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LEGISLATIVE COUNCIL, No. 14.

THURSDAY, 26TH SEPTEMBER, 1901.

PRESENT:

HIS EXCELLENCY THE GOVERNOR

(Sir Henry Arthur Blake, G.C.M.G.).

The Honourable the Officer Commanding the Troops, (Colonel Louis Faulkner Brown, R.E.).

- , the Colonial Secretary, (JAMES HALDANE STEWART LOCKHART, C.M.G.).
- ", the Acting Attorney General, (HENRY EDWARD POLLOCK, K.C.).
- ,, the Acting Colonial Treasurer, (CHARLES MCILVAINE MESSER).
- ,, the Harbour Master, (Robert Murray Rumsey, R.N.).
- ", the Acting Director of Public Works, (WILLIAM CHATHAM).
- " AUTHUR WIMBOLT BREWIN.
- " CATCHICK PAUL CHATER, C.M.G.
- " Но Клі, М.В., С.М.
- ,, Thomas Henderson Whitehead.
- WEI YUK.
- ., James Jardine Bell-Inving.
- " John Thurburn.

The Council met pursuant to a ljournment.

The Minutes of the last Meeting, held on the 17th September, 1901, were read and confirmed.

NEW MEMBER.—Mr. A. W. Brewin took his sent as a Member of the Council, after having taken the Oath prescribed by Ordinance No. 4 of 1869.

His Excellency the Governor then addressed the Council as follows:-

As is usual when laying the Estimates before you, it is well to take some account of the incidents of the past year affecting the Colony, to consider our position generally, and to render to you as far as can be done in a short statement an account of our stewardship. It is needless to say that the sad event that touched all our hearts most deeply was the death of our great and dearly loved Queen, for whom all the world has mourned, and to whose memory a great memorial, worthy I hope of the greatest among the great, is projected in London. Towards the cost of that memorial all the Colonies are contributing. Our people of Hongkong have with their usual liberality subscribed \$77,860, to which sum I propose that this Council shall add \$50,000—a proposal that I am certain will meet the approval of every member of the Council.

The war in South Africa, waged under circumstances of exceptional difficulty, and extending over an area nearly as large as the whole of South China East of Yunnan has cost us many thousands of the flower of our people, who have laid down their lives in the most sacred of all duties—that of upholding the honour of their country. But their sacrifice has not been in vain, for the war, with all its tedious and trying incidents, has shown that the qualities of high courage and patient determination that have built up our Empire are as strong and dominant as at any period of our history, and it has demonstrated that the British Empire is not, as some have thought, a conglomeration of loosely bound protected countries, of Colonies restless under a centralized Government, and of subject nations yielding a sullen submission; but that wherever our flag floats, when the tocsin of war had sounded, the swords of free peoples leaped from their scabbards and the British Empire stood forth solid and compact with the fervour of patriotism throbbing as strongly at the extremities as in the heart of England.

The serious troubles in the North of China have affected this Colony less than might have been expected. These troubles are yet too recent to enable us to form a fair estimate of their cause, and it may be that history will show that there have been grave faults and mistakes on both sides, but happily in the South we have been spared the horrors that have deluged some of the Northern provinces with blood, and I am glad to say that the relations of this Colony with Canton have never been more cordial.

During the past year the amount of shipping entering and clearing from the port was greater than at any period of its history, and the returns show that the financial position of the Colony is satisfactory. A grave local misfortune was experienced on the 9th November, when the Colony was visited by a typhoon the disastrous result of which must be fresh in your memory. In that terrible night 10 launches and over 110 junks were sunk in the harbour, and it is calculated that between Hongkong and Tai O over two hundred lives were lost. I wish to express here my admiration of the ready and abundant charity with which the inhabitants of every nationality relieved the distress of the sufferers.

