fisheries in exercise of the powers conferred on the Board by Regulation 2(2) of the Defence of the Realm Regulations, do hereby order as follows:

1. (1) The War Agricultural Executive Committee constituted under the Cultivation of Lands Order, 1917, (a) for any county are hereby authorised within the county to exercise on behalf of the Board the powers conferred by Regulation 2(2) so far as is necessary for the purposes of this provision.

(2) If the Committee are satisfied that the stock of pheasants on any land is not so reduced as to prevent substantial injury by pheasants to the crops on the land, the Committee may take such action as in their opinion may be necessary with a view to such reduction of the stock of pheasants, and for such purpose may by writing authorise and direct the occupier of the land to kill on behalf of the Board the pheasants on the land subject to such limitations as may be contained in the authority and direc-

(a) **Agricultural Executive Committees.**—As to these Committees see the Cultivation of Lands Order, 1917 (No. 3), printed as 2 (2), p. 273, and Memorandum by the Board as to the Organisation of those Committees printed as 2 (3), p. 277.
Destruction of Pheasants Order, 1917 (No. 2) applying in England and Wales.

tion, and any pheasants killed under this provision shall be disposed of in such manner as the Committee shall authorise or direct.

(3) An authority and direction issued under the foregoing provision shall contain the same limitations as are applicable to ground game under sub-section (1) of Section 1 of the Ground Game Act, 1880, a copy of which sub-section is set out in the schedule to this Order.

2.—(1) Subject to the provisions of this section any person authorised or directed under this Order or otherwise entitled to kill pheasants may kill and take the same and any person may sell or purchase or have in his possession pheasants, at any time while this Order is in operation when the killing and taking of pheasants or the sale or purchase thereof or the possession thereof would otherwise be unlawful.(a)

(2) Nothing herein contained shall be deemed to authorise:—

(a) the killing or taking of pheasants on a Sunday(b); or

(b) the putting of any poison or poisonous ingredient on any ground, whether open or inclosed, where game usually resort, or in any highway with intent to destroy or injure pheasants(c); or

(c) the sale or buying or possession of pheasants without such licence as is by law required, except in the case of a sale made under the authority of Section (2) of Regulation 2r to a person licensed to deal in game.(d)

3. This Order applies to England and Wales.

4. This Order may be cited as the Destruction of Pheasants Order, 1917 (No. 2).(e)

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this twenty-fourth day of May, nineteen hundred and seventeen.

(L.S.)

F. L. C. Floud,
Assistant Secretary.

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(a) Close Time for Pheasants under Game Act.—Under s. 3 of the Game Act, 1831 (1 & 2 Will. 4. c. 32), it is unlawful to kill pheasants after January 31st, or to buy, sell or have them in possession after February 10th in any year.
(b) Sunday Killing.—s. 3 of the Game Act, 1831, provides a penalty of £5 for each offence—and costs of conviction.
(c) Laying Poison.—s. 3 of the Game Act, 1831, provides a penalty of £10—and costs of conviction.
(d) Sale, &c. of Pheasants.—See Reg. 2r (2), p. 320, and footnote (b) thereto.
Memorandum as to Destruction of Pheasants in England and Wales.

Schedule.

SUB-SECTION (1) OF SECTION 1 OF THE GROUND GAME ACT, 1880.

(1) The occupier shall kill and take ground game only by himself or by persons duly authorised by him in writing;

(a) The occupier himself and one other person authorised in writing by such occupier shall be the only persons entitled under this Act to kill ground game with firearms;

(b) No person shall be authorised by the occupier to kill or take ground game, except members of his household resident on the land in his occupation, persons in his ordinary service on such land, and any other person bona fide employed by him for reward in the taking and destruction of ground game;

(c) Every person so authorised by the occupier, on demand by any person having a concurrent right to take and kill the ground game on the land or any person authorised by him in writing to make such demand, shall produce to the person so demanding the document by which he is authorised, and in default he shall not be deemed to be an authorised person.

(iv) DESTRUCTION OF PHEASANTS. SUMMARY OF MEMORANDA BY THE BOARD OF AGRICULTURE AND FISHERIES.

1. The Destruction of Pheasants Order, 1917 (No. 2) authorises the Agricultural Executive Committee, in any case where they are satisfied that the stock of pheasants on any land is not so reduced as to prevent substantial damage to crops by pheasants, to take any action that in their opinion may be necessary with a view to such reduction of the stock of pheasants as may be desirable to prevent substantial injury being done by them to the crops. The landlord or other person already entitled to kill pheasants on the land is enabled to continue doing so without further authority, whether in the close season or not, so long as this Order remains in force.

2. With the view above mentioned the Committee may authorise and direct the occupier to kill the pheasants on the land in his occupation. This authority and direction must be in writing, and must contain limitations similar to those applicable to the killing of ground game under Section 1 (1) of the Ground Game Act, 1880, of which sub-section a copy is appended to the Order; and it may also contain such further limitations as the Committee think fit to impose.
Memorandum as to Destruction of Pheasants in England and Wales.

3. Before the Committee issue any such authority and direction, they should obtain a report as to the stock of pheasants on the land and the risk of substantial damage therefrom to the crops, and should also ascertain what steps the person entitled to kill the pheasants is taking to make the necessary reduction in their numbers.

4. If the Committee decide to issue such an authority and direction to an occupier, they may authorise him to dispose of the pheasants that he kills, or may provide for their disposal in such other manner as the Committee may think fit.

5. Article 2 of the Order enables persons who are entitled ordinarily to kill pheasants in the shooting season and other persons duly authorised under this Order to do so at any time while the Order is in operation; and legalizes the sale, purchase and possession of pheasants during the continuance of the Order.

6. Any tenant killing game under a direction issued by the Committee under the Order will, by virtue of Section 2 of the Courts (Emergency Powers) Act, 1917, be protected from any claim in respect of non-fulfilment of his tenancy contract due to the necessity for compliance with that direction. The tenant will not require a game licence for this purpose, but must hold a gun licence.

7. It may be desirable in any authority and direction issued by the Committee to call attention to the restrictions imposed by Article 2 (2) of the Order which are based on the existing Game Laws.

(a) Effect of Departments' Requirements on Contracts.—See Part XI. of this Manual.
(d) Rooks.

(i) The Rookeries Order, 1917, dated April 17, 1917, made by the Board of Agriculture and Fisheries.

The Board of Agriculture and Fisheries in exercise of the powers conferred on the Board by Regulation 2R of the Defence of the Realm (Consolidation) Regulations, 1914, do hereby order as follows:—

(1) The War Agricultural Executive Committee constituted under any Order made by the Board under the said Regulations for any county(a) are hereby authorised within the county to exercise on behalf of the Board the powers conferred by Regulation 2R so far as is necessary for the purposes of this Order.

(2) If the Committee are satisfied that the rooks in any rookery are so numerous that they cause or are likely to cause injury to crops, the Committee may take such action as in their opinion may be necessary with a view to diminishing the numbers of such rooks in order to prevent or reduce such injury, and for such purposes may by writing authorise any person named in such writing on their behalf to enter upon any land described in such authority for the purpose of killing the rooks upon such land, or in any other manner diminishing their number,(b) and to kill the rooks and diminish their number, subject to such limitations as may be contained in the authority and direction,(c) and any rooks killed under this provision shall be disposed of in such a manner as the Committee shall authorise and direct.

(3) Nothing herein contained shall be deemed to authorise the putting of any poison or poisonous ingredient on any land.(d)

(4) This Order applies to England and Wales.

(5) This Order may be cited as the Rookeries Order, 1917.

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this Seventeenth day of April, nineteen hundred and seventeen.

F. L. C. Floud,
Assistant Secretary.

(a) War Agricultural Executive Committees.—As to these Committees see the Cultivation of Lands Order, 1917 (No. 3), printed as 2 (2), p. 273, and Memorandum by the Board as to Organisation of the Committees, printed as 2 (3), p. 277.

(b) Diminishment of Number of Rooks.—See (ii) Memorandum of the Board, p. 329.

(c) Written Authority.—See (ii) Memorandum of the Board, p. 329.

(d) Placing Poison on Land.—This is prohibited by s. 8 of the Protection of Animals Act, 1911 (1 & 2 Geo. 5, c. 27), subject to certain special limitations.
Memorandum as to Destruction of Rooks in England and Wales.

(ii) DESTRUCTION OF ROOKS. SUMMARY OF MEMORANDA OF THE BOARD OF AGRICULTURE AND FISHERIES.

1. The Rookeries Order, 1917, empowers Executive Committees where the rooks in any rookery are so numerous that they cause or are likely to cause injury to crops, and the owner of the rookery has been requested to reduce the rooks himself and has failed to do so, to authorize any person to go into the rookery and kill the rooks or otherwise diminish their number, for instance, by destroying the nests, or scaring the birds from their nests.

2. The authority must be in writing, and must specify the land which may be entered, and the name of the person or persons who are authorised to enter and kill or diminish the number of the rooks. It should provide for the manner of disposal of any rooks that are killed under the authority.

3. Such an authority will not dispense with the necessity for a gun licence, if the rooks are to be killed by shooting.
Sale of Hares Order, 1917, applying to England and Wales.

(ii.) Hares.


1917. No. 531.

The Board of Agriculture and Fisheries in exercise of the powers conferred on the Board by Regulation 2r of the Defence of the Realm Regulations, 1914, do hereby order as follows:

1. Notwithstanding anything contained in the Hares Preservation Act, 1892, it shall be lawful during the continuance of this Order to sell or expose for sale in any part of England and Wales any hare or leveret.

2. Nothing herein contained shall be deemed to authorise the selling or exposing for sale of hares by any person who is not by law entitled to sell or expose the same.

3. This Order may be cited as the Sale of Hares Order, 1917.

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this fifth day of June, Nineteen hundred and seventeen.

(L.S.)

F. L. C. Floud,
Assistant Secretary.

(ii) Sale of Hares. Summary of Memorandum of the Board of Agriculture and Fisheries.

The Hares Preservation Act, 1892 (55 & 56 Vict. c. 8) prohibited the sale or exposure for sale during March, April, May, June or July in any year of hares or leverets. Many owners and occupiers are taking steps to reduce the number of hares on their lands in order to protect crops and pasturages. In order to prevent the hares so killed from being wasted and to secure their use as food this Order allows hares or leverets to be sold or exposed for sale, by any person entitled by law to do so at any time notwithstanding the statutory prohibition as to sale during the months mentioned.
(iii.) Rabbits.

(i) The Rabbits Order, 1917, dated May 12, 1917, made by the Board of Agriculture and Fisheries under Regulation 2r of the Defence of the Realm Regulations.

1917. No. 494.

The Board of Agriculture and Fisheries in exercise of the powers conferred on the Board by Regulation 2r of the Defence of the Realm Regulations, 1914, do hereby order as follows:—

(1) The War Agricultural Executive Committee constituted under any Order made by the Board under the said Regulations for any county (a) are hereby authorised within the county to exercise on behalf of the Board the powers conferred by Regulation 2r so far as is necessary for the purposes of this Order.

(2) Where the Committee are satisfied that injury to crops or trees or wastage of pasturage is being caused or is likely to be caused by rabbits and that the exercise of the powers hereby conferred is desirable, the Committee may take such action as in their opinion is necessary or expedient with a view to preventing or reducing such injury or wastage, and for such purposes may by writing authorize any person named in such authority on their behalf to enter upon any land described in any such authority for the purpose of killing and taking the rabbits upon such land, and to kill and take the rabbits, subject to such limitations as may be contained in the authority, and any rabbits killed under this provision shall be disposed of in such manner as the Committee shall authorize and direct (b).

(3) Nothing herein contained shall be deemed to authorize the use of firearms for the purpose of killing rabbits between the expiration of the first hour after sunset and the commencement of the last hour before sunrise, or the use of spring traps except in rabbit holes, (c) or the use of any poison or poisonous ingredient, (d) or be deemed to exempt any person from the provisions of the Gun Licence Act, 1870.(e)

(4) The powers herein before authorized to be executed by a War Agricultural Executive Committee constituted for a county

(a) War Agricultural Executive Committees.—As to these Committees see the Cultivation of Lands Order, 1917 (No. 3), printed as 2 (2), p. 273 and Memorandum by the Board as to Organisation of the Committees printed as 2 (3), p. 277

(b) Written Authority.—See (ii) Memorandum of the Board, p. 332.

(c) Spring Traps.—Spring traps, except in rabbit holes, are prohibited by s. 6 of the Ground Game Act, 1840 (43 & 44 Vict. c. 47, s. 6).

(d) Placing Poison on Land.—This is prohibited by s. 6 of the Ground Game Act, 1880, and subject to certain special limitations by s. 8 of the Protection of Animals Act, 1911 (1 & 2 Geo. 5, c. 27).

(e) Gun Licence Act, 33 & 34 Vict. c. 57.—This Act makes an excise licence to use or carry a gun obligatory.
Memorandum as to Destruction of Rabbits in England and Wales.

may be exercised in the city and county borough of Birmingham by the War Agricultural Executive Committee constituted under the Cultivation of Lands (Birmingham) Order, 1917 (No. 2), and in any other county borough by the Council of the Borough.

(5) This Order applies to England and Wales.

(6) This Order may be cited as the Rabbits Order, 1917.

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this 12th day of May, nineteen hundred and seventeen.

(L.S.)

F. L. C. Floud,
Assistant Secretary.

(ii) Rabbits. Summary of Memorandum by Board of Agriculture and Fisheries.

1. The Rabbits Order, 1917, delegates to Agricultural Executive Committees power to take the necessary action for the destruction of rabbits where they consider it desirable in order to prevent injury to crops or trees or wastage of pasturage; and to authorise farmers and other persons to enter upon land for the purpose of killing and taking rabbits.

2. In every case in which the Committee consider that action should be taken, it will be necessary for the Committee (as provided in Article 2 of the Order) to give authority in writing to a person named to enter upon the land described in the authority and to kill and take the rabbits, and to give instructions as to the disposal of the rabbits.

3. The person named in the authority may be the occupier of the land affected by the excessive number of rabbits, or any other person whom the Committee think fit to employ for the purpose. In addition to the authority, the Committee should give that occupier or other person instructions, directing him to take the action indicated in the authority.

(a) Cultivation of Lands (Birmingham) Order, 1917 (No. 2). This Order, dated April 5, 1917 (which being of a local character is not printed in this Manual) constituted a War Agricultural Executive Committee for the city of Birmingham and conferred on them the powers delegated to Executive Committees for administrative counties by the Cultivation of Lands Order 1917 (No. 3), printed as 2 (2), p. 273, or the Drainage of Lands Orders, printed as 2 (7), p. 307, and 2 (10), p. 313. This Birmingham (No. 2) Order also revoked a previous Birmingham Order on the like subject.
(iv.) Vermin and Pests (a).

Notice as to Arrangements for Destruction of Rats and Sparrows.

The following Notice is issued at the request of the Presidents of the Local Government Board and the Board of Agriculture:—

Attention is called to the great increase of rats and house sparrows in many parts of the country, and to the depredations committed upon crops by these pests. It is most important that every practicable means of conserving the national food supply should be adopted.

The arrangements for destruction which commend themselves to the Board of Agriculture and Fisheries are as follows:—

1. The formation of Rat and Sparrow Clubs as recommended in the leaflet No. 84 issued by the Board of Agriculture and Fisheries;
2. The appointment of a professional ratcatcher at a fixed weekly wage;
3. The offering of rewards to other persons at rates which should not exceed—
   1s. per dozen rats’ tails;
   3d. ,, heads of fully fledged house sparrows;
   2d. ,, heads of unfledged house sparrows;
   1d. ,, house sparrows’ eggs.

If rewards are offered, great care must be taken to prevent fraud. Competent persons should be appointed who would be responsible for making the payments, and for ensuring that the tails, heads and eggs brought in are destroyed as soon as the reward has been paid, and are not taken away by the payee or by any other person, and they should be authorised to withhold payment and report any case in which there might be reason to suspect fraud.

If school children are set to work on the destruction of sparrows, they should not be allowed to claim rewards, unless the work has been done under the direct supervision of the schoolmaster or schoolmistress; rewards for the destruction of rats should not be given to schoolchildren.

It should be borne in mind that the sparrow that does injury to crops and that requires to be destroyed is the common house sparrow.

While it is considered that the bulk of the expenditure can and should be defrayed by persons interested or from voluntary sources no objection will be raised by the Local Government Board to reasonable expenditure by District or Parish Council or Parish Meetings in England and Wales which desire to assist in this work being defrayed out of the funds at their disposal. In view of the need for economising paper, it has been thought inadvisable to send a circular to the large number of authorities concerned and it will not be necessary for the authorities to communicate with the Department on the subject.

(a) Destruction of Pests.—An epitome of the Destructive Insects and Pests Acts and Orders which are directed to the prevention of injury to crops, trees and bushes by insects or pests is given in Appendix VI. (5) of this Manual.
6. Destruction of Stray Dogs.

Regulation 2s of the Defence of the Realm Regulations applying to England and Wales.

2s.—(1) Where a dog has been seized as a stray dog by a police constable under the Dogs Act, 1906, it may be destroyed under that Act at any time after the expiration of three clear days from the time of seizure, unless in the meantime the owner of the dog has claimed the dog, and produced his licence in respect of the dog or proved that the dog is not one in respect of which a licence is required, and paid all expenses incurred by reason of its detention; and a notice served under subsection (2) of section three of the Dogs Act, 1906, on the owner of the dog which contains a statement to this effect shall be a sufficient compliance with that subsection.

(2) Any person who takes possession of a stray dog shall, unless he immediately returns the dog to its owner, forthwith hand the dog over to a police constable; and if he fails to do so, shall be guilty of a summary offence against these regulations; and a dog so handed over to a police constable shall thereupon be treated as a dog seized by him as a stray dog under the Dogs Act, 1906.

(a) Dogs Act, 1906 (6 Edw. 7, c. 32).—Under that Act a stray dog seized by the police thereunder could not be destroyed until the expiration of 7 days from the service of notice on the dog's owner.

The Dogs Order of 1906 (St. R. & O., 1906, No. 791) empowers local authorities to make regulations as to wearing by dogs of collars: a dog in respect of which such regulations are contravened may be seized and dealt with as a stray dog.
7. Supply of Horses for Agriculture.

(1) Regulation 2T of the Defence of the Realm Regulations so far as it applies to England and Wales.

2T.—(1) An occupier of an agricultural holding in England and Wales shall not sell or part with the possession of any horse used, or capable of being used, for the cultivation of the holding(a) except with the authority of a licence granted under this regulation.

(2) The Board of Agriculture and Fisheries in relation to any holding in England or Wales may by licence authorise the occupier of a holding to sell or part with the possession of a horse, if the Board are satisfied that the cultivation of the holding will not be thereby prejudiced,(b) or that for any other reason the issue of such a licence is necessary or desirable, and any licence so issued may contain such conditions as the Board think desirable.

(3) The Board may authorise any person or any body constituted by the Board under these regulations to exercise on behalf of the Board the power of issuing licences under this regulation.

(4) Any person who sells or parts with the possession of a horse in contravention of this regulation or fails to comply with any condition of a licence issued under this regulation, and any person who buys any horse which he knows to be sold to him in contravention of this regulation, shall be guilty of a summary offence against these regulations.

(5) The expressions "agricultural holding" and "occupier" shall have the same meaning as in Regulation 15n.(c)

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(a) "Horse used or capable of being used for cultivation of the holding."—See paragraph 4 of Memorandum by Board printed as (3), p. 337.

(b) Prejudice to holding by sale of horse.—See paragraph 3 of Memorandum by Board printed as (3), p. 337.

(c) "Agricultural holding", "occupier."—Reg. 15n provides as follows:

"For the purposes of this regulation, 'agricultural holding' means any piece of land which is wholly agricultural or wholly pastoral, or part agricultural and as to the residue pastoral, or in whole or in part cultivated for the purposes of the trade or business of market gardening; and 'occupier' includes any person for the time being having the management of the holding."
Sale of Horses Order, 1917, applying in England and Wales.

(2) The Sale of Horses Order, 1917, dated June 14, 1917, made by the Board of Agriculture and Fisheries under Regulation 2t of the Defence of the Realm Regulations.

1917. No. 559.

Whereas under Regulation 2t of the Defence of the Realm Regulations, 1914, which, so far as it applies to England and Wales, is set out at the foot of this Order, the Board of Agriculture and Fisheries are empowered to authorize any person or any body constituted by the Board under those Regulations to exercise on behalf of the Board the powers of issuing licences under Regulation 2t;

Now the Board of Agriculture and Fisheries do hereby order as follows:

1. The following bodies and persons are hereby authorised to exercise on behalf of the Board the power of issuing licences under Regulation 2t, that is to say:

(a) in the case of an agricultural holding situate wholly or partly in an administrative county having a War Agricultural Executive Committee constituted under the Cultivation of Lands Order, 1917 (No. 3), that Committee;

(b) in the case of an agricultural holding situate wholly in the administrative county of London, the clerk of that council;

(c) in the case of an agricultural holding situate wholly in the city and county borough of Birmingham, the War Agricultural Executive Committee constituted under the Cultivation of Lands (Birmingham) Order, 1917 (No. 2); and

(d) in the case of an agricultural holding situate wholly in any other county borough, the clerk of the borough council.

2. This Order may be cited as the Sale of Horses Order, 1917.

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this fourteenth day of June, nineteen hundred and seventeen.

(L.S.) F. L. C. Floud,
Assistant Secretary.

(a) Regulation 2t.—That Reg. is printed so far as it applies to England and Wales at p. 335, and is, therefore, not reprinted at the foot of this Order.

(b) Agricultural Executive Committees.—As to the organisation, &c., of these Committees, see Summary of Memoranda by the Board printed as 2 (3), p. 277.

(c) Cultivation of Lands (Birmingham) Order, 1917 (No. 2).—As to this Order which confers on the Agricultural Executive Committee for the City of Birmingham certain powers of the Executive Committees for counties, see footnote (a) to the Rabbits Order, 1917, p. 332.
Licences by Agricultural Executive Committees in England and Wales for Sale of Horses.

(3) Sale of Horses. Summary of Memoranda of the Board of Agriculture and Fisheries.

1. Acting under Regulation 2T, which has been issued with the object of retaining an adequate supply of horses on the land, the Board have made the Sale of Horses Order, 1917, delegating to the Agricultural Executive Committees the power to issue licences for such sale. For London and County Boroughs in which no Agricultural Executive Committee exists these powers are delegated to the Clerks of the County Council and County Borough Councils.

2. The Order prohibits an occupier of any agricultural holding selling or parting with the possession of any horse used or capable of being used for the cultivation of the holding except with the authority of a licence which may be granted if the Executive Committee or other authority named in the Order is satisfied that the cultivation of the holding will not be thereby prejudiced or that for any other reason the issue of such a licence is necessary or desirable, and any licence so issued may contain such conditions as the Executive Committee or other authority may think desirable.

[Reg. 2T (2), p. 335.]

3. In considering the question as to whether the cultivation of a holding will be prejudiced by the sale of a horse, the Board desire that regard should be had to the proper working of any additional land which might reasonably be brought into cultivation by the occupier of the holding for the harvest of 1918.

[Reg. 2T (1), p. 335.]

4. The expression "any horse used or capable of being used for the cultivation of a holding" should as a general rule be considered to include unbroken horses, suitable for farm work, of two years old and upwards, and in view of the urgent need for horses for Agricultural purposes such horses should be broken in forthwith.

5. In granting any licence authorising a sale the Committee should satisfy themselves that the vendor intends to sell the horse (if suitable for the purpose) to an occupier of an agricultural holding, or to a person duly authorised by the Board of Agriculture and Fisheries or the Army Council to purchase the horse for Government purposes, and this should be secured by a condition of the licence unless there are any special circumstances that justify its being waived. This condition has been inserted in the prescribed form of licence appended hereto, and should be struck out if not required. A space has been left for the insertion of any special condition imposed in a particular case.
Licences by Agricultural Executive Committees in England and Wales for Sale of Horses.

In every case it should be made a condition that the detachable part of the licence should be signed by the licensee and the person to whom the animal is sold or transferred, and returned to the authority granting the licence within three days after the sale, or in any event within twenty-one days of the date when the licence was issued. The number should be inserted on both parts as well as on the counterfoil, at the time of issue.

6. The Board have initiated a scheme which has as its object the purchase of any horses which are surplus to farmers' own requirements for use in connection with the cultivation of a largely increased area of land for the harvest of 1918, so as to provide a supply of horses which will supplement any that may be rendered available by the military authorities for that purpose.

7. In order to facilitate the purchase or better distribution of any surplus horses for Agricultural purposes or when necessary for Army requirements, Committees are requested to issue a notice forthwith inviting farmers within their area who have surplus horses for sale to notify them of that fact, giving the necessary particulars, and after such offers have been reviewed to ascertain whether the horses can be considered as surplus to the farmers' requirements, to forward a list to this Department each week.
Licences by Agricultural Executive Committees in England and Wales for Sale of Horses.

Form of Licence.

Sale of Horses Order, 1917. Licence No._____

(Agricultural Executive Committee.)
(London County Council.)
(Country Borough Council.)

Address

By direction of the above-named Authority, I hereby license:

Mr. 
of

to sell or part with the possession of

Sold to Mr. 
of

Licence granted subject to special condition that

Note—Enter here any special condition made in addition to those printed on the form of licence.

F.P. 76.

Part to be Returned. Licence No._____

to the Agricultural Executive Committee.
London County Council.
Country Borough Council.

Address

The described as a

in the licence bearing the above number issued to me was sold and bought or transferred by and to the undersigned on the

(Date)

Vendor's signature

Postal Address

Purchaser's signature

Postal address

Signature

Date 1917.
S. Cesser of Agricultural Employment.

(1) Regulation 41AAA of the Defence of the Realm Regulations so far as it applies to England and Wales.

41AAA. Any person who in England or Wales employs in agriculture any male person of sixteen years of age or over (such employment not being of a casual nature) shall on such person ceasing to be so employed by him give or send to the Board of Agriculture and Fisheries or to such person or body of persons as the Board may direct in that behalf, notice in writing within twenty-four hours of the termination of the man’s employment, stating his name, the nature of his employment, his place of residence whilst so employed, and particulars (where known to him) of the man’s new employer and place of employment (if any).

If any person fails to give or send a notice in accordance with the requirements of this regulation, or in any such notice gives any false information, he shall be guilty of a summary offence against these regulations.

In this regulation the expression “agriculture” includes market gardening and forestry.

(2) The Agricultural Employment Order, 1917, dated April 16, 1917, made by the Board of Agriculture and Fisheries under Regulation 41AAA of the Defence of the Realm Regulations.

1917. No. 365.

1. The Board of Agriculture and Fisheries hereby direct that a notice by any person under Regulation 41AAA of a person ceasing to be employed in agriculture by him shall be given or sent to the Secretary of the War Agricultural Executive Committee(a) for the administrative county in which the person ceasing to be employed resided at such termination of his employment, or if the place of residence is not in a county for which there is such a Committee, to the Board of Agriculture and Fisheries, Food Production Department, 72, Victoria Street, London, S.W.1.

2. This Order applies to England and Wales.

3. This Order may be cited as the Agricultural Employment Order 1917.

In witness whereof the Board of Agriculture and Fisheries have hereunto affixed their official seal this Sixteenth day of April, Nineteen hundred and seventeen.

E. L. Mitchell,
Authorised by the President.

(a) Agricultural Executive Committees.—As to the organisation, &c., of these Committees which were constituted by the Cultivation of Lands Order (No. 3), 1917, printed as 2 (2), p. 273, see Memorandum by Board of Agriculture printed as 2 (3), p. 277
Attention is directed to the Introductory Note at p. iii which states the scope and arrangement of this Manual.]

PART VI.
[relating to Scotland only].

POWERS AND ORDERS OF THE BOARD OF AGRICULTURE FOR SCOTLAND UNDER THE DEFENCE OF THE REALM REGULATIONS.(a) (b)

Introductory Note to Part VI.

(1) Contents of Part VI.—This Part of this Manual comprises those 9 Regulations (2L, 2M, 2N (which is ancillary to the two first named), 2o, 2q, 2r, 2s, 2t and 41AAA) which confer express powers of "maintaining the food supply of the country" on the Board of Agriculture for Scotland (those Regulations being here printed as amended to October 21, 1917, and in the form in which they apply to Scotland), together with the full text of all Orders now (October 21, 1917) in force made by that Board and epitomes and notes of the Instructions and Memoranda issued by the Board to District Agricultural Executive Committees, &c., explanatory of the Orders.

This Part of the Manual is subdivided in the manner shown in the Table at p. 343, each of the divisions, which are arranged according to the sequence of the code, comprising one of the 8 principal Regulations(b) and grouped therewith the Orders and Memoranda thereto relating.

(2) Duration of Powers of Board of Agriculture for Scotland under the Defence of the Realm Regulations.—The powers of the Board under the Regulations as to maintaining the food supply of the country will cease to operate with respect to matters dealt with in Part IV. of the Corn Production Act, 1917 (printed pp. 216-221), on August 21st, 1918, or on the termination of the War (whichever is the earlier), and thereupon Part IV. of the said Act will subject to the modifications comprised in section 18 (1) (g) (h) of the Act (p. 224) come into operation (see Section 11 (3) of that Act, p. 220).

(a) English and Irish Agricultural Powers and Orders.—The powers of the Board of Agriculture for Scotland under the Defence of the Realm Regulations are confined to that country. Parts V. and VII. of this Manual comprise the corresponding legislation, &c., affecting England and Ireland respectively.

(b) Regulation 2N.—This, which is ancillary to Regs. 2L and 2M, is repeated under 1 and 2 thereto respectively relating.
(3) Complete Official Editions of Defence of the Realm Regulations, &c.—The plain text of the whole of the Defence of the Realm Regulations reproduced under the authority of Regulation 64 as one single Consolidated Code (which by successive additions now comprises over 200 Regulations), and revised to the last day of each month, is published at the commencement of the ensuing month. In "the Defence of the Realm Manual," which will henceforth be issued at half-yearly intervals (i.e., the editions will be revised to May 31st and November 30th of each year), the Regulations are accompanied by full editorial notes, by the full text of both the enabling Acts and of the Departmental Orders made under the Regulations with full notes, and by an analytical index to the whole of the Defence of the Realm Legislation.

(4) Constitution and General Powers of Board of Agriculture for Scotland.—This the most recently created of the three Agricultural Departments was established as from April 1st, 1912, by Section 4 of the Small Landholders (Scotland) Act, 1911 (1 & 2 Geo. 5, c. 49) and to it were transferred certain powers of the Board of Agriculture and Fisheries theretofore exercisable by them in Scotland and all the powers of the Congested Districts (Scotland) Commissioners.

The Board, which consists of a Chairman and two other Commissioners, acts under instructions and regulations of the Secretary for Scotland. The office of Secretary for Scotland is one of those immediate succession from one to the other of which does not vacate a seat in the House of Commons; a list of all such Offices is given in Appendix VII. to this Manual.

The provisions of the Defence of the Realm Regulations as to the construction of Orders of the Board are comprised in Part X. of this Manual.

Reference to all the various enactments conferring powers on the Board is afforded by the list of the Board's powers and duties on p. 113 of the 1916 Edit. of the "Index to the Statutes in Force," sub-voc. "Board of Agriculture for Scotland."

This Part of this Manual contains only the Board's powers as the "maintenance of the food supply of the country" under the Defence of the Realm Regulations—powers derived from Orders of the Food Controller being comprised in Part II.

The Board's other powers are dealt with in other Parts of this Manual, and are capitulated under the heading "Board of Agriculture for Scotland" in the Index.

Alexander Pulling.
Regulation 2L of the Defence of the Realm Regulations as amended and applying to Scotland.

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1. Increase of Cultivation of Burghal Areas and Powers of Town Councils; Action by Parish Councils, p. 343.
2. Under-Cultivation of Land; District Agricultural Executive Committees, p. 350.
4. Injury by Deer to Crops, &c., p. 369.

1. Increase of Cultivation of Burghal Areas.

(2). Cultivation of Lands (Scotland) Order, 1917 (No. 2) p. 344.

2L.—(1) Where the Board of Agriculture for Scotland are of opinion that, with a view to maintaining the food supply of the country, it is expedient that they should exercise the powers given to them under this regulation as respects any land, the Board may enter on the land and cultivate the land, or arrange for its cultivation by any person either under a contract of tenancy or otherwise.

(2) The Board may after entry on any land do or authorise to be done all things which they consider necessary or desirable for the purpose of the cultivation of the land or for adapting the land to cultivation, including fencing, and may also during their occupation of the land or on the termination thereof remove any such fencing or work of adaptation.

(3) Any person who cultivates land under any such arrangement shall, on the determination, by or on behalf of the Board, of the arrangement, if the determination takes effect before the first day of January nineteen hundred and nineteen, receive from the Board such compensation as may have been agreed under the terms of the arrangement, or, in default of any such agreement, as the Board may consider just and reasonable, and shall not be entitled to any other compensation.

(4) On the determination of the occupation of any land by the Board under this regulation, compensation shall be paid by the Board to any person injuriously affected by the exercise of the powers under this regulation, the amount of that compensation to be determined, in default of agreement, by a single arbitrator under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings (Scotland) Act, 1908.

Powers of entry on and cultivation of land for maintenance of food supply.

8 Edw. 7. c. 64.
(5) The Board may with respect to any land authorise any local authority to exercise on behalf of the Board any of the powers of the Board under this regulation.

(6) A local authority authorised to exercise on behalf of the Board any of the powers of the Board under this regulation may exercise such powers in respect of land of which the local authority is owner or occupier and may retain the rents and profits arising from such exercise of these powers, but shall not be entitled to receive from the Board any rent or compensation for the use thereof or for the exercise by the local authority of any powers under this regulation in respect of that land.

2N. If any person without lawful authority enters or remains on land of which a Government department or any body or person authorised by a Government department is in possession under the powers conferred by Regulation 2L, and on which notice of this provision is conspicuously displayed, or damages any crops growing on any such land, he shall be guilty of a summary offence against these regulations.

(2) THE CULTIVATION OF LANDS (SCOTLAND) ORDER, 1917 (No. 2), DATED MARCH 2, 1917, MADE BY THE BOARD OF AGRICULTURE FOR SCOTLAND.

1917. No. 206
S. 39

Whereas under Regulation 2L of the Defence of the Realm (Consolidation) Regulations, 1914 (which was inserted in those Regulations by Order in Council, dated the fifth day of December, nineteen hundred and sixteen, and, as subsequently amended, is set out at the foot of this Order (a)), the Board of Agriculture for Scotland (hereinafter referred to as "the Board") are empowered to exercise certain powers with a view to maintain the food supply of the country and to authorise any Local Authority to exercise those power on behalf of the Board.

And whereas the Board are of opinion that for the purposes aforesaid such Order should be made as is herein contained.

Now the Board of Agriculture for Scotland do hereby authorise the council of every royal; parliamentary, and police burgh to exercise on behalf of the Board the powers conferred by Regulation 2L as amended, as respects any land within the burgh, or which in the opinion of the council can conveniently be cultivated by persons residing in the burgh, subject nevertheless to the provisions of this Order:—

1. A council shall not enter on any garden or pleasure ground occupied or usually occupied together with a dwelling-house, and

(a) Regulation 2L.—This Reg. as so amended is printed under (1) at p. 343 above, and is therefore not reprinted at the foot of this Order. The amendment of April 14th, 1917, which substituted "1919" for "1918" in Regulation 2L (3), is subsequent to the date of this Order, in which no amendment corresponding to that made by the English Board in Art. 7 of the English Order (p. 262) has (Oct. 21, 1917) been made by the Scottish Board.
shall not enter on any occupied land except with the written consent of the occupier or with the sanction of the Board.

2. A council shall as soon as possible after entry on any land give notice of the entry to the owner of the land.

3. A council may in the case of occupied land agree to pay a rent for the use thereof but not in excess of the rent payable by the occupier for the land, or if held with other land, in excess of a fair proportion of the total rent so payable, or where the land is occupied by the owner, in excess of the annual value as entered in the Valuation Roll.

4. A council may arrange with any society having for its object the cultivation of vacant land for the cultivation of any land on which the council has entered, and delegate to such society such of the powers of the council under this Order as may be necessary for the purposes of the arrangement.

5. A council may purchase any seed, manures, or implements required for the cultivation of the land and sell any article so purchased to the cultivators, or allow their use of the implements at a price or charge sufficient to cover the cost of purchase.

6. A council shall as far as practicable arrange that the payments made by the cultivators for the use of the land shall cover the cost incurred by the council in providing the land or adapting it for cultivation, and shall not incur any expenses in the exercise of the powers hereby conferred (except in respect of compensation payable under paragraphs (3) and (4) of Regulation 2r) which will involve the Board in a liability to repay the council a total amount exceeding two pounds for each acre provided by the council.

7. An arrangement with a person or society for the cultivation of the land shall be subject to determination by the council or the Board at any time by notice to that person or society, and shall not provide for payment of compensation to that person or society in excess of the value at the time of quitting of the crops growing on the land and the labour expended upon and manure applied to the land since the taking of the last crop in anticipation of a future crop, or provide for the payment of any compensation if the determination takes effect on or after the 1st January, 1918.(a)

8. The land shall not be used for the production of vegetable crops, which continue productive for more than one year, or for grazing.

9. A separate account shall be kept by a council of all its receipts and expenditure under this Order or the Order hereby revoked, which shall at any time be open to inspection by an officer of the Board.

10. The Cultivation of Lands (Scotland) Order, 1917, (b) is hereby revoked, but so that such revocation shall not affect the

(a) Date of Determination of Arrangement.—See Reg. 2L (3), (p. 343) which as amended April 14th, 1917, substitutes “1919” for “1918.”

(b) Cultivation of Lands (Scotland) Order, 1917.—This Order which was made under Reg. 2L in the form in which it was introduced into the Code by Order in Council of Dec. 5th, 1916, and before the powers of entry on land were extended by Order in Council of Feb. 16th, 1917, as to occupied land is printed at pp. 255-257 of the February, 1917, Edition of the Defence of the Realm Manual.
Powers conferred by Regulation 2L and Cultivation of Lands (Scotland) Order, 1917 (No. 2).

previous operation of such Order or anything done under it, or affect any right or liability acquired or incurred under such Order, and any reference in any document to the Order hereby revoked shall be construed as a reference to this Order.

11. This Order applies only to Scotland.

12. For the purposes of this Order land in respect of which no person was entered as tenant or occupier in the Valuation Roll for the year ending 15th May, 1917, shall be deemed to be unoccupied land.

13. This Order may be cited as the Cultivation of Lands (Scotland) Order, 1917 (No. 2).

In witness whereof the Board have hereunto set their Official Seal this second day of March nineteen hundred and seventeen.

Robert P. Wright,
Chairman.

H. M. Conacher,
Secretary.

(3) Powers Delegated to Town Councils. Summary of Memoranda by the Board of Agriculture for Scotland as to the Powers conferred by Regulation 2L and the Cultivation of Lands (Scotland) Order, 1917 (No. 2).

[The cross headings and notes do not appear in the Memoranda as issued, but have been added by the Editor.]

I. Amendment of Regulation 2L and issue of Order (No. 2).

Representations made to the Board by certain Town Councils that the powers conferred by the Cultivation of Lands (Scotland) Order, 1917, were insufficient to enable them to meet the demand for small allotments, owing to the fact that the unoccupied land (which alone could under that Order be taken without consent) was not sufficient for that purpose, and that difficulties had arisen in arriving at agreements with owners and occupiers for the taking of occupied land.

In view of these representations, Regulation 2L(a) was by Order in Council of February 16th, 1917 (St. R. & O., 1917, No. 156) amended so as to empower the Board to enter on any land, whether occupied or unoccupied, without the necessity of obtaining the consent of the owner or occupier, and on March 2nd, 1917, a new Order (printed as (2), p. 344) was issued revoking the Cultivation of Lands (Scotland) Order, 1917.(b) This Order

(a) Regulation 2L as first issued.—Regulation 2L as first added to the Code by Order in Council of December 5, 1916 (St. R. & O., 1916, No. 840), conferred compulsory powers of entry and cultivation as regards only such land as was either unoccupied or common land and otherwise differed from the Regulation as now in force.

(b) Cultivation of Lands (Scotland) Order, 1917.—This the first Scottish Order under Reg. 2L, and which is now revoked, is printed pp. 255-257 of the Feb., 1917, Edition of the "Defence of the Realm Manual."
Powers conferred by Regulation 2L and Cultivation of Lands (Scotland) Order, 1917 (No. 2).

delegates to Town Councils the powers conferred on the Board by Regulation 2L as so amended, subject to the restriction that the Town Council may not enter on occupied land without the written consent of the occupier or the sanction of the Board.

II. Object of Amended Regulation and New Order.

The extended powers conferred by the new Order should be exercised by Town Councils with the greatest possible care and discretion. The object of the Regulation and Order is to provide land for the purpose of increasing the crops available for consumption by the public, and its powers should not be used to interfere with land which is already being fully cultivated, or with pasture land of good quality the breaking up of which would involve considerable expenditure on restoration on the termination of the occupation.

III. Land Required for Building.

In the event of any land taken under the Order being required for building purposes, the Board or the Council may give up possession, and the cultivator will be entitled to compensation under sub-section (3) of Regulation 2L (p. 343).

IV. Fencing. [Reg. 2L (2), p. 343.]

In view of the cost of fencing and the uncertainty as to the duration of the Order, which has effect only during the War, it is recommended that fencing be dispensed with as far as possible, and that, where it is imperative that lands should be enclosed, the fencing should be of a temporary and inexpensive kind, or, if more permanent fencing is provided, of such a character that it can be used by the local authority at the end of the tenancy. Reference, however, is made to the provisions of the Defence of the Realm (Acquisition of Land) Act, 1916, (a) which contemplates the possibility of land taken compulsorily for any public purpose during the War remaining in the possession of the authority taking it for a period of two years after the end of the War.

V. Dairy Lands.

The Board desire also that, in view of the urgent importance of maintaining the milk supply, no land should be taken under the Order which is being used for the grazing of cows, or which is otherwise essential for dairy purposes.

VI. Claims for Compensation as to Land entered by Council. [Reg. 2L (4), p. 343.]

Sub-section (4) of Regulation 2L provides that claims for compensation in respect of land upon which the Council has entered under the Order may be determined, in default of

(a) Defence of the Realm (Acquisition of Land) Act, 1916 (6 & 7 Geo. 5, c. 63).—That Act is printed with editorial notes, pp. 10-27 of the "Defence of the Realm Manual" (May, 1917, Edit.).
agreement, by a single arbiter under, and in accordance with, the provisions in the second schedule of the Agricultural Holdings (Scotland) Act, 1908. The Council should, however, endeavour to arrange the amount of rent to be paid for any occupied land taken under the Order. It is not necessary that the question of rent or compensation for the use of the land should be settled before entry on the land by the Council, but before entering on any occupied land the Council should satisfy themselves that there is a reasonable probability that the payments which will be made by the cultivators will be sufficient to recoup the rent or estimated compensation payable for the use of the land by the Council.

VII. Land Owned or Occupied by Town Councils.

[Reg. 2L (6), p.]

Sub-section (6) of Regulation 2L authorises Town Councils to make land owned or occupied by them available for cultivation.

The Board do not think that public recreation grounds in populated areas which are turfed and are used to any substantial extent for recreation can with advantage be broken up, but there is much public land which does not fall within this category, and the Regulation accordingly provides that the Council may arrange for the cultivation of such land, either under a contract of tenancy or otherwise, and may retain any rents or profits arising from the use of such land, provided that no claim is made on the Board for any financial assistance by way of rent, compensation, or other payment.

(4) Action by Parish Councils. Summary of Memoranda by the Board of Agriculture for Scotland.

(i) The Board have arranged with Town Councils to use the provisions of the Cultivation of Lands (Scotland) Order mainly for the purpose of making land available for the growing of potatoes and other vegetables upon small plots by members of the working classes for consumption by their families.

It is realised, however, that in many industrial districts in Scotland the conditions do not materially differ from those which exist in burghs, and the Board propose, therefore, with the concurrence of the Local Government Board for Scotland with whom they have been in consultation on the subject, to request the Parish Councils having jurisdiction in such districts to co-operate with them in carrying out the provisions of Regulation 2L, without actually delegating the powers conferred on the Board therein.

(ii) While the Board are of opinion that District Agricultural Executive Committees (a) should be the chief responsible agencies

(a) District Agricultural Executive Committees.—As to the constitution and powers of these Committees, see Summary of Memoranda by the Board printed under 2 ("District Agricultural Executive Committees"), p. 352.
for organising food production in their areas, they think it might be advisable that for this work, dealing generally with comparatively small pieces of land and requiring special knowledge of the local circumstances, such Committees should approach the Parish Councils in their district with a view to obtaining their assistance.

(iii) The Board have particularly in view the case of mining villages in the neighbourhood of which it is usual to find a considerable area of waste land. Land which is not being put to the beneficial use of any occupier and is accordingly entered in the current Valuation Roll as "vacant" or "unlet" could probably readily be made available to meet any existing demand for potato and vegetable plots among the mining population.

(iv) The Board will be obliged, therefore, if Parish Councils will take steps to ascertain whether there is any suitable land within their areas and at the same time make enquiry by advertisement or otherwise regarding the demand for such plots, with a view to the early formation of one or more schemes under the Regulation. Having ascertained that there is a sufficient demand and that land can be obtained by agreement, a Parish Council should enter into negotiations with proprietors and do everything necessary to effect an amicable settlement in order that cultivation may be commenced without undue delay. In cases where a Parish Council finds that there is a demand for land in small plots for cultivation and a difficulty in securing available land, they should report the action taken by them to the Board.

(v) Article 6 of the Cultivation of Lands (Scotland) Order, 1917 (No. 2) (p. 345), provides for financial assistance for the purpose of adaptation and equipment up to a maximum of £2 an acre in cases where the rent obtainable is not sufficient to cover the initial outlay. The Board hope that the expenditure on schemes will as a rule be kept within this limit, but in the event of an unavoidable excess requiring to be met, the Board understand that the Local Government Board are prepared to consider the possibility of utilising the Special Parish Rate for the purpose. The attention of Parish Councils is further drawn to the provisions of sub-sections (3) and (4) of Regulation 2r. (p. 343), which empower the Board to pay compensation to the tenant at outgoing and to other persons who may be injuriously affected through the operation of a scheme of allotments.

(vi) The Board will be glad to be furnished with the observations of the Parish Council on this matter at an early date, and if the Council can see their way to proceed immediately with any scheme or schemes, the Board will be prepared to give every assistance in their power.
2. Under-Cultivated Land; District Agricultural Executive Committees.


2M.—(1) Where the Board of Agriculture for Scotland after such consultation with the Food Controller (a) as may be arranged, are of opinion that, with a view to maintaining the food supply of the country, it is expedient that they should exercise the powers given to them under this regulation, the Board may—

(a) enter on and take possession of any land which in their opinion is not being so cultivated as to increase, as far as practicable, the food supply of the country, and, after entry thereon, do all things necessary or desirable for the cultivation of the land or for adapting it for cultivation; and for such purposes enter on and take possession of any buildings on the land or convenient for such purposes; and

(b) take possession of any machinery, implements of husbandry or plant (other than machinery, implements or plant in the possession or under the control of a dealer or manufacturer), or any farm produce, stock or animals, which, in the opinion of the Board, are required for the cultivation of land or the increase of the food supply of the country; and

(c) provide housing accommodation for persons employed for any such purposes by taking possession of any land or unoccupied premises; and

(d) utilise any water supply or motive power for any such purposes; and

(e) by notice served on the occupier of any land require him to cultivate the land in accordance with such requirements as the Board may think necessary or desirable for maintaining the food supply of the country and may prescribe in the notice; and

(f) by notice served on the tenant of any land which or part of which, in the opinion of the Board, is not being so cultivated as to increase as far as practicable the food supply of the country, determine his tenancy

(a) Food Controller.—As to the constitution and powers of the Ministry of Food, see Part I. of this Manual.
of the land on such date as may be specified in the notice, or on the application of the landlord by order authorise him in any such case to determine the tenancy in accordance with the terms of the order (a); and

(g) after entry on any land arrange for its cultivation by any other person whether by contract of tenancy or otherwise; and

[Paragraphs (h) (i) and (j), which have no application to Scotland, are omitted from this reprint.]

(2) An occupier of land may, with a view to maintaining the food supply of the country, submit to the Board a scheme for the cultivation of the land in a manner not consistent with the contract of tenancy of the land, and the Board, if satisfied that the adoption of the scheme is necessary or desirable for the maintenance of the food supply, may direct that the land shall be cultivated in accordance with the scheme, subject to any modification which the Board may think fit to make therein.

(3) An occupier of land on whom a notice is served or to whom a direction is given by the Board

To face page 350.

See now (Jan. 31, 1918) as to Regulation 2m as amended to this date, ADDENDA, p. 629.

Any action has been taken under this regulation, they may recover from the person then entitled to resume occupation of the land such amount as represents the value to him of all acts of cultivation or adaptation for cultivation executed by the Board; such amount to be determined, in default of agreement, by a single arbiter under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings (Scotland) Act, 1908.

(5) Any person authorised by the Board in that behalf may, for the purposes of this regulation and upon production if so required of his authority, enter on and inspect any land or building and inspect any machinery, implements of husbandry, farm stock or produce thereon.

(6) The Board may with respect to any land or land in any district authorise any person or any body constituted by the Board for the purpose to exercise on behalf of the Board any of the powers of the Board under this regulation and prescribe the procedure of any such body, and the authentication of any notice or other instrument issued by any body or person so authorised. (b)

(a) Determination of Tenancy.—The Boards' powers under par. (f) are excepted from those delegated to War Agricultural Executive Committees. See Art. 3 of the Cultivation of Lands Order, 1917 (No. 3), p. 275.

(b) Orders under Reg. 2m, and District Agricultural Executive Committees.—See (2) Summary of Circulars of Board of Agriculture for Scotland as to District Agricultural Executive Committees, p. 353.
(7) The powers conferred on the Board by this regulation shall be in addition to and not in derogation of any other powers of the Board.

(8) In this regulation the expression "cultivation" includes use for grazing and the expression "cultivate" has a corresponding meaning.

[Subsection (9) is in part directed to the making of certain substitutions in the application of Regulation 2L to Scotland all of which have been carried out in this reprint, and in remainder to matters not applying to Scotland and is therefore omitted herefrom.]

(10) With a view to increasing food production by the conservation or improvement of grazing land, the occupier of any land in Scotland shall be entitled, after due notice in writing to the owner of such land and to the owner of any woodlands adjoining such land, or to their respective agents or factors, and with due care to prevent damage to any woodlands on or adjoining such land, to "make muirburn" or set fire to any heath or muir within the boundaries of such land, at any time or times between 1st October and 30th April when the same would otherwise be unlawful (a) or be in contravention of the lease or other contract affecting the land: Provided that nothing herein contained shall affect any duty to comply with any regulation, order or instruction in regard to the use, display or ignition of lights or fires, in force for the time being. (b)

(11) Any notice under this regulation may be served on the person to whom it is to be given, either personally or by leaving it for him at his last known place of abode, or by sending it through the post in a registered letter addressed to him there. (c)

2N. If any person without lawful authority enters or remains on land of which a Government department or any body or person authorised by a Government department is in possession under the powers conferred by Regulation 2M, and on which notice of this provision is conspicuously displayed, or damages any crops growing on any such land, he shall be guilty of a summary offence against these regulations.

(a) Making Muirburn.—The effect of sub-section (10) of the Regulation is to shorten the period (which included all October and the later part of April) during which the making muirburn is an offence. Ss. 4-7 of the Game (Scotland) Act, 1772 (13 Geo. 5. c. 54).

(b) Display or Ignition of Lights or Fires.—The restrictions referred to are comprised in Reg. 11 of the Defence of the Realm Regulations (p. 77 of the May, 1917, Edit. of the Defence of the Realm Manual) the Lights (Scotland) Order of the 25th August, 1916 (ibi. p. 492) made by the Secretary for Scotland under that Regulation, Reg. 12 (ibi. p. 78) and local orders of the competent Naval or Military Authority under Reg. 12, and Regulation 26 as to fires and fireworks (ibi. p. 99), the last named regulation in the form to which it was amended by Order in Council of Oct. 23rd, 1917 (subsequent to the date of this Manual) is printed at p. 42 of the October Edit. of the Consolidated Regulations.

(c) Service by Post.—See provisions of s. 26 of Interpretation Act, 1889, (52 & 53 Vict. c. 63) as to time when service by post is deemed effected.
(2) **District Agricultural Executive Committees, Their Constitution, Staff, Powers and Expenses, and the Powers of the Board and of such Committees, Summary of Circulars and Memoranda Issued by the Board of Agriculture for Scotland.**

[No Order corresponding to the English Cultivation of Lands Order, 1917 (No. 3) (printed p. 273), has (Oct. 21st, 1917) been made by the Board of Agriculture for Scotland. But District Agricultural Executive Committees have been formed for the local government districts in most of the counties of Scotland, and the Board of Agriculture for Scotland exercise their powers under Reg. 2M, printed as (1) (p. 350) through these Committees, whose constitution, staff and powers are specified in the following summary, only certain of the more remote districts being worked directly by the Board.]

