Local Taxation Law.

Let me mention two or three principal points in this connection. The first is related with the inhabitants' tax. The bill as revised at the House of Representatives makes a reduction of ten per cent and puts such tax at ¥900 per capita. The proposal of ¥800 as maximum previously presented by the Local Finance Committee was not accepted by the Government. There are other reasons, too, but it is a fact generally known that Mr. Yasui, representative of the metropolis, 'do,' and prefectures, Mr. Kambe, representative of the six major cities, and Mr. Ikuta, representative of local towns and villages, filed their resignations. Those three representatives clearly represent practically the whole nation, and yet the Government refuses to respect the general will of the people and insists on presenting its own own bill, which is evidently an extremely high-handed instance of Fascism and to our great regret. What I regret more than anything else is that the seven hundred thousand brothren of ours who have come home after their three years' painful labor in the freezing area of the Soviet Union territory against their will, to discharge the obligation of a defeated nation and as victims of the state, should be charged the inhabitants tax, which is a poll-tax, and that immediately on their return to their dear fatherland, which they wished for even at the risk of getting drowned in the Japan sea on their homeward voyage. Indeed, I cannot bear just to imagine their disappointment. In the Repatriates Relief Measure resolution, paragraph 2, passed by the House of Representatives and that of Councillors on May 25 and 26 respectively, it is expressly stated that the repatriated and demobilized in future shall be exempt from all taxation for twelve months from the date of their return home. (Clapping) Such exemption has been unanimously supported at this House of Councillors. Nevertheless, the revised bill has been rejected owing to various circumstances. For such reason, I can by no means support the bill before us.

The second point is that it is provided in the Finance Law, Article 10, para. 14, that, for the assurance of living, 80 per cent of the necessary expenditure shall be defrayed from the national treasury and the balance of 20 per cent by local self-governing bodies. The local defrayal of the said 20 per cent, however, is actually met by the re-assigned tax. This point is not made clear enough locally. The defrayal of cost of assuring living is a burden extremely heavy upon local finance because of the hard condition in which it actually finds itself. Such a system is firstly regarded as conducive to the prevention of disorderly grant of aid by the abuse of the Living Assuring Law, and secondly, it contemplates the sharing of duty by local neighborhood groups. In the actual condition of Japan after the war, a major part of the aid necessary to be extended goes to sufferers from war damage, repatriates, families left at home by people detained abroad, bereaved families and other war victims, and the object of such aim is quite different in feature from the indigent of former years. If the measure is intended simply for the first purpose, that is, the prevention of disorderly grant of aid, it cannot but be called a cruel measure which gives the recipients of such aid the utmost amount of spiritual pain and oppression. Even if the measure were based on the genuine spirit of assuring living, it is, of course, against such spirit in practice. Again, among those who are to be repatriated in the current fiscal year, there are, it is estimated, about eighty or ninety thousand who have no relatives at home. Those solitary people will be accommodated in the six North-east prefectures and Hokkaido. At present there are, at Toyohira, Hokkaido, more than five thousand repatriates accommodated, which represent over twenty per cent of the whole population there. For such persons who unexpectedly join local communities, since they are, for the most part, under the application of the Living Assuring Law, aid must be supplied by local finance, which would mean a terrible overburden to such finance. (Clapping.) It is simply impossible to understand the reason of such a measure. That the outlay due to the application of the national treasury is self-evident, and for that reason, I cannot support this bill.

Another point is that, in the local tax now under contemplation, a good amount of revenue is expected, as reported just now by the chairman of the Committee, from the taxes levied on entertainment, eating and drinking at restaurants but restaurants are at present prohibited their business by ordinance. The Government, nevertheless, recognizes clearly their secret business to prepare such a bill of the local tax, and the reason is altogether beyond my understanding. Therefore I definitely oppose this bill. I must appeal to your intelligent judgment in the matter. (Clapping.)

The Vice-President: All the members notifying for debate have been recognized. So, the debate has come to an end. We will now take a vote. First, we will take up the Bill for Local Finance, the Bill for a Revision of the Local Tax Law, and the Bill for the Distribution of Taxes to Local Governments, en bloc. Those in favor of these Bills are requested to stand up.

(A majority of members stand up.)

The Vice-President: I see that a majority of members are in favor of the three Bills. So, they have been passed by this House.

Next, we may vote on the Bill for a Partal Amendment of the Local Autonomy Law. Those in favor of the Bill are requested to stand up.

(A majority of members stand up.)

The Vice-President: I see that a majority of members are in favor of the three Bills. So, they have been passed by this House.

Next, we may vote on the Bill for a Partial Amendment of the Local Autonomy Law. Those in favor of the Bill are requested to stand up.

(A majority of members stand up.)

The Vice-President: I see that a majority of members

stood up for the Bill. Accordingly, it has been approved by this House.

The Vice-President: Is there any objection to the agenda and taking up for discussion en bloc the Bill for the Establishment of the Agricultural Improvement Bureau, the Bill for the Establishment of the Newsprint Allocation Office, both submitted by the Cabinet and forwarded from the House of Representatives, and the Bill for the Establishment of the Repatriates Measures Advisory Council, introduced by members of the House of Representatives?

(A member: "No objection.")

The Vice-President: I see there is no objection. First, I ask for the Committee Chairman's report. Mr. Toshie Ota, Director of the Audit Committee, please.

(Committee Report printed in the Appepndiv to the Minutes No. 60.)

(Mr. Ota, Toshie, takes the platform)

Mr. Toshie Ota: With reference to the Bill for the Establishment of the Agricultural Reform Bureau, which is presented for discussion now. I wish to report the progress and result of deliberation at the Committee meeting. This Bill is made for the Establishment of the Agricultural Reform Bureau as an internal part of the Ministry of Agriculture and Forestry. The said Bureau will comprise three divisions, namely, the Technical Research Division, the Economic Research Divsiion, and the Dissemination Division, and it is aimed at that the public welfare may be promoted by the increase of agricultural production in this country, the improvement of farmers' life, and the diffusion of useful, adequate and pragmatic information concerning the various problems of agricultural industry. On the part of this Committee, it recognizes the measure as a timely one for the promotion of development of agricultural technique aimed at the increase of agricultural foodstuff production, and for the improvement of life of farmers, who constitute the greatest majority of the people. The Committee, after conducting deliberation article by article, has decided unanimously to pass the bill as it is.

Next, concerning the Bill for the Institution of the Newsprint Allocation Board, I shall report briefly the progress and result of deliberation at the Committee meeting.

This bill aims at the legislation of a system for the allovation of newspprint in view of the present shortage of printing paper and at the rationalization and adjustment of the affairs concerned by completing this organization.

The existing system for the allocation of printing paper may be briefly described as follows: The Government, in compliance with the directive issued by the Supreme Commander for the Allied Powers in October, 1945, had such affairs managed by the Cabinet Board of Information at first, but, with the abolition of the said Board, those affairs were transferred under the jurisdiction of the Ministry of Commerce and Indutry. In November, 1946, the Newprint Allocation Office was established in the Cabinet, and has since been attending to the affairs to this date. There being at present no law to govern the business of the Allocation Committee, such business is being conducted exclusively in accordance with the regulation prescribed by the Prime Minister for the allocation of printing paper. On interrogation being entered, a member of the Committee asked whether any abuse of official authority might be made in the appointment of members of the Discussion Council, to which the Government replied that, for the appointment of such Council and the method of conducting its affairs, etc., basic pprovision is clearly made in the bill presented this time, and that it was the Government's intention to make the democratic will of the Diet reflected thoroughly in such business. To the question concerning a possible abuse of official authority in the appointment of members of the Council in the case where the Government may reject such candidates as it deems unfit, the Government replied that such a case would actually be extremely rare, and that it was, for example, the case where black marketeers or persons whose object is to divert commodity into illegal channels of supply attempt to obtain membership by canvassing.

Another member expressed his opinion that the allocation in the past had been too much concentrated for commercial relations and that for labor and cultural bodies was extremely limited, and asked whether any improvement was not feasible in that connection. It was also asked whether an increased allocation of paper of better quality, necessary for publications of science and art, could not be realized, etc. To these questions, the Government replied that a more rational and adequate allocation of printing paper might be hoped for by the legislation of printing paper allocation affairs. As for further details of questions and answers exchanged, I beg leave to refer you to the minutes.

Debate took place then, but no oppinion of special importance presented, and the bill was unanimously decided to be passed.

Now, let me report on the bill for the institution of the Repatriated Brethren Relief Measure Deliberation Council. This bill is made for the establishment of the Repatriated Brethren Relief Measure Deliberation Council in the Prime Minister's Office, based on the resolution passed at the Second Session of the Diet concerning the measures of aid for repatriated brethren, with the purpose of investigating and discussing matters related to the acceleration of repatriation, and the aid for bereaved families and families left at home by persons detained abroad, and other matters concerning the repatriates in general. The Council will be composed of one President and fifteen or less members, and the Minister for Public

Welfare will be appointed to the post of President. For the management of its affairs, the Council will have its own office, and the Director of the office will be appointed from among the officials of the Ministry of Public Welfare. This law will be made effective for one year only. Such is the purport of the bill. Concerning this bill, as it was generally known due to the relevant resolution having been previously passed, and the need for such measure was keenly felt by every person, no particular objection was raised, and the bill was unanimously supported. Only, concerning the wording of the bill, the necessity for some revision was expressed, and here is a list of the changes suggested, which I will read out now.

In Article 1, paragraph 1, before "for the investigation and discussion of," insert "in the Prime Minister's Office": and after "the Repatriated Brethren Relief Measure Deliberation Council," add "hereinafter to be called simply the Council" in brackets.

In the same Article, paragraph 2, for "superintendence" read "management."

In Article 3 and 4, for "Chairman of the Committee" read "President."

Article 5 shall be revised as under:

Article 5. The Council shall have the following staff to attend to the coordination of its affairs:

1. One Chief Secretary.
   A certain number of other officers.
2. The Chief Secretary shall be appointed by Prime Minister from among the first ranking officials of the Ministry of Public Welfare.
3. Officers other than the Chief Secretary shall be appointed by the President of the Council.

Article 8 shall be deleted.

The the discussion was finished, and voting was held. The amendment was first submitted to voting, and passed by a majority. Then followed the voting concerning the other part of the original bill, with the result that it was unanimously decided to be passed. This is all I have to report now. (Clapping)

The Vice-President: We will now take a vote. First, we will take up the Bill for the Establishment of the Agricultural Improvement Bureau in its entirety. Those in favor of the Bill are requested to stand up.

(All members stand up.)

The Vice-President: I see that all members present stood up in favor of the Bill. So, it has been unanimously passed by this House.

The Vice-President: Next, we may vote on the Bill for the Establishment of the Newsprint Allocation office in its entirety. Those in favor of the Bill are requested to stand up.

(A majority of members stand up.)

The Vice-President: I see that a majority of members are in favor of the Bill. Accordingly, it has been approved by this House.

The Vice-President: Next, we will vote on the Bill for the Establishment of the Repatriates Measures Advisory Council in its entirety. The report of the Committee Chairman is for the approval of the Bill with amendment. Those in favor of the amended Bill as proposed by the Committee in charge, are requested to stand up.

(All members stand up.)

The Vice-President: I see that all members present stood up for the Bill. Accordingly, it has been unanimously approved by this House in the form recommended by the Committee in charge.

The Vice-President: Is there any objection to making an addition to the agenda and taking up for discussion en bloc the Bill for Temporary Exceptions to Election Campaign and the Bill for a Partial Amendment of the Law concerning the Election of members of the House of Representatives, introduced by members of the House of Representatives?

(A member: "No objection.")

The Vice-President: I see there is no objection. First, I may call for the Committee Chairman's report.

Mr. Shinchi Fujii, Director of the House Management Committee, please!

(Committee Report printed in the Appendix to the Minutes No. 60.)

(Mr. Fujii, takes the rostrum. Cheers.)

Mr. Fujii: I am going to make a brief report on the progress and results of consideration by the Diet Operation Committee of the Bill Concerning Temporary Special Exceptions Respecting Election Campaigns, etc. and of the Bill for a Partial Revision of the Law for the Election of the Members of the House of Representatives, which have just been placed before the House.

The Bill Concerning Temporary Special Exceptions Respecting Election Campaigns, etc. is applicable only to the election of the members of the House of Representatives, beginning with the next General Election. The election of the members of the House of Councilors and that of the members of local Assemblies will continue to be governed, as hitherto, by the provisions of the Law Concerning Special Exceptions Respecting Documents, Drawings, etc. for Election Campaigns. The object of this Bill is to enlarge the scope of public management of elections, in order that elections shall be carried out fairly and properly; and also to tighten the restrictions on other forms of election campaign, with a view to basically preventing such election corruption as might stem from the necessity of procuring vast amounts of electioneering funds. The scope of public management of elections is to be expanded on four points. The first point relates to speech meetings. A complete system of public management is to be enforced in regard to speech meetings of rival candidates. With respect to speech meetings of individual candidates, a part of the affair is to be publicly managed; that is arrangements for the place of meeting and public notification are to be taken over by public management. Second, it is expressly provided that all the expenses for broadcasting political views shall be borned by the National Treasury. Third, with regard to matters relating to documents and drawings, advertisements in the newspapers, and postcards and unsealed letters for purposes of liaison in election business are placed within the purview of public management. Fourth, with respect to the utilization of the means of communication, 15 special tickets, good for use within the areas concerned, are to be delivered at the expense of the National Treasury.

These four points concern the expansion of the scope of public management. It is estimated that the expenses for this phase of public management will amount to about Yen 450,000,000 in all. In order that a part of this expenditure shall be borne by candidates, and that hopeless persons shall be prevented from running for the election, each candidate is to pay Yen 20,000, in addition to the usual deposit. This payment is made a requirement for filing candidacy.

Along with this strengthening of public management, other forms of election campaign are subjected to greater restrictions on three points. First, restrictions are placed on speech meetings, of which there shall be only three kinds: speech meetings of rival candidates, speech meetings of individual candidates and street speech meetings. No other kind of speech meetings will be permitted. Besides, in the case of speech meetings jointly held by rival candidates, none of their agents shall speak for more than one-fifth the total number of times such meetings are held No speech meetings of indivitimes sucr meetings are held. more than 30 times. Moreover, no street speech meetings shall be permitted except when the candidates concerned are on the spot. Thus, it is intended to prevent those candidates who are provided amply with funds from mobilizing many assistants and from holding more speech meetings than are properly necessary.

