

17TH APRIL, 1913.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR, SIR F. H. MAY,
K.C.M.G.

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

HON. MR. J. A. S. BUCKNILL, K.C. (Attorney-
General).

HON. MR. A. G. M. FLETCHER (Colonial
Treasurer).

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

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

HON. MR. C. McI. MESSER (Captain
Superintendent of Police).

HON. SIR. KAI HO KAI, M.D., C.M.G.

HON. MR. E. A. HEWETT, C.M.G.

HON. MR. WEI YUK.

HON. MR. C. MONTAGUE EDE.

HON. MR. C. H. ROSS.

HON. MR. E. SHELLIM.

MR. R. H. CROFTON (Clerk of Councils).

Minutes

The minutes of the previous meeting were
approved.

Financial Minutes

THE COLONIAL SECRETARY, by command of
His Excellency the Governor, laid on the table
Financial Minutes Nos. 19 to 21, and moved that they
be referred to the Finance Committee.

Financial

THE COLONIAL SECRETARY, by command of
H.E. the Governor, laid on the table the Report of the
Finance Committee, No. 3, and moved that it be
adopted.

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

Kowloon-Canton Railway

THE COLONIAL SECRETARY moved the
following resolution:—

It is hereby resolved that a sum of Dollars Four
hundred and thirty thousand and sixty-eight and
cents thirty (\$430,068.30) be advanced out of
funds in the custody of the Government for the
construction of the Kowloon-Canton Railway
(British Section) during the year 1913.

In doing so he said—This resolution has been
discussed by the Finance Committee and it is
unanimously recommended.

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

**The General Loan and Inscribed Stock
Ordinance**

THE ATTORNEY-GENERAL moved the second
reading of a Bill entitled, "An Ordinance to declare
the terms and conditions applicable to loans
authorised to be raised by the Government of
Hongkong and to provide for the creation of
Hongkong Inscribed Stock." In doing so he said—Sir,
the Bill is a very long one, but as a matter of fact the
details are all purely formal. The form of the Bill was
forwarded to this Colony, and it is put before the
Legislative Council in the form in which it was sent,
by the Secretary of State; but perhaps in moving the
second reading I should point out the reason why it is
necessary to pass this Bill. Under the law as it existed,
there was a fairly comprehensive Ordinance, No. 1 of
1893, dealing with the issue of loans by means of
inscribed stock and until the passage of another
Ordinance, No. 12 of 1905, every loan proposed to be
raised other than by way of inscribed stock had to be
the subject of a special Ordinance, of which, Sir, there
are plenty of examples, in the Statute Book, one

of which is No. 6 of 1886. Under the law of No. 12 of 1905 and of No. 1 of 1893 the provisions dealing with inscribed stock were very obscurely applied to the general issue of loans by way of debentures, and it was pointed out by the Secretary of State that it would be far better, instead of the law as it existed at present, to have one comprehensive Ordinance dealing with the issue of loans by way of debentures and also with the issue of loans by way of inscribed stock, and to introduce into such an Ordinance an elasticity, which does not exist at present, by which the conversion from one form of loan into another could easily be arranged. The consequence of that proposal is the present Bill. The first half of the Bill, roughly, deals with the issue of loans by way of debentures, whilst the second half deals with the issue of loans by way of inscribed stock. In both parts are arrangements for mutual conversion, and in both parts are proper provisions and safeguards for the payment of the monies due, the amortisation of loans and the necessary sinking funds.

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

Council then went into Committee to consider the Bill clause by clause.

On Council resuming,

THE ATTORNEY-GENERAL reported that the Bill had passed through Committee without amendments, and moved that it be read a third time.

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

The Railway Loan Ordinance

THE ATTORNEY-GENERAL moved the second reading of a Bill entitled, "An Ordinance to make provision for raising a loan of two hundred and fifty thousand pounds sterling for the purposes of Railway Construction." In doing so he said—It is unnecessary for me to say anything much about this Bill. The actual form is the form which was sent out by the Secretary of State. The objects to which the sum of money is to be devoted are set out in the schedule.