I regret deeply that, notwithstanding the precautions taken in the early part of this year, plague re-appeared in the spring in epidemic form and raged with great violence during the summer months. The Medical Officer of Health and the Sanitary staff spared no exertions to check its ravages, but so far I fear that we cannot claim to have discovered either the prevention, or the cure. It is, however, our plain duty to leave nothing untried that science can suggest to save the Colony from the recurring visitations of this disease, and I have no doubt that you will cheerfully grant the necessary funds to carry out any recommendations that may be made after examination by responsible experts. I have approached the Secretary of State for the Colonies on this subject, and have received an intimation that Mr. Osbert Chadwick, an eminent Sanitary Engineer, will come out at the end of the year to examine and report upon the sanitary condition of the Colony. I have no doubt that this will be agreeable to the people of Hongkong, who are naturally in a state of great anxiety on the subject of sanitation. It has also been intimated to me that a medical man with experience of the plague epidemic elsewhere will be sent to consult with the Medical Officers of the Colony. I hope most earnestly that the result of these visits may throw some light upon the causes of this annual visitation of plague and enable us to combat its attacks with a greater measure of success. The telegrams that have passed on this subject will be laid on . the table to-day. Outside the plague mortality, the death-rate of the Colony compares favourably with that of any Colony in the East, or any port in China. During the continuance . of the epidemic the business of the port was seriously interfered with by the withdrawal from the Colony of many thousands of Chinese who feared that in the event of their contracting the disease they could not, if they so desired, return to their homes. Representations were made on the subject by the Chamber of Commerce and by the inhabitants generallyrepresentations to which I gave my strongest support—but His Majesty's Government did not feel justified in assenting to any regulation under which plague patients could return to their homes. I hope, however, to be able to come to an arrangement with the Viceroy of the two Kwangs that will admit of the transfer under proper precautions of Chinese suffering from the disease who may desire to proceed to Canton for treatment, and thus relieve the anxiety that impelled so many of the Chinese to abandon for a time their occupations in this Colony.

Next to plague our most dangerous disease is malarial fever, which observation proves to be the result of inoculation by Anopheles Mosquito. I have determined to enter upon the heavy task of training the nullahs flowing into the City of Victoria, and there have been for several months about 200 coolies employed in cutting the bush and filling the pools that harbour mosquitoes in the Western Nullahs.

The expenses of the New Territory are still very heavy, and so far the revenue has not nearly come up to the estimate. The reason of this is that the land revenue cannot be satisfactorily collected until the cadastral survey has been made and the lands demarcated. The difficulty will then disappear. The expenditure has been for the construction of the Taipo Road now approaching completion to Taipo Hu, for police stations, for police launches to patrol the two hundred miles of coast, for the survey, and for the Land Court in whose hands the settlement of land claims is placed. These expenses could not have been avoided, and when the country begins to develop the expenses will be amply repaid.

The present financial position of the Colony is satisfactory. On the 31st December, 1900, the Assets of the Colony showed a balance over Liabilities of \$1,100,785.69, which does not include the value of silver at the Mint amounting to \$40,415.82. This balance it is anticipated will be still further increased by \$358,295.94, the estimated balance of Revenue over Expenditure in 1901, which will thus increase the Assets to \$1,499,497.45.

The Loan Account of £341,799.15.1 to be paid off in 1943, had £16,485.13.2 to the credit of the Sinking Fund.

The Revenue for 1900 was \$4,202,587.40, and the Expenditure was \$3,628.447.13. Taking the Revenue of five years ago at \$2,609,878.94 and the Expenditure exclusive of the Interest and Sinking Fund of the Loan at \$2,244,291.05, these figures show that in five years the Revenue has increased by 61 per cent. and the Expenditure by $56\frac{5}{8}$ per cent.

Turning to the Estimates now placed before you, it will be seen that the estimated Revenue amounts to \$4,605,965, and the estimated Expenditure including Public Works Extraordinary to \$4,560,505.26. The memorandum accompanying the Estimates for 1902 explains in detail the reasons for the anticipated increases and decreases in the various items of Revenue, $1/11\frac{1}{2}$ has been taken as the rate of exchange for Sterling payments.

