

23RD NOVEMBER, 1911.

PRESENT:—

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

HIS EXCELLENCY MAJOR-GENERAL C. A. ANDERSON, C.B. (GENERAL OFFICER COMMANDING THE TROOPS).

HON. MR. A. W. BREWIN, C.M.G. (Colonial Secretary).

HON. MR. C. G. ALABASTER (Attorney-General).

HON. MR. A. M. THOMSON (Colonial Treasurer).

HON. MR. W. CHATHAM, C.M.G. (Director of Public Works).

HON. MR. E. R. HALLIFAX (Registrar-General).

HON. CAPTAIN F. W. LYONS (Captain-Superintendent of Police).

HON. DR. HO KAI, M.B., C.M.G.

HON. MR. WEI YUK, C.M.G.

HON. MR. E. A. HEWETT.

HON. MR. C. H. ROSS.

HON. MR. E. OSBORNE.

MR. C. CLEMENTI (Clerk of Councils).

Minutes

The minutes of the previous meeting were read and approved.

Paper

THE COLONIAL SECRETARY, by command of His Excellency the Governor, laid on the table the report on the Census of the Colony for the year 1911.

Financial Minutes

THE COLONIAL SECRETARY, by command of His Excellency the Governor, laid on the table Financial Minutes No. 90 to 94, and moved that they be referred to the Finance Committee.

THE COLONIAL TREASURER seconded, and the motion was agreed to.

Financial

THE COLONIAL SECRETARY, by command of His Excellency the Governor, laid on the table the report of the Finance Committee (No. 19), and moved its adoption.

THE COLONIAL TREASURER seconded, and the motion was agreed to.

Standing Law Committee's Report

THE ATTORNEY-GENERAL laid on the table the report of the Standing Law Committee (No. 4) and explained that owing to the printers' strike he was unable to attach the Bill, but it would be published in the *Gazette* on Monday.

The Pounds Ordinance

THE ATTORNEY - GENERAL moved the First reading of a Bill entitled, "An Ordinance to make provision for impounding stray animals and for the disposal thereof."

THE COLONIAL SECRETARY seconded, and the Bill was read a first time.

The objects and reasons attached state that the law of the Colony as to impounding animals is very vague, and it has been considered desirable to bring into force an adaptation of certain provisions of the Town Police Clauses Act, 1847.

Stamp Further Amendment Ordinance.

THE ATTORNEY - GENERAL moved the first reading of a Bill entitled, "An Ordinance to amend the law relating to Stamps and Stamp Duty."

THE COLONIAL SECRETARY seconded, and the Bill was read a first time.

According to the objects and reasons Clause 2 repeals a section of Ordinance No. 16 of 1901, the substance of which is already contained in section 8 of Ordinance

No. 34 of 1911. Clause 3 corrects an error in the amount of duty chargeable on endorsements of Floating Policies and makes it clear that the duty is in substitution for any other duty. And Clause 4 introduces the provisions of section 103 (2) of the Stamp Act, 1891, into the statute book of the Colony.

Stamp Duties Management Amendment Ordinance.

THE ATTORNEY - GENERAL moved the first reading of a Bill entitled, "An Ordinance to amend the Stamp Duties Management Ordinance, 1911." In doing so he said—These amendments have been suggested by His Majesty's Secretary of State. The idea of the first one is to bring the first section more into line with the corresponding English Act. The second was too closely copied from the English Act, and a change was made by the substitution of the word "collector" for "officer."

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

The objects and reasons state that these amendments to the Principal Ordinance are introduced at the suggestion of His Majesty's Principal Secretary of State for the Colonies, who in a despatch dated the 6th October, 1911, expressed a desire that section 14 (1) should be slightly extended in its scope so as to more closely follow the model of the Imperial Act (54 and 55 Vict. c. 38 s. 17) and that the meaning of the words "the chief office or one of the head offices" in the second proviso to section 19 should be made more clear.

University Further Amendment Ordinance.

THE ATTORNEY - GENERAL moved the first reading of a Bill entitled, "An Ordinance to further amend the University Ordinance, 1911." In doing so he said— There are somewhat elaborate objects and reasons attached to this Bill, which have been printed. The principal idea is to prevent the curricula of the Hongkong University being modelled too closely on that of London University. It is also desired to make the position of Chancellor quite clear. All these amendments were suggested by the Board of Education.

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

The objects and reasons state that the Secretary of State has expressed a desire that the University Ordinances of 1911 should be amended in the light of certain criticisms which have been passed on them by the Board of Education, and has meantime refrained from tendering any advice to His Majesty in respect of the said Ordinances. The Board of Education are desirous that the employment of the University of London Examiners in collaboration with the members of the teaching staff of the Hongkong University should not imply that the degrees of the Hongkong University will be given on the same examination papers as those which are set to the external students of the University of London, as, if this were done, the syllabuses of the London external examinations would simply become the curricula of the Hongkong University and all freedom and initiative on the part of the latter institution would be destroyed. They suggest therefore that the Hongkong curricula should be worked out by the Hongkong University and that the London University should be asked to accept the curricula as broadly equivalent to that required for a London degree. The University of London should then, they think, be requested to appoint one of their own examiners in each subject to act as the external examiners for the Hongkong examinations with the power of veto over the passing of any candidate who does not reach the standard required of a London student, and with instructions to assure themselves that the standard of the examination both in the separate subjects and collectively is the same as that for a London degree in the particular Faculty concerned. The external examiners would make reports accordingly both to the University of Hongkong and to the University of London, but the examination papers should all be read and marked in the first instance by members of the Hongkong teaching staff, the papers thus marked being then sent with the report to the London Examiners. The Board of Education also think that it is important that the Hongkong University should have the power to set up a printing press and publish books if it desires. They consider that section 4 (7) of the Principal Ordinance gives the University the power of examining and inspecting schools independently of the

