

30TH APRIL, 1921.

PRESENT :—

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT (HON. MR. CLAUD SEVERN, C.M.G.).

H.E. MAJOR-GENERAL, SIR GEORGE MACAULAY KIRKPATRICK, K.C.B., K.C.S.I. (General Officer Commanding the Troops in China).

HON. MR. E. D. C. WOLFE (Colonial Secretary).

HON. MR. J. H. KEMP, C.B.E., K.C. (Attorney-General).

HON. MR. C. McI. MESSER, O.B.E. (Colonial Treasurer).

HON. MR. E. A. IRVING (Director of Education).

HON. MR. S. B. C. ROSS (Secretary for Chinese Affairs).

HON. MR. T. L. PERKINS (Director of Public Works).

HON. MR. H. E. POLLOCK, K.C.

HON. MR. LAU CHU PAK.

HON. MR. A. O. LANG.

HON. MR. CHAU SIU-KI.

MR. S. B. B. McELDERRY (Clerk of Councils).

ABSENT :—

HON. MR. H. W. BIRD.

HON. MR. A. G. STEPHEN.

Minutes

HIS EXCELLENCY—The minutes of the meeting held on Thursday have not been circulated to hon. members and I think that the best course will be for the Hon. Attorney-General to move the suspension of the Standing Orders.

THE ATTORNEY-GENERAL—I move the suspension of Standing Orders to enable the minutes of the last meeting to be confirmed at the next meeting of the Council. The Standing Orders require that the minutes shall either be read or circulated. There has not been time to print them for circulation; they are rather long and

full of details about the Stamp Bill. It would be rather a waste of time to read them.

THE COLONIAL SECRETARY seconded.

HIS EXCELLENCY—Members will have an opportunity of checking them and that will be more satisfactory than having them read.

The motion to suspend the Standing Orders was carried.

Finance

THE COLONIAL SECRETARY, by command of H.E. the Officer Administering the Government, laid on the table Financial Minute, No. 27, and moved that it be referred to the Finance Committee.

THE COLONIAL TREASURER—I beg to second that.

The motion was carried.

THE COLONIAL SECRETARY, by command of H.E. the Officer Administering the Government, laid on the table Financial Reports for 1920.

The Stamp Ordinance

THE ATTORNEY-GENERAL moved the third reading of the Bill intituled, An Ordinance to amend the law relating to Stamp Duties.

THE COLONIAL SECRETARY seconded.

HON. MR. H. E. POLLOCK—With reference to the practical working of this Bill I have a suggestion to make which I trust will receive the favourable consideration of the Government. The suggestion which I have to make, sir, is that there be kept a ledger in the Stamp Office, with all these various headings in the schedule of the Stamp Bill, and that that ledger be entered up under the proper headings daily. As you are no doubt aware, sir, in the past that has not been done, with the result that when the Government wanted, under the late Ordinance, to obtain particulars under

the different headings for the years 1918 and 1919, the procedure which had to be adopted was a very cumbrous one, all the daily requisitions for stamps having to be gone through in order that the Government should know how the duty on each particular head worked out. That seems to me to be a great waste of time and labour. If a journal or ledger such as I suggest were kept in the Stamp Office with these headings, and the requisitions were entered up daily, then the Government would have a record *de die in diem* without the labour having to be gone through as was recently done. With such a ledger the Government could ascertain the state of any particular heading at any particular time. I trust the Government will take this into consideration.

HON. MR. LAU CHU-PAK—I beg to support the remarks of the senior unofficial member. I think what he has suggested is more businesslike and should be adopted by the Government. At the same time, sir, if I am in order I should like, with your permission, to represent here the views of the Chinese merchants on a matter connected with the Bill. They feel, sir, that the Government has overlooked the interests of the Chinese merchants in not having appointed a single Chinese on the committee to consider the Bill before its introduction into this honourable Council. Seeing that they are the largest taxpayers in the Colony and that the Bill would affect them more than any other section of the general community I, and my Chinese colleague, submit, sir, that they have just ground for complaint. They hope that, in future, on any contemplated measures affecting their interests, they will be given an opportunity to express their views through their accredited representatives. There is another point, sir, that they have asked us to urge upon the attention of the Government, and that is the necessity of having the Bill translated into Chinese. Its requirements are so many, and not knowing much English, they cannot be expected to understand them thoroughly.