The Land Revenue of the New Territory is estimated at \$30,000. It is expected that this sum will be realized, but, as I have already explained, the true Revenue of that portion of the Colony cannot be hoped for until the survey has been completed and the land claims decided. As to the details of Expenditure, every department shows an increase on its establishment. This is due to the increase in the pay of subordinate officers of the service as recommended by the Committee appointed last year, and to addition to the staff of certain departments. There seems to be a general impression that certain departments—the Public Works, the Post Office, the Medical Department, and the Sanitary Department—are being unduly curtailed as regards funds, or personnel, or both. It may therefore be interesting to contrast the Annual Expenditure on these departments in 1896, in 1900, and in present Estimates.

Public Works.	Post Office.	Medical.	Sanitary.
1896,\$ 85,694.10	\$188,201.17	\$109,763.19	\$ 94,818.45
$1900, \dots 123,306.00$	269,480.00	130,134.00	152,993.00
1901, 138,701.00	285,294.00	146,666.00	190,083.00

As regards the Public Works Department, the Acting Director of Public Works reports that the staff is not sufficiently strong to carry out the various works and duties entrusted to it. Provision has therefore been made in the Estimates for two additional Engineers. It is my intention to appoint a Commission to report upon the staff and working of the Public Works Department, which is the chief spending department of the Colony.

With respect to the Post Office, every effort is being made to render that institution worthy of the Colony. It must be evident that here there are exceptional difficulties to contend against, but it is hoped that the comparatively few complaints received of late may be an indication that matters are working more smoothly. The Postmaster General, Commander

Hastings, has just returned from leave, during which time he has devoted himself to inquiry into the working of the department in England, and he will. I am certain, be ably seconded by Mr. Lewis, who has discharged the duties of Acting Postmaster General very satisfactorily during the absence of Commander Hastings.

I have also considered the state of the Medical Department and have decided to increase the staff at once by making provision in the Estimates for two Assistant Surgeons, one of whom will be employed as Second Health Officer of the Port in accordance with the recommendation of the Chamber of Commerce. Should it be found that any further addition to the Sanitary staff is necessary, I shall appeal to you with confidence for the necessary funds. Apart from the staff, it is not improbable that very large sums will have to be expended in the near future in the Sanitary improvement of the City-sums that will absorb our balance and probably involve increased taxation. Happily the taxation of the Colony is comparatively light, and in a matter of such moment I feel that I can depend upon you to supply the necessary funds. The estimate for Public Works Extraordinary amounts to the large sum of \$802.316.68; of this sum \$146,000 is for Waterworks and \$82,000 for extension of Markets, while \$79,000 is for the improved accommodation for the Police, which will tend to improve the comfort and efficiency of the Force.

BILLS.

The following Bills will be submitted to you:-

- A Bill entitled An Ordinance to apply a sum not exceeding Three million Seven hundred and Thirty-nine thousand Three hundred and Twelve Dollars and Twenty-six Cents to the Public Service of the Year 1902.
- A Bill entitled An Ordinance to amend An Ordinance entitled The Weights and Measures Ordinance, 1885, (No. 8 of 1885).
- A Bill entitled An Ordinance to amend The New Territories Land Court Ordinance, 1900, (No. 18 of 1900).
- A Bill entitled An Ordinance to amend the Public Health Ordinance, 1901, (No. 13 of 1901).
- A Bill entitled An Ordinance relating to Copywright in Works of the Fine Arts, and for repressing the Commission of Fraud in the Production and Sale of such Works.
- A Bill entitled An Ordinance to amend Ordinance 15 of 1887, and to remove any doubts as to the validity of any matters done under it.

From my experience I know that these and all other measures laid before you will receive conscientious and careful consideration.

PAPERS.—The Colonial Secretary, by command of His Excellency the Governor, laid on the table the following papers:-

- 1. Report by the Medical Officer of Health on the Epidemic of Bubonic Fever (Plague) during the half-year ended 30th June, 1901.
- 2. Letter from Civil Engineers, Architects, &c., as to Professional Supervision of Building Works.
- 3. Financial Statement for 1900.
- 4. Report on the Census of the Colony for 1901.
- 5. Telegrams regarding the Appointment of Sanitary Experts.