This Summary is arranged as follows:

| I. | District Agricultural Committees, p. 353. |
| II. | First Formation of District Agricultural Executive Committees, p. 353. |
| III. | Constitution, Staff and Expenses of District Agricultural Executive Committees, p. 356. |
| IV. | Powers under Regulation 2M, p. 358. |
| V. | Organization of Local Committees, p. 361. |
| VI. | Horses and Agricultural Machinery, p. 362. |
| VII. | Increased Cultivation in 1918, p. 362. |
| VIII. | Deer Forest Grazings, p. 365. |
| IX. | Compulsory Orders, p. 365. |
| X. | Ploughing of Larger Area than Lease authorised, p. 367. |

**I.—District Agricultural Committees.**

On June 23rd, 1915, the Secretary for Scotland appointed a Departmental Committee to inquire into the question of maintaining, and if possible increasing, the production of food in Scotland. The 1st Report of that Committee(a) comprised recommendations in pursuance of which the Board of Agriculture for Scotland (hereunder referred to as "the Board") arranged for the setting up throughout the country of District Agricultural Committees to consider Schemes for stimulating the production of food in their several areas.

**II.—First Formation of District Agricultural Executive Committees.**

[The following is a Summary of a Circular Letter addressed January 6th, 1917, by the Board to District Agricultural Committees.]

1. **Formation of Executive Committees.**—One of the recommendations of the Departmental Committee referred to under I. was that the constitution of District Agricultural Executive

(a) Reports of Scottish Food Production Committee.—The 3 Reports (Aug., 1915, Dec. 29, 1916, and April 12, 1917), are printed for sale as Stationery Office Publications.
Committees would be of material assistance to the Government in their efforts to increase the food supply of the Nation.

The Board request each District Agricultural Committee to proceed to elect an Executive Committee as described, to whom would be assigned the active supervision within the district, of the steps taken under the Board’s guidance for the purpose of increasing the production of food in Scotland.

The Executive Committee should consist of not less than five nor more than ten members. They should be men of practical agricultural experience, who could give fairly constant attention to the work so as to keep it going in the intervals between meetings. In order to secure qualified men of sufficient leisure who would act as members of the executive committee it is suggested that the principal committee, in making their selection, should not necessarily limit themselves to their own number. Each Committee should appoint an executive officer or organiser, who would be expected as a war service to devote himself almost exclusively to the business of the Committee. Expenses should be kept at a minimum; but any representation as to absolutely necessary expenditure will receive the Board’s immediate consideration.

2. First Duty of Executive Committee.—The first duty of the Executive Committee would be to discover what additional areas if any within their district could advantageously and with due regard to practical considerations be brought under cultivation in the ensuing season, with or without an increased supply of labour. To enable them to do this, the census returns recently obtained will be made available. It is suggested that an advertisement should be inserted in a newspaper circulating in the district, requesting farmers who are willing to extend their area under the plough this season to intimate to the Committee the extent of the additional land they would cultivate, and the crops they propose to grow.

3. Area of Executive Committee.—The Departmental Committee recommended that an Executive Committee should be set up in each Local Government District of the county. In certain counties this may be unnecessary, and the District Agricultural Committee will be free to arrange for an Executive Committee for each Local Government District or combination of districts as they think advisable. Apart from the work to be assigned to the Committee in the direction of assistance in extending and increasing the production of crops, there are other matters of great importance dealt with in the Report above referred to. The provision of allotments convenient to rural villages, the extended cultivation of vegetables, and the encouragement of pig and poultry keeping are among the matters to which the Executive Committee are requested to give their early attention.

4. Women’s Work.—The Board attach importance to the work which women are able to do—and in many cases very willing to do—in connection with agriculture. In some counties there is already a certain organisation for securing a supply of female labour, and committees are urged to encourage in every way possible the recruiting and employment of women on the farms. In this connection the inclusion of one or more women on the Executive Committee might be considered.

5. Outline of Procedure of Executive Committees.—While it is desirable that Executive Committees should use their own discretion in adopting the methods which they think best adapted to local conditions, they may find it useful to consider the following suggestions as to the lines on which they should at first proceed:

(1) As it is possible that in some cases the members of the Committee may not themselves have ready means of obtaining preliminary information regarding certain parts of their area, it may be found advisable to ask reliable persons in such parish or parishes to act as correspondents. These correspondents should report, privately, to the Committee cases which they think the Committee could with advantage consider or investigate. They should not, however, be associated with the executive work of the Committee, but should act only as sources of information.

(2) Answers to the Committee’s advertisements should be dealt with first, the Committee satisfying themselves that the proposals submitted are practicable and that the labour asked for is necessary. In all questions relative to increased labour supply the Committee should ascertain that the whole staff presently on the farm, including the farmer, is fully and profitably employed.

(3) The Agricultural Census schedules(a) should be examined as soon as possible, either by the Committee or by their executive officer, who would report to the Committee the results of his scrutiny. Where a large number of schedules has to be dealt with, the most convenient method may be that each member of the Committee should go through those for his own district of the area, and select those which he thinks should be submitted to the Committee as a whole. It is to be noted that the schedules are to be regarded as confidential, and their contents should not be divulged to any person not a member of the Committee.

(4) When the Committee have considered the cases submitted to them by their members, their executive officer, or their correspondents, a number of them, not less than two, should visit the farms or the land where it appears action should be taken, and, if advisable, should make proposals to the occupier for increased cultivation provided the necessary labour is made available.

(5) Should the occupier agree to the proposals, or where voluntary offers have been approved by the Committee, a simple form of agreement stating the particulars of what is to be done and the extra labour, if any, to be supplied, should be signed by the occupier.

(a) Census Schedules.—See footnote (a) to p. 354 of this Summary.
(6) The Committee should subsequently take steps to ascertain if the agreement is being implemented by the occupier, and if it is not, any additional labour supplied through the Committee should be immediately withdrawn. This condition should be stated to the occupier before the agreement is signed.

(7) As soon as possible the Board should be informed of the numbers and classes of the additional workers required in the area.

(8) Where the District Agricultural Committee have obtained a motor plough through the Board, the Executive Committee should keep the Motor Plough Sub-Committee informed regarding land which they think should be ploughed.

(9) Where an Executive Committee finds that farmers can undertake additional cultivation, or can maintain their normal cultivation, by the aid of double-furrow horse ploughs, and find that there is difficulty in obtaining such ploughs, they should immediately communicate with the Board.

(10) The Committee should keep in view the necessity for the increased use of manure on arable land and should issue an advertisement asking all farmers to report any difficulty in obtaining what they require. They should also take steps to deal with cases in which they consider farmers should use more manure.

(11) The Committee should consider whether it is advisable to apply basic slag to permanent grass which it may be inexpedient to break up. As it is important that slag should be applied as soon as possible, this is a matter which appears to require urgent consideration.

(12) Where farmers do not agree to the Committee's proposals for the cultivation or manuring of their land, the Committee should inform the Board, who will then consider whether compulsory powers should be put in force.

(13) Where the Committee propose an alteration of the system of cropping, which would constitute a breach of any existing contract between the landlord and tenant, every effort should be made to obtain the consent of the parties concerned. In cases where agreement cannot be reached, the Committee should submit full particulars to the Board.

III.—Constitution, Staff and Expenses of District Agricultural Executive Committees, Scotland.

(The following is a summary of the first portion of the Board's Circular Letter of February 14th, 1917, to Executive Committees).

1. Addition of Reg. 2m to the Code.—Regulation 2m, which was added to the Code of Defence of the Realm Regulations by Order in Council, dated January 10th, 1917 (Statutory Rules and Orders, 1917, No. 5) conferred certain powers upon the Board of Agriculture for Scotland with the object of maintaining the food supply of the country. In regard to these powers,
which are discussed in some detail under IV. below, the Board after consideration propose to exercise them in consultation with and largely through the agency of the District Agricultural Executive Committees which have recently been formed throughout Scotland, and the co-operation of those Committees is therefore invited on this footing.

The Board desire to impress upon the Executive Committees that in carrying out their important duties as the advisers and representatives of the Board they should keep in mind that they have been called into being solely for the purpose of securing the largest possible production of food at the minimum expenditure of labour and materials. The utmost development of the land now under cultivation is the most profitable method of attaining this object.

By assisting and encouraging farmers to shorten the rotation, to obtain the best and most suitable seeds, and to use artificial manures liberally and judiciously production can be greatly increased under the most economical conditions.

2. Constitution of Executive Committees.—The Board have duly considered the constitution of these Committees, and approve the same and the appointments of Secretaries. In this connection the Board desire to mention that they may appoint one of their officers to act in an advisory and consultative capacity with each Executive Committee, and they are confident that such co-operation and assistance will be welcomed.

3. Staff of Executive Committees.—Apart from the appointment of a Secretary, the question arises as to the provision of extra assistance.

In the first place, the Executive Committee should, if they have not done so, select and appoint a suitable Executive Officer, who may or may not be the Secretary. He should have a competent knowledge of agriculture and some administrative experience. In most cases it should be possible to obtain for this post the services of a member of the staff of one of the Agricultural Colleges. In other cases the Board will be prepared to consider proposals for the appointment of a paid Executive Officer who is not a member of that staff. His name and particulars of his qualifications, together with the salary proposed, must be submitted to the Board for their approval before any definite appointment is made or any expenditure incurred.

In districts where the pressure of work is such that it cannot be overtaken expeditiously by the Secretary and Executive Officer, the Board recommend that the services of voluntary workers should be enlisted, and that only in exceptional cases should the appointment of additional salaried officers be proposed.

4. Expenses.—Committees are authorised to incur necessary and reasonable expenditure on travelling, printing, stationery, and postages. With regard to travelling expenses, it has been represented to the Board that the increase in the cost of railway travelling will throw a heavy burden of expense on the members
Powers of Regulation 2m as to Overriding Restrictive Clauses of Leases in Scotland.

of the Executive Committees, and the Board are prepared therefore to authorise Committees to pay any of their members who apply for it their necessary out-of-pocket travelling expenses in attending meetings of the Committee, or when engaged on the work of the Committee. Payments for travelling expenses should be on the basis of third-class railway fares, or, if in the absence of railway facilities, a member or officer of the Committee uses a private motor car, at the rate of 7½d. a mile.

It is not anticipated that the work of the Committee will involve them in direct payments other than those referred to above. Any new or unusual charges which the Committee may consider it necessary to incur should be reported to the Board. In order to avoid unnecessary delay in matters which do not involve substantial expenditure, the Board are prepared to consider at once applications for imprests (i.e., advances to be accounted for as spent) for specified sums, if particulars are given of the general purpose for which funds are required. It must be understood that expenditure can only be authorised in connection with work which the Committees undertake with the authority of the Board.

IV.—Powers under Regulation 2m.

[The following is a summary of the later portion of the Board's Circular Letter of February 14th, 1917, to Executive Committees.]

[Reg. 2m (2), p. 351.]

1. Power to Override Restrictive Clauses of Leases.—The Board's intention is that Executive Committees should make it known in their respective districts that applications submitting schemes under subsection (2) of the Regulation are competent, and that they should be made not to the Board direct, but in the first instance to the Committee, who should take steps to find out whether the applicant has sought the permission of his landlord and has failed to obtain it. If the Committee are satisfied after enquiry that the scheme proposed by the applicant is such that it will lead to an increased production of food, they should endeavour, by negotiation, to obtain the consent of the landlord to its adoption. In the event of failure in negotiations, the Committee should at once report the matter to the Board with a view to the exercise by them (if so advised) of such further powers as they have in reserve. If the Board decide to grant the application, they will issue a direction that the land in question shall be cultivated in such specified manner as they think desirable in the national interest, and such direction, being obligatory, will relieve the occupier from any penalty for breach of contract due to compliance with the Board's direction. (a)

(a) Relief from Liability for Breach of Contract.—See Part XI of this Manual which comprises the enactments providing for such relief.
Powers of Regulation 2m as to issuing Directions as to Cultivation in Scotland.

Any question of payments by the State to the landlord for loss thus occasioned will be referred in default of agreement to the Defence of the Realm (Losses) Commission.(a)

[Reg. 2m (1) (e), p. 350.]

2. Power to Issue Directions as to Cultivation.—The Board are empowered under the Regulation to require any occupier of land by notice served upon him to cultivate the land in accordance with such requirements as the Board may think necessary for increasing the food supply. The Board accordingly invite Executive Committees if, as a result of their inspections and surveys, they are satisfied in regard to any agricultural holding that there is a case for improved cultivation, and if their own representations have proved ineffectual, to make recommendations in such cases to the Board with a view to the exercise of their powers under this part of the Regulation. This power may be useful in cases where, in the opinion of the Committee, the occupier is using his land for the production of crops which, from a national point of view, are unprofitable at the present time, or is cultivating his land inadequately. Where the Board put it in operation, failure to cultivate the land in accordance with the Board’s direction constitutes a summary offence against the Defence of the Realm Regulations.

(a) Defence of the Realm (Losses) Commission.—The terms of reference of this Royal Commission (which was appointed March 31st, 1915, and is printed at length at pp. 367, 368 of Supplement No. 3 to the Manual of Emergency Legislation) are as follows:

"To inquire and determine, and to report what sums (in cases not otherwise wise provided for) ought in reason and fairness to be paid out of public funds to applicants, who (not being subjects of an enemy State) are resident or carrying on business in the United Kingdom, in respect of direct and substantial loss incurred and damage sustained by them by reason of interference with their property or business in the United Kingdom through the exercise by the Crown of its rights and duties in the defence of the Realm." The Commissioners thereby appointed are empowered:

(i.) to call before them such persons as they shall judge likely to afford them any information upon the subject of the Commission: and also to call for, have access to and examine all such books, documents, registers and records as may afford them the fullest information on the subject, and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

(ii.) to visit and personally inspect such places as they may deem it expedient so to inspect for the more effectual carrying out of the purposes aforesaid.

The Commission further provides that if the Commissioners deem it expedient, the powers and privileges conferred on them shall belong to, and may be exercised by, any one or more of them, and that they shall from time to time report to the Treasury.

The (Oct. 21st, 1917) present members of the Commission are:

Sir J. T. Woodhouse (chairman);
Sir M. G. Wallace;
Mr. E. Shortt, K.C., M.P.; and
The Rt. Hon. Mr. Laurence Hardy, M.P.

Mr. D. du Bois Davidson is Secretary to the Commission, whose address is Spencer House, 27, St. James' Place, S.W.1.
Powers of Regulation 2M as to Entry on and Taking Possession of Land, and as to Manuring in Scotland.

[Reg. 2M (1) (a) (g), (8), pp. 350, 351, 352.]

3. Power to Enter Upon and Take Possession of Land, etc.—The Board are empowered under the Regulation to enter upon and take possession of any land which, in their opinion, is not being so cultivated or grazed as to increase, as far as practicable, the food supply of the country, and after entry thereon to do all things necessary or desirable for the cultivation of the land or for adapting it for cultivation. The Board will normally exercise these powers only upon a recommendation by an Executive Committee. As this is a power that will only be exercised in special cases, the Executive Committee should not submit a recommendation to the Board until they have offered every assistance and encouragement to the occupier or owner, and taken all possible steps to come to an agreement with him.

Before making proposals to the Board they should satisfy themselves that the scheme will result in an early and considerable increase in the food supplies, that there is a reasonable prospect of repaying the outlays incurred by the Board, and that labour is available.

The Executive Committee should make a careful estimate of the capital required, and forward a full report of the details of their scheme.

The management of such land will be undertaken strictly on behalf of the Board, but it may be possible to employ the occupier or a neighbouring farmer as manager. In all cases where the Board has entered into possession the occupier or manager will be responsible to the Board for receipts and expenditure—under such equitable arrangement with the cultivator as may be approved by the Board.

[Reg. 2M (1) (e), p. 351.]

4. Manuring.—As stated under paragraph 2 above, the Board are empowered by notice served on the occupier of any land to require such occupier to cultivate the land in accordance with such requirements as they may think necessary. One of the most useful forms of action in this direction would be to arrange for the application of fertilisers, such as sulphate of ammonia or basic slag, in cases in which an Executive Committee are satisfied that this will be advantageous, but in which the occupier from want of means or for some other reason is unable or unwilling to take such action on his own account. If the Committee are of opinion that such an application would be advantageous, they may arrange for the supply of the fertilisers to the occupier, and may employ him on the Board’s behalf for the purpose of applying it in accordance with an approved scheme. In such case the occupier may be allowed to defer payment for a reasonable period on signing an undertaking that he will pay the cost of the fertiliser at the expiry of the said period. Where an occupier is unwilling to co-operate with a view to carrying such a scheme into execution, the Committee should report the case to the Board.
5. Generally.—The Board request that Committees may keep them fully informed as to any action which they take. For this purpose the Board desire to be furnished with a weekly report narrating the different steps taken by the Committees by way of negotiation with a view to giving effect to the Regulation. The Board are clearly of opinion that the energies of the Committees will be more valuably employed in stimulating production on land at present forming part of agricultural holdings, than on schemes of a character which may entail more friction in carrying through than their scope and effect would justify.

V.—Organisation of Local Committees.

[The following formed part of the Board's Circular Letter of May 9th, 1917, to District Agricultural Committees.]

1. The development of the German submarine campaign, combined with a general diminution of production in countries from which normal supplies of cereals are obtained, make it necessary to bring into crop in 1918 an area five or six times greater than it has been possible to break up during the short and unfavourable season just ended.

2. Each county must bring every available acre of grass land into cultivation. In order to do so, it is necessary to get into touch with every farm, and for this purpose the Board consider that it is essential to remodel the system now in operation and provide for more extended and minute organisation.

3. The Board are satisfied that the District Agricultural Committee is the most efficient unit for co-ordinating the work of a large area such as a county, but they consider that an Executive Committee with an Executive Officer should be formed for each Local Government or other suitable district, or, if thought preferable, that a single Executive Committee should be formed for the larger area, with an Executive Officer in each district.

4. They suggest that the first duty of the executive Committee should be to organise small local committees comprising one or more parishes, or an estate, or any other convenient area, which will ensure that every farm is fully surveyed and its possibilities for the increased production of food thoroughly investigated. The duties of the parish or local committee would be:

(a) To report on the food-producing possibilities of each farm:

(b) To enumerate and report on the numbers and movements of live stock:

(c) To arrange by agreement for the loan and co-operative use of horses, implements and machinery:

(d) to foresee and tabulate the demands for labour for harvest and potato lifting:

(e) To organise co-operative effort by every means, so that the fullest use may be made of all the agricultural resources of the district.
5. With this extended organisation in view the Board desire that each District Agricultural Committee should meet without delay and proceed to the selection of the Executive Committees described, in lieu of the existing arrangements. These Committees may be chosen from the members of the District Agricultural Committee or from outside. The names of members of the Executive Committee should be submitted to the Board for approval.

VI. — Horses and Agricultural Machinery.

[The following formed the later part of the Board's Circular Letter of May 9th, 1917, to District Agricultural Committees.]

1. It is necessary for the safety of the country in the immediate future that the harvest of 1918 should be sufficient to maintain all or nearly all of the population, and the problem in face of the farmers is to secure this object notwithstanding the scarcity of labour, the difficulty of obtaining additional horses, and the restricted output of agricultural machinery. To overcome these difficulties co-operation among farmers will be required, and it is hoped that by organisation it may be possible to keep every available horse and every available implement working practically continuously on one or other of the farms in the district.

2. The Board will take steps to provide tractor ploughs and other machinery for the use of Executive Committees. They also expect to supply a limited number of horse teams, but they must continue to depend to a large extent on the energy of farmers themselves, not only to do additional work upon their own holdings, but, so far as possible, to make their horses and implements available for the use of their neighbours.

VII. — Increased Cultivation in 1918.

[Memorandum issued by the Board, June 8th, 1917, to District Agricultural Executive Committees.]

1. The total increased cultivation desired from Scotland is not less than 350,000 acres in excess of the area under similar crops in 1916. The share of each county or district has been communicated to District Agricultural Executive Committees, but it should be regarded as a minimum, and every effort should be made to exceed it.

In addition to ploughing up permanent pasture, the increased production of grain can and ought to be secured by ploughing an extra breadth of rotation grass land in addition to the ordinary lea break, and by taking a second crop of grain on much of the stubble land, as the acreage of roots must diminished in 1918 if additional grain cannot otherwise be produced.

Increased acreage of potatoes can be got either by substitution of potatoes for turnips in the rotation, or by breaking up grass land in good time to ensure the proper working of the ground.
2. Executive Officers.—Each Executive Committee should appoint for such period as may be sanctioned an Executive Officer, and more than one if this is thought desirable and is approved by the Board. The Executive Officer should during June and July, with the assistance of members of the Committee, make a complete survey of his whole district, and note the possibilities of each farm.

3. Local Organisation.—To secure completeness of survey, it is necessary that each member of the Executive Committee should take special charge of a parish or other convenient area, getting one or more farmers or other residents in and representative of that area to act along with him. These local representatives would be of the greatest assistance to the Executive Officer.

4. Local Enquiry.—To secure the necessary information, it may, and probably will, be desirable, that a series of questions as to proposed cropping and other particulars should be addressed to each farmer. Where it can be arranged it will be well that the farms should be visited by a member of the Executive Committee and the Executive Officer, and the schedule of particulars—if the Committee adopt this method of making enquiry—filled up on the occasion of the visit.

5. When to Proceed.—The local enquiry should be completed by the end of July, and farmers who do not satisfy the Committee that they will do their utmost should receive timely warning of the minimum that will be required of them. It will, in most instances, be prudent to obtain from the farmer a written promise to perform the work required.

6. Procedure where Compulsory Action is needed.—It is hoped that all interested in land, both landlords and tenants, will cooperate with the Committees and agree to the suggestions made, as equality of service, having regard to the circumstances of each case, is expected from all. Where Committees have reason to believe that their recommendations will not be carried out, or where there is delay in commencing operations, they should submit full particulars of the case for the consideration of the Board.

On receipt of a recommendation from a Committee the Board may, if so advised, issue an order under the Defence of the Realm Regulations, by which the Board are empowered

(a) to require an occupier of land to plough certain areas, or to apply manures as specified;
(b) to take over the areas in question with a view to their cultivation by an agent acting for the Board;
(c) to authorise an occupier of land to cultivate such land in a manner not consistent with his contract of tenancy; or
(d) to determine the tenancy of land which is not being adequately cultivated.
Memorandum by the Board of Agriculture for Scotland as to Increased Cultivation in 1918.

Before recommending the exercise of compulsory powers involving the Board's taking over lands for cultivation, the Committees should have in view a scheme under which their recommendation can be carried out. The most convenient method adopted so far has been to appoint a neighbouring farmer, who has the necessary horses and implements, to carry out the cultivation for the Board. A sum is arranged in consultation between the farmer and the Committee (which the Committee will recommend the Board to approve), to be paid by the farmer for the right of cultivating, and his remuneration will be the profits derived from the sale of his crop in so far as they exceed the sum agreed upon. The interests of the proprietor (or occupier, if the subjects taken over were let) must of course be kept in view, and he will have in any event the right of applying to the Defence of the Realm (Losses) Commission, (a) if he considers he has suffered loss or damage owing to the action of the Committee or the Board. The sum to be paid to the Board by the farmer cultivating should as a general rule be sufficient to cover the rent usually paid for the subjects entered upon, and also the amount of any claims for compensation likely to be established.

It is hoped that cases of compulsion will be few. The Board trust that the great majority of landowners and farmers will loyally accept the Committee's views, but the necessity for a greater supply of home-grown food is so urgent that private and personal considerations must, in all instances, give place to the public interest.

7. Grass Parks and other Pasture Land.—Committees may encounter difficulties in connection with the breaking up of grass parks. Every case brought under review will require to be dealt with on its merits, but the best solution will generally be found by inducing owners, who have not the necessary equipment to enable them to undertake the desired cultivation, to arrange for a short lease—say for five or six years—under which a tenant for an agreed-on rent takes over the land say from Martinmas next and cultivates it on lines approved by the Executive Committee.

8. Displacement of Stock.—It is scarcely to be expected that such an area of grass land as 350,000 acres can be ploughed without some disorganisation of farms and rearrangement of the methods of maintaining live stock, but it should be kept in mind that an increase in the arable area does not necessarily imply a decrease in the numbers of stock. In any case, owing to the shortage of shipping, an appreciable reduction must be made in the flocks and herds of the country in the near future in order to augment the diminished supplies of meat from abroad.

The Executive Committees should therefore regard the maintenance of live stock, with the exception of the dairy herds, as secondary to the production of cereals and potatoes.

(a) Defence of the Realm (Losses) Commission.—As to scope and powers of this Commission, see footnote (a) to section IV (1) of these memoranda, p. 359.
Use of Deer Forests in Scotland for Grazing of Stock. Compulsory Orders of Board of Agriculture for Scotland under Regulation 2m.

VIII.—DEER FOREST GRAZINGS.

[Extracts from Circular Letters of the Board of Agriculture for Scotland to Landed Proprietors.]

1. Recommendation of Departmental Committee.—The Scottish Food Production Committee referred to under I. of this Summary in their First Report recommended inter alia:—

"(24) That an appeal should be made to all owners of deer forests and grouse moors to allow these to be used, so far as practicable, for grazing cattle or sheep on terms to be mutually arranged."

2. Intimation by Board.—(i) The Board in their letter of December 19th, 1916 (extracts from which are printed p. 370, under 5 (1) of this Part of this Manual), took the opportunity of urging upon landowners the necessity, from the point of view of national welfare, of making the suitable parts of deer forests available for the grazing of stock during the forthcoming season. The Board asked to be informed how far landowners were willing to co-operate with them on these lines with a view to helping to maintain the production of food, and diminishing the difficulties of the farmer, and what steps landowners proposed to take to give effect to such recommendations.

(ii) Since the issue of the Circulars the Board have been engaged in making a survey of the different forests, and, in view of the duties which have been imposed upon them by the Defence of the Realm Regulations, desire to impress upon landowners the necessity, wherever possible, of granting facilities for grazing sheep as well as cattle in deer forest areas.

Before taking further steps in this direction under the powers conferred upon them, the Board think that it will be a distinct advantage if they have before them, for communication to farmers desiring relief grazings, or willing to restock deer forests, a definite statement from each proprietor indicating exactly what has been done during the present season, and what he is prepared to do in addition.

The Board would accordingly be glad to be furnished with this information at the earliest possible date, and, unless there are special reasons for delay, within ten days from July 18th.

IX.—COMPULSORY ORDERS.

[Circular Letter of July 27th, 1917, of the Board to Executive Committees.]

1. The Board do not anticipate that, as a general rule, farmers will be unwilling, when the need is pointed out to them, to undertake the cultivation of additional areas on their farms, provided that they are able to secure the necessary labour and implements. From the experience gained during the past Spring, however, it appears that in a certain number of cases occupiers of land may for various reasons be reluctant to meet the views of Committees in this respect, and will either refuse to act in accordance with the suggestions made to them or will endeavour to prolong the negotiations to such an extent as in
effect to nullify the compulsory powers conferred on the Board by the Defence of the Realm Regulations. In some instances, also, it is probable that farmers will intimate their willingness to undertake the additional cultivation required of them, but will subsequently put forward prettexts for not complying with the wishes of the Committees concerned.

2. The Board attach great importance to the attainment of the desired increase in the area under crops by means of amicable arrangements wherever possible, but they will not hesitate to have recourse to their compulsory powers where this appears to be necessary and justifiable. Every effort should, however, in the first place, be made to secure the desired end by agreement, and no pains should be spared to secure the co-operation of farmers and other occupiers of land in the work with which Agricultural Executive Committees have been entrusted. In this connection it would be advisable for Committees who have arrived at an agreement with the farmers concerned, as to the area to be put under crops, to emphasise that the arrangement is of the nature of a bargain which will require to be implemented, and if, by 1st February, 1918, the Committee are not satisfied that the necessary steps have been taken by a farmer to carry out the work, they should, if so advised, submit the whole facts to the Board in recommending the issue of a Compulsory Order.

3. The Board consider it essential that in every instance all the parties interested should be allowed to submit their observations direct to the Board before the issue of a Compulsory Order. In every case, however, such observations will require to be submitted before the expiry of a definite period, and in no instance will the Board decline to act on a recommendation made by a Committee without giving them an opportunity of considering any statements or objections bearing on the proposals which may have been made.

4. Before it is decided to recommend that the Board should call upon an occupier to cultivate his land in accordance with certain specified requirements, the Committee should of course satisfy themselves that the occupier concerned is in a position to undertake the cultivation which is considered to be necessary. Similarly, in submitting proposals involving the entering on and taking possession of land, the Committee should have in view the means whereby the land is to be cultivated. As a general rule, it will be found advisable to arrange for land as taken over to be cultivated by a neighbouring farmer who has at his disposal the necessary labour and implements, but in considering such arrangements due regard should be had to the fact that any exercise of the Board's compulsory powers may form the subject of a claim to the Defence of the Realm (Losses) Commission(a), and every effort should accordingly be made to ensure that any arrangement made will be such as to ensure as far as possible no charge will fall on public funds.

(a) Defence of the Realm (Losses) Commission.—As to scope and powers of this Commission, see footnote (a) to Section IV (1) of these memoranda p. 359.
Ploughing in Scotland of Larger Area than that authorised by Lease.

X.—PLoughing of Larger Area than that authorised by Lease.

[Circular Letter of August 20th, 1917, of the Board to Executive Committees.]

1. The question has arisen in some districts as to the position that should be taken up when, in the judgment of a District Agricultural Executive Committee, more land should be ploughed by a farmer in the last year of his lease than he is entitled to do by the terms of that lease. The Board do not consider that the terms of the lease should preclude the possibility of the Committee’s views being met, but the question arises whether it would be fair to all parties that the outgoing tenant should be allowed to plough more widely than his lease contemplates without some consideration being given to the rights of the landlord or the incoming tenant.

2. Where possible, Committees should encourage outgoing tenants to make amicable and equitable arrangements with their proprietors, and it appears to the Board that the interests of all parties might be conserved either by:

(1) An agreement between the parties that the outgoing tenant should be paid for the seed and labour expended in laying down the crop and receive an allowance for the loss of pasture from the date of ploughing to the end of the tenancy, and the incoming tenant should get the crop on making these payments; or

(2) The parties should arrange between themselves that a certain sum should be paid by the outgoing tenant to his proprietor for the privilege of having an additional way-going crop on the acreage which the Committee desires ploughed.

3. In determining what would be a reasonable payment regard would be had to the fact that the outgoing tenant was, so far as the land in question was concerned, reaping the crop of an additional year beyond what was contemplated in his lease.

4. The foregoing suggestions are made by the Board on the assumption that an arrangement mutually satisfactory to all parties can be arrived at. In certain cases it may be necessary for the Board to consider whether on the recommendation of the Executive Committee they should issue a compulsory order requiring the outgoing tenant to plough a larger area than was authorised by his lease. Generally speaking, the Board would have some difficulty in issuing such an order unless they were assured that the rights of all parties were duly conserved.

**Regulation 20 of the Defence of the Realm Regulations.**

20. With a view to maintaining the stock of pigs in the country, any local authority by whom a byelaw has been made which is for the time being in force prohibiting, restricting, or regulating the keeping of pigs may grant permission, either generally or in particular cases, to keep pigs, notwithstanding or contrary to any provisions of any such byelaw; subject, however, to the observance of any directions of the local authority in the interests of public health. (a)

(a) **Bye-laws and other Restrictions.**—The enactments empowering the making of bye-laws and containing other restrictions as to the keeping of pigs are contained in ss. 16, 35, of the Public Health (S.) Act, 1897 (60 & 61 Vict. c. 38).
Regulation 2q of the Defence of the Realm Regulations and Order and Memorandum as to Killing of Deer in Scotland.

4. Injury by Deer to Crops, &c.

(1) EXTRACTS FROM CIRCULAR LETTER, DATED DECEMBER 19, 1916, OF THE BOARD OF AGRICULTURE FOR SCOTLAND TO LANDED PROPRIETORS IN SCOTLAND.

[These Extracts, which also relate to killing of rabbits and keeping down of game are printed as 5 (1) below.]

(2) REGULATION 2q OF THE DEFENCE OF THE REALM REGULATIONS.

[This Regulation was added to the Code by Order in Council of January 10th, 1917 (St. R. & O., 1917, No. 5).]

(3) ORDER, DATED JANUARY 15, 1917, MADE BY THE BOARD OF AGRICULTURE FOR SCOTLAND WITH THE CONSENT OF THE SECRETARY FOR SCOTLAND UNDER REGULATION 2q OF THE DEFENCE OF THE REALM REGULATIONS.

The Board of Agriculture for Scotland acting with the consent of the Secretary for Scotland under the powers conferred upon them by the above-mentioned Regulation, and with a view to preventing or reducing injury to crops or wastage of pasturage on agricultural holdings, hereby authorize the occupier of any agricultural holding in Scotland to kill by any means available deer that are trespassing on his grazings or causing injury to his crops.

In witness whereof the Board of Agriculture for Scotland have hereunto fixed their Official Seal this fifteenth day of January, Nineteen hundred and seventeen.

Robert P. Wright,
Chairman.

(L.S.)

H. M. Conacher
Secretary.

(4) SUMMARY OF CIRCULAR LETTER OF JANUARY, 1917, OF BOARD OF AGRICULTURE FOR SCOTLAND TO DISTRICT AGRICULTURAL EXECUTIVE COMMITTEES.

The Board's Order of January 15th 1917, authorises occupiers of arable and sheep farms to shoot deer found straying on these lands.

District Agricultural Executive Committees are requested to make this information widely known, to inform the Board at once where local effort is unable to cope with the ravages of the deer, and to make any suggestions that occur to the Committee for dealing with the case.
Killing of Rabbits and Discouragement of Rearing of Game in Scotland.


(2) Regulation 2r of the Defence of the Realm Regulations, p. 371.


(4) Rabbits Orders, p. 3 4.

(5) Grouse and Black Game (Scotland) Order, 1917, p. 375.

(1) KILLING OF RABBITS AND DISCOURAGEMENT OF REARING OF GAME. SUMMARY OF EXTRACTS FROM CIRCULAR LETTER, DATED DECEMBER 19, 1916, OF THE BOARD OF AGRICULTURE FOR SCOTLAND TO LANDED PROPRIETORS IN SCOTLAND.

(i) Recommendations of Food Production Committee.—The Committee appointed by the Secretary for Scotland in 1915 to inquire into the question of maintaining and if possible increasing the production of food in Scotland made inter alia the following recommendations:

"(22) That all landowners and shooting tenants should be urged in the interests of the national food supply either to kill as many rabbits as possible, or to net woodlands and plantations, or, as an emergency measure, to allow agricultural tenants the unrestricted privilege of killing rabbits, including (a) the right of entry into woods, (b) the employment of such increased numbers of men as may be necessary for the work, and (c) permission to kill rabbits on moors without reference to any time limit.

"(25) That all artificial rearing of game should be discouraged."

(ii) Facts of Situation.—The Board have received persistent complaints from farmers of the damage done to crops and pasture by ground and winged game. The Secretary for Scotland has also been impressed by complaints of this kind which have reached him, and he has instructed the Board to bring before landed proprietors in Scotland the plain facts of the situation.

The cost of imported food stuffs has risen through shortage of shipping and the severance of certain sources of supply. The trouble has been aggravated recently by the necessity of importing more grain from distant centres, such as Australia, owing to the comparatively poor grain crop in North America last season.

In the meantime the difficulties of the farmer have increased through the considerable withdrawal of men from agriculture to military service and the scarcity and dearness of artificial manures.

(iii) Intimations by Board.—The Board think that it will be agreed that the farmer, faced with the demands which the community is now making on him, is entitled to be protected from other difficulties of an avoidable nature. The Board have less difficulty in believing that the complaints of damage by game are well founded at this time, since, owing to the curtailment of
shooting for sport during the last three seasons, game (especially ground game and deer) has increased in numbers and therefore has had to range farther for food.

The Board hope, therefore, that no obstacle will be placed in the way of agricultural tenants exercising their rights under the Ground Game Act, and further, that landowners will allow their tenants, as a privilege, to kill ground game at any time in the year; and in view of the fact that ground game cannot be kept down effectually on farms if they are allowed to multiply unchecked in woodlands and plantations bordering on farms, that either landowners will themselves take measures to keep down ground game on such plantations or allow the tenants of the farms affected to do so.

The Board also express the hope that no artificial rearing or feeding of game of any kind will be carried on during the war. (a)

The Board are also satisfied that measures should be taken to deal with deer straying on to farms and crofts as they are more likely to do in view of their increased numbers at the present time than under normal conditions. Moreover, the agricultural tenant, apart from legal disabilities, which the Board hope would not be pressed at the present time, would be less able to shoot straying deer than ground game owing to difficulties in the way of getting rifles and ammunition. It is understood that the Commissioners of Woods and Forests are allowing their tenants on Crown lands in Caithness to shoot deer straying from their deer forest; but, in view of the consideration mentioned, the responsibility for dealing directly with the trouble seems to rest mainly with the owner.

If owners are not in a position to take further steps themselves to keep down deer to the pre-war level, the Board will welcome any suggestion from them as to how this can be done by concerted public action.

(2) Regulation 2r of the Defence of the Realm Regulations as amended so far as it applies to Scotland.

[This Regulation was first added to the Code by Order in Council of February 23rd, 1917, but was subsequently amended to the form in which it is here printed.]

2R.—(1) The Board of Agricultural for Scotland may, with a view to preventing or reducing injury to crops or trees, or wastage of pasturage by birds, hares or rabbits or by vermin or pests, or to securing for the food supply of the country any migratory kind of wild bird,

(a) take or authorise such action as, in the opinion of the Board, may be necessary for such purpose, or delegate to any body the powers conferred by this paragraph as respects any locality;

(a) Feeding of Game.—See the Food Controller's Order of January 11th, 1917, p. 31 of this Manual providing that no grain shall be fed to game birds.
Regulation 2 of the Defence of the Realm Regulations as amended and applying to Scotland.

(b) provide for the manner in which birds or hares or rabbits killed in pursuance of the action so taken may be disposed of;

(c) by order, authorise the killing and taking, the sale and purchase, and the possession, of any birds or hares or rabbits at any time when the killing and taking, the sale and purchase, or the possession thereof would otherwise be unlawful.

(2) A person authorised or directed to kill or dispose of birds or hares or rabbits under this regulation shall not be required to obtain for such purpose a licence to kill game, and shall have the same power of selling game killed by him or by the persons authorised by him as if he had a licence to kill game:

Provided that nothing in this regulation shall exempt any person from the provisions of the Gun Licence Act, 1870.

(a) Close Time for Birds and Hares.—The close time for pheasants, partridges, grouse and black game is fixed by the Game Acts, and is not under those Acts alterable by Statutory Order. See the Order under (5) as to grouse and black game, p. 375. The Hares Preservation Act, 1892 (55 Vict. c. 8) prohibits the selling of hares (other than foreign hares) between March 1st and July 31st. For rabbits there is no close time. The close times for woodcock, snipe, quail, landrail and wild duck, widgeon and teal and other wild birds depends on Orders of the Secretary for Scotland, under the Wild Birds Protection Acts of 1880 (43 & 44 Vict. c. 35), 1881 (44 & 45 Vict. c. 51), 1894 (57 & 58 Vict. c. 24) and 1896 (59 & 60 Vict. c. 56).

Under these Acts the Secretary for Scotland has made an Order for each of the 33 Scottish counties, except those of Bute, Elgin, Linlithgow and Renfrew. These Orders, which were all made in 1917, will expire on February 28, 1920, except that for Fife which applies "until further order." They are printed and on sale as Statutory Rules and Orders (1917, Nos. 94 to 112, 165 to 170, 195, 196, 292, 385, 481 and 553).

The local authorities under the Acts are in burghs which are counties of cities (i.e., Edinburgh, Glasgow, Dundee and Aberdeen), the town councils; and elsewhere the county councils. See s. 11 (5) (i) of the Local Government (Scotland) Act, 1889 (52 & 53 Vict. c. 50) and ss. 8, 9 of the Wild Birds Protection Act of 1880 and s. 3 of that of 1896, as read with s. 28 (1) of the Local Government (Scotland) Act, 1908 (8 Edw. 7 c. 62).

There are three further Wild Birds Protection Act, viz. of:

1902 (2 Edw. 7 c. 6) relating to the forfeiture of birds or eggs in respect of which an offence has been committed.
1904 (4 Edw. 7 c. 4) prohibiting the setting of certain springs, traps and gins, and
1908 (8 Edw. 7 c. 11) prohibiting the taking of wild birds by hooks.

(b) Licence to Kill Game.—Such a licence authorises the selling of game killed under it without any further licence.

(c) Gun Licence Act, 33 & 34 Vict. c. 57.—This Act makes an excise licence to use or carry a gun obligatory.
(3) Destruction of Birds and Rabbits. Summary of Extracts from Circular Letter, Dated April 3rd, 1917, of the Board of Agriculture for Scotland to District Agricultural Executive Committees.

[Since the date of this Letter Reg. 2r has been further extended and as so extended and applying to Scotland is printed p. 371. The Notes in small type have been added by the Editor.]

(i) The Board have asked expert advice as to the desirability of removing, under the powers conferred on them by Regulation 2r, the restrictions provided by the Wild Birds Protection Acts on the killing of migratory kinds of wild fowl in Scotland; but apart from practical difficulties of identification and shooting, they understand that the only migratory wild birds in this country at present are denizens of Northern Europe, which are already on their way back to their homes after wintering here. Under these circumstances, the Board do not propose to take any action in this direction. [As to the Wild Birds Protection Acts and Orders thereunder, see footnote (a) to Reg. 2r, p. 372.]

(ii) A few complaints have been received as to damage by pheasants, but so far the Board have not considered it advisable to issue an Order authorising their destruction by occupiers of agricultural land. [No Order has (Oct. 21, 1917), been issued as to pheasants in Scotland.]

(iii) It has been suggested that there should be no close season for Black Game this year, and that the opening of the grouse-shooting season should be advanced a week or so. [See the Grouse and Black Game (Scotland) Order, 1917, printed as (5) hereof, p. 375 reducing the close season.]

Rabbits are being dealt with in a separate Order. [See the Order of April 4th, 1917, and the further Order of June 14th, 1917, printed p. 374.]

(iv) Before considering the advisability of framing any further Order under this regulation, the Board would be glad to have the views of District Agricultural Executive Committees on the subject, and any suggestions which a Committee have to make arising out of complaints which have been made to them regarding depredations of any kind. In so doing, the Board suggest that it will be well to bear in mind that any general or indiscriminate destruction of wild birds might defeat the object in view, by removing the means which nature has provided for keeping down insect pests.
(4) Rabbits Orders.

(i) Order, dated April 4, 1917, made by the Board of Agriculture for Scotland under Regulation 2r of the Defence of the Realm Regulations.

The Board of Agriculture for Scotland, in pursuance of the powers conferred upon them by the above-mentioned Regulation and with a view to preventing or reducing injury to crops or trees or wastage of pasturage, hereby authorises the occupier of any agricultural holding in Scotland, and any person or persons to whom he may grant permission in writing so to do, to take or kill rabbits on such holding at any time and by any means available.

In witness whereof the Board of Agriculture for Scotland have hereunto fixed their Official Seal this fourth day of April, Nineteen hundred and seventeen.

 Robert P. Wright,
 Chairman.

 H. M. Conacher,
 Secretary.

(ii) Order, dated June 14, 1917, made by the Board of Agriculture for Scotland under Regulation 2r of the Defence of the Realm Regulations.

The Board of Agriculture for Scotland, in pursuance of the powers conferred upon them by the above-mentioned Regulation and in continuation of the Order made by them on 4th April, 1917, hereby authorise the occupier of any agricultural holding in Scotland and any persons not exceeding two in number to whom he may grant permission in writing so to do, to enter any woodland, moorland or heath adjoining such holding between the 1st day of July and the 30th day of April following for the purpose of taking and killing rabbits by means of trap or snare or net, and to take and kill rabbits accordingly; provided that

(1) such occupier or other person shall not use spring traps for the said purpose except in rabbit holes:

(2) such occupier shall be liable for damage to fences and trees occasioned by him or by persons to whom he has granted permission in the exercise of the rights conferred by this Order: and
(3) a person other than the occupier exercising the rights conferred by this Order shall produce his permission if required by any person having a concurrent right to take and kill rabbits on the land.

In witness whereof the Board of Agriculture for Scotland have hereunto fixed their Official Seal this fourteenth day of June, nineteen hundred and seventeen.

(L.S.) Robert P. Wright,
Chairman.

(L.S.) H. M. Conacher,
Secretary.

(5) The Grouse and Black Game (Scotland) Order, 1917, dated August 3, 1917; made by the Board of Agriculture for Scotland under Regulation 2r of the Defence of the Realm Regulations.

1917, No. 796
S. 69

The Board of Agriculture for Scotland, in pursuance of the powers conferred on them by the above-mentioned Regulation, do hereby authorise the killing and taking, the sale and purchase, and the possession of grouse and black game in Scotland, at any time between the sixth day of August (including that day) and the date at which any of these things would become lawful in the current year if this Order had not been made, by any person who would be entitled to do any of these things after the last-mentioned date.

This Order may be cited as the Grouse and Black Game (Scotland) Order, 1917.

In Witness whereof the Board of Agriculture for Scotland have hereunto set their Official Seal this third day of August, Nineteen hundred and Seventeen.

(L.S.) Robert P Wright,
Chairman.

H. M. Conacher,
Secretary.
6. Destruction of Stray Dogs.

**Regulation 2s of the Defence of the Realm Regulations.**

2s.—(1) Where a dog has been seized as a stray dog by a police constable under the Dogs Act, 1906, it may be destroyed under that Act at any time after the expiration of three clear days from the time of seizure, unless in the meantime the owner of the dog has claimed the dog, and produced his licence in respect of the dog or proved that the dog is not one in respect of which a licence is required, and paid all expenses incurred by reason of its detention; and a notice served under subsection (2) of section three of the Dogs Act, 1906, on the owner of the dog which contains a statement to this effect shall be a sufficient compliance with that subsection.

(2) Any person who takes possession of a stray dog shall, unless he immediately returns the dog to its owner, forthwith hand the dog over to a police constable; and if he fails to do so, shall be guilty of a summary offence against these regulations; and a dog so handed over to a police constable shall thereupon be treated as a dog seized by him as a stray dog under the Dogs Act, 1906. (a)

(a) **Dogs Act, 1906** (6 Edw. 7, c. 32).—Under that Act a stray dog seized by the Police thereunder could not be destroyed until the expiration of seven days from the seizure or service of notice on the dog's owner where that is required.

The Dogs Order of 1906 (St. R. & O., 1906, No. 791), made by the Board of Agriculture and Fisheries, whose powers under the Diseases of Animals and Dogs Acts extend to Scotland, empowers local authorities to make regulations as to wearing by dogs of collars: a dog in respect of which such regulations are contravened may be seized and dealt with as a stray dog.
7. Supply of Horses for Agriculture.

Regulation 2t of the Defence of the Realm Regulations as far as it applies to Scotland.

2t.—(1) An occupier of an agricultural holding in Scotland shall not sell or part with the possession of any horse used, or capable of being used, for the cultivation of the holding except with the authority of a licence granted under this regulation.

(2) The Board of Agriculture for Scotland in relation to any holding in Scotland, may by licence authorise the occupier of a holding to sell or part with the possession of a horse, if the Board are satisfied that the cultivation of the holding will not be thereby prejudiced, or that for any other reason the issue of such a licence is necessary or desirable, and any licence so issued may contain such conditions as the Board think desirable.

(3) The Board may authorise any person or any body constituted by the Board under these regulations to exercise on behalf of the Board the power of issuing licences under this regulation.

(4) Any person who sells or parts with the possession of a horse in contravention of this regulation or fails to comply with any condition of a licence issued under this regulation, and any person who buys any horse which he knows to be sold to him in contravention of this regulation, shall be guilty of a summary offence against these regulations.

(5) The expressions "agricultural holding" and "occupier" shall have the same meaning as in Regulation 15D.(a)

(a) "Agricultural Holding," "Occuipier," Reg. 15D provides as follows:— "For the purposes of this regulation, 'agricultural holding' means any piece of land which is wholly agricultural or wholly pastoral, or part agricultural and as to the residue pastoral, or in whole or in part cultivated for the purposes of the trade or business of market gardening; and 'occupier' includes any person for the time being having the arrangement of the holding."
Duty to furnish information on cessor of agricultural employment of male person of 16 years or over.

8. Cessor of Agricultural Employment.

**Regulation 41AAA of the Defence of the Realm Regulations so far as it applies to Scotland.**

**41AAA.** Any person who in Scotland employs in agriculture any male person of sixteen years of age or over (such employment not being of a casual nature) shall on such person ceasing to be so employed by him give or send to the Board of Agriculture for Scotland, or to such person or body of persons as the Board may direct in that behalf, notice in writing within twenty-four hours of the termination of the man's employment, stating his name, the nature of his employment, his place of residence whilst so employed, and particulars (where known to him) of the man's new employer and place of employment (if any).(a)

If any person fails to give or send a notice in accordance with the requirements of this regulation, or in any such notice gives any false information, he shall be guilty of a summary offence against these regulations.

In this regulation the expression "agriculture" includes market gardening and forestry.

(a) Order of Board of Agriculture for Scotland.—The Agricultural Employment (Scotland) Order, 1917 (1917, No. 1112), made subsequent to the date of this Manual and therefore omitted from this Edition, provides to whom the notice shall be given or sent.
PART VII.

[relating to Ireland only].

POWERS AND ORDERS OF THE DEPARTMENT OF AGRICULTURE AND TECHNICAL INSTRUCTION FOR IRELAND UNDER THE DEFENCE OF THE REALM REGULATIONS.(a) (b)

INTRODUCTORY NOTE TO PART VII.

(1) Contents of Part VII.—This Part of this Manual comprises those 8 Regulations (2L, 2M, 2N (which is ancillary to the two first named), 2o, 2r, 2s, 2t) which confer express powers of "maintaining the food supply of the country" on the Department of Agriculture and Technical Instruction for Ireland (those Regulations being here printed as amended to October 21, 1917, and in the form in which they apply to Ireland), together with the full text of all Orders now (October 21, 1917) in force made by that Department and epitomes and notes of the Instructions and Memoranda issued by the Department, explanatory of the Orders.

This Part of the Manual is subdivided in the manner shown in the Table at p. 381, each of the divisions which are arranged according to the sequence of the code comprising one of the 7 principal Regulations(b) and grouped therewith the Orders and Memoranda thereto relating.

(2) Powers of Department of Agriculture and Technical Instruction for Ireland under the Defence of the Realm Regulations and under the Corn Production Act Concurrent.—The powers of the Department under the Regulations as to maintaining the food supply of the country are concurrent with their powers as to matters dealt with in Part IV. of the Corn Production Act, 1917 (printed pp. 216-221), Part IV. of the said Act as modified by s. 18 (2) (a, d), and (f) (pp. 225, 226) having come into operation on the date of the passing of the Act (see ss. 18 (2) (f) (ii), 19 (2)) instead of as in Great Britain, having a deferred operation.

(a) ENGLISH AND SCOTTISH AGRICULTURAL POWERS AND ORDERS.—The powers of the Department of Agriculture and Technical Instruction for Ireland under the Defence of the Realm Regulations are confined to Ireland. Parts V. and VI. of this Manual comprise the corresponding legislation, &c., affecting England and Scotland respectively.

(b) REGULATION 2N.—This, which in Ireland is ancillary to Reg. 2L only, is printed under 1 thereto relating.
(3) Complete Official Editions of Defence of the Realm Regulations, &c.—The plain text of the whole of the Defence of the Realm Regulations reproduced under the authority of Regulation 64 as one single Consolidated Code (which by successive additions now comprises over 290 Regulations), and revised to the last day of each month, is published at the commencement of the ensuing month. In "the Defence of the Realm Manual," which will henceforth be issued at half-yearly intervals (i.e., the editions will be revised to May 31st and November 30th of each year), the Regulations are accompanied by full editorial notes, by the full text of both the enabling Acts and of the Departmental Orders made under the Regulations with full notes, and by an analytical index to the whole of the Defence of the Realm Legislation.

(4) Constitution and General Powers of the Department of Agriculture and Technical Instruction for Ireland.—This Department was established and incorporated by the Agriculture and Technical Instruction (I.) Act, 1889 (62 & 63 Vict., c. 50), which transferred to the new Department various powers and duties of the Lord-Lieutenant, Chief Secretary, Irish Land Commission, Inspectors of Irish Fisheries, and other departments. S. 47 of the Irish Land Act, 1909 (9 Edw. 7, c. 42), transferred to the Department certain agricultural, &c., powers of the Congested Districts Board.

Of the Department the Chief Secretary is ex-officio the President (62 & 63 Vict., c. 50, s. 1 (1)): his office is one of those immediate succession from one to the other of which does not vacate a seat in the House of Commons: a list of all such Offices is given in Appendix VII. to this Manual. There is also a Vice-President (appointed and removable by a Secretary of State, 62 & 63 Vict., c. 50, s. 1 (1)), who is qualified for Parliament, and no parliamentary incapacity attends his acceptance of office. To assist the Department there are two Boards—an Agricultural one (as to which see 62 & 63 Vict., c. 50, ss. 7, 9, 12, 24) and one of Technical Instruction of both of which the President and Vice-President of the Department are ex-officio members.

As to the proof of Orders of the Department and provisions of the Defence of the Realm Regulations as to the construction of such Orders see Part X. of this Manual.

Reference to all the various enactments conferring powers on the Department is afforded by the list of the Department’s powers and duties on p. 408 of the 1916 Edit. of the "Index to the Statutes in Force" sub voce "Department of Agriculture, &c., for Ireland."

This Part of this Manual contains only the Department’s powers as the "maintenance of the food supply of the country" under the Defence of the Realm Regulations—powers derived from Orders of the Food Controller being comprised in Part II.