Second, restrictions are imposed on documents and drawings used for election campaigns. Beyond 1,000 postcards and unsealed letters per candidate, which may be used for purposes of liaison in election business, it is prohibited to distribute, or circulate for reading, any other documents or drawings. Furthermore, all placard posts, lanterns, posters and signboards are forbidden, with the exception of three kinds: those used at street speech meetings, those used on motor-cars, microphones, etc, and those used to indicate election offices.

Third, there are restrictions in connection with vehicles, microphones and food. There shall be only one set each of motor-cars, ships and microphones. All food is prohibited, except tea.

If a candidate is convicted of violating any of these restrictions or prohibitions, his election will become null and void; and moreover, for the next five years, he may be divested of his right to vote and of his eligibility for election. Thus, it is intended to assure the enforcement of this law.

I shall next deal with the Bill for a Partial Revision of the Law for the Election of the Members of the House of Representatives. This revision is intended to simplify the procedure for the selection of Election Referees, to alter the agencies to be used the making public the successful results of elections, to shorten the period during which candidacy is to be filed, and to make a readjustment of the other Articles of the law. The revision is thus concerned principally with procedural matters. The changes to be made in substance are on three points.

First, a person who is holding a public office which he is not permitted by law to hold in addition to membership of the House of Representatives, for example, a member of the House of Councillors or a member of a local Legislative Assembly, cannot run for the election except after he has relinquished that office.

Second, the amount of deposit money. It has been raised from Yen 5,000 to Yen 30,000. Moreover, the ratio of votes received, which makes the deposit money liable to confiscation, has been lowered from one-fifth to one-tenth.

Third, punitive provisions have been tightened, and also the fixing of responsibility for supervision has been made clearer than before.

These two Bills were considered by the Diet Operation Committee on two occasions, when they were made the subject of overall questions and answers. They were then referred to the subcommittees on political parties and on the election law. These subcommittees took up the Bills on four occasions, considering them article and, with regard to the matter of broadcasting political views, it has been decided to amend the relevant Articles of the Bill Concerning Temporary Special Exceptions Respecting Election Campaigns, etc Namely, the "within three times" in Paragraph 1, Article 16, is deleted; the "preceding Paragraph" in Paragraph 3 of the same Article is changed to "proceding two Paragraphs"; and the said Paragraph is made" Paragraph 3." with the addition, next to Paragraph 1, the following Paragraph: "2. With regard to the broadcasting mentioned in the preceding Paragraph, all candidates in the Election District concerned must be provided with equal facilities, including the employment of the same broadcasting equipment and the same length of broadcasting time." This amendment was reported back to this Committee, which has passed, by a majority, the Bill Concerning Temporary Special Exceptions Respecting Election Campaigns, etc. with that amendment. The Committee also has passed the Bill for a Partial Revision of the Law for the Election of the Members of the House of Representatives, as introduced by the House of Representatives. With this, I finish my report. (Cheers.)

Vice-President (Mr. MATSUMOTO): I have received a notification of debate on the two Bills. Mr. Katsuji Itano!

(A voice: "Brief, brief!")

(Mr. Katsuji Itano, takes the rostrum.)

Mr. Katsuji Itano: These... (A voice: "Make it brief." Another voice: "That's it.") Keep silent and listen. These Bills bearing on the election law, when they were passed by the Diet Operation Committee, were suddenly decided upon, without debate and without notes being taken by the steno-

graphers. That fact I must first of all report to you. (A voice: "Its a matter of course!") In this, I think, you may have seen even an intrigue in connection with the revision of the election law. (A voice: "It's not an intrigue.")

Well, I shall describe my principal reason for opposing the revision. First, the deposit money is raised from Yen 5,000 to Yen 30,000. (A voice: "It's a revision of commodity prices.") Second, the preliminary payment, which is to meet what are said to be the expenses of public management of elections, is fixed at ¥20,000. The sum of ¥50,000, made up of those ¥30,000 and ¥20,000, is too large an economic burden for the toiling masses to bear. This may not be a burden to those gentlemen who have been interrupting us in our exposition of reasons for opposing the revision, but it is a big burden to us. The point I would like to make is that it is impossible to run for the election without bearing that burden. Third, legalized election expenses amount to around ¥100,000. Fourth, motor-car expenses are placed outside the bounds of legalized expenses. Putting the daily hire of a motor-car at ¥10,000, the motor-car expenses alone amount to around ¥300,000. Even when only such election expenses as are publicly recognized are taken into account, they amount to a minimum of from ¥450,000 to ¥500,000. What is this but a big economic burden?

Fifth, speech meetings are restricted in the name of public management of elections. Speech meetings of rival candidates are under this restriction that no representatives of the candidates can speak in excess of one-fifth the total number of times the meetings are held. No individual candidates can hold speech meetings for over 30 times. No speech meetings can be held on the streets except when the candidates concerned are then and there on the spot. In the course of his report, Sub-Committee Chairman Fujii has said that, if a street speech meeting could be held without the candidate continuing to be present, it would mean increased expenses. But no increment whatever of expenses would result from the persons concerned remaining while the candidate went on to another meeting on the street. The evident intention back of the statement that increased expenses would be required is to suppress speech meetings on the street by labor organizations and by groups of tillers of the soil. In consequence, it will become utterly impossible to hold speech meeings in the main interest of laborers and farm workers. Completely impossible it also will be to hold speech meetings and carry on other activities, from the standpoint of political parties. This restriction obviously spells a negation of the freedom of speech guaranteed by the Constitution.

Sixth, the conduct of acitivities through the use of documents is also extremely restricted. Beyond documents of a public nature put out by the Election Management Committee, restrictions are imposed in regard to the giving of publicity to books written by candidates, any documents, any legitimate activities of political parties, even the attachment of documents published by political parties. Obviously this also constitutes a negation of the freedom of expressing views through documents, a freedom guaranteed by the Constitution.

Evidently these extreme restrictions imposed on speech and documents are impeding the organized development of new democratic trends—the masses outside of the Diet are now bewailing this reactionary tendency of the Diet. This proposed law is simply one made by those who are possessed of personal influence, money and established electoral footholds, such persons as those who attempted to to heckle me when I ascended this rostrum, those who are bent upon sticking to office by hook or by crook. (A voice: "You shouldn't say such a thing.") Isn't the latest trend of the Socialist Party to be found in the fact that gentlemen of that party have approved, without any amendment, a Bill which entails upon candidates the expenditure of so much as ¥40,000 or ¥500,000? (Cheers.) I would call for self-examination on the part of the wise members of the Socialist Party. (A voice: "No. thank you!")

These are the reasons why I am opposed to the Bill. (A voice: "Thank you for your labor." Cheers.)

The Vice-President (Mr. Jiichiro Matsumoto): All these members who have notified for their debates have been recognized. I take it that the debate is concluded. We shall now take a vote. First, I take up the whole of the Bill for the Law concerning Temporary Exceptions to the Election Campaign, etc. The report of the Committee Chairman is on the decision on amendments. Those who are in favor of the Bill as reported by the Chairman are requested to stand up.

(A majority stands up)

The Vice-President (Mr. Jiichiro Matsumoto): The Bill has been approved as amended by the Committee. (Applause)

The Vice-President (Mr. Jiichiro Matsumoto): Next, I take up the whole of the Bill for Partial Amendment to the Election Law for the Members of the House of Reuresentatives. Those in favor of the Bill are requested to stand up.

(A majority stands up)

The Vice-President (Mr. Jiichiro Matsumoto): I take it that a majority is for the Bill. Accordingly, the Bill has been passed.

The Vice-President (Mr. Jiichiro Matsumoto): Now, is there any objcetion to adding to the agenda for today, taking up en bloc the following Bills 7: the Bill for Partial Amendment to the Law concerning the Transfer of Funds from the General Accounts in order to Cover the Deficit of the Revenue for the 1948-49 fiscal Year in the Finance Ministry Deposit Division Special Account; the Bill for the Compensation for the Loss caused by the Payment of Insurance Money for Death due to War Risk in the Postal Life Insurance Enterprise; the Bill for the Collection of the Commission regarding the Allotment of Necessary Materials; the Bill for Partial Amendment of the Banking Institutions Reconstruction and Reorganization Law; the Bill for the Management of Premium-bearing Savings; the Bill for the Prize-attached Coupon Law and the Bill for the special Account of the Special Yen Funds for the Foreign Trade.

(A voice: "No objection")

The Vice-President (Mr. Jiichiro Matsumoto): I see there is no objection. First, I ask the Committee Chairman to make a report. The Chairman of the Finance & Banking Committee, Mr. Hideo Kuroda.

(Committee Report printed in the Appendix to the Minutes No. 60)

(Mr. Hideo Kuroda, takes the rostrum. Cheers)

Mr. Hideo Kuroda: I am going to make a report on the progress and results of proceedings at the Committee meetings with respect to the seven Bills which have just been placed before the House. (A voice: "Please make it brief.") As little time is left before the end of the Session, I shall make my explanations very brief. (A voice: "Aye!" Cheers.) To begin with, I shall explain the Bill for a partial revision of the law concerning the transfer of funds from the General Accounts to make good the revenue deficit for the fiscal year 1948 of the Special Accounts of the Deposits Department of the Finance Ministry. Under the Budget Estimates for the current year, both the revenue and the expenditure of the Special Accounts of the Deposits Department of the Finance Ministry amount to ¥6,990,000,000 odd each. The real revenue amounts to ¥2,413,000,000 odd, the deficit reaching ¥4,579,900,000 odd. With regard to the State-owned Railroad Enterprise Special Accounts, the original estimate was that, even when the increase in revenue due to the boost of freight charges and passenger fares was taken into account, the deficit would amount to ¥10,000,000,000. As the necessary action of the House of Representatives for the boost has been delayed, the estimate of deficit has been revised ot ¥29,114,000,000. Then, about the Communications Enterprise Special Accounts, of which the revenue and the expenditure amount to ¥89,160,000,000 odd each. It was estimated that, even with the added yield resulting from the increase in mail charges, the real revenue would fall short by ¥5,000,000,000. In this matter also, the execution of the increase in communications charges has been delayed by the House of Representatives by about a month, and accordingly the estimated deficit has been raised to ¥6,026,000,000. For the details of questions and answers on these matters, I wish to be allowed to refer you to the Stenographic Records. The Committee has passed, by a majority, the Bill as drafted. In the course of a debate on the Bill, Mr. Nakanishi expressed opposition, but in this, too, I wish you will refer to the Stenograhic Records.

Next, I shall explain the Bill concerning compensation for losses caused by the payment of insurance money in respect of deaths due to war risks, under the Post Office Life Insurance Enterprise. In the Insurance Accounts of the Post Office Life Insurance Enterprise conducted by the Government, payments of insurance money made for deaths resulting from risks of the last war exceed the reserve fund put up for the benefit of the insured, the excess, as of the end of the fiscal year 1947, amounting ot over ¥473,200,000. In connection with repatriation from overseas and in other respects, it is estimated that the loss for the fiscal year 1948 will amount to around ¥120,000,000. For the fiscal year 1949 and thereafter, it is anticipapted that there will also be a considerable loss. Accordingly, it is proposed to make good the losses by means of Delivery Bonds transferred from the General Accounts. But the compensation is to be made in cash with respect to the fiscal year 1948 and thereafter. The Delivery Bonds are to be issued at face value, to be redeemed within ten years and to bear interest at 4.5 per cent per annum.

Then, about the Bill concerning the collection of fees, etc., respecting the allocation of supplies. The allocation of supplies is done at the expense of the National Treasury, and these expenses amount to a considerable figure. In the Budget Estimates for the current year, those expenses are put at ¥1,900,000,000. This business is a sort of service, and the object of the Bill is to collect from applicants, from beneficiaries, specified application fees and allocation fees, thus increasing the revenue and creating a source of the expenses required for this business. The application fee is to be fixed by order at a figure not exceeding ¥50 per case, but I understand that the fee is intended to be about ¥50. As to the allocation fee, it is proposed to collect an amount corresponding to one-hundredth of the value of supplies allocated. On this Bill also, there have been questions and answers, but I hope you will permit me to omit them from my report. Upon a debate, Mr. Yamada, of the Democratic Liberal Party, expressed himself in favor of the Bill, with the reservation that, though there was not much hope for increased revenue on this head, the fees, if they amounted to much, should be lowered as far as possible with a view to reducing the cost of production. Together with the Post Office Life Insurance (A voice: "Brief, brief!"), this Bill was passed by a majority.

Then, I am to deal with the Bill for a Partial Revision of the Law for the Reconstruction and Reorganization of Banking Institutions. This is a very long law, but its purpose is this: The final disposition in the process of reconstructing and reorganizing banking institutions having been completed, New and Old Accounts were determined on March 31 of this year. In the latter part of March, however, it became necessary to re-examine the methods of final disposition and other matters. and this re-examination has been much delayed. (A voice: "Speak more clearly!") And

this re-examination is to be done by going back to the end of March. This means that there will not be enough time for registration. Accordingly, it is proposed to extend this period of registration. Another point is that, though the amount of compensations for banking institutions was estimated at ¥10,000,000,000, further careful appraisals have shown that the said figure is a little insufficient to meet the amounts required by banking institutions. Accordingly, it is proposed to increase the figure to ¥16,300,000,000.

I then proceed to the provisions concerning Adjustment Accounts, which deal quite strictly with the final disposition of the accounts of banking institutions. With regard to their assets, it is anticipated that fairly large amounts of profits will come to be realized hereafter. It is deemed proper that such profits should be equitably reimbursed to those whose deposits have been curtailed and who have thus been made to bear prescribed losses, and it is proposed to lay down the necessary provisions in this regard. In cases where such profits are realized, they will be returned first to the Government where compensations had previously been received from the Government, and then, conversely to the order in which Prescribed Losses have been borne, to creditors in respect of Designated Debts and to creditors in respect of Adjustments Debts. Further, it is proposed to release Blocked Account Deposits, making all deposits free. This is the gist of the provisions of the Bill. Upon a debate on this Bill, Mr. Taguchi expressed himself in favor of it, but subject to a certain expression of views. Upon being put to the vote, the Bill as drafted was passed by a majority.

