

LEGISLATIVE COUNCIL.

No. S. 316.—The following Bills were read a first time at a Meeting of the Council held on the 9th October, 1913 :—

A BILL

ENTITLED

An Ordinance to amend the Criminal Procedure Ordinance, 1899.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title.

1. This Ordinance may be cited as the Criminal Procedure Amendment Ordinance, 1913, and shall be read and construed as one with the Criminal Procedure Ordinance, 1899, (hereinafter called the Principal Ordinance), and this Ordinance and the said Ordinance may be cited together as the Criminal Procedure Ordinances, 1899-1913.

Amendment of section 5 of Principal Ordinance.

2. Section 5, sub-section (1), of the Principal Ordinance is hereby repealed, and the following sub-section substituted therefor :—

Ordinary and special sessions of the Court.

“ 5.—(1.) The ordinary sessions for the despatch of the business of the Court shall commence on the 18th day of every month or, if that day is a *dies non*, then on the lawful day next following :

Provided always that the Chief Justice may, at any time, on due notice thereof being given, change the day so appointed :

Provided further that the Chief Justice may, at any time, on due notice thereof being given, order that no sessions shall be held in such month or months as he shall specify in such order.”

Objects and Reasons.

The object of this Bill is to enable the Chief Justice upon giving due notice to order that no Criminal Sessions shall be held in those months in which there is a sitting of the newly constituted Full Court of Appeal.

Under the old law two definite months were fixed for the sitting of this Full Court, but it has been ascertained that it may not always be possible for these months to be those in which the sittings should take place.

Under the new Bill greater elasticity is permitted and the months during which the sittings of the Full Court will be held can be arranged as may be found convenient.

JOHN A. BUCKNILL,
Attorney General.

A BILL

ENTITLED

An Ordinance to amend the Magistrates Ordinance, 1890.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title.

1. This Ordinance may be cited as the Magistrates Amendment Ordinance, 1913, and shall be read and construed as one with the Magistrates Ordinance, 1890, (hereinafter called the Principal Ordinance), and this Ordinance and the said Ordinance may be cited together as the Magistrates Ordinances, 1890-1913.

Repeal of section 77 and substitution of new section therefor.

2. Section 77 of the Principal Ordinance is hereby repealed and the following section is substituted therefor :—

“77.—(1.) If the Magistrate commits the accused to prison for trial between the 10th and 18th days both inclusive of any month he shall (unless it has been ordered that there shall be no sessions in the month immediately succeeding the month in which he has committed the accused to prison for trial) inform or cause the accused to be informed thereof in the words or to the effect following :—

Informing accused of committal.

‘A.B. you stand committed to Gaol until the Criminal Sessions of the Supreme Court which will be holden next month there to take your trial.’

(2.) If the Magistrate commits the accused to prison for trial on any other day of the month except between the 10th and 18th days both inclusive of any month or if it has been ordered that there shall be no sessions in the month immediately succeeding the month in which he has committed the accused to prison for trial he shall inform or cause the accused to be informed thereof in the words or to the effect following :—

‘A.B. you stand committed to Gaol until the next Criminal Sessions of the Supreme Court there to take your trial.’

Provided always that the Court may of its own motion or on the application either of the Crown or of the accused order the accused to be tried on such date as the Court may fix.”

Objects and Reasons.

The object of this Bill is to enable the Magistrate to commit an accused person for trial under the altered circumstances which arise owing to the proposals contained in the Criminal Procedure Amendment Ordinance, 1913, as to the fixing by the Chief Justice of the months in which no Criminal Sessions will take place owing to the sittings of the recently constituted Full Court of Appeal. It has been found that it is not possible to fix definitely the months in which these sittings of this Full Court shall take place and consequently it has been necessary to give more elasticity to the arrangement than exists under the present law. These altered arrangements necessitate corresponding alterations in the Magistrates Ordinance which are effected by this Bill.

JOHN A. BUCKNILL,
Attorney General.

A BILL

ENTITLED

An Ordinance to repeal the Sugar Convention Ordinance, 1904.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

1. This Ordinance may be cited as the Sugar Convention Ordinance, 1913. Short title.

2. The Sugar Convention Ordinance, 1904, is hereby repealed. Repeal of the Sugar Convention Ordinance, 1904.

Objects and Reasons.

His Majesty's Government has withdrawn from the Brussels Sugar Convention, this withdrawal taking place as from the 1st September, 1913. It is therefore necessary to repeal our local Sugar Convention Ordinance, 1904, as the effect of the withdrawal of the Imperial Government from the Convention is to relieve the Imperial Government and the various Colonial administrations which adhered to the Convention from the obligations which they have undertaken under the terms of the Convention.

JOHN A. BUCKNILL,
Attorney General.

A BILL

ENTITLED

An Ordinance to apply a sum not exceeding Eight million eight hundred and ninety-six thousand eight hundred and seventy-six Dollars to the Public Service of the year 1914.

WHEREAS the expenditure required for the service of this Colony for the year 1914 has, apart from the contribution to the Imperial Government in aid of Military Expenditure, been estimated at the sum of Eight million eight hundred and ninety-six thousand eight hundred and seventy-six Dollars :

Be it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title. 1. This Ordinance may be cited as the “ Appropriation Ordinance for 1914 ”.

2. A sum not exceeding Eight million eight hundred and ninety-six thousand eight hundred and seventy-six Dollars shall be and the same is hereby charged upon the revenue and other funds of the Colony for the service of the year 1914 and the said sum so charged may be expended as hereinafter specified, that is to say :—

EXPENDITURE.	\$
Governor, - - - - -	85,657
Colonial Secretary's Department and Legislature,	81,699
Do., Special Expenditure,-	459
Secretariat for Chinese Affairs, - - - - -	53,059
Do., Special Expenditure,-	200
Audit Department, - - - - -	32,490
Do., Special Expenditure,-	251
Treasury, - - - - -	66,340
Harbour Master's Department, - - - - -	171,754
Do., Special Expenditure,-	2,856
Imports and Exports Department, - - - - -	1,017,233
Do., Special Expenditure,-	27,000
Royal Observatory, - - - - -	23,608
Do., Special Expenditure,-	2,282
Miscellaneous Services, - - - - -	257,128
Judicial and Legal Departments, - - - - -	268,375
Do., Special Expenditure,-	1,200
Police and Prison Departments, - - - - -	929,880
Do., Special Expenditure,-	1,527
Medical Departments,- - - - -	246,309
Do., Special Expenditure,-	100
Sanitary Department, - - - - -	357,851
Do., Special Expenditure,-	11,715
Botanical and Forestry Department, - - - - -	47,959
Do., Special Expenditure,-	350
Education, - - - - -	317,892
Do., Special Expenditure,-	1,160
Military Expenditure,—	
Volunteers, - - - - -	43,648
Do., Special Expenditure,-	21,648
Public Works,—	
Public Works Department, - - - - -	432,530
Public Works, Recurrent, - - - - -	481,000
Public Works, Extraordinary, - - - - -	2,180,800
Post Office, - - - - -	438,421
Kowloon-Canton Railway, - - - - -	271,209
Charge on account of Public Debt, - - - - -	738,851
Pensions, - - - - -	307,200
Charitable Services, - - - - -	25,235
Total, - - - - -	\$8,896,876