The Board’s other powers are dealt with in other Parts of this Manual, and are capitulated under the heading "Department of Agriculture and Technical Instruction for Ireland" in the Index.

ALEXANDER PULLING.
Regulation 2L of the Defence of the Realm Regulations as amended and applying to Ireland.

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1. Increase of Cultivation of Rural and Urban Areas, p. 381.
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1. Increase of Cultivation of Rural and Urban Areas.

(1) Regulation 2L of the Defence of the Realm Regulations as amended so far as it applies to Ireland, and Regulation 2N in that connection.

2L.—(1) Where the Department of Agriculture and Technical Instruction for Ireland are of opinion that, with a view to maintaining the food supply of the country, it is expedient that they should exercise the powers given to them under this regulation as respects any land, the Department may enter on the land—

(a) without any consent, if the land is for the time being unoccupied, or was unoccupied on the twenty-ninth day of November nineteen hundred and sixteen;

(b) without any consent, if the land is comprised in a holding to which Regulation 2r(a) applies, and it appears to the Department that the occupier has not before the twenty-fifth day of March nineteen hundred and seventeen, taken the necessary steps to comply with the requirements of that regulation, or is not after that date proceeding in compliance with those requirements; and

(c) without any consent, if the land is situated in or near an urban district and the Department are of opinion that in order to provide necessary food for residents in the locality land in or near that district is immediately required for the purpose of being cultivated in allotments, and that the use of the land for that purpose is unreasonably withheld; and

(d) in any other case, with the consent of the occupier and the person in receipt of the rent of the land;

and cultivate the land, or arrange for its cultivation, by any person either under a contract of tenancy or otherwise.

(a) Regulation 2r.—That Regulation is printed under the subheading 4, "Cultivation of Arable Land," p. 396.
For the purposes of this subsection the expressions "occupied" and "unoccupied" refer to such occupation as involves liability to payment of poor rates:

Provided that where the poor rate is made in respect of a half rent under Section sixty-three of the Poor Relief (Ireland) Act, 1838, instead of upon the occupier of the land, the land shall not on that account be deemed to be unoccupied.

(2) The Department may after entry on any land do or authorise to be done all things which they consider necessary or desirable for the purpose of the cultivation of the land or for adapting the land to cultivation, including fencing, and may also during their occupation of the land or on the termination thereof remove any such fencing or work of adaptation.

(3) Any person who cultivates land under any such arrangement shall, on the determination, by or on behalf of the Department, of the arrangement, if the determination takes effect before the first day of January nineteen hundred and nineteen, receive from the Department such compensation as may have been agreed under the terms of the arrangement, or, in default of any such agreement, as the Department may consider just and reasonable, and shall not be entitled to any other compensation.

[Subsections (4) and (6) of Regulation 2L as appearing in the "Defence of the Realm Manual" and the Monthly Editions of the Code do not apply to Ireland, and the subsections numbered (4) and (5) in this present print form respectively subsections (5) and (8) (iv) of Regulation 2L in that Manual and those Editions.]

(4) The Department may with respect to any land authorise any local authority to exercise on behalf of the Department any of the powers of the Department under this regulation.

(5) The powers conferred by this regulation on the Department shall be in addition to and not in derogation of any other powers of the Department.

2N. If any person without lawful authority enters or remains on land of which a Government department or any body or person authorised by a Government department is in possession under the powers conferred by Regulation 2L, and on which notice of this provision is conspicuously displayed, or damages any crops growing on any such land, he shall be guilty of a summary offence against these regulations.
(2) **Food Production, 1917.** **Memorandum by the Department of Agriculture and Technical Instruction for Ireland issued in February, 1917.**

### I. Introduction.

Before entering into the details of the special schemes for increased food production in regard to which the Department have been requested by the Food Controller to act in Ireland in the same capacity as the Board of Agriculture and Fisheries and the Board of Agriculture for Scotland are acting in Great Britain it may be desirable to refer briefly to the need for, and the general plan of, the schemes and to the manner in which it is hoped to secure their efficient working.

The Department have had the valuable assistance in some of the most difficult points of policy and detail of an Advisory Committee of experienced and representative Irishmen from different parts of the country.

The Committee was constituted as follows:—Mr. John Bolger, J.P., Ferns, County Wexford; Colonel Sir Nugent T. Everard, Bart., H.M.L., Randlestown, Navan; Mr. Thomas Macafee, J.P., Currysiskan House, Ballymoney; Mr. J. Stouppie F. M'Cance, D.L., Woodbourne, Dunmurry; Mr. William M'Donald, J.P., Laharan, Minane Bridge, Carrigaline, Co. Cork; and Mr. Martin M'Donogh, Galway.

Co-operating with them also in reference to large parts of the schemes are the Local Government Board and other Departments of the Irish Government, under the general approval of His Excellency the Lord Lieutenant and the Chief Secretary.

In the execution of the schemes the Department look with confidence to the co-operation not only of the agricultural community, upon whose public spirit and technical skill they feel the country can rely in this crisis, but of all classes of the community, including the clergy of all denominations and of all organised bodies who can help. Amongst the latter are especially Local Authorities, County Committees of Agriculture, Technical Instruction Committees, and Agricultural and Co-operative Societies.

The Department also appreciate the great influence the Press can exercise at so critical a moment, when the time for action is so short and so much is being asked of our farmers, and when a little may determine the disposition of a man to do or not do his full share. They confidently hope that this influence too will be given to the country in a helpful direction.

For the local organisation of the schemes in the several counties they have asked for the valuable co-operation of the County Committees of Agriculture. These statutory representative bodies(a) have now had sixteen years' experience, in conjunction with the Department, of the varied schemes, educational and

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(a) **County Committees of Agriculture.**—These Committees were appointed under s. 14 of the Agriculture and Technical Instruction (Ireland) Act, 1899 (62 & 63 Vict e. 50).
Summary of Organisation of Food Production Schemes in Ireland.

other, for the improvement and development of agriculture in all its branches and the increase of home food production; and, with the staffs of expert and other officers under their control, they are in a position to render most useful help in their respective counties. With their co-operation, effective devolution will be practicable, and each county will be treated, as far as possible, as an administrative and economic unit.

The Need.—It is well that the need for the great special effort which is called for should be realised by all concerned. It means that unless large extra provision for a supply of the most easily produced food is made by our farmers this Spring, our population at a later period of the year may be in danger of serious privation.

Ireland, like Great Britain, is very dependent upon an imported food supply, and especially so as regards some of the chief items of the dietary of the poor of the non-agricultural population, such as bread-stuffs, tea and sugar, and frozen meat. She has been importing food-stuffs for man and beast to the value of £24,000,000 annually. That supply is borne across the ocean from abroad and across the Channel from Great Britain, and is in constant and increasing peril. Happily an adequate share, of which Ireland’s proportion is being safeguarded, is available for some time to come. But, before the end of the year, it will be absolutely necessary that a substitute for a very large proportion of the imported food supply be made available through the extra tillage which the agriculturists of Ireland are now asked to undertake.

Aim of the Schemes.—The schemes are devised with a view (1) to secure the agriculturists against risk of loss in the discharge of this vital national duty by fixing a price for the wheat and oats and guaranteeing a price for the potatoes they grow in 1917; (2) to secure that supplies of seeds, manures, and implements for the extra tillage shall be available in the country; (3) to facilitate cultivators with loans for the purchase of requisites; (4) to induce others besides the regular farmers to take part in the work of food production through the instrumentality of allotments for town dwellers, and of special facilities for such cultivators and for agricultural labourers and smaller holders in procuring seeds and manures.

In order that no risks may be taken in a matter of national danger, compulsory powers have been assigned to the Department under the Defence of the Realm Act, to enforce, should it be necessary, that the requisite amount of tillage is undertaken by every agriculturist who occupies ten statute acres or more of arable land.

II. Summary of Organisation.

The organisation of the schemes falls into two main divisions:

A.—For holdings over £10 valuation.
B.—For holdings of £10 valuation, or under, labourers’ plots, and town and other allotments.
Prices for Wheat, Oats, and Potatoes in Ireland.

Scheme A (pp. 385-391).
The scheme includes the following provisions:
1. Fixed prices for wheat and oats of 1917 crop, and minimum prices for potatoes of 1917 crop.
2. Measures for making available supplies of seeds, manure, spraying materials, implements, horses and labour.
3. Loans for the purchase of implements and machinery.
4. Local administration and instruction through County Committees of Agriculture.
5. Compulsory tillage on holdings which include at least ten statute acres of arable land.

Scheme A will be administered by the Department directly and through the County Committees of Agriculture.

Scheme B (pp. 391, 392).
The scheme includes provision for:
1. Loans for the purchase of seeds and manure.
2. Acquisition of land for allotments.
3. Fixed prices for wheat and oats of 1917 crop, and minimum prices for potatoes of 1917 crop.
4. Measures for making available supplies of seeds, manure, spraying materials and implements.
5. Loans to occupiers of small farms for the purchase of implements and machinery.
6. Instruction as to management and cultivation.

Provisions 1 and 2 will be managed by the Local Government Board, through the Rural and Urban District Councils, the Department of Agriculture and Technical Instruction co-operating by affording technical advice and providing for inspection of the seed and manure.

The remaining provisions will be dealt with by the Department directly and through the County Committees of Agriculture and the Urban Committees of Technical Instruction.

III. Details and Organisation of Scheme A.
[For occupiers of holdings over £10 valuation.]

Provision 1.—Fixed Prices.
The Food Controller, in consultation with the Agricultural Departments of Great Britain and Ireland, has fixed the following prices to be paid to the growers for wheat, oats, and potatoes of the 1917 crop, viz.:

Wheat, 60s. per quarter of 504 lbs.
Oats, 38s. 6d. per quarter of 336 lbs.

Potatoes (main crop), in quantities of not less than six tons, 115s. per ton for delivery from September 15th, 1917, to January 31st, 1918; 120s. per ton for delivery in February and March, 1918; 130s. per ton for the remainder of the season.†

† Minimum Government Guaranteed Prices of Wheat, Oats, and Potatoes.—Since the issue of this Memorandum the Government guaranteed minimum prices for wheat and oats has been fixed by s. 2 of the Corn Production Act, 1917 (p. 211), and that for potatoes by the Potatoes Order, No. 2, 1917 (St. R. and O., 1917, No. 1188).
Supplies of Seeds, Manures, and Spraying Materials in Ireland.

(The equivalents of the prices for wheat and oats in terms of the measures and weights commonly used in Ireland are:—
Wheat, 33s. 4d. per barrel of 20 stones, or 1s. 8d. per stone. Oats, 22s. 5d. per barrel of 14 stones, or 1s. 7d. per stone.)

The Food Controller has advised the Department that the above-named prices for potatoes shall be regarded, not as contract prices but as minimum prices guaranteed by the Government. This means that the growers cannot get less than these amounts but are open to obtain more if the market rises.

The prices named for wheat, oats, and potatoes are for produce of first quality, delivered as required, in sound marketable condition.

Provision 2.—Requisites.

(a) Seeds.—With a view to conserving a home supply of seed the Department have restricted the shipment out of Ireland of potatoes, the use of tubers of seed size, and have also prohibited the shipment out of Ireland of oats. They are now satisfied from their investigations that there is available in Ireland an adequate supply of seed for both of these crops to meet the extra tillage requirements of 1917.

The Department have, furthermore, held conferences with representative traders, both of the North and the South of Ireland, upon the position generally, and especially with a view to an understanding with the trade as to reasonable prices for oats and potatoes suitable for seed purposes.

As the result of these conferences prices as under have been arranged with wholesale merchants:—

Potatoes (Up-to-Date) £9 5s. 0d. per ton free on rail.
Oats (White) £18 13s. 4d. ,, ,, Oats (Black) £17 6s. 8d. ,, ,, These prices apply to lots of not less than 6 tons of either potatoes or oats and are inclusive of bags.

Occupiers of holdings of over £10 valuation will not be entitled to obtain loans for the purchase of seed potatoes or seed oats, but such occupiers, as well as societies and associations who have difficulty in procuring seed locally, will be put in communication with merchants who are prepared to supply in quantity potatoes and oats approved by the Department for seed purposes.

Local organisation for distributing these supplies will be mentioned under Provision 4 (County Committees) below.

(b) Manures and Spraying Materials.—Since the beginning of the war the usual potash manures have become unavailable, and the problem of maintaining in an adequate degree the supplies of other manurial requisites has since 1914 been engaging the anxious attention of the authorities as regards the whole United Kingdom, and of the Department especially as regards Ireland. The Department have throughout been in close touch with the Fertilisers Committee and the respective departments of Government concerned in the provision and transport of fertilisers and of raw materials required for the manufacture of manures.
Supplies of Implements and Machinery in Ireland.

The position this year is that the stock of superphosphate and basic slag available in the United Kingdom is limited, but special efforts are being made in conjunction with the Food Controller to supplement the stocks of these manures and to arrange that Ireland shall get a fair share of the supply.

As regards nitrogenous manures, it should be borne in mind that for most farm purposes sulphate of ammonia is to be preferred to nitrate of soda. In the few remaining cases sulphate of ammonia can quite well replace nitrate of soda, which is now so largely required for munition purposes that the quantity available for farmers is small and its price correspondingly high. Arrangements have already been made whereby supplies of sulphate of ammonia have been rendered available in quantity at a price not greatly in excess of that which obtained before the war. Farmers will, therefore, have no difficulty in obtaining their supplies of nitrogenous manure if they or the merchants will order and take delivery of sulphate of ammonia at once.

The supply of sulphate of copper is at present very limited. Provision is, however, being made by the trade of Great Britain to supply Ireland with sulphate of copper for potato spraying purposes, while at the same time maintaining a supply for our Allies, who usually depend upon Great Britain for their sulphate of copper.

(c) Implements and Machinery.—The Department have been in negotiation with the Ministry of Munitions and the Food Controller on this subject. The Ministry of Munitions have decided, at the request of the Food Controller, to have agricultural implements and machinery declared munitions of war, thus giving these requisites priority over all non-war material, both as to manufacture and transit. Implement manufacturers, moreover, have been permitted in certain instances to turn from munitions work to their former business for the time being. Irish agricultural implement manufacturers who have been engaged on munition work are being specially facilitated to increase their output of agricultural requisites. A new branch of the Ministry of Munitions has been created to deal specially with this subject.

The Department have had a conference with Irish implement manufacturers and wholesale agents in order to ascertain the stocks of implements on hand. They have also made direct

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* The following memorandum re sulphate of ammonia was issued by the Department on 9th January 2—

The Department are informed that the Sulphate of Ammonia Association are prepared to sell sulphate of ammonia to farmers in lots of not less than one ton at £16 6s. per ton, for cash before delivery, free on board ship at Glasgow, Liverpool, or other suitable port in Great Britain. The purchaser will have to pay the charges for freight and railway carriage from the British port to his own railway station.

As 30 days' notice is required for delivery, orders should be given at once.

All enquiries should be addressed to the Irish representative of the Association—Mr. J. Irwin, Killicomain Road, Portadown.

In addition, attention is drawn to the Department's Memo. A.B. No. 4, Artificial Manures, 1917, and to the Special Leaflet, Seaweed as a Manure. Copies of both of these publications can be obtained free, on application to the Department.
inquiries from each local merchant throughout the country who deals in agricultural machines and implements. From the information thus obtained, and from the special measures which have been taken, with the assistance of the Ministry of Munitions, the Department are able to state that an adequate stock of the ordinary farm implements and machinery will be available to meet the requirements of the extra tillage in 1917. The Department have detailed an officer specially for the purpose of facilitating transit of these requisites, considerable supplies of which have already been landed in the country.

Motor tractors and ploughs are mainly suitable for large fields and level lands. There are already a few tractors in the country and more on the way, but as they have to come almost entirely from America they cannot at present be counted on in any considerable numbers.

The ordinary machinery and implements suitable for Irish agriculture should, therefore, be ordered and operations begun with them at once, and there should be no postponement of work in the expectation of obtaining motor tractors and ploughs.

(d) Horses.—The investigations of the Department indicate that there are enough agricultural horses in the country for the extra tillage contemplated if a proper distribution can be secured. The number of horses used for agricultural purposes in 1916 in Ireland was 382,000. Assuming that only two-thirds of these are available, and that 3,500,000 acres are to be ploughed this year—including the additional 1,200,000 acres of new tillage—this would give a pair of horses for each 28 acres of ploughed land.

In districts where there are more agricultural horses than are actually required for farm work it is suggested that the owners of such horses should at once notify the fact to the Secretary of the County Committee of Agriculture. The County Committee and the Department would hereby be enabled to put persons who wished to purchase horses in communication with those who had horses to sell.

(e) Labour.—The Department appreciate the difficulties as regards labour with which the occupiers of land in certain districts are from one cause or another at present confronted. But while these difficulties exist in certain districts, with good will and a combined extra effort on the part of the agriculturists concerned to meet the exceptional need of this crisis, they are not such as to be an insurmountable obstacle to getting the required amount of tillage done. Apart from the very large proportion of the agricultural land of the country which is in small holdings, the labour on which is provided by the farmer himself and his family, the necessity of the moment is labour for the ploughing. County Councils who have direct labour on the roads can help at this stage, without any loss to efficient road management, by setting free for the time being any skilled agricultural labourers on their staffs. In other districts the holders of land who are not accustomed to tillage should, by a little organisation amongst themselves, be able to arrange for the joint use of
Loans for Purchase of Implements and Machinery, and Local Administration through County Committees in Ireland.

ploughmen, teams of horses or motor tractors until the requisite proportion was ploughed. Later on, when the larger requirements of more general labour for the summer and harvest periods arise the use of migratory labour and other help will, it is hoped, be made available. The Department, the County Agricultural Committees and farmers' organisations of various kinds can assist, and are doing so now, towards this end. In all this emergency—which is a real emergency, produced by the war—it must be remembered that "Where there's a will there's a way"; and if we use the stock of latent energy which the Irish agricultural classes, like others, can call on for such an occasion, many of the undoubted difficulties can in one way or other, if not always with complete satisfaction, be got the better of.

PROVISION 3.—LOANS FOR THE PURCHASE OF IMPLEMENTS AND MACHINERY.

Loans for the purchase of seeds and manure will be obtainable only by occupiers of holdings of £10 valuation or under (Scheme B); but the Department will provide loans for the purchase of farm implements and machinery for agriculturists generally, irrespective of the valuation of their holdings. These loans will be administered as heretofore by the Department and also in certain cases by County Committees of Agriculture. Applications should be made on the form prescribed for the purpose, of which supplies will be available at the office of each County Committee of Agriculture.

Applications for loans not exceeding £10 for the purchase of tillage implements should be made to the Secretary of the County Committee, and those for greater amounts to the Department direct.

No loan will be granted for a less sum than £5, but a joint application for the loan of at least £5 from several farmers who individually require a loan for less than that sum will be entertained. Moreover, applications from societies of farmers will be considered. The general terms are as follows:—The applicant to deposit one-fifth of the purchase-money, and the Department to advance him on approved personal security the remaining four-fifths, which is to be repaid in three annual instalments with interest at the rate of 5 per cent. per annum. In the case of the more expensive machinery, such as threshing machines or motor tractors, the period of repayment may be extended to five years.

PROVISION 4.—LOCAL ADMINISTRATION THROUGH COUNTY COMMITTEES.

A system of devolution of local administration to the County Committees of Agriculture was arranged at a specially convened meeting of the Chairmen and Secretaries of the Committees of the thirty-three administrative counties of Ireland, held on Tuesday, 23rd January, 1917.
The first duties of the Committees and their staffs will be dealing with the local supply of seeds, manure, and implements for each county as an economic and administrative unit, and administering the Department's system of loans for implements as distinct from the loans system of the Local Government Board for seeds and manure for small cultivators and allotment holders. County Committees in most instances are forming a small executive committee which can meet from day to day if necessary and deal promptly with the questions that arise. Small local committees are being formed in suitable areas where local committees do not already exist. Existing local committees and other organisations, such as agricultural societies, co-operative societies, cow-testing associations, ploughing-match committees, etc., are being utilised in the working of the Schemes.

In regard to supplies of requisites the most urgent task in each county is to see that farmers set about getting their supplies at once, without a moment's avoidable delay. The plan contemplated is that the agriculturists should have recourse to the customary channels—whether fellow-farmers, traders, co-operative societies, or others—through which they obtain their supplies in ordinary years, but that they should do so now at an express rate of speed with the assistance of the County Committees' organisation and the facilities arranged by the Department.

In the case of seed oats and potatoes each county should, in most instances, be able to supply itself. Agriculturists this year must not look to getting a change of seed from outside. This is impracticable for various reasons, and the prices of imported seed would be prohibitive. Farmers should obtain the seed they require from neighbours who have a supply to sell, and throughout the country generally there should be in each county a sufficient supply. Where, however, a county may not have a sufficient local supply it should seek to get it from a neighbouring county. Thus great expense in freightage upon seed got from a distant part of the country will be saved to the farmers and the seed supply generally will be the more evenly distributed. Where a county has to supplement its supply of oats or potatoes by purchasing from other parts of Ireland, special facilities, which have been explained to the County Committees and their staffs, have been arranged by the Department. The County Committees and their staffs can immensely quicken this process by getting the farmers in each district to make known their respective needs and available supplies at once. The export from Ireland of potatoes and of oats has been stopped for the time being in order to allow of this distribution being carried out, and the sooner it is dealt with the sooner will the trade with which this prohibition has interfered be able to resume its normal course.

The same need for urgency exists in the case of implements and manure. This has been repeatedly pointed out by the Department, and already a considerable proportion of the orders for these requisites has been placed. Those who delay about making known their requirements run the risk of not obtaining their
supplies, for in order to get the requisite quantity placed and
distributed in due time a considerable amount of organisation,
involving action by several departments of State and the dis-
arrangement for the time being of certain important war-work, is
necessary.

The County Committees are being given discretion to deal on
the spot with urgent cases of loans for tillage implements up to
a total cost of £12 10s. in any individual case, and have been
allowed a credit by the Department for the purpose. The
Department will continue to grant loans direct, as heretofore,
under their Scheme of Loans for the purchase of implements and
machinery.

The County Committees have been asked to suspend the ordi-
nary educational work which they carry out at this time of the
year and to set free as far as possible their expert instructors and
other officers of their staffs, in order to devote their attention to
the schemes for food production in their respective counties. In
addition, where necessary, County Committees are being
authorised to add to their local staffs.

The County Committees can direct their instructors to give
advice to agriculturists in their respective counties with regard to
the most suitable seeds and manures as well as the cultivation of
the land; the horticultural instructors will be available for the
instruction of the labourers and small allotment holders in each
country area.

Provision 5.—Compulsory Tillage.

[This portion of the Memorandum is printed under 4 (3)
(“Compulsory Tillage”), pages 399, 400.]

IV.—Details and Organisation of Scheme B.

[For holdings not exceeding £10 valuation. Labourers’ Plots and
Town and other Allotments.]

Provision 1.—Loans for Seeds and Manure.

The Local Government Board have already furnished to the
Rural and Urban District Councils details of the scheme, which
has been settled in consultation with the Department, for the
provision of loans for the purchase of seed oats, seed potatoes, and
artificial manure for occupiers of holdings not exceeding £10
valuation and tenants of labourers’ plots; and of seed potatoes,
vegetable seeds and artificial manure for holders of town allot-
ments. The Rural and Urban District Councils are authorised to
raise funds on the security of the rates with which to purchase,
in bulk, seeds and manure for distribution to these occupiers, who
are to pay for them on specially easy terms. The Department
have arranged to procure for the local authorities supplies of the
seeds and manure, and to inspect the seeds, both at the place of
despatch and at the place of distribution, in order to ascertain
that the seed as delivered is equal in quality to that which the
seller has undertaken to supply.
Acquisition of Land for Allotments and Instruction in Cultivation in Ireland.

Cultivators under this Scheme should apply directly to the Rural or Urban District Council, and not to the Local Government Board or the Department.

Provision 2.—Acquisition of Land for Town Allotments.

The Local Government Board have issued a circular dealing also with this provision. Urban District Councils are empowered to acquire land for allotments by agreement, and arrange for its cultivation by workers and others resident in the district. Applications from those desiring allotments should be made to the respective Urban District Councils, and not to the Local Government Board or to the Department.

Provision 3.—Fixed Prices.

Provision 4.—Requisites.

Provision 5.—Loans to Occupiers of Small Farms for the Purchase of Implements and Machinery.

For particulars of the above three Provisions see Provisions 1, 2 and 3, respectively, of Scheme A. pp. 385, 386, 389.

Provision 6.—Instruction.

In an Urban District or County Borough the Technical Instruction Committee, and in Rural Districts the County Committees of Agriculture and Technical Instruction, may, with the approval of the Department, include in their schemes a special provision for technical instruction in the cultivation of allotments, etc.

Technical Instruction Committees may, where necessary, arrange for the employment, in addition to their existing staff, of a part-time or whole-time Instructor for this particular work, and may arrange for lectures and instruction at the plots or on the premises of the technical school.

County Agricultural Committees will chiefly employ for this work their County Horticultural Instructors; and in certain cases, where circumstances permit, they may allow the Horticultural Instructors to assist a Technical Instruction Committee with instruction within an urban area.

One of the duties of the local committees appointed by the County Agricultural Committees should be to encourage and stimulate the holders of agricultural labourers' plots and small cultivators in doing their part under the schemes, and to facilitate the work of the Horticultural Instructors.
Regulation 2m of the Defence of the Realm Regulations so far as applying to Ireland.

2. Drainage of Land.

Regulation 2m of the Defence of the Realm Regulations as amended so far as it applies to Ireland, and Regulation 2n in that connection.

2m.—(1) Where the Department of Agriculture and Technical Instruction for Ireland are of opinion that, with a view to maintaining the food supply of the country, it is expedient that they should exercise the powers given to them under this regulation, the Department may—

[Paragraphs (a)—(g), which have no application to Ireland, are omitted from this reprint.]

(h) where, in the opinion of the Department, any land is injured or is likely to be injured by any such neglect on the part of the proprietor or occupier of any other land in relation to the maintenance of banks or the cleansing of channels as is mentioned in section fifty-eight of the Land Drainage (Ireland) Act, 1842, and subject to, and after the expiration of seven days following, the

To face page 392.

See now (Jan. 31, 1918) as to Regulation 2m as amended to this date, ADDENDA, p. 630.

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(1) by notice served on the occupier or person in control of any dam, mill, lock, sluice, weir, or other obstruction of the flow of water in any river or stream, require such occupier or person to keep open any mechanical appliance by which the flow of water is regulated during such times and in such manner as the Department, having regard to the use by such occupier or person of the obstruction and of the water thereby impounded, consider to be necessary or desirable for the prevention of floods or for the draining of land adjoining or near the river or stream; and

(j) where, in the opinion of the Department, any land is injured or likely to be injured by flooding or inadequate drainage which might be remedied wholly or partially by the exercise of powers which are conferred by any general or local Act, or by any award made under any Act, and which are not being exercised or in the opinion of the Department are being insufficiently exercised, exercise any such power and also any power conferred by any such Act or award for defraying the expenses so incurred or for any purpose incidental to the exercise of any such powers.

[Subsection's (2)—(4), which have no application to Ireland, are omitted from this reprint.]
Drainage of Lands in Ireland. Summary of Department's Circular.

(5) Any person authorised by the Department in that behalf may, for the purposes of this regulation and upon production if so required of his authority, enter on and inspect any land or building and inspect any machinery, implements of husbandry, farm stock or produce thereon.

(6) The Department may with respect to any land or land in any district authorise any person or any body constituted by the Department for the purpose to exercise on behalf of the Department any of the powers of the Department under this regulation and prescribe the procedure of any such body, and the authentication of any notice or other instrument issued by any body or person so authorised.

[Subsections (7)—(10), which have no application to Ireland, are omitted from this reprint.]

(11) Any notice under this regulation may be served on the person to whom it is to be given, either personally or by leaving it for him at his last known place of abode, or by sending it through the post in a registered letter addressed to him there. (a)

(2) Drainage of Land. Summary of Circular Letter, June 20th, 1917, of Department of Agriculture and Technical Instruction for Ireland to the Secretary of each County Committee of Agriculture.

Regulation 2m of the Defence of the Realm Regulations, by which the Department, in order to prevent the holdings of adjoining or other occupiers from being flooded, are empowered (1) to compel occupiers to cleanse the watercourses on their lands, and (2) to require the occupier or person in control of any dam, mill, lock, sluice, weir, or other obstruction to the flow of water in a river or stream to keep open any mechanical device by which the flow of water is regulated.

While the Department are prepared to take action in suitable cases, they desire to make it clear that the powers given to them are not intended to cover large operations, but merely to deal with small works capable of being effected at limited expense, and with a view to an immediate increase in the area of land suitable for the purposes of food production. The cost of such works is intended to be borne by the parties who are in default in causing the obstruction.

(a) Service by Post.—See provisions of s. 26 of Interpretation Act, 1889 (52 & 53 Vict. c. 63) as to time when service by post is deemed to be effected.

REGULATION 20 OF THE DEFENCE OF THE REALM REGULATIONS.

20. With a view to maintaining the stock of pigs in the country, any local authority by whom a byelaw has been made which is for the time being in force prohibiting, restricting, or regulating the keeping of pigs may grant permission, either generally or in particular cases, to keep pigs, notwithstanding or contrary to any provisions of any such byelaw; (a) subject, however, to the observance of any directions of the local authority in the interests of public health.

(a) KEEPING OF PIGS.—As to the restrictions as to the keeping of pigs, see ss. 54, 57, 107, of the Public Health (Ireland) Act, 1878 (41 & 42 Vict c 52).

(1) **Regulation 2p of the Defence of the Realm Regulations.**

2p.—(1) Subject to the provisions of this regulation, it shall be the duty of every occupier of arable land in Ireland to cultivate in the year nineteen hundred and seventeen so much of the arable land held by him, and hereinafter called the "holding," as is specified in that behalf in this regulation, and if he fails or neglects to do so, he shall be guilty of a summary offence against these regulations.

(2) The portion of the holding to be cultivated pursuant to this regulation shall be as follows:—

(a) If no part of the holding was cultivated in the year nineteen hundred and sixteen, a portion equivalent in extent to one-tenth of the area of the holding;

(b) If any part of the holding was cultivated in the year nineteen hundred and sixteen, a portion equivalent in extent to the part so cultivated and to one-tenth of the area of the holding in addition: provided that the occupier shall not be required by virtue of this provision to cultivate more than one-half of the area of the holding.

(3) This regulation shall not apply to—

(a) any holding of less than ten acres in extent; or

(b) any holding or class of holdings as to which not later than the twenty-fifth day of March nineteen hundred and seventeen it shall be declared in writing by the Department of Agriculture and Technical Instruction for Ireland that the cultivation of the holding or class of holdings would be of less service for the production of food than the use of the holding or class of holdings in some other manner in which the same is being used or proposed to be used. (a)

(4) Land under a first or second year's crop of rye-grass shall be deemed to be cultivated, and cultivation by any person under a conacre letting made by the occupier shall be deemed to be cultivation by the occupier.

(5) This regulation shall have effect notwithstanding any covenant, agreement, condition, or provision as to the user of a holding whether contained in any lease or other instrument affecting the holding or in any verbal contract of tenancy or

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(a) Declaration Excepting Holdings.—See Declaration of Feb. 21, 1917 printed as (2) p. 398.
implied by law, and no such covenant, agreement, condition, or provision shall operate so as to penalise, impede, or interfere with such cultivation as is required by this regulation.

(6) Any person duly authorised by the Department of Agriculture and Technical Instruction for Ireland in that behalf shall have power to enter on and inspect any land for the purpose of ascertaining whether the requirements of this regulation are being or have been complied with.

(7) Any application to the Department of Agriculture and Technical Instruction for Ireland for a declaration as to a holding under subsection (3) of this regulation shall be made in writing on or before the twenty-eighth day of February nineteen hundred and seventeen, and shall set out the particulars of the holding, the manner in which it is used or proposed to be used, and the grounds of the application.

(8) If at any time after the twenty-eighth day of February nineteen hundred and seventeen it appears to the Department of Agriculture and Technical Instruction for Ireland that the occupier of a holding does not intend to fulfil the requirements of this regulation the Department may enter on the holding and may cultivate the same or any part thereof, or arrange for its cultivation by any person in such manner and upon such terms and conditions as the Department may direct, and may exercise as respects the holding all or any of the powers given to the Department by Regulation 2L(a).

(9) It shall be the duty of an occupier of a holding to furnish to the Department of Agriculture and Technical Instruction for Ireland, if and when required by them, such particulars with respect to the holding and user thereof, as may be required by the Department for the purposes of this regulation, and any occupier who fails or neglects to comply with such requirement shall be guilty of a summary offence against these regulations.

(10) For the purpose of this regulation "arable" means cultivated or capable of being cultivated; and "occupier" means the person rated or liable to be rated to the poor rate, and in the case of a holding of which the half rent is rated means the actual occupier although not liable to be rated.

(a) Regulation 2L.—This Reg. as amended and applying to Ireland is printed under 1, p. 381.
Declaration excepting certain classes of Holdings in Ireland from Regulation 2p of the Defence of the Realm Regulations.

(2) Declaration by the Department of Agriculture and Technical Instruction for Ireland, dated February 21, 1917, excepting certain classes of holdings from Regulation 2p of the Defence of the Realm Regulations.

For the purposes of Regulation 2p, sub-section 3 (b), the Department of Agriculture and Technical Instruction for Ireland hereby declare that the cultivation of the undermentioned classes of holding, to wit,

1. Paddocks in or near towns:
   
   (a) Accommodation paddocks, if regularly used for the accommodation of stock going to auctions, fairs, markets, or for shipping, or for stock held over from auctions, fairs, markets or shipping;
   
   (b) Butchers' paddocks;

2. Town dairymen's grass lands in the vicinity of towns or cities, whether owned or taken on the eleven months' system, which were used in 1916, and are to be used in 1917, solely as grazing for milch cows required for the milk supply of towns and cities of a population of over 10,000;

3. Bleach greens, if used as such in 1916;

would be of less service for the production of food than the use of the afore-mentioned classes of holding in the manner in which same are being used or proposed to be used.

In witness whereof the Department of Agriculture and Technical Instruction for Ireland have hereunto set their official seal this twenty-first day of February, 1917.

(L.S.)

T. P. Gill.
Summary of Memoranda as to Compulsory Tillage in Ireland.

(3) Compulsory Tillage. Summary of Memoranda of the Department of Agriculture and Technical Instruction for Ireland.

[Sections I-V of this Summary formed "Provision 5" of the Memorandum entitled "Food Production, 1917," the other portions of which are printed at pp. 383-392 as Section 1 (2) of this Part of this Manual.]

I.—General.

Owing to the extreme gravity of the need the Government have decided by Regulation under the Defence of the Realm Act to enforce the cultivation of the land up to a certain minimum in cases where, through neglect or otherwise, this minimum may not be secured.

Regulation 2r (printed pp. 396, 397 in its present (Oct. 21, 1917) amended form) which was first added to the Defence of the Realm Code by Order in Council of January 10th, 1917 (Statutory Rules and Orders, 1917, No. 5) requires that all occupiers of ten acres or more of arable land must cultivate in 1917 one-tenth of such land in addition to whatever amount they cultivated last year, subject to the proviso that no one is to be obliged by law to till more than 50 per cent. of the arable part of his holding.

Land under first and second year's ryegrass(a) will be held to be cultivated; and thus land laid down in 1914 or 1915 will count as part of the 1916 quantum of tillage, and that laid down in 1915 or 1916 will count as part of the 1917 quantum, but no other land under grass will so count. Orchards will be regarded as cultivated.

Land let under the eleven months' system comes under the Regulation, and the rated occupier will be required either to break up the 10 per cent. himself or arrange to have it done by a conacre letten or otherwise.

The Regulation (see subsection (5), p. 396) takes effect notwithstanding any covenant, agreement, condition or provision as to the user of the holding, and no such covenant, etc., shall operate so as to penalise, impede or interfere with the cultivation required by the Regulation.

If an occupier is through any cause unable to till the requisite 10 per cent. of his land himself, he can let it for tillage in conacre, and cultivation by any person under a conacre letting(b) made by the occupier shall be deemed to be cultivation by the occupier (see subsection (4), p. 396).

(a) Land under first and second year's ryegrass—that is, land laid down in grass and clover seeds or grass seeds for first or second year's hay or pasture.

(b) Conacre Letting.—See footnote (a) to the Corn Production Act, 1917, s. 18 (2) (c), p. 226.
For the purpose of the regulation "arable" means cultivated or capable of being cultivated, and "occupier" means the person rated or liable to be rated to the Poor Rate, and in the case of a holding of which the half rent is rated, means the actual occupier, although not liable to be rated (see subsection (10), p. 397); "holding" means the total arable land held by the occupier (see subsection (1), p. 396).

When it appears to the Department that the occupier has not, before the 25th March, 1917, taken the necessary steps to comply with the requirements of Regulation 2r, they may, without his consent, enter upon the land and cultivate it or arrange for its cultivation by any person, either under contract by tenancy or otherwise. (See Reg. 2r (1) (b), p. 381.)

These are the main operative provisions.

The Regulation (see subsection (3), p. 396) does not apply to any holding of less than 10 acres in extent; and power to exempt from its operations has been given to the Department in the case of any holding or class of holdings as to which not later than the 25th March, 1917, it shall be declared in writing by them that the cultivation of the holding or class of holdings would be of less service for the production of food than the use of the holding or class of holdings in some other manner in which the same is being used or is proposed to be used.

II.—Exemptions.

The onus of proof that land should be exempted lies on the rated occupier, and he will not be relieved of the obligation to cultivate simply by the fact that he has made an application for exemption.

The Department considered very carefully, in consultation with the Advisory Committee, the classes of holdings to which this power of exemption should properly be applied.

On February 21st, 1917, the Department issued a Declaration (printed as (2), p. 398) that the classes of holdings therein specified may be exempted.

III.—Non-exempted.

Various queries that have been received by the Department make it desirable to state that the following will not be exempted from the operation of the Regulation:

Race-courses, save as regards the tracks; golf links; building lands; demesnes, save where timber would interfere with the cultivation or harvesting of crops.

IV.—Non-arable Land. [See Reg. 2p (10), p. 397.]

It has been decided that the following shall be regarded as non-arable land:—Rough mountain grazing, unclaimed bog, sand dunes, land regularly subject to flooding, and land under timber or newly planted for forestry purposes or where timber, other than hedgerow timber, would interfere with the harvesting or cultivation of crops.
V.—Aggregation of Lands or Farms.

An occupier of two or more farms may count the total area of land held by him as if it were one farm, and the required amount of tillage should in such a case be calculated as 10 per cent. of the arable portion of the total. Furthermore, it is permissible for him to carry out the requisite 10 per cent. on one of his farms; or to spread the amount over his farms, as may suit him.

[Sections VI—X of this Summary formed Memorandum T13 of the Department.]

VI.—Interpretation of sub-section 2 of Regulation 2r.

Sub-section (2) is printed at p. 396.

The additional area to be cultivated in 1917 under the Regulation is calculated upon the total area of the arable land comprised in the holding and not upon the total area less the acreage cultivated in 1916.

Thus, a person holding, say, 100 acres of arable land, who in 1916 cultivated 20 acres out of his 100 acres of arable land is required to cultivate in 1917 30 acres—not 28 acres.

VII.—Cases where Part of a Holding has been Exempted from Regulation 2r.

The Department wish it to be known that in such cases the acreage to which the Regulation applies is the arable land comprised in the residue of the holding. Thus, for example, a person occupying 100 acres of arable land of which 40 acres are exempted as town dairymen’s grass lands, would for the purposes of the Regulation be regarded as occupying not more than 60 acres of arable land. If the residue does not amount to 10 statute acres or over the occupier does not, of course, come under the Regulation.

VIII.—Interpretation of the Exemption in respect of lands Grazed by Town Dairymen’s Cows.

It must be clearly understood that the exemption applies only to land used in 1916, and again to be used in 1917, solely for the grazing of town dairymen’s milch cows the milk of which is to be supplied to towns or cities having a population above 10,000. Lands used in 1916 for the grazing of stock other than town dairymen’s milch cows are not exempted, even though it is proposed to use them in 1917 solely for the grazing of town dairymen’s milch cows.
IX.—How Land now under Winter Cereals should be counted under Regulation 2r.

The Department wish it to be understood that the putting in of wheat, oats or cereals prior to 1st January, 1917, will not be regarded as cultivation in 1916, but as cultivation in 1917, i.e., in the year in which those crops are to be harvested.

X.—How Land under a First or Second Year’s Crop of Ryegrass is to be counted under Regulation 2r.

Sub-section (4) of the Regulation (p. 396) means that land sown down in 1914 or 1915 with grass and clover seeds or grass seeds and either cut for hay or grazed in 1916 will be deemed to be cultivated in 1916. Similarly, in arriving at the requisite area of cultivation in 1917, land sown down in 1915 or in 1916 with grass and clover seeds or grass seeds, and either to be cut for hay or grazed in 1917 will be deemed to be cultivated in 1917.

[Section XI of this Summary formed part of Memorandum T 17 of the Department.]

XI.—Applications for Exemptions.

A large number of applications for the exemption of holdings from the requirements of Regulation 2r (pp. 396, 397) have been received by the Department. As it is not possible to deal individually with all these applications at once, the Department desire to direct the attention of applicants to the following considerations:—

The only holdings to which Regulation 2r does not apply are as follows:

(a) Farms comprising less than ten acres of arable land; or
(b) Any holding or class of holdings which the Department may have exempted in writing.

The classes of holdings which the Department have declared to be exempt are those specified in the Department’s Declaration of February 21st, 1917 (p. 398).

The onus of proof that land should be exempted lies on the occupier, and he will not be relieved of the obligation to cultivate simply by the fact that he has made an application for exemption.

Applicants occupying ten acres or more of arable land which do not clearly come within the classes of holdings declared to be exempted are advised not to defer making arrangements for the cultivation of the requisite portions of their holdings pending the Department’s decision on their applications.

The Department cannot undertake to have holdings inspected with a view to advising the occupiers—

(1) as to whether the holdings or portions thereof should be exempted; or

(2) as to the area of arable land comprised therein.
[Sections XII and XIII of this Summary formed a separate Memorandum of the Department.]

XII.—Amendment on February 6th, 1917, of Regulation 2r.

By Order in Council of that date (Statutory Rules and Orders, 1917, No. 127) sub-sections (7), (8) and (9) were added to Regulation 2r which as so amended is printed pp. 396, 397.

Sub-section (7) (p. 397) fixes the latest date (February 28th, 1917) for making applications for declarations under sub-section (3) of Regulation 2r.

Sub-section (9) (p. 397) makes it obligatory on an occupier to furnish the Department with such particulars as regards his holding as they may require for the purposes of Regulation 2r.

Sub-section (8) (p. 397) is the most important of the three. It fixes the period at which the Department may enter upon the lands of any occupier who may appear to them not to intend to fulfil the requirements of the Regulation as at any time after February 28th, 1917. It gives the Department powers from that date to enter on the holding and cultivate the entire holding or any part of it, or arrange for its cultivation by any person in such manner and upon such term and conditions as the Department may direct, and it enables the Department to exercise as respects the holding all or any of the powers given to the Department by Regulation 2L, which include, inter alia, 2L (4) (p. 382), which empowers the Department, with respect to any land, to authorise any local authority to exercise, on behalf of the Department, any of the powers of the Department under Regulation 2L.

XIII.—Enforcement of Regulation 2r.

The Advisory Committee on Food Production at their meeting on February 7th considered carefully with the Department the question of the use of the powers conferred by sub-section (8) of Regulation 2r in the case of any occupiers who, by February 28th, might not be complying with the regulation, and the conclusion come to was that the Department should act with vigour in exercising these as well as the other powers of the Regulations, and that they should be prepared, according to the circumstances, to enter upon the holding and arrange for the necessary cultivation by means of conacre lettings,(a) or through their agents, or otherwise, while in certain cases in which it might seem to them advisable they should be prepared to consider delegating the power of dealing with the cultivation of the holding, in any or all of these ways, to a local authority.

(a) Conacre Lettings.—See footnote (a) to the Corn Production Act, 1917, s. 18 (2) (c), p. 226.
Prevention of injury by birds, hares, rabbits, vermin or pests to crops, trees, &c.; securing migratory birds for food supply.

Regulation 2R of the Defence of the Realm Regulations as amended so far as it applies to Ireland. (a)

2R.—(1) The Department of Agriculture and Technical Instruction for Ireland may, with a view to preventing or reducing injury to crops or trees, or wastage of pasturage by birds hares or rabbits or by vermin or pests, or to securing for the food supply of the country any migratory kind of wild bird,

(a) take or authorise such action as, in the opinion of the Department, may be necessary for such purpose, or delegate to any body the powers conferred by this paragraph as respects any locality;

(b) provide for the manner in which birds or hares or rabbits killed in pursuance of the action so taken may be disposed of;

(c) by order, authorise the killing and taking, the sale and purchase, and the possession, of any birds or hares or rabbits at any time when the killing and taking, the sale and purchase, or the possession thereof would otherwise be unlawful. (b)

(2) A person authorised or directed to kill or dispose of birds or hares or rabbits under this regulation shall not be required to obtain for such purpose a licence to kill game, and shall have the same power of selling game killed by him or by the persons authorised by him as if he had a licence to kill game (c);

Provided that nothing in this regulation shall exempt any person from the provisions of the Gun Licence Act, 1870. (d)

(a) Orders under Reg. 2R.—No Order has (Oct. 21, 1911) been made by the Department of Agriculture and Technical Instruction for Ireland under Regulation 2R.

(b) Close Time for Birds and Hares.—The close time for pheasants, partridges, grouse and black game is fixed by the Game Acts, and is not under those Acts alterable by Statutory Order. The close time for hares in Ireland is fixed by the Hares Preservation (Ireland) Act, 1873, and Orders of the Lord Lieutenant thereunder varying the time all of which are published in the "Dublin Gazette." For rabbits there is no close time. The close time for woodcock, snipe, quail, landrail and wild duck, widgeon and teal and other wild birds depends on Orders of the Lord Lieutenant under the Wild Birds Protection Acts of 1880 (43 & 44 Vict. c. 35), 1881 (44 & 45 Vict. c. 51), 1894 (57 & 58 Vict. c. 24), and 1896 (59 & 60 Vict. c. 56). Under these Acts the Lord Lieutenant has made Orders for many of the Irish counties, all of which are printed in the "Dublin Gazette." A list of the Orders made each year is printed in the Classified List of Local Orders at the end of each year's annual volumes of Statutory Rules and Orders.

The local authorities under the Acts are in county boroughs the borough councils and elsewhere the county councils. See ss. 4 (1), 21 of the Local Government (Ireland) Act, 1898 (61 & 62 Vict. c. 37) and ss. 8, 9 of the Wild Birds Protection Act 1880.

There are three further Wild Birds Protection Acts, viz. of:

1902 (2 Edw. 7 c. 6) relating to the forfeiture of birds or eggs in respect of which an offence has been committed;

1904 (4 Edw. 7 c. 4) prohibiting the setting of certain springs traps and gins; and

1908 (8 Edw. 7 c. 11) prohibiting the taking of wild birds by hooks.

(c) Licence to Kill Game.—Such a licence authorises the selling of game killed under it without any further licence.

(d) Gun Licence Act, 33 & 34 Vict. c. 57.—This Act makes an excise licence to use or carry a gun obligatory.
Regulation 2s of the Defence of the Realm Regulations applying to Ireland.

6. Destruction of Stray Dogs.

Regulation 2s of the Defence of the Realm Regulations.

2s.—(1) Where a dog has been seized as a stray dog by a police constable under the Dogs Act, 1906, it may be destroyed under that Act at any time after the expiration of three clear days from the time of seizure, unless in the meantime the owner of the dog has claimed the dog, and produced his licence in respect of the dog or proved that the dog is not one in respect of which a licence is required, and paid all expenses incurred by reason of its detention; and a notice served under sub-section (2) of section three of the Dogs Act, 1906, on the owner of the dog which contains a statement to this effect shall be a sufficient compliance with that sub-section.

(2) Any person who takes possession of a stray dog shall, unless he immediately returns the dog to its owner, forthwith hand the dog over to a police constable; and if he fails to do so, shall be guilty of a summary offence against these regulations; and a dog so handed over to a police constable shall thereupon be treated as a dog seized by him as a stray dog under the Dogs Act, 1906.(a)

(a) Dogs Act, 1906 (6 Edw. 7. c. 32).—Under that Act a stray dog seized by the police thereunder could not be destroyed until the expiration of 7 days from the service of notice on the dog's owner.

The Dogs (Ireland) Order of 1906 (St. R. & O., 1906, No. 858), empowers local authorities to make regulations as to wearing by dogs of collars: a dog in respect of which such regulations are contravened may be seized and dealt with as a stray dog.
Regulation 2T of the Defence of the Realm Regulations as applying to Ireland and Order thereunder.

7. Exportation of Horses.

(1) Regulation 2T of the Defence of the Realm Regulations so far as it applies to Ireland.

2T. [Subsections (1)–(5), which have no application to Ireland, are omitted from this reprint.]

(6) The Department of Agriculture and Technical Instruction for Ireland may, for the purpose of maintaining in Ireland a stock of horses sufficient for the cultivation of the land, by order prohibit or restrict the exportation of horses from Ireland, and any person who contravenes or fails to comply with the provisions of any such order shall be guilty of a summary offence against these regulations.

(2) The Horses (Prohibition of Exportation from Ireland) Order, 1917, dated July 14, 1917, made by the Department of Agriculture and Technical Instruction for Ireland under Regulation 2T of the Defence of the Realm Regulations.

1917. No. 738.

In exercise of the powers conferred upon them by Regulation 2T of the Defence of the Realm Regulations, and for the purpose of maintaining in Ireland a stock of horses sufficient for the cultivation of the land, the Department of Agriculture and Technical Instruction for Ireland hereby order as follows:

Prohibition of Exportation.

1. On and after the twenty-first day of July, nineteen hundred and seventeen, no horse shall be exported from Ireland, or be caused or permitted by its owner, or his agent, or by the person in charge of the horse, or by the owner or the master of any vessel, to be so exported, or to be placed on board a vessel for the purpose of exportation.

Exceptions.

2. The prohibition in Article 1 of this Order shall not apply to
   (a) Any horse shipped under military authorisation, whether attached to a military unit or otherwise; or
   (b) Any horse the exportation of which is authorised by a licence granted by the Department of Agriculture and Technical Instruction for Ireland, or by an officer authorised in that behalf by the Department, provided the terms of such licence are duly complied with.

Licences.

3. A licence granted under Article 2 (b) of this Order shall be subject to the conditions and limitations specified therein, and shall be void if the person holding it fails to comply with any requirement or to observe any condition thereof.

In witness whereof the Department of Agriculture and Technical Instruction for Ireland have hereunto set their Official Seal this fourteenth day of July, nineteen hundred and seventeen.

(L.S.)

J. V. Coyle,
On behalf of the Secretary.
PART VIII.

FOOD POWERS OF ADMIRALTY, ARMY COUNCIL, AND MINISTER OF MUNITIONS.

Editorial Note.

Regulations 2b, 2e, 7, 8c and 8cc of the Defence of the Realm Regulations (printed pp. 5, 6, 13, 14 above) confer on the Admiralty, the Army Council and the Minister of Munitions powers which, so far as regards articles of food supply, are concurrent with those of the Food Controller under the same Regulations.

As regards "food," no Orders have been made by the said three Departments under the provisions of the said five Regulations, with the exception of an Admiralty Order of October 6th, 1917 (Lond. Gaz., Oct. 9, 1917, p. 10406) prohibiting the buying, selling, removal or dealing in Rum lying in bonded warehouses which was rescinded (with certain savings) by Admiralty Notice of November 21st, 1917 (Lond. Gaz., Nov. 23, 1917, p. 12152) issued whilst this Manual was in the press.

But Orders have been made by the Army Council and the Minister of Munitions as to Oils and Fats, Hay and Straw, Flax, Wool, Hides, Manures, and Agricultural Machines and Implements. Dealings in Oils and Fats are regulated by Orders of the Minister of Munitions, but their administration in connection with the maintenance of food supply has been transferred to the Food Controller, who has subsequently to October 21st, the date covered by Part II. of this Manual, made Orders as to such substances. Such Orders will be found in the new Editions of Part II. (referred to in Section II. 3 of the Introductory Note to this Manual) of which the first one, covering to January 31st, 1918, is now in the press.

The Orders relating to these and other Agricultural matters, though outside the immediate purposes of this Manual, are connected with Food Production and the Increase of Cultivation: it has been therefore considered convenient to give an epitome of them in Appendix VI.

Regulation 15c of the Defence of the Realm Regulations empowers the Admiralty, the Army Council or the Minister of Munitions to, by Order, require particulars of various businesses including those connected with food. As regards food, those
Food Powers of Admiralty, Army Council, and Minister of Munitions.

three Departments have made no Orders under that Regulation. As regards food, &c., Regulation 2α (p. 8) confers power on the Food Controller to require returns giving particulars, and the Orders made by him under this power are comprised in Part II of this Manual, and in the periodically issued editions of that Part above referred to.

All the Orders made by the Admiralty, the Army Council and the Minister of Munitions as to war material forage and stores of any description, or articles required for or in connection with the production thereof will be printed in the "War Material Supplies Manual" (of which the 1st Edition covering to January 31st, 1918, is now in the press), together with the above-mentioned and all other of the Defence of the Realm Regulations empowering such Orders, and an alphabetical Table of all articles so subjected to control.

