

14TH SEPTEMBER, 1905.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR, SIR MATTHEW NATHAN, K.C.M.G.

Hon. Colonel C. H. DARLING, R.E. (General Officer Commanding the Troops).

Hon. Mr. T. SERCOMBE SMITH (Colonial Secretary).

Hon. Sir H. S. BERKELEY, K.C. (Attorney-General).

Hon. Mr. L. A. M. JOHNSTON (Colonial Treasurer).

Hon. Mr. E. A. IRVING (Registrar-General).

Hon. Mr. BASIL H. TAYLOR, R.N. (Harbour Master).

Hon. Mr. W. CHATHAM (Director of Public Works).

Hon. Sir C. P. CHATER, C.M.G.

Hon. Dr. HO KAI, M.B., C.M., C.M.G.

Hon. Mr. R. SHEWAN.

Hon. Mr. GERSHOM STEWART.

Hon. Mr. WEI YUK.

Hon. Mr. W. C. DICKSON.

Mr. A. G. M. FLETCHER (Clerk of Councils.)

MINUTES.

The minutes of the previous meeting were read and confirmed.

FINANCIAL.

The COLONIAL SECRETARY—I beg to lay on the table Financial Minutes 33 and 34, and

move that they be referred to the Finance Committee.

The COLONIAL TREASURER seconded the motion, which was carried.

FINANCE COMMITTEE'S REPORT.

The COLONIAL SECRETARY—I beg to lay on the table a Report of the proceedings of the Finance Committee at a meeting held in the Council Chamber on the 7th September, and move its adoption.

The COLONIAL TREASURER seconded the motion, which was carried.

PAPER.

The COLONIAL SECRETARY laid on the table a paper in connection with the felling and planting of the *Pinus Massoniana* in Hongkong.

REPORT OF THE LAW COMMITTEE.

The ATTORNEY GENERAL—I beg to lay on the table a report of the proceedings of the standing Law Committee at a meeting held at the Attorney-General's Chambers on the 6th September. It is of some length and I therefore propose not to move its adoption at this meeting, but to give members an opportunity of considering it. I will, therefore, move its adoption at a subsequent meeting.

INCREASE OF RATES.

The COLONIAL TREASURER—I beg to move the resolution standing in my name, which

reads:—"Resolved that the percentage on the valuation of tenements payable as rates in that portion of the Hill District which is defined in Section 29 Sub-section (1) (b) (as amended by Section 2 of Ordinance No. 41 of 1902) of the Rating Ordinance No. 6 of 1901 be altered from $10\frac{3}{4}$ per cent. to 13 per cent. with effect from the 1st of October, 1905."

The COLONIAL SECRETARY seconded the resolution.

Hon. Mr. GERSHOM STEWART—Might I ask, Your Excellency, what this advance of $2\frac{1}{4}$ per cent is for, as the lighting of 100 lamps at \$3.50 per month only amounts to \$4,000 a year?

His EXCELLENCY—It is partly to provide for lighting, and partly to provide hydrants.

Hon. Mr. GERSHOM STEWART—Will the water supply at the Peak be constant then?

His EXCELLENCY—As constant as elsewhere in the Colony.

The resolution was passed.

NEW TERRITORIES LAND ORDINANCE.

The ATTORNEY-GENERAL—I beg leave to read for the first time a Bill entitled An Ordinance to amend the New Territories Land Ordinance 1905.

His EXCELLENCY—This Bill purports to amend the New Territories Land Ordinance, 1905, but really supplements that Ordinance. The schedules to the leases, mainly of agricultural lands, in the New Territories, contain hundreds of thousands of names in Chinese and English, of addresses, of areas, most of them a small fraction of an acre, and amounts of Crown rents, most of them a small fraction of a dollar. It will be readily understood that in the preparation of these schedules errors have crept in, largely due to the illiteracy of the inhabitants in the New Territories. These errors have been brought to light on the issue of certified extracts from the leases and it is convenient that they should at the same time be corrected. This is being done, and the Bill before the Council is to legalise these corrections.

The COLONIAL SECRETARY seconded, and the motion was agreed to.

AMENDMENT OF MERCHANT SHIPPING ORDINANCE.

