

28TH NOVEMBER, 1907.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR, SIR FREDERICK JOHN DEALTRY LUGARD, K.C.M.G., C.B. D.S.O.

HIS EXCELLENCY COLONEL C.H. DARLING, General Officer Commanding the Troops.

Hon. Mr. F. H. MAY (Colonial Secretary).

Hon. Mr. W. REES DAVIES (Attorney-General).

Hon. Mr. A. M. THOMSON (Colonial Treasurer.)

Hon. Mr. W. CHATHAM, C.M.G. (Director of Public Works).

Hon. Mr. A. W. BREWIN (Registrar General).

Hon. Commander BASIL R. H. TAYLOS, R.N. (Harbour Master).

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

Hon. Mr. H. E. POLLOCK, K.C.

Hon. Mr. E. A. HEWETT.

Hon. Mr. H. KESWICK.

Hon. Mr. WEI YUK.

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

MINUTES.

The minutes of the previous meeting were read and confirmed.

PAPERS.

The COLONIAL SECRETARY, by command of His Excellency the Governor, laid on the table the following papers:—Report of the Examiners of Queen's College for the year 1906-07; Despatch from the Secretary of State for the Colonies relating to the services of the Sanitary Commission; Report of the Director of Public Works for the year 1906.

FINANCIAL MINUTES.

The COLONIAL SECRETARY, by command of His Excellency the Governor, laid on the table Financial minutes Nos. 50 to 62, and moved that they be referred to the Finance Committee.

In doing so he said—Number 61 and 62 were not printed in time to circulate to hon. members, but they are comparatively small items, and I shall be able to explain them in the Finance Committee.

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

FINANCIAL.

The COLONIAL SECRETARY, by command of His Excellency the Governor, laid on the table Report of the Finance Committee, No. 10 and moved its adoption.

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

CLEANLINESS AND VENTILATION BYELAWS.

The COLONIAL SECRETARY—I notice, Sir, with regret, that the wrong bye-law has been printed and circulated, and would ask that this item stand over till next meeting.

Members agreed.

THE COMPANIES ORDINANCE.

The ATTORNEY-GENERAL—Sir, With reference to the Bill to amend the Law relating to Companies, it will be within the recollection of the Council that the Committee stage was adjourned to enable the Government to consider a point raised by the hon. gentleman opposite in regard to the Bill. Now, Sir, I have had opportunity to consider the point raised by the hon. gentleman carefully, and the conclusion at which I have arrived is that the objections which he raised are remote. The issue of a licence for an extra colonial register is discretionary in the Governor-in-council, and is an annual one. Whilst transfer fees are payable by shareholders, the company under the Ordinance has to pay the licence fee for the benefit of shareholders, and it is to be presumed the company would not go to the expense unless it had a sufficient number of shareholders interested to make it practicable for the company to ask for a licence. The hon. gentleman, it seems, is under a misapprehension, in supposing that the power of obtaining an extra colonial register is in the individual shareholders. This right is inherent in the company itself; the licence fee is an annual one, and should be a source of revenue. I may, however, Sir, point out that in order to make the position clear, and in order to show that the object of the Bill is to give to companies whose main business is carried on elsewhere the right of having a local register, I propose to ask the committee to allow me to insert a proviso to the first Sub-section of Section 4, to the effect that such company must satisfy the Governor-in-council that the principal part of its business is carried on at or near the place where it desires to keep the register. That will meet the hon. gentleman. As I have said, the discretion is in the Governor-in-council, that discretion will be exercised with caution, and if that proviso is inserted a licence will be granted subject to that condition. I trust, Sir, that that amendment will make our position even clearer, and will be satisfactory to the hon. gentleman. There are, I may say, certain other amendments more or less of a formal character which I will ask the committee to insert in the Bill. I have had an opportunity of conferring with the hon. and learned gentleman on my left, and he has certain proposals to

make which clear up certain ambiguities which appear on the face of the Bill. There are also one or two minor amendments which I propose to ask the committee to insert. I move, Sir, that the Council resolve itself into committee.

Council went into Committee and considered the Bill clause by clause. Certain amendments were made, and the title of the Bill was altered to read "An Ordinance to authorise Companies registered under the Companies Ordinance, 1865, to keep local registers of their members outside the Colony."

On Council resuming the ATTORNEY -GENERAL reported that the Bill had passed through committee and moved that it be read a third time.

Hon. Mr. KESWICK seconded, and the motion was agreed to.

The Bill was then read a third time, passed, and became law.

THE NOTARIES PUBLIC ORDINANCE.

The ATTORNEY -GENERAL—Sir, With reference to the Bill relating to Notaries Public that has engaged the attention of the Council, I am instructed to state that the Bill was introduced as an uncontroversial one, and in view of the objections that have been raised to its enactment it is not proposed to proceed with it at present.

HIS EXCELLENCY—Council stands adjourned until this day fortnight.

FINANCE COMMITTEE.

A meeting of the Finance Committee was then held—the COLONEL SECRETARY presiding. The following votes were passed.

SANITARY.

The GOVERNOR recommended the Council to vote a sum of Three hundred Dollars (\$300) in aid of vote Sanitary Department, Sanitary Staff, Other Charges, Cemeteries, Incidental Expenses.