Regulation 30d which prohibits the use of grain, sugar, &c., for the manufacture of whiskey or other alcoholic spirits provides that—

"No person shall without a permit issued under the authority of the Minister of Munitions, use or permit to be used any grain, either malted or unmalted, rice, sugar, or molasses, or any other material which may for the time being be specified in an order issued by the Minister of Munitions, in or for the manufacture or production of whiskey or any other alcoholic spirits, and if any person acts in contravention of this provision, or fails to comply with any condition subject to which a permit under this regulation has been granted, he shall be guilty of an offence against these regulations."

No Order has (October 21st, 1917) been made by the Minister of Munitions extending the prohibition to other materials used in the production of spirits.
PART IX.

TRIAL AND PUNISHMENT OF OFFENCES AS TO FOOD SUPPLY OR PRODUCTION UNDER THE DEFENCE OF THE REALM REGULATIONS.

INTRODUCTORY NOTE TO PART IX.

Contraventions of the Defence of the Realm Regulations, and of Departmental Orders thereunder, are triable in one of three modes, viz.:

1. By Court-martial;
2. By a Civil Court with a Jury;
3. By a Court of Summary Jurisdiction;

and Regulation 56 (p. 411) provides which of these three classes of tribunals is to be the court for trial of each class of offences.

Contravention of most of the Regulations relating to Food Supply and Production (and of Orders under the same) are thereby declared to be "Summary Offences," and a "summary offence" by a person not subject to the Naval Discipline Act or to military law is triable only by a Court of Summary Jurisdiction.

Cases of alleged contraventions which are not so declared to be summary offences are referred to the Competent Naval or Military Authority (or in the case of a "press" or "munitions" offence, to the Director of Public Prosecutions), who decides first whether it is to be proceeded with, and secondly whether it is to be tried by a court of summary jurisdiction or by a tribunal of the other two classes.

The vast majority of prosecutions for contraventions of Food Regulations and Orders are therefore before Courts of Summary Jurisdiction, and it has been considered that convenience would ensue from those Defence of the Realm Regulations which form the "Trial and Punishment" Part of this Manual being grouped as follows:

1. Trial and Punishment by Courts of Summary Jurisdiction (the majority of cases) (p. 410).
2. Trial and Punishment by a Civil Court with a Jury (more serious offences by British subjects claiming a jury, or in special cases of others) (p. 419).
3. Trial and Punishment by Courts-Martial (offences by members of H.M.'s forces, other British subjects not claiming a jury, and aliens) (p. 425).

The object of such grouping is to sever from the provisions relating to "Summary Offences" and those Triable Summarily, the provisions relating solely to Trial by Jury or by Courts-Martial.

Under this plan only sections 1 (Trial and Punishment by Courts of Summary Jurisdiction) and 4 (Miscellaneous Provisions as to Offences) of this Part of the Manual affect or need be referred to by those concerned with prosecutions before Courts of Summary Jurisdiction.

ALEXANDER PULLING.
1. Trial and Punishment by Courts of Summary Jurisdiction.

(1) Court for Trial of Offences, p. 410.
(2) Restriction on Prosecutions in England and Ireland without consent of Attorney-General, p. 414.
(3) Punishment; Venue; Appeals; Hearing in Camera; p. 416.
(4) Special Provisions as to "Press" and "Munitions" Offences, p. 418.

(i) Editorial Note as to Courts of Summary Jurisdiction, p. 410.
(ii) Regulation 56 (1)-(5) as to Court for Trial of Offences, p. 411.

(i) Editorial Note as to Courts of Summary Jurisdiction.

A. Courts of Summary Jurisdiction in England and Wales.
—These are in the City of London, the Lord Mayor or an Alderman (all the Aldermen being justices by virtue of a charter of 15 Geo. II) sitting at the Mansion House or Guildhall; in the Metropolitan Police Court Divisions (which together comprise the whole of the administrative county of London except the city and part of Hampstead) the Metropolitan Police Courts; in some 20 boroughs and places Stipendiary Magistrates Courts; and elsewhere Courts of Petty Sessions consisting of two or more justices (see s. 20 of the Summary Jurisdiction Act. 1879 (42 & 43 Vict. c. 49.).

There are now 14 Metropolitan Police Courts—one for each of the police court divisions, the boundaries of which are defined by Orders in Council specified at p. 505 of "The Index to Statutory Powers and Rules and Orders in Force, December 31, 1915."

The boroughs and areas for which there are Stipendiary Magistrates are Birmingham, Bradford, Cardiff, Chatham and Sheerness, East Ham, Grimsby, Leeds, Liverpool, Manchester city, Merthyr Tydfil, Middlesbrough, Pontypridd, Salford, Sheffield, South Staffordshire District (Wolverhampton, West Bromwich, &c.), Staffordshire Potteries (Stoke-upon-Trent, &c.), and West Ham.

There is a Petty Sessional Court for each of the 250 boroughs having a separate commission of the peace, and for each of the 736 petty sessional divisions into which counties are divided for this purpose. The total number of summary jurisdiction courts is therefore just over 1,000.

The county justices have concurrent jurisdiction within (i) the Metropolitan Police Court Divisions, and (ii) 172 of the Boroughs having separate commissions. But as regards (i) they take no criminal business except Weights and Measures, Bread, and Sale of Food and Drugs summonses (and these only at a few of the London petty sessional courts), and as regards (ii) they do not in practice act, or only occasionally.
Cases triable by Courts of Summary Jurisdiction.

For a borough not having a separate commission the only petty sessions is the county one, see Huntingdon Corporation v. Huntingdon County Council (Law-Rep. [1901] 2 K.B., p. 257).

Statements of the parishes within each court area as constituted in April, 1913, are given in the "List of Courts of Summary Jurisdiction in England and Wales," published by H.M. Stationery Office.

B. COURTS OF SUMMARY JURISDICTION IN SCOTLAND.—These are the Sheriff Courts (see Regulation 58, p. 416). Each Sheriffdom is either a county or a union of counties (see ss. 2-10, 12 of the Sheriff Courts (Scotland) Act, 1870 (33 & 34 Vict., c. 86)). There is a Sheriff Court for each sheriffdom, or for each district into which a sheriffdom is for such purposes divided.

References to the Orders of the Secretary for Scotland as to such courts are given at p. 726 of "The Index to Statutory Powers and Rules and Orders in Force, December 31, 1915," and a list of the Sheriff Courts showing what parishes are comprised in each district forms Division IV., pp. 677-706 of the Scottish Law List, 1917.

C. COURTS OF SUMMARY JURISDICTION IN IRELAND.—In Ireland a court of summary jurisdiction for the purpose of hearing and determining complaints consists in the Dublin Metropolitan Police Court District of a Divisional Justice or elsewhere of a Justice or Justices sitting in petty sessions or in certain cases two Justices sitting out of petty sessions.

Each county in Ireland is divided into petty session districts for each of which there is a Petty Session Court. Resident Magistrates have the powers of a justice of the peace.

(ii) SO MUCH OF REGULATION 56 OF THE DEFENCE OF THE REALM REGULATIONS AS PROVIDES AS TO WHEN AN ALLEGED OFFENCE SHALL BE TRIED BY A COURT OF SUMMARY JURISDICTION.

[The portions relating to persons subject to the Naval Discipline Act or to Military Law are hereunder printed in italics.]

56.—(1) Except as otherwise provided by this regulation, a person alleged to be guilty of an offence against these regulations may be tried either by court-martial (a) or by a civil court with a jury, (b) or by a court of summary jurisdiction (c).

Where a person is alleged to be guilty of an offence which is by these regulations declared to be a summary offence he may, Courts for trial of offences.

(a) TRIAL BY COURT-MARTIAL.—The provisions thereto relating are printed under 3, p. 425.

(b) TRIAL BY CIVIL COURT WITH A JURY.—The provisions thereto relating are printed under 2, p. 419.

(c) COURT OF SUMMARY JURISDICTION.—i.e., in Scotland by the sheriff court, see Reg. 58, printed under (3), p. 416.
Cases triable by Courts of Summary Jurisdiction.

If not subject to the Naval Discipline Act or to military law(a) be tried by a court of summary jurisdiction and not otherwise, and if he is so subject he may be so tried or may be dealt with as for an offence against the Naval Discipline Act or military law(a) as the competent naval or military authority(b) may decide.

(3) Where a person is alleged to be guilty of an offence other than an offence declared by these regulations to be a summary offence, the case shall be referred to the competent naval or military authority(b) who shall forthwith investigate the case(c) and determine whether or not the case is to be proceeded with, and if it is to be proceeded with, whether or not it is an offence of such a character that it can adequately be dealt with by a court of summary jurisdiction.

(4) If it is determined that the case is not to be proceeded with, the alleged offender, if in custody, shall (unless he is detained on some other charge) forthwith be released.

(5) If it is determined that the case is to be proceeded with, but that the offence is of such a character as aforesaid, the offender may, if he is not subject to the Naval Discipline Act or to military law(a) be tried by a court of summary jurisdiction and not otherwise, and may be so tried notwithstanding that the offence was committed more than six months before the institution of the proceedings before the court, (d) and, if he is so subject, may be so tried or may be dealt with as for an offence against the Naval Discipline Act or military law(a) as the competent naval or military authority(b) may decide.

(a) Persons subject to Naval Discipline Act or to Military Law. See "3, Trial and Punishment by Court-Martial or under Naval or Military Law," p. 425.

(b) Competent Naval or Military Authority. Reg. 62 of the Defence of the Realm Regulations provides as follows:

"The Admiralty or Army Council may appoint any commissioned officer of His Majesty's Naval or Military Forces, not below the rank of lieutenant-commander in the Navy or field officer in the Army, to be a competent naval or military authority and may authorise any competent naval or military authority thus appointed to delegate, either unconditionally or subject to such conditions as he thinks fit, all or any of his powers under these regulations to any officer qualified to be appointed a competent naval or military authority; and an officer so appointed, or to whom the powers of the competent naval or military authority are so delegated, is in these regulations referred to as a competent naval or military authority. Where the holder of a designated office has been appointed to be a competent naval or military authority, or any powers of the competent naval or military authority have been delegated to the holder of a designated office, then, unless express provision is made to the contrary, the appointment or delegation shall be deemed to extend, and shall be deemed always to have extended, to the person for the time being performing the duties of the office designated, if he is so qualified as aforesaid."

In the Army Act the expression "competent military authority" has a different meaning. In that Act it means the Army Council (see s. 101) and certain high military authorities (see s. 87, &c.).

(c) Investigation of "Press" or "Munitions" Offence. This is effected not by the competent naval or military authority but by the Director of Public Prosecutions (in Scotland by the Lord Advocate, and in Ireland by the Attorney-General for Ireland). See Reg. 56 (13) (14), printed under "(4) Special provisions as to "Press" and "Munitions" Offences," p. 418.

(d) Limitation of Time for Prosecution. The effect of this provision is to exclude the operation of s. 11 of the Summary Jurisdiction Act, 1848 (11 & 12 Vict. c. 43). See Haye v. Cole, 86 L.J.K.B. 1084; 115 L.T.R. 783;
Cases triable by Courts of Summary Jurisdiction.

[Note.—Subsection (7) of Regulation 56 provides that if on further investigation any case which after investigation by the competent naval or military authority has been handed over to the civil authority for the purposes of trial it appears to the prosecution that that case is of such a character as can be adequately dealt with by a court of summary jurisdiction it may, if the Admiralty or Army Council consent, or in Scotland if the Lord Advocate after consultation with the Admiralty or Army Council so directs, be so dealt with.

Subsection 8 of Regulation 56 provides that the Notice which under the subsection has to be given as soon as practicable after his arrest to an alleged offender of the general nature of the charge and of his rights to trial by jury need not be given if the offence is either—

(i) a "summary offence"; or

(ii) it has been determined that the offence is one which has been determined to be of such a character that it can adequately be dealt with by a court of summary jurisdiction.

Subsections (6)—(10) of Regulation 56 which, save as in this Note stated, appear to have no application to trial by Courts of Summary Jurisdiction are printed (pp. 419, 420, 422) under "2. Trial and Punishment by a Civil Court with a Jury."—Editor.]
(2) Restrictions on Prosecutions in England and Ireland without consent of Attorney-General.

So much of Regulation 56 (11) of the Defence of the Realm Regulations as relates to Restrictions on Prosecutions before Courts of Summary Jurisdiction.

56.—(11) In England and Ireland offences against these regulations shall not be prosecuted****(a) before a court of summary jurisdiction by any person, other than the competent naval or military authority(b) or a person authorised by him; or an officer of police, an officer of customs and excise,(c) an aliens officer,(d) or a person authorised by the Government Department concerned,(e) except with the consent of the Attorney-General for England or Ireland, as the case may be. Where any of these regulations enables any Government Department to apply by order the regulation or any provision contained in or appended to the regulation, or to make rules or orders, the Government Department by whose order the regulation or provision is applied, or by which the rules or orders are made, shall, for the purposes of this provision, as respects offences against the regulation as so applied, or offences by way of contravention or failure to comply with the rules or orders, be the Government Department concerned; and where the administration of any regulation is

****(a) Omitted Words.—These relate to "2. Trial and Punishment by a Civil Court with a Jury," under which they are printed, p. 423.

(b) Competent Naval or Military Authority.—See footnote (b) to Reg. 56 (3), p. 412.

(c) Officer of Customs and Excise.—The Department of Customs and Excise was formed as from April 1, 1909, by the Excise Transfer Order, 1909 (S. R. & O., 1909, No. 197), which transferred the excise powers of the Commissioners of Inland Revenue to the new Board, and thereupon all persons employed by the Inland Revenue in excise duties became officers of customs and excise.

(d) Aliens Officer.—Article 15 of the Aliens Restriction (Consolidation) Order, 1914 (printed at p. 72 of "The Manual of Emergency Legislation"), is as follows:

"15.—(1) The following persons, that is to say—

(a) any immigration officers appointed under the Aliens Act, 1905; and

(b) any persons appointed for the purpose by a Secretary of State; shall be aliens officers for the purposes of this Order at the various ports in the United Kingdom, and shall in the exercise of their powers act under general or special instructions from the Secretary of State, and, subject to such instructions, shall have power to enter on board any vessel, and to detain and examine all persons arriving at or leaving any port in the United Kingdom, and to require the production of any documents by such persons, and generally to take such steps as are sanctioned by this Order or as may be necessary for giving effect to this Order."

Article 15 of the Aliens Restriction Order (S. R. & O., 1916, No. 122), reproduces ipseisimis verbis, Article 15 of the 1914 Order which it revoked.
assigned by the regulation to any special department, that Government Department shall, for the purposes of this provision, as respects offences against that regulation, be the Government Department concerned. (a)

(a) Government Department Concerned.—In pursuance of this power the Food Controller by Order dated May 8, 1917 (p. 192), authorised Local Authorities in England and Wales to prosecute before courts of summary jurisdiction offences occasioned by breaches of such of the Controller’s Orders as they are empowered to enforce. Lists of the Orders in question are printed in Part III., pp. 190, 191. Since Part III. of this Manual was printed off, the Controller’s Order of May last and a Local Government Board Order of the same date which empowered local authorities to enforce certain provisions of the Controller’s Orders were revoked as from December 31st, 1917. Under the (January, 1918) existing system, of which an outline is given in section II. (4) (Food Control Committees) of the Introductory Note at the commencement of this Manual, the enforcement of all the Controller’s Orders, made or hereafter to be made, and as regards England, Wales and Ireland summary prosecutions under the same, is in the hands of the food control committees. By a further Order of June 11, 1917 (p. 193), the Food Controller authorised Inspectors of Weights and Measures to prosecute offences occasioned by breaches of certain of the Controller’s Orders.
Punishment by Courts of Summary Jurisdiction; Venue; Witnesses; Appeals; Hearing in Camera.

(3.) Punishment; Venue; Summoning of Witnesses; Appeals; Hearing in Camera.

REGULATION 58 OF THE DEFENCE OF THE REALM REGULATIONS.

58. A person convicted of an offence against these regulations by a court of summary jurisdiction shall be liable to be sentenced to imprisonment with or without hard labour for a term not exceeding six months or to a fine not exceeding one hundred pounds, or to both such imprisonment and fine, and the court may, in addition to any other sentence which may be imposed, order that any goods in respect of which the offence has been committed shall be forfeited. (a)

For the purpose of the trial of a person for such an offence the offence shall be deemed to have been committed either at the place in which the same actually was committed, or at any place in which the offender may be, and the Court in Scotland shall be the sheriff court.

In Ireland for the purposes of such trial a summons may be issued by a justice to a witness who is not within his jurisdiction and any such summons may, in Ireland, be issued, served and enforced in the same manner as a summons to a witness within the jurisdiction of the issuing justice. (b)

Section seventeen of the Summary Jurisdiction Act, 1879, (c) shall not apply to the charge of offences against these regulations.

Any person aggrieved by a conviction of a court of summary jurisdiction under these regulations may appeal in England to a court of quarter sessions, (d) and in Scotland under and in terms

(a) Payment and Allocation of Fines and Fees in Summary Proceedings.—The enactments relating to these matters in England and Wales are printed in Appendix VIII., p. 512.

(b) Summoning Witness not within Court's Jurisdiction in England or Scotland.—S. 36 of the Summary Jurisdiction Act, 1879, provides for summons in England of a witness not within the courts jurisdiction; and ss. 4, 8 of the Summary Jurisdiction Act, 1881 (44 & 45 Vict. c. 24), provide for the issue of summonses by English courts to witnesses in Scotland, and by Scottish courts to witnesses in England.

(c) Claim to Trial by Jury.—S. 17 of the Summary Jurisdiction Act, 1879, (42 & 43 Vict. c. 49), which is excluded by this Regulation, gave a person charged before a court of summary jurisdiction in England with an offence (other than assault) punishable by more than 3 months' imprisonment the right to claim trial by jury.

(d) Alternative Appeal in England by Special Case.—Or he may appeal to the High Court (i.e., to a Divisional Court of the King's Bench Division) by special case on the ground that the conviction or order of the court of summary jurisdiction is erroneous in point of law, or is in excess of jurisdiction (42 & 43 Vict. c. 49, s. 33); but if he does so he thereby abandons his right of appeal to quarter sessions "finally and conclusively and to all intents and purposes" (20 & 21 Vict. c. 43, s. 14).

It is only on appeals from a court of summary jurisdiction that quarter sessions have jurisdiction as to offences under the Regulations. They have no jurisdiction to try a felony thereunder, i.e., an offence triable by a civil court with a jury. See Reg. 56A, printed under "2. Trial and Punishment by a Civil Court with a Jury," p. 484.

The decision of the High Court (i.e., the Divisional Court) on a special case relating to a summary offence under the Defence of the Realm Regulations is final and conclusive and there is no appeal therefrom (s. 47 of Judicature Act, 1873).
Punishment by Courts of Summary Jurisdiction; Venue; Witnesses; Appeals; Hearing in Camera.

of the Summary Jurisdiction (Scotland) Acts, (a) and in Ireland in manner provided by the Summary Jurisdiction (Ireland) Acts. (b)

In addition and without prejudice to any powers which a court may possess to order the exclusion of the public from any proceedings, if, in the course of proceedings before a court of summary jurisdiction against any person for an offence against these regulations or the proceedings on appeal, application is made by the prosecution, in the public interest, that all or any portion of the public shall be excluded during any part of the hearing, the court may make an order to that effect, but the passing of sentence shall in any case take place in public.

(a) Appeals in Scotland.—Under the Acts referred to (viz.: the Summary Jurisdiction (Scotland) Act, 1908 (8 Edw. 7. c. 65), which consolidated and amended the previous Acts, and the Summary Jurisdiction (Scotland) Act, 1908, Amendment Act, 1909 (9 Edw. 7. c. 28)), the appeal is by stated case to the High Court of Justiciary (from which there is no appeal) under ss. 60-76 of the 1908 Act or by any other competent mode of appeal, see s. 76. There is no appeal "on the merits" in any case.

As to Fees on Appeals, see Act of Adjournal of December 18, 1896, printed in Statutory Rules and Orders Revised, 1904, at p. 22 of title "Justiciary, High Court of, S." No fee is payable by an appellant in custody in respect of an appeal against the amount of caution fixed or on account of refusal of liberation by the sheriff court, see the Act of Adjournal of March 20, 1909, printed Statutory Rules and Orders, 1912, p. 1466.

(b) Appeals in Ireland.—The expression "Summary Jurisdiction (Ireland) Acts" means so far as respects the Dublin Metropolitan Police District, the Acts regulating the powers and duties of justices of the peace or of the police of that district, and as respects any other part of Ireland, the Petty Sessions (Ireland) Act, 1851 (14 & 15 Vict. c. 93) and any Act, past or future, amending the same. (See Interp. Act, 1889 (52 & 53 Vict. c. 63), s. 13 (9.).)

Under those Acts the appeal is to Quarter Sessions, and by special case on point of law to the High Court, see 20 & 21 Vict. c. 43.
(4.) Special Provisions as Press and Munitions Offences.

**Regulation 56 (13) (14) of the Defence of the Realm Regulations reproduced in Consolidated Form.**

Where a person is alleged to be guilty of an offence against these regulations which—

(i) appears to the Director of Public Prosecutions(a) in England, the Lord Advocate in Scotland, or the Attorney-General for Ireland in Ireland, to be a press offence; or

(ii) appears to the Minister of Munitions to be a munitions offence;

the case, instead of being referred to the competent naval or military authority, shall be referred to the Director of Public Prosecutions, (a) the Lord Advocate, or the Attorney-General for Ireland, as the case may be, who shall investigate the case and determine whether or not the case is to be proceeded with, and, if it is to be proceeded with, whether it is to be tried by a court of summary jurisdiction, or by a civil court with a jury, or, subject to the rights of the offender if a British subject under the Defence of the Realm (Amendment) Act, 1915, and to the consent of the Admiralty or Army Council, by court-martial.

For the purposes of this provision “press offence” means the publication or attempted publication, or communication or attempted communication for publication, in any newspaper or other periodical, or any reprint of any part thereof, of any information, report, or statement in contravention of the provisions of these regulations, and where the person alleged to be guilty of such an offence is also alleged to be guilty of any other offence against these regulations in relation to the information so published or communicated, or attempted to be so published or communicated, such other offence shall also be treated as a press offence. The decision of the Director of Public Prosecutions, (a) the Lord Advocate, or the Attorney-General for Ireland, as to whether an alleged offence is a press offence or is to be treated as a press offence, shall be conclusive, (b).

For the purposes of this provision “munitions offence” means an offence in contravention of any order made or any directions, regulations, or restrictions given or issued by the Minister of Munitions under these regulations, or an offence against these regulations in respect of any matter within the scope of the powers and duties for the time being assigned to the Minister of Munitions, and the decision of the Minister of Munitions as to whether an alleged offence is a munitions offence shall be conclusive.

(a) **DIRECTOR OF PUBLIC PROSECUTIONS.**—The duties of this office are regulated by 42 & 43 Vict. c. 22, 47 & 48 Vict. c. 58, and 8 Edw. 7, c. 3, which last statute severed it from that of the Treasury Solicitor. See also the Regulations respecting the duties of the Director of Public Prosecutions, dated Jan. 25, 1886, and printed in Statutory Rules and Orders Rev., 1904, IV, "Criminal Procedure, E.," pp. 9–11.

The powers of the Director under Regs. 56 (13) (14), are exercisable, in the Isle of Man by the Attorney-General of the Isle, in Guernsey, Sark, Herm and Jethou, by the Law Officers of the Crown in Guernsey, and in Alderney by H.M.'s Procurer.

2. Trial and Punishment by a Civil Court with a Jury.

(1) Court for Trial of Offences, p. 419.
(2) Claim by British Subject to Trial by Jury, p. 420.
(3) Custody of alleged Offender, p. 422.
(4) Restriction on Prosecutions, p. 423.
(5) Punishment; Sentence of Death; Exclusion of Quarter Sessions Jurisdiction; Venue, p. 424.

(1) Court for Trial of Offences.

Regulation 56 (1)-(7), (13), (14) of the Defence of the Realm Regulations.

[Subsections (1)-(5), which relate, inter alia, to "summary offences" and investigation and determination by the competent naval or military authority as to whether a case is to be proceeded with and if so whether it is one which can "adequately be dealt with by a court of summary jurisdiction" are printed under "1. Trial and Punishment by Courts of Summary Jurisdiction" (pp. 411, 412).

Subsections (13) (14), which relate to the like investigation and determination by the Director of Public Prosecutions, &c., in the case of a "press" or "munitions" offence are reproduced in consolidated form under the same heading (p. 418).]

56.—(6) If it is determined that the case is to be proceeded with and that the offence is not of such a character as aforesaid [i.e., "of such a character that it can adequately be dealt with by a court of summary jurisdiction"] (see Reg. 56 (3) p. 412) then—

(a) if the offender is a British subject and is not a person subject to the Naval Discipline Act or to military law, and he claims, in the manner hereinafter provided, to be tried by a civil court with a jury instead of being tried by a court-martial, the case shall be handed over, for the purposes of trial, to the civil authority;

(b) if the offender, being a British subject, does not make any such claim, or if the offender is not a British subject or is person subject to the Naval Discipline Act or to military law, the competent naval or military authority shall, subject to any general or special instructions given by the Admiralty or Army Council, order the case to be tried by court-martial, or, where in pursuance of such instructions the case is not to be tried by court-martial, shall order it to be handed over, for purposes of trial, to the civil authority.

(7) Any case which is handed over to the civil authority may be tried by a civil court with a jury:

Provided that if on further investigation it appears to the prosecution that a case so handed over to the civil authority is of such a character as can be adequately dealt with by a court of summary jurisdiction it may, if the Admiralty or Army Council consent, or in Scotland if the Lord Advocate after consultation with the Admiralty or Army Council so directs, be so dealt with.

(a) Persons subject to Naval Discipline Act or to Military Law. See Introductory Note to "3.Trial and Punishment by Courts Martial" p. 425.

(b) Competent Naval or Military Authority—See footnote (b) to Reg. 56 (3), p. 412.
Claim to Trial by Jury. Not affecting Courts of Summary Jurisdiction.

(2) Claim by British subject to Trial by Jury.

REGULATION 56 (8) (9) (12) OF AND PARTS I., II. OF THE SCHEDULE TO THE DEFENCE OF THE REALM REGULATIONS.

56.—(8) For the purpose of enabling such a claim as aforesaid (i.e., a claim "in the manner hereinafter provided, to be tried by a civil court with a jury instead of being tried by a court-martial." See Reg. 56 (6) printed under (1) "Court for Trial of Offences," p. 419) to be made, the competent naval or military authority shall, as soon as practicable after his arrest, give to the alleged offender notice in writing, in the form set out in Part I. of the Schedule to these regulations, of the general nature of the charge and of his right (if he is a British subject and not a person subject to the Naval Discipline Act or to military law) to claim to be tried by a civil court with a jury instead of being tried by court-martial:

Provided that it shall not be necessary to give such a notice if the offence is an offence which is by these regulations declared to be a summary offence or it has been determined that the offence is an offence of such a character that it can adequately be dealt with by a court of summary jurisdiction.

(9) A person to whom such a notice has been given may if he is a British subject and not a person subject to the Naval Discipline Act or to military law (a) within six clear days from the date when it was so given to him claim to be tried by a civil court with a jury instead of being tried by court-martial by giving notice in writing to that effect to the competent naval or military authority in the form set out in Part II. of the Schedule to these regulations.

(12) For the purposes of this regulation the expression "British subject" includes a woman who has married an alien but who before the marriage was a British subject. (b)

(a) PERSONS SUBJECT TO NAVAL DISCIPLINE ACT OR MILITARY LAW.—See Note to "3. Trial and Punishment by Courts-Martial," p. 425.

(b) BRITISH SUBJECT.—Sub-section (12) is identical with s. 1 (8) of the Defence of the Realm (Amdt.) Act, 1915 (5 Geo. 5. c. 34), printed p. 7 of the Defence of the Realm Manual (May, 1917 Edition). For the purposes of the British Nationality and Status of Aliens Act, 1914 (4 & 5 Geo. 5. c. 17). "British subject" means a person who is a natural-born British subject or a person to whom a certificate of naturalization has been granted, see s. 27 (1) thereof.
Claim to Trial by Jury. Not affecting Courts of Summary Jurisdiction.

SCHEDULE.

PART I.

Form of Notice to be given to an Alleged Offender.

To (a)
You are hereby informed that the general nature of the charge against you is (b)

If you are a British subject [or (in the case of a woman who has married an alien) were before marriage to an alien a British subject] and are not a person subject to the Naval Discipline Act or to military law you are entitled to claim to be tried upon the same charge[s] by a civil court with a jury [or in Scotland by the High Court of Justiciary] instead of by a court martial.

If you are entitled and wish to make such a claim you must sign the form appended hereto and send it within six clear days from the receipt of this notice to the competent naval or military authority at the address designated below.

Dated the day of 1917.

Signature

Competent Naval [or Military] Authority.

Address (c)

N.B.—The competent naval or military authority should cause a record to be made of the date when this notice is received by the alleged defender.

PART II.

Form of Claim to be appended to the Notice in Part I.

To the competent naval or military authority at (a)

I, (a) The address of the competent naval or military authority should be here inserted.

am a British subject [was before my marriage to an alien a British subject] and am not a person subject to the Naval Discipline Act or to military law, and I claim to be tried for the said offence by a civil court with a jury [or in Scotland by the High Court of Justiciary] instead of by a court martial.

Signed

This claim may be sent by registered post, or if you are in custody by delivering it to the person in whose custody you are.

The competent naval or military authority should cause a record to be made of the date when the claim is given to him.
Custody and Bail of Alleged Offender. Not affecting Courts of Summary Jurisdiction.

(3) Custody and Bail of alleged Offender in England and Ireland.

REGULATION 56 (10) OF AND PART III. OF THE SCHEDULE TO THE DEFENCE OF THE REALM REGULATIONS.

56.—(10) If the alleged offender is in custody he shall, if he is to be tried by court-martial, be kept in or handed over to military custody, and, if he is to be tried otherwise than by court-martial, be kept in or handed over to civil custody, and if he is to be tried by a civil court with a jury, may in England and Ireland without any warrant from a justice of the peace be detained in any of His Majesty’s prisons, as a person committed for trial for felony, until thence delivered in due course of law, and an order to that effect in the form set out in Part III. of the Schedule to these regulations shall, if application is made for the purpose, be made by a competent naval or military authority.

Provided that the alleged offender so in custody may apply to the competent naval or military authority, and if the competent naval or military authority signifies in writing that in his opinion the case is a proper one for bail, the alleged offender may apply to a justice of the peace for bail, and such justice may, on such application, admit him to bail in like manner as if he had been committed by such justice for trial for a felony, and nothing in this regulation shall affect any power of the High Court, or any power of any court of summary jurisdiction, to admit any person to bail. In Ireland the powers conferred by this proviso on justices of the peace shall be exercisable by resident magistrates and Dublin divisional justices only.

SCHEDULE.

PART III.

Form of Order for Detention in Prison of Alleged Offender.

To the Governor of His Majesty’s Prison at

Whereas it has been determined in accordance with the Defence of the Realm Regulations, Number 56, that A.B. suspected of having committed offences against the said regulations and now in military custody shall be tried by a civil court with a jury instead of by a court martial.

Now, I, the undersigned, being the competent [naval or military] authority within the meaning of the said regulations, do hereby request and require you to receive the said A.B. into His Majesty’s prison aforesaid and therein to detain him as a prisoner committed to the said prison for trial for felony, and produce him, as and when required, for the purpose of his said trial by a civil court with a jury, and until he be delivered from your custody in due course of law.

Dated the day of , 1917.

(Signed)

Competent Naval [or Military] Authority.

(a) Bail.—As to bail on arrest see Regulation 55, printed at p. 429.
Restriction on Prosecutions on Trial by Jury. Not affecting Courts of Summary Jurisdiction.

(4) Restriction on Prosecutions in England and Ireland.

'So much of Regulation 56 (11) as applies to Prosecutions before a Civil Court with a Jury.

56.—(11) In England and Ireland offences against these regulations shall not be prosecuted before a civil court with a jury except by or with the consent of the Attorney-General for England or Ireland, as the case may be. [The remainder of this subsection relates solely to Courts of Summary Jurisdiction in England and Ireland and is printed at p. 414.]
Punishment, &c., on Trial by Jury. Not affecting Courts of Summary Jurisdiction.

(5) Punishment; Sentence of Death; Exclusion of Quarter Sessions Jurisdiction; Venue.

Punishment. 56A. Any offence tried by a civil court with a jury shall be deemed to be a felony, and on conviction of the offender he shall be liable to such punishment as might have been inflicted under Regulation 57 if the case had been tried by a general court-martial. (a) Provided that a sentence of death shall not be imposed unless the offender has pleaded guilty to committing the offence with the intention of assisting the enemy, or the jury find that the offence was committed with such intention. (b) Where sentence of death is passed by such a civil court, the court may order the sentence to be executed in any manner in which a court-martial may order a sentence of death to be executed. If the manner in which the sentence is to be executed is by shooting, the court may direct that the offender be handed over to the military authority, and in such case the sentence shall be executed as if it had been passed by a court-martial, but in England shall not be carried into execution until after such time as is allowed by the Criminal Appeal Act, 1907, for giving notice of appeal or notice of application for leave to appeal under that Act, nor pending such appeal or application; or in Scotland until after such date as may be specified in the sentence. (c)

In England and Ireland a court of quarter sessions shall not have jurisdiction to try such a felony.

In Scotland the court having jurisdiction to try such a felony shall be the High Court of Justiciary. (d)

For the purpose of the trial of a person for such a felony, the offence shall be deemed to have been committed either at the place in which the same actually was committed, or in any place in the United Kingdom in which the offender may be found, or to which he may be brought for the purpose of speedy trial.

(a) Punishment inflictingable under Reg. 57 by Court-Martial.—See Regulation 57 printed under 3 (1) p. 425.
(b) Appeals from Convictions.—(i) From convictions under this Regulation in England an appeal lies to the Court of Criminal Appeal on questions of law, or with leave of that Court on questions of fact, or against the sentence (Criminal Appeal Act, 1907, 7 Edw. 7. e. 23. s. 3). As to procedure, see the Criminal Appeal Rules, 1908 (printed in Annual Volume of Statutory Rules and Orders, 1908, pp. 239-291). If the Attorney-General certifies that the decision of the House of Lords involves a point of law of exceptional public importance, and that it is desirable in the public interest that a further appeal should be brought, either the prosecutor or the defendant may appeal to the House of Lords (7 Edw. 7 c. 23. s. 1 (6)).
(ii) In Scotland there is no appeal from the High Court of Justiciary.
(iii) In Ireland points of law may be reserved by special case for the Court of Crown Cases Reserved (11-2 V. c. 78, ss. 1-4, 40-1, V. c. 57, ss. 50, 60).
(c) Execution of Sentence of Death.—See s. 2 of the Criminal Law (Scotland) Act, 1830 (11 Geo. 4. and 1 Will. 4. c. 37) which specifies the periods within which the sentence of death is to be carried into execution.
(d) High Court of Justiciary.—See footnote (b) (ii) above.
3. Trial and Punishment by Courts-Martial.

Note.—The provisions comprised in this section relate to trial only of offences:

(i) by persons subject to Naval Discipline Act, or Military Law; or
(ii) not triable summarily if committed by
   (a) Aliens or British subjects not claiming trial by jury;
   (b) any person, British or not, in area where 5 Geo. 5, c. 34 is suspended.

(1.) Court for Trial of Offences; | (2.) Trials by Courts-Martial
Punishment, p. 425. | when 5 Geo. 5, c. 34 is
suspended, p. 427.

(1.) Courts of Trial of Offences; Punishment.

Regulation 56 of the Defence of the Realm Regulations.

[Subsections (1)-(5), which relate, inter alia, to “summary offences” and investigation and determination by the competent naval or military authority as to whether a case is to be proceeded with and if so whether it is one which can “adequately be dealt with by a court of summary jurisdiction” are printed under “1. Trial and Punishment by Courts of Summary Jurisdiction” (pp. 411, 412).

Subsections (13) (14), which relate to the like investigation and determination by the Director of Public Prosecutions, &c., in the case of a “press” or “munitions” offence are reproduced in consolidated form under the same heading (p. 418).

Subsections (6)-(10) (12), which relate to the claim by a British subject (not being subject to Naval Discipline Act or to Military Law) to trial by jury, and to the determination of when a case shall be handed over for trial to the civil authority, and to custody and bail of alleged offenders are printed under “2. Trial and Punishment by a Civil Court with a Jury” (pp. 419, 420, 422).

Subsection (11) which applies only to certain cases triable summarily, or with a jury, is reproduced pp. 414, 423.]

Regulation 57 of the Defence of the Realm Regulations.

-57. A person found guilty of an offence against these regulations by a court-martial shall be liable to be sentenced to penal servitude for life or any less punishment, or if the court finds that the offence was committed with the intention of assisting the enemy to suffer death or any less punishment, and the court may in addition to any other sentence imposed order that any goods in respect of which the offence has been committed be forfeited(a):

(a) Appeals from Convictions.—From convictions by court-martials there is no appeal to the Court of Criminal Appeal or other civil court, but the Acts and Regulations governing court-martials make provision for the review of decisions.

Provided that a sentence of detention in detention barracks shall not be awarded for an offence under these regulations and that no sentence exceeding six months' imprisonment with hard labour shall be imposed in respect of any contravention of Regulations 12, 13, 21, 22, 24, 25, 26, 27, 28A, 53, 60, and 61 if the offender proves that he acted without any intention of assisting the enemy or, in the case of Regulation 27, of causing any such disaffection, interference or prejudice as is mentioned in that regulation.

A court-martial having jurisdiction to try offences under these regulations shall be a general or district court-martial convened by an officer authorised to convene such description of court-martial within the limits of whose command the offender may for the time being be; but nothing in this regulation shall be construed as authorising a district court-martial to impose a sentence of penal servitude.

Any person tried by court-martial under these regulations shall, for the purposes of the provisions of the Army Act(a) relating to offences, be treated as if he belonged to the unit in whose charge he may be; but no such person shall be liable to summary punishment by a commanding officer.

(a) Army Act, see footnote (a), p. 428.
Trial by Courts-Martial when 5 Geo. 5. c. 34 is suspended. Provisions in force in Ireland only not affecting Courts of Summary Jurisdiction.

(2.) Trials by Courts-Martial when 5 Geo. 5. c. 34 is suspended.

Note.—Section 1(7) of the Defence of the Realm (Amendment) Act, 1915 (5 Geo. 5, c. 34) (which is printed at length pp. 5-8 of the "Defence of the Realm Manual" (May, 1917, Edit.)) is as follows:

"(7) In the event of invasion or other special military emergency arising out of the present war, His Majesty may by Proclamation forthwith suspend the operation of this section, either generally or as respects any area specified in the Proclamation, without prejudice, however, to any proceedings under this section which may be then pending in any civil court."

By Proclamation dated April 26th, 1916 (printed as Statutory Rules and Orders, 1916, No. 256), the operation of section 1 of the Defence of the Realm (Amendment) Act, 1915, was suspended in Ireland.

That Proclamation is now (October 21, 1917) in force, and no other like suspensory Proclamation has been issued.

Consequently Regulations 58A and 58D are now (October 21, 1917) in force throughout Ireland but nowhere else.

Regulations 58A and 58D of the Defence of the Realm Regulations.

58A. Whenever His Majesty by Proclamation suspends the operation of section one of the Defence of the Realm (Amendment) Act, 1915, either generally or as respects any specified area, then, as respects all offences committed against these regulations, or (as the case may be), all such offences committed within the specified area, so much of Regulation 56 as relates to trial by a civil court with a jury, and in particular paragraphs (6) to (10) and (13) thereof, shall, so long as the Proclamation remains in force, cease to have effect, without prejudice however to any proceedings under the said section which may be pending at the date of the issue of such Proclamation, and in lieu of the said paragraphs, the following provision shall have effect:

"If it is determined that the case is to be proceeded with and that the offence is not of such a character as aforesaid, the case may be tried by court-martial, and notwithstanding anything in Regulation 57 a field general court-martial convened by an officer authorized to convene such a court-martial shall have the like jurisdiction to deal with the case as in the last-mentioned regulation is conferred upon a general court-martial."
Trial by Courts-Martial when 5 Geo. 5. c. 34 is suspended. Provisions in force in Ireland only not affecting Courts of Summary Jurisdiction.

58D. Where His Majesty has by Proclamation suspended, either generally or as respects any specified area, the operation of section one of the Defence of the Realm (Amendment) Act, 1915, then any person who is alleged to have committed any offence (whether an offence against these regulations or otherwise) at any place within the United Kingdom or within the specified area, as the case may be, while the Proclamation was in force and while he was subject to military law shall, unless the competent military authority otherwise directs and notwithstanding anything in any Act or law to the contrary, be liable to be tried for the offence by court-martial and not otherwise, and on any such trial the procedure of the court-martial and the punishment to be inflicted in case of conviction shall be as prescribed by the Army Act.(a)

Provided that nothing in this regulation shall be construed as affecting the powers of commanding officers to deal summarily with offences under the Army Act,(a) or of courts of summary jurisdiction to deal with offences punishable on summary conviction.

(a) Army Act.—The Army Act (44 & 55 Vict. c. 58) has been repeatedly amended and has in accordance with s. 8 (2) of the Army Annual Act, 1885 (48 & 49 Vict. c. 8), been printed with the amendments made down to the end of the session 5 & 6 Geo. 5, and such print has been put on sale.

S. 70 (5) of the Army Act was subsequently amended by 6 & 7 Geo. 5. c. 33, by s. 4 of the Army (Annual) Act, 1916 (6 & 7 Geo. 5. c. 5), and by ss. 4, 5 of the Army (Annual) Act, 1917 (7 & 8 Geo. 5. c. 9). See also the Army Transfers Act, 1915 (5 & 6 Geo. 5. c. 43), which as amended by 6 Geo. 5. c. 15, s. 13, amends s. 83 of the Army Act.

S. 8 (3) of the 1885 Act provides that references in any past or future Act to the Army Act shall be construed to refer to the Army Act as so amended.
Aiding and Abetting; Arrest Provisions applying to Offences

Triable Summarily and otherwise.


Note.—The whole of the Defence of the Realm Regulations are as stated p. 5, published as one Consolidated Code. This Part of this Manual contains only those which seem to have relation to
"Food" offences.

(1) Aiding and Abetting.

REGULATION 48 OF THE DEFENCE OF THE REALM REGULATIONS.

This Regulation is printed as now Jan. 31, 1918, in force with the portions recently amended underlined.

48. Any person who attempts to commit, or solicits or incites or endeavours to persuade another person to commit, or procures, aids or abets, or does any act preparatory to, the commission of, any act prohibited by these regulations, or any order, rules, or other instrument made thereunder, or harbours any person whom he knows, or has reasonable grounds for supposing, to have acted in contravention of these regulations, or any order, rules, or other instrument made thereunder, shall be guilty of an offence against these regulations, or, if the act constituted or would have constituted a summary offence against these regulations, of a summary offence against these regulations.

(2) Arrest and Bail.

REGULATION 55 OF THE DEFENCE OF THE REALM REGULATIONS.

55. Any person authorised for the purpose by the competent naval or military authority, (a) or any police constable or officer of customs and excise (b) or aliens officer (c) may arrest without warrant (d) any person whose behaviour is of such a nature as to give reasonable grounds for suspecting that he has acted or is acting or is about to act in a manner prejudicial to the public safety or the defence of the Realm, or upon whom may be found any article, book, letter, or other document, the possession of which gives grounds for such a suspicion, or who is suspected of having committed an offence against these regulations, or of being in possession of any article or document which is being used or intended to be used for any purpose or in any way prejudicial to the public safety or the defence of the Realm; and anything found on any person so arrested which there is reason to suspect is being so

(a) COMPETENT NAVAL OR MILITARY AUTHORITY.—For definition, see footnote (b), p. 412.
(b) OFFICER OF CUSTOMS AND EXCISE.—For definition, see footnote (c), p. 414
(c) ALIENS OFFICER.—For definition, see footnote (d), p. 414.
(d) ARRESTING WITHOUT WARRANT.—Section 27 of the Criminal Justice Administration Act, 1914 (4 & 5 Geo. 5. c. 58) (which section, see s. 42, applies to Scotland, and, see s. 43, to Ireland), provides that where "under any Act whether passed before or after the commencement of this Act there is power
Seizure of Articles; Photographs, &c., and Bail of Arrested Person; Assisting Escape. Provisions applying to Offences
Triable Summarily and otherwise.

used or intended to be used may be seized, and the competent
naval or military authority(a) may order anything so seized to be
destroyed or otherwise disposed of.

Any person so arrested shall, if so ordered by the competent
naval or military authority,(a) or by the chief officer of police(b)
for the district, be photographed and finger-print impressions of
the fingers and thumbs of both of his hands taken,(c) and if any
person refuses to allow such photograph or impressions to be
taken, or obstructs the taking thereof, he shall be guilty of a
summary offence against these regulations:
Provided that—

(a) No photograph of a person so taken shall be published
except for the purpose of tracing that person, nor
shall a copy of any such photograph be shown to any
person except a person officially authorised to see it; and

(b) If the person arrested neither has been nor is subse-
quently convicted of an offence against these regula-
tions, all photographs (both negatives and copies) and
finger-print impressions so taken shall be destroyed
as soon as they are no longer required for the purposes
of these regulations, and in any case forthwith after
the termination of the present war.

On a person being taken into custody under this regulation
he may apply to the competent naval or military authority(a) for
release on bail, and, if the competent naval or military authority
so directs in writing, any officer of police, who under the Summary
Jurisdiction Acts has power to release on bail any person appre-
hended without warrant, may discharge the person so in custody
upon his entering into a recognizance, or, in Scotland, finding
caution, with or without sureties, for a reasonable amount to
appear at such time and place, to be named in the recognizance
or caution, as may be fixed by the competent naval or military
authority.(a) Provided that a person so taken into custody as
having committed a summary offence against these regulations
may be released on bail in manner aforesaid without application
to or direction from the competent naval or military
authority.(a)

If any person assists or connives at the escape of any person
who may be in custody under this regulation, or knowingly-
harbour or assists any person who has so escaped, he shall be
guilty of an offence against these regulations.

(a) COMPETENT NAVAL OR MILITARY AUTHORITY.—For definition, see
footnote (b), p. 412.

(b) CHIEF OFFICER OF POLICE.—Reg. 62 provides as follows:
“"For the purposes of these regulations the expression ‘chief officer of
police' shall include any police officer duly authorised to take the place and
exercise the powers of the chief officer of police during his absence from duty.”

(c) PHOTOGRAPHS AND FINGER PRINTS.—The Regulations under s. 8 of the
Penal Servitude Act, 1891 (54 & 55 Vict. c. 69) as to the photographing and
taking of finger prints of all criminal prisoners are published as follows:—
for England (Reg., June 20, 1896, of Secy. of State) St. R. & O., Revised 1904,
X "Prison, E.,” p. 123.
for Scotland (Reg., August 20, 1904, of Secy. for S.) St. R. & O., 1904, p. 601.
for Ireland (Reg., March 30, 1897, of Lord Lieutenant) St. R. & O., Revised
1904, X "Prison I,” p. 194.
(3.) Assisting Enemy, General Prohibition on.

**Regulation 50 of the Defence of the Realm Regulations.**

50. If any person does any act of such a nature as to be calculated to be prejudicial to the public safety or the defence of the Realm and not specifically provided for in the foregoing regulations, with the intention or for the purpose of assisting the enemy, he shall be deemed to be guilty of an offence against these regulations.**(a)**

(4.) Burden of Proof of Lawful Authority.

**Regulation 58B of the Defence of the Realm Regulations.**

58B. Where under these regulations any act if done without lawful authority or without lawful authority or excuse is an offence against these regulations, the burden of proving that the act was done with lawful authority or with lawful authority or excuse shall rest on the person accused.**(b)**

(5.) False Reports or Statements; Publishing Confidential Information; Falsification; Forgery; Personation.

So much of Regulations 27, 44, and 45 of the Defence of the Realm Regulations as would seem to have any application to contraventions of Food Supply or Production Regulations or Orders.

27. No person shall by word of mouth or in writing or in any newspaper, periodical, book, circular, or other printed publication**(c)**—

**(a)** spread false reports or make false statements; * * * * *(d) and if any person contravenes any of the above provisions he shall be guilty of an offence against these regulations.

**(a)** Punishment for Assisting Enemy.—An offence committed with the intention of assisting the enemy is punishable by death. See Regs. 56A, p. 424, 57, p. 425.

**(b)** "Lawful Authority or Excuse."—The following is a list of those of the Defence of the Realm Regulations affecting Food supply or production and therefore falling within the scope of this Manual which make specific exception of acts done with "lawful authority" or with "lawful authority or excuse":—


Reg. 2N. (Entry on land in possession of Government Department under Regs. 2t, 2m), pp. 260, 273.

Reg. 27. (Possession of prohibited report or statement), p. 431.


Reg. 45 (a). (User or possession of forged permit, &c., p. 432.

Reg. 45 (cc). (Possession of permit, &c., issued to another person), p. 433.

Reg. 45 (d). (Application to premises or articles of Government marks), p. 433.

Reg. 45 (g). (Stating or inducing belief of connection with Government Department), p. 433.

The meaning of the expression "lawful excuse" in s. 7 of the Post Office (Protection) Act, 1884 (47 & 48 Vict. c. 76) (now reproduced *ipsissimis verbis* in s. 65 of the Post Office Act, 1908, 8 Edw. 7. c. 48), was considered in Dickens v. Gill, Law Rep., 1896, 2 Q.B. 310.

**(c)** Powers of Search and Seizure of Type and Plant.—See Reg. 51, 51A, printed at pp. 434, 435.

**(d)** Omitted Words.—The omitted words relate to the spreading of reports causing disaffection or prejudicing military discipline or otherwise providing as to matters outside the scope of this Manual.
Falsification of Reports, &c.; Provisions applying to Offences Triable Summarily and otherwise.

Wrongful possession of prohibited report or statement.

Prohibition on publishing confidential information.

Falsification of report or document.

Forgery; alteration or wrongful user or possession of permit, &c.

Personation of holder of, or false statement to obtain permit, &c.

Destruction or wrongful retainer of permit, &c.

If any person without lawful authority or excuse(a) has in his possession or on premises in his occupation or under his control any document containing a report or statement the publication of which would be a contravention of the foregoing provisions of this regulation, he shall be guilty of an offence against these regulations, unless he proves that he did not know and had no reason to suspect that the document contained any such report or statement, or that he had no intention of transmitting or circulating the document or distributing copies thereof to or amongst other persons.(b)

274. * * * *(c)

It shall not be lawful for any person * * *(c) without lawful authority(a) to publish the contents of any confidential document belonging to, or any confidential information obtained from, any Government department, or any person in the service of His Majesty.

If any person contravenes any provision of this regulation he shall be guilty of an offence against these regulations.

44. If any person, verbally or in writing, in any report, return, declaration, or application, or in any document signed by him or on his behalf of which it is his duty to ascertain the accuracy, knowingly makes or connives at the making of any false statement or any omission, with intent to mislead any officer, or other person acting under the orders of any officer, in the execution of his duties, he shall be guilty of an offence against these regulations.

45. If any person—

(a) forges, alters, or tampers with any naval, military, police, or official pass, permit, certificate licence or other document or any passport, or without lawful authority(a) uses or has in his possession any such forged, altered, or irregular pass, permit, certificate, licence, or other document or passport; or

(b) personates, or falsely represents himself to be or not to be, a person to whom such a pass, permit, certificate, licence, or other document or passport has been duly issued, or with intent to obtain any such pass, permit, certificate, licence or other document or passport, whether for himself or for any other person, knowingly makes any false statement; or

(c) destroys, makes away with, or by wilful neglect loses any such pass, permit, certificate, licence, or other document or passport, or retains it when he has no right to retain it, or when it is contrary to his duty to retain it, or fails to comply with any directions issued by lawful authority with regard to the return thereof; or

(a) "LAWFUL AUTHORITY OR EXCUSE."—See Reg. 58b, p. 431.


(c) OMITTED WORDS.—These prohibit reports of proceedings at secret sessions of Parliament and reports of Cabinet meetings and are omitted as outside the scope of this Manual.
(cc) allows any other person to have possession of any such pass, permit, certificate, licence, or passport issued for his use alone, or without lawful authority(a) has in his possession any such pass, permit, certificate, licence, or passport issued for the use of some person other than himself, or on obtaining possession of any such pass, permit, certificate, licence, or passport, by finding or otherwise, neglects or fails to restore it to the person or authority by whom or for whose use it was issued or to a police constable; or

(d) without lawful authority(a) applies to any vessel, building, structure, premises, vehicle or other article, any * * * * *(b) lights, letters, colours, or marks, calculated to lead to the belief that the vessel, building, structure, premises, vehicle or article, is the property or is being used for the service of His Majesty or any Government Department; or removes, defaces, alters or adds to any such lights, letters, colours, or marks which have been lawfully so applied; or

* * * * * * * * * *(b)

(g) personates or falsely represents himself to be a person in the employment of or as acting for or on behalf of His Majesty or any Government Department, or the government of any of His Majesty’s Dominions or any foreign government; or, without lawful authority or excuse, makes any statement or does any act or thing calculated to induce the belief that he is in any way connected with any Government Department or the government of any of His Majesty’s Dominions or any foreign government; or

(h) makes any statement or does any act intended or calculated to mislead or deceive any person in the employment of or acting for or on behalf of His Majesty or any Government Department, or the Government of any of His Majesty’s Dominions or the Government of any Allied State as to the quantity or quality of any war material or other goods, or otherwise in relation to the manufacture, testing or supply thereof, or with the like intent withholds any information in his possession;

he shall be guilty of an offence against these regulations.

