

VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL OF HONGKONG.

No. 5 OF 1871.

WEDNESDAY, 3RD MAY, 1871.

PRESENT:

His Excellency Major-General WHITEFIELD, Lieutenant-Governor.

The Honorable the Chief Justice (JOHN SMALE.)

The Honorable the Colonial Secretary (JOHN GARDINER AUSTIN.)

The Honorable the Attorney General (JULIAN PAUNCEFOTE.)

The Honorable the Acting Colonial Treasurer (CECIL CLEMENTI SMITH.)

The Honorable HENRY JOHN BALL.

The Honorable PHINEAS RYRIE.

The Honorable WILLIAM KESWICK.

The Honorable RICHARD ROWETT.

The Council meets this day at 2 P.M., by Special Summons,—no Meeting having taken place on the 12th of April, to which day the Council was adjourned.

The Minutes of the Council held on the 1st of April, are read and confirmed.

The Council then resolves itself into a Committee, and resumes the Discussion and Consideration of the Clauses of the Bill *to make further Provision in relation to the Court of Summary Jurisdiction*, which was amended at the Meetings held on the 27th and 30th March last.

After which, the Honorable HENRY JOHN BALL begs to submit to the consideration of the Council certain New Clauses which he had prepared, extending the Jurisdiction of the Court at Common Law up to \$1,000, and granting to it a limited Jurisdiction in Equity; and which Clauses he had forwarded to the Honorable the Colonial Secretary, with a suggestion that a Special Committee of the Council be appointed to consider them.

The Honorable Member proceeds to explain the Clauses, and states that they are all adopted from corresponding Provisions contained in the Imperial Acts relating to the County Courts in England.

The Honorable the Attorney General states that nearly the whole of the Clauses now submitted by the Honorable HENRY JOHN BALL had formed part of the Bill which His Excellency the Lieutenant-Governor originally intended to have proposed to the Council; but it had been determined by His Excellency, for reasons which it is unnecessary now to discuss, to abandon, for the present, the Provisions increasing the Common Law Jurisdiction of the Court to \$1,000, and conferring upon it a limited Equity Jurisdiction. These Provisions, the Honorable the Attorney General adds, can easily be introduced later by a separate Ordinance. In the meanwhile, he urges that the consideration of the Bill, as it now stands, be proceeded with.

His Excellency concurs.

The Honorable the Colonial Secretary states that the clauses submitted by the

Honorable HENRY JOHN BALL, as also the correspondence connected therewith, will be forwarded for the consideration of The Secretary of State when the Bill is passed.

Whereupon, the Honorable HENRY JOHN BALL states that he would not press his suggestion in reference to the Clauses submitted by him.

The Bill is then recommitted, amended and passed, bearing the Title of—"An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to amend Ordinance No. 7 of 1862, and to provide for the Summary Trial of Cases in the Supreme Court,"—being "No. 1 of 1871."

His Excellency The Lieutenant-Governor calls the attention of the Council to a Report which had been received from the Surveyor General, representing that, owing to the number and variety of Public Works in course of construction, he is unable to devote that amount of time and personal attention to the building of the New Roof at Government House which would be required of him, if called upon to undertake the Work himself, instead of entrusting it to a Contractor, in accordance with the usual practice; also, that since the Meeting of the Council on the 30th of March the lowest Tender previously offered has been reduced to the sum of \$12,600;—and further, that he found it was impossible to get the work done at the price originally estimated. Under these circumstances, His Excellency proposes that the lowest Tender now offered for the work, namely, \$12,600, be accepted, and that the Council should authorize the Expenditure of that sum for the construction of the work in question.

After some discussion, the Council concurs in the proposal of His Excellency, and an Expenditure not exceeding \$12,600 for the construction of the New Roof at Government House is agreed to.

His Excellency adjourns the Council at a quarter before 6 o'clock, till Friday, the 5th Instant, at 2 P.M.

HENRY WASE WHITEFIELD,
Major-General, and Lieutenant-Governor.

Read and confirmed, this 29th Day of May, 1871.

L. D'ALMADA E CASTRO,
Clerk of Councils.