FINANCIAL MINUTES .- The Colonial Secretary, by command of His Excellency the Governor. laid on the table the following Financial Minutes, (Nos. 57 to 59), and moved that they be referred to the Finance Committee:-

HENRY A. BLAKE.

The Governor recommends the Council to vote a sum of Six hundred Dollars (\$600) to cover the half salary of a Second Assistant Marine Surveyor for six months from the 17th August, 1901, at \$100 per month.

Government House, Hongkong, 28th August, 1901.

HENRY A. BLAKE.

The Governor recommends the Council to vote a sum of Five hundred Dollars (\$500) in C.S.O. The Governor recommends the Country of New Territory." (Extension.) aid of the vote of \$500 for "Medicines supplied to the New Territory."

Government House, Hongkong, 6th September, 1901.

HENRY A. BLAKE.

The Governor recommends the Council to vote a sum of Twenty-six thousand and five hundred Dollars (\$26,500) in aid of the following votes:—

Public Works, Annually Recurrent Expenditure.

- 1. Maintenance of Buildings,\$9,000.00

Public Works, Extraordinary.

Total,.....\$26,500.00

Government House, Hongkong, 20th September, 1901.

The Acting Colonial Treasurer seconded.

Question—put and agreed to.

REPORT OF THE FINANCE COMMITTEE.—The Colonial Secretary, by command of His Excellency the Governor, laid on the table the Report of the Finance Committee dated the 29th August, 1901, (No. 9), and moved its adoption.

The Acting Colonial Treasurer seconded.

Question-put and agreed to.

QUEEN VICTORIA MEMORIAL FUND — The Colonial Secretary, by command of His Excellency the Governor, laid on the table Financial Minute No. 60:—

HENRY A. BLAKE.

The Governor recommends the Council to vote a sum of Fifty thousand Dollars (\$50,000) being a Government Grant in aid of the Queen Victoria Memorial Fund.

Government House, Hongkong, 23rd September, 1901.

The Colonial Secretary moved that "This Council vote a sum of Fifty thousand Dollars (\$50,000) in aid of the Memorial to Her late Majesty Queen VICTORIA" and said:—

No words of mine are necessary to commend this vote to Honourable Members. Hong-kong was founded and flourished during the glorious reign of the late Queen, and it is therefore only natural. Sir, that this Colony should desire to contribute towards a memorial intended to perpetuate the memory of one of the greatest Queens in British history,—VICTORIA

Mr. CHATER in seconding the motion said :-

Your Excellency, I have much pleasure in seconding the resolution just proposed, that the Colony should contribute out of its revenue the sum of \$50,000 toward the erection of the proposed memorial in London to the late Queen Victoria. I do so with the more satisfaction because I was unfortunately prevented by indisposition from being present at the meeting held here on the 14th ultimo, and seconding the resolution in reference to the starting of the public subscription, which I am glad to see has reached such a creditable sum. As has already been remarked, it is most fitting that Hongkong, the first Colony acquired during the long and glorious reign of Queen Victoria of illustrious memory, should be worthily represented in any memorial of that reign. This city, if I mistake not, was the first to be named after Her late Majesty, and it is right that it should respond most liberally to the invitation extended to it. We have prospered much and grown into commercial greatness during the sixty odd years of Queen Victoria's beneficent rule, and I am sure we are only too happy to be permitted the opportunity of giving some, if inadequate, expression to that feeling of gratitude and veneration to a great and good Sovereign which is now afforded to us. I trust, Sir, that the monument about to be erected will in every way be worthy of the late Queen. I see that it has been placed in good hands. The subject, however, is one of unusual difficulty, but we hope that the sculptors and designers will rise to the unique occasion and create a memorial of beauty that shall impress coming generations and show them how this great Empire loved and honoured a wise ruler and noble Queen.