(6.) Liability of Directors and Officers.

48A. Where the person guilty of an offence or a summary offence against these regulations is a corporation or company every director and officer of the corporation or company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.

(a) "Lawful Authority."—See Reg. 58B, p. 431.
(b) Omitted Words.—The words omitted in paragraph (d), and the whole of paragraphs (e), (f), are confined to naval and military matters and are therefore omitted as outside the scope of this Manual.
Obstruction of Officers; Public Duties; Search and Seizure; Interrogation. Provisions applying to Offences Triable Summarily and otherwise.

(7.) Obstruction of Officers.

Regulation 43 of the Defence of the Realm Regulations.

43. No person shall obstruct, knowingly mislead, or otherwise interfere with or impede, or withhold any information in his possession which he may reasonably be required to furnish from, any officer or other person who is carrying out the orders of the competent naval or military authority(a) or who is otherwise acting in accordance with his duty under these regulations, and if he does so shall be guilty of an offence against these regulations.

(8.) Public Duties.

Regulations 47, 48 of the Defence of the Realm Regulations.

47. It shall be the duty of every person affected by any order issued by the competent naval or military authority(a) or other person in pursuance of these regulations to comply with that order, and if he fails to do so he shall be guilty of an offence against these regulations.

49. It shall be the duty of any person who knows or has good reason for believing that some other person is acting in contravention of any provisions of these regulations to inform the competent naval or military authority(a) of the fact, and if he fails to do so he shall be guilty of an offence against these regulations.

(9.) Search and Seizure; Interrogation.

Regulations 51, 51A, 52 and 53 of the Defence of the Realm Regulations.

51. The competent naval or military authority,(a) or any person duly authorised by him or any police constable may, if he has reason to suspect that any house, building, land, vehicle, vessel, aircraft, or other premises or any things therein are being or have been constructed used or kept for any purpose or in any way prejudicial to the public safety or the defence of the Realm, or that an offence against these regulations is being or has been committed thereon or therein, enter, if need be by force, the house, building, land, vehicle, vessel, aircraft, or premises at any time of the day or night, and examine, search, and inspect the same or any part thereof, and may seize anything found therein which he has reason to suspect is being used or intended to be used for any such purpose as aforesaid, or is being kept or used in contravention of these regulations (including, where a report or statement in contravention of Regulation 27 or Regulation 27A(b) has appeared in any newspaper or other printed publication, or where a leaflet has been printed in contravention of Regulation 27C(c) any type or other plant used or capable of being used for

(a) Competent Naval or Military Authority.—For definition see footnote (b), p. 412.

(b) Regs. 27, 27A.—These relate to the spreading of false or prejudicial reports, publication of confidential information, &c., and so far as appearing to apply to “food” offences are printed pp. 431, 432 above.

(c) Reg. 27C.—This relates to peace propagandist, &c. leaflets, and is omitted from this Manual as not appearing to be within its scope.
Search for and Seizure of Prohibited Documents. Provisions applying to Offences Triable Summarily and otherwise.

the printing or production of the newspaper or other publication or of the leaflet), and the competent naval or military authority, (a) with the consent of the Admiralty or Army Council, or a chief officer of police with the consent of a Secretary of State, the Secretary for Scotland, or the Chief Secretary in Ireland (as the case may be), may order anything so seized to be destroyed or otherwise disposed of.

51A. If a justice of the peace is satisfied by information in writing upon oath laid before him by a competent naval or military authority (a) or any person duly authorised by him, or by an officer of police of a rank not below that of inspector, that any document containing any information, report or statement, the publication whereof would be an offence against Regulation 18(b) or Regulation 27 or Regulation 27A, (c) is about to be issued for publication or dispersion from, or that copies thereof are upon, any premises, or that preparations are being made on any such premises for the publication of any such information, report, or statement, the justice may issue a warrant authorising a constable to enter, at any time, and if need be by force, and search the premises and to seize any such document, and any written or printed copies thereof, and any type or other appliance which has been or is being used or is intended to be used or is in a condition adapted for use in the production of such copies and bring them before a court of summary jurisdiction.

The court before which they are brought may issue a summons calling upon the owner to show cause why the articles so seized should not be destroyed, and if he does not appear in obedience to the summons, or if upon appearance he does not satisfy the court that the articles in question are not of such a character or so adapted as in this regulation herein-before mentioned, the court may order them to be destroyed or otherwise disposed of, and in any other case shall order them to be restored after the expiration of seven clear days to the owner. (d)

For the purposes of this regulation a summons shall be deemed to be duly served if addressed to the owner of the articles without further name or description, and left at or sent by registered post to the premises on which the articles were seized.

(a) Competent Naval or Military Authority.—For definition see footnote (b), p 412.
(b) Reg. 18.—This relates to obtaining and communicating naval and military information, and does not fall within the scope of this Manual.
(c) Regs. 27, 27A.—These which relate to the spreading of false reports, and the publication of confidential information, are so far as within the scope of this Manual printed pp. 431, 432.
Stoppage, Search and Seizure of Vehicles; Questioning. Provisions applying to Offences Triable Summarily and otherwise.

If any person feels aggrieved by an order made in pursuance of this regulation he may appeal to quarter sessions, or in Scotland under and in terms of the Summary Jurisdiction (Scotland) Acts,(a) or in Ireland in manner provided by the Summary Jurisdiction (Ireland) Acts.(b)

If in the course of any proceedings under this regulation application is made by or on behalf of the informant that in the public interest all or any portion of the public should be excluded during any part of the hearing, the court may make an order to that effect.(c)

In the application of this regulation to Scotland, "the sheriff" shall be substituted for "a justice of the peace" and "the justice": "order" shall be substituted for "summons," and any such order may be applied for at the instance of the procurator-fiscal, who shall arrange for the service thereof.

### 52. Power to stop and search vehicles.

Any officer, or any soldier or sailor engaged on sentry patrol or other similar duty, and any police officer, may stop any vehicle travelling along any public highway, and, if he has reason to suspect that the vehicle is being used for any purpose or in any way prejudicial to the public safety or the defence of the Realm, may search and seize the vehicle and seize anything found therein which he has reason to suspect is being used or intended to be used for any such purpose as aforesaid.

### 58. Powers of questioning.

It shall be the duty of any person, if so required by an officer, or by a soldier or sailor engaged on sentry patrol or other similar duty, or by a police constable, to stop and answer to the best of his ability and knowledge any questions which may be reasonably addressed to him, and if he refuses or fails to do so he shall be guilty of an offence against these regulations.(d)

The competent naval or military authority(e) may by order require any person or persons of any class or description to furnish him, either verbally or in writing, with such information as may be specified in the order, and the order may require any person to attend at such time and such place as may be specified in the order for the purpose of furnishing such information, and if any person fails to comply with the order he shall be guilty of an offence against these regulations.

(a) Appeal in Scotland.—See footnote (a) to Reg. 58, p. 417.  
(b) Appeal in Ireland.—See footnote (b) to Reg. 58, p. 417.  
(c) Hearing in Camera.—Reg. 58, p. 417, makes general provision for the exclusion on application by the prosecution of all or any portion of the public during any part of the hearing of any proceedings before a court of summary jurisdiction or on appeal.  
(d) Maximum Penalty under Reg. 53.—No sentence exceeding six months imprisonment with hard labour can be imposed for a contravention of Reg. 53 if the offender proves that he acted without any intention of assisting the enemy See Reg. 57, p. 426.  
(e) Competent Naval or Military Authority. For definition see footnote (b), p. 412.
PART X.

PROOF AND CONSTRUCTION OF AND OTHER PROVISIONS AS TO FOOD REGULATIONS, ORDERS AND DOCUMENTS.

1. Proof of Regulations, Orders and Documents, p. 437.


1. Proof of Regulations, Orders and Documents.

The Documentary Evidence Acts, so far as relating to proof of Orders affecting Food Supply and Production.

EXTRACTS FROM SS. 2, 5 AND SCH. OF DOCUMENTARY EVIDENCE ACT, 1868 (31 & 32 VICT., C. 37), AS AMENDED BY THE DOCUMENTARY EVIDENCE ACT, 1882 (45 & 46 VICT., C. 9) AND APPLIED BY THE ENACTMENTS MENTIONED IN THE 1ST COLUMN OF THE SCHEDULE AS HERE PRINTED.

[Only that portion of these Acts which relates to the alternative modes of proving the Orders and Rules of which the text is comprised or to which references are made in this Manual is here printed and is so printed in the form which it appears now to assume.]

2. Primâ facie evidence of any proclamation order or regulation issued by His Majesty, or by the Privy Council or by the Lord Lieutenant also of any order or regulations issued by or under the authority of any such department of the Government or officer as is mentioned in the first column of the schedule hereto, may be given in all courts of justice, and in all legal proceedings whatsoever, in all or any of the modes hereinafter mentioned; that is to say:

(1) By the production of a copy of the Gazette purporting to contain such proclamation order or regulation.

(2) By the production of a copy of such proclamation, order or regulation, purporting to be printed under the authority of His Majesty's Stationery Office.

(3) By the production, in the case of any proclamation order or regulation issued by His Majesty or by the Privy Council or by the Lord Lieutenant of a copy

(a) DOCUMENTS OTHER THAN ORDERS OR REGULATIONS.—In the case of each Department marked "(a)" in the Schedule the enactments mentioned in the first column provide that the word "Regulations" in the Documentary Evidence Acts includes any documents issued by the Department.

(b) UNNECESSARY GAZETTING.—One of the objects of the Rules Publication Act, 1893, was to avoid duplicate printing and unnecessary gazetting (see s. 3 (3) thereof), and accordingly none of the Orders of the Food Controller have been gazetted.
Evidence of Food Supply and Production Orders, &c.

or extract purporting to be certified to be true by the clerk of the Privy Council, or by any one of the lords or others of the Privy Council (or of the Privy Council in Ireland as the case may be) and, in the case of any . . . order or regulation(a) issued by or under the authority of any of the said departments or officers, by the production of a copy or extract purporting to be certified to be true by the person or persons specified in the second column of the said schedule in connection with such department or officer.

Any copy or extract made in pursuance of this last provision may be in print or in writing, or partly in print and partly in writing.

No proof shall be required of the handwriting or official position of any person certifying, in pursuance of this Act, to the truth of any copy of or extract from any proclamation order or regulation.(a)

5. . . . "Gazette" shall include the London Gazette, the Edinburgh Gazette, and the Dublin Gazette, or any of such Gazettes.

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<td>Names of Certifying Officers.</td>
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<td>The Treasury.</td>
<td>Any Commissioner, Secretary, or Assistant Secretary of the Treasury.</td>
</tr>
<tr>
<td>The Admiralty.</td>
<td>Any of the Commissioners for executing the office of Lord High Admiral or either of the Secretaries to the said Commissioners.</td>
</tr>
<tr>
<td>The Army Council. [Evidence (Amtd.) Act, 1915, 5 &amp; 6 Geo. 5. c. 94, s. 5.]</td>
<td>Two members of the Army Council, or the Secretary to the Army Council, or any person authorised by the Army Council to act on their behalf.</td>
</tr>
<tr>
<td>(a) The Minister of Munitions. [Munitions of War Act, 1915, 5 &amp; 6 Geo. 5. c. 54, s. 18.]</td>
<td>The Minister of Munitions or a Secretary in the Ministry or any person authorised by the Minister to act on his behalf.</td>
</tr>
</tbody>
</table>

(a) DOCUMENTS OTHER THAN ORDERS OR REGULATIONS.—In the case of each Department marked "(a)" in the Schedule the enactments mentioned in the first column provide that the word "Regulations" in the Documentary Evidence Acts includes any documents issued by the Department.
### Column 1.

<table>
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<td>The Secretary of State.</td>
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<tr>
<td>The Secretary for Scotland.</td>
</tr>
<tr>
<td>[Evidence (Amdt.) Act, 1915, 5 &amp; 6 Geo. 5. c. 94, s. 5.]</td>
</tr>
<tr>
<td>The Board of Trade.</td>
</tr>
<tr>
<td>(b) The Local Government Board.</td>
</tr>
<tr>
<td>[Local Government Board Act, 1871, 34 &amp; 35 Vict. c. 70.]</td>
</tr>
<tr>
<td>The Local Government Board for Ireland.</td>
</tr>
<tr>
<td>[Evidence (Amdt.) Act, 1915, 5 &amp; 6 Geo. 5. c. 94, s. 5.]</td>
</tr>
<tr>
<td>(a) The Board of Agriculture and Fisheries.</td>
</tr>
<tr>
<td>[Documentary Evidence Act, 1885 58 &amp; 59 Vict. c. 9, t.]</td>
</tr>
<tr>
<td>(a) Department of Agriculture and Technical Instruction for Ireland.</td>
</tr>
<tr>
<td>[Agriculture and Technical Instruction (L.) Act, 1899, 62 &amp; 63 Vict. c. 50, s. 21 (3).]</td>
</tr>
<tr>
<td>(a) The Food Controller.</td>
</tr>
<tr>
<td>[New Ministries and Secretaries Act, 1916, 6 &amp; 7 Geo. 5. c. 68, s. 4.]</td>
</tr>
</tbody>
</table>

### Column 2.

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</thead>
<tbody>
<tr>
<td>Any Secretary or Under-Secretary of State.</td>
</tr>
<tr>
<td>The Secretary for Scotland, or an Under-Secretary, or Assistant Under-Secretary for Scotland.</td>
</tr>
<tr>
<td>Any member of the Committee of Privy Council for Trade, or any Secretary or Assistant Secretary of the said Committee.</td>
</tr>
<tr>
<td>The President, or any Member of the Local Government Board, or any Secretary, or Assistant Secretary of the said Board.</td>
</tr>
<tr>
<td>A Commissioner of the Local Government Board for Ireland or a Secretary or Assistant Secretary of the said Board.</td>
</tr>
<tr>
<td>The President or any Member of the Board, or the Secretary of the Board or any person authorised by the President to act on behalf of the Secretary of the Board.</td>
</tr>
<tr>
<td>A Member of the Department, or the Secretary of the Department, or any person authorised by the Department to act on behalf of the Secretary of the Department.</td>
</tr>
<tr>
<td>The Food Minister, a Secretary of the Food Ministry, or any person authorised by the Food Controller to act on his behalf.</td>
</tr>
</tbody>
</table>

(a) **DOCUMENTS OTHER THAN ORDERS OR REGULATIONS.**—In the case of each Department marked "(a)" in the Schedule the enactments mentioned in the first column provide that the word "Regulations" in the Documentary Evidence Acts includes any documents issued by the Department.

(b) **ORDERS OF THE LOCAL GOVERNMENT BOARD.**—S. 12 of the Local Government (Emergency Provisions) Act, 1916 (6 & 7 Geo. 5. c. 12), ss. 12 (1), 24 (2), provide that during the continuance of the War and a period thereafter a letter signed by a Secretary or Assistant Secretary of the Board shall be as valid in all respects and for the purposes of the Documentary Evidence Acts have the same effect as a sanctioning, assenting or directing Order of the Board.
2. Construction of Regulations and Orders.

63. * * * * * * * * * *

The Interpretation Act, 1889, applies for the purpose of the interpretation of these regulations and of orders and rules made thereunder, in like manner as it applies for the purpose of the interpretation of an Act of Parliament and as if these regulations were an Act of Parliament.(a)

64. Where by any Order in Council for the time being in force, any regulations or words are directed to be added to or omitted from these regulations, or to be substituted for any other regulations or words in these regulations, then copies of these regulations printed under the authority of His Majesty's Stationery Office after such direction takes effect may be printed with the regulations or words added or omitted or substituted for other regulations or words as such direction requires, and with the regulations and paragraphs thereof numbered in accordance with such direction; and these regulations shall be construed as if they had, at the time at which such direction takes effect, been made with such addition, omission, or substitution.(b)

65. A reference in any Order in Council or other document to the Defence of the Realm (Consolidation) Regulations, 1914, or to the Defence of the Realm Regulations, or to any of them, shall, unless the context otherwise requires, be construed to refer to these regulations as amended by any Order in Council for the time being in force.

(a) Construction of Regulations and of Orders thereunder.—The effect of Reg. 63 would appear to be that:

(1) In the Regulations themselves all expressions defined by the Interpretation Act (52 & 53 Vict. c. 63), though not occurring in the Defence of the Realm Acts have the respective meanings so given to them and all the rules of construction laid down by that Act for the construction of Acts of Parliament apply to the construction of the Regulations;

(2) In an Order under the Regulations expressions occurring both in the Order and in the empowering Regulations have the same meaning as they have in the empowering Regulations (see s. 31 of the Interpretation Act);

(3) But both as regards the Regulations and the Orders thereunder such interpretation is excluded by anything in the Regulation or Order importing "a contrary intention." (See the provision to this effect which occurs throughout the Interpretation Act.)

Many of the Enactments, Regulations, and Orders relating to Food Supply and Production, and therefore printed in this Manual, contain definitions of words and expressions therein occurring: direct reference to each of such definitions is given in the Analytical Index at the end of this Manual under the name of each word or expression so defined.

(b) Printing of Regulations as Amended.—In accordance with Regulation 64:

(i) Such of the Defence of the Realm Regulations as fall within the scope of this Food Manual are herein printed as amended:

66. The fact that any regulation or provision of a regulation is, or has been, revoked or superseded by any subsequent regulation shall not affect, and shall be deemed not to have affected, the previous operation of any regulation or provision so revoked or superseded, or the validity of any action taken under any such regulations or provision, or any penalty or punishment incurred in respect of any contravention or failure to comply with any such regulation or provision, or any proceeding or remedy in respect of any such penalty or punishment. (a)

(a) PARALLEL PROVISION.—A clause to the like effect of Reg. 66 forms Art. 9 of the Order in Council of Nov. 6th, 1916 (St. R. & O., 1916, No. 764) amending the Aliens Restriction Order (St. R. & O., 1916, No. 122).

REGULATIONS 60 AND 61 OF THE DEFENCE OF THE REALM REGULATIONS so far as applying to FOOD ORDERS AND NOTICES.

60. The competent naval or military authority, (a) or any other person by whom an order is made in pursuance of these regulations, shall publish notice of the order in such manner as he may consider best adapted for informing persons affected by the order, and no person shall without lawful authority deface or otherwise tamper with any notice posted up in pursuance of these regulations, or any other notice, advertisement or placard, relating to any of His Majesty's forces or any naval or military matters exhibited or posted up under lawful authority, and if he does so shall be guilty of an offence against these regulations. (b)

61. Any person claiming to act under any permit or permission granted under or for the purposes of these regulations shall, if at any time he is required to do so by the competent naval or military authority (a) or any person authorised by him, or by any naval or military officer, or by any sailor or soldier engaged on sentry patrol or other similar duty, or by any officer of customs and excise, officer or police or aliens' officer, produce the permit or permission for inspection, and if he refuses to do so he shall be guilty of an offence against these regulations. (b)

Any permit or permission granted under or for the purposes of any provision of these regulations may at any time be revoked.

(a) COMPETENT NAVAL OR MILITARY AUTHORITY.—For definition, see footnote (b), p. 412.

(b) MAXIMUM PENALTY UNDER REGS. 60 OR 61.—No sentence exceeding 6 months imprisonment with hard labour can be imposed for a contravention of Reg. 60 or Reg. 61 if the offender proves that he acted without any intention of assisting the enemy. See Reg. 57, p. 426.
PART XI.
RELIEF FROM LIABILITY UNDER CONTRACTS AFFECTED BY DEPARTMENTS’ REQUIREMENTS OR RESTRICTIONS. (a)

[This part of the Manual comprises section 1 (2) of the Defence of the Realm (Amendment) (No. 2) Act, 1915, reproduced as amended and sections 1 (2) (3), 2, 3 of the Courts (Emergency Powers) Act, 1917. Various Orders of the Food Controller provide when contracts shall stand and when they shall be avoided. Such provisions of such contracts are capitulated under the heading “Contracts” in the Index to this Manual.

As to the effect of the Output of Beer (Restriction) Acts on contracts see section 4 of the 1916 Act, printed in Appendix V., p. 472.

Regulation 28x (2) of the Defence of the Realm Regulations (p. 316) provides that a contract of tenancy shall not operate so as to interfere with the reduction of acreage under hops in England and Wales, and Regulation 2m (10) (p. 352) allows the “making muirburn” in Scotland where the same would be otherwise in contravention of a contract affecting land.

Alexander Pulling.]

1. Powers of Court to Suspend or Annul any such Contracts, p. 443.
2. Relief from certain Liabilities arising from Contract of Tenancy, p. 444.

1. Powers of Court to Suspend or Annul any such Contracts.

Section 1 (2) (3) of the Courts (Emergency Powers) Act, 1917 (7 & 8 Geo. 5, c. 25).

[Section 1 (1) relates solely to contracts for the construction of or for the supply of materials for, building work; as to that sub-section see Appendix VI. “3 (2) Suspension of Building Contract.”

1.—(2) Where, upon an application by any party to any contract whatsoever, the court is satisfied that, owing to any restriction or direction imposed or given by or in pursuance of any enactment relating to the defence of the realm or any regulation made thereunder, or owing to the acquisition or user

(a) Contract by Member of House of Commons as to Price for Requisitioned Property.—See Appendix VII, “(2.) Relief from Disqualification for Membership of House of Commons as regards certain Contracts,” p. 511.
by or on behalf of the Crown for the purposes of the present war of any ship or other property, any term of the contract cannot be enforced without serious hardship, the court may, after considering the circumstances of the case and the position of the parties to the contract and any offer which may have been made by any party for the variation of the contract, suspend or annul the contract or stay any proceedings for the enforcement of the contract or any term thereof or any rights arising thereunder on such conditions (if any) as the court may think fit.

This subsection shall apply to any obligation relating to the supply of water, heat, light, traction or power arising under any Act of Parliament, or order having the force of an Act of Parliament, in like manner as it applies to a contract, except that it shall not be lawful for the court to annul any such obligation.

(3) This section shall be construed as one with the Courts (Emergency Powers) Act, 1914.

2. Relief from certain Liabilities arising from Contract of Tenancy.

Section 2 of the Courts (Emergency Powers) Act, 1917 (7 & 8 Geo. 5, c. 25).

2. Where, by virtue of any contract of tenancy, any person is bound to do or abstain from doing or is under any liability if he abstains from doing or does any act or thing, and by virtue of any enactment relating to the defence of the realm or any regulation made thereunder the doing of such act or thing is wholly or partially restricted or ordered, he shall not, during the continuance of the contract or on or after the termination thereof, be liable to any mandatory order or any injunction or interdict in respect of such act or thing, or be liable to pay any sum of money or incur any forfeiture or other penalty in respect of the failure to do or the doing of such act or thing, if and in so far as the failure to do or the doing of such act or thing is attributable to compliance with such restriction or order as aforesaid:

Provided that the relief afforded by this provision from the obligation to do any such act or thing in consequence of such a restriction as aforesaid shall be subject to the following provisions:—

(a) If the restriction is removed during the currency of the contract the obligation shall be fulfilled as soon as may be after the restriction is removed;

(b) If the restriction has not been removed before the termination of the contract the person to whom the relief is given shall be liable to pay as damages a sum not exceeding the expenditure (if any) which would have been entailed by the fulfilment of the obligation.
3. Relief from Liability when fulfilment of Contract is interfered with by action of Government Department.

(1) Interference with any Contract by certain Departments.

Section 1 (2) of the Defence of the Realm (Amendment) (No. 2) Act, 1915 (5 Geo. 5, c. 37), reproduced as amended by Article 3 of the Ministry of Munitions Order, 1915, and by the Food Controller (Concurrent Powers) Order, 1917.

It is hereby declared that where the fulfilment by any person of any contract is interfered with by the necessity on the part of himself or any other person of complying with any requirement, regulation, or restriction of the Admiralty or the Army Council or the Minister of Munitions or the Food Controller(a) under the Defence of the Realm Consolidation Act, 1914, or this Act, or any regulations made thereunder, that necessity is a good defence to any action or proceedings taken against that person in respect of the non-fulfilment of the contract so far as it is due to that interference.

(2) Interference with Contract other than of Tenancy by any Department.

Section 3 of the Courts (Emergency Powers) Act, 1917 (7 & 8 Geo. 5, c. 25).

3. Where, before or after the passing of this Act, the non-fulfilment of any contract (not being a contract of tenancy) was or is due to the compliance on the part of any person with any requirement, regulation, order, or restriction of any Government

(a) Amendments made in Sub-section 1 (2).—The sub-section as enacted by Parliament specified only the Admiralty or the Army Council. Art. 3 of the Ministry of Munitions Order, 1915 (printed as St. R. & O., 1915, No. 580, and also p. 326 of Supplement No. 4 to the "Manual of Emergency Legislation"), provides that the sub-section for the purpose of giving the Minister of Munitions concurrent powers under the sub-section shall be read as if in addition to the Admiralty or Army Council the Minister of Munitions were also specified.

The Food Controller (Concurrent Powers) Order, 1917 (printed as St. R. & O., 1917, No. 124, and also p. 18 of the May, 1917 Edition of the Food Supply Manual), provides that for the purpose of giving the Food Controller concurrent powers under the sub-section, that sub-section shall be read as if the Food Controller were specified therein in addition to the Admiralty as Army Council.
Relief from Liability when fulfilment of Contract is interfered with by action of Government Department.

department or of a competent naval or military authority(a) made, issued, given or imposed for purposes connected with the present war, or with any direction or advice issued or given by any Government department with the object of preventing transactions which, in the opinion of the department, would or might be contrary to national interests in connection with the present war, proof of that fact shall be a good defence to any action or proceeding in respect of the non-fulfilment of the contract. A certificate by the appropriate Government department shall be sufficient evidence that such direction or advice was issued or given and with such object as aforesaid.

(a) Competent Naval or Military Authority.—For definition see footnote (b), p. 412.
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BY THE KING.

A PROCLAMATION.

GEORGE R.I.

We, being persuaded that the abstention from all unnecessary consumption of grain will furnish the surest and most effectual means of defeating the devices of Our enemies and thereby of bringing the war to a speedy and successful termination, and out of Our resolve to leave nothing undone which can contribute to these ends or to the welfare of Our people in these times of grave stress and anxiety, have thought fit, by and with the advice of Our Privy Council, to issue this Our Royal Proclamation, most earnestly exhorting and charging all those of Our loving subjects the men and women of Our realm who have the means of procuring articles of food other than wheaten corn, as they tender their own immediate interests, and feel for the wants of others, especially to practise the greatest economy and frugality in the use of every species of grain: And We do for this purpose more particularly exhort and charge all heads of households to reduce the consumption of bread in their respective families by at least one-fourth of the quantity consumed in ordinary times; to abstain from the use of flour in pastry, and, moreover, carefully to restrict or wherever possible to abandon the use thereof in all other articles than bread: And We do also, in like manner, exhort and charge all persons who keep horses to abandon the practice of feeding the same on oats or other grain, unless they shall have received from Our Food Controller a licence to feed horses on oats or other grain to be given only in cases where it is necessary to do so with a view to maintain the breed of horses in the national interest: And We do hereby further charge and enjoin all Ministers of Religion in their respective churches and chapels within Our United Kingdom of Great Britain and Ireland to read, or cause to be read, this Our Proclamation on the Lord's Day, for four successive weeks after the issue thereof.

Given at Our Court at Buckingham Palace, this Second day of May, in the year of our Lord one thousand nine hundred and seventeen, and in the Seventh year of Our Reign.

GOD SAVE THE KING.
APPENDIX II.

DIETARIES OF INSTITUTIONS AND PRISONS.

The following is a summary of Rules and Orders and Departmental Circulars of a general character which have been issued providing for such alterations in the Dietaries of Institutions and Prisons as to the Maintenance of the Food Supply of the country may make necessary.

1. Industrial and Reformatory Schools, p. 450.
2. Inebriates, Institutions for, p. 450.
5. Prisons, p. 452.

1. Industrial and Reformatory Schools.

A. IN ENGLAND AND WALES.

Circular letters, dated March 9th, 1917, as to economy in the use of bread, and October 15th, 1917, as to economy in the use of tea were sent by the Home Office to the Correspondents of Reformatory and Industrial Schools.

B. IN SCOTLAND.

A Circular letter, dated March 31st, 1917, as to the securing of economy in the use of food was sent by the Scottish Office to the Correspondents of Reformatory and Industrial Schools.

2. Inebriates, Institutions for.

A. IN ENGLAND AND WALES.

The Rule dated April 21, 1917, specified under 5a (Prisons) below, applies also to the State Inebriate Reformatory for females at Aylesbury.

A letter, dated March 12th, 1917, urging economy in the use of bread was sent by the Home Office to the Managers of the Brentry, near Bristol, and Langho, near Blackburn, Certified Inebriate Reformatories.

B. IN SCOTLAND.

A Rule, dated May 25, 1917 (Statutory Rules and Orders, 1917, No. 842) provides that:

"All inmates of State Inebriate Reformatories in Scotland shall be supplied with a sufficient quantity of plain and wholesome food in accordance with such dietary rates as may from time to time be submitted by the Prison Commissioners for Scotland and approved by the Secretary for Scotland."

[This Rule suspends the Regulations made March 9, 1900 (printed Statutory Rules and Orders Revised, 1904, "Inebriate," p. 68), relating to dietaries for inmates of State Inebriate Reformatories in Scotland.]
3. Lunatics and Mental Defectives, Institutions for.

**IN ENGLAND AND WALES.**

For the framing of dietaries the Authorities and Managers of the various Institutions are primarily responsible, but the Board of Control have been in frequent communication with such Authorities with the object of bringing the dietaries within the Food Controller's scale.

4. Poor Law Institutions.

A. **IN ENGLAND AND WALES.**

On February 28th, 1917, the Local Government Board directed by Circular Letter (which under section 12 of the Local Government (Emergency Provisions) Act, 1916 (6 & 7 Geo. 5, c. 12), has the same effect as an Order of the Board) that no Dietary Tables which admit of an average consumption in excess of the Food Controller's scale shall remain in force after the 31st March.

This direction applies to all Poor Law Institutions except those provided exclusively for:

(a) children; or
(b) persons suffering from disease of body or mind.

The Circular also provides for the securing of economy in the dietaries of children, the sick, casual paupers, and as regards outdoor relief.

B. **IN SCOTLAND.**

A Circular Letter, dated March 21st, 1917, was sent by the Local Government Board for Scotland to the secretary of each Poorhouse directing the revision of the dietary for Poorhouse Inmates in accordance with the Food Controller's scale.

C. **IN IRELAND.**

An Order, dated August 2, 1917 (Statutory Rules and Orders, 1917, No. 876) provides that:

"The dietaries for healthy inmates of the Workhouse, and for patients in the Workhouse Infirmary and Fever Hospital, shall be at all times such as the Local Government Board for Ireland may approve or direct."


A number of Orders made in May and June, 1917 (not printed as Statutory Rules and Orders on account of their purely local character) fixed the maximum rations to be allowed to the Workhouse Officers of particular Unions.
Dietaries for Prisons.

5. Prisons.

A. In England and Wales.

Rules, dated April 21, 1917 (Statutory Rules and Orders, 1917, No. 395) provide that:

"All prisoners in Local Prisons and in Convict Prisons shall be supplied with a sufficient quantity of plain and wholesome food in accordance with such dietary tables as may from time to time be submitted by the Prison Commissioners and approved by the Secretary of State."


B. In Scotland.

A Rule, dated May 25, 1917 (Statutory Rules and Orders, 1917, No. 842) provides that:

"All persons confined in Prisons in Scotland shall be supplied with a sufficient quantity of plain and wholesome food in accordance with such dietary rates as may from time to time be submitted by the Prison Commissioners for Scotland and approved by the Secretary for Scotland."


C. In Ireland.

Rules, dated November 26, 1917, which come into force after laying before Parliament for 40 days, provide that:

"All prisoners in Ordinary Prisons and in Convict Prisons shall be supplied with a sufficient quantity of plain and wholesome food in accordance with such dietary tables as may from time to time be submitted by the General Prisons Board and approved by the Lord Lieutenant."

APPENDIX III.

MAINTENANCE OF LIVE STOCK ACT AND ORDERS. (a)

2. Order as to England and Wales, p. 455.
3. Order as to Scotland, p. 457.
4. Orders as to Ireland, p. 459.


An Act to make provision for securing the Maintenance of a sufficient Stock of Cattle, Sheep, and Swine, and for purposes connected therewith.

[29th July, 1915.]

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) The Board of Agriculture and Fisheries (b) may, for the purpose of maintaining a sufficient stock of animals to which this Act applies, by order applicable to England and Wales or any part thereof (c)—

(a) prohibit or restrict the slaughter of animals except male lambs;
(b) prohibit or restrict the sale or exposure for sale of meat of immature animals which has not been imported;
(c) authorise any local authority specified in the order to execute and enforce within their district all or any of the provisions of the order, and provide for the manner in which the expenses incurred by the authority are to be defrayed;
(d) authorise any officer of the Board or of a local authority to enter any slaughter-house or other premises on which animals are slaughtered for human food and examine any animals or carcases therein;
(e) prohibit or restrict the movement of animals out of any area in which the slaughter of such animals is prohibited or restricted;
(f) authorise or require the marking of animals for the purposes of an order under this Act;
(g) revoke, extend, or vary any order so made.

(2) The animals to which this Act applies are cattle, sheep, and swine.

(a) Food Controller's Order.—See now the Live Stock (Restriction of Slaughter) Order, 1917, made by the Food Controller embodying the restrictions on the slaughter of pregnant animals. That Order will be printed in the new Edition of Part II of this Manual referred to in Section II 3 of the Introductory Note.

(b) Board of Agriculture and Fisheries.—As to constitution, etc., of Board see par. (4) of Introductory Note (p. 258) to Part V. of this Manual.

(c) Order as to England and Wales.—Printed (as "2") in this Appendix.
2. If any person acts in contravention of or fails to comply with any of the provisions of an order made under this Act, or with a view to evade the operation of any such order marks or alters or obliterates a mark on any animal, or obstructs or impedes any officer in the execution of his powers or duties under any such order, he shall, on conviction under the Summary Jurisdiction Acts, (a) be liable to a fine not exceeding twenty pounds, or if the offence is an offence committed with respect to more than four animals to a fine not exceeding five pounds for each animal.

3.—(1) This Act shall apply to Scotland with the substitution of references to Scotland and to the Board of Agriculture for Scotland for references to England and Wales and to the Board of Agriculture and Fisheries. (b)

(2) This Act shall apply to Ireland with the substitution of references to Ireland and to the Department of Agriculture and Technical Instruction for Ireland for the references to England and Wales and to the Board of Agriculture and Fisheries. (c)

4.—(1) This Act may be cited as the Maintenance of Live Stock Act, 1915.

(2) The Slaughter of Animals Act, 1914, is hereby repealed, but nothing in this repeal shall affect any order made under that Act, and any such order shall continue in force as if made under this Act. (d)

(3) This Act shall remain in force during the continuance of the present war and for a period of twelve months thereafter and no longer, but the expiration of this Act and of any order then in force shall not prejudice or affect the institution or prosecution of any proceedings for any offence committed before such expiration.

(a) Summary Jurisdiction Acts.—This expression means, in relation to England and Wales, the Summary Jurisdiction Act, 1848 (11 & 12 Vict., c. 43), and the Summary Jurisdiction Act, 1879 (42 & 43 Vict., c. 49), and any Act, past or future, amending those Acts or either of them; in relation to Scotland, the Summary Jurisdiction (Scotland) Act, 1908 (8 Edw. 7, c. 65), and the Summary Jurisdiction (Scotland) Act, 1908, Amendment Act, 1909 (9 Edw. 7, c. 28); and in relation to Ireland, so far as respects the Dublin Metropolitan Police District, the Acts regulating the powers and duties of justices of the peace or of the police of that district, and as respects any other part of Ireland, the Petty Sessions (Ireland) Act, 1851 (14 & 15 Vict., c. 93) and any Act, past or future, amending the same. See Interp. Act, 1889 (52 & 53 Vict., c. 63), s. 13 (7)—(10); 8 Edw. 7, c. 65, s. 3, Sch. A; 9 Edw. 7, c. 28, s. 1.

(b) Board of Agriculture for Scotland.—As to the constitution, etc., of this Board see par. (4) of Introductory Note (p. 342) to Part VI. of this Manual. The Order of the Board is printed (as "3") in this Appendix.

(c) Department of Agriculture and Technical Instruction for Ireland.—As to the constitution, etc., of this Department see par. (4) of Introductory Note (p. 380) to Part VII. of this Manual. The Orders of the Department are printed (as "4") in this Appendix.

(d) Slaughter of Animals Act, 1914.—All the Orders made under that Act are repealed by the Orders printed in this Appendix, and s. 4 (2) (printed in italics) is therefore "spent."
2. Order as to England and Wales.

The Maintenance of Live Stock Order of 1915. Dated August 18, 1915. (a)

In-Calf or In-Pig Animals.

The Board of Agriculture and Fisheries, (a) by virtue and in exercise of the powers vested in them under the Maintenance of Live Stock Act, 1915, (c) and for the purpose of maintaining a sufficient stock of cattle and swine, do hereby order as follows:

Restriction of Slaughter of Animals In-calf or In-pig.

1. An animal which is visibly or obviously in-calf or in-pig shall not be slaughtered, or be caused or permitted by its owner to be slaughtered.

Restriction of Slaughter of Calves.

2. [Article 2 is no longer in force, an Order of the Board dated April 13, 1917 (Statutory Rules and Orders, 1917, No. 373) providing as follows:—

"Article 2 of the Maintenance of Live Stock Order of 1915 (Restriction of Slaughter of Calves) and the Maintenance of Live Stock Order of 1916 shall cease to operate on the nineteenth day of April, nineteen hundred and seventeen."

Exceptions from Restrictions.

3. The restrictions of slaughter imposed by the preceding Articles of this Order shall not apply to—

(a) slaughter of an animal under the powers conferred by the Diseases of Animals Acts, 1894 to 1914, (d) or any Order made thereunder; or

(b) slaughter of an animal necessary or desirable on account of accidental injury to the animal or its illness; or

(c) slaughter of an animal if in the opinion of the Board of Agriculture and Fisheries the slaughter is desirable for any exceptional reason or purpose, and the slaughter is authorised by a licence granted by that Board or an officer of that Board.

Local Authorities authorised to execute and enforce Order.

4.—(1) The local authority for the purposes of the Diseases of Animals Acts, 1894 to 1914, (d) and the executive committee (if any) for those purposes of such local authority, may execute and enforce the provisions of this Order within the district of the local authority, and any expenses so incurred by a local authority may be defrayed as if they were expenses incurred under the said Acts.

(a) Revocation of Order.—This Order was revoked by Order of the Board dated January 2, 1918, the restrictions on the slaughter of pregnant animals being now embodied in the "Live Stock (Restriction of Slaughter) Order, 1917," made by the Food Controller. This last-named Order will be printed in the new Edition of Part II. of this Manual referred to in section II. 3 of the Introductory Note.

(b) Board of Agriculture and Fisheries. See footnote (a) to p. 453.


(d) Diseases of Animals Acts. As to these Acts and Orders thereunder, see "6. Diseases of Animals Acts and Orders" of Appendix VI. to this Manual.
Order as to Maintenance of Live Stock in England and Wales.

(2) The council of a borough (including a metropolitan borough) or urban or rural district may execute and enforce the provisions of this Order within the borough or district, and any expenses so incurred may be defrayed as part of the expenses incurred by the council in the execution of the Public Health Acts, or the Public Health (London) Act, 1891, as the case may be.

(3) A council of a borough which is a local authority for the purposes of the Diseases of Animals Acts, 1894 to 1914, may defray the expenses under either of the powers conferred by this Article or partly under each power, as the council shall determine.

Power of Entry.

5. For the purpose of executing and enforcing this Order any officer of the Board of Agriculture and Fisheries may, subject to any directions given by that Board, and upon production, if so required, of his appointment, enter any slaughter-house or other premises on which animals are slaughtered for human food, and examine any animals or carcases therein; and any officer of a local authority to which the preceding Article applies shall, subject to any directions given by the local authority, have the like power of entry of premises in the district of the local authority in addition to any power of entry which he is otherwise entitled to exercise.

Application of Order.

6. This Order applies to England and Wales.

Commencement.

Revocation of Existing Order.

7. This Order shall come into operation on the twenty-third day of August, nineteen hundred and fifteen, and on that date the Slaughter of Animals Order of 1915(a) shall cease to operate, except in relation to proceedings for any offence committed before such date, and any licence issued under that Order shall have effect as a licence granted under this Order.

Short Title.

8. This Order may be cited as the Maintenance of Live Stock Order of 1915.

In witness whereof the Board of Agriculture and Fisheries have hereunto set their Official Seal this eighteenth day of August, nineteen hundred and fifteen.

Sydney Olivier,
Secretary.

(a) Slaughter of Animals Order of 1915.—Printed at p. 309 of Supplement No. 4 to the "Manual of Emergency Legislation."
3. Order as to Scotland.

The Maintenance of Live Stock (Scotland) Order of 1915.
Dated August 24, 1915.

In-Calf or In-Pig Animals; Calves.

The Board of Agriculture for Scotland, by virtue and in exercise of the powers vested in them under the Maintenance of Live Stock Act, 1915, and for the purpose of maintaining a sufficient stock of cattle and swine, do hereby order as follows:

Restoration of Slaughter of Animals In-calf or In-pig.

1. No animal which is visibly or obviously in-calf or in-pig shall be slaughtered or sold or exposed for sale to be slaughtered.

Restoration of Slaughter of Calves.

2. From the commencement of this Order until the thirtieth day of September, nineteen hundred and fifteen, no calf under the age of twelve weeks shall be slaughtered or sold or exposed for sale to be slaughtered (but this restriction shall not apply to a male calf of any of the following dairy breeds, that is to say, Channel Islands, Ayrshire and Kerry breeds.

3.—(1) After the thirtieth day of September, nineteen hundred and fifteen, until the Board shall by Order otherwise provide, and subject to the provisions of this Article, no calf, as defined by Clause (5) of this Article, shall be slaughtered or sold or exposed for sale to be slaughtered.

(2) This Article shall not apply to the slaughter of a calf of any of the following dairy breeds, that is to say, Channel Islands, Ayrshire, Kerry and Dexter breeds.

(3) This Article shall also not apply to the slaughter of a calf which has been offered for sale by public auction at any market or saleyard in England, Wales or Scotland, without reserve or subject to a reserve price of thirty shillings or less, and for which no bid exceeding thirty shillings has been made on such occasion; but this provision shall have effect only—

(a) if the calf so offered for sale is before movement from the market or saleyard marked by or under the direction of the auctioneer in the manner prescribed by this Article; and

(b) if such mark is on the calf at the time of slaughter.

(4) The prescribed mark for the purposes of this Article shall be a broad arrow branded, in hot pitch or a mixture of hot pitch and tar, on the back of the calf midway between the hips, the shaft and two bars of the arrow to be a quarter of an inch in width, and the length of the shaft and of the bars (outside measurement) to be two and a half inches.

(5) For the purposes of this Article the expression "calf" means, except where otherwise expressly stated, a bovine animal in which the first permanent molar or grinder tooth is not cut and visible.

(a) Board of Agriculture for Scotland. See footnote (b) to p. 454.
Order as to Maintenance of Live Stock in Scotland.

Exceptions from Restriction.

4. The restrictions of slaughter imposed by the preceding Articles of this Order shall not apply to—

(a) slaughter of an animal under the powers conferred by the Diseases of Animals Acts, 1894 to 1914, (a) or any Order made thereunder; or

(b) slaughter of any animal rendered desirable by illness or accidental injury; or

(c) slaughter of any animal authorised by a licence granted by the Board of Agriculture for Scotland or an officer of that Board on cause shown.

Powers of Entry.

5. For the purpose of executing and enforcing this Order any officer of the Board of Agriculture for Scotland may, subject to any directions given by that Board, and upon production, if so required, of his appointment, enter any slaughter house or other premises on which animals are slaughtered for human food and examine any animals or carcases therein.

Application of Order.

6. This Order applies to Scotland.

Commencement.

Revocation of Existing Order.

7. This Order shall come into operation on the first day of September, nineteen hundred and fifteen, and on that date the Slaughter of Animals (Scotland) Order of 1915 (b) shall cease to operate, except in relation to proceedings for any offence committed before such date, and any licence issued under that Order shall have effect as a licence granted under this Order.

Short Title.

8. This Order may be cited as the Maintenance of Live Stock (Scotland) Order of 1915.

In witness whereof the Board of Agriculture for Scotland have hereunto set their official seal this twenty-fourth day of August, nineteen hundred and fifteen.

Robert P. Wright,
Chairman.

H. M. Conacher,
Secretary.

(a) Diseases of Animals Acts.—As to these Acts and Orders thereunder, see "6. Diseases of Animals Acts and Orders" of Appendix VI. to this Manual.

(b) Slaughter of Animals (Scotland) Order of 1915.—Printed p. 310 of Supplement No. 4 to the "Manual of Emergency Legislation."
4. Orders as to Ireland.

Note.—The Maintenance of Live Stock (Ireland) (Temporary) Order of 1917 (St. R. & O., 1917, No. 1252), made after this Manual was in greater part printed, temporarily restricts the slaughter and export of certain female cattle and of milch cows. This temporary restriction was by a further Order of January 26th, 1918, continued until March 31st, 1918.

(i) Sucking Calves, p. 459. | (iii) In-Calf Animals, p. 462.
(ii) Breeding Sows, p. 460.


Sucking Calves.
1915. No. 1118.

The Department of Agriculture and Technical Instruction for Ireland(a) by virtue and in exercise of the powers vested in them under the Maintenance of Live Stock Act, 1915, and for the purpose of maintaining a sufficient stock of animals, do hereby order as follows:

Sucking Calves not to be slaughtered or exported.

1. From and after the date of commencement of this Order, no sucking calf shall
   (a) be slaughtered, or be caused or permitted by its owner to be slaughtered; or
   (b) be moved out of Ireland, or be caused or permitted by its owner to be moved out of Ireland.

Exceptions from Restrictions.

2. The restrictions imposed by the foregoing Article shall not apply to
   (a) slaughter of an animal under the powers conferred by the Diseases of Animals Acts, 1894 to 1914,(b) or any Order made thereunder; or
   (b) slaughter of a male calf of any of the following dairy breeds, that is to say, Channel Island, Ayrshire or Kerry breeds; or
   (c) slaughter of an animal necessary or desirable on account of accidental injury to the animal or its illness; or
   (d) slaughter or movement out of Ireland of an animal if in the opinion of the Department of Agriculture and Technical Instruction for Ireland the slaughter or movement out of Ireland is desirable for any exceptional reason or purpose and the slaughter or movement is authorised by a licence granted by the Department or by an officer of the Department.

(a) Department of Agriculture and Technical Instruction for Ireland.—See footnote (c), p. 454.
(b) Diseases of Animals Acts.—As to these Acts and Orders thereunder see "6. Diseases of Animals Acts and Orders" of Appendix VI. to this Manual.
Orders as to Maintenance of Live Stock in Ireland.

Application of Order.

3. This Order applies to Ireland.

Commencement.

4. This Order shall come into operation on the twenty-second day of November, nineteen hundred and fifteen.

Short Title.

5. This Order may be cited as the Maintenance of Live Stock (Ireland) Order of 1915 (No. 2).

In witness whereof the Department of Agriculture and Technical Instruction for Ireland have hereunto set their Official Seal this seventeenth day of November, nineteen hundred and fifteen.

(L.S.) T. P. Gill,
Secretary.


Breeding Sows.

1916. No. 871.

The Department of Agriculture and Technical Instruction for Ireland by virtue and in exercise of the powers vested in them under the Maintenance of Live Stock Act, 1915, and for the purpose of maintaining a sufficient stock of swine, do hereby order as follows:—

Breeding Sows not to be slaughtered or exported.

1. From and after the date of the commencement of this Order, no breeding sow shall—
   (a) be slaughtered, or be caused or permitted by its owner to be slaughtered; or
   (b) be moved out of Ireland, or be caused or permitted by its owner to be moved out of Ireland.

Definition.

2. For the purposes of this Order any sow which is in young or which has had young shall be regarded as a breeding sow.

Exceptions.

3. The restrictions imposed by this Order shall not apply to—
   (a) slaughter of an animal under the powers conferred by the Diseases of Animals Acts, 1894 to 1914, (a) or any Order made thereunder; or

(a) Diseases of Animals Acts.—As to these Acts and Orders thereunder see 6. "Diseases of Animals Acts and Orders" of Appendix VI. to this Manual.
Orders as to Maintenance of Live Stock in Ireland.

(b) slaughter of an animal the slaughter of which is certified by a duly qualified Veterinary Surgeon to be necessary or desirable on account of accidental injury to the animal or its illness; or

(c) slaughter or movement out of Ireland of a sow which the Department of Agriculture and Technical Instruction for Ireland are satisfied, after such investigation as seems to them necessary, is no longer fit for breeding purposes, and the slaughter or exportation of which is authorised by a Licence granted by the Department or by an officer of the Department.

Licences.

4.—(1) A Licence granted under Article 3 (c) of this Order shall be subject to the conditions and limitations specified therein, and shall be void if the person holding it fails to comply with any requirement or to observe any condition thereof.

(2) Every application for a Licence must be lodged with the police of the district where the animal to which it refers is located in sufficient time before the date of the proposed slaughter or exportation to permit of such enquiry being made as the Department may deem necessary, and must be supported by such particulars (in writing) as the Department may require for the purpose of such enquiry.

Application of Order.

5. This Order applies to Ireland.

Previous restrictions superseded.

6. The provisions of the Maintenance of Live Stock (Ireland) Order of 1915, (a) so far as that Order relates to swine, are superseded by this Order.

Commencement.

7. This Order shall come into operation on the 15th day of December, nineteen hundred and sixteen.

Short Title.

8. This Order may be cited as the Maintenance of Live Stock (Breeding Sows) (Ireland) Order of 1916.

In witness whereof the Department of Agriculture and Technical Instruction for Ireland have hereunto set their Official Seal this eleventh day of December, nineteen hundred and sixteen.

(L.S.)

T. P. Gill,
Secretary.

(a) Maintenance of Live Stock (Ireland) Order, 1915.—The remainder of that Order (St. R. & O., 1915, No. 825) is revoked by the Maintenance of Live Stock (Ireland) Order of 1917, printed p 462.

In-Calf Animals.
1917. No. 1066.

The Department of Agriculture and Technical Instruction for Ireland by virtue and in exercise of the powers vested in them under the Maintenance of Live Stock Act, 1915, and for the purpose of maintaining a sufficient stock of animals in Ireland, do hereby order as follows:—

In-calf animals not to be Slaughtered or Exported.

1. From and after the commencement of this Order no in-calf animal shall
   (a) be slaughtered in Ireland, or be caused or permitted by its owner, or the person having charge if it, to be slaughtered in Ireland; or
   (b) be moved out of Ireland, or be caused or permitted by its owner, or the person having charge of it, to be moved out of Ireland.

Application.

2. For the purposes of this Order an in-calf animal shall be—
   (1) any bovine animal visibly or obviously in-calf; or
   (2) any bovine animal which a Veterinary Inspector of the Department considers it reasonably probable is in-calf, and in respect of which a Notice in writing, in the Form in the First Schedule to this Order, or to a like effect, is served on the owner or person in charge by the said Veterinary Inspector.

Forms of Notice.

3. A Notice in the Form in the First Schedule to this Order shall continue in force until it has been withdrawn by a further Notice in writing in the Form in the Second Schedule signed by a Veterinary Inspector of the Department.

Marking of Animals.

4.—(1) A Veterinary Inspector of the Department serving a Notice in the Form in the First Schedule to this Order may require the animal referred to in the Notice to be marked in such manner as he thinks necessary for the purpose of identification and as he prescribes in the Notice, and the animal shall be marked in his presence accordingly.

(2) It shall be unlawful to alter or obliterate any mark placed upon an animal in accordance with the provision in this Article, or to slaughter or move out of Ireland, or cause or permit the slaughter or movement out of Ireland, of an animal so marked, until the Notice in respect of such animal has been formally withdrawn in the manner prescribed in Article 3 of this Order.

Exceptions.

5. Nothing in this Order shall prevent the
   (a) slaughter of an animal under the powers conferred by the Diseases of Animals Acts, 1894 to 1914, or any Order made thereunder(a); or

Orders as to Maintenance of Live Stock in Ireland.

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(b) slaughter of an animal the slaughter of which is certified in writing by a duly qualified Veterinary Surgeon to be necessary or desirable on account of accidental injury to the animal or its illness; or

c) slaughter or movement out of Ireland of an animal if, in the opinion of the Department, the slaughter or movement out of Ireland is desirable for any exceptional reason or purpose, and the slaughter or movement is authorised by a licence granted by the Department or an officer of the Department.

Powers of Inspectors.

6. Any Veterinary Inspector of the Department or, subject to the direction of the Department, any Inspector of a Local Authority may enter any slaughterhouse or other premises on which animals are slaughtered for human food and examine any animals or carcases therein.

Revocation.

7. The Maintenance of Live Stock (Ireland) Order of 1915, so far as the same has not already been superseded, is hereby revoked.(a)

Interpretation.

