

30TH MARCH, 1922.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR, SIR REGINALD EDWARD STUBBS, K.C.M.G.

H.E. MAJOR-GENERAL SIR JOHN FOWLER, K.C.M.G., C.B., D.S.O. (General Officer Commanding the Troops in China).

HON. MR. CLAUD SEVERN, C.M.G. (Colonial Secretary).

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

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

HON. MR. E. R. HALLIFAX, O.B.F. (Secretary for Chinese Affairs).

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

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

HON. MR. LAU CHU-PAK.

HON. MR. E. V. D. PARR.

HON. MR. A. G. STEPHEN.

HON. MR. A. O. LANG.

HON. MR. CHOW SHOU-SON.

MR. A. G. M. FLETCHER, C.B.E. (Clerk of Councils).

ABSENT:—

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

Minutes

The minutes of the last meeting were confirmed and signed by the President.

Finance

THE COLONIAL SECRETARY, by order of H.E. the Governor, laid on the table Financial Minute No. 20, and moved that it be referred to the Finance Committee.

THE COLONIAL TREASURER seconded, and the motion was approved.

THE COLONIAL SECRETARY also laid on the table the Report of the Finance Committee, No. 4, and moved that it be adopted.

THE COLONIAL TREASURER seconded, and it was agreed to.

Fees of Solicitors Acting as Barristers

THE COLONIAL SECRETARY — Sir, certain rules, made by the Chief Justice under Section 32 of the Supreme Court Ordinance, 1873, are brought before the Council. Under that Section of the Ordinance, the Council can revise the rules, and the Council must approve them and they must be gazetted before they come into force. I would ask the Attorney-General—with your permission—to explain.

H.E. THE GOVERNOR—Under standing Order 20 (*h*) this is a motion the urgency of which must be admitted by two-thirds of the members,—including the President—before it can be placed before the Council; at least that is how I read the rule. I think if the Attorney-General explains the reasons for the urgency it will explain the reason for the motion also. He might do so first, and we might take the two necessary votes thereafter.

THE ATTORNEY-GENERAL—The reason for the ground of urgency is this: The Ordinance passed recently has been passed to deal with the scarcity of practising barristers in the Colony at the moment. It is intended to give the Chief Justice power to enable solicitors to appear before him with the object of expediting the hearing of cases which have been begun. It is in the public interest, and in the interest of litigants, that these cases should be speedily heard and, as a case may, at any moment, come on for hearing under the provisions of that Ordinance it is desirable to have the scale of costs and fees settled so that the

parties and their legal advisers may know what fees and costs will be payable in respect of the proceedings when they do come on. I beg to move that this motion be treated as one of urgency.

H.E. THE GOVERNOR — Is there any objection to treating this motion as one of urgency?

There being no objection,

THE ATTORNEY-GENERAL said—I beg to move that these rules made by the Chief Justice be approved by this Council.

THE COLONIAL SECRETARY seconded and the motion was agreed to.

The rules referred to are as follow:—

1.—The scale of costs at present in force (including the item instructions for brief) shall apply to any cause or matter up to the time of its hearing in Court.

2. — A solicitor appearing in court as counsel shall be entitled to the following special allowances:—

Brief Fee \$75 to \$300.

Refresher:—

For every hour or portion of an hour of the hearing in court after the first 4½ hours
..... \$20 to \$40,

3.—No fee shall be paid to a solicitor attending in court to instruct the solicitor who is acting as counsel, unless the judge otherwise directs.

4.—The increase of 25 per cent., directed by the rule made by the Chief Justice on June 14th, 1921, shall apply to the above mentioned special allowances.

Hongkong and Shanghai Bank Amendment Ordinance

HON. MR. E. V. D. PARR moved the second reading of the Bill intituled, An Ordinance to amend the Hongkong and Shanghai Bank Ordinance, 1866.

HON. MR. A. O. LANG seconded, and it was carried.

The Council went into Committee to consider the Bill clause by clause. The Bill was approved in Committee, without amendment.

The Council resumed and the HON. MR. PARR proposed, and the HON. MR. LANG seconded, the third reading of the measure.

This was approved and the Bill passed accordingly.

The Indemnity Bill

The second reading was not proceeded with of the Bill intituled, An Ordinance to restrict the taking of legal proceedings in respect of certain acts and matters done during the war and to provide in certain cases remedies in substitution therefor.

Adjournment

H.E. THE GOVERNOR — That concludes the business which it is proposed to proceed with to-day. It will be inconvenient, at any rate, to meet next week and I propose that the Council shall adjourn *sine die*.

FINANCE COMMITTEE

A meeting of the Finance Committee followed, the COLONIAL SECRETARY presiding.

Quarantine Sheds at Lai-Chi-Kok

The Governor recommended the Council to vote a sum of \$15,000 on account of Public Works Extraordinary, New Territories, for repairs to sheds at Lai-chi-kok.

THE CHAIRMAN—This has already been before members of the Finance Committee. It has become desirable to prepare two of the sheds at Lai-chi-kok so as to render them suitable for use as a quarantine station in case of emergency, and for any other purpose for which they are suitable. Members of the Finance Committee have expressed their approval of this expenditure.

The vote was approved.