The vote was unanimously agreed to.

REPORT OF THE PUBLIC WORKS COMMITTEE.—The Colonial Secretary, by command of His Excellency the Governor, laid on the table the Report of Proceedings of the Public Works Committee at a meeting held on the 29th August, 1901, (No. 5), and said that the matters dealt with in that Report, and in the communication from the Civil Engineers and Architects, were under the consideration of the Government and that it was the intention of the Government to shortly introduce legislation dealing with those matters.

Sanitary Board Bye-Laws.—The Acting Director of Public Works addressed the Council, and moved the adoption of the Bye-laws made by the Sanitary Board regarding the Prevention of Epidemic, Endemic or Contagious Disease.

The Acting Attorney General seconded.

The Colonial Secretary addressed the Council.

Dr. Ho Kai put a question as to compensation for damages to furniture.

The Colonial Secretary replied.

The motion was then put to the Council, and carried.

OTHER SANITARY BOARD BYE-LAWS.—The Acting Director of Public Works addressed the Council, and moved the adoption of the Bye-laws made by the Sanitary Board regarding the Disinfection of Infected Premises.

The Acting Attorney General seconded.

Question—put and agreed to.

QUESTIONS.—Mr. WHITEHEAD, pursuant to notice, asked the following questions:—

- (1.) Will the Honourable the Director of Public Works lay upon the Council table a statement showing:—
 - (1.) The number of buildings in the Colony, which have fallen down, from 1st January, 1895, to 16th instant (August);
 - (2.) The names of the owners of the said buildings;
 - (3.) The number of deaths caused thereby;
 - (4.) The number of Coroner's enquiries held in connection with such deaths;
 - (5.) The number of prosecutions, if any, instituted as the result of the said enquiries;
 - (6.) The causes, so far as ascertained, which have contributed to the tumbling down in each case, and, if the collapse of any or all of the buildings in question have resulted from defective construction, will the Honourable Member inform the Council:—
 - (1.) What precautions, if any, have been taken to prevent the erection of such buildings in the future? and
 - (2.) What precautions, if any, have been taken to prevent a recurrence of a like calamity attended with such heavy loss of life as that which occurred in Cochrane Street on 14th instant in connection with buildings already in existence?

The Acting Director of Public Works, in reply, laid on the table a List of Buildings in the Colony which collapsed between the 30th May, 1895, and the 14th August, 1901, and said, with regard to the second portion of Question No. 6, that the matters therein referred to were under the consideration of the Government.

(2.) Will the Honourable the Colonial Secretary inform the Council of the approximate number of fishermen employed in taking coral and shell from the sea adjoining the New Territory, and the names of the places where and about the extent of ground over which such fishing is carried on?

The Colonial Secretary, in reply, laid on the table a Return of the Approximate Number of Fishermen employed in taking Coral and Shell from the Sea adjoining the New Territory.

(3.) Will the Honourable the Attorney General lay upon the table a copy of the depositions taken by the Magistrate at the enquiry, held at the Magistracy on 30th August last under Ordinance No. 7 of 1889, into the death of forty-three persons consequent upon the collapse or tumbling down of houses Nos. 32 and 34, Cochrane Street, on the night of 14th idem, together with a copy of the Magistrate's decision or finding thereon?

The Colonial Secretary, in reply, laid on the table the Depositions taken by the Magistrate sitting as Coroner.

Supply for 1902 Bill.—The Colonial Secretary addressed the Council, and moved the first reading of a Bill entitled An Ordinance to apply a sum not exceeding Three million Seven hundred and Thirty-nine thousand Three hundred and Twelve Dollars and Twenty-six Cents to the Public Service of the Year 1902.

The Acting Colonial Treasurer seconded.

Question—put and agreed to.

Bill read a first time.

WEIGHTS AND MEASURES AMENDMENT BILL.—The Acting Attorney General moved the first reading of a Bill entitled An Ordinance to amend An Ordinance entitled The Weights and Measures Ordinance, 1885, (No. 8 of 1885).