Next is the Bill concerning the treatment of savings with premiums. The encouragement of savings is necessary for keeping down the prevailing inflation, and all possible steps should be taken for that purpopse. In this connection, both banking institutions and the people expect much of the system of savings with premiums. But this system cannot work after March 26 when the Funds Adjustment Law ceases to be valid. Accordingly, it is proposed to take such measures as will render it possible that the said system should continue to work. Hereafter, when the Finance Minister has laid down detailed regulations concerning savings with premiums, it will become possible for any banking institution to arrange for such savings freely and in such manner as it may think fit. There are also provisions for the exemption of such savings from the Income Tax. After a debate and the taking of votes, the Bill was passed by a majority.

The next Bill is that concerning certificates with prize money. As is the case with the preceding Bill I have explained, such certificates cannot be issued after March 26. However, they are considered necessary for the purpose of encouraging savings. The Government will issue them with the objec of absorbing floating purchasing-popwer, while Prefectural Offices will be permitted to resort to this means in order to obtain funds for enterprises for which there is no specific source of revenue or for which it is difficult to procure funds through the issuance of bonds. Hitherto "Takara" (Treasure) Lotteries have been sold by a juridical person nominated by order. Here after the sale is to be undertaken by the Government and by Prefectural Offices, and these sellers can entrust the payment of prize money to such banks as they may desire. Detailed regulations are provided for certificates with prize money, but I shall omit them. After a debate and the taking of votes, this Bill also was passed by a majority.

Now, I shall explain the Foreign Trade Sppceial Yen Funds Spepcial Accounting Bill. (A voice: "Please speak louder.") In pursuance of the Cabinet Order concerning the management and disposal of the property owned by liquidated organizations, such as the Taisei Yokusan Kai (Imperial Rule Assistance Manhood Association), such property is taken over by the National Treasury. When in such cases revenue is realized through the management and disposal of property other than cash, such revenue and all miscellaneous incomes relating thereto, will form funds under this Special Accounting. These funds are to be used in the interest of foreign trade. Therefore, when these funds are used in the interest of foreign trade, this use is to be made by transferring the amount so used to the Trade Funds. (A voice: "Brief!") Upon a debate, opposition was expressed by Mr. Nakanishi. But, after the taking of votes, the Bill as drafted was passed by a majority. With this, I finish my report. (Cheers)

The Vice-President (Mr. Jichiro Matsumoto): If there is no one to speak, we shall now take a vote. The 7 Bills in their entirety are put to the vote. Those in favor of the 7 Bills are requested to rise.

(A Majority stands up.)

The Vice-President (Mr. Jichiro Matsumoto): I see the majority of those present is for. Accordingly, those 7 Bills have been passed. (Applause.)

Is there any objection, at this juncture, to adding to the agenda and to taking up the Bill for the Performance of Duties of the Police Officials etc., (submitted by the Cabinet and forwarded from the House of Representatives), for discussion?

("No objection" is voiced.)

The Vice-President (Mr. Jichiro Matsumoto): I take it that there is no objection. To begin with, I call the Committee Chairman for a report. The Chairman of the Public Safety and Local Government Committee, Mr. Suejiro Yoshikawa!

(Committee Report printed in the Appendix to the Minutes No. 60.)

(Mr. Suejiro Yoshikawa takes the rostrum. Cheers)

Mr. Yoshikawa: I should like to make a report on the proceedings and findings of the Public Peace and Local Autonomy Committee regarding the Bill for the Execution of Police Authorities, which has just been taken up for discussion. A joint deliberation on this Bill was specially proposed by the Judiciary Committee, and from the beginning we held a joint deliberation. First of all, let me explain the purport and contents of this Bill. According to the explanations given by the Government authorities, the new Police Bill does not prescribe anything about the rights and responsibilities concerning the performance of the duties by the police officers and officials. In the past, the police officers' performance of duties as well as their rights and responsibiities were governed either by the Administrative Execution Law or by the Administrative Police Regulations, the form and contents of which were incongruous with the spirit of the new Constitution. Accordingly, the Administrative Execution Law was abolished recently, and it has become necessary to establish a new legal basis for the protection given by the police officers, for their entrance into private houses with the object of preventing crimes and concerning the measures to be taken by them in order to perform their duties in cases of necessity, etc.

This has been the purport of drawing up the present Bill which, in effect, provides for as follows: The police officers are authorized to ask questions necessary for the prevention of crimes or for making a search; in case there is any one who needs first-aid, give him suitable protection: when peace and order are disturbed and human life and property are in danger owing to natural calamities, traffic accidents, fires, explosions, congestion of traffic, etc. give warning to those who happen of necessity, make them take refuge and where it is really unavoidable, take necessary measures; when anyone is going to do something criminal involuntarily or intentionally, give a warning to him to prevent his action; in order to prevent crimes or occurrence of danger to human life and property, enter whatever places concerned. The measures of "necessity" taken by police officers, their authority to prevent crimes and check them, and the rights to use weapons were not hitherto clearly provided for by law, but from the new standpoint of respecting the human rights these are now to be prescribed in concrete terms. Only in cases necessary for the arrest of criminals, the prevention of escape, the lawful self-defence and the taking of measures justified by "necessity," the use of weapons is to be authorized within certain limits; but even in such case—excepting the case of a grave crime or where there is no other choice—no injuries can be inflicted to others. This is a summary of the purport and contents of this law.

The House of Representatives passed this Government Bill with amendments on July 2, and forwarded it to the House of Councillors. Now, let me explain the said amendments made by the other House. They were made so as not to make the proposed law misuderstood or enforced in a wrong way. The first amendment was related to Clause 2. Article 2, and read, "When the person concerned is apparently placed at a disadvantage, stands in the way of traffic or is likely to disturb public order and good manners, he may be taken to a police-box or a police substation in the neighborhood." But disregard of good manners or disturbance of public order was a rather ambiguous phraseology liable to be abused, so that and this provision was deleted. Clause 1, Article 3, was also striken out on a similar ground. Another amendment concerned Clause 3, Article 2, in which the provision of Article 3 was quoted. Article 3 contains a provision for the protection, and it was considered inappropriate to quote it in Article 2 which provides for asking questions. So, the said clause was likewise crossed out.

Still another amendment has been made by the House of Representatives to Clause 4, Article 3. At the end of this Clause, certain conditions have been added which must be clearly stated in the warrant for the purpose of preventing its abuse. The 4th amendment regards the use of weapons provided for in Article 7. "A crime to which imprisonment is applied' in it has been revised to read "a ferocious crime, etc." It means that only in a case of ferocious crime, the use of weapons is to be regarded as unavoidable. In view of the importance of this Bill, our Committee, as said before made a careful deliberation thereon together with the members of the Judiciary Committee. As there is not enough time, I wish to refer you to the stenographic minutes of the Committee proceedings for details.

Now, what was empphasized at the Committee meeting was: Was there no fear that the human rights would be trampled upon or that the police power would be abused because of this enactment? (A member: "Yes, the human rights would be trampled upon.") Was not the proposed law against the spirit of respecting the fundamental human rights provided for in the new Constitution? (A member: "Yes, it is.") To this, a Government delegate answered as follows: It was thought that what the Constitution pprovided for regarded the problems concerning the Law of Criminal Procedure but that the matters necessary for the administrative purpose could be provided for by law. Needless to say, the police authorities should not abuse their powers and take action beyond the necessary limits because of this enactment. (A member: "They may act that way.") At any rate, the Government was going to guide them so that they might discharge their duties properly according to the provisions of this legislation.

What, above all, because the most mooted point related to the use of weapons by the police officers. To a question whether or not there was a law abroad governing the use of weapons by the police, the Government delegate answered that in America the use of weapons was authorized by law in case of necessity in order to prevent the escape of criminals or to overpower their resistance. (A member: "That is clearly stipulated in the Criminal Law.) Several

members of the Judicial Committee expressed their views pointing out the defects of this Bill article by article.

But as we have no time, I must ask you to read the minutes of the Committee proceedings for details. (A member: "A good excuse!") Questions and answers having finished, the Committee entered into a debate. Therefore, Mr. Sanshichi Hanyu of the Socialist Party expressed his opinion against the Bill. (A member: 'You are right.") A vote was then taken, and the Bill with the amendments made by the House of Representatives was approved by a majority. So much for my report. (A member: I am against it." Applause.)

Vice-President: There is a notice sent in for a question about this bill. Mr. Masao Nakamura:

(Mr. Masao Nakamura took the platform.)

(Some members: "Go on boldly and fearlessly!", "I look to you!", etc.)

Mr. Masao Nakamura: I hold an opinion adverse to the bill now before this House concerning the performance of of their duties by police officers and others. Now I wish to explain the reasons for my taking stand against this bill in order to ask for your support. (A member: "Go on boldly and fearlessly!") I may say that the first reason for my opposition is implied in provisions of the bill itself. I would like to refer to Paragraph 2 of Article 1 which states "The measures provided for in this Law shall be used to the minimum extent necessary for obtaining the object mentioned in the preceding paragraph and every precaution shall be taken against the abuse thereof. So I can safely state this is a bill which has been introduced by the Government with a fear of possible abuse of it. (Some members: "That's right!", "You are right". etc.) The fact that the Government has introduced a bill, the abuse of which is feared from the outset, proves that the Government itself recognizes defects and imperfections of the law. (A member: "They have diffidence about the law.")

The second point concerns the provisons under Articles 2 to 7. In these there are stated various conditions for resorting to coercive measures, such as the use of reasonable judgement and consideration of circumstances by those concerned, but after all, the use of such measures are left to the discretion of police officers. That is the point to which I wish to draw your attention.. (Some members: "That's the most important point, "Leave it to them") As to this point, at a joint meeting of the Public Peace Committee and our Judiciary Committee a question was put to the Government and in reply the latter stated that whether the jugment of a police officer was right or not might be decided by the court of law later and that if the judgement of the officer was found wrong by the law-court (Some members: "Good!". Go ahead boldly!"), the authorities concerned should take the responsibility for it. The reply is not to the point, in our opinion, the prevention of abuse of the law or the prevention of an infringement of people's rights is our duty. There is absolutely nor remedy in case the power is once abused or the people's rights are infringed. (A member: "That's right". And cheers.) Even if there are a stipulated compensation for damages and other measures, these simply mean monetary reparation. If a man is once killed, it is absolutely impossible to bring him to life no matter-how much money be paid for compensation. (A member: "You are right" Cheers.) For these reasons, I cannot aprove of the idea of vesting police officers with the right of resorting to force judging the circumstances. (A member: "That's right" Cheers.)

The third point is the revision of the Code of Penal Procedure which is now under consideration by the Judiciary Committee. Examining the amendment bill, we find that the serving of a warrant is clearly stipulated there for any case where the use of coercive measures is required. In other words, the warrant serving system is adopted in the bill. (A member: "You are right".) In any case where a person is suspected of a crime or has clearly committed a crime, no coercive measure can be taken unless a warrant is issued by the court of law. But under the bill now before us, without the serving of a warrant, coercive measures may be taken for the prevention of crimes before the commission of a crime. This makes us feel that the present bill is one which violates the principle of respect for the people's rights which is the guiding spirit of the new Constitution. (Cheers. A member; "That's right.") The Government has said in reply to an interpellator that according to the interpretation of the Constitution, the serving of a warrant means a criminal procedure as has been explained by Chairman of the Committee in his report, but that the taking of coercive measures without the serving of a warrant in some cases, does not constitute the violation of the Constitution provided that such action is recognized by law. This may be correct as an interpretation of the Constitution. I am, however, of opinion that this way of interpretation is merely formalistic and the purport of the criminal procedure which requires the serving of a warrant has originated in the idea of respecting the people's rights and therefore, the thought that arrangements may be made by virtue of law to render it possible to encroach upon any right of the people, certainly does not accord with the spirit of the Constitution. (Cheers)

The fourth point concerns Article 7 of the law. On the receipt of a copy of the text I began to read it and, I was struck dumb when I came to Article 7. In the Article the use of weapons is recognized and nobody would oppose the theory that in certain instances police officers may be peprmitted to use weapons. However, this does not mean that we recognize the right of these officers to kill people in certain instances such as are stipulated under the proviso of the article. Under that proviso their right to kill people is recognized in certain

cases, and in some of the cases mentioned there such action are warrantable, for instance, the case of self-defense which is provided for under Article 36 of the Criminal Code and the case of "necessity" which is stipulated under Article 37 of the same code, but in addition, police officers are permitted to kill people in some other cases defined in Item 2 of Article 7. If I may use an extreme expression, it may be said that police officers are vested with the right to take human life. Technieally speaking, the infringement of other's rights for the purpose of saving one's life as in the case of "necessity" does not constitute a crime under the Criminal Code unless it violates the principle of equilibrium. What I have said is about acts under "necessity", it does not mean the recognition of the right to encroach upon the other's rights, but it does mean to let such acts alone considering them inevitable. But under Article 7 of this bill the right of police officers to kill people is recognized. I cannot understand why such an dangerous action is legitimated in the law under the present democratic constitution. (A member: "That's right".) As to this point, I put a question to the Government, but they replied that as there was the proviso, the use of weapons under Article 7 would be restricted. The careful study of the article have made it clear that under this article the use of weapons is recognized and so it has to be interpreted that through the application of the article in question, the right of using weapons or killing people may be greatly extended. Although there are many other points which require further consideration, no one can deny the necessity of establishing some basic principles for the performance of their duties by police officers. With this in view, amendments were suggested in respect to imperfect points in this bill and some provisions which fail to accord with the principle of respect for the people's rights, at meetings of the Judiciary Committee by Members Onimaru, Ono, Hoshino, and Matsumura and others, but to our great regret, all the suggestions for amendment were rejected by both the Judiciary and the Public Peace Committees. What I want to emphasize to the members of the House of Councillors is that I oppose this bill on the ground that there are points in the bill conflicting with the principle of respect for fundamental rights of the people which is the guiding spirit of the Constitution, and that I do not take this stand for the sake of party interests. I presume that various discussions took place in the House of Representatives in regard to this bill, but I think that they probably did not deliberate on the matter as carefully as we have done here. Now I wish to recommend you to reject the bill, because the study of the bill by both the Judiciary and the Public Peace Committee has shown that it conflicts with the principle of respect for fundamental rights of the people, the underlying spirit of the Constitution. (Cheers.)

Vice-President (Mr. Jiichiro Matsumoto: Mr. Shinichiro Matsumura.

(Mr. Matsumura takes the rostrum.)