8. In this Order "the Department" means the Department of Agriculture and Technical Instruction for Ireland; "Veterinary Inspector of the Department" means a person appointed temporarily or otherwise by the Department to be a Veterinary Inspector for the purposes of the Diseases of Animals Acts, 1894 to 1914; "Local Authority" means the Local Authority under the Diseases of Animals Acts, 1894 to 1914; "Animals," as used in Article 3, means cattle, sheep and swine.

Commencement.

9. This Order shall come into operation on the eighteenth day of October, Nineteen hundred and seventeen.

Short Title.

10. This Order may be cited as the Maintenance of Live Stock (Ireland) Order of 1917.

In Witness whereof the Department of Agriculture and Technical Instruction for Ireland have hereunto set their Official Seal this fifteenth day of October, Nineteen hundred and seventeen.

(L.s.)

T. P. Gill,
Secretary.

(a) Maintenance of Live Stocks (Ireland) Order of 1915.—That Order (St. R & O., 1915, No. 825) was so far as relating to swine, superseded by the Maintenance of Live Stock (Breeding Sows) (Ireland) Order of 1916, p. 460.
Orders as to Maintenance of Live Stock in Ireland.

First Schedule.

FORM OF NOTICE. ARTICLES 2 (2) AND 3.

To_________________________ of_________________________.

Take Notice that I_ ___________________________ a Veterinary Inspector of the Department of Agriculture and Technical Instruction for Ireland, having examined at_________________________ a_________________________ belonging to_________________________ of_________________________ consider it reasonably probable that such animal is in-calf; and that I require the animal to be marked in the manner following, that is to say*.

Signed_________________________.

Veterinary Inspector of the Department of Agriculture and Technical Instruction for Ireland at_________________________ on the__ day of__________ 191__.

Read the endorsement hereto.

To be printed as endorsement on Form of Notice in First Schedule.

The Maintenance of Live Stock Act, 1915.

SECTION 2.—If any person acts in contravention of or fails to comply with any of the provisions of an Order made under this Act, or with a view to evade the operation of any such order marks or alters or obliterate a mark on any animal, or obstructs or impedes any officer in the execution of his powers or duties under any such order, he shall, on conviction under the Summary Jurisdiction Acts, be liable to a fine not exceeding twenty pounds, or if the offence is an offence committed with respect to more than four animals to a fine not exceeding five pounds for each animal.

The Maintenance of Live Stock (Ireland) Order of 1917.

Article 4.—(1) A Veterinary Inspector of the Department serving a Notice in the Form in the First Schedule to this Order may require the animal referred to in the Notice to be marked in such manner as he thinks necessary for the purpose of identification and as he prescribes in the Notice, and the animal shall be marked in his presence accordingly.

(2) It shall be unlawful to alter or obliterate any mark placed upon an animal in accordance with the provision in this Article, or to slaughter or move out of Ireland, or cause or permit the slaughter or movement out of Ireland, of an animal so marked, until the Notice in respect of such animal has been formally withdrawn in the manner prescribed in Article 3 of this Order.

Second Schedule.

FORM OF WITHDRAWING NOTICE. ARTICLE 3.

To all whom it may concern.

Take notice that I_________________________ a Veterinary Inspector of the Department of Agriculture and Technical Instruction for Ireland, do hereby withdraw the Notice signed by_________________________ on 191__ in respect of a_________________________ belonging to_________________________ and marked as follows:—*.

Signed_________________________.

_________________________ at_________________________ on the__ day of__________ 191__.

* Insert description of the animal referred to as given in original Notice.
† Insert here description of brand marks, etc. (if any), as in the original Notice.
APPENDIX IV.

REGULATIONS FOR THE SALE OF GOVERNMENT IMPORTED CHEESE AND MEAT.


1. Cheese.

GENERAL REGULATIONS OF THE BOARD OF TRADE FOR THE SALE AND DISTRIBUTION OF CHEESE IMPORTED FROM AUSTRALIA, CANADA, NEW ZEALAND AND UNITED STATES ON ACCOUNT OF HIS MAJESTY'S GOVERNMENT. (a)(b)

Subject to alterations should occasion arise.

IMPORTER'S SECTION.

(1) Imported cheese available for consumption by the civilian population will be distributed by H.M. Government through importers and wholesalers in the cheese trade, as agents, to retailers for sale to the public at a flat rate throughout the United Kingdom of 1s. 4d. (one shilling and fourpence) per lb.

DEFINITION OF IMPORTER.—The trader who in the ordinary course of trade is drawn upon by the shipper in the country of origin, or who is the first hand receiver of draft, invoice and/or shipping documents from shipper in country of origin.

(2) The importer, as agent for the Board of Trade, shall dispose of the cheese entrusted to him by the Board of Trade to wholesalers (or in special cases direct to certain retailers) who were in the habit of getting supplies of such cheese from him during the year 1916, and who nominate him in the official application form as the source, or partial source of their supplies, but all such distribution and sales shall be subject to the discretion of the Board of Trade and must be made to conform to their Regulations and Provisions.

(3) The cheese shall be passed on by the importer to the wholesaler, or in special cases indicated in clause 2 to the retailer, at 1s. 2d. (one shilling and two pence) per lb.—terms

(a) CHEESE not BOUGHT BY BOARD OF TRADE.—The Cheese (Requisition) Order, 1917 (p. 124), provides that all cheese (other than that agreed to be bought by the Board of Trade) which shall after May 29th, 1917, arrive in the United Kingdom from the United States of America, the Dominion of Canada, the Commonwealth of Australia, or the Dominion of New Zealand shall be placed and held at the disposal of the Food Controller.

The Maximum Prices for British-made cheese are prescribed by the Cheese (Maximum Prices) Order, 1917 (p. 126), as subsequently amended.

tributed 2

(4) The importer shall invoice the cheese on Government forms.

(5) The importer shall receive from the Board of Trade a commission for his services at the rate of 2½ per cent., this commission to cover del credere.

(6) The importer shall, on behalf of the Board of Trade, allow the wholesaler a commission of 5 per cent. (to cover del credere), which he may recover from the Board of Trade on lodging wholesaler’s receipt and the retailer’s undertaking and receipt of the cheese mentioned in clause 17 hereof. Wholesalers may retain retailer’s receipt for cheese referred to in clause 17 for production to the Board of Trade when so required.

(7) The importer shall pay the Board of Trade, against delivery order, 90 per cent. of the invoiced value of the cheese, and shall forward to the Board of Trade account sales when the cheese has been disposed of, together with the balance owing to H.M. Government, from which he may deduct the authorised commissions.

(8) The importer shall take all risks pertaining to the cheese from the date of receipt of the delivery order.

(9) In no case is the storage rent payable by the Board of Trade to exceed 14 days from the date of the issue of the delivery order.

(10) An importer, who is also a wholesaler, or who, as agent for the Board of Trade, sells cheese to retailers or distributes cheese to his own retail shops, can only operate in one capacity in the distribution of Government cheese, and, having applied under a particular category and subject to the discretion of the Board of Trade, he will require to obtain all his supplies of such cheese according to the regulations laid down as applicable to him in that capacity, and will only be entitled to the remuneration or profit due to that class of operator.

(11) In the case of an importer who is also a wholesaler and distributes his cheese to a retailer, and who is operating under the Government Scheme in the capacity of an importer receiving 2½ per cent., he will receive, in the event of any such lots distributed not exceeding 6 boxes or 3 crates to one firm within one week, and on such cheese only, the wholesaler’s commission of 5 per cent., instead of 2½ per cent.

(12) The importer shall pay, on behalf of the Board of Trade, and/or allow, to wholesaler against vouchers all railway carriage or steamer freight necessary to deliver cheese to railway station or port nearest to retailer to whom such cheese is sold, and shall recover from the Board of Trade on lodging such vouchers and wholesaler’s receipt. So far as is possible these amounts are to be deducted when rendering account sales.
(13) The importer shall take delivery of the cheese at the place most convenient to the Board of Trade, and in order to minimise transport in distribution the cheese should be distributed in the areas served by the port at which delivery is taken.

Wholesaler’s Section.

(14) On behalf of the Government the wholesaler shall sell the cheese at 1s. 2d. (one shilling and two pence) per lb. to retailers who were in the habit of getting their supplies from him in the year 1916 and who nominate him in the official application form as the source or partial source of their supplies, but all such distribution and sales shall be subject to the discretion of the Board of Trade and must be made to conform to their Regulations and Provisions.

(15) The terms of sale shall be nett cash within 7 days, 3½ per cent. allowance off marked weights of New Zealand and Australian cheese and 2½ per cent. off Canadian, 3 per cent. off United States; no further allowance for short weight and/or slight damage, and without recourse for quality.

(16) The wholesaler shall invoice the cheese on Government forms.

(17) The wholesaler shall receive from the Board of Trade through the importer a commission for his services as agent for the Board of Trade at the rate of 5 per cent. on the proceeds of such cheese for which he lodges a retailer’s undertaking and receipt in prescribed form, his commission to cover del credere.

(18) In the case of a wholesaler who is also a retailer or who distributes cheese to his own retail shops, the same conditions apply as set forth in clause 10 as applicable to importers who are also wholesalers and/or retailers.

(18a) A wholesaler who has also a retail business, and has been accustomed to sell cheese both wholesale and retail, may continue to do so. On cheese sold by him wholesale, he will receive only the wholesaler’s commission of 5 per cent., on cheese sold retail in his own shops he shall be entitled only to the retail profit of 2d. per lb.

Note.—In such cases, application for the cheese required should be made on the wholesaler’s (buff) form, and the wholesale and retail quantities shown separately.

A separate application must also be made on the retailer’s (green) form for the quantity required for applicant’s retail trade. Both these application forms should be securely attached to each other.

(19) The wholesaler shall pay railway carriage and steamer freight on cheese to railway station or port nearest to the retailer to whom he has sold such cheese, and may recover same from the importer on lodging vouchers for such expenditure.

(20) The wholesaler shall supply retailer with Government labels to be displayed with the cheese when offered for sale to the public.
Retailer’s Section.

(21) The retailer shall sell the Government cheese supplied to him at the uniform price of 1s. 4d. (one shilling and four pence) per lb., and shall display prominently with the cheese the Government labels supplied to him.

If it is shown to the Board of Trade that any importer, wholesaler or retailer has contravened the foregoing Regulations he may, without prejudice to any other action which the Board of Trade may take, be struck off the list for their supplies.

I or we undertake to conform to the above Regulations and Conditions.

Signature

Address

1917

2. Frozen Meat.

General Regulations of the Board of Trade for the Sale of Frozen Meat Imported from Australia and New Zealand on account of His Majesty’s Government. (a)

1. On the arrival of cargoes of frozen meat from Australia and New Zealand any meat not required for the Forces is to be disposed of through the ordinary channels at the market rate of the day of sale for consumption by the civilian population.

2. The firms to whom the disposal of the meat is to be entrusted on behalf of the Board of Trade are to be those firms who in the past have been in the habit of handling the various consignments from the different freezing works. As a rule these firms will be ascertained from the information which the Australasian Governments have been asked to procure from the freezing works proprietors and to forward with the Bills of Lading.

3. The remuneration of the selling agents shall be a commission of one per cent. on sales ex ship, and of two per cent. on other sales; this commission shall cover del credere.

(a) Requisition of Ships and of Insulated Spaces for carriage of Frozen Meat.—An Order in Council of April 13, 1915 (St. R. & O., 1915, No. 303), requisitioned for the carriage of refrigerated produce the insulated spaces in all British steamships usually engaged in trading between the Commonwealth of Australia or the Dominion of New Zealand and the United Kingdom.

A further Order in Council of Nov. 10, 1915 (1915, No. 1071), empowered the President of the Board of Trade to requisition for the carriage of foodstuffs any British ship registered in the United Kingdom.

These two Orders in Council are printed at pp. 400, 407 respectively of Vol. I. of the Annual Volume of St. R. & O. for 1915.

Regulation 39(B) (3) of the Defence of the Realm Regulations (printed p. 55 of Sept., 1917 (monthly) edition of the Regulations) empowers the Shipping Controller to requisition any ships or any cargo spaces in any ships “in order that they may be used in the manner best suited for the needs of the country.”
4. The selling agent may sell either ex ship or ex store, with a warranty within thirty days after the importing vessel has completed discharge that the meat is sound as per "A. 1" clause in ordinary insurance policies. The meat shall be sold on freezing works' grade certificate without recourse against the sellers.

5. The selling agents shall sell the meat in the same manner in which it has customarily been sold, so that it shall, as far as possible, pass through the ordinary channels and in usual quantities.

6. If a selling agent, in addition to selling on commission, has been in the habit of buying meat on his own account for subsequent resale, either wholesale or through his own retail shops, he may sell to himself at the market price (a) quantities proportional to those which he has been in the habit of buying, but he shall not receive any commission on such sales.

7. The selling agents shall disclose confidentially to Sir Thomas Robinson the names of the buyers in every case in which one hundred or more carcasses of lamb or mutton or twenty-five quarters of beef are sold to one buyer. In the case of sales of smaller quantities the selling agents shall, if required, place their books at the disposal of the Board of Trade in order that buyers' names may be ascertained.

8. Buyers to whom meat is sold by the selling agents of the Board of Trade shall purchase subject to the express condition that they shall resell only to bonâ fide retailers. The buyers shall, if required, place their books at the disposal of the Board of Trade in order that their adherence to this Regulation may be tested. (b)

9. The Incorporated Society of Meat Importers will publish regularly in their periodical lists particulars of the prices at which meat is from time to time sold on behalf of the Board of Trade.

10. If it is shown to the Board of Trade that any selling agent has contravened the foregoing Regulations, or has given undue preference to any buyer either under Regulations 5 and 6 or otherwise, or has made himself a party to any pro forma sales for the purpose of avoiding the foregoing Regulations, he may, without prejudice to any other action which the Board may decide to take, be struck off the list of selling agents. If any buyer is proved to have contravened the foregoing Regulations or has made himself a party to any pro forma sales for the purpose of avoiding them, he may, if the Board of Trade so direct, be refused supplies in future.

11. The selling agents shall forward to the Board of Trade account sales immediately after the sale of the meat, and shall remit to the Board the proceeds of sales as and when due.

(a) Market Price.—i.e., as fixed by Board of Trade assessors.
(b) Sales by Wholesaler to Retailer.—It was subsequently arranged that the wholesaler in selling to the retailer should not add more than 1d. per lb. to the price at which he bought.
APPENDIX V.

OUTPUT OF BEER (RESTRICTION) ACTS.

The Output of Beer (Restriction) Act, 1916 (6 & 7 Geo. 5, c. 26) as amended by the Output of Beer (Restriction) Amendment Act, 1916 (6 & 7 Geo. 5, c. 57) and by the Food Controller (Transfer of Powers) Order, 1917 (Statutory Rules and Orders, 1917, No. 287) reproduced in Consolidated Form.

[In this consolidation, for which the Editor of the Manual is alone responsible, all variations from the text of the first named, i.e., the "principal" Act as first enacted by Parliament, are denoted by thick lines.]

1.—(1) A brewer shall not brew at his brewery or breweries during the first four\(^{(a)}\) quarters to which this Act applies more than the aggregate maximum barrelages for those quarters as determined for the purposes of this Act, and shall not brew at his brewery or breweries in any subsequent quarter to which this Act applies more than his maximum barrelage for the quarter as determined for the purposes of this Act.\(^{(b)}\)

(2) If a brewer acts in contravention of this provision he shall be liable in respect of each offence to an Excise penalty of one hundred pounds, and, in addition, to an Excise penalty of two pounds for every barrel of beer brewed by him exceeding the maximum barrelage.

(3) This section shall not apply to brewers other than brewers for sale.

2.—(1) The maximum barrelage shall be determined by the Commissioners in the case of each brewery and shall be, as respects any quarter, the standard barrelage as defined in this section with the addition as respects any quarter after the first quarter of the surplus barrelage as so defined.

(2) The standard barrelage for the purposes of this section shall be—

\(\text{(a)}\) in the case of a brewery which was working during the corresponding quarter in the year ending the thirty-first day of March nineteen hundred and sixteen, the number of barrels which appear to the Commissioners to have been brewed at the brewery in that quarter; and

\(\text{(b)}\) in the case of a brewery which was not working in the corresponding quarter of that year, the number of barrels which appear to the Commissioners to be reasonable having regard to the average number of

\(\text{(a)}\) First Period for Checking Brewings.—The extension from "first three" to "first four" quarters was effected by 6 & 7 Geo. 5, c. 57, s. 1.

\(\text{(b)}\) Further Restrictions on Output of Beer.—See Clause 1 of the Intoxicating Liquor (Output and Delivery) Order, 1917 (p. 72.)
Output of Beer (Restriction) Acts as amended in Consolidated Form.

barrels brewed at the brewery during the time the brewery has been working; and

(c) In the case of any special brewery where the Commissioners are satisfied that, owing to the transfer of a brewing business or any other change in the circumstances of the brewery taking place after the thirty-first day of March nineteen hundred and fifteen, the standard barrelage as ascertained under the foregoing provisions does not afford a proper standard of comparison or affords no standard of comparison, such number of barrels as the Commissioners think just having regard to the special circumstances of the case;

reduced in each case by fifteen per cent.:

Provided that if a brewer gives notice to the Commissioners before the first day of August nineteen hundred and sixteen that he desires that the foregoing provisions of this section should be applied to his brewery with the substitution of the year ending the thirtieth day of September nineteen hundred and fourteen for the year ending the thirty-first day of March nineteen hundred and sixteen and of thirty per cent. for fifteen per cent., those provisions shall be applied to his brewery with those substitutions, subject to the power of His Majesty by Order in Council to withdraw this privilege as from a subsequent date to be fixed by the Order in Council or to substitute any higher percentages pro rata if, at any time after the expiration of six months from the first day of April nineteen hundred and sixteen, it appears that the rate of the total output of beer in the United Kingdom is not reduced to below a rate of twenty-six million barrels a year. (a)

Where the year ending the thirtieth day of September nineteen hundred and fourteen is adopted by a brewer under this proviso for the purpose of computing standard barrelage, and the brewer proves to the Commissioners that during or since the year so adopted the brewer has closed any brewery at which beer was brewed during that year either by the brewer himself or by any person then in possession of the brewery, and that the brewery was so closed as part of the private brewing arrangements of the brewer and has not since been used as a brewery, so much of any beer so brewed at the closed brewery as the Commissioners think just in the circumstances shall be deemed to be beer brewed at the brewer’s brewery for the purpose of this section. (b)

(3) If any licensed premises shall, after the thirty-first day of March nineteen hundred and fourteen, have been or be sold, transferred, mortgaged, or leased to any brewer, the brewer shall be entitled thereafter to supply to the licensed premises the same quantity (less fifteen per cent.) of beer as has previously been supplied to those premises, and if the beer has previously

(a) Orders in Council Withdrawing or Varying Privilege.—No Order in Council has (Oct 21, 1917) been issued under this power.

(b) Addition to Proviso to Section 2 (2).—The provisions indicated by the thick line were added by s. 2 of the Amendment Act (6 & 7 Geo. 5, c. 57).
been supplied by another brewer the maximum barrelage of that other brewer shall be reduced by the amount of such supply, and the maximum barrelage of the brewer to whom the premises shall be so sold, transferred, mortgaged, or leased, shall be similarly increased. The transfer of a mortgage on any licensed premises shall be deemed to be a transfer of licensed premises within this section. (a)

(4) For the purposes of this section the surplus barrelage shall be, as respects any quarter, the number (if any) of barrels by which the aggregate number of barrels brewed during the previous quarters to which the Act applies is less than the aggregate standard barrelage for those quarters.

3. A manufacturer's licence for a brewer for sale shall not after the date of the passing of this Act be granted while this Act is in operation except to a person holding such a licence and for the same premises as those in respect of which the licence is held or for premises substituted for those premises.

4. Where the provisions of this Act interfere with any contract made by a brewer before the first day of April nineteen hundred and sixteen to sell or supply beer or in connexion with the delivery of beer, that contract shall be modified so as to conform with the provisions of this Act in such manner as may be agreed upon between the parties to the contract, or, in default of agreement, determined in England by arbitration, in accordance with the Arbitration Act, 1889, in Scotland by a single arbiter to be appointed by the sheriff, and in Ireland in accordance with the Common Law Procedure Amendment Act (Ireland), 1856, and for the purposes of that Act, but subject to any agreement of the parties to the contrary, this provision shall have effect in like manner as a submission to arbitration by consent authorising a reference to a single arbitrator and incorporating paragraph (4) of the schedule to the Arbitration Act, 1889.

5.—(1) Any licence-holder, in so far as he is not bound by any covenant, agreement, or undertaking to obtain a supply of beer from any particular brewer, and who has, at any time during the year ended the thirty-first day of March nineteen hundred and sixteen, been supplied with beer by any brewer or brewers, shall be entitled, on giving not less than fourteen days' notice in writing, to obtain from such brewer or brewers particulars of the number of bulk barrels of each description of beer supplied and also a certificate or certificates stating the total number of standard barrels represented by the beer supplied during each quarter of the year ended the thirty-first day of March nineteen hundred and sixteen or such shorter period as the supply has continued.

(2) The licence-holder shall, after forwarding any such certificate to the Commissioners, be entitled to obtain, during any

(a) Suspension of Rights of Brewers.—The rights of brewers under section 2 (3) are suspended by clause 1 (4) of the Intoxicating Liquor (Output and Delivery) Order, 1917 (p. 73), whilst that Order is in force.
corresponding quarter to which this Act applies, the same number of standard barrels (reduced by fifteen per cent.) from any other brewer who may be willing to supply him therewith, and in every such case the maximum barrelage of the brewer ceasing to supply the licence-holder shall be reduced by the amount stated in the certificate (less fifteen per cent.), and that amount shall be transferred to the brewer who has undertaken to supply: Provided that where the licence-holder is himself a brewer for sale the certificate shall not be used to obtain a transfer of barrelage to himself, and that where a certificate forwarded under this section relates to any quarter in which the licence-holder is supplied with beer by the brewer from whom he obtained the certificate, the number of barrels which he is entitled to obtain from another brewer, and which are transferred accordingly, shall be reduced by the quantity with which he is so supplied.

(3) In this section the expression "licence-holder" means the holder of an Excise licence authorising the sale of beer whether wholesale or by retail; and includes, where any licensed premises have changed hands, the licence-holder for the time being; and where any premises on which beer is sold are under the management of the Central Control Board (Liquor Traffic), the Central Control Board, (a) and where the holder of the licence is a manager managing the licensed premises on behalf of any other person or a tenant of any other person who controls the ordering of beer for the premises, the person who so controls the ordering of the beer.

(4) This section shall apply to registered clubs as it applies to licensed premises, with the substitution of the person managing the club for the licence-holder.

(5) Where, during the year ended the thirty-first day of March nineteen hundred and sixteen, beer has been supplied by any brewer to a canteen held under the authority of the Secretary of State or the Admiralty, the same rights as are conferred under this section upon a licence-holder shall be exercisable in respect of that beer by the Secretary of State or the Admiralty, as the case may be.

(6) This section shall apply to officers' messes and sergeants' messes of units of the regular forces, the Royal Marines, the territorial force, and any Imperial force, as it applies to licensed premises, with the substitution of the officer commanding the unit for the licence holder. (b)

6. The Food Controller may, at the request of the Army Council, grant a special certificate to any brewer authorising him to brew beer in excess of the limits prescribed by this Act if the

(a) Central Control Board.—The constitution and powers of this Board are derived from the Defence of the Realm (Amendment) No. 3 Act (5 & 6 Geo. 5, c. 42) and the Defence of the Realm (Liquor Control) Regulations (St. R. & O., 1915, Nos. 552 and 997).

(b) Amendment of Section 5.—What is here printed as s. 5 (6) forms s. 3 of the Amendment Act (6 & 7 Geo. 5, c. 57).
addition is required for the use of military canteens, and the amount of beer which that brewer is entitled to brew shall thereupon be increased by the number of barrels stated in the certificate, and this Act shall have effect accordingly.

7. In this Act, unless the context otherwise requires,—
The expressions "brewer" and "brewer for sale" have the same meaning as in the Inland Revenue Act, 1880, and include the Central Control Board (Liquor Traffic), and the expression "beer" has the same meaning as in Part II. of the Finance (1909-10) Act, 1910;
The expression "brewery" means premises in respect of which a manufacturer's licence to a brewer for sale is in force;
The expression "barrel" means the standard barrel containing thirty-six gallons of beer of original gravity of 1,055 degrees;
The expression "quarter" means the three months commencing on the first day of January, the first day of April, the first day of July, and the first day of October in any year; and
The expression "Commissioners" means the Commissioners of Customs and Excise.

8. This Act may be cited as the Output of Beer (Restriction) Act, 1916, and shall apply to the quarter which commenced on the first day of April nineteen hundred and sixteen and to every subsequent quarter which commences during the continuance of the present war.

(a) Amendments of Section 6.—Section 6 is here reproduced in the form which it appears to take in consequence of the amendments made by s. 4 of the Amendment Act (6 & 7 Geo. 5, c. 57) and the Food Controller (Transfer of Powers) Order, 1917 (St. R. & O., 1917, No. 287).
APPENDIX VI.

EPITOME OF ACTS AND ORDERS MORE INDIRECTLY AFFECTING FOOD SUPPLY OR PRODUCTION.

[The full text of all the Orders of the Minister of Food and of the Agricultural Departments as to the Maintenance of Food Supply and the enabling Defence of the Realm Regulations as in force October 21st, 1917, will be found in Parts I to III and V to VII of this Manual. As to subsequent legislation to January 31st, 1918, see the Addenda at the end of this volume. The Corn Production Act and Regulations will be found in Part IV and in the Addenda, and the Maintenance of Live Stock Act and Orders and the Output of Beer Restriction Acts in Appendixes III and V respectively. This present Appendix comprises an epitome of Orders, &c., as to Agricultural matters which, though outside the immediate purposes of this Manual, are connected with Food Production.]

1. Agricultural Machines, Implements, etc., p. 475.
5. Destructive Insects and Pests, p. 481.
7. Exportation (Restrictions on), p. 484.
11. Hides and Pelts, p. 496.
15. Road Materials, p. 505.

1. Agricultural Machines, Implements, Vehicles, and Cart-Horse Collars and Hames.

[The full text of ALL Orders as to Machinery, Tools, Apparatus and Vehicles will be printed in the “War Material Supplies Manual” of which the 1st Edition covering to January 31st, 1918, is now in the press.]

(1) Manufacture of Implements, p. 475.
(2) Supply of Cranes, p. 476.
(3) Requisitioning of Cart-Horse Collars, p. 476.
(4) Census of Implements, p. 476.
(5) Export and Import, p. 477.

(1) MANUFACTURE OF AGRICULTURAL MACHINES, IMPLEMENTS, &c.—By Order (printed p. 195 of the “Defence of the Realm Manual,” May, 1917, Edition) the Minister of Munitions prohibited as from Jan. 10th, 1917, any person from carrying out, except under and in accordance with the terms of a permit issued under the authority of the Minister, any work consisting in the manufacture or erection of any machine, implement, vehicle or other article or any part thereof, designed or adapted or commonly
used for agricultural or dairy purposes. The Order does not prevent the completion of any work remaining to be done under a contract in writing entered into before Jan. 10th, 1917, upon any article of the nature aforesaid intended for use in this country, or the carrying out of any necessary repairs.

All applications with regard to this Order should be addressed to the Director, Agricultural Machinery Branch, Armament Buildings, Whitehall Place, London, S.W.1.

(2) SUPPLY OF CRANES.—By an Order (printed p. 203 of the "Defence of the Realm Manual," May, 1917, Edition) the Minister of Munitions prohibited the sale or supply of any crane, whether steam, electric, hydraulic, or hand-driven, except under and in accordance with the terms of a permit issued under the authority of that Minister.

Applications for permits should be addressed to the Director, T.M.4 (Cranes), Ministry of Munitions, Armament Buildings, Whitehall Place, London, S.W.1, giving full particulars of the crane, maker’s name and number of machine, name and address of intending purchaser, price to be paid, and purpose for which crane is required.

(3) REQUISITIONING OF CERTAIN CLASSES OF CART-HORSE COLLARS AND HAMES.—On Aug. 18th, 1917, the Army Council gave Notice (London Gazette, Aug. 31st, 1917) of their intention to take possession of all cart-horse collars and hames of the classes specified below in the hands of makers, merchants, or other persons in the 20 extensive areas mentioned in Schedule B annexed to the Order, and not in regular use at the date thereof.

Any person (after this Notice) having in his custody or control any such cart-horse collars and hames sells, removes or secretes the same or deals with them in any way contrary to any permit that may have been granted in respect thereof, will be guilty of an offence against the Defence of the Realm Regulations.

All persons having in their custody or control cart-horse collars or hames of the classes specified below are required to furnish to the Director of Raw Materials, Imperial House, Tothill Street, Westminster, S.W.1, all such particulars as are specified in Schedule C annexed to the Order and such further and other particulars as may be required by or on behalf of the Director of Raw Materials and verified as he may direct.

**Classes of Cart-Horse Collars and Hames.**

1. Cart-Horse Collars, new or old, of the sizes 21 to 26 inches, fitted with Hames with Hook Draught attachment.
2. Cart-Horse Collars, new or old, of the above-mentioned description, but without Hames.
3. Hames, new or old, with Hook draught attachment to fit Cart-Horse Collars of the sizes 21 to 26 inches.

(4) CENSUS OF AGRICULTURAL IMPLEMENTS.—An Order of the Competent Military Authority (printed p. 506 of the "Defence of the Realm Manual," May, 1917, Edition) under Reg. 15 of the Defence of the Realm Regulations (printed ibid. p. 84) provided for a census of all the classes of agricultural implements mentioned in Schedule B to that Order, which were on or about lands and premises in Great Britain on April 21st, 1917.


(1) In England and Wales, | (2) In Scotland, p. 478. | (3) In Ireland, p. 478.

(1) In England and Wales.

The enactments with respect to Small Holdings and Allotments in England and Wales were consolidated by the Small Holdings and Allotments Act, 1908 (8 Edw. 7, c. 36). That Act confers on county councils powers and duties of providing "small holdings" (i.e., agricultural holdings exceeding one acre but not exceeding 50 acres or £50 annual (income tax) value) and of purchasing or hiring land for the purpose either by agreement or compulsorily. These powers, which are exercised through the councils' small holdings and allotment committee can be delegated to borough and urban district councils. On default of the county council the Small Holdings Commissioners (who are officially appointed by the Board of Agriculture and Fisheries) act. The small holding may be sold or let to a cultivator who may use it for keeping and breeding of livestock, poultry, or bees or for fruit or vegetable growing, but if so sold cannot for 20 years be divided or sublet without the county council's consent.

During the continuance of the war and 12 months thereafter the Board of Agriculture and Fisheries may by agreement purchase or lease land (to a limit of 6,000 acres) for the purpose of providing experimental small holding colonies for ex-sailors or ex-soldiers and other persons (6 & 7 Geo. 5, c. 38).

A further Act of the same year, 1916 (6 & 7 Geo. 5, c. 60) empowers the Board of Agriculture and Fisheries or any county or county borough council to accept and administer gifts for the settlement or employment in agriculture on land of ex-sailors and soldiers.

The Act of 1908 also imposes on borough, urban district, and parish councils the duty of providing allotments at a reasonable rent, and confers on such councils powers of purchasing or hiring land for the purpose either by agreement or compulsorily, and of appointing allotment managers. Outside boroughs, the county council act through their small holdings and allotment committee in default of the district or parish council, and in default of the county council the Small Holdings Commissioners act.

An allotment must not exceed 5 acres and must not be sub-let.

The compulsory purchase of land for both small holdings and allotments is governed by Regulations of March 24, 1908 (Statutory Rules and Orders, 1908, No. 310) and December 7, 1908 (Statutory Rules and Orders, 1908, No. 1178) and compulsory hiring of land for such purposes by further Regulations of March 24, 1908 (Statutory Rules and Orders, 1908, No. 309). These Regulations were made by the Board of Agriculture and Fisheries who are the central authority under both the 1908 and 1916 Acts.

In addition to the "district and parish council" allotments there are allotments for the labouring poor of two varieties, viz., "inclosure act allotments" and "poor and fuel allotments."
Small Holdings, Allotments and Land Settlement in Scotland and Ireland.

(2) In Scotland.

The Small Holdings Act, 1892 (55 & 56 Vict. c. 31), which now applies to Scotland only, confers on county councils the power of acquiring land for "small holdings" whose area is limited as by the 1908 English Act (see above). The small holding may be sold or let to a cultivator, who may use it as in the English case, and if so sold is subject for 20 years to various restrictions.

During the continuance of the war and for 12 months thereafter the Board of Agriculture for Scotland may by agreement purchase or lease land (to a limit of 2,000 acres—three-fourths of which must be arable) for the purpose of providing experimental small holding colonies for ex-sailors, ex-soldiers and other persons (6 & 7 Geo. 5, c. 38).

That Board or a county or town council may also accept and administer gifts for the settlement or employment in agriculture on land of ex-sailors and soldiers (6 & 7 Geo. 5, c. 60).

A second Act of 1892, the Allotments (Scotland) Act, 1892 (55 & 56 Vict. c. 54) empowers county, town, or parish councils to purchase or hire lands for allotments. The allotment must not exceed one acre, except where it is part of land hired compulsorily by a parish council. In burghs there are allotment managers appointed by the town council.

(3) In Ireland.

The Labourers (Ireland) Acts, 1883 to 1914 (as to the provisions of which see the title "Labourers Cottages, Ireland" in the 1916 Edition of the "Index to the Statutes in Force") provide for schemes by rural district councils for the erection of labourers' cottages with plots of not exceeding one acre attached.

The Department of Agriculture and Technical Instruction for Ireland or a county or county borough council can accept and administer gifts for the settlement or employment in agriculture on land of ex-sailors and soldiers (6 & 7 Geo. 5, c. 60).

The Local Government (Allotments and Land Cultivation) (Ireland) Act, 1917 (7 & 8 Geo. 5, c. 30) empowers the Local Government Board for Ireland to make orders authorising urban district councils to hire land for allotments, and any district council to supply manures, seeds and agricultural implements to the holders or tenants of allotments, labourers' plots, or small holdings. Thereunder that Board made on December 17th two Orders of which the Urban Allotments (Ireland) Order, 1917 (Statutory Rules and Orders, 1917, No. 1378) authorised the letting to wage-earners of land hired by urban councils in allotments not exceeding one-eighth of an acre and the supply therefor of seeds, manure and implements, and the other Order (Statutory Rules and Orders, 1917, No. 1377) provided for certain expenses incurred in previously supplying manures and seed.

(1) Licence for Building, p. 479. | (2) Suspension of Building Contract, p. 479.

(1) Licence required for Building or Repairs.—An Order of the Minister of Munitions ("Defence of the Realm Manual," May, 1917, Edit., p. 465) provides that the construction, alteration, repair, decoration or demolition of buildings shall not be commenced or carried on without a licence from the Minister.

Applications for licenses must be made in writing to the General Secretary, Ministry of Munitions, 6, Whitehall Gardens, S.W.1, giving full particulars of the description and locality of the work the purpose for which it is intended and its estimated cost and such further information as the Minister may require, and applicants must comply with restrictions or conditions subject to which the grant of such licence may be made.

No licence is required where the work in question:—

(a) is such that the total cost of the whole when completed will not exceed £500 and the use of constructional steel is not involved; or

(b) is being or is to be carried out by or under contract with

(i) any Department of H.M.'s Government, or is declared by any such Department to be a Government contract for the purpose of the Order, or

(ii) any local authority which has been authorised by any Government Department since March 25th, 1915, to borrow money in respect of such work.

A further Order of July 25th, 1917 (St. R. & O., 1917, No. 912), prohibits Sunday labour on any such work with the exception of work for a Government Department who authorise Sunday work thereon and the occasion of sudden emergencies.

(2) Suspension or Annulment by Court of Building Contract.—Section 1 (1) of the Courts (Emergency Powers) Act, 1917 (7 & 8 Geo. 5, c. 25), empowers the Court upon an application by any party to a contract for the construction of any building or work or for the supply of any materials therefor entered into before August 4th, 1914, (a) if satisfied that, owing to the prevention or restriction of, or the delay in, the supply or delivery of materials, or the diversion or insufficiency of labour, occasioned by the present war, the contract cannot be enforced without serious hardship, to suspend or annul the contract or stay proceedings for enforcement of the same.

(a) August 4th, 1914.—i.e., the date as from which a State of War existed between Great Britain and Germany. See Notification printed p. 1 of the "Manual of Emergency Legislation."

In pursuance of Regulation 15 of the Defence of the Realm Regulations (p. 84 of the "Defence of the Realm Manual," May, 1917, Edition) the Competent Military Authority made two Orders dated April 17th, 1917, of which one (p. 506 of the same Manual) provided for a Census of Cattle, Sheep, Pigs and Agricultural Implements in Great Britain and other one (p. 503 of the same Manual) for a Census of Horses and Mules in Great Britain—both returns to be made of ownership as on April 21st, 1917. By a further Order dated May 11th, 1917 (p. 505 of the same Manual) a Census of Horses and Mules in Ireland was provided for.

In pursuance of Regulation 15d (p. 87 of the same Manual) the Army Council by Order of May 22nd, 1917 (pp. 525-532 of the same Manual) required returns of acreage of crops and numbers of live-stock as on June 4th, 1917, throughout Great Britain.
5. Destructive Insects and Pests.

[Regulation 2r of the Defence of the Realm Regulations empowers the Agricultural Departments to take action to prevent injury to crops, trees, &c., by vermin or pests. That Regulation is printed):

So far as applying to England and Wales, p. 320.
... " Scotland, p. 371.
... " Ireland, p. 404.

and as so printed is accompanied by the Orders made thereunder and affecting the respective parts of the United Kingdom.

Section 10 of the Corn Production Act, 1917 (p. 219) as applied to Scotland by section 18 (1) (p. 224) and to Ireland by section 18 (2) (f) (p. 226) confers on those same Departments powers as to similar matters which are suspended as to Great Britain, but in force in Ireland.]


(1) Destructive Insects and Pests Acts and Orders.


(iii) Orders as to Scotland, p. 482. | (iv) Orders as to Ireland, p. 482.

(i) Acts of Parliament.—The Destructive Insects Act, 1877 (40 & 41 Vict. c. 68), which was directed to the prevention of the introduction into this country of the Colorado Beetle and the destruction of and payment of compensation (by local authorities) for crops thereby affected, was extended by the Destructive Insects and Pests Act, 1907 (7 Edw. 7. c. 4) to all other insects, fungus or pests destructive to crops, trees and bushes.

These provisions are administered under Orders made as to England and Wales by the Board of Agriculture and Fisheries, as to Scotland by the Board of Agriculture for Scotland (see 1 & 2 Geo. 5. c. 49, ss. 4, 28 (2) sch. 1), and as to Ireland by the Department of Agriculture and Technical Instruction for Ireland.(a)

The General Orders made by the Agricultural Departments for the three parts of the United Kingdom and now (Oct. 21, 1917) in force are specified below: they are all printed for sale as “Statutory Rules and Orders.” In addition to these certain local Orders have been made as to American Gooseberry Mildew, and Wart Disease of Potatoes.

(ii) Orders as to England and Wales.—The Destructive Insects and Pests Order of 1910 (1910, No. 467) provides for notification of discovery of the Colorado Beetle and certain other insects and pests, confers powers of entry, provides for action by local authorities, imposes a penalty on sale or use for planting of diseased seeds, etc., and prohibits the sale of live specimens.

(a) Agricultural Departments.—As to the Constitution of the three Agricultural Departments, see the Introductory Notes to Part V. (p. 257), Part VI. (p. 341), and Part VII. (p. 379), respectively.
Three Orders, the American Gooseberry Mildew Order of 1911 (1911, No. 940), the American Gooseberry Mildew (Fruit) Order of 1915 (1915, No. 517) and the American Gooseberry Mildew (Infected Areas) Order of 1915 (1915, No. 533) provide for the notification of, and precautions to be taken against, spread of gooseberry mildew, and the American Gooseberry Mildew (Importation of Fruit) Order of 1916 (1916, No. 438) prohibits the landing in England and Wales of gooseberries from any place outside Great Britain and the Channel Islands.

The Wart Disease of Potatoes (Infected Areas) Order of 1914 (1914, No. 174), the Wart Disease of Potatoes Orders of 1914 (1914, No. 220), and 1917 (1917, No. 198), and the Potatoes (Corky Scab) Orders of 1914 (1914, No. 1034), provide for the notification and precautions to be taken against the wart and corky scab potato diseases and restrict the planting of potatoes on places where disease has occurred.

(iii) Orders as to Scotland.—The Destructive Insects and Pests Order of 1910 and the American Gooseberry Mildew Order of 1911 (both of which were made before the Scottish powers were vested in a separate Board) are also in force in Scotland.

Potato disease is in Scotland regulated by the Wart Disease of Potatoes (Scotland) Order of 1913 (1913, No. 489) and the Corky Scab of Potatoes (Scotland) Order of 1914 (1914, No. 1162).

(iv) Orders as to Ireland.—The Colorado Beetle (Ireland) Order of 1877 (printed Statutory Rules and Orders Revised, 1904, Vol. IV., "Destructive Insect," p. 3), is directed against the spread of that insect.

The American Gooseberry Mildew and Black Currant Mite (Ireland) Order, 1912 (1912, No. 1720) provides for the notification and prevention of spread of those two diseases, and prohibits the importation of gooseberry or currant bushes into Ireland without a licence.

The Black Scab in Potatoes (Ireland) Order, 1908 (1908, No. 777) provides for the notification and prevention of spreading of that disease, and the Foreign Potatoes (Ireland) Order, 1910 (1910, No. 185) prohibits the landing in Ireland of any potatoes from the continent of Europe.

(2) Noxious Weeds in Ireland.

Section 1 of the Weeds and Agricultural Seeds (Ireland) Act, 1909 (9 Edw. 7 c. 31) empowers the Department of Agriculture and Technical Instruction for Ireland with the consent of the council of any county, to make an order declaring that throughout the county ragwort, charlock, coltsfoot, thistle, and dock or all or any of those plants are noxious weeds.

Section 2 empowers the Department to serve upon the occupier of any land (including in the case of a road the road authority (see Section 9)) a notice in writing requiring him to cut down or destroy noxious weeds. Contravention of a notice is an offence punishable summarily.

The Diseases of Animals Act, 1894 (57 & 58 Vict. c. 57), which consolidated the previous Acts relating to contagious diseases of animals, as amended by subsequent Acts confers extensive order making powers on the Board of Agriculture and Fisheries (who are for this purpose the central authority for Scotland as well as for England and Wales) and on the Department of Agriculture and Technical Instruction for Ireland.

The Orders are very numerous, nearly 5,000 having been made by the Board of Agriculture and Fisheries alone since the 1894 Act was passed, and most of them are of a temporary and the great majority of a local character.

None of these Orders are printed under the Rules Publication Act, but a full list of the General Orders in force on December 31st, 1915, is given at pp. 17, 18 of the Index to Statutory Powers and Rules and Orders in Force (1916 Edition) and the Annual Volumes of Statutory Rules and Orders for each year contain lists of all Orders made during the year. All these Orders are published in the London or Dublin Gazettes: copies of them can also be obtained from the two Departments above named.

Certain of the Orders deal with specific diseases of animals whilst others place restrictions on the importation of various animals and of hay and straw, impose on railway companies the obligation to provide water for animals carried on their railways, and effect other objects connected with the health of animals or the prevention of disease.
7. Exportation (Restrictions on).

[The Imports and Exports (Temporary Control) Bill (H.C. Bill 102) simplifies and continues for a period of three years after the termination of the War the powers under which the Proclamations and Orders of Council referred to under (1) and (2) below have been issued.]

(1.) Restrictions on Exportation from the United Kingdom of Particular Goods under Customs Acts, p. 484.
(2.) Restrictions on Exportation from the United Kingdom of Goods unless Consigned as Specified, p. 489.
(3.) Restrictions on Exportation from one part of the British Islands to another, p. 489.
(4.) Restrictions on Exportation to the Enemy, &c., p. 490.

(1.) Restrictions on Exportation from the United Kingdom of Particular Goods under Customs Acts.

[Whilst this Manual was in the press, this part of the Appendix has been revised to January 31st, 1918.]

By Proclamation of May 10th, 1917 (St. R. & O., 1917, No. 431), as amended by Orders of Council of June 22nd, 1917 (St. R. & O., 1917, No. 587), August 14th, 1917 (St. R. & O., 1917, No. 828), August 28th, 1917 (St. R. & O., 1917, No. 907), October 18th, 1917 (St. R. & O., 1917, No. 1070) and November 27th, 1917 (St. R. & O., 1917, No. 1218) (reference to other amending Orders not affecting matters within the scope of this Manual being omitted) the exportation of inter alia the following goods from the United Kingdom or Isle of Man was prohibited as follows:

(1) Goods marked (a), to all destinations;
(2) Goods marked (b), to all ports and destinations abroad other than ports and destinations in British Possessions and Protectorates;
(3) Goods marked (c), to all destinations in foreign countries in Europe and on the Mediterranean and Black Seas, other than France and French Possessions, Russia, Italy and Italian Possessions, Spain and Portugal, and to all ports in any such foreign countries, and to all Russian Baltic ports.

I.—Articles of Food and Drink:

(a) Aerated and mineral waters;
(a) Animals, living, for food;
(a) Arrowroot;
(a) Baking powder;
(a) Banana meal and banana flour and preparations containing the same;
(a) Barley, barley meal, and pearled and pot barley;
(a) Bean flour and meal;
(a) Beer and ale;
Restrictions on Exportation of Articles of Food and Drink.

(a) Bread, Biscuits, and Cakes;
(a) Butter and Margarine;
(a) Caramel, liquid or solid;
(a) Cassava powder;
(a) Cereals, prepared foods wholly or partially derived from;
(a) Cheese;
(a) Chicory;
(a) Cocoa, raw, and manufactures thereof; cocoa husks; and cocoa shells;
(a) Coffee;
(a) Coffee essence, including coffee essence containing chicory;
Condiments, the following:—
(b) Mustard;
(a) Pepper;
(c) All other condiments except table salt;
(a) Cornflour;
(a) Corn grits;
(a) Eggs in shells, egg powder, and egg, yolk and liquid;
(a) Farina;
(a) Fish;
(a) Fruit, including nuts used as fruit, and fruit preserves;
(a) Game;
(a) Ginger, crystallised or preserved;
(a) Hominy;
(a) Honey, and articles, mixtures, and preparations containing honey;
(a) Lard of all kinds (including imitation lard);
(a) Lentil flour and meal;
(a) Levulose;
(a) Macaroni;
(a) Malt, malt extract, and preparations containing malt extract (see also under "Sugar");
(a) Manioca;
(a) Meat of all kinds (including tinned and potted meat), and extract of meat;
(a) Milk, condensed or preserved, milk powder (see also under "Sugar");
(a) Oatmeal and rolled oats;
(a) Pea flour and meal;
(a) Pickles;
(a) Potato flour;
(a) Poultry;
(a) Rennet powder, rennet extract, and other preparations of rennet;
(a) Rice and rice flour, and articles, mixtures, and preparations containing rice or rice flour(a);
(a) Rye and rye flour and meal;

(a) Preparations containing Rice or Rice Flour.—e.g., face powder.
Restrictions on Exportation of Agricultural Products and Adjuncts.

(A) Sago and sago flour and meal;
(c) Sauces;
(A) Sausages;
(A) Semolina;
(A) Soups, compressed and desiccated;
(A) Spaghetti;

Spirits:—
(a) Spirits of a strength of not less than 43 degrees above proof;
(a) Spirits, potable, of a strength of less than 43 degrees above proof;
(a) Sugar and other sweetening substances:—
Sugar (cane or beet), molasses, glucose, saccharin, invert sugar, malt sugar (maltose), and milk sugar (lactose); and articles, mixtures, and preparations containing sugar (cane or beet), molasses, glucose, saccharin, and invert sugar; and articles and preparations containing malt sugar(a);
(a) Syrups which may be used as food for man;
(a) Tapioca and tapioca flour;
(a) Tea;
(a) Tomato pulp;
(a) Vegetables of all kinds, whether fresh, dried, preserved, canned or bottled;
(a) Vermicelli;
(a) Wheat, wheat flour, and wheatmeal, and articles, mixtures, and preparations containing them;
(a) Wine;
(a) Yeast, and articles, mixtures, and preparations containing yeast.

II. Other Agricultural Products and Adjuncts.

(i) Flax.
(a) (Raw flax).

(ii) Forage and food which may be used for animals, the following:—
(a) Beans, all kinds, including haricots;
(a) Buckwheat;
(a) Cakes and meals, the following:—
Biscuit meal;
Calf meal;
Coconut and poonac cake;
Compound cakes and meal;
Cotton seed cake, and cotton seed meal;
Fishmeal and concentrated fish;
Gluten meal or gluten feed;

(a) Preparations containing Sugar, &c.—e.g., blacking containing molasses sugar-coated pills.
Restrictions on Exportation of Agricultural Products and Adjuncts.

Ground nut or earth nut cake and meal;
Hempseed cake and meal;
Husk meal;
Linseed cake and meal;
Locust bean meal;
Maize germ meal;
Maize meal and flour;
Meat meal;
Palmnut cake and meal;
Poppy seed cake and meal;
Rapeseed or colza seed cake and meal;
Sesame seed cake and meal;
Soya bean cake and meal;
Sunflower seed cake and meal;
Whale cake;
Whale meal;

(a) Chick peas;
(a) Dari;
(b) Fenugreek seed;
(a) Forage, green;
(a) Grains, brewers' and distillers';
(a) Gram or dhol;
(a) Hay;
(a) Lentils;
(a) Lupin seeds;
(a) Maize;
(a) Maize germ;
(a) Malt dust, malt flour, culms, sprouts or combings;
(a) Millet;
(a) Oats;
(a) Offals of corn and grain, the following:
   Bran;
   Middlings;
   Mill dust and screenings;
   Pollard;
   Rice meal (or bran) and dust;
   Sharps;
(a) Patent and proprietary cattle foods of all kinds;
(a) Pigeon peas;
(a) Straw;

(iii) Hides and Pelts.
   (a) Hides of cattle and horses;
   (a) Sheepskins, haired or woolled; and pelts;

(iv) Insecticides.
   (c) Insecticides, not otherwise prohibited;

(v) Live stock.
   (a) Animals, living, for food;
   (a) Animals pack saddle and draught, suitable or which may be suitable for use in war;
(vi) **Machinery and Implements and Appliances.**

(a) Agricultural machinery, and component parts thereof, including hand tools which can be used for agricultural purposes;

(b) Horse mule and pony shoes;

(vii) **Manures.**

(a) Manures compound and organic and superphosphates;

(viii) **Oils and Fats.**

(b) Fats, all animal and vegetable, and articles and mixtures containing such fats, not otherwise prohibited;

(b) Fatty acids and articles and mixtures containing fatty acids;

(a) Oils, fixed, all animal and vegetable, and articles and mixtures containing such oils, not otherwise specifically prohibited;

(c) Oils, essential (except turpentine oil);

(a) Oleaginous kernels, nuts, seeds, and products of all kinds;

(a) Tallow, and articles, mixtures, and preparations containing tallow;

(ix) **Seeds.**

(a) Beet;

(a) Broccoli;

(a) Brussels sprouts;

(a) Cabbage;

(c) Canary;

(a) Carrot;

(c) Cauliflower;

(a) Celery;

(a) Chicory;

(a) Clover;

(a) Grass;

(a) Kale;

(a) Kohl rabi;

(a) Leek;

(a) Lettuce;

(a) Mangold;

(a) Mustard;

(a) Onion;

(a) Parsnip;

(a) Shallot;

(a) Spinach;

(a) Swede;

(a) Tomato;

(a) Turnip;
General Restrictions on Exportation of Articles of Food, &c.

(x) Timber.

(a) Wood and timber of all kinds, hewn, sawn or split, planed or dressed;

(xi) Wool.

(a) Raw wool and mixtures thereof;

By Proclamation of September 29th, 1917 (St. R. & O., 1917, No. 1007), the exportation to Sweden, Norway, Denmark and the Netherlands of all articles which are not prohibited by virtue of the May, 1917, Proclamation as amended, referred to at the beginning of this section (except printed matter and personal effects accompanied by the owner) was prohibited.

(2.) Restrictions on Exportation from the United Kingdom of Goods unless Consigned as Specified.

The export of All Articles of Food is prohibited by Proclamations and Orders of Council to China (St. R. & O., 1915, No. 932), Liberia (St. R. & O., 1916, No. 259), the Netherlands (St. R. & O., 1915, No. 608; 1917, No. 696), and Siam (St. R. & O., 1915, No. 932), unless consigned as specified in the prohibiting Proclamations or Orders.

(3.) Restrictions on Exportation from one Part of the British Islands to another.

The export of flour, bread and wheat from any part of the United Kingdom to the Channel Islands or the Isle of Man is prohibited by the Flour and Bread (Prices) Order, 1917 (printed p. 50 of this Manual) and the Wheat (Channel Islands and Isle of Man) Export Order, 1917 (printed p. 57).

The export of Barley, Oats, Oatmeal, and Wheat from the Isle of Man to any destination outside that Isle is prohibited by Orders of the Lieutenant-Governor dated March 7 and March 9, 1917.

The export of Malt from Ireland to Great Britain or vice versa, or from any part of the United Kingdom either to the Channel Islands or the Isle of Man, is prohibited by the Malt (Restriction on Shipping) Order, 1917, printed p. 68 of this Manual.

