

LEGISLATIVE COUNCIL.

No. 252.

LEGISLATIVE COUNCIL, No. 17.

THURSDAY, 24TH AUGUST, 1911.

PRESENT:

HIS EXCELLENCY THE GOVERNOR

(Sir FREDERICK JOHN DEALTRY LUGARD, G.C.M.G., C.B., D.S.O.).

His Excellency the General Officer Commanding the Troops, (Major-General CHARLES ALEXANDER ANDERSON, C.B.).

The Honourable the Colonial Secretary, (WARREN DELABERE BARNES).

- „ the Attorney General, (CHALONER GRENVILLE ALABASTER).
- „ the Colonial Treasurer, (ALEXANDER MACDONALD THOMSON).
- „ the Director of Public Works, (WILLIAM CHATHAM, C.M.G.).
- „ the Registrar General, (ARTHUR WINBOLT BREWIN, C.M.G.).
- „ the Captain Superintendent of Police, (FREDERICK WILLIAM LYONS).
- „ Dr. HO KAI, M.B., C.M.G.
- „ Mr. WEI YUK, C.M.G.
- „ Mr. HENRY EDWARD POLLOCK, K.C.
- „ Mr. EDBERT ANSGAR HEWETT.
- „ Mr. CHARLES HENDERSON ROSS.
- „ Mr. CHARLES MONTAGUE EDE.

The Council met pursuant to adjournment.

The Minutes of the last Meeting, held on the 17th August, 1911, were read and confirmed.

FINANCIAL MINUTES.—The Colonial Secretary laid on the table Financial Minutes Nos. 54 and 55, and moved that they be referred to the Finance Committee :—

- No. 54.—Public Works, Extraordinary, Resumption of Land in Survey District I,.....\$ 650.
- No. 55.—Public Works, Extraordinary, Prison Extension, 690.

The Colonial Treasurer seconded.

Question—put and agreed to.

REPORT OF THE FINANCE COMMITTEE.—The Colonial Secretary laid on the table the Report of the Finance Committee dated the 17th August, 1911, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

PAPERS.—The Colonial Secretary laid on the table the following papers :—

Administrative Reports for the year 1910.

QUESTIONS.—Mr. POLLOCK, pursuant to notice, asked the following question :—

Will the Government explain why the work on the Tsim Sha Tsui Market is proceeding so slowly? When will the Market be ready for use?

The Colonial Secretary replied.

OPIUM AMENDMENT BILL.—The Colonial Secretary moved the suspension of the Standing Orders so that the Bill entitled An Ordinance to further amend the Opium Ordinance, 1909, may be read a first, second and third time.

The Attorney General seconded.

Dr. Ho Kai, Mr. Hewett and Mr. Pollock opposed the motion.

His Excellency the Governor addressed the Council, and the Colonial Secretary amended the motion and moved that the Standing Orders be suspended to enable the Bill to pass its first and second readings.

The Attorney General seconded, and the motion was agreed to.

The Colonial Secretary moved the First reading of the Bill.

The Attorney General seconded, motion agreed to, and Bill read a first time.

The Colonial Secretary moved the Second reading of the Bill.

The Attorney General seconded, motion agreed to, and Bill read a second time.

The Colonial Secretary moved the suspension of the Standing Orders to enable the Bill to pass through its further stages.

A discussion then ensued, and the Colonial Secretary withdrew the motion.

CODE OF CIVIL PROCEDURE AMENDMENT BILL.—The Attorney General moved that the Council resolve itself into a Committee of the whole Council to consider the Bill entitled An Ordinance to amend the Code of Civil Procedure.

The Colonial Secretary seconded, and the motion was agreed to.

Council in Committee on the Bill.

On the motion of the Attorney General the words "of Civil Procedure" were inserted after the words "Hongkong Code" in the third line of section 2.

The word "preceding" in the fifth line of section 6 was deleted.

In section 29 sub-section (8):—

The figure and letter "8c" were substituted for the figure and letter "2e" in the twelfth line of sub-section (i), in the fourth line of sub-sub-section (ii) "8c" was substituted "2e", in the tenth line of sub-sub-section (iv) "8e" was substituted for "2g", and in sub-sub-section (v) "8c" was substituted for "2c" in the fourth line and "8d" for "2f" in the ninth line.

In sub-sub-section (vi) of sub-section (9) of section 29, "8f" was substituted for "2h".