Mr. Matsumura: I am one opposed to this Bill. (Applause) As a reason for submitting the Bill it is stated the aim is to allow police officers to perfrom their duties faithfully. The very emphasis laid upon such a matter as faithful execution of this law itself strikes' me as anachronistic. I mean to say that Japan's police affairs have in the past most faithfully executed their functions; only they have faithfully observed bad laws. (Some one cries: "That's right") The fact is plain that because they carried out laws without any critical judgment as to whether they are good laws or bad laws, they were apt to trample upon human rights. Therefore, we must provide our police offices with good laws.

(Some one cries: "That's right")

It is obviously unreasonable to give a man a crooked rule and tell him to draw a straight line with it.

(Cries: "That's right!" That's right!") Now this Bill is extremely crooked. It is a law containing extremely erroneous provisions. To pick out each and every case and explain is too much, but let me state my point. I believe that it would be more appropriate if instead of faithful performance" the phrase were made to read "Kindly performance". Police officers are public servants withwhom we come into daily contact. It is their strict and stiff attitude that makes us feel unduly menaced.

(Some one cries: "That's right") I think they would be really liked and loved by all people if they were kindly and obliging." The police officers of the past have not been so, because they tried to be "Too faithful to law". This is the important point.

Now the first fault of the Bill lies in that it is built on the confusion of the subjective view with the objective view.

(Some one cries: "That's right! That's right!")

You will see it plainly if you read the text of the Bill.

In the first place, (Some one cries: "Go about it thoroughly, thoroughly.") We must go about it thoroughly in matters such as this. Take Article II! It says about" the case where traffic is considered in danger of being obstructed." Here it is not the police officer who does the "considering". Again in Article III, it says "In the case where protection and aid is considered necessary. Here again it is not to be so considered by the police officer, but so considered objectively. But now turn to the police officer to use arms. Here, all of sudden we are confronted with a provision which says that in case where the police officer considers it necessary, he may use arms. And I want to say that this is dangerous. It is extremely dangerous to let police officers use arms according to this subjective judgement, according to their own individual recognition of the necessity. (Some one cries: "That's right!") If arms are used in the case where the necessity is generally recognized, that will be all right. Whereas only

in the case where such circumstances exists objectively the police should be permitted to act, Article 7 leaves the matter in every case to the descretion of the police. It is such bad confusion of objective criteria and subjective criteria that the Bill starts from. It gets therefore nowhere. It is incomprehensible with what idea the law has ever come to be approved.

We are not asking police officers to safeguard human rights according to their own subjective judgment. (Some one cries: "That's right, that's right.") We want our police officers to act where action is considered warrantable by all people. When I questioned a government reply was this: "The judgement of the police is a little more considerate than the judgment of ordinary people; it is a little more expert." But that is not what I want. If it can be explained away in such manner, we must accept the opinion that the personal opinion of a police officer is that he defend human rights with the same judgements as is held by the entire nation. We cannot approve a legal provision that leaves the matter to the individual subjective opinion of each police officer.

Furthermore, Article 7 provides that besides the cases of emergency refuge and self-defense, the police officer may inflict and injury on a person in the following two cases (Some one cries: "Stop talking nonsense!") It is no nonsense. Don't argue without having read the text of the law! I think the members of the House, when they are to deal with such an important bill, would do well to show so much earnestness as to bring with them a copy of the draft bill. (Applause) (Some cry: "You're right" "We understand; we understand;") The law recognizes two other cases than self-defense and emergency refuge, where the police are authorized to inflict injuries upon persons. Whereas the bill reads to the effect that arms may be used in the case where a crime subject to penal servitude or imprisonment for 3 or more years is actually committed, and resistance is made to the performance of duties by the police officer, the House of Representatives relieves the conscience merely by adding an adjective "heinous" before the word "crime". But that is very vague. "Heinous" is certainly a vauge term. Moreover, the House leaves untouched the case No. 2. The second (Some one cries: "Approve!") in the case where when the police officer is arresting a person on warrant, the latter resists again to the performance of duties by the police officer, or attempts to escape. In such case, the Bill states, the police officer may inflict an injury on the offender. This again is a very dangerous provision. To let such provision stand as this which authorizes the infliction of injuries in case resistance to execution of an arrest on warrant happens to be dangerous is, I believe, the height of carelessness.

Furthermore, there are many other defects. This may be a minor question, but the Bill says the police officer may demand entry into such places as theatres or a hotels at any time during the hours when they are open to the public. But even a theatre, or a hotel, has quarters open to the public and quarters not open to the public. In the case of a hotel in which the distinctions between the two does not exist, the law will permit the entry of the police into any part of the premises.

Such being the case, if we hand out this faulty law, and tell the police officers to execute it faithfully, what will be the result? I think you will fully understand the consequences from what I have already state. That is the reason why I insists that it is necessary to study the Bill more fully. To allow such a bill perfunctorily and heedlessly to pass at the close of the Diet Session is contrary to my conscience as a member of the House, and I object, therefore, to this Bill.

The Vice-President (Mr. Jiichiro Matsumoto): I take it that the debate is over. We shall now take a vote. We take up the whole of the Bill. The voting is done by open ballet. Those who are in favor of this Bill are required to cast white ballots, while those against it blue ballots, all ascending the platform. The roll-call will be made. I order to close the doors.

(The doors are closed)

(The secretary calls the roll)

(The voting is carried out)

The Vice-President (Mr. Jiichiro Matsumoto): Is there any one who has not voted? I see all those present have voted. I shall now have the votes opened and counted, I order to open the doors.

(The doors are opened)

(The Secretary Counts the votes)

The Vice-President (Mr. Jiichiro Matsumoto): I shall announce the result of voting. Total number of votes case is 177. Number of the white ballots casted by those in favor of the Bill is 100, and number of the blue ones cast by those against it is 77. (Applause) Accordingly the Bill has been approved.

Names of those in favor of the Bill:

White ballots are 100 in number:

Mr. Toyoji Takeshita
Mr. Masao Akagi
Mr. Tatsuo Kinoshita
Mr. Giro Horikoshi
Mr. Sotaro Takase
Mr. Eiichi Shukutani
Mr. Junkichi Ishikawa
Mr. Hiroshi Takata
Mr. Sadatake Hisamatsu
Mr. Tadahiko Shimazu
Mr. Mochinaga Nakagawa
Mr. Akira Ono
Mr. Torasaburo Shintani
Mr. Gen-ichiro Date
Mr. Yasuhei Ito
Mr. Tsunekichi Komiyama
Mr. Keiki Machimura
Mr. Seitaro Iida
Mr. Yasuji Yuki
Miss Ine Kosugi
Mr. Shinryu Umemura
Mr. Bunkichi Tamura
Mr. Yonesaburo Kobayashi
Mr. Shunsaku Noda
Mr. Muneyoshi Tokugawa
Mr. Itsuro Kamata
Mr. Kotaro Tanaka
Mr. Naoto Suzuki
Mr. Aisuke Okamoto
Mr. Kichinojo Tamaoki
Mr. Ryutaro Takahashi
Mr. Naotake Sato
Mr. Giichi Murakami
Mr. Yoshio Kusumi
Mrs. Natsue Inoue
Mr. Gesshu Iwamoto

Mr. Yoshito Okamoto
Mr. Harahiko Uetake
Mr. Kikuji Okada
Mr. Jun-ichi Suzuki
Mr. Zenjiro Hirano
Mr. Tazo Irimajiri
Mr. Shigeyasu Kosugi
Mr. Kei Takahashi
Mr. Masagoro Taguchi
Mr. Susumu Takata
Mrs. Mitsu Koro
Mrs. Tamae Fukagawa
Mrs. Kyo Kiuchi
Mr. Seiichi Kadoya
Mr. Shichiro Takenaka
Mr. Shinji Fujimori
Mr. Hajime Hoshi
Mr. Sadakichi Ohshima
Mr. Tetsuo Iwaki
Mr. Shikazo Sasaki
Mr. Heitaro Inagaki
Mr. Kamejiro Hayashiya
Mr. Mitsuji Nakai
Mr. Shiro Kiuchi
Mr. Tatsuo Sakurauchi
Mr. Kazuo Kitamura
Mr. Tsunetaro Kato
Mr. Masao Nishikawa
Mr. Matsusuke Kawamura
Mr. Nobuo Asaoka
Mr. Uemon Ikeda
Mr. Sueji Hori
Mr. Jingoro Nishikawa
Mr. Shuichiro Oku
Mr. Shinzo Ohya
Mr. Saichi Yamada
Mr. Toshihiko Nakayama
Mr. Yutaka Terao
Mr. Ryuen Kusaba
Mr. Toyoichi Ishizaka
Mr. Masaji Shibata
Mr. Eizo Kobayashi
Mr. Junsuke Itaya
Mr. Masaki Imaizumi
Mr. Kinai Matsuno
Mr. Takeo Kurokawa
Mr. Kisho Tamaya
Mr. Kisaku Matsushima
Mr. Yorisada Tokugawa
Mr. Masaji Hitotsumatsu
Mr. Kenji Ohsumi
Mr. Rokuro Fukami
Mr. Ichizo Hiraoka
Mr. Rokurobei Ogata
Mr. Koyo Ono
Mr. Ino Dan
Mr. Kohei Nakagawa
Mr. Yuzo Shigemune
Mr. Kameshichi Nishiyama
Mr. Nobuyuki Okuma
Mr. Yoshiomi Jo
Mr. Gisen Sato
Mr. Seiichi Ogushi
Mr. Yataro Hiranuma

Names of those against the Bill. Blue Ballots are 77 in number.

Mr. Ko Nakanishi
Mr. Katsuji Itano
Mr. Karoku Hosokawa
Mr. Tomozo Ogawa
Mr. Yohei Hirose
Mr. Jun-ichi Kunii
Mr. Yoshio Fujita
Mr. Den-ichi Kaneiwa
Mr. Tadashi Senda
Mr. Yoshio Kuriyama
Mr. Goro Hani
Mr. Masao Iwama
Mr. Yoshiki Hoshino
Mr. Tsuneo Ikeda
Mr. Ryosaku Sasaki
Mrs. Tamayo Miyagi
Mr. Tetsuo Eguma
Mr. Masao Kono
Mr. Michio Matsui
Mr. Takudo Kuruma
Mr. Shin-ichiro Matsumura
Mr. Isuke Himei
Mr. Tatsuya Yonekura
Mr. Tsune Okabe
Mr. Kizo Iwao
Mrs. Mumeo Oku
Mr. Shoichi Aoyama
Mr. Shuichi Hojo
Mr. Torio Yano
Mr. Masao Nakamura
Mr. Kunihiko Kanie
Mr. Makoto Chiba
Mr. Koichi Ono
Mr. Seiji Uchimura
Mr. Tsunetaro Nakahira
Mr. Kihachiro Kimura
Mr. Kyohei Shimojo
Mr. Setsuo Yamada
Mr. Kin-ichi Umezu
Mr. Matsutaro Matsushita
Mr. Goro Niwa
Mrs. Tsuneko Akamatsu
Miss Natsu Kawasaki
Mr. Shin-ichi Fujii
Mr. Jiro Miki
Mr. Nobuo Ohata
Mr. Toshikatsu Tanaka
Mr. Gengo Kinoshita
Mr. Sadazo Kadota
Mr. Chujiro Haraguchi
Mr. Kanae Hatano
Mr. Toraichi Hara
Mr. Sanshichi Hanyu
Mr. Kiyoshi Shima
Mr. Senju Shimada
Mr. Matsuzo Wakaki
Mr. Binkei Ota
Mr. Hajime Miyoshi
Mr. Shu Ito
Mr. Suejiro Yoshikawa
Mr. Katsumasa Amada
Mr. Nobuyoshi Tanaka
Mr. Yasaburo Taniguchi
Mr. Kentaro Yui
Mrs. Tomi Kora
Mr. Kiichiro Maenosono
Mr. Tosaku Mizuhashi
Mr. Ichiro Asai
Mr. Shigeo Murao
Mr. Seiichi Suzuki
Mr. Shozaburo Iwasaki
Mr. Gisai Onimaru
Mr. Soji Okada
Mr. Masaichi Morishita
Mr. Hidekichi Koizumi
Mr. Juzo Tsukamoto
Mr. Man-emon Hashimoto

The Vice-President (Mr. Jiichiro Matsumoto): Now, is there any objection to, acding to the agenda, taking up for discussion the Bill for Amendment to the Code of Penal Procedure submitted by the Cabinet and forwarded from the House of Representatives?

("No objection" is voiced)

The Vice-President (Mr. Jiichiro Matsumoto): I take it that there is no objection. First, I request the Committee Chairman to make a report.

The Chairman of the Judicial Committee, Mr. Shu Ito.

(Committee Report printed in the Appendix to the Minutes No. 60.)

(Mr. Shu Ito, takes the platform. Applause.)

Mr. Shu Ito: With regard to the Bill for Amendment to the Code of Criminal Procedure just laid before you, I shall report on the progress and result of the deliberation thereon by the Committee. As you are aware, the legislation is indispensable following the enforcement of the new Constitution. Therefore, twelve meetings of the full committee, six meetings of the sub-committee, and one public hearing were held at which the bill was deliberated on very discreetly. A detailed explanation of the bill cannot be made now that the session coming to an end, and I wish to make my explanation as brief as possible, asking you to refer to the stenographic records for the details.

Please refer to the stenographic records about the reasons for the introduction of the bill, the order of queries and details thereof, the contents of the bill, etc. The important point of this bill is that a complete change has been made in the current proceedings for indictment, which require the investigation of a case by a procurators' Office and the submission of all corroborative facts to a court, before trials are conducted by the court on the basis of

these facts, and that in future a court is to try a case only on the basis of a written indictment submitted thereto. Further, while the examination of facts is repeated at the second trial at present in order to protect the rights of any individual, the bill has adopted a single trial system under which the examination of facts is concluded with the first trial. A court of appeal, therefore, is not to conduct a retrial, but a final trial. Its function is limited to examination of legal errors or gross errors committed in the recognition of facts, and other matters provided for by law.

It is the very function of courts of appeal to conduct a final trial. As a result of this amendment, the present business of the Supreme Court is to be transacted by the High Court in future, and the retrial of the High Court is to be discontinued.