The ATTORNEY GENERAL—I beg leave to move that a Bill entitled An Ordinance further to amend the Merchant Shipping Ordinance 1899, be read a second time. The note appended to the Bill dealing with the objects and reasons for the introduction clearly sets forth what these are. The system at present in force with respect to the lights necessary for junks to carry, is not workable. The Bill provides a working system. It has been found difficult under the present powers to control the traffic of small craft in the harbour and to keep the fairway as clear as it should be, and to keep crafts of all kinds from crowding up against

the walls and piers. This Bill gives additional and effective powers to the Harbour authorities to keep the fairway clear and to control the traffic of small craft. It also provides for special licences for river steamers. Under this heading it gives powers to exempt certain crafts of small tonnage, not exceeding 300 tons, from the necessity of carrying certificated masters and engineers. If the ship has a certificated master and an engineer who has a certificate of competency from the Harbour Master that will be deemed to be sufficient. In the case of small craft not exceeding 60 tons both the master and the engineer will be considered competent if they hold certificates of competency from the Harbour Master. In order to give power to make these required alterations on the existing laws, the Bill provides for the exemption of that class of vessel from the requirements of the 4th section of the Merchant Shipping Ordinance.

The COLONIAL SECRETARY seconded.

The motion was agreed to.

The Council then resolved itself into Committee to consider the Bill.

On the Council resuming.

His EXCELLENCY reported that the Bill had passed through Committee without amendment.

WOMEN AND GIRLS PROTECTION ACT.

The ATTORNEY GENERAL—I beg to move the second reading of the Bill entitled An Ordinance to amend the Protection of Women and Girls Ordinance 1897. This Bill proposes to amend the present law respecting the protection of women and girls by amending that part of the law which relates to procurement and abduction, and by raising the age, in connection with Section 4 (1) (a) and Section 26 of the present Ordinance, from 16 to 18 years. The Bill also provides for the reception, under certain circumstances, of the evidence of children under the age of seven. In introducing that provision, Council will be following on the lines of legislation at Home.

Council then formed itself into a committee of the whole Council, on the motion of the ATTORNEY -GENERAL, to consider the Bill clause by clause, and on resuming,

His EXCELLENCY reported to the Council that the Bill had passed through all its clauses without amendment.

SUMMARY OFFENCES ORDINANCE.

The ATTORNEY GENERAL—I beg to move the second reading of the Bill entitled An Ordinance to amend the Summary Offences Ordinance 1845. This Bill is designed to give the police larger powers to abate the nuisance caused by solicitations for immoral purposes in certain public places. It will confer upon the police the requisite powers for abating the nuisance. Opportunity is also taken, legislation rendered necessary because of certain decisions of Police Magistrates to confer greater powers for removing obstructions in private streets. If the clause is passed by the Council there can no longer be any

doubt that a private street is a street within the meaning of the police regulations.

The COLONIAL SECRETARY seconded the motion.

Council then resolved itself into committee and considered the Bill clause by clause. On resuming the Bill was read a second time and passed without amendment.

MAINTENANCE OF MARRIED WOMEN.

The ATTORNEY GENERAL—I beg leave to move the second reading of the Bill entitled An Ordinance relating to the Summary Jurisdiction of Magistrates in reference to married women.

This legislation follows on lines of similar legislation in England, and will be found useful here. In fact, the Ordinance is an adaptation from the English Act which gives magistrates in small cases the power of making maintenance orders against a husband who deserts his wife, or by his conduct causes her to leave him.

The COLONIAL SECRETARY seconded.

The Council then went into Committee to consider the Bill *in seriatim*.

The ATTORNEY GENERAL moved that the blank in Clause 5 be filled by the insertion of \$20

which should be the limit of the wife's maintenance.

This was agreed to.

His EXCELLENCY—The Bill will be left in Committee. The Council stands adjourned till Thursday, the 21st inst., at 2.30 p.m.

FINANCE COMMITTEE.

A meeting of the Finance Committee was held immediately after the Council had risen—the Colonial Secretary presiding.

The following votes were passed.

HARBOUR MASTER'S DEPARTMENT.

The Governor recommended the Council to vote a sum of Seven hundred and thirty-nine Dollars (\$739) in aid of the vote, Harbour Master's Department—other charges, for repairs to epidemic hulk *Hygeia*.

MAGISTRACY CHARGES.

The Governor recommended the Council to vote a sum of Three hundred Dollars (\$300) in aid of the vote, Magistracy—other charges for language allowance to Mr. M. Hoosen, Hindustani Interpreter, who has passed the examination in the Chiu Chau dialect.

The Finance Committee was then adjourned