Government, and suggest that the sub-section should be modified with a view to safeguarding the position of the Education Department of the Colony in this respect, though they see no reason why the Government should not employ such University Professors and Lecturers as they think desirable for the purpose of inspecting and examining schools. The Board consider that it is of great importance that the position of the Vice-Chancellor should be placed beyond all reasonable doubt, and suggest the addition of a clause to the effect that the Vice-Chancellor is the chief administrative officer of the University and shall have such powers and duties as the Council shall assign to him. The Board of Education have also suggested the modification of the Statutes of the University, which is effected by this Bill, in order to avoid a possible cause of friction between the Council and the Senate.

Merchant Shipping Amendment Ordinance

THE ATTORNEY-GENERAL moved that the Committee stage be resumed on the Bill entitled, "An Ordinance to amend the Merchant Shipping Amendment Ordinance, 1899, and certain Ordinances amending the same."

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

THE ATTORNEY-GENERAL — Clause 4 was left in Committee in order that I might have an opportunity of discussing certain points with the Harbour Master.

The amendments made were approved, and Council resumed.

THE ATTORNEY-GENERAL then moved the third reading of the Bill.

THE COLONIAL SECRETARY seconded, and the Bill was read a third time and passed.

Law Revision Ordinance

THE ATTORNEY-GENERAL moved that Council go into Committee on the Bill entitled, "An Ordinance for further promoting the Revision of the Law by repealing certain parts

of enactments which have ceased to be in force or have become unnecessary."

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

The Bill was considered in Committee, when a number of amendments were approved.

On Council resuming,

THE ATTORNEY-GENERAL reported that the Bill had passed through Committee with slight amendment, and moved that it be read a third time. In doing so he said — This Ordinance, as members will notice, is not complete. As I previously stated, it only goes down to the sixties, but there is not enough type in the hands of the Government Printers to keep the Bill standing, so it has been suggested that it would be better to pass the Bill, break up the type and add to the schedules by amending Bills.

THE COLONIAL SECRETARY seconded, and the Bill was read a third time and passed.

Law Amendment Ordinance

THE ATTORNEY-GENERAL moved that Council go into Committee on the Bill entitled, "An Ordinance for further promoting the Revision of the Law by amending certain errors contained in, as well as the language used in, the Ordinances now in force.

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

On Council resuming,

THE ATTORNEY-GENERAL reported that the Bill had passed through Committee with slight amendment, and moved that it be read a third time.

THE COLONIAL SECRETARY seconded, and the Bill was read a third time and passed.

General Revision Ordinance

THE ATTORNEY-GENERAL moved that Council go into Committee on the Bill entitled, "An Ordinance for promoting the General Revision of the Law by repealing

certain enactments which have ceased to be in force or have become unnecessary, by amending certain other enactments which stand in urgent need thereof, and by incorporating certain amending Ordinances in their respective principal Ordinances.

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

On Council resuming,

THE ATTORNEY-GENERAL reported that the Bill had passed through Committee with slight amendment, and moved that it be read a third time.

THE COLONIAL SECRETARY seconded, and the Bill was read a third time and passed.

Chinese Partnerships Ordinance

THE ATTORNEY-GENERAL moved that Council go into Committee to consider the report of the Sub-Committee on this Bill entitled, "An Ordinance to establish Registered Partnerships and to give effect to certain Chinese Partnership Customs."

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

THE ATTORNEY-GENERAL — The Sub-Committee reported on this Bill, their report was published, and subsequently a number of suggestions were made. The Sub-Committee is now *functus officio*, but its members had a meeting and agreed to certain additions to the Bill. With these additions the Bill has been republished in the *Gazette* for general information.

Council then resumed.

His EXCELLENCY—Council will adjourn till Thursday next.

FINANCE COMMITTEE.

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

Sanitary Department

The Governor recommended the Council to

vote a sum of One thousand five hundred and fifty Dollars (\$1,550) in aid of the vote Sanitary Department, Other Charges, Sanitary Staff for the following two items:—

Disinfectors	\$ 300
Uniform for Staff.....	1,250
Total,.....	\$1,550

Typhoon Refuge

The Governor recommended the Council to vote a sum of Twenty-five thousand Dollars (\$25,000) in aid of the vote Public Works, Extraordinary, Miscellaneous, Typhoon Refuge, Mongkoktsui.

HON. MR. OSBORNE—What is this for?

THE DIRECTOR OF PUBLIC WORKS—The typhoon refuge.

HON. MR. OSBORNE—Additional?

THE DIRECTOR OF PUBLIC WORKS—In addition to the sum appearing in the estimates.

THE CHAIRMAN — That means more progress.

HON. MR. OSBORNE—You can spend as much more as you like, Sir.

Rainstorm Damages

The Governor recommended the Council to vote a sum of three thousand Dollars (\$3,000) in aid of the vote Public Works, Recurrent, Miscellaneous, Typhoon and Rainstorm Damages.

Nullah Training

The Governor recommended the Council to vote a sum of Four hundred Dollars (\$400) in aid of the vote Public Works, Extraordinary, Training Nullahs.

Local Trade Directory

The Governor recommended the Council to vote a sum of Five hundred Dollars (\$500) in aid of the vote Miscellaneous Services, Compilation of Local Trade Directory.