As to the trial in courts, an entire change is to be made in the present manner in which the business commences with the questioning of the accused in order to take evidence. According to the bill, the accused is only to listen silently, and no questioning of him is to be allowed. A public procurator is first to state the facts which have led to the prosecution, for which a defense counsel is to play his part. This is the new order of the trial. And the court will hear the proceeding and pass judgment. In short, the method of Europe and America is to be adopted, with the basic change of the existing Code of Criminal Procedure with which we are familiar. The proposed law is a voluminous one consisting of 7 chapters and 506 articles, and modifications have been made throughout it. After careful deliberations on the bill the sub-committee decided on the amendment of the following points: Articles 30, 34, 38, 40, 48, 50, 53, 60, 73, 201, 89, 105, 149, 155, 183, 212, 237, 304, 313, 338 343, 344, 376, 377, 386 and 393. Of those points, the full committee carried out the following amendments and approved the bill: Article 30, 34, 38, 40, 48, 53, 60, 89, 105, 149, 183, 237, 304, 338, 344 and 393.

As regards the opints of revision I beg to dispense with dealing with all the details, but to explain only a few salient points.

Let me begin with Article 105. Under this Article, as revised, doctors and mid-wives have the right to refuse to testify.

Under the existing Criminal Procedure, Law Pharmaceutical Chemists have also the same right. Now the original draft Bill omitted chemists. This has been revised so as to include chemists, as under the old law, and recognize their right to refuse to testify. As regards this point, in America persons of such professions are not permitted to refuse to testify. But our law has always recognized this right of refusal. Consequently, the incorporation of this old idea into the draft Bill was questioned in a way as to its constitutionality. But it was concluded by all authorities on the subject and at all conferences that the recognition of this refusal right is not only unconstitutional but rather conducive to the promotion of public welfare. It is from this view point that the right to refuse to testify was recognized in the case of these professions concerned.

Now let us turn to Article 304. Here is an important point. Under the old trial system of Japan and under the existing law it is the chief judge who starts questioning—or opens the trial. But according to the original draft, the court, when admitting a case, has nothing but the indictment. It has no access to evidence other than what is contained therein. We of the Committee were greatly perplexed on the point of how the court is to proceed with the trial on the basis of a single indictment. The original draft revision, adopted in October last, has been based upon the Continent law. But we felt that the alternate questioning as is adopted in the Anglo-Saxon law—namely the cross examination system under which the prosecutors first ask questions and then the defense counsel conducts cross-questioning, which is the form of trial as is adopted by the Far Eastern Military Tribunal in Tokyo, as you know.

This would seem rather more consistent with the idea and purpose underlying the original draft, and serve better the purpose of democratizing the trial system of the future. It is on this belief that we made this important revision.

Besides this revisions, I should add that Mr. Hoshino of the Committee insisted firmely on his view that Articles 73 and 201 are totally unsatisfactory in that they permit arrest without warrant, and that as long as we have adopted the warrant principle and want to stick to it throughout, we should not permit arrest without warrant. But according to the original draft, the provision for arrests without warrant is made in anticipation of the circumstance that may occur, when a warrant of arrest or custody has been issued but it has not been delivered to the person concerned. Suppose a warrant of arrest has been issued, but the police officer or any other person authorized to make the arrest, happens not to have with him the said warrant. In such a case the arrest without warrant may be made provided that the warrant is shown to the person arrested as soon as possible after the arrests. Such is the provision of the law. But Mr. Hoshino stoutly maintained that it is this out of law that has been abused in the past so many times for tramping upon the fundamental rights of man, and he agrees to the revised bill only with the reservation that he will propose an amendment at a later date.

Furthermore, with regard to Article 313, Mr. Hoshino objected to the provisions which leaves to the court the choice between collective examination and separate examinations in a trial. He contended that this sort of provisions has led to evil practices in the past trials of thought cases, and that it should be cut out from the draft law.

However, the Committee made revisions to the Articles I have mentioned before, and let the rest stand as in the original draft. The amendments were approved unanimously by the Committee.

This concludes my report, brief as it is. (Applause)

The Vice-President: If there is no member to speak, we shall take a vote. The Bill is put in its entirety to vote. The Committee Chairman's report covers the decision of amendment to the original Bill. Those in favor of the original Bill. Those in favor of the amendment will please stand up.

(All the members stand up.)

The Vice-President: I take it that all members have stood up. Accordingly, the Bill as amended has been passed unanimously.

The Vice-President: I now wish, adding to the agenda, to take up the Bill for Economic Inspection Board for discussion. Is there any objection to this?

(A voice: "No objection.")

The Vice-President: I see there is no objection. First, I ask the Committee Chairman to report. The Director of the Audit Committee, Mr. Binkei Ota.

(Committee Report printed in the Appendix to the Minutes No. 60)

(Mr. Binkei Ota takes the rostrum. Cheers)

Mr. Binkei Ota: I shall briefly report on the proceedings and findings of the Audit Committee on the Economic Investigation Boards Bill now placed before this House.

The purport of this Bill is: The Economic Investigation Boards are to be created in order to secure the enforcement of economic control over the production, distribution, consumption, as well as of price of goods and services. These boards are to be comprised of: A Central Economic Investigation Board; 8 Regional Economic Investigation Board, and the Prefectural Economic Investigation Boards. They will deal with the following matters: the planning on securing of economic control enforcement program; the investigation on violations of the control laws; the investigation and promotion of delivery, of hoarded and hidden goods. Among these Boards, a close connection and coordination will also be established.

This Bill is intended to be one of the provisional administrative measures valid until the economic condition of this country recovers its normalcy. In enforcing police as the arrest of violators, the supervision thereof, etc. In other words, it proposes to take into its own hands what, as a matter of principle, has hitherto been left to the Police authorities. Under these complicated economic circumstances, however, the placing of stress chiefly upon the arrest of violators has been considered unsatisfactory. Consequently, steps are to be taken for the prevention of violations of the economic laws by educating and guiding the general public.

The police administration of this country has, after its reform, been divided into two parts: the State's police in the prefecture and the police force of such a self-governing body as city or town. These two divisions of our police function independently of each other. This being so, it has become very difficult to enforce the economic control policy in a strict manner. Thus, the new organizations contemplated in this Bill are deemed to be necessary.

This Committee, sitting with the Public Peace and Local Government System Committee, held meetings for the joint deliberation of the present Bill. Later on this work was continued by our Committee alone. In addition to the amendments made by the other House, a proposal was made for the amendment of the phrase "the first day of July, 1948" in Article 37 to "the day of its promulgation." And it was decided by the Committee that this amendment should be apprved. For further particulars, you are referred to the stenographic records of the committee proceedings. (Cheers)

The Vice-Presidnet: If there is no further remarks, voting on the Bill will be carried out. The Bill is put in its entirety to decision. The report of the Committee Chairman recommends passage with amendments. Those in favor of the amended Bill as is suggested in the Committee Chairman's report are asked to stand up.

(A majority of the members present stand up.)

(Some members: "I'm against," "I support.")

The Vice-President: I take it that the majority is in favor.

(Some members: "I have an objection"; "Go on, go on"; "Dispose of it briefly," "I strongly oppose it," "The situation will be made clear by a standing-up vote." "Decide that a majority are in favor"; etc. The floor became noisy.)

Mr. Eizo Kobayashi: I move that the decision on this Bill be made by an open vote.

The Vice-President: Those who are in favor of deciding the Bill by an open vote are asked to stand up.

(Some members stood up.)

(Some members: "A failure!"; "Decided!" "The motion is lost," "I have an objection." "A minority; thus the motion is rejected." "A minority, a minority.")

The Vice-President: I take it that those standing up are over one-fifth of the members present. Cossequently, an open vote will be taken. (Applause)

(Some members: "The President is fair." "I have an objection to the proceedings"; etc. The floor was clamorous.)

The Vice-President: We shall take a short recess. (Applause)

(The meeting entered a recess at 9:32 p.m.)

(The session was reopened at 9:44 p.m.)

The Vice-President: We shall now open the meeting in continuation of the one before the recess.

The Bill for the Economic Inspection Board Law is put to a vote. (A member: "Keep cool.") Those in favor of the Bill are asked to stand up.

(Those who stood up were in a majority.)

The Vice-Presidest: I see a majority is in favor. Accordingly, the House has amended and passed the Bill as was recommended by the Committee Chairman.

(A member: "A capable President.")

The Vice-President: At this juncture, I propose, in addition to the agenda, to take up

the following 7 Bill en bloc for discussion: The Bill for Partial Amendmest to the National Diet Law; the Bill for Partial Amendment to the National Diet Personnel Law; the Bill for Partial Amendment to the Diet Secretariat Law; the Bill for the Diet Legislation Board Law; the Bill for Partial Amendment to the Judge Impeachment Law; the Bill for Partial Amendment to the Law concerning the Annual Allowances, Traveling Allowances and other Grants for the Diet Members; and the Bill for the Law concerning the Allowances for Committee Members Doing Committee Work during the Diet Prorogation. Is there any objection to my proposal?

(A member: "No objection.")

The Vice-President: I take it that there is no objection. To begin with, I ask the Committee Chairman to report.

The Chairman of the House Management Committee, Mr. Shiro Kiuchi!

(Committee Report printed in the Appendix to the Minutes No. 60.)

(Mr. Shiro Kiuchi takes the rostrum)

(Voices: "Be brief." Cheers)

Mr. Shiro Kiuchi: I shall report on the proceedings and findings of the House Management Committee on the Bill for Partial Amendments to the Diet Law, and 6 other bills.

First, I shall take up the Bill for Partial Amendments to the Diet Law. Amendments were made thereto as follows:

1. Under the Diet Law, standing committees are organized classified according to matters. But this Bill provides that these shall be organized classified according to Ministries.

2. Bills have hitherto been deliberated on only at standing committee meetings, but under this Bill they shall, if necessary, be taken up at plenary meetings prior to their decision.

3. An inter-party liaison meeting it to be replaced by a Sub-Committee selected by the House Management Committee.

4. The Legislative Division and the Specialist system, which assist the members in the deliberations of bills, are to be enlarged.

Other amendments are: Exceptions to the principle of discontinuity of deliberation after the conclusion of a session will be explicitly provided for the procedures for apprehending members during the session will be established; the chairmanship of the House Legislation Committee will be alternatively selected from among the members of boh Houses, the member will be appointed Cabinet Chief Secretary and Vice-Minister concurrently; etc.

The Bill has since March been deliberated on in this House and in the other House simultaneously. During that period, the opinions expressed in this House have also been forwarded to the other House. The House Management Committee, holding as many as 14 sessions, conducted full deliberation on the Bill. After a debate a vote was taken on it to-day. During the debate, Mr. Amada submitted an Amendment that the standing committee system should be retained, and that no restriction should be put upon the committee, a member of which can be concurrently a member of some other comittee. This Amendment, however, was voted down.

Mr. Sasaki proposed the following Amendment: A standing committee of the other House is organized according to that House's plan, while one of this House functions according to the present Law. The number of committee men who are concurrently members of other committees, remains unchanged. This amendment was also voted down.

In conclusion, the other House's Amendment to the principle of establishment of the committee was strongly objected to at the committee sittings. As the result of voting, however, the Amendment of this House was rejected and the Bill was approved as amended by the House of representatives.

Now, I turn to the House Secretariat Bill, the Bill for Establishment of the House Legislative Bureau, and the Bill for Partial Amendments to the Diet Employees Law. These Bills were introduced in connection with the partial amendments to the Diet Law and the National Diet Library Law. It was decided by majority vote at the sitting of the House Management Committee that they should be approved as originated in the other House.

Now, I shall pass to the Bill for Partial Amendments to the Law concerning the Annual Allowance, Travelling Expenses, and extra Allowance to Diet Members. This Bill intends to increase the annual allowances, communications expenses, secretary's salary, etc. for the President, Vice-President, and members to meet the present economic situation.

The Bill for Allowance to Members of a Committee who conduct deliberation during the prorogation of the Diet is intended for granting to those members who attend a committee meeting which continues deliberation during prorogation of the Diet, according to the number of days of attendance.

The Bill for Partial Amendments to the Judge Impeachment Law is intended for ensuring appropriate function of the Commission for Supplementary Suit and the Impeachment Court, and for the enlargement of the organization of the secretariat.

The House Management Committee, carefully deliberating on these bills, considered them to be adequate and approved them by a majority vote as passed over by the other House.

With this, I close my report on the Bill. (Cheers.)

Vice President (Mr. Jiichiro Matsumoto): If no one wishes to speak, I shall take a vote. I take up seven matters en bloc in their entirety. Those in favor of supporting them are requested to stand up.

(A member: "President! I have an objection!"

(A majority stands up.)

Vice President (Mr. Jiichiro Matsumoto): I see a majority stands up. Accordingly, the seven matters have been approved by this House. (Voices: "Well done!" "Splendid, keep it up!")

Vice President (Mr. Jiichiro Matsumoto): Those in favor of supporting the Amended Bill for the Personnel of the Secretariat of the House of Councillors and the Bill for the Regulations Governing the Personnel of the Legislative Bureau of the House of Councillors now read are requested to stand up.

(All the members stand up.)

Vice President (Mr. Jiichiro Matsumoto): I see all members stand. Accordingly, the two Bills have been unanimously approved by this House.

Vice President (Mr. Jiichiro Matsumoto): Is there any objection to taking up en bloc for discussion, adding to the Agenda, four matters, viz., Request for Approval of the Statement of the Total Amount of Defrayal of the First Reserve Fund for the 1946-47 Fiscal Year, the Statement of the Total Amount of Defrayal of the First Reserve Fund in the Special Accounts for the 1946-47 Fiscal Year, the Statement of the Total Amount of Defrayal of the Reserve Fund in the Special Accounts for the 1946-47 Fiscal Year, and the Statement of Defrayal of Economic Stabilization Expenses for the 1946-47 Fiscal Year, all submitted by the Cabinet and forwarded to the House of Representatives?

(A member: "No objection.")

Vice President (Mr. Jiichiro Matsumoto): I see there is no objection. First I ask for a report of the Committee Chairman. Mr. Binkei Ota, Director of the Audit Committee, please!

(Committee Report printed in the Appendix to the Minutes No. 60)

(Mr. Binkei Ota takes the rostrum. Cheers.)

Mr. Binkei Ota: I should like to report on the process and findings of the deliberations made by the Audit Committee as to on the Post Facts Approval of the Payments from the Reserve Fund in the General Account for the 1946 Fiscal Year, of the Payments from the First Reserve Funds in the Special Accounts for the same Fiscal Year, of the Payments from the Special Account Reserve Expenses for the same Fiscal Year, and of the Payments from the Economic Stabilization Expenses for the same Fiscal Year.