Subsequent Orders of the Food Controller restricting exports will, as stated in section II. 3 of the Introductory Note at the commencement of this Manual, appear in the forthcoming new Edition of Part II. hereof.

The export of Horses from Ireland (except under military authorisation or licence of the Department of Agriculture and Technical Instruction for Ireland) was prohibited by the Horses (Prohibition on Export from Ireland) Order, 1917, printed p. 406 of this Manual. But that Order was withdrawn as from February 1st, 1918, by Order of the Department dated January 26th, 1918.

Various restrictions on the shipping of animals are imposed by the Orders referred to under (6)—"Diseases of Animals Acts and Orders."
(4.) Restrictions on Exportation to the Enemy, &c.

A series of Proclamations of which a list is given, footnote(a) p. 134, of the "Defence of the Realm Manual" (May, 1917, Edition), prohibit trading with the enemy, or with persons in enemy, or enemy occupied, territories, and therefore of exportation of goods to or from such persons or territories.

The Trading with the Enemy (Statutory List) Proclamation, dated May 23rd, 1916, as amended by 44 Orders of Council, prohibits the trading with, and therefore the exportation of goods to or from the persons and firms specified in the "Statutory List" in the following non-enemy countries:—

America, Central and South, including Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Guatemala, Nicaragua, Paraguay, Peru, Salvador, Uruguay, and Venezuela.

Cuba.

Denmark.

Greece.

Hayti and Dominican Republics.

Iceland and Faeroe Islands.

Liberia.

Morocco.

Netherlands and Netherlands East Indies (including Borneo, Celebes, Java, and Sumatra).

Norway.

Persia.

Portugal and Portuguese East Africa, and West Africa, Portuguese Guinea, Fernando Po, Madeira and Rio Muni.

Spain (including Las Palmas and Tenerife).

Sweden.

The Statutory List has (in accordance with a provision contained in No. 5 of the Order of Council amending it) been reprinted as amended by all the Orders of Council up to and including No. 41, and is printed for sale as No. 41A.

The 6 subsequent amending Orders of Council, Nos. 42-47, are all printed for sale.

The Trading with the Enemy (Statutory List) Proclamation was further amended as to insurance business by Proclamation of January 16th, 1918 (St. R. & O., 1918, No. 47) which also provides for the 1916 Proclamation being printed with the amendments herein specified and any future amendments incorporated.
Fertilisers and Feeding Stuffs Acts and Orders.


[As to the supply of manures to cultivators see the Regulations, Orders and Memoranda referred to under "Manures" in the Index, and as to the export of manures and of feeding stuffs, see (7)—"Exportation (Restrictions on)" (pp. 486-488) above.]

The enactments as to fertilisers of the soil and feeding stuffs for cattle or poultry were consolidated by the Fertilisers and Feeding Stuffs Act, 1906 (6 Edw. 7 c. 27). That Act provides for warranties on sale of both fertilisers and feeding stuffs and empowers a purchaser or official sampler to obtain an analysis. Besides the chief analysts there is an agricultural analyst for each county and councils of county boroughs in England and Ireland and town councils in Scotland may also appoint analysts. The Act is administered by the Agricultural Departments for England, Scotland, and Ireland respectively who are empowered to make Regulations.

The six sets of Regulations made by the Board of Agriculture and Fisheries (St. R. & O., 1906, Nos. 940, 945; 1907, No. 752; 1908, Nos. 963, 964; and 1910, No. 90) relate mainly to the taking of samples, methods of analysis and limit of error; they have effect throughout Great Britain, having been made before the English Boards powers were as regards Scotland transferred to the Scottish Board by 1 and 2 Geo. 5, c. 49, ss. 4 (11), 28 (2).

The Irish Regulations (St. R. & O., 1910, No. 146) were consolidated in 1910.
Requisitioning of Flax.


[The full text of ALL Orders as to Flax and other Textiles will be printed in the "War Material Supplies Manual" of which the 1st Edition covering to January 31st, 1918, is now in the press.]


2. REQUISITIONING OF FLAX.—By Order of August 25th, 1917 (London Gazette, August 28th, 1917), the Minister of Munitions took possession of:

(a) All flax of the 1917 crop grown in the United Kingdom as and when harvested.

(b) All flax grown in the United Kingdom at any time and not at the date hereof in the possession of a flax spinner for the purpose of his business.

(c) All other flax, except Russian flax, now or hereafter situated in the United Kingdom.

The flax mentioned in paragraphs (a) and (b) will be divided under the directions of the Controller of Aeronautical Supplies into six grades, according to its quality, handling and cleaning, and the Minister will pay the following prices therefor:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special</td>
<td>35 0</td>
</tr>
<tr>
<td>1st</td>
<td>32 6</td>
</tr>
<tr>
<td>2nd</td>
<td>30 0</td>
</tr>
<tr>
<td>3rd</td>
<td>27 6</td>
</tr>
<tr>
<td>4th</td>
<td>26 3</td>
</tr>
<tr>
<td>5th</td>
<td>25 0</td>
</tr>
</tbody>
</table>

Flax which is inferior in quality to that of the 5th grade will be paid for upon terms which will be subsequently communicated to the various owners.

Any person who having control of any flax of which the Minister has so taken possession sells removes or secretes such flax without the consent of the Minister, will be guilty of an offence against the Defence of the Realm Regulations.

Further directions with regard to the delivery of flax, of which possession was thus taken will shortly be issued on behalf of the Minister by the Controller of Aeronautical Supplies.

All communications upon the subject of the Order should be for the present addressed to the Controller of Aeronautical Supplies, and marked Flax Supplies, Department S. (M.A.), 1, Air Board Office, Strand, London, W.C.2.
3. Saving of Flax Seed in Ireland.—The Flax Seed (Ireland) Order, 1917 (London Gazette, July 18th, 1917, being 4th Supplement to Gazette of July 17th) made by the Army Council provides as follows:

1. It shall be the duty of every grower of Flax in Ireland during the season of 1917;
   (1) To dry, with the object of saving the seed therefrom, in such a manner as may be prescribed by the Department of Agriculture and Technical Instruction for Ireland, one-eighth of the total crop grown by him, such portion of one-eighth to be selected so as to represent the fair average of the crop.
   (2) To stack such portion of the crop in the manner prescribed by the said Department.
   (3) To de-seed same at such time and in such manner as may be prescribed by the said Department, and to comply with any directions given by the said Department in that behalf, and as to the subsequent disposal of the seed so removed.

Provided, that if the entire crop is, with the approval of the said Department, sold on foot or in a dried condition, and the grower thereof has obtained from the purchaser an undertaking on the form set out in Schedule A hereto annexed, the grower shall be relieved of all duty with regard to the stacking or de-seeding of the flax so sold, and such duty shall devolve on the purchaser giving the aforesaid undertaking.

2. Except as hereinbefore provided, no person shall, without a permit issued by the said Department, sell, offer for sale, purchase, make payment for or take delivery, whether for scutching or otherwise, of any flax grown in Ireland during the season 1917 unless and until he has made or obtained, as the case may be, a declaration in the form set out in Schedule B hereto annexed.

3. No person shall sell or dispose of the seed removed from the said portion of one-eighth of the crop otherwise than to persons duly authorised by the said Department, and it shall be the duty of all such persons to comply strictly with any directions that may be given by the Department with regard to the acquisition, removal or handling of or payment for such seed.

Schedule A.

I........... of............................ hereby undertake that at least one-eighth part of the flax crop purchased by me on the.....day of..............19.....shall be reserved for de-seeding in accordance with the regulations prescribed in this behalf by the Department of Agriculture and Technical Instruction for Ireland, and that such Flax will be retained until de-seeded on my premises at.................................

Schedule B.

I........... of ................................ declare that no less than one-eighth of the flax crop grown on my lands in the year 1917 has been dried and stacked with the object of saving the seed therefrom in accordance with the regulations prescribed in this behalf by the Department of Agriculture and Technical Instruction for Ireland, that the portion of the crop so dried and stacked represents fair average of the entire crop, and that it is now stacked on my premises at...........................in the Barony of..................and county of.....................

__________________________
Saving of Flax Seed in Ireland.

In pursuance of the Flaxseed (Ireland) Order, 1917, made by the Army Council on the 12th day of July, 1917, the Department of Agriculture and Technical Instruction for Ireland on July 19th, 1917 (St. R. & O., 1917, No. 772), prescribed and directed that the operations of drying, stacking and de-seeding the flax referred to in Clause I of the Order shall be performed in accordance with the following Regulations:

Drying.

(1) Immediately after the flax has been pulled it shall be—
   (a) put into "gaits" or cones; or
   (b) set up on its root end loosely and supported by stack rope, fencing wire, or hurdles; or,
   (c) tied loosely in very small beets or sheaves.

The flax shall then be left in the field to dry until it is in a condition to allow of its being put into "shiegs" ("barts," "rickles") or "huts."

While the flax is being dried by any of the foregoing methods it shall be turned carefully at intervals of not less than four days.

When the flax is sufficiently dried it shall be tied neatly and put into "shiegs" ("barts," "rickles") or "huts" and kept in this form in the field until it is in a fit condition for stacking.

Stacking.

(2) The grower shall, unless otherwise directed, permitted or required by the Department, stack the dried flax on his premises in such manner as will safeguard it from damage by the weather, vermin or other cause.

De-seeding.

(3) The flax shall not be de-seeded before 31st December, 1917. The operation of de-seeding shall be conducted in such a manner as to avoid injury to the seed by breaking, crushing, or otherwise.

(4) No method of drying, stacking or de-seeding other than the foregoing shall be adopted unless approved in writing by the Department of Agriculture and Technical Instruction for Ireland.

Right of Inspection.

(5) The Department’s officers shall have the right to inspect at all reasonable times all land under flax and the flax when pulled.

3. Export of Raw Flax.—See Appendix VI. 7 Exportation (Restrictions on), p. 486.

[The full text of ALL Orders relating to Forage will be printed in the "War Material Supplies Manual" of which the 1st Edition covering to January 31st, 1918, is now in the press.]

1. PROHIBITION OF THE LIFTING OF STRAW IN THE UNITED KINGDOM AND ISLE OF MAN.—An Army Council Order of July 17, 1917 (London Gazette, July 18th, 1917, being 4th Supplement to Gazette of July 17th), revokes the previous Orders on this subject and provides as follows:—

1. The Army Council give notice that all hay or oat or wheat straw now standing in bulk in Great Britain and Ireland and the Isle of Man or as and when harvested is taken possession of by the Army Council and shall from July 17th, or as and when harvested, be held at the disposal of the duly authorised Officers of the War Department; excepting such hay or straw of the 1916 or earlier crop as has been released by Sale Licence.

2. Applications to enable hay or wheat or oat straw to be sold to private consumers or dealers will only be granted in respect of qualities and quantities of hay or straw in respect of which a Sale Licence has been issued being found not to be required for Army use.

3. Farmers and stock breeders are authorised to use a reasonable quantity of hay or oat or wheat straw in their possession for consumption by stock in their possession or control.

4. Applications for sale under the Order must be made in writing to the District Purchasing Officer of the district or county in which the hay or straw affected is standing. The addresses of these Officers is given at the foot of the Order as gazetted.

5. Applications to purchase for the purpose of re-sale will be made in England and Wales and the Isle of Man to the Administrative Member, Forage Committee, 64, Whitehall Court, London, S.W.1; in Ireland to the Area Administrative Officer, Royal Hospital, Dublin; and in Scotland to the Area Administrative Officer, Carlton Hotel, Edinburgh.

6. All Licences or Authorities issued under the Order will be issued subject to the restrictions and conditions contained in such Licences or Authorities; any departure from these conditions or other act in contravention of the provisions of the Order is an offence under the Defence of the Realm Regulations.

7. Detailed instructions regarding the necessary procedure to be adopted by all desiring to sell, purchase or remove hay or straw under this Order can be obtained on application to the Secretary, Forage Committee, 64, Whitehall Court, London, S.W.1; in Ireland to the Area Administrative Officer, Royal Hospital, Dublin; in Scotland to the Area Administrative Officer, Carlton Hotel, Edinburgh; and in the Isle of Man to the D.P.O.S., Edinburgh House, Loch Promenade, Douglas.
### Maximum Prices for Hay and Straw.

#### 2. Maximum Prices for Hay and Straw in United Kingdom and Isle of Man.—An Army Council Order of July 17th, 1917 (London Gazette, July 18th, 1917, being 4th Supplement to Gazette of July 18th), revokes the previous Orders on this subject, and provides that on any sale of hay, oat straw or wheat straw or chopped hay, oat straw or wheat straw in Great Britain and Ireland and the Isle of Man, the price shall not exceed such prices as are set out in the Schedules hereunder:

**Schedule I.—(Long Hay and Straw).**

Maximum Prices per Ton which a Producer may not exceed.

<table>
<thead>
<tr>
<th></th>
<th>Hay</th>
<th>Oat Straw</th>
<th>Wheat Straw</th>
</tr>
</thead>
<tbody>
<tr>
<td>To 31st December, 1917</td>
<td>£ 5 10 0</td>
<td>£ 3 0 0</td>
<td>£ 2 10 0</td>
</tr>
<tr>
<td>&quot; 31st January, 1918</td>
<td>£ 5 12 9</td>
<td>£ 3 1 6</td>
<td>£ 2 11 3</td>
</tr>
<tr>
<td>&quot; 28th February, 1918</td>
<td>£ 5 15 6</td>
<td>£ 3 3 0</td>
<td>£ 2 12 6</td>
</tr>
<tr>
<td>&quot; 31st March, 1918</td>
<td>£ 5 18 3</td>
<td>£ 3 4 6</td>
<td>£ 2 13 9</td>
</tr>
<tr>
<td>After 31st March, 1918</td>
<td>£ 6 1 0</td>
<td>£ 3 6 0</td>
<td>£ 2 15 0</td>
</tr>
</tbody>
</table>

The above prices are deemed to include the cost of carting to nearest railway station or a distance equivalent thereto, but not the cost of cutting, trussing and tying, or baling.

**Schedule II.—(Long Hay and Straw).**

Maximum Prices per Ton for Quantities exceeding 10 cwt. which a Seller may not exceed.

<table>
<thead>
<tr>
<th></th>
<th>Hay</th>
<th>Oat Straw</th>
<th>Wheat Straw</th>
</tr>
</thead>
<tbody>
<tr>
<td>To 31st December, 1917</td>
<td>£ 7 10 0</td>
<td>£ 5 0 0</td>
<td>£ 4 10 0</td>
</tr>
<tr>
<td>&quot; 31st January, 1918</td>
<td>£ 7 12 9</td>
<td>£ 5 1 6</td>
<td>£ 4 11 3</td>
</tr>
<tr>
<td>&quot; 28th February, 1918</td>
<td>£ 7 15 6</td>
<td>£ 5 3 0</td>
<td>£ 4 12 6</td>
</tr>
<tr>
<td>&quot; 31st March, 1918</td>
<td>£ 7 18 3</td>
<td>£ 5 4 6</td>
<td>£ 4 13 9</td>
</tr>
<tr>
<td>After 31st March, 1918</td>
<td>£ 8 1 0</td>
<td>£ 5 6 0</td>
<td>£ 4 15 0</td>
</tr>
</tbody>
</table>

The above prices are deemed to include commission and all costs and charges incurred, of whatever nature, for hay and straw delivered on to the consumer’s or purchaser’s premises.

**Schedule III.—(Long Hay and Straw).**

Maximum Prices per Stone of 14 lbs. for quantities of 10 cwt. or less, which a Seller may not exceed.

<table>
<thead>
<tr>
<th></th>
<th>Hay</th>
<th>Oat Straw</th>
<th>Wheat Straw</th>
</tr>
</thead>
<tbody>
<tr>
<td>To 31st December, 1917</td>
<td>1 0</td>
<td>8½</td>
<td>7½</td>
</tr>
<tr>
<td>&quot; 31st January, 1918</td>
<td>1 1</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>&quot; 28th February, 1918</td>
<td>1 1</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>&quot; 31st March, 1918</td>
<td>1 2</td>
<td>9½</td>
<td>8½</td>
</tr>
<tr>
<td>After 31st March, 1918</td>
<td>1 2</td>
<td>9½</td>
<td>8½</td>
</tr>
</tbody>
</table>

The above prices are deemed to include commission and all costs and charges incurred of whatever nature for hay and straw delivered on to the consumer’s or purchaser’s premises.
Maximum Prices for Chopped Hay and Straw.

Schedule IV.—(Chopped Hay and Straw.)

Maximum Prices per Ton for Quantities exceeding 10 cwt. which a Seller may not exceed.

<table>
<thead>
<tr>
<th></th>
<th>Chopped Hay mixed with 20 per cent. of Chopped Straw.</th>
<th>Chopped Oat Straw.</th>
<th>Chopped Wheat Straw.</th>
</tr>
</thead>
<tbody>
<tr>
<td>To 31st December, 1917</td>
<td>£ 7 10 0</td>
<td>£ 5 0 0</td>
<td>£ 4 10 0</td>
</tr>
<tr>
<td>31st January, 1918</td>
<td>7 12 9</td>
<td>5 1 6</td>
<td>4 11 3</td>
</tr>
<tr>
<td>28th February, 1918</td>
<td>7 15 6</td>
<td>5 3 0</td>
<td>4 12 6</td>
</tr>
<tr>
<td>31st March, 1918</td>
<td>7 18 3</td>
<td>5 4 6</td>
<td>4 13 9</td>
</tr>
<tr>
<td>After 31st March, 1913</td>
<td>8 1 0</td>
<td>5 6 0</td>
<td>4 15 0</td>
</tr>
</tbody>
</table>

The above prices are deemed to include commission and all costs and charges incurred of whatever nature for "chop" delivered on to the consumer's or purchaser's premises, excepting that where it is delivered in returnable sacks or bags a sum equal to 7s. 6d. per ton may be added to the above prices.

Schedule V.—(Chopped Hay and Straw.)

Maximum Prices per Stone for Quantities of 10 cwt. or less which a seller may not exceed.

<table>
<thead>
<tr>
<th></th>
<th>Chopped Hay mixed with 20 per cent. of Chopped Straw.</th>
<th>Chopped Oat Straw.</th>
<th>Chopped Wheat Straw.</th>
</tr>
</thead>
<tbody>
<tr>
<td>To 31st December, 1917</td>
<td>1 0</td>
<td>8½</td>
<td>7½</td>
</tr>
<tr>
<td>31st January, 1918</td>
<td>1 1</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>28th February, 1918</td>
<td>1 1</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>31st March, 1918</td>
<td>1 2</td>
<td>9¼</td>
<td>8½</td>
</tr>
<tr>
<td>After 31st March, 1918</td>
<td>1 2</td>
<td>9½</td>
<td>8½</td>
</tr>
</tbody>
</table>

The above prices are deemed to include commission and all costs and charges of whatever nature for "chop" delivered on to the consumer's or purchaser's premises, excepting that where it is delivered in returnable sacks or bags an additional ½d. per stone may be added to the above prices.

3. Percentage of Straw in Chopped Hay in Great Britain.

—An Army Council Order of May 9th, 1917 ("Defence of the Realm Manual," May, 1917, Ed. p. 208), provides that no Chaffed or Chopped Hay shall be manufactured, purchased, sold or delivered in Great Britain unless it contains not less than 20 per cent. of chopped straw.

4. Restriction on Use of Oat Straw in England.—The same Order of May 9th, 1917, as amended by the two Orders of July 17th referred to under 1 and 2 above provides that no oat straw shall in England or Wales be used for any purpose other than the feeding of live-stock, except under licence from the District Purchasing Officer of the District or County concerned—a list of whom is appended to the Order.

5. Exportation of Hay and Straw.—For Restrictions as to this see 7—"Exportation (Restrictions on)" (p. 487) above.
11. Hides and Pelts.

[The full text of ALL Orders as to Hides, Leather and Tanning Materials will be printed in the “War Material Supplies Manual” of which the 1st Edition covering to January 31st, 1918, is now in the press.]

1. Hides (Ox, Heifer, Cow and Bull).—An Army Council Order of April 7th, 1917 (London Gazette, June 22nd, 1917), provides, inter alia, that no Ox, Heifer, Cow or Bull Hides shall be bought by or on behalf of any tanner or delivered to any tanner or to any person on his behalf without a permit issued by or on behalf of the Director of Army Contracts, or at prices other than those set out in the annexed schedule or at such other prices as in any particular case may be allowed by or on behalf of the Director of Army Contracts.

Schedule.

<table>
<thead>
<tr>
<th></th>
<th>Runts, Herefords and Highlands</th>
<th>Ox and Heifer</th>
<th>Cow</th>
<th>Bull</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firsts</td>
<td>per lb.</td>
<td>10¼d.</td>
<td>10d.</td>
<td>8½d.</td>
</tr>
<tr>
<td>Seconds</td>
<td>per lb.</td>
<td>9¼d.</td>
<td>8½d.</td>
<td>7½d.</td>
</tr>
</tbody>
</table>

“Casualty,” “Fallen” or “Chance” Hides of whatever description 8 pence per lb.

These prices are the maxima to be paid by Tanners for Hides dehorned and properly trimmed according to the usual market custom.

2. Sheep Pelts.—An Army Council Order of April 9th, 1917 (London Gazette, April 13th, 1917) prohibits the purchase or sale of sheep or lamb pelts at prices exceeding those specified in the Schedule to the Order.

An Army Council Order of June 5th, 1917 (London Gazette, June 8th, 1917), provides that no person shall without a permit issued by or on behalf of the Director of Army Contracts:

(a) purchase, sell, or make or take delivery of, or repayment for, any Basils or Sheep Pelts at a price exceeding the average price received by the seller thereof for Basils or Pelts of corresponding qualities and descriptions during the month ending 31st May, 1917;

(b) sell any Basils or Sheep Pelts otherwise than in exchange for a guarantee by the purchaser thereof that he intends to put the said Basils or Pelts into work for the purposes of a Government contract or order.

12. Importation (Restrictions on).

[The Imports and Exports (Temporary Control) Bill (H.C. Bill 102) simplifies and continues for a period of three years after the termination of the War the powers under which the Proclama-
tions referred to below have been issued.]

By the "Prohibition of Import (Consolidation and Amend-
ment) Proclamation, 1917" of March 30th, 1917 (St. R. & O.,
1917, No. 284), as amended by the "Prohibition of Import
(No. 19) Proclamation, 1917" of August 29th, 1917 (St. R. & O.,
1917, No. 916), and the "Prohibition of Import (No. 20)
Proclamation, 1917" of November 16th, 1917 (St. R. & O., 1917,
No. 1175) (reference to other amending Proclamations not
affecting matters within the scope of this Manual being omitted)
the importation of inter alia the following goods into the United
Kingdom or Isle of Man was prohibited:

I.—ARTICLES OF FOOD AND DRINK:—

Aerated, mineral and table waters.
Bacon.
Beer.
Birds, live, including quail but excluding other poultry and
and game.
Bladders, casings and sausage skins.
Butter.
Cocoa, preparations of.
Cocoa, raw.
Coffee.
Fruit (canned, bottled, dried and preserved), except currants.
Fruit, raw, of all descriptions (except lemons and bitter
oranges), and almonds and nuts used as fruit.
Hams.
Hops.
Lard (other than neutral lard).
Lobsters, canned.
Salmon, canned.
Spirits and strong waters, of all kinds.
Sugar, articles and preparations containing, used for food
(except condensed milk).
Tea.
Tomatoes.
Vegetables, canned, bottled, dried, preserved, and in brine,
and pickles.
Wine.
Yeast.

II.—OTHER AGRICULTURAL PRODUCTS AND ADJUNCTS:—

Binder or reaper twine.
Bulbs, flower roots, plants, trees and shrubs.
Hides, wet and dry.
Machinery, agricultural and dairy.
Soya beans.
Wood and timber of all kinds, hewn, sawn or split, planed
or dressed.

(1) Supply of Manures to Cultivators.—Provision as to the supply of Manures to Cultivators is made as regards England and Wales by Art. 5 of the Cultivation of Lands Order, 1917 (No. 2) (p. 261), and Memorandum of the Board of Agriculture and Fisheries (V), p. 295, as regards Scotland by Memorandum of the Board of Agriculture for Scotland (p. 360) and as regards Ireland by Memorandum of the Department of Agriculture and Technical Instruction for Ireland (pp. 386, 391).

(2) Maximum Prices for Certain Manures.—Maximum Prices for Superphosphates were fixed by Order of the Minister of Munitions dated August 20th, 1917 (London Gazette, August 21st, 1917) and for Compound Fertilisers by Order of that Minister dated October 13th, 1917 (London Gazette, October 16th, 1917): the latter Order provided for the giving to purchasers of invoices stating the percentages of constituents in the fertilisers. Under amending Orders (London Gazette, November 20th and November 16th, 1917) the Orders do not apply to export from the United Kingdom of superphosphates except to the Channel Islands and the Isle of Man nor to export of compound fertilisers except to the Isle of Man.

By Order of October 17th, 1917 (London Gazette, October 19th, 1917) the Minister prohibited the sale of certain potassium compounds without a licence from the Controller of Potash Production.

The full text of all Orders of the Minister of Munitions relating to these and similar substances will be printed in the "War Material Supplies Manual" of which the 1st Edition covering to January 31st, 1918, is now in the press.

(3) Analysis and Samples of Manures.—Provision is made as to these matters by the Fertilisers and Feeding Stuffs Acts and Orders as to which see 8—"Fertilisers and Feeding Stuffs," p. 491 above.

(4) Export of Manures.—See 7—"Exports (Restrictions on)" above.

[Note.—Since October 21st, 1917, the date to which Part II. of this Manual is revised, the Food Controller has made a series of Orders relating to Oils and Fats which will, as stated in section II. 3 of the Introductory Note at the commencement of this Manual, appear in the forthcoming new Edition of that Part. As to restrictions on the export of oils and fats see Appendix VI. 7 (Exports), p. 488.]

Under the Defence of the Realm Regulations the Minister of Munitions has issued the following 5 Orders and Notices as to Oils and Fats:

<table>
<thead>
<tr>
<th>Date of Order</th>
<th>Subject of Order or Notice</th>
<th>Where published</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 9</td>
<td>New Schedule of Maximum prices ... Licence for sales and purchases of seeds for cultivation and of home made tallow and grease.</td>
<td>ibi, p. 226.</td>
</tr>
<tr>
<td>May 22</td>
<td>Notice explanatory of terms of Orders...</td>
<td>ibi, p. 228.</td>
</tr>
</tbody>
</table>

The administration of these Orders has been transferred to the Ministry of Food and their present (October 21, 1917) effect is as follows:

1. Licence required for certain dealings.—No person may purchase, sell or, except for the purpose of carrying out a contract in writing existing prior to May 1st, 1917, for the sale or purchase of any of the Articles specified in the First Schedule hereto, deal in any of the said Articles, whether situated within or without the United Kingdom, except under and in accordance with the terms of a licence issued by or under the authority of the Minister of Food or of a licence already issued by the Ministry of Munitions.

But no licence is required—

(i) By a seller for the sale of any of the said articles situated within the United Kingdom in quantities not exceeding one ton, provided that the total quantity of all the said articles sold by him or on his behalf to or on behalf of any one purchaser during any one calendar month does not exceed five tons.

(ii) By a purchaser for the purchase of any of the said articles situated within the United Kingdom in quantities not exceeding one ton, provided that the total quantity of all the said articles purchased by him or on his behalf in any one calendar month does not exceed five tons.
Maximum Prices for Seeds, Nuts, Kernels, Oils and Fats.

First Schedule.

ARTICLES TO BE DEALT WITH UNDER LICENCE.

Seeds, Nuts and Kernels.

<table>
<thead>
<tr>
<th>Castorseed.</th>
<th>Linseed.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gingelly (Sesame Seed).</td>
<td>Palm Kernels.</td>
</tr>
<tr>
<td>Kapokseed.</td>
<td>Shea Nuts.</td>
</tr>
<tr>
<td>Nigerseed.</td>
<td>Cottonseed.</td>
</tr>
<tr>
<td>Rapeseed.</td>
<td>Hempseed.</td>
</tr>
<tr>
<td>Sunflowerseed.</td>
<td>Mowrahseed.</td>
</tr>
<tr>
<td>Copra.</td>
<td>Poppyseed.</td>
</tr>
<tr>
<td>Ground Nuts.</td>
<td></td>
</tr>
</tbody>
</table>

Oils and Fats.

<table>
<thead>
<tr>
<th>Castor Oil.</th>
<th>Nigerseed Oil.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gingelly (Sesame).</td>
<td>Palm Oil.</td>
</tr>
<tr>
<td>Kapokseed.</td>
<td>Rapeseed Oil.</td>
</tr>
<tr>
<td>Mowrahseed Oil.</td>
<td>Sunflowerseed Oil.</td>
</tr>
<tr>
<td>Palm Kernel Oil.</td>
<td>Seal Oil.</td>
</tr>
<tr>
<td>Premier Jus.</td>
<td>Cotton Oil.</td>
</tr>
<tr>
<td>Soya Oil.</td>
<td>Hempseed Oil.</td>
</tr>
<tr>
<td>Neutral Lard.</td>
<td>Oleo Oil.</td>
</tr>
<tr>
<td>Acid Oils (from Refineries).</td>
<td>Maize Oil.</td>
</tr>
<tr>
<td>Coconuts Oil.</td>
<td>Poppyseed Oil.</td>
</tr>
<tr>
<td>Ground Nut Oil.</td>
<td>Shea Butter.</td>
</tr>
<tr>
<td>Linseed Oil.</td>
<td>Tallow.</td>
</tr>
</tbody>
</table>

All applications for Licences should be addressed to—

THE CONTROLLER OF OILS AND FATS,

Palace Chambers,

Westminster, S.W.1.

On May 9th, 1917, the Minister of Munitions gave notice that he thereby licensed until further notice all sales and purchases of special quality seeds of any of the descriptions referred to in the said Orders specifically for cultivation, irrespective of quantity, and also all sales and purchases of home melt tallow and grease for any purposes and in any quantities.

2. MAXIMUM PRICES FOR CERTAIN SEEDS, NUTS, KERNELS, OILS AND FATS.—No person may purchase, sell or deal in or offer to purchase, sell or deal in any of the articles specified in the Second Schedule hereto at a price exceeding the price set opposite to the same in the Second Schedule.

But this restriction on price does not apply to any sale or purchase of any of the said articles which (as stated above) is authorised to be effected without any licence issued by or under the authority of either of the Ministries.
## Maximum Prices for Seeds, Nuts, Kernels, Oils and Fats.

### Schedule.

**Maximum Prices.**

<table>
<thead>
<tr>
<th>Per Ton.</th>
<th>£</th>
<th>s.</th>
<th>Per Ton.</th>
<th>£</th>
<th>s.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Castorseed</td>
<td>...</td>
<td>37</td>
<td>0</td>
<td>Linseed</td>
<td>...</td>
</tr>
<tr>
<td>Copra</td>
<td>...</td>
<td>46</td>
<td>0</td>
<td>Nig erseed</td>
<td>...</td>
</tr>
<tr>
<td>Cottonseed</td>
<td>...</td>
<td>19</td>
<td>0</td>
<td>Palm kernels—</td>
<td></td>
</tr>
<tr>
<td>Gingelly (sesame) seed</td>
<td>...</td>
<td>32</td>
<td>0</td>
<td>East Coast ports</td>
<td>26</td>
</tr>
<tr>
<td>Groundnuts</td>
<td>...</td>
<td>32</td>
<td>0</td>
<td>West Coast ports</td>
<td>26</td>
</tr>
<tr>
<td>Hempseed</td>
<td>...</td>
<td>30</td>
<td>0</td>
<td>Rapeseed</td>
<td>...</td>
</tr>
</tbody>
</table>

All the above prices are net prices for seeds, nuts and kernels in bags ex ship, quay or warehouse in the United Kingdom.

### 2. Oils and Fats.—

<table>
<thead>
<tr>
<th>Per Ton.</th>
<th>£</th>
<th>Per Ton.</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Castor oil—</strong></td>
<td></td>
<td><strong>Linseed oil—</strong></td>
<td></td>
</tr>
<tr>
<td>Pharmaceutical</td>
<td>...</td>
<td>88</td>
<td>Ref ined</td>
</tr>
<tr>
<td>Ordinary</td>
<td>...</td>
<td>80</td>
<td>Nig erseed oil (crude)</td>
</tr>
<tr>
<td><strong>Coconut oil—</strong></td>
<td></td>
<td><strong>Oleo oil</strong></td>
<td>...</td>
</tr>
<tr>
<td>Crude</td>
<td>...</td>
<td>70</td>
<td>Palm kernel oil—</td>
</tr>
<tr>
<td>Refined</td>
<td>...</td>
<td>85</td>
<td>Crude, extracted</td>
</tr>
<tr>
<td><strong>Cotton oil—</strong></td>
<td></td>
<td><strong>Crude, crushed</strong></td>
<td>...</td>
</tr>
<tr>
<td>Crude</td>
<td>...</td>
<td>60</td>
<td>Refined</td>
</tr>
<tr>
<td>Refined soap oil</td>
<td>...</td>
<td>67</td>
<td>Palm oil—</td>
</tr>
<tr>
<td>Refined edible oil</td>
<td>...</td>
<td>75</td>
<td>Bleached</td>
</tr>
<tr>
<td>American refined</td>
<td>...</td>
<td>95</td>
<td>Unbleached</td>
</tr>
<tr>
<td><strong>Gingelly (sesame) oil</strong></td>
<td>65</td>
<td>Premier jus</td>
<td>...</td>
</tr>
<tr>
<td><strong>Groundnut oil—</strong></td>
<td></td>
<td><strong>Rapeseed oil—</strong></td>
<td></td>
</tr>
<tr>
<td>Crude</td>
<td>...</td>
<td>78</td>
<td>Crude</td>
</tr>
<tr>
<td>Refined</td>
<td>...</td>
<td>90</td>
<td>Refined</td>
</tr>
<tr>
<td><strong>Kapokseed oil—</strong></td>
<td></td>
<td><strong>Edible</strong></td>
<td>...</td>
</tr>
<tr>
<td>Crude</td>
<td>...</td>
<td>55</td>
<td>Soya oil—</td>
</tr>
<tr>
<td>Refined</td>
<td>...</td>
<td>70</td>
<td>Crude</td>
</tr>
<tr>
<td><strong>Linseed oil—</strong></td>
<td></td>
<td><strong>Ref ined</strong></td>
<td>...</td>
</tr>
<tr>
<td>Raw</td>
<td>...</td>
<td>58</td>
<td>Seal oil (crude)</td>
</tr>
<tr>
<td>Boiled</td>
<td>...</td>
<td>61</td>
<td>Tallow (imported)</td>
</tr>
</tbody>
</table>

All the above prices are for oil or fat net naked ex ship, mill or warehouse in the United Kingdom.

Packages may be charged extra at current market rates, but not exceeding £4 per ton on the oil or fat, or (in the case of Castor Oil sold for any special purpose in special packages) such higher sum per ton (if any) as may from time to time be authorised to be charged by the Controller of Oils and Fats.
3. **INTERPRETATION OF THE ORDERS.**—The expression "ex ship" and all other expressions used in the said Orders, and the Schedules thereto, are to be interpreted in accordance with recognised trade or port customs or usages as to the meaning of such expressions. The Orders do not, by fixing maximum prices for dealings in such articles, or any of them, prohibit—

(a) the observance of recognised trade or port customs or usages with regard to dealings therein; or

(b) the incorporation in any contract for sale or purchase at the maximum price of any terms and conditions as to arriving at weights, allowances for ullage, etc., which it is customary to incorporate in contracts for the sale or purchase of such article; or

(c) the use, for dealings in any article at the maximum price, of any recognised trade Association form of contract for dealings in such articles.

4. **INFORMATION AND RETURNS.**—All parties to any of the transactions must:

(a) require or disclose (as the case may be) all such information as may be necessary for or required by such parties or by or under the authority of the Food Controller for the purpose of satisfying them or him that the provisions of the Orders have not been contravened.

(b) make all such returns as to stocks, purchases, sales, payments, prices and dealings in any of the articles specified in the First Schedule above as shall from time to time be required by or under the authority of the Food Controller.
15. Road Materials.

In pursuance of Regulation 966 of the Defence of the Realm Regulations which as amended confers powers on the Army Council as to road stone quarries the Army Council by Order of August 7th, 1917 (London Gazette, August 7th, 1917) took possession of all road stone quarries in England and Wales except those producing only gravel and flint.

By the Road Stone Transport Order, 1917 (London Gazette, September 4th, 1917) the Army Council imposed various restrictions on the transport of quarried stone, slag, dehydrated tar, tarred slag or tarred stone and similar material usable for road construction and maintenance with a view to effecting economies in transport and facilitating and maintaining the supply of such material. The Order further provides for the abrogation of impeding contracts.
The Sale of Food and Drugs Acts comprise 5 Acts passed in 1875, 1879, 1887, and 1899, and 1907.

The Acts, which are administered part by the three Agricultural Departments, and in part by the three Local Government Boards, are directed to securing that food and drugs shall be sold in a pure state and prohibit the mixing with the article sold of ingredients which are injurious or are intended to fraudulently increase bulk, weight, or measure or to conceal inferior quality.

They provide as to the appointment and duties of analysts, and as to warranties and invoices; their provisions as to the latter matter have been applied by certain Orders of the Food Controller —see the heading "Warranties and Invoices" in the Index,

The 1887 and 1907 Acts make provisions for the registration of manufactories of butter, margarine and margarine cheese.

All the above enactments are fully indexed under the title "Adulteration—1. Foods and Drugs" in the 1916 Edition of the "Index to the Statutes in Force" and reference to the numerous Regulations made by the administering Departments above-named under the same heading in the 1916 Edition of the "Index to Statutory Powers and Rules and Orders in Force."

The Law relating to milk and dairies was consolidated as to Scotland by the Milk and Dairies (Scotland) Act, 1914 (4 and 5, Geo., 5 c. 46) and extended provision made to secure the purity of milk supplies, and as to England and Wales by the Milk and Dairies (Consolidation) Act, 1915 (5 and 6 Geo., 5 c. 66). But the operation of both these Acts has been suspended until a period after the termination of the War.
17. Seeds.

Provision as to the Supply of Seeds to Cultivators is made as regards England and Wales by Art. 5 of the Cultivation of Lands Order, 1917 (No. 2) (p. 261) and Memoranda of the Board of Agriculture and Fisheries (pp. 265, 281) and as regards Ireland by Memoranda of the Department of Agriculture and Technical Instruction for Ireland, pp. 386, 391.

The Adulteration of Seeds Act, 1869 (32 and 33, Vict. c. 69) as amended in 1878 makes it an offence to destroy the germinating power of seeds or to apply to them any process of colouring or sulphur smoking.

As to the restrictions on export of certain seeds, see 7—"Exportation (Restrictions on)" (p. 488) above, and as to dealings in oleaginous seeds, see 14—"Oils and Fats" (p. 501) above.

Since October 21st, 1917, the date to which Part II. of this Manual is revised, the Food Controller has made Orders relating to the testing of, and other provisions as to seeds. Such Orders will as stated in Section II. 3 of the Introductory Note at the commencement of this Manual appear in the forthcoming new Edition of Part II.
18. Timber (Home Grown).

[The full text of ALL Orders as to Timber Supplies will be printed in the “War Material Supplies Manual” of which the 1st Edition covering to January 31st, 1918, is now in the press.]

(1) PURCHASE OR SALE OF TIMBER.—The Standing Timber (United Kingdom) Order, 1917(a) (London Gazette, July 6th, 1917), prohibits any person without a permit issued by or on behalf of the Controller of Timber Supplies from buying any Standing Timber in the United Kingdom. This restriction does not apply to any purchase of:

(a) Real Estate having Timber Standing thereon;
(b) Standing Timber for an amount not exceeding in the aggregate for any one purchaser in respect of any period of 3 months the sum of £300.

The Home Grown Timber Prices Order, 1917 (London Gazette, December 4th, 1917) made by the Board of Trade prohibits any person from selling or purchasing any Timber grown in the United Kingdom at prices exceeding the prices set out in the Schedule thereto.

(2) PARTICULARS OF TIMBER PURCHASE OR SALE BUSINESSES.—An Order of April 2nd, 1917(a) (London Gazette, April 3rd, 1917) requires all persons engaged in the purchase or sale of Timber shall furnish such particulars as to their business as may be required by or on behalf of the Controller of Timber Supplies.

(3) EXPORT OF TIMBER.—The Export of Timber (Ireland) Order, 1917 (London Gazette, December 7th, 1917) made by the Board of Trade prohibits the export from Ireland to Great Britain of round or sawn timber of any description grown in Ireland without a permit issued by or on behalf of the Controller of Timber Supplies.

For restrictions on the export of Timber from the United Kingdom and the Isle of Man, see 7—“Exportation (Restrictions on)” (p. 489) above.

(a) This Order, made by the Army Council, has effect as if made by the Board of Trade. See Reg. 2jj (4) of the Defence of the Realm Regulations.

[The full text of ALL Orders as to Wool will be printed in the “War Material Supplies Manual” of which the 1st Edition covering to January 31st, 1918, is now in the press.]

(1) Sale of Raw Wool of 1917 Clip.—“The Sale of Wool (Great Britain) Order, 1917” (London Gazette, June 29th, 1917) provides as follows:

1. No person shall sell raw Wool grown or to be grown on sheep in Great Britain and the Isle of Man during the season of 1917, including Fleece Wool and Skin Wool, but not including Daggings, Locks, Brokes, and Fallen Wool, otherwise than to persons authorised by or on behalf of the Director of Army Contracts, or at prices other than those set out in the schedules annexed to the Order or at such other prices as in any particular case may be allowed by or on behalf of the Director of Army Contracts.

2. No person shall sell raw Wool (as hereinbefore defined) grown or to be grown on sheep in Ireland during the season of 1917 otherwise than in accordance with the provisions of the Sale of Wool (Ireland) Order, 1917.

3. No person shall make or take delivery of or payment for any Wool of the description aforesaid otherwise than in accordance with the provisions of the Order, whether in pursuance of any contract entered into prior to the date hereof or otherwise.

4. All persons having in their custody or control any stocks of Wool of the description aforesaid are hereby required to sell such Wool to any persons authorised by or on behalf of the Director of Army Contracts as may be required by him or on his behalf, and to make deliveries to such persons in such quantities and at such times and places as may be specified by him or on his behalf.

5. No person shall mix or wind in any Fleeces of the description aforesaid any Brokes or dead Wool, Locks, Daggings or other matter whatsoever.

(2) Sale of Raw Wool of 1916 or Earlier Clips.—This is regulated by Orders printed pp. 249-257 and 562 to 564 of “The Defence of the Realm Manual” (May, 1917, Edit.).

(3) Restrictions on Export of Wool.—See 7—“Exportation (Restrictions on)” (p. 489) above.
APPENDIX VII.

RELIEF FROM VACATION OF SEAT IN AND DISQUALIFICATION FOR MEMBERSHIP OF HOUSE OF COMMONS; OFFICES OF PROFIT IMMEDIATE SUCCESSION FROM THE ONE TO THE OTHER OF WHICH DOES NOT VACATE SEAT IN HOUSE OF COMMONS.

(1.) Offices of Profit immediate succession from the one to the other of which does not Vacate Seat in House of Commons, p. 510.

(2.) Relief from Disqualification for Membership of House of Commons, as regards certain Contracts, p. 511.

Section 52 of the Representation of the People Act, 1867
(30 & 31 Vict. c. 102).

Where a person has been returned as a member to serve in Parliament since the acceptance by him from the Crown of any office described in Schedule (H) to this Act annexed, the subsequent acceptance by him from the Crown of any other office or offices described in such schedule in lieu of and in immediate succession the one to the other shall not vacate his seat.

Editorial Note.—This section is in identical terms with those of s. 51 of the Scottish Act (31 & 32 Vict. c. 48), and s. 11 of the Irish Act (31 & 32 Vict. c. 49), saved that in the last named Act the Schedule is numbered "E." The Schedule to each of the three Acts was as enacted in 1867 and 1868 in identical terms, but it has been extended by numerous enactments, and certain Ministerial Offices existing in 1867 are now obsolete.—Alexander Pulling.

Dec. 31, 1917.

Schedule H of the Representation of the People Act, 1867
(30 & 31 Vict. c. 102), reproduced in the form it now appears to assume.

Offices of Profit referred to in this Act.

Lord High Treasurer.
Commissioner of His Majesty's Treasury.
President of the Privy Council.
Comptroller of His Majesty's Household.
Treasurer of His Majesty's Household.
Vice-Chamberlain of His Majesty's Household.
Relief from Disqualification for Membership of House of Commons as regards certain Contracts.

Equerry or Groom in Waiting on His Majesty.
Any Principal Secretary of State.
Chancellor and Under Treasurer of His Majesty's Exchequer.
Paymaster General.
Postmaster General.
Lord High Admiral.
Commissioner for Executing the Office of Lord High Admiral.
Secretary for Scotland.
Commissioner of His Majesty's Works and Public Buildings.
President of the Board of Trade.
Minister of Labour.
President of the Local Government Board.
President of the Board of Agriculture and Fisheries.
President of the Board of Education.
Chief Secretary for Ireland.
Chancellor of the Duchy of Lancaster.
Lord Advocate for Scotland.
Solicitor General for Scotland.
Attorney General for Ireland.
Solicitor General for Ireland.
Minister of Munitions.
Minister of Pensions.
Food Controller.
Shipping Controller.
Director-General of National Service.
Minister of Reconstruction.

(2.) Relief from Disqualification for Membership of House of Commons as regards certain Contracts.

Section 9 of the Courts (Emergency Powers) Act, 1917 (7 & 8 Geo. 5., c. 25).

9.—(1) Whereas by reason of the emergencies of the present war members of the Commons House of Parliament have sometimes been, or may hereafter be, required to supply property to, or to permit the use thereof by, a Government department for purposes connected with the present war, it is hereby declared that none of the provisions of the House of Commons (Disqualification) Act, 1782, or of the House of Commons (Disqualifications) Act, 1801, shall be construed so as to extend to a contract or agreement entered into during the present war as to the price or compensation to be paid for any property so requisitioned or taken or as to any other terms on which any property so requisitioned or taken is to be handed over or supplied.

(2) This section shall not affect any legal proceedings instituted before the twenty-first day of February, nineteen hundred and seventeen.
PAYMENT AND ALLOCATION OF FINES AND FEES IN ENGLAND AND WALES.

Section 5 of the Criminal Justice Administration Act, 1914 (4 and 5 Geo. 5, c. 58), which section has effect throughout England and Wales but not in Scotland or Ireland is as follows:

"5.—(1) A court of summary jurisdiction in fixing the amount of any fine to be imposed on an offender shall take into consideration, amongst other things, the means of the offender so far as they appear or are known to the court; and where a fine is imposed the payment of the court fees and police fees payable in the case up to and including conviction shall not be taken into consideration in fixing the amount of the fine or be imposed in addition to the fine, but the amount of the fine, or of such part thereof as may be paid or recovered, shall be applied as follows:—

"(a) in the first place in the repayment to the informant or complaint of any court or police fees paid by him;

"(b) in the second place in the payment of any court fees not already paid by the informant or complainant which may be payable under the table of fees set out in the First Schedule to this Act;

"(c) in the third place in the payment of any police fees not already paid by the informant or complainant; and

"(d) the balance (if any) remaining after the aforesaid payments have been made shall be paid to the fund or person to which the fine is directed to be paid by the enactments relating to the offence in respect of which the fine was imposed, or, if there is no such fund or person, then to the fund into which the court fees are paid.

"(2) In this section the expression 'police fees' means all duly authorised fees payable to any constable in the execution of his duty."
The Table of Court Fees set out in the First Schedule to the Act has been amended by Order of the Secretary of State dated April 1st, 1915 (St. R. & O., 1915, No. 279) made under section 6 (3) of the Act.

The following is a Table of such of these Fees as so amended as appears to be applicable in the case of offences under the Defence of the Realm Regulations Triable Summarily before Courts of Summary Jurisdiction.

**NON-INDICTABLE OffENCES:**

For the performance of all the several duties in respect of any offence dealt with summarily (other than an indictable offence dealt with summarily, in pursuance of the Summary Jurisdiction Act, 1879, and any Act amending the same) up to and including the conviction or the dismissal of the charge (including any order and recognizance under the Probation of Offenders Act, 1907, and any order for sureties and any recognizance consequent thereon), in respect of each defendant whether charged jointly or separately...

<table>
<thead>
<tr>
<th>s. d.</th>
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<tbody>
<tr>
<td>4 0</td>
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</tbody>
</table>

**CASE FOR THE OPINION OF SUPERIOR COURT (20 & 21 VICT. c. 43, SECTION 3):**

- Drawing case and copy, when the case does not exceed five folios of 90 words...
  - For every additional folio beyond five...
  - Taking recognizance as required by the Act...
  - Every enlargement or renewal thereof...
  - For certificate or refusal of case...

<table>
<thead>
<tr>
<th>s. d.</th>
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<tbody>
<tr>
<td>10 0</td>
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<tr>
<td>1 0</td>
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<td>5 0</td>
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<td>2 6</td>
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<td>2 0</td>
</tr>
</tbody>
</table>

**CONVICTION:**

For drawing up a conviction, when required, and lodging same with the Clerk of the Peace (to include all persons convicted on the same charge except in cases where all persons convicted on the same charge cannot be included in the same conviction)...

<table>
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<tr>
<th>s. d.</th>
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<td>2 6</td>
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**COPY:**

- Of any document per folio of 72 words...

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<tr>
<td>0 4</td>
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</table>

**DUPLICATE:**

For the duplicate of any document...

<table>
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<th>s. d.</th>
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<tbody>
<tr>
<td>One-half the original fee.</td>
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</tbody>
</table>

**EXAMINATION. (See Information.)**
Court Fees in Summary Trials under Defence of the Realm Regulations in England and Wales.

EXHIBIT:—

Each document annexed to or referred to in any affidavit or declaration and marked ... ... ... ... 1 0

HEARING:—

When no order is made ... ... ... ... ... 1 0

INFORMATION:—

Each information or examination (including oath) ... 1 0

OATH:—

Every oath, affirmation, or solemn declaration not otherwise charged ... ... ... ... ... ... 1 0

(Vide note at end of table.)

RECOGNIZANCE:—

Every recognizance ... ... ... ... ... ... 2 6
Notice to each person bound ... ... ... ... ... ... 0 6

SUMMONS:—

Every summons (to include all the names included in the same charge or intended to be summoned as witnesses in the same case for the prosecution or defence if applied for at the same time) ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ......
Section 47 of the Metropolitan Police Courts Act, 1839 (2 & 3 Vict., c. 71) as amended by section 9 of the Metropolitan Police Courts Act, 1897 (60 & 61 Vict., c. 26) and by the Customs and Excise Transfer Order, 1909 (St. R & O. 1909, No. 197) provides as follows:—

"47. Where by any Act or Acts any penalties or forfeitures, or shares of penalties or forfeitures, are or shall hereafter be made recoverable in a summary manner before any justice or justices of the peace, and by such Act or Acts respectively the same are or shall be limited and made payable to any body corporate, or to any person or persons whomsoever, save the informer who shall sue for the same, or any party aggrieved, in every such case the same, if recovered or adjudged before any of the said magistrates(a), shall be recovered for and adjudged to be paid to the said receiver for the time being, and not to any other person; but this enactment shall not extend to any penalties or forfeitures recovered under any Act relating to the customs, or to trade or navigation, and sued for by the direction of the Commissioners of Customs and Excise which shall be paid to such person as the said commissioners shall direct to receive the same."

(a) i.e. before Metropolitan Police Court Magistrates.
ANALYTICAL INDEX TO ACTS, REGULATIONS, ORDERS, APPENDICES, AND INTRODUCTORY AND OTHER NOTES AND TO ADDENDA.

[All the Index entries are in double form, i.e., they refer both to the Section of the Act, Number of the Regulation, Short Title, or Date of the Order in reference, and to the Page of this Manual on which the document or editorial note referred to is printed. The entries relating to matters not in force, whether owing to the Enactment, Order, &c., having been revoked or having expired, or (as e.g., Part IV of the Corn Production Act being suspended in operation as regards England, Wales and Scotland) are printed in italics. The scope and arrangement of the Manual is explained at the commencement of the Introductory Note (p. iii).—Editor.]

In this Index the following abbreviations are employed:—

- **Art.**... ... ... Article.
- **D.R.**... ... ... Defence of the Realm.
- **E.**... ... ... England and Wales.
- **H.M.**... ... ... His Majesty the King.
- **I.**... ... ... Ireland.
- **Introd.**... ... ... Introductory Note.
- **O.**... ... ... Order.
- **Pt.**... ... ... Part.
- **par.**... ... ... paragraph.
- **Reg.**... ... ... Defence of the Realm Regulations.
- **S.**... ... ... Scotland.
- **Sch.**... ... ... Schedule.
- **U.K.**... ... ... the United Kingdom.

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**Abetting.** See Aiding or Abetting.

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2. Part IV.—Corn Production Act, p. 605.
3. Part V.—Board of Agriculture and Fisheries, p. 616.
5. Part VII.—Department of Agriculture and Technical Instruction for Ireland, p. 630.

1. Parts I-III.—Ministry of Food.

EDITORIAL NOTE.

The number of New Orders made by the Food Controller during the past months averages about one a day: consequently, any collection of such Orders requires constant revision and supplementation, for it is of necessity partially out of date before it can be even got into type, and still more out of date before the period required for the publication of a Manual embracing the whole of the Food Supply and Production legislation has expired.

To meet these difficulties and the necessity for complete and systematised Editions of the Food Controller's Orders being made generally available, the following arrangements have been made.