PUBLIC WORKS.

The GOVERNOR recommended the Council to vote a sum of one hundred and four thousand and fifty dollars (\$104,050) in aid of the vote Public Works, Recurrent, and Public Works Extraordinary, for the following items:—

PUBLIC WORKS, RECURRENT.

Buildings.

1	Maintenance of Buildings	\$8,000
	<i>Communications.</i>	
4	Maintenance of Roads and Bridges in City.....	1,000
5	Maintenance of Roads and Bridges outside City.....	2,500
8	Maintenance of Telegraphs	4,500

Drainage.

10	Maintenance of Sewers, Nullahs, &c. ...	4,500
	<i>Lighting.</i>	
13	Gas Lighting, Kowloon.....	350
	<i>Miscellaneous.</i>	
16	Maintenance of Public Cemetery.....	400
19	Miscellaneous Services	1,000
20	Typhoon and Rainstorm Damages	66,800
	<i>Water Works.</i>	
23	Maintenance of Shaukiwan	250
25	Maintenance of Lai Chi Kok.....	400
	—————	\$89,700

PUBLIC WORKS, EXTRAORDINARY.

Drainage.

14	Training Nullahs.....	4,000
	<i>Miscellaneous.</i>	
22	Miscellaneous Works.....	7,000
	<i>Water Works.</i>	
29	Miscellaneous Water Works	550
	Insanitary Property Resumption.....	2,800
	—————	14,350

Total..... \$104,050

Hon. Mr. POLLOCK. — I would like some information about the insanitary property resumption, \$2,800.

The DIRECTOR OF PUBLIC WORKS.—That, Sir, is to enable the Mee Lun Lane to be completed.

Hon. Mr. POLLOCK.—I would also like to know where the nullahs are that have been trained?

The DIRECTOR OF PUBLIC WORKS.—One, Sir, is at Happy Valley, an extension of the nullah beyond the enclosure of the grandstand. Two others are in Wanchai, and the rest are in the section lying east of Albany nullah.

The CHAIRMAN—The particular causes of this excess, I think, are the draining of the swamp near the Military Hospital: the substitution of stone paving for concrete on Bowen Road; constructary inverts to nullahs and various miscellaneous works.

MEDICAL DEPARTMENT.

The GOVERNOR recommended the Council to vote a sum of Three hundred Dollars (\$300) in aid of the vote Medical Departments, B.—Hospitals and Asylums, Infectious Hospitals, Hospital Hulk "Hygeia," Other Charges, Provisions, &c.

The GOVERNOR recommended the Council to vote a sum of One thousand four hundred and eighty-two Dollars (\$1,482) in aid of the vote Medical Departments, B.—Hospitals and Asylums, Infectious Hospitals, Hospital Hulk "Hygeia," Other Charges, Provisions, &c.

The GOVERNOR recommended the Council to vote a sum of Four hundred and fifty-six Dollars (\$456) in aid of the vote Medical Departments, A.—Staff, Other Charges, Health Officer of Port, Repairs to Launch.

POLICE AND PRISON VOTES.

The GOVERNOR recommended the Council to vote a sum of Three hundred and forty-three Dollars (\$343) in aid of the vote Police and Prison Departments, A.—Police, Other Charges, Street Service.

The GOVERNOR recommended the Council to vote a sum of Two hundred and ninety Dollars (\$290) in aid of the vote Police and Prison Departments, B—Fire Brigade, Other Charges, Typhoon Damages.

The GOVERNOR recommended the Council to vote a sum of Twenty-five Dollars (\$25) in aid of the vote Police and Prison Departments, C.—Prison, Other Charges. Executioner's Fees, and Allowances for inflicting Corporal Punishment.

COMMUNICATIONS AND NEW ROADS.

The GOVERNOR recommended the Council to vote a sum of Four thousand one hundred and eighty-four Dollars (\$4,184) in aid of the vote Public Works, Extraordinary Communications, New Roads in New Territories.

BOTANICAL AND FORESTRY DEPARTMENT.

The GOVERNOR recommended the Council to vote a sum of One thousand Dollars (\$1,000) in aid of the vote Botanical and Forestry Department, Other Charges, Forestry in New Territories.

HARBOUR MASTER'S DEPARTMENT.

The GOVERNOR recommended the Council to vote a sum of Two hundred and eighty Dollars (\$280) in aid of the vote Harbour Master' Department, A. — Harbour Office, Other Charges, Electric Fans and Light.

CONVEYANCE AND TRANSPORT.

The GOVERNOR recommended the Council to vote a sum of One thousand one hundred Dollars (\$1,100) in aid of the vote Police and Prison Departments, A.—Police, Other Charges, for the following items:—

Conveyance of Police, Prisoners and	\$850
Transport.....	
Incidental Expenses	250
Total.....	<u>\$ 1,100</u>

COLONIAL SECRETARY'S DEPARTMENT.

The GOVERNOR recommended the Council to vote a sum of Five hundred Dollars (\$500) in aid of the vote Colonial Secretary's Department and Legislature, Other Charges, Incidental Expenses.