1. The appropriated sum total of the First Reserve Fund in the General Account in the revised Budget for the 1946 Fiscal Year was ¥200,000,000. Under the provisions of Article 1 of Imperial Ordinance No. 445 issued in 1946, ¥178,000,000 odd was paid from this Reserve Fund.

2. From the sum totalling ¥156,000,000, odd of the First Reserve Funds in the 17 Special Accounts in the revised Budget for the same Fiscal Year, ¥58,000,000,000 was paid under the same Ordinance.

3. Of the sum totalling ¥294,000,000 odd of the Reserve Funds in the Special Accounts in the revised Budget for the same Fiscal Year, ¥790,000,000 was paid from the Imperial Government Railway Special Account.

4. From the sum of ¥6,540,000,000 of the Economic Stabilization Expenses in the revised Budget for the same Fiscal Year, the sum totalling ¥6,519,000,000 odd was paid to make good the deficit of ¥5,899,000,000 odd in the Appropriation for economic stabilization and to pay expenses of ¥620,000,000 odd for economic stabilization not appropriated in the Budget, under the provisions of Article 2 of the aforesaid Ordinance.

The Audit Committee unanimously decided, after careful examination of these accounts, to recommend them for the approval of the Payments of the Expenses unprovided for in the Budget from the General Account and the Second Reserve Fund in the Special Accounts for the same fiscal year.

With this I conclude my report. (Cheers.)

Vice-President (Mr. Jiichiro Matsumoto): If no one wishes to speak, I shall take a vote. I take up four matters. Those in favor of supporting them are requested to stand up.

(All the members stand up.)

Vice-President (Mr. Jiichiro Matsumoto): I see all members stand up. Is there any objection to taking up for discussion, adding to the Order of the Day, the Bill for the Education Committee Law (submitted by the Cabinet and forwarded to the House of Representatives)? (A voice: "No objection.")

Vice-President (Mr. Jiichiro Matsumoto): I see there is no objection. First, I ask for a report of the Chairman of the Committee. Mr. Kotaro Tanaka, Chairman of the Education Committee, please!

(Committee Report printed in the Appendix to the Minutes No. 60)

(Mr. Kotaro Tanaka takes the rostrum. Cheers.)

Mr. Kotaro Tanaka: (Voice: Be brief.)

The spirit of this Bill may be summed up as follows: educational decentralization, and independent operation by the people of local educational administration. The main points of the Bill are as follows:

An Education Commission will be organized in (1) the Metropolis and each prefecture, (2) cities including special districts, towns and villages with a population of over 10,000, and special educational districts. This commission will conduct the businesses concerning education, science, and culture, which have hitherto been under the jurisdiction of the prefectural governor or headmen of cities towns, and villages. Further authority will be given thereto in the future. But matters concerning the university and private school are excluded.

The commissions in the Metropolis and each prefecture, will have 7 commissioners respectively; the local commissions 5. And one of the commissioners respectively; the local commissions 5. And one of the commissioners should be selected from among the members the assembly of the local public body; other commissioners being selected by general election. No restriction is, in principle, placed upon the qualifications for a commissioner according to the Government's original draft. But no teacher in active service is eligible for commissioner. A report on other parts of the contents is dispensed with.

This Bill provides that the special education district will be created not later than July 31, 1950, and the first election for commissioners of the education commission established

in towns and villages with a population of over 10,000 and in special educational districts will be conducted on October 3, 1950.

Now, I shall briefly report on the main questions asked at the joint committee meeting of the Education Committee and the Public Peace and Local Government System Committee. They were as follows:

Why is the commission organized on the basis of population, and why is the regular number of commissioners fixed on the same basis? Has the Government the intention of introducing the Private School Bill together with the Education Commission Bill? Is the enforcement of this Bill backed by the local finances? Will this not impose a heavier burden upon the local public bodies? Will suitable commissioners be elected at this time when democracy is in a state of infancy? Why is a teacher in active service uneligible for commissioner? Will no difficulty attend the operation of the commission which has educational power but not financial authority, and the other commission which has financial authority but not educational power?

For the replies made by the Government, you are referred to the stenographic records.

The Education Committee, requesting the attendance at the meeting of 6 men of learning and experience in various circles listened to the actual situaion and their opinions.

Several important amendments were made to this Bill by the other House. They are: According to the Government's draft, this Law is to be enforced in the Metropolis, each prefecture and the 5 big cities, and towns as from the day of its promulgation. But the other House amended the Bill as follows: The application of this law to other cities and towns other than the five big cities shall be deferred to November 1, 1950, in view of the present financial difficulties.

Secondly, in the original Bill the expenses for the Education Commission are to be borne mainly by the local body, but under the amended Bill State subsidies are to be granted toward the expenses.

Thirdly, the provision of Article 9, which prohibits a teacher in the active service from running for a commissioner, has been struck out.

Fourth, according to the Government's draft Bill, a commissioner is not paid, but the amended Bill provides that he shall be rewarded.

When we entered into a debate Mrs. Kora of the Democrats objected to the deletion of Article 9. A vote being taken, it was decided by a majority that the Bill should be approved.

Wih this, I close my report. (Cheers)

Vice-President (Mr. Jiichiro Matsumoto): If no one wishes to speak, I shall take a vote on this Bill. I take it up in its entirety. The members in favor of supporting it are requested to stand up.

(A majority stands up.)

(Voices: "A mojority objects to it." "Decidedly." "Out of the question.")

Vice-President Mr. Jiichiro Matsumoto): I see a majority stands up. Accordingly, this Bill has been approved.

Vice-President (Mr. Jiichiro Matsumoto): Is there any objection to taking up for discussion, adding to the Order of the Day, three Bills, viz., the Bill for the Horse Race Law, the Bill for the Readjustment, etc., of the Horse Owners' Association Law, and the Bill for the State Horse Race Special Accounts Law (submitted by the Cabinet and forwarded to the House of Representatives)?

(A voice: "No objection.")

Vice-President (Mr. Jiichiro Matsumoto): I see there is no objection. First, I ask for a report of the Committee. Mr. Yoshio Kusumi, Chairman of the Agriculture and Forestry Committee, please!

(Committee Report printed in the Appendix to the Minnutes No. 60.)

(Mr. Kusumi, Yoshio takes the platform, Cheers)

Mr. Kusumi: I wish to make a report on the discussion by the Agriculture and Forestry Committee with respect to the bill concerning horse-racing and two others which have just been laid before this House. In the first place I would like to report on the bills concerning horse-racing and the special account for the State horse race. At present there are two kinds of horse-races; one is the so-called officially recognized horse-race operated by the Japan Horse-Race Association and the other is known as the local horse-race operated either by the prefectural horse breeding association or the federation of prefectural horse breeding associations. But, as it has now become necessary immediately to dissolve chiefly with a view to prohibiting their monopoly, these organizations which have so far operated horse-races, and present bill has been introduced in a hurry. Under this bill the horse-races formerly officially recognized will be directly operated by the State and the local horse-races will be likewise operated by prefectural governments. As to the State-managed race, the former principles will be followed, generally with respect to the number of race-courses and the practice of holding race-meetings, but the restriction on dividends for pari-mutuel tickets will be removed and on the other hand, the penal regulations will be made more strict. It is further so arranged as the assets and liabilities of the former Japan Horse-Race Association may be taken over by the Government.

With regard to the local horse-race, the methods of holding race-meetings are almost the same as those now in practice, but the particular revisions made in the existing regulations include those, such as the abolition of the right of the Agriculture and Forestry Minister to sanction the holding of race-meetings, and the transfer to the prefectural authorities all the income from the pari-mutuel ticket and the admission taxes and the sum hitherto paid to the Central Horse Affairs Association. Arrangements have also been made to enable the prefectural governments to take over the property owned by the Federation of Horse Breeding Associations which is necessary for horse-racing, and other assets and liabilities may also be taken over by local governments as a provisional measure, but it is possible under this bill to sell these assets preferentially to agricultural cooperative associations and their federation. Lastly, the bill is to be enacted for a term of one year, with the intention of making full study of the new racing system during that period, and whether or not it is advicable to continue the measures adopted in the bill will be decided upon as a result of this study. As to the general purport and contents of the bill, I have already explained, but in the House of Representatives amendments have been made in the original bill whereby, in addition to prefectural governments, cities which suffered serious damages during the war may, when disginated by the Prime Minister, operate local races and pari-mutuel tickets may be sold also outside the race-courses. And with these amendments the House of Representatives has sent the present bill to this House.

Now, coming to the special account for State-managed horse-races, I would like to make an explanation. In view of the forthcoming enactment of the Horse-race Law, it is intended to establish a special account for State-managed horse-races for the reason that, of the revenue and expenditure in respect of horse-races, the items concerning the sale of pari-mutuel tickets are improper to deal with in the general account.

In connection with these two bills, there are not a few questions concerning, for instance, horse-race itself, which should be studied thoroughly, namely those related to the promotion of live-stock industry, race-managing bodies, general public enterprises, and also to public morals, but as to these questions, I think it pertinent to leave them to other occasions for careful study. The Committee, however, has unanimously decided to pass without making further amendment, the amended bill sent by the House of Representatives considering it inevitable to approve the bill as an emergent measure to cope with the special situation arising from the dissolution of existing race-managing bodies.

Next, I wish to make a report on the bill for winding up horse breeding associations. As you know, when the Agricultural Organization Law was enacted in 1943, these associations were organized according to the Horse Breeding Association Law based on the former Live-Stock Industry Law, in order to promote the horse affairs and for this purpose, the portion concerning horses was separated from the matters in the charge of the former live-stock industry associations and their federation, but with the enactment of the new Law for Agricultural Cooperative Association, the associations in question were destined to be dissolved. Now that the change of the horse-racing system has become necessary, it is intended at this juncture to dissolve the horse breeding associations quickly and peacefully in order to take necessary measures to encourage the healthy development of agricultural cooperative associations and in this bill the procedures for winding up the associations in question are provided for. In view of the purport of the bill, the Committee has unanimously decided, after making interpellations as to a few points concerning the procedures for dissolution, that it should be adopted in its original form. Now, I wish to bring my report to a close though it may be too brief. (Cheers).

Vice-President (Mr. Jiichiro Matsumotoo): If no one wishes to speak, I shall take a vote on this Bill. I take it up in its entirety. The members in favor of are requested to stand up.

(All the members stand up.)

Vice-President (Mr. Jiichiro Matsumoto): I see all members stand up. Accordingly, the Bill has been unanimously approved by this House.

Vice-President (Mr. Jiichiro Matsumoto): Is there any objection to taking up for discussion, adding to the Order of the day, the Representation concerning the Better Treatment of Taxation Personnel?

(A voice: "No objection.")

Vice-President (Mr. Jiichiro Matsumoto): I see there is no objection. First, I ask for a report of the Committee Chairman. Mr. Toraichi Hara, Chairman of the Labor Committee, please!

(Committee Report printed in the Appendix to the Minutes No. 60)

(Mr. Toraichi Hara takes the rostrum. Applause.)

Mr. Toraichi Hara: I wish to report on the proceedings and findings in the Labor Committee on the Representation, No. 280, concerning improvement on the treatment of taxation personnel. The Purport of the Representation is this: While revenue officials are called on to perform their duties under difficult conditions and various dangers, their treatment is so bad that many are leaving the job, with the result that their volume of job is increasing and their efficiency decreasing. For this reason, the Government is requested to take a measure immediately for improving their treatment in order to raise the efficiency in tax collection. The Government is said to be paying due consideration to this matter, but our Committee, considering the purport of the Representation reasonable, has decided that it should be sent to the Cabinet. This concludes my report on the proceedings of our Committee on the said Representation. (Applause.)

Vice-President (Mr. Jiichiro Matsumoto): If no one wishes to speak, I shall take a vote. The members in favor of adopting this Representation as reported by the Committee Chairman and forvading it to the Cabinet are requested to stand up.

(All the members stand up.)

Vice-President (Mr. Jiichiro Matsumoto): I see all members stand up. Accordingly, it has been unanimously decided that this Representation should be adopted by this House and forwarded to the Cabinet.

Vice-President (Mr. Jiichiro Matsumoto): Is there any objection to taking up for discussion, adding to the Order of

the day, the Representation concerning the Margin of Prices of Silk and Rayon Textiles? (A voice: "No objection.")

Vice-President (Mr. Jiichiro Matsumoto): I see there is no objection. First I ask for a report of the Committee Chairman. Mr. Itsuro Kamata, Director of the Commerce Committee, please!

(Committee Report printed in the Appendix to the Minutes No. 60)

(Mr. Itsuro Kamata takes the rostrum. Applause.)

Mr. Kamata: I am going to report the proceedings and findings in the Commerce Committee on the Petition for Differential Profit acruing from the Revision of Official Prices of Silk and Artificial Silk Fabrics, a subject which has just taken up for discussion. The purport of the Petition is this: Tradesmen are recognized to retain one-fifth of the difference between new and old prices of the said textiles, under the Regulations governing Disposition of Differential Profit acruing from the Revision of Official Price; but as this portion of profit, which the tradesmen are authorized to retain and acquire, is the so-called non-settled profit, measures should be taken to recognize the disposal of the said portion as provisional receipt in an outstanding account and to allow the addition of the same portion to the profit by instalment of about five years.

After carefull deliberation on the matter, my Committee recognized that, regarding silk, it was fit in the actual conditions to include the difference acruing from the revision of prices in profit account by instalment of two-years, and unanimously decided that the Petition be adopted by the House and be sent to the Cabinet with the House Recommendation that the Government might comply with the request. Brief as it is, this concludes my report. (Members: "I support!" and "No objection.")

The Vice-President: If nobody else wishes to speak, we will take a vote. The members in favor of adopting these Petitions and sending them to the Cabinet as recommended by the Committee in charge, are requested to stand up.

(All members stand up.)

The Vice-President: I see that all members present stood up in favor of the recommendation, Accordingly, it has been unanimousiy decided to adopt these Petitions and send them to the Cabinet.

We will now take a recess for a while.

(The House takes a recess at 10:21 p.m.)

(The meeting resumed at 10:42 p.m.)

The President: We will resume our business in continuation of the meeting before the recess. I ask the secretary to report.

(Secretary Aoki reads the report.)

(Refer to the Report in the heading)

The President: Is there any objection to taking up for discussion our next item, namely, the Election of Members of the Joint Committee of Both Houses on the National Government Organization Bill and the Bill for a Partial Amendment of the Law of Criminal Procedure?