After conferring with the Officer Administering the Government, the Colonial Treasurer, and the Secretary for Chinese Affairs both made a statement in reply:

THE COLONIAL TREASURER said—With reference to the remarks of the hon. member on my left (Hon. Mr. POLLOCK) as to

keeping a ledger, certain things, no doubt, could be done, but it would mean an increase of staff and of accommodation. With regard to the sale of stamps, we really do not know what they are going to be used for and so we could never get a proper return under each heading. We can always tell the total stamps sold.

HIS EXCELLENCY—I understand that in the cases of super-embossed stamps, where there has been a regular routine decision as to the proper stamp required, with some increase of staff you could have them entered up?

THE COLONIAL SECRETARY—Not all sir. Sometimes a blank piece of paper is sent in with a request for stamp.

HON. MR. POLLOCK—I take it, at all events, that to a considerable extent a record could be kept. We should at least be further forward than we have been with the practice obtaining in the past.

HIS EXCELLENCY—I have wondered, myself, to what extent the Treasury knew of the various transactions of any particular day, and how the figures that have been got out for the guidance of the Committee of the yield of various stamp duties had been arrived at, and I certainly think, if it can be done, it would be a business-like thing, as the hon. member says, to have some record. I should think a series of small separate ledgers would be required for each heading in the schedule, otherwise you might not allow enough room. Something perhaps might be done, but I quite see that the clerical labour involved may necessitate not only an increase of staff but also an increase of the accommodation available in the Treasury. However, the matter is one that will be considered. I agree that it would be very satisfactory if such a record could be kept.

HON. MR. POLLOCK—With all deference, sir, I don't think it will be necessary to employ the services of more than one clerk for part of his time, and I cannot see that it would require a very serious increase of accommodation in the Stamp Office to provide room for a ledger being put in a corner.

THE SECRETARY FOR CHINESE AFFAIRS—With regard to what the Hon. Mr. LAU CHU-PAK said at the end of his remarks, it has been the invariable rule to translate all Bills which affect the Chinese into Chinese. In this particular case I can guarantee that the Bill will be translated at once and I will submit a draft for the criticism of the Chinese members of the Council.

HON. MR. POLLOCK—The most urgent thing is that the amounts in the Schedule of the Bill should be translated.

THE SECRETARY FOR CHINESE AFFAIRS—The Schedule will naturally be translated at the same time and the requirements of the Bill circulated through the District Watchmen's Committee and the Chinese Chamber of Commerce.

THE ATTORNEY-GENERAL—With regard to the fact that no Chinese representative was included on the committee I think that it is a matter for regret that no Chinese gentleman was included, but it was impossible to make the committee fully representative without making it unduly large, and what was attempted was to represent—not different racial sections of the community—but the different occupations and sections of the business community—people representative of trade, banking or other interests—rather than different sections of the community as they are divided up racially. At the same time, I do think I may express regret that no Chinese representative was appointed.

HIS EXCELLENCY—I would like to support the Attorney-General in expressing regret that no Chinese was included in the committee. I think Chinese members will agree that, subsequent to the publica-

tion of the Bill, the Council gave effect to most of the points raised and that the time in which the Bill has been under consideration by the Council has allowed of adequate representations being made, which have been adopted as far as possible.

The Bill was then passed.

HIS EXCELLENCY—I desire to thank hon. members for the very great assistance they have given the Government in a rather difficult measure, and all those who have sent representations which have been considered in the various complicated clauses of the Bill.

The Council adjourned *sine die*.

FINANCE COMMITTEE.

A meeting of the Finance Committee was held immediately after the adjournment of the Council, the COLONIAL SECRETARY presiding:—

Purchase of a Law Library

The Officer Administering the Government recommends the Council to vote a sum of \$1,600 in aid of the vote Judicial and Legal Departments, Supreme Court, Other Charges, Library.

THE CHAIRMAN—There is a barrister leaving the Colony who has rather a valuable library and it has been strongly recommended by the Attorney-General that the library should be acquired. It has been found that \$1,600 will cover it. The matter has been brought on rather urgently in view of the fact that the gentleman is leaving the Colony.

The vote was approved.