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

NEW TERRITORIES LAND COURT AMENDMENT BILL.—The Acting Attorney General moved the first reading of a Bill entitled An Ordinance to amend The New Territories' Land Court Ordinance, 1900, (No. 18 of 1900).

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

PUBLIC HEALTH AMENDMENT BILL.—The Acting Attorney General moved the first reading of a Bill entitled An Ordinance to amend the Public Health Ordinance, 1901, (No. 13 of 1901).

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

COPYRIGHT BILL.—The Acting Attorney General moved the first reading of a Bill entitled An Ordinance relating to Copyright in Works of the Fine Arts, and for repressing the Commission of Fraud in the Production and Sale of such Works.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

AMENDMENT OF ORDINANCE 15 OF 1887 BILL.—Mr. Bell-Irving moved the first reading of a Bill entitled An Ordinance to amend Ordinance 15 of 1887, and to remove any doubts as to the validity of any matters done under it.

Mr. CHATER seconded.

Question-put and agreed to.

Bill read a first time.

JURY CONSOLIDATION AMENDMENT BILL.—The Acting Attorney General addressed the Council, and moved the second reading of the Bill entitled An Ordinance to further amend the Jury Consolidation Ordinance, 1887.

The Colonial Secretary seconded.

Question-put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

Council resumed, and Bill reported without amendment.

The Acting Attorney General moved the third reading of the Bill.

The Colonial Secretary seconded.

Question-put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

PROBATES AMENDMENT BILL.—The Acting Attorney General moved the second reading of the Bill entitled An Ordinance to amend The Probates Ordinance, 1897, (No. 3 of 1897).

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

Council resumed, and Bill reported without amendment.

The Acting Attorney General moved the third reading of the Bill.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time.

Question put--that this Bill do pass.

Bill passed.

MERCHANT SHIPPING AMENDMENT BILL.—The Acting Attorney General addressed the Council, and moved the second reading of the Bill entitled An Ordinance to amend The Merchant Shipping Consolidation Ordinance, 1899, (No. 36 of 1899).

The Colonial Secretary seconded.

Question-put and agreed to.

Bill read a second time.

Gunpowder and Fireworks Bill.—The Acting Attorney General addressed the Council, and moved the second reading of the Bill entitled An Ordinance to amend the law relating to the manufacture of gunpowder and of fireworks, and to regulate the sale and conveyance of gunpowder.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

Council resumed, and Bill reported without amendment.

The Acting Attorney General moved the third reading of the Bill.

The Colonial Secretary seconded:

Question-put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

Foreshores and Sea Bed Bill.—The Acting Attorney General moved the third reading of the Bill entitled An Ordinance to validate Crown leases heretofore made of Foreshore and submerged Lands within the territorial waters of the Colony for reclamation and other purposes and to legalize and facilitate the making of such leases hereafter.

The Colonial Secretary seconded.

Mr. WHITEHEAD moved as an amendment that the Bill be read that day six months.

The Acting Attorney General's motion was put to the Council, and carried, Mr. WHITEHEAD being the only dissentient.

Bill read a third time.

Question put-that this Bill do pass.

Bill passed.

STAMP BILL.—The Acting Attorney General moved the third reading of the Bill entitled An Ordinance to amend and consolidate the Laws relating to Stamps and Stamp Duty in the Colony of Hongkong.

The Colonial Secretary seconded.

Question-put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

ADJOURNMENT.—The Council then adjourned till Thursday, the 3rd October, 1901.

HENRY A. BLAKE, Governor.

Read and confirmed, this 3rd day of October, 1901.

C. CLEMENTI,
Acting Clerk of Councils.

GOVERNMENT NOTIFICATION.—No. 571.

The following Bill, which was read a first time at a Meeting of the Legislative Council held this day, is published.

C. CLEMENTI,
Acting Clerk of Councils.

Council Clamber. Hongkong, 3rd October, 1901.