(A member: "No objection.")

The President: I see there is no objection. Members of the Joint Committee are to be 10 in number.

Mr. Soji Okada: I move that the procedure for the election of members of the Joint Committee, just taken up for discussion, be omitted and that their nomination be left to the discretion of the President of the House.

(A member: "I support.")

Mr. Katsuma Kobayashi: I second the motion made by Mr. Okada.

The President: Is there any objection to the motion just made?

(A member: "No objection.")

The President: I see there is no objection. I ask the secretary to read the list of members of the Joint Committee.

(Secretary Aoki reads the list.)

The members of the Joint Committee of both Houses on the National Government Organization Bill and the Bill for a Partial Amendment of the Law of Criminal Procedure:

Mr. Yasumaro Shimojo: Mr. Michio Matsui, Mr. Tetsu Ono, Mr. Koji Nakai, Mr. Kichiro Maenosono, Mr. Binkei Ota, Mr. Shu Ito, Mr. Tadashi Senda.

The President: I wish you to elect immediately the Chairman and the Deputy-Chairman of the Joint Committee of Both Houses. We will now take a recess for a short time.

(The House rises at 10:44 p.m.)

(The meeting resumed at 11:08 p.m.)

The Vice-President: We will resume our business in continuation of the meeting held before the recess. Is there any objection to making an addition to the agenda and taking up for discussion en bloc, the Bill for a Partial Amendment of the Income Tax Law, the Transaction Tax Bill, and the Bill concerning the Payment of Revenue Money in Stamp?

(A member: "No objection!")

The Vice-President: I see there is no objection. First, I ask for the Committee Chairman's report. Mr. Yasuhei Ito, Director of the Finance and Banking Committee, please.

(Committee Report printed in the Appendix to the Minutes No. 60)

(Mr. Yasuhei Ito takes the platform, Applause.)

Mr. Ito Yasuhei: In reference to the Bill for Partial Amendment to the Income Tax Law, the Transaction Tax Bill, and the Bill for Payment in Stamps of National Revenues, which have just been introduced, I shall report on the progress and result of the deliberation thereon by the Committee.

The Committee held a public hearing in connection with the first two bills to hear the opinions of learned and experienced men of various circles. As to the opinions expressed by the public speakers, queries were also made at the meeting of the Committee.

I shall first explain briefly the contents of and reasons for introduction of the Bill for Partial Amendment to the Income Tax Law. Regarding the income tax which is the most important of all taxes, the Government in carrying out the tax reform has decided to lessen the burden on the people as far as the state financial condition allows, giving thought to the change in incomes among people following the revision of wages and prices levels, and to the actual state of taxation imposing burdens upon them, and especially to alleviate the burden on wage-earners throughout considerably raising the basic exemption amounts for tax, for dependents, and for labor. As to the corporation tax also, necessary revisions are made with a view to contributing to the promotion of industry, the introduction of foreign capital, and the popularization of corporation stocks.

Further, to cope with the changes in prices, it has been decided to increase such specific duties among the indirect taxes as the sake tax, soft-drink tax, sugar consumption tax and commodity tax on matches, wheat-gluten, etc., and such ad valorem taxes as the registration taxes, stamp-duties, etc. On the other hand, the adjustment of tax rates is to be made in connection with some commodities upon which the commodity tax has apparently been imposed too heavily. In view of the recent state of tax collection, it has also been decided to adjust and amplify penal regulations involving the imposition of additional taxes, and to expand the authority of investigation relating to the direct national taxes. The above is the contents of the amendment bill.

As for the details of questions and answers at committee meetings, I must ask you to refer to the stenographic records, and I omit the report thereon. No utterance was made in the debating stage, and the bill was put to the vote, and it was decided by a majority to pass the bill as amended by the House of Representatives.

Next, I shall report on the Transaction Tax Bill. On the enforcement of the proposed law, taxes are to be imposed on transactions carried on for profit. And the business subject to the taxes comprises forty kinds, including the sale of commodities, manufacturing, banking, etc., most of which are those upon which the business tax has been levied in the past. The transaction tax is also imposed on juridical persons whose object is not for profit, but who conduct the same kinds of business as the above-mentioned. The business upon which no transaction tax is imposed comprises the production or sale of essential foodstuffs, the publication or sale of textbooks for primary and secondary schools, the transaction on key commodities for which the price adjustment subsidies are granted by the State, the sale of agricultural, forestal or marine products acquired or of commodities manufactured from such products by persons who have produced them by their own hands, export transactions, etc. The persons liable to pay the transaction tax are the business men who receive payments for transactions. The taxable amounts are the amounts of money to be received on transactions, namely, the proceeds in the case of the sale of commodities, commissions or remuneration in the commission business and agency, and interest on loans, bill discounts, fees, etc., in the banking business. As regards insurance business, the taxable amounts are the premiums paid, less 75 per cent, in the case of life insurance, and less 30 per cent in the case of other insurances. The taxable amounts in other kinds of business are the amounts of money received on transactions. The transaction tax is to be imposed upon the above-mentioned amounts at the rate of one per cent.

The Committee held not only its meetings, but a public hearing to invite the opinions of learned and experienced men of various circles. The joint meetings with the Commerce Committee and the Mining and Industry Committee were also held twice to consider the bill discreetly. I wish to ask you to refer to the stenographic records as regards the proceedings of the Committee. No utterance was made in the debating stage and the bill was put to the vote, and it was decided by a majority to pass the bill as amended by the House of Representatives.

Next, I shall report on the Bill for Payment in Stamps of National Revenues. The Transaction Tax Bill provides that the payers of the transaction tax should pay it in transaction tax stamps which will be defined separately. The payment in stamps of national revenues is stipulated by Imperial Ordinance No. 190 of 1920. But this Ordinance should now be abolished since the transaction tax is to be paid in the said stamps. Hence the introduction of the present bill.

Please refer to the stenographic records about the questions and answers at the Committee meeting. The bill was put to the debate, and then the vote was taken. The bill was approved with a majority. The above is the report of the Committee.

Vice President (Mr. Jiichiro Matsumoto):

If no one wishes to speak, I shall take a vote. First, I take up two Bills together, viz., the Bill for Partial Amendments, etc. to the Income Tax Law and the Bill for the Payment of Revenue in Stamps. Those in favor of supporting the said Bills are requested to stand up.

(All the members stand up.)

Vice President (Mr. Jiichiro Matsumoto): I see all members stand up. Accordingly, the two Bills have been unanimously approved by this House.

Next, I take up the Bill for the Transaction Tax Law in its entirety. Those members in favor of supporting the Bill are requested to stand up.

(Standing members—)

(Voices: "Objection!" "Voting, voting!" "Majority!" "A majority stand up!" "Open vote!" "number of standing members is not distinctive; voting, voting!" "Majority, majority!" "Not distinctive!" "Open vote!" "Time is pressing, time is pressing!" "Majority, majority!" "Indistinct, indistinct!" "Dispose of the matter quickly!" "Open vote!" "Decide at once!" Many other voices.)

Vice-President (Mr. Jiichiro Matsumoto):

Those in favor of the Bill are 73 and those against it, 41. (Applause.) I see a majority stands up. Accordingly, the Bill has been approved by this House. (Applause.)

Vice President (Mr. Jiichiro Matsumoto):

Is there any objection to taking up en bloc for discussion, adding to the Order of the Day, the Representation concerning the Establishment of Local Finances, Representation concerning the Extension and strengthening of the National Regional Police, Representation concerning the Partial Amendments, etc. to the Local Government Law, Petition concerning the Residence of Social Education Managers at Cities, Towns, and Villages, and Representation concerning the Apportionment of the Coal Tax?

(A voice: "No objection.")

Vice President (Mr. Jiichiro Matsumoto): I see there is no objection. First, I ask for a report of the Committee Chairman. Mr. Naoto Suzuki, Director of the Public Safety and Local Government Committee, please!

(Committee Report printed in the Appendix to the Minutes No. 60).

(Mr. Naoto Suzuki takes the rostrum. Applause.)

Mr. Naoto Suzuki: I am going to report on the proceedings of deliberations made by our Committee on the Petitions and Representations now presented before this House.

First, Petition No. 1157 concerns the stationing of social education superintendent officials in cities, towns and villages. The purport of the Petition is this: Social education superintendent officials be stationed in cities, towns and villages in order to recover public moral from the present state of corruption; and the expenditure required for this purpose be borne by the National or Prefectural Government.

The purport of Petition No. 406 is this: Those towns and villages which have not yet reached the standard of establishing autonomous police force of their own are now placed under the jurisdiction of the national local police; however, the policemen stationed in villages are only one or two each because of an inadequate number of police personnel, with the result that crimes are more and more increasing to the danger of public safety. For this reason, the Government is asked to take measures for increasing the number of police personnel.

Representation No. 462 concerns the establishment of local finance, and requests that the Government take special radical measures for the highest possible state grants towards personnel and roads improvement expenses and for floating local bonds and local taxation system.

Representation No. 514 concerns a division of coal tax. This representation is submitted by Mr. Jimpei Ikemoto, chief of Ohito Village, Tagawa County, Fukuoka Prefecture, and another person, and says that the land of the same village is more and more sinking on account of the coal mines, which necessitates the village to spend much more money for restoration from the damage than the amount of compensation given out of the coal tax to the towns and villages where the coal mines exist. Therefore, the Government is requested to pay special consideration to the division of this tax, considering that there are villages which are making sacrifices in the interest of production of coal.

Lastly, Representation No. 581 concerns the partial amendment to the Local Self-government Law. This is submitted by Mr. Hideo Onoike, Inspection Commissioner of Kumamoto Prefecture, and three others. The purport of this Representation is this: As the inspection system is created for the purpose of democratization and improvement of administration, a clause should be made in the Local Self-government Law authorizing the inspection commissioners to request the chiefs of the local public bodies to submit a report on actions taken on the basis of the report on findings of inspection. Further, the Government is requested to take steps to increase the number of assistants to the commissioners in order to make the inspection performed by the inspection commissioners more strictly and more effectively.

After careful deliberation on the above Petitions and Representations, this Committee, finding them reasonable, has unanimously decided to adopt them and that they should be sent to the Cabinet.

This concludes my report. (Applause.)

The Vice-President: If there is no other Member to speak, we shall now take a vote. I ask the Members in favor of adoption of these Petitions and Representations as reported by the Committee Chairman and forwarding of them to the Cabinet will please stand up.

(All the Members stand up.)

The Vice-President: I see all the Members stand up. Accordingly, this Houses has decided to adopt these Petitions and Representations unanimously and to forward them to the Cabinet.

The Vice-President: Is there any objection to now taking up for discussion in addition to the Agenda the Bill for Partial Amendment to the Rehabilitation Finance Bank Law, introduced by the Cabinet and forwarded from the House of Representatives?

(Some Members: "No objection."

The Vice-President: I see there is no objection. First, I call for the report of the Committee Chairman. The Finance and Banking Committee Chairman, Mr. Yasuhei Ito, please.

(Mr. Yasuhei Ito takes the rostrum. Applause.)

Mr. Yasuhei Ito: Regarding the Bill for Partial Amendment to the Reconstruction Finance Bank Law, which has been just introduced in this House, I am going to report on the proceedings and result of deliberations made by the Committee on it and its contents. Amendments to the Reconstruction Finance Bank Law had been deliberated and passed several times by the Diet, and recently, the capital of the Bank was increased to ¥90 billion in April this year. It is now proposed to increase the capital of the Bank to ¥135 billion, estimating the industrial

funds required from July to the end of December of this year at ¥45 billion.

At the Committee meetings, questions and answers were earnestly exchanged on such points as the question of financing to cover deficits, inflation, business conditions of the Reconstruction Finance Bank and others. As for details of the interpellations and answers, I wish to refer you to the stenographic records.

After a debate, we took a vote and the Committee decided with a majority that the Bill be approved by the House.

This concludes my report. (Applause.)

The Vice-President (Mr. Jiichiro Matsumoto): If no Member wishes to speak, we shall now take a vote. We take up this Bill in its entirety. The Members favoring it are requested to stand up.

(A majority stands up.)

The Vice-President: I see a majority is in favor. Accordingly, it has been approved.

The Vice-President: Is there any objection to making an addition to the Agenda and taking up the matter pertaining to the Appointment of the Members of the Local Tax Deliberate Council?

(Some Members: "No objection.")

The Vice-President: I see there is no objection. On July 4, the Prime Minister requested this House to consent to the appointment of Mr. Seiichiro Arai, Mr. Hanya Ito, Mr. Seiji Kimura, Mr. Saburo Shiomi and Mr. Takeo Suzuki as Members of the Local Tax Deliberative Council in conformity with Article 122 of the Local Tax Law. The President referred this application to the House Management Committee previously. The same Committee decided to have no objection to appoint five candidates as Members of the said Council. Is there any objection to agreeing to this application?

(Some Members: "No objection.")

The Vice-President: I see there is no objection. Accordingly, this House has decided to consent to the appointment of five candidates as Members of the said Council. We shall now take a short recess.

Meeting adjourned for recess at 11:27 p.m.

Meeting reopened at 11:37 p.m.

The Vice-President: We shall resume the business of the meeting which has adjourned for recess.

Is there any objection to making an addition to the Agenda and taking up for discussion the Consumer's Livelihood Cooperative Association Bill (Submitted by the Cabinet and forwarded from the House of Representatives)?

(Some Members: "No objection.")

The Vice-President: I see there is no objection. First, I call on the Committee chairman to make a report.

Welfare Committee Chairman, Mr. Juzo Tsukamoto, please!

(Committee Report printed in the Appendix to the Minutes No. 60)

(Mr. Juzo Tsukamoto takes the rostrum. Cheers.)

Mr. Tsukamoto: (A member: "Summon up your courage!") I shall make a report on the proceedings and findings of the Welfare Committee concerning the Bill for the Livelihood Cooperative Union, which has been submitted by the Government and now taken up for discussion.

The present Bill was referred to our Committee for preliminary investigation yesterday, that is, July 4, and today it was formally forwarded from the other House with its amendments.