New Editions of Part II. of this Manual, which comprises all those Orders of the Controller as to particular articles of food as were in force on October 21st last, will be periodically issued: the first of these Editions containing the text of all such Orders in force on January 31st, 1918, is now in the press. To bridge the intervals between such Editions the text of Orders made in such intervals will be issued as supplements to the National Food Journal.

After the earlier portions of this Manual had been printed off the arrangements for the enforcement of the Food Controller's Orders were completely changed. Under the new system such enforcement is throughout Great Britain in the hands of the local Food Control Committees, and in Ireland in those of the general Food Control Committee: the power of prosecuting for contravention of the Controller's Orders is also vested in the Food Control Committees for England, Wales and Ireland. The former system, under which both enforcement of, and as regards England and Wales prosecutions under, certain Orders was vested in the local authorities, and which was established by the Orders
forming Section 1 of Part III. of this Manual, continued concurrently in force until December 31st, 1917, and then came to an end. Thenceforward local authorities are not directly concerned in these matters, save in so far as in England and Wales they act for and by arrangement with a Food Committee. An outline of the existing provisions as to Food Control Committees and their powers and duties is given in Section II. 4 of the Introductory Note to the present Manual.

The new Editions of Part II. of this Manual above referred to, will contain an epitome of the provisions as to Food Control Committees and as to Enforcement of, and Prosecutions under, Orders of the Food Controller, and will also contain any variations of, or additions to, the powers conferred on the Controller by the Defence of the Realm Regulations and will by these means supplement and bring up to date all the "Ministry of Food" Parts of the present Manual.

Alexander Pulling.

January 31, 1918.
Establishment and Constitution of District Wages Committees in England and Wales.

2. Addenda to Part IV—Corn Production Act.

(1.) Wages for Agricultural Workers in England and Wales, p. 605.
(2.) Wages for Agricultural Workers in Ireland, p. 610.
(3.) Compulsory Tillage in Ireland, p. 612.

(1.) Wages for Agricultural Workers in England and Wales.

These Addenda are supplemental to pp. 234-241 of this Manual.

(i.) Central Board, p. 605.
(ii.) District Wages Committees, p. 605.
(iii.) Definitions of Certain Benefits, p. 608.

(i.) Central Board.

The Provisional Regulations of September 28th, 1917 (printed pp. 239-241), as to the Constitution and Proceedings of the Agricultural Wages Board (England and Wales) were made as Statutory Rules (St. R. and O., 1917, No. 1154) on November 8th, 1917.

(ii.) District Wages Committees.

As to these Committees, see paragraphs 22-24 of the Explanatory Memorandum of September, 1917, of the Board, printed pp. 237, 238.

The District Wages Committees Regulations, 1918, dated January 1, 1918, made by the Board of Agriculture and Fisheries under section 12 of the First Schedule to the Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46) (a), with respect to the Establishment and Constitution of District Wages Committees and the Delegation of Powers to Sub-Committees.

1918. No. 35.

1. District Wages Committees shall as soon as practicable be established by the Agricultural Wages Board for the whole of England and Wales, and each such Committee shall act for such area as the Wages Board shall determine and shall consist of:—

(a) Representatives of local employers and workmen engaged in agriculture in equal proportions, who are hereinafter referred to as "representative members."

(b) Additional members (hereinafter called "appointed members") up to a number not exceeding one-fourth of the total number of members of the Committee.

At least one member of each District Wages Committee shall be a woman.

(a) Schedule I (12) of the Act.—This is printed p. 228.
2. Any appointed member of the Wages Board shall have the right to attend any meeting of a District Wages Committee and take part in the proceedings but without the power to vote unless he is a member of the Committee.

3. When the Wages Board have determined the area for which a District Wages Committee is to be established, they shall furnish a statement thereof to the Board of Agriculture and Fisheries, together with a statement of the number of representative and appointed members, respectively, of which they propose that the Committee shall consist.

4. The Board of Agriculture and Fisheries, after consideration of the statements so furnished by the Wages Board shall determine the number of representative members and appointed members of which the District Wages Committee shall consist (excluding any additional representative members appointed under Regulation 7).

The representative members shall be appointed by the Wages Board and the appointed members shall be appointed by the Board of Agriculture and Fisheries.

5. The Chairman and Deputy-Chairman of each District Wages Committee shall be chosen from among the appointed members of the Committee by the Board of Agriculture and Fisheries.

6. The Secretary of each District Wages Committee shall be appointed from time to time by the Board of Agriculture and Fisheries.

7. The Wages Board may, if they think it necessary or desirable in order to secure proper representation of any class of employers or workmen on a District Wages Committee, after giving the Committee an opportunity to be heard, appoint persons to act as additional representatives of local employers and workmen engaged in agriculture in equal proportions to serve for such period, not exceeding two years, as they may determine. The total number of such additional representative members on any Committee shall not exceed four.

8. Any member representing employers or workmen who by reason of change of occupation, or otherwise, shall in the opinion of the Wages Board cease to represent employers or workmen respectively shall, if so required by the Wages Board, vacate his seat.

9. Any representative member who, in the opinion of the Wages Board, fails without reasonable cause to attend one-half of the total number of meetings in a calendar year, shall vacate his seat.

10. The Board of Agriculture and Fisheries may, in any case where in their opinion there is good and sufficient cause, terminate the appointment of any appointed member of a District Wages Committee.

The Wages Board may, in any case where in their opinion there is good and sufficient cause, terminate the appointment of any representative member of a District Wages Committee.
11. Subject to the provisions of these Regulations, the term of office of a member of a District Wages Committee shall be two years: provided that—

(a) any member may retire by notice in writing to the Secretary of the Committee;

(b) a member appointed to fill a casual vacancy shall act only for the unexpired portion of the term of office of his predecessor; and

(c) a member whose term of office expires shall continue to act as a member until a successor is appointed.

12. Any person vacating his seat on a District Wages Committee shall be eligible to be re-appointed as a member of the Committee.

13. A vacancy among representative members on a District Wages Committee shall be filled by appointment by the Wages Board of a representative of employers engaged in agriculture or a representative of workmen engaged in agriculture, as the case may be.

A vacancy among appointed members on a District Wages Committee shall be filled by appointment by the Board of Agriculture and Fisheries.

14. Every member of a District Wages Committee shall have one vote. If, at any meeting of a Committee, the number of members present representing employers and workmen, respectively, is unequal, it shall be open to the side which is in the majority to arrange that one or more of their members shall refrain from voting so as to preserve equality. Failing such an arrangement the Chairman of the meeting may, if he thinks it desirable, adjourn the voting on any question to a subsequent meeting of the Committee.

15. In order to constitute a meeting of a District Wages Committee, the Chairman or Deputy-Chairman or some other appointed member of the Committee selected in writing by the Chairman to preside at such meeting must be present, and the members present must be at least one-third of the whole number of members of the Committee.

16. When a District Wages Committee is authorised by the Wages Board to delegate any powers to a sub-committee, a sub-committee appointed by the District Wages Committee for such purpose shall consist of one or more representatives of employers and one or more representatives of workmen on the Wages Committee in equal proportions, together with such one or more of the appointed members of the Wages Committee as may be selected by the Wages Committee. The term of office of a member of a sub-committee shall be such period, not exceeding one year, as the Wages Committee may determine.

17. Any appointed member of the Wages Board shall have the right to attend any meeting of a sub-committee of a District Wages Committee and take part in the proceedings, but without the power to vote, unless he is a member of the sub-committee.

18. Where a District Wages Committee delegate any of their powers to a sub-committee the District Wages Committee may
Definitions as regards England and Wales of certain Benefits or Advantages and other matters connected with Agricultural Wages.

direct that the exercise of the powers by the sub-committee shall be subject to such conditions as to appeal to them from the decision of the sub-committee, or otherwise, as the District Wages Committee may think desirable, and except and in so far as the District Wages Committee with the consent of the Wages Board shall otherwise direct, the following condition shall apply, that is to say, any decision by the sub-committee shall be reported as soon as may be to the District Wages Committee, who may vary or annul the decision but not so as to affect or prejudice anything done or suffered under or by reason of the decision of the sub-committee before it is varied or annulled.

19. The proceedings of a District Wages Committee or sub-committee shall not be invalidated by any vacancy in their number or by any defect in the appointment of any member.

20. The expressions "agriculture" and "workmen" in these Regulations shall have the meanings given in Section 17 (1) of the Corn Production Act, 1917. (a)

21. Any question upon the construction or interpretation of these Regulations shall in the event of dispute be referred to the Board of Agriculture and Fisheries for decision.

22. These regulations may be cited as the District Wages Committees Regulations, 1918.

Given under the Official Seal of the Board of Agriculture and Fisheries, this first day of January in the year one thousand nine hundred and eighteen.

(L.S.)

A. D. Hall,
Secretary.

(iii.) Definitions of Certain Benefits.

The Agricultural Wages Regulations, 1918, dated January 22, 1918, made by the Board of Agriculture and Fisheries with respect to the Definition by the Agricultural Wages Board of certain Benefits or Advantages and matters connected with Agricultural Wages under section 12 (1) (b) and (c) of the Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46). (b)

1918. No. 87.

1. The Agricultural Wages Board shall, except in any case where the Board of Agriculture and Fisheries on the application of the Agricultural Wages Board by general or special order otherwise direct, by Order—

(a) define the benefits or advantages (not being benefits or advantages prohibited by law) which may be reckoned

(a) Section 17 (1) of the Act.—This is printed p. 223.
(b) Section 12 (1) (b), (c) of the Act.—Section 12 is printed p. 221.
Definitions as regards England and Wales of certain Benefits or Advantages and other matters connected with Agricultural Wages.

as payment of wages in lieu of payment in cash for the purposes of any minimum rate of wages fixed under the Corn Production Act, 1917, and the value at which they are to be so reckoned for such purposes; and

(b) define for the purpose of the application of any differential rate of wages for overtime fixed under the said Act the employment which is to be treated as overtime employment.

2. The Agricultural Wages Board shall have power by Order to limit or prohibit the reckoning of benefits or advantages as payment of wages in lieu of payment in cash for the purposes of any minimum rate of wages fixed under the Corn Production Act, 1917.

3. Any Order under the preceding regulations may be made so as to apply universally to workmen employed in agriculture, or to any special class of workmen so employed, or to any special area, or to any special class in a special area, subject in each case to any exceptions prescribed by the Order.

4. (1) Before making any Order the Agricultural Wages Board shall give notice of the Order which they propose to make and consider any objections to the proposed Order which may be lodged with them within one month; provided that the Board of Agriculture and Fisheries, on the application of the Agricultural Wages Board made on the ground of the limited application of a proposed Order, may exempt the proposed Order from these provisions and authorise the Wages Board to make the Order at the expiration of seven days after service of Notice of the proposed Order on the persons affected by the Order.

(2) Notice of a proposed Order and of an Order when made shall be given by the Board in such manner as they think fit with a view to bringing the Order, so far as practicable, to the knowledge of the persons affected by the Order.

5. The Agricultural Wages Board may, if they think it expedient, cancel or vary any Order made by them, and shall reconsider any such Order if the Board of Agriculture and Fisheries direct them to do so, and the provisions of these regulations as to notice shall apply in the case of the cancellation or variation of an Order in the same manner as they apply in the case of the making of an Order.

6. The Agricultural Wages Board shall have power on the application of any employer or workman to determine any question which may arise—

(a) as to the value of any benefits or advantages reckoned as payment of wages in lieu of payment in cash for the purposes of any minimum rate of wages fixed under the Corn Production Act, 1917; or

(b) as to any contract of employment so far as the application of the provisions of the said Act thereto is concerned.
7. The expressions "agriculture," "workmen" and "employment" in these regulations have the same meanings as in Section 17 of the Corn Production Act, 1917, and any Notice required by these Regulations to be given to any person may be given by leaving it for him at his last known place of abode or by sending it through the post in a registered letter addressed to him there. Where the notice is required to be given to a body corporate or incorporate the notice may be given to the Secretary or some other officer of the body.

8. Any question upon the construction or interpretation of these regulations shall in the event of dispute be referred to the Board of Agriculture and Fisheries for decision.

9. These regulations may be cited as the Agricultural Wages Regulations, 1918.

Given under the Official Seal of the Board of Agriculture and Fisheries this twenty-second day of January in the year Nineteen hundred and eighteen.

(L.S.)

A. D. Hall,
Secretary.

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(2.) Wages for Agricultural Workers in Ireland.

Provisional Regulations, Dated December 5, 1917, Made by the Department of Agriculture and Technical Instruction, Ireland (hereinafter called "the Department") with respect to the Definition by the Agricultural Wages Board for Ireland of Certain Benefits or Advantages and Matters Connected with Agricultural Wages under Section 12 (1) (b), (c) of the Corn Production Act, 1917 (7 & 8 Geo. 5, c. 46).(a)

1. The Agricultural Wages Board shall by Order—

(a) define the benefits or advantages (not being benefits or advantages prohibited by law) which may be reckoned as payment of wages in lieu of payment in cash for the purposes of any minimum rate of wages fixed under the Corn Production Act, 1917, and the value at which they are to be so reckoned;

(b) define, for the purposes of the application of any differential rate of wages for overtime fixed under the said Act, the employment which is to be treated as overtime employment.

(a) Section 12 (1) (b) (c) of the Act.—Section 12 is printed p. 221.
2. The Agricultural Wages Board shall have power by Order to limit or prohibit the reckoning of benefits or advantages as payment of wages in lieu of payment in cash for the purposes of any minimum rate of wages fixed under the Corn Production Act, 1917.

3. Any Order under the preceding regulations may be made so as to apply universally to workmen employed in agriculture, or to any special class of workmen so employed, or to any special area, or to any special class in a special area, subject in each case to any exceptions prescribed by the Order. Any such Order may (if thought fit) be made as part of any Order fixing a minimum wage.

4. Before making any Order the Agricultural Wages Board shall give notice of the Order which they propose to make, and consider any objections to the proposed Order which may be lodged with them within one month. Notice of a proposed Order and of an Order when made, shall be given by the Board in such manner as they think fit with a view to bringing the Order, so far as practicable, to the knowledge of persons affected.

Provided that in any case in which the Department of Agriculture and Technical Instruction for Ireland, on the application of the Agricultural Wages Board, shall allow, on the ground of the limited application of an Order made under paragraph 1 or 2 of these Regulations, these provisions as to Notice may be dispensed with, and the Order made to come into operation seven days after Notice served on the persons affected thereby.

5. The Agricultural Wages Board may, if they think it expedient, cancel or vary any Order made by them (and shall reconsider any such Order if the Department of Agriculture and Technical Instruction for Ireland direct them to do so), and the provisions of these Regulations as to Notice shall apply where it is proposed to cancel or vary an Order in the same manner as they apply where it is proposed to make an Order.

6. The Agricultural Wages Board shall have power on the application of any employer or workman to determine any question which may arise—

(a) as to the value of any benefits or advantages reckoned as payment of wages in lieu of payment in cash, for the purposes of any minimum rate of wages fixed under the Corn Production Act, 1917; or

(b) as to any contract of employment, so far as the application of the provisions of the said Act thereto is concerned;

(c) no such determination shall be made without notice previously given to the employer or workman affected thereby.

7. The expressions "agriculture," "workmen," and "employment" in these Regulations have the same meanings as in Section 17 (1) of the Corn Production Act, 1917. (a)

8. Any question upon the construction or interpretation of these Regulations shall, in the event of dispute, be referred to

(a) Section 17 (1) of the Act.—This is printed p. 223.
the Department of Agriculture and Technical Instruction for Ireland for decision.

9. In pursuance of the provisions of Part II. of the Corn Production Act, 1917, and of Section 2 of the Rules Publication Act, 1893, the Department of Agriculture and Technical Instruction for Ireland hereby certify that on account of urgency the foregoing Regulations should come into immediate operation; and accordingly the Department make these Regulations to come into operation forthwith as Provisional Regulations.

Given under the Official Seal of the Department this fifth day of December in the year One Thousand Nine Hundred and Seventeen.

T. P. Gill,
Secretary.

(3.) Compulsory Tillage in Ireland.

[Section 1 of the Third Schedule to the Corn Production Act, 1917, under which the two following Orders were made is printed at p. 231.]

THE TILLAGE (IRELAND) GENERAL ORDER, 1918, DATED NOVEMBER 2, 1917, MADE BY THE DEPARTMENT OF AGRICULTURE AND TECHNICAL INSTRUCTION FOR IRELAND UNDER SECTION 1 OF THE THIRD SCHEDULE TO THE CORN PRODUCTION ACT, 1917 (7 & 8 GEO. 5, C. 46).

1917. No. 1125.

The Department of Agriculture and Technical Instruction for Ireland, by virtue and in exercise of the powers vested in them under the Corn Production Act, 1917, and of every power in that behalf enabling them do Order, and it is hereby ordered as follows:—

1. Subject to the exceptions set forth in the Schedule to this Order the minimum tillage portion in the year 1918 of every holding in Ireland shall be as follows:—

(a) If no part of the holding was cultivated in the year 1916, a portion equivalent in extent to fifteen per cent. of the area of the holding;

(b) If any part of the holding was cultivated in the year 1916 a portion equivalent in extent to the part so cultivated and fifteen per cent. of the area of the holding in addition, or to fifty per cent. of the area of the holding, whichever is the less.

Provided that in the case of a holding part of which is excepted from the Provisions of this Order, the area of the holding for the purpose of calculating the minimum tillage portion shall be taken to be the actual area less the area of the exception part of the holding.

2. Any application to the Department of Agriculture and Technical Instruction for Ireland for a declaration that a holding or portion thereof is excepted from the provisions of this
Order by reason of the holding or portion thereof being required for any of the purposes set forth in clause 2 of the Schedule to this Order shall be made by the occupier of the holding on the prescribed form on or before the 15th day of December, 1917, and shall set out such particulars as may be prescribed of the lands held by the occupier in Ireland, the manner in which the holding is used or proposed to be used, and the grounds of the application.

No such application will be considered unless it is made on the prescribed form and this form will be issued only on the direct request of the intending applicant or his agent and upon submission of prima facie evidence of his right to obtain it.

Any declaration under this Order, obtained by any false statement or misrepresentation shall be invalid.

3. Any declaration made by the Department of Agriculture and Technical Instruction for Ireland under sub-section 3 (b) of Regulation 2r of the Defence of the Realm Regulations exempting from the requirements of that Regulation any class of holdings or any particular holding or any portion of a holding by reason of same having been used in 1917 for any of the purposes specified in clause 2 of the Schedule to this Order shall in itself and without any declaration under clause 2 of this Order be sufficient evidence that such class of holdings or particular holding or portion of a holding is excepted from the provisions of this Order.

Provided that this clause shall not apply in the case of any holding which is not used in the year 1918 in the same manner as it was used in the year 1917 or in the case of any holding the occupier of which has been or is notified prior to the 31st day of January, 1918, in writing by the Department of Agriculture and Technical Instruction for Ireland that the aforesaid declaration made under Regulation 2r of the Defence of the Realm Regulations is not to be regarded as excepting the holding or any portion thereof from the provisions of this Order.

4. For the purposes of this Order:—

The term "holding" shall have the same meaning as it has in the Third Schedule to the Corn Production Act, 1917.

The term "prescribed" shall mean prescribed by the Department of Agriculture and Technical Instruction for Ireland.

Where the occupier of any holding is a Company, Club or other association the application or declaration may be made by their Chairman, Secretary or duly authorised agent, and any notification sent to the Chairman, Secretary or agent of such Company, Club or other association shall be sufficient for the purposes of this Order.

5. This Order may be cited as the Tillage (Ireland) General Order, 1918.

In Witness whereof the Department of Agriculture and Technical Instruction for Ireland have hereunto set their official seal this second day of November, 1917.

(L.S.)

T. P. Gill,
Secretary.
Compulsory Tillage in Ireland.

Schedule.

Exceptions.

1. Any holding of less than ten statute acres in extent.

2. Any holding or any portion of a holding in regard to which the Department are satisfied that the land comprised therein:—

(a) has been required and regularly used in the year 1917 and is required in the year 1918 for the grazing of milch cows the milk of which is used as whole milk for human consumption; or for the production of hay as food for such cows; or for both these purposes; or

(b) is required in the year 1918 for the carrying on of an industry other than agriculture and that its use for the aforesaid purpose would be of greater service in national interests than its cultivation; or

(c) has been required and regularly used in the year 1917 and is required in the year 1918 for the accommodation for periods not exceeding ten days at a time of stock intended for disposal at auctions, fairs or markets, or for shipment, or for the accommodation, as aforesaid, of stock held over from auctions, fairs or markets; or

(d) has been required and regularly used in the year 1917 and is required in the year 1918 for the accommodation of cattle or sheep intended for slaughter within fifteen days of their being accommodated on the holding; or

(e) has been required and regularly used in the year 1917 and is required in the year 1918 for the maintenance of a stud of high-class thoroughbred horses; or

(f) has been regularly used in the year 1917 as the track of a racecourse or as a paddock, ring or other enclosure adjacent to the stand or stands of a racecourse and is so required in 1918; (a) or

(g) has been regularly used by an agricultural or industrial Society as their Show grounds and is required for this purpose in the year 1918; or

(h) is required in the year 1918 for naval or military purposes.

3. Any holdings or class of holdings in respect of which the Department of Agriculture make a special Order prescribing the minimum tillage portion of such holding or class of holding.

(a) Racecourses and Golf Courses.—As to these see the Tillage (Ireland) Racecourses and Golf Links Order, 1918, printed below.
THE TILLAGE (IRELAND) RACECOURSES AND GOLF LINKS ORDER, 1918, DATED NOVEMBER 2, 1917, MADE BY THE DEPARTMENT OF AGRICULTURE AND TECHNICAL INSTRUCTION FOR IRELAND UNDER SECTION 1 OF THE THIRD SCHEDULE TO THE CORN PRODUCTION ACT, 1917 (7 & 8 GEO. 5, c. 46).

1917. No. 1126.

The Department of Agriculture and Technical Instruction for Ireland, by virtue and in exercise of the powers vested in them under the Corn Production Act, 1917, and of every power in that behalf enabling them do Order, and is hereby ordered as follows:

1. The minimum tillage portion in the year 1918 of every holding to which this Order applies shall be as follows:
   
   (a) If the holding is used as an enclosed racecourse ten per cent. of the area of such portion of the holding as is not used as the racing track or as a paddock, ring or other enclosure adjacent to the stand or stands.

   (b) If the holding is used as golf links ten per cent. of the area of the holding.

Provided that if portion only of the holding is used as an enclosed racecourse or as golf links the foregoing provisions shall apply only to the portion so used and the provisions of the Tillage (Ireland) General Order, 1918, shall apply to the remainder of the holding.

2. The holdings to which this Order applies are as follows:

   (a) Any holding of not less than ten statute acres in extent the whole or portion of which has been enclosed for the purpose of a racecourse and in the year 1917 has been used for this purpose and is so used in the year 1918.

   (b) Any holding of not less than ten statute acres in extent the whole or portion of which has been regularly used in the year 1917 as golf links and is so used in the year 1918.

3. For the purposes of this Order the terms "holding" shall have the same meaning as it has in the Third Schedule to the Corn Production Act, 1917.

4. This Order may be cited as the Tillage (Ireland) Racecourses and Golf Links Order, 1918.

In Witness whereof the Department of Agriculture and Technical Instruction for Ireland have hereunto set their official seal this second day of November, 1917.

(L.S.)

T. P. Gill,
Secretary.
Addenda to Part V.—Board of Agriculture and Fisheries.

3. Addenda to Part V.—Board of Agriculture and Fisheries.

(1.) Introductory Note, p. 616.
(2.) Cultivation of Lands Order, 1918, p. 617.
(3.) Regulation 2M of the Defence of the Realm Regulations so far as applying to England and Wales, as amended to January 31, 1918, p. 620.
(4.) Circular to Agricultural Executive Committees accompanying the 1918 Order, p. 624.
(5.) Cultivation of Lands (County Boroughs) Order, 1917, p. 627.

(1.) Introductory Note.

Additional powers required for the furtherance of food production have been conferred upon the Board of Agriculture and Fisheries by amendments of Regulation 2M made since the earlier Parts of this Manual were printed. Other amendments to this Regulation had been made from time to time since the date of the Cultivation of Lands Order, 1917 (No. 3) (printed pp. 273-276); and by an Order of January 11th, 1918, the Board have consolidated all the orders which have previously been made delegating to Agricultural Executive Committees the powers conferred upon the Board by Regulation 2M into a single Order entitled the Cultivation of Lands Order, 1918. This Order is printed as (2) below; it supersedes the Cultivation of Lands Order, 1917 (No. 3) (pp. 273-276) (which itself superseded the first Cultivation of Lands Order, 1917) and the two Drainage of Lands Orders of 1917 (pp. 307, 308, 313). The Cultivation of Lands (County Boroughs) Order, 1917 (printed as (5) below), which deals with powers under other Regulations besides Regulations 2M is not affected. The present Order confers certain additional powers upon Agricultural Executive Committees, and does not revoke any of their existing powers, except by a limitation of the power of taking possession of inhabited dwelling houses. The whole of Regulation 2M, so far as it applies to England and Wales, is printed as (3) below. But the powers given in Paras (eee), (f), (k), (l), (m), (n) and (o) of Section (1) are not delegated to Executive Committees; these paragraphs are distinguished by a black line in the margin.

The 1918 Order was accompanied by a Circular by the Food Production Department of the Board to Agricultural Executive Committees: that Circular so far as not embodied in this Introductory Note is printed as (4) below.

For Regulation 2NN relating to the reduction of acreage under hops in England and Wales as printed at p. 316 of this Manual a new Regulation has been substituted which as amended to January 31st, 1918, is printed as (6) of these Addenda.
(2) Cultivation of Lands Order, 1918.

THE CULTIVATION OF LANDS ORDER, 1918, DATED JANUARY 11, 1918, MADE BY THE BOARD OF AGRICULTURE AND FISHERIES UNDER REGULATION 2M OF THE DEFENCE OF THE REALM REGULATIONS.

1918. No. 27.

Whereas under Regulation 2M of the Defence of the Realm Regulations (which so far as the same is applicable to England and Wales, is set out at the foot of this Order), the Board of Agriculture and Fisheries (hereinafter referred to as "the Board") are empowered, after such consultation with the Food Controller as may be arranged, to exercise certain powers with a view to maintaining the food supply of the country, and to authorise any person, or any body constituted by the Board for the purpose, to exercise on behalf of the Board the powers conferred on the Board by Regulation 2M, and to prescribe the procedure of any such body and the authentication of any notice or other instrument issued by any body or person so authorised.

And whereas the Board, after consultation with the Food Controller, are of opinion that for the purpose aforesaid such Order as is herein contained should be made.

Now the Board of Agriculture and Fisheries do hereby order as follows:—

1. The persons who are for the time being appointed by a county council of an administrative county to act as members of the War Agricultural Committee for the county are hereby re-constituted as the body to exercise in manner herein provided such of the powers conferred on the Board by Regulation 2M as are hereby authorised to be so exercised.

2. The body hereby re-constituted shall maintain an executive committee consisting (1) of members appointed by the said body, not less than four nor more than seven in number, unless the Board otherwise direct, and (2) of additional members appointed by the Board. In the case of a county in Wales (including Monmouthshire), two of the members so appointed by the body hereby re-constituted shall be the members representing the council of the county on the Welsh Agricultural Council. If any vacancy occurs among those members of an executive committee who are appointed by the body hereby re-constituted, the executive committee may appoint any person to fill the vacancy so arising.

3. (1) The body hereby re-constituted for a county, acting through the executive committee, may on behalf and at the expense of the Board, but subject to such directions as to approval of expenditure or otherwise as may from time to time be given by the Board, and subject also to the restrictions imposed by this section, exercise within
the county any of the powers of the Board under Regulation 2m (except the powers conferred by paragraphs (eee), (f), (k), (l), (m), (n) and (o) of Section (1) of that Regulation) and appoint such officers and incur such expenses as the committee may consider necessary or expedient for such purposes; provided always that

(a) the committee shall not enter on or take possession of any common land as defined by this Order, or take possession of any inhabited dwelling-house, without a further consent given by the Board; and

(b) where any notice is served under the powers contained in paragraph (i) of section (1) of the Regulation such notice shall contain a provision to the following effect:

This notice shall take effect at the expiration of seven days from the date of service hereof, unless before such expiration notice of appeal to the Board of Agriculture and Fisheries is given in writing to the Secretary to the War Agricultural Executive Committee, and in the event of any such appeal the Board shall determine after considering the appeal.

(2) The rights of any person dealing with the committee shall not be affected by any question as to compliance by the committee with any directions so given by the Board to the committee, or the requirement of consent in the case of common land or an inhabited dwelling-house.

4. An executive committee shall from time to time report their proceedings to the body re-constituted by this Order for the county, but the acts of the committee shall not be subject to confirmation by that body.

5. A member of an executive committee shall not take part in any decision of the committee which relates to land of which he is the owner or occupier, or the agent of the owner or occupier, or enter into any contract with the committee, unless such contract has been approved by the Board.

6. Accounts shall be kept by an executive committee of their receipts and expenditure and be open to inspection by any officer of the Board and those accounts shall be made up and audited in such manner as the Board shall direct.

7. An executive committee shall appoint a chairman of the committee. At any meeting at which the chairman is not present a person appointed by the meeting shall be entitled to act as chairman of the committee. At any meeting of an executive committee the chairman shall, in case of an equal division of votes, have a second or casting vote.

8. The quorum proceedings and place of meeting of an executive committee shall be such as the committee determine.

9. The proceedings of an executive committee shall not be invalidated by any vacancy among its members, or by any defect in the appointment or qualification of any of its members.
10. Minutes of the proceedings of an executive committee shall be kept in a book provided for that purpose and a minute of those proceedings signed at the same or the next ensuing meeting by a person describing himself as, or appearing to be, chairman of the meeting at which the minute is signed shall be received in evidence without further proof.

11. Any notice, direction or other instrument signed by a person describing himself as, or appearing to be, chairman of an executive committee shall be received in evidence without further proof as a notice, direction or instrument issued by the executive committee.

12. Until the contrary is proved an executive committee shall be deemed to have been duly constituted.

13. An executive committee may, subject to any directions given by the Board, appoint such sub-committees as the committee thinks fit. A sub-committee may consist either wholly or partly of persons not being members of the executive committee.

14. In this Order, the expression "common land" includes any land subject to be enclosed under the Inclosure Acts, 1845 to 1882, and any town or village green and any other land subject to any right of common.

15. The Cultivation of Lands Order, 1917 (No. 3), the Drainage of Lands Order, 1917, and the Drainage of Lands Order, 1917 (No. 2), are hereby revoked, (a) but so that such revocation shall not affect the previous operation of any such Order or anything done under it, or affect any right or liability acquired or incurred under any such Order and any reference in any document to any Order hereby revoked or to any body constituted by any such Order shall be considered as a reference to this Order or to the body reconstituted by this Order.

16. This Order applies only to administrative counties in England and Wales.

17. This Order may be cited as the Cultivation of Lands Order, 1918.

In witness whereof the Board have hereunto set their Official Seal this eleventh day of January, nineteen hundred and eighteen.

\[\text{(L.S.)}\]

F. L. C. Floud,
Assistant Secretary.

(a) Revoked Orders.—These Orders are printed at pp. 273-276, 307, and 313 respectively.
Regulation 2M of the Defence of the Realm Regulations as amended to January 31st, 1918, so far as applying to England and Wales.

(3.) Regulation 2M in 1918 form.

Regulation 2M of the Defence of the Realm Regulations as amended to January 31st, 1918, so far as applying to England or Wales.

[Note.—Those paragraphs containing powers which are not delegated to Agricultural Executive Committees are indicated by a black line in the margin.]

2M. (1) Where the Board of Agriculture and Fisheries, after such consultation with the Food Controller as may be arranged, are of opinion that, with a view to maintaining the food supply of the country, it is expedient that they should exercise the powers given to them under this regulation, the Board may—

(a) enter on and take possession of any land which in their opinion is not being so cultivated as to increase, as far as practicable, the food supply of the country, and, after entry thereon, do all things necessary or desirable for the cultivation of the land or for adapting it for cultivation; and for such purposes enter on and take possession of any buildings on the land or convenient for such purposes; and

(b) take possession of any machinery, implements of husbandry or plant (other than machinery, implements or plant in the possession or under the control of a dealer or manufacturer), or any farm produce, stock, or animals, which, in the opinion of the Board, are required for the cultivation of land or the increase of the food supply of the country; and

(c) provide accommodation for persons, machinery, implements of husbandry or plant, farm produce, stock or animals, employed or used by the Board for the cultivation of land or the increase of the food supply of the country, by taking or retaining possession of any land or buildings; and

(d) utilise any water supply or motive power for any such purposes; and

(e) by notice served on the occupier of any land require him to cultivate the land in accordance with such requirements as the Board may think necessary or desirable for maintaining the food supply of the country and may prescribe in the notice; and

(ee) by notice served on the occupier of any land require him in accordance with the terms of the notice to adapt the land for cultivation by repairing or removing any hedge or fence on the land, or by clearing or repairing any ditch or drain, whether natural or artificial, by which the land is capable of being drained; and

(eee) by order, applicable generally or to any specified area, and published in such manner as the Board may consider to be best adapted for informing persons thereby
affected, prohibit or regulate the use of land for the cultivation of any crop specified in the order and by any such order require the ploughing up within such time as may be specified in the order of any land in use at the date thereof for the cultivation of any such crop; and

(f) by notice served on the tenant of any land which or part of which, in the opinion of the Board, is not being so cultivated as to increase as far as practicable the food supply of the country, determine his tenancy of the land on such date as may be specified in the notice, or, on the application of the landlord by order authorise him in any such case to determine the tenancy in accordance with the terms of the order; and

(g) after entry on any land arrange for its cultivation by any other person whether by contract of tenancy or otherwise; and

(h) where, in the opinion of the Board, any land is injured or is likely to be injured by any such neglect on the part of the proprietor or occupier of any other land in relation to the maintenance of banks or the cleansing of channels as is mentioned in section fourteen of the Land Drainage Act, 1847, and subject to, and after the expiration of seven days from, the service of such notice as is required by that section, exercise such powers of executing all necessary works and recovering the expenses thereof as are by that section conferred on the proprietor or occupier of any land which is injured by any such neglect, and for any such purpose to enter on any land without any warrant or authority; and

(i) by notice served on the occupier or person in control of any dam, mill, lock, sluice, weir, or other structure affecting the flow of water in any river or stream require such occupier or person to keep open or closed any mechanical appliance by which the inflow or outflow of water is capable of being regulated during such times and in such manner as the Board, having regard to the use by such occupier or person of the structure and of the water thereby impounded, consider to be necessary or desirable for the prevention of floods or for the draining of land adjoining or near the river or stream; and

(j) where, in the opinion of the Board, any land is injured or likely to be injured by flooding or inadequate drainage which might be remedied wholly or partially by the exercise of powers which are conferred by any general or local Act, or by an award made under any Act, or by any Commission of Sewers, and which are not being exercised, or in the opinion of the Board are being insufficiently exercised, exercise any such power and also any power conferred by any such Act or award or commission for defraying
the expenses so incurred or for any purpose incidental to the exercise of any such power; and

(k) enter on or take possession of any dam, mill, lock, sluice, weir, or other structure affecting the flow of water in any river or stream, and remove or repair or alter or maintain and use the same where such action is in the opinion of the Board necessary or desirable for the prevention of floods or for the drainage of agricultural land; and

(l) for the purpose of removing any obstruction to or otherwise improving the flow of water in any river or stream, or maintaining or improving the banks of any river or stream or any sea defence or drainage outfall, enter on the river or stream or any land adjoining or near the river, stream, defence, or outfall; and

(m) where any expenses are incurred by the Board in the exercise of any of their powers under paragraphs (k) or (l) of this regulation, recover those expenses, so far as they are directly attributable to the default of any person in carrying out his obligations under statute or otherwise, from that person; and

(n) on the application of any drainage authority empowered by a local Act to levy rates to a limited amount, by order increase the amount that may be so levied; and

(o) by notice served on the occupier of any agricultural land or the person having the management of any such land require him to make within such time and in such form and to such person as the notice may prescribe a return in writing with respect to the cultivation of the land or the crops or live-stock thereon or any other matter as to which the Board may desire information for the purpose of the proper exercise of their powers under this regulation, but so that no such return or any part thereof shall be published or disclosed except for the purposes of a prosecution under this regulation.

(2) An occupier of land may, with a view to maintaining the food supply of the country, submit to the Board a scheme for the cultivation of the land in a manner not consistent with the contract of tenancy of the land, and the Board, if satisfied that the adoption of the scheme is necessary or desirable for the maintenance of the food supply, may direct that the land shall be cultivated in accordance with the scheme, subject to any modification which the Board may think fit to make therein.

(3) If any person obstructs or otherwise interferes with or impedes any officer in the execution of his powers under this regulation, or discloses or publishes any return or part thereof in contravention of this regulation, or negligently or wilfully fails to comply with the requirements of any order made under this
regulation, or with any condition subject to which a licence under any such order has been granted, or, being an occupier of any land or building of which the Board require possession, or of which the tenancy of the occupier has been determined by notice served under this regulation, without lawful excuse, refuses to give possession thereof to the Board or to quit such land or building, or, having been served with a notice under this regulation requiring him to do any act, negligently or wilfully fails to comply with the requirements of the notice, or, where the notice requires him to make a return, makes a false return, he shall be guilty of a summary offence against these regulations.

(4) If the Board at any time withdraw from possession of any land of which possession has been taken under this regulation, they may recover from any person then interested in the land as owner or tenant or otherwise, such amount as represents the value to him of all acts of cultivation or adaptation for cultivation executed by the Board; such amount to be determined, in default of agreement by a single arbitrator under and in accordance with the provisions of the Second Schedule to the Agricultural Holdings Act, 1908.

(5) Any person authorised by the Board in that behalf may, for the purposes of this regulation and upon production if so required of his authority, enter on and inspect any land or building and inspect any machinery, implements of husbandry, farm stock or produce thereon.

(6) The Board may with respect to any land or land in any district authorise any person or any body constituted by the Board for the purpose to exercise on behalf of the Board any of the powers of the Board under this regulation and prescribe the procedure of any such body, and the authentication of any notice or other instrument issued by any body or person so authorised.

(7) The powers conferred on the Board by this regulation shall be in addition to and not in derogation of any other powers of the Board.

(8) In this regulation the expression 'cultivation' includes use for grazing and the expression 'cultivate' has a corresponding meaning.

(11) Any notice under this regulation may be served on the person to whom it is to be given either personally or by leaving it for him at his last known place of abode or by sending it through the post in a registered letter addressed to him there.
Circular to Agricultural Executive Committees in England and Wales accompanying the 1918 Order.

(4.) Circular to Agricultural Executive Committees accompanying the 1918 Order.

(4) CIRCULAR TO AGRICULTURAL EXECUTIVE COMMITTEES IN ENGLAND AND WALES, ISSUED JANUARY 15TH, 1918, BY THE FOOD PRODUCTION DEPARTMENT OF THE BOARD OF AGRICULTURE AND FISHERIES.

Reference No. 15/C. 1.

1. [This paragraph of the Circular is embodied in the Introductory Note printed as (1) above.]

2. Taking Possession of Buildings.—By para. (a) of Section (1) Executive Committees already have power to enter on and take possession of any buildings situate upon land of which they have taken possession under that paragraph or convenient for the purposes of cultivating that land or of adapting it for cultivation. Under para. (c) (which has now been entirely altered) Executive Committees obtain power to take possession of any land or buildings required to provide accommodation for persons, machinery, implements, plant, farm produce, stock or animals, employed or used by the Board, or by the Committee on their behalf, for the cultivation of land or for the increase of the food supply of the country. This power will enable Committees to take land or buildings for the purpose of accommodating soldiers, prisoners of war or other persons employed by them on cultivation or drainage, to take possession of buildings in order to house horses, machinery or implements employed or used by them, and so on. It will be found useful where it is necessary to take stables for the Department’s horses or to take land as a training ground for ploughmen. Where an Executive Committee have taken possession of land or buildings under para. (a) in order to secure the proper cultivation of the land, they may retain possession of the land or buildings for any of the purposes above stated. It should be noted, however, that this power does not enable the Committee to provide additional buildings for a person who is cultivating land on his own behalf and not on behalf of the Board. Particular attention is called to the provision that a Committee cannot take possession of any inhabited dwelling house either under paragraph (a) or paragraph (c) without the further consent of the Board. That consent is also necessary (as it was under the revoked order) for taking possession of “common land.”

3. Repair or removal of hedges and fences and clearance or repair of ditches and drains.—The Executive Committees are now enabled by paragraph (ee) to compel the occupier of any land to repair or remove hedges and fences on his land. A direction for this purpose may be given in any case in the same way as a notice to cultivate is given under paragraph (e). The power to require removal of hedges and thus effect what is practically a permanent alteration of a farm should only be exercised after consideration of the views of the owner as well as the occupier of the land.
Circular to Agricultural Executive Committees in England and Wales accompanying the 1918 Order.

In addition to the powers already existing to secure the cleansing of streams and water-courses, this new paragraph (ee) enables Executive Committees to compel an occupier of land to clear or repair the field drains and ditches on his land in order, whether these are natural or artificial, and a direction for this purpose can be given in the same way as a cultivation notice is given under paragraph (e). It is hoped that by the exercise of this power Executive Committees will be able to secure the cultivation of numerous fields which could not otherwise produce a useful crop in their present state of neglected drainage.

It will be observed that the power relates only to existing ditches and drains.

Incidentally this new paragraph removes any doubt as to the works therein referred to being works for the adaptation of land for cultivation, the value of which may be recovered on withdrawal from possession.

4. Returns.—The Board have obtained powers under paragraph (o) to call for returns from occupiers or managers of any agricultural lands with respect to their cultivation or to the crops or livestock on the land. In order to secure uniformity and to avoid overlapping of returns required under other Regulations, these powers are retained in the hands of the Board and are not delegated to Executive Committees.

The Board themselves propose to arrange for the issue and collection of a form of return to be made by all occupiers of holdings over 20 acres stating the quantity of grass land ploughed by the end of each month up to the end of April, the area of wheat and other crops planted. These returns will be tabulated and the figures for each county will be supplied to Executive Committees for their information.

5. General Orders.—It has been found in the past difficult to enforce a general prohibition or restriction of the cultivation of particular crops such as mustard or strawberries, or the ploughing up of certain classes of land throughout the country, such as land under old leys. Power has now been obtained by the Board to make orders for such purposes applicable generally or to any special area. In order to secure uniformity in different counties where similar conditions prevail, the power has been reserved in the hands of the Board and is not delegated to Executive Committees. If any Executive Committee consider that a general order of this kind should be made for their county, their views should be put forward to this Department with a full statement of the reasons.

6. Penalties for Breaches of the Regulation.—Section (3), which deals with offences, has been enlarged so as to make any negligent or wilful failure to comply with a notice or order under Regulation 2m a summary offence, and is no longer confined to a failure to comply with a cultivation order; thus, a failure to repair hedges or to clear drains will be punishable equally with a failure to cultivate. Obstruction or interference with any officer in the execution of his powers under the Regulations is
Circular to Agricultural Executive Committees in England and Wales accompanying the 1918 Order.

also made a summary offence; as well as a refusal to give up possession of any land or buildings of which possession is required under paragraph (a) or (c), or a refusal to quit land of which the tenancy has been determined. One reason for thus widening the scope of section (3) is that it has been considered to be desirable to limit the scope of Regulation 2x so that it no longer has any application, to a farm of which possession is taken under Regulation 2m. In no case, however, can a prosecution be instituted by an officer of the Executive Committee for any of the offences specified in section (3) of Regulation 2m except with the authority of the Board, which is required by Regulation 56 (11) (p. 414).

Notices served under the Regulation should bear the signature of the Chairman of the Committee, unless any other person has been authorised to sign them by a minute of the Executive Committee; and care should be taken to serve any such notice in the manner prescribed in section (11) of the Regulation and to preserve a record of the service. Where possession is taken of any land or buildings it would be a convenient course to notify the fact in writing to the occupier so that there may be a written record of the commencement of the possession.

7. Withdrawal from Possession.—As Executive Committees have already been informed, section (4) of Regulation 2m has been amended with a view to the recovery of the whole value of acts of cultivation or adaptation for cultivation upon withdrawal from possession. Where the landlord himself resumes occupation, the whole value can be recovered from him as the sole person interested; but where a tenant comes into occupation upon such withdrawal, the adjustment of the claim for recoupment is not so simple. The value to the tenant of the tillages, etc., should be claimed from the tenant on the same basis as upon an ordinary change of tenancy; but expenditure by the Committee on matters of a more permanent character such as repairs to buildings, mole draining or clearing drains or ditches may create a value which will have to be apportioned between the landlord and tenant for the purpose of recovery by the Committee. Except therefore in respect of matters for which the tenant accepts the sole responsibility, the negotiations for a settlement should be conducted at the same time with both landlord and tenant. The Memorandum 6 C/1 dated 27th November, 1917, on this subject is cancelled.

8. Drainage of Land.—As the Drainage of Lands Orders are now incorporated in the Cultivation of Lands Order, 1918, any action with regard to drainage will now be taken under that Order; otherwise the instructions given in the Circulars F.P. 25 and F.P. 52 and in the Memorandum 5/C1, dated 23rd November, 1917, continue to hold good. There is now, however, an additional power under paragraph (n) which enables the Board upon the application of any drainage authority to increase the amount by which their rating power is limited by the local Act. Many drainage authorities established by local Acts are restricted
in the levying of rates to a certain limit per acre or per pound of rateable value, and in view of the high prices of coal and labour, such limits have in many cases been found insufficient to enable these authorities to carry on their operations. In view of the increased value of agricultural produce there should be no hardship in levying a higher rate, which will secure a greater benefit than was the case in the past; and it is vital, for instance, that where the maintenance of pumping is required in order to secure the cultivation of land within a drainage area, that pumping should not be discontinued. It is hoped therefore that Executive Committees will in any cases of this kind use their influence with drainage authorities to apply to this Department for an increase of their rating powers, which has already been done in more than one instance. The power under this paragraph to override local Acts has been reserved to the Board and is not delegated to Executive Committees. As the increased rates can only be levied while the Regulations are in force, it is not considered to be feasible to increase the borrowing powers of drainage authorities where these are restricted by their Acts.

(5) Cultivation of Lands (County Boroughs) Order, 1917.


The Board of Agriculture and Fisheries, after consultation with the Food Controller, in exercise of the powers conferred on the Board by Regulation 2M of the Defence of the Realm Regulations do hereby order as follows:

1. The body constituted by the Cultivation of Lands Order, 1917 (No. 3), (a) for any administrative county, acting through their executive committee, may with the consent of the council of any county borough which is surrounded in whole or in part by the county, exercise within the county borough the powers which the body so constituted is by any order made by the Board under the Defence of the Realm Regulations authorised to exercise within the county or any of such powers, and for the purposes of the exercise of the said powers within the borough the executive committee and the council of the borough may appoint in such manner as may be agreed a committee to act as a sub-committee of the executive committee but all acts of the sub-committee shall be submitted to the executive committee for their approval.

(a) Cultivation of Lands Order, 1917 (No. 3)—That Order printed pp. 273-276 is revoked by the Cultivation of Lands Order, 1918, printed as 3 (2) above, and this, the County Boroughs Order, takes effect as if the Agricultural Executive Committees constituted by the 1918 Order were therein referred to.
2. This Order may be cited as the Cultivation of Lands (County Boroughs) Order, 1917.

In Witness whereof the Board have hereunto set their Official Seal, this twenty-third day of October, nineteen hundred and seventeen.

(L.S.)

F. L. C. Floud,
Assistant Secretary.

(6.) Regulation 2NN in 1918 form.

Regulation 2NN of the Defence of the Realm Regulations as amended to January 31st, 1918.

2NN. (1) Subject to the provisions of this regulation, the acreage planted with hops on any holding in England or Wales shall, before the first day of April, nineteen hundred and eighteen, be reduced to one half of the acreage on the holding which is proved by the occupier of the holding to have been planted with hops in the month of June, nineteen hundred and fourteen (excluding from such last mentioned acreage land which was planted with hops after the first day of October, nineteen hundred and thirteen), and thereafter, so long as this regulation remains in force, the acreage on the holding so planted shall not exceed that proportion.

(2) This regulation shall have effect notwithstanding any covenant, agreement, condition, or provision as to the user of a holding, whether contained in any lease or other instrument affecting the holding or in any verbal contract of tenancy or implied by law, and no such covenant, agreement, condition or provision shall operate so as to penalise, impede, or interfere with compliance with any obligation imposed by this regulation.

(3) The Board of Agriculture and Fisheries may by licence exempt any occupier wholly or partly or for a specified period from any obligation imposed by this regulation in any case where it appears to the Board that by reason of exceptional circumstances the issue of such a licence is advisable.

(4) If the occupier of any holding fails to comply with the provisions of this regulation, or with any condition subject to which a licence under this regulation has been granted, he shall be guilty of a summary offence against these regulations.

(5) Any person authorised by the Board in that behalf, may, for the purposes of this regulation and upon production if so required of his authority, enter on and inspect any land.

(6) The Board may, with respect to land in any district, authorise any person or any body constituted by the Board for the purpose to exercise on behalf of the Board any of the powers of the Board under this regulation, and prescribe the procedure of any such body, and the authentication of any notice or other instrument issued by any body or person so authorised.

(7) Any authority given by the Board under any of the provisions of the regulation for which this regulation is substituted shall, unless and until revoked by the Board, be deemed to have been given under and for the purposes of the corresponding provision of this regulation.
4. Addenda to Part VI.—Board of Agriculture for Scotland.

EDITORIAL NOTE.

Since the earlier Parts of this Manual were printed the Board of Agriculture for Scotland have issued the Cultivation of Lands (Scotland) Order, 1918, dated January 14th, 1918 (St. R. & O., 1918, No. 17). This Order is in identical terms with the Cultivation of Lands (Scotland) Order, 1917 (No. 2) (printed pp. 344-346) which it revokes save that in Article 7 ‘‘1919’’ is substituted for ‘‘1918’’ and in Article 12 ‘‘1918’’ is substituted for ‘‘1917’’ thus following the amendment which was made subsequent to the issue of Order (No. 2) in Regulation 2L of the Defence of the Realm Regulations which as so amended and applying to Scotland is printed p. 343.

Since the earlier Parts of this Manual were printed Regulation 2m of the Defence of the Realm Regulations has been amended and further powers conferred on the Board of Agriculture for Scotland. That Regulation as so amended is printed as 3 (8) of these Addenda in the form in which it applies in England and Wales.

Paragraph (ce) and paragraphs (h) to (n) (both inclusive) of subsection (1) of that Regulation have no application, otherwise the Regulation as printed pp. 620-623 applies to Scotland, with the addition of sub-section 10 relating to the making of muirburn, which in the new form of Regulation 2m is in identical terms with the earlier one as printed at p. 352, and with the substitution of the Board of Agriculture for Scotland for the Board of Agriculture and Fisheries, of arbiter for arbitrator, and of the Agricultural Holdings (Scotland) Act, 1908, for the Agricultural Holdings Act, 1908.
5. Addenda to Part VII.—Department of Agriculture and Technical Instruction for Ireland.

EDITORIAL NOTE.

Since the earlier Parts of this Manual were printed Regulation 2M of the Defence of the Realm Regulations has been amended and further powers conferred on the Department of Agriculture and Technical Instruction for Ireland. That Regulation as so amended is printed as 3 (3) of these Addenda in the form in which it applies in England and Wales.

Subsection (1) of that Regulation so far as the powers conferred by paragraphs (h) to (n) (both inclusive) thereof are concerned, and sub-sections (3), (5), (6) and (11) of that Regulation as printed (pp. 621, 622, 623) apply to Ireland, with the substitution of the Department of Agriculture and Technical Instruction for Ireland, for the Board of Agriculture and Fisheries, and of section fifty-eight of the Drainage (Ireland) Act, 1842, for section fourteen of the Land Drainage Act, 1847, and with the omission of the references to the Food Controller and to Commissions of Sewers. But save as aforesaid Regulation 2M has no application to Ireland.
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Correspondence between His Majesty’s Government and the United States Government respecting the Rights of Belligerents.

DISABLED MEN AND SOLDIERS.
Report of the Committee appointed by the President of the Local Government Board upon the Provision of Employment for Sailors and Soldiers Disabled in the War.

DISABLED AND DISCHARGED SOLDIERS IN FRANCE.
TREATMENT AND TRAINING.
Report by Captain Sir Henry Norman, Bart, M.P., Liaison Officer of the Ministry of Munitions to the French Ministry of Inventions. Introduction; History and Development of French Administrative Control; Creation of a Central Authority; General Principles of French Redecoration; Pensions for Disabled Soldiers in France; Difficulty of Voluntary Re-education; Successive Stages of the French System; Centres of Surgical Re-equipment; Conflicting French Opinions upon Artificial Limbs; Centres of Physiotherapy; Schools of Re-education; Agricultural Training in France; Training of French Blind Soldiers; Work in Prosthesis of Professor Lamar; Employment Bureaux; Strong and Weak Points of the French System; Suggestions regarding the Treatment of Disabled Soldiers in the United Kingdom; Personal Acknowledgments. Appendices:—Booklet issued by the Ministry of the Interior to each man on his discharge from the Army; Draft of Booklet to be issued by the Ministry of War to each man on his discharge from the Army. (1917.) Price 4d., post free 5d.