In section 30 the words "substituted for existing forms in or" were inserted between the words "be" and "added" in the first line.

In the Schedule the forms 2a, 2b, 2c, 2d, 2e, 2f, 2g, and 2h, were renumbered 7, 8, 8a, 8b, 8c, 8d, 8e, and 8f, respectively.

On Council resuming the Attorney General reported that the Bill had passed through Committee with minor amendments and moved that it be read a third time. The Colonial Secretary seconded, motion agreed to, Bill read a third time and passed.

ARMS AND AMMUNITION AMENDMENT BILL.—The Committee stage on the Bill entitled An Ordinance to amend the Arms and Ammunition Ordinance, 1900, was not proceeded with.

CROWN SOLICITORS BILL.—The Attorney General moved that the Council resolve itself into a Committee of the whole Council to consider the Bill entitled An Ordinance to enable Joseph Horsford Kemp Esquire, Barrister-at-law, to practise as Crown Solicitor in the Court and to provide for the payment of solicitors' costs in cases in which a salaried Crown Solicitor or Assistant Crown Solicitor acts as solicitor.

The Colonial Secretary seconded, and the motion was agreed to.

Council in Committee on the Bill.

On the motion of the Attorney General section 2 was deleted and the following substituted therefor :—

2. Joseph Horsford Kemp Esquire, Barrister-at-law, shall be permitted to practise both in the Court and elsewhere in the Colony as if he were a duly admitted Solicitor when appearing as Crown Solicitor on behalf of, or representing or acting for or on behalf of the Crown or any Government Department of the Colony, or any Officer in the employment of the said Government or in any matter in which the Crown or the said Government or any department thereof is interested.

Sub-section (1) of section 3 and the figure “(2.)” were deleted.

In sub-section (1) of section 6 the word “losing” in the last line was deleted and the words “against whom the order is made” were inserted at the end thereof.

Council resumed, the Bill being left in Committee.

CROWN LANDS RESUMPTION AMENDMENT BILL.—The Attorney General moved that the Council resolve itself into a Committee of the whole Council to consider the Bill entitled An Ordinance to further amend the Crown Lands Resumption Ordinance, 1900.

The Colonial Secretary seconded, and the motion was agreed to.

Council in Committee on the Bill.

On the motion of the Attorney General the following was inserted after sub-section (2) of section 3 and numbered sub-section (3) :—

- (3.) The remuneration of any member of a Board shall be at a rate according to the amount of work, the time occupied, and the magnitude of the interests involved, and such rate shall be determined in each case by the Chairman of the Board in his discretion at the conclusion of the arbitration; provided that nothing in this sub-section shall be deemed to authorise the payment or receipt of remuneration in the case of a public servant who is not permitted to receive remuneration for acting as a member of a Board.

Sub-section (3) was renumbered (4) and the words “any member of or” in the second line were deleted and the word “the” substituted therefor.

The word “amount” in the third line of sub-section (2) of section 4 was altered to read “amounts” and the words “by the Governor-in-Council” in the fourth line were deleted.

On Council resuming the Attorney General reported that the Bill had passed through Committee with slight amendments and moved that it be read a third time. The Colonial Secretary seconded, motion agreed to, Bill read a third time and passed.

INTERPRETATION BILL.—The Attorney General moved that the Council resolve itself into a Committee of the whole Council to consider the Bill entitled An Ordinance to amend and codify the law as to the Interpretation of Terms and as to Common Forms used in Ordinances.

The Colonial Secretary seconded, and the motion was agreed to.

Council in Committee on the Bill.

On the motion of the Attorney General the definition of “City of Victoria” in section 39B was amended by the deletion of the words “north-west angle of Wongneichong School” in the second and third last lines and the substitution therefor of the words “south-east angle of Inland Lot No. 1364”.

In section 41 sub-section (1) sub-sub-section (b) the word “where” was inserted between the words “or” and “other” in the second line.

On Council resuming the Attorney General reported that the Bill had passed through Committee with slight amendments and moved that it be read a third time. The Colonial Secretary seconded, motion agreed to, Bill read a third time and passed.

ADJOURNMENT.—The Council then adjourned until Thursday, the 31st August, 1911.

F. D. LUGARD,
Governor.

Read and confirmed this 31st day of August, 1911.

C. CLEMENTI,
Clerk of Council.