To our Committee had been referred a Livelihood Cooperative Union Bill proposed by members of this House. This Bill and the one now before you, their contents being much the same, have been deliberated concurrently. Again, the Labor Committee and the Commerce Committee proposed a joint deliberation, and our Committee accepted this proposal. Thus, we have been investigating these Bills since this morning. And at 11 p.m. today, the present Bill was formally forwarded to this House from the House of Representatives. (A member: "Speak rapidly.") After consultation, we decided first to investigate the Bill forwarded from the other House, and we have been deliberating on it up to now. I shall state the outline of the contents of this Bill briefly. (A member: "Please state in detail.") You can know the details from the document in your hands. (A member: "We cannot know!") The present Bill providing for Livelihood Cooperative Union, is a very important bill, as it is one of the bills the submission of which has long been hoped for by the masses. (A member: "You are right!") Due to the inflation, the prices of commodities have soared up, making our livelihood harder. As you are aware, 75 per cent of our living expenses is spent on the black-market goods. (A member: "Briefly! Briefly!") Under this condition, our livelihood will not be stabilized unless the necessary amount of goods is secured us. For this reason, the livelihood cooperative union becomes important. (A member: "That's it") I beg to omit the explanation of the detail. But you Diet members are well aware of it. (A member: "You are clever!") Since the first Diet session, consultation has been made between the Committee members of different parties, with a view to realizing the passage of this Bill. Regrettable to say, however, this Bill was not passed during the first session. This time, the bill based on the three party agreement has come to be submitted to the Diet after necessary preparation, (A member: "Briefly!") by the Welfare Ministry. Though the time given us for its deliberation was extremely short, the questions and answers exchanged made the points sufficiently clear, because the Welfare Committee had sufficiently studied this issue. (A member: "No! No!") I beg to refer you to the stenographic records for the details of those questions and answers. (A member:

"I see!") Now, an amendment was made by the House of Representatives, for which also I beg to refer you to the papers concerned. (A member: "O.K.!") In this way, our Committee unanimously decided on recommendation of the Bill for passage as amended by the House of Representatives. Expressing my joy at the passage by unanimous consent of the present Bill, for which realization the masses have long hoped, I beg to conclude my report. (Cheers.)

The Vice-President: If there is no other Member wishing to speak, we shall now take a vote. We take up this Bill in its entirety. I ask the Members favoring it will please stand up.

(A majority stands up.)

The Vice-President: I see a majority is in favor. Accordingly, it is approved. (Applause.)

The Vice-President: Is there any objection to now making an addition to the Agenda, and taking up for discussion the Bill for the Salary, etc. of the Government Employees from June, 1948, onwards (submitted by the Cabinet and forwarded from the House of Representatives)?

(Some Members: "No objection.")

The Vice-President: I see there is no objection. First, I call for the report of the Committee Chairman. Finance and Banking Committee Chairman, Mr. Yasuhei Ito, please!

Committee Report printed in the appendix to the minutes No. 69)

(Mr. Yasuhei Ito takes the rostrum. Applause.)

(Some Members: "I support you." "I ask you will report briefly and to the point." "I expect a minute's speech.")

Mr. Ito: I will now report on the Bill for Salaries etc. of Government Employees from June, 1948, onwards, taken up for discussion. In view of the current economic situation, the Government has decided to adopt the 3,791 yen wage base for Government employees. (Some Member: "Too low!") And it has continued negotiations with the Government and Public Employees' Labor Union about the wage base since June 21, but so far without success. However, as the session of the Diet is nearing its end, the Government has submitted this Bill to the Diet. This is the reason of the introduction of this Bill. For further particulars, I beg you will refer to the Stenographic Records. With respect to this Bill, questions and answers were exchanged between the Government and Committee Members, for the details of which I ask your reference to the Stenographic Records. (Some Members: "I accede to your request.") as the result of the vote taken on the bill our Committee has decided to approve it with a majority. This concludes my report.

The Vice-President: If no member wishes to speak, we shall now take a vote on this Bill. We take it up in it entirety. The Members approving it are requested to stand up.

(A majority stands up.)

The Vice-President: A majority is in favor. Accordingly, it has been approved.

The Vice-President: We shall now make an addition to the Agenda and take up for discussion the Request for Approval of the Establishment of the Local Economic Inspection Agency under Art. 13, Para. 1 of the Economic Inspection Board Law in conformity with Art. 156, Par. 4 of the Local Autonomy Law. I call on the Committee Chairman to make a report. Public Safety and Local Government Committee Director, Mr. Naoto Suzuki, please!

(Committee Report printed in the appendix to the minutes No. 60)

(Mr. Naoto Suzuki takes the rostrum. Applause.)

Mr. Suzuki: Regarding the matter just taken up for discussion, our Committee has unanimously decided that it be given the approval of this House. This is all I have to say. (Applause.)

The Vice-President: Is there any objection to giving approval to the item as recommended by the Committee in charge?

(A member: "No objection.")

The Vice-President: I see there is no objection, Accordingly, this House has decided to give its approval thereto.

The Vice-President: Is there any objection to making an addition to the agenda and giving approval to the requests for the continuation of examination and investigation during the prorogation of the Diet, of the Broadcast Bill, made by the Chairman of the Communications Committee, and of the Bill anent the Appointment and Release of Public Officials concerned with Education, made by the Chairman of the Education Committee?

(A member: "No objection.")

The Vice-President: I see there is no objection, Accordingly, the House has given its approval to these requests.

The Vice-President: Is there any objection to making an addition to the agenda and taking up for discussion the amendments, agreed upon by the Joint Committee of Both Houses, to the National Government Organization Bill and the Bill for a Revision of the Law of Criminal Procedure?

(A member: "No objection.")

The Vice-President: I see there is no objection, First, I ask for the report of the Chairman of the Joint Committee, Mr. Ito, Please.

(Committee Report printed in the Appendix to the minutes No. 60)

(Mr. Ito takes the rostrum Applause)

Mr. Shu Ito: I am going to make a report on the results of the meeting of the joint committee of both Houses, a matter which was placed for discussion just now. The members from the House of Councillors were nominated by the President, and after an election held among the members. Mr. Shimojo and I drew lots, and I became the Chairman, and Mr. Shimojo the Vice-Chairman. In the House of Representatives Mr. Yonekubo became the Chairman and Mr. Takahashi the Vice-chairman. In this way the meeting of the Joint Committee of Both Houses was held. First of all, there was a detailed explanation of the National Government Organization bill, which was followed by discussion, and as a result, we made the following decision: First, Clause 2 of Art. 17 will be revised to read as folows: "The Vice-Minister shall assist the Minister, participate in formulating policies and in planning, adjust affairs of the Ministry, and in case of the Minister's absence, act in his place." Secondly, in other respects decisions made by the House of Councillors will be followed. These two were decided unanimously. (Applause)

Next, a meeting of the Joint Committee of Both Houses was held concerning the Bill for Revising the Criminal Procedure Code. Committee members of the House of Representatives said that they would agree to the amendments to Articles 60 and 393 made by the House of Councillors, but that in other respects, though the contents were worthy of attention, there was not enough time fully to discuss them and they hoped that they would discuss the other points at the extraordinary session of the National Diet or at the 3rd session of the National Diet, and that the House of Councillors would be satisfied, for the present, with the approval of amendments to the two articles. On the part of the House of Councillors, resolutions had been passed on the amendments to 16 articles with confidence, on which we made a report the other day. We insisted on this point, but if we tried to carry our point, we feared that the Bill for Revising the Criminal Procedure Code would not be passed. In view of the fear that this would bring about a deplorable condition in the present situation of Japan, not only the members of the Judiciary Committee, but all members of the Joint Committee were forced, to their great regret, to accept the opinion of the House of Representatives. The decision of the Joint Committee is as follows:

Articles 60 and 393 will be revised as indicated in the resolutions passed by the House of Councillors. In other respects, resolutions of the House of Representatives will be followed. This was decided by a majority. So much for the report on the results of the meeting of the Joint Committee of Both Houses.

The Vice-President: I shall take a vote on the present bill. I wish the Members approving the Final Bill for the National Government Organization Law agreed upon by the Joint Committee Meeting of Both Houses will please stand up.

(All the members stand up.)

The Vice-President: I see all the Members are standing up. Accordingly, it is unanimously approved.

The Vice-President: Next, I wish the Members approving the Final Bill for Revising the Code of Criminal Procedure agreed upon by the Joint Committee Meeting of Both Houses will stand up.

(All the Members stand up.)

The Vice-President: I see all the Members are standing up. Accordingly, it is unanimously approved.

The Vice-President: Is there any objection to making an addition to the Agenda taking up for discussion the Cabinet Bill for the Public Procurator's Procedure Deliberative Commission, forwarded from the House of Representatives?

(Some Members: "No objection.")

The Vice-President: I see there is no objection. First, I call for the report of the Committee Chairman. Judicial Committee Director, Mr. Tsune Okabe, please!

(Committee Report printed in the Appendix to the Minutes No. 60)

(Mr. Tsune Okabe takes the rostrum. Cheers.)

Mr. Tsune Okabe: I shall report on the process and result of the deliberations made on the Prosecution Inquiry Council Bill, now before this House.

This bill is to create a system prosecution inquiry council which, with a view to securing justness in the execution of the power of prosecution by embodying in it the will of the people, will inquire into the propriety of action taken by the public prosecutor for non-prosecution and will make proposals or recommendations regarding improvement on prosecution business.

The number of prosecution inquiry councils will be more than two hundred, and each council will be composed of eleven members elected by drawing lots from among those residing in the jurisdiction district and having the right of vote for the election of members of the House of Representatives and not having certain prescribed disqualifications. The same number of reserve members will separately be elected in the same way. The period of their term is six months, and in every three months thereafter six or five members will be replaced by new members so as to prevent the functioning of the prosecution inquiry council from getting degraded. The prosecution inquiry council is required to inquire into the propriety of action for dropping prosecution when requested by the person prosecuting or complaining or the person making a claim in a case of the nature which will be taken up on a claim being filed or by the injured person. Further, when a resolution has been adopted with a majority of the Prosecution Inquiry Council, it may ex officio carry on inquiry as to the propriety of non-prosecution.

The prosecution inquiry council will carry out its authorities independently from whatever direction or supervision of another person. In the process of inquiry the prosecution inquiry council is empowered to request the public prosecutor to produce necessary data for inquiry and to present his opinion, to summon the persons requesting inquiry and to present his opinion, to summon the persons requesting inquiry and witnesses, and to request any other persons when deemed fit to make appearance and to disclose expert opinions on legal and other matters.

When passed a decision as the result of inquiry, the prosecution inquiry council is called upon to draw up a statement of decision stating the reason therefor, and to send

its exemplified copy to the chief prosecutor under whose direction and supervision the prosecutor in question serves and also to the prosecutors' qualifications inquiry committee, and to post up the substance of the decision for seven days. The chief prosecutor, if taking into consideration the decision made by the prosecution inquiry council, considers a public prosecution should be instituted, is required to take steps for indictment. Penalty provisions are made for any unjust act of members of the council.

The House of Representatives has made some amendment as regards the procedure of appointment of members of the prosecution inquiry council. The above are the contents of the Bill.

This Committee has carried out very careful deliberations on the bill and its members have made earnest interpellations, but I ask permission to dispense with mentioning about them here.

After debate, we took a vote on the bill, which resulted in an unanimous approval of it. This concludes my report.

The Vice-President: If no one wishes to speak, we shall take a vote on the Bill. We take it up in its entirety. The Members approving it are requested to stand up.

(A majority stands up.)

The Vice-President: I see a majority is in favor. Accordingly, it has been approved.

The Vice-President: I have a matter about which I would like to consult you. I, as the President, propose to appoint Chief of the Secretariat of this House, Mr. Jiro Kobayashi as Director of the Bureau of Legislation attached to this House concurrently. Is there any objection to that?

(Some Members: "No objection".)

The Vice-President: I see there is no objection. (Some Members: "I propose to prolong the session of the Diet." "There is no time left.") As it is just twelve o'clock, the meeting is adjourned.

Meeting rose at 12 p.m.

Those present were as follows:—

Members:

President, Mr. Tsuneo Matsudaira

Vice-President, Mr. Jiichiro Matsumoto

Members, Mr. Ko Nakanishi and 210 others.

State Ministers.

Finance Minister, Mr. Tokutaro Kitamura

State Minister, Mr. Yoshio Suzuki

Education Minister, Mr. Tatsuo Morito

Welfare Minister, Mr. Giichi Takeda

Commerce and Industry Minister, Mr. Chozaburo Mizutani

Transportation Minister, Mr. Seiichi Okada

Communication Minister, Mr. Eiji Tomiyoshi

State Minister, Mr. Gizo Tomabechi

Ditto, Mr. Takeo Kurusu

Ditto, Mr. Katsu Nomizo

Ditto, Mr. Sadayoshi Hitotsumatsu

Government Delegates:

Vice Director General of the Cabinet Secretariat, Mr. Kiichi Arita

Vice Director General of the Cabinet Secretariat, Mr. Shintaro Fukushima

Secretary of the Prime Minister's Office (Director of the General Affairs Division of the Administrative Inquiry Oepartment), Mr. Kokki Maeda

Secretary of the Prime Minister's Office (Attached to the Administrative Inquiry Department), Mr. Ko Sato

Technical-Superintendent of the Construction Board, Mr. Tadayasu Iwazawa

Secretary of the Prime Minister's Office (Director of the General Affairs Bureau of the Construction Board), Mr. Masami Nakada

Secretary of the Prime Minister's Office (Chief of the Secretariat and Chief of the Account Section of the Construction Board) Mr. Soichi Shibue

Director of the Newsprints Allocation Office, Mr. Katsushiro Narita

Director-General of the National Regional Police Board, Mr. Noboru Saito

Parliamentary Vice-Minister of the Attorney General's Office, Mr. Yoshio Matsunaga

Prosecution Assistant to Attorney General, Mr Masuo Kiuchi

Secretary of the Attorney General's Office, (Director of the Prosecution Bureau) Mr. Sakae Kunimune

Parliamentary Vice-Minister of Finance, Mr. Masue Araki

Ditto, Mr. Seiichi Morishita

Secretary of the Finance Ministry (Director of the Finance Bureau), Mr. Takashi Ihara

Parliamentary Vice-Minister of Agriculture and Forestry, Mr. Yoshiharu Oshima

Ditto, Mr. Zenjiro Hirano

Secretary of the Agriculture and Forestry Ministry, (Director of the Agricultural Administration Bureau), Mr. Risaku Yamazoe

Secretary of the Communications Ministry, (Director of the General Affairs Bureau), Mr. Tomojiro Yamashita

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