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

Council then went into Committee to consider the Bill clause by clause.

On Council resuming,

THE ATTORNEY-GENERAL reported that the Bill had passed through Committee without amendments, and moved that it be read a third time.

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

Offences Against the Person (Amendment) Ordinance

THE ATTORNEY-GENERAL moved the second reading of a Bill entitled, "An Ordinance to amend the Offences against the Person Ordinance, 1865." In doing so he said—I do not think, Sir, I can give any more simple account of what this Bill is intended to effect than I have already given in the objects and reasons. The language of the Bill is, with some trifling exceptions, modified to suit local circumstances, taken from Section 12 of the Children's Act of 1908. The English Act is usually known as the Children's Charter. It contains many other matters besides this one particular matter which it is proposed to insert by means of this Ordinance in the law of this Colony. There are one or two small amendments which I propose to make when the Bill goes into Committee, but I do not think they affect the principle of the Bill.

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

Council then went into Committee to consider the Bill clause by clause.

On clause 2,

SIR KAI HO KAI took exception to the word "assault" in the fourth line, and suggested that it should be qualified in the interests of parents and others who had care of children.

THE COLONIAL SECRETARY pointed out that the Magistrate would learn all the circumstances before passing a conviction. No one was likely to consider a corrective castigation in the nature of an assault which occasioned unnecessary suffering.

THE ATTORNEY-GENERAL said the hon. member would at once see that that was substituted for what was called at home the poor law. If a person in England was charged with cruelly illtreating a child and he was able to show that he had done what he could to get relief from the poor law guardians or a poor law institute, it was perfectly easy for him to avoid punishment. Here, if a man was charged with criminal neglect, if he wished to avoid being punished, all he had to do was to prove to the magistrate that he had endeavoured to obtain relief from some institution. If such an institution was full, they could not help it.

SIR KAI HO KAI—Where is your poor law here, or an institution that will take care of these children?

THE ATTORNEY-GENERAL — There is no question of taking care of children here. In order that a person shall avoid being punished, he has to show the magistrate that he has done what he could to get relief for his child.

SIR KAI HO KAI said that would mean men going about begging.

THE ATTORNEY-GENERAL — That is better than allowing the child to starve.

SIR KAI HO KAI — No, I think that the Government, before passing a law of this kind, should have poor laws or an institution to take care of these starving children. What is the good of making such a law when you have no means of relieving the sufferings of the people?

THE ATTORNEY-GENERAL said the hon. member misunderstood the objects of the Bill. The clause was simply to enable a man who was charged with neglect to avoid punishment by showing that he had taken whatever steps he could to prevent the cruelty. It had nothing to do with the establishment of institutions, and it held out no hope of the establishment of them.

SIR KAI HO KAI said it would have been easy to say that the man should prove he had no means to provide for the child.

THE ATTORNEY-GENERAL—We want to go a step further than that.

HIS EXCELLENCY — There are private institutions, as, for instance, the Blindenheim or Asylum for Blind Children. In the case of a blind child a person charged under this Ordinance could show that he had taken steps to procure the admission of the child into this Institution.

The clause was eventually approved.

On Council resuming,

THE ATTORNEY-GENERAL reported that the Bill had passed through Committee without amendments, and moved that it be read a third time.

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

HIS EXCELLENCY—Council stands adjourned *sine die*.

FINANCE COMMITTEE.

A meeting of the Finance Committee was held afterwards—the Colonial Secretary presiding. The following votes were passed:—

Secret Service

The Governor recommended the Council to vote a sum of ten thousand dollars (\$10,000) in aid of the vote Harbour Master's Department, C.—Imports and Exports Office, Other Charges, Secret Service.

New Instruments for the Observatory

The Governor recommended the Council to vote a sum of one thousand three hundred and fifty-eight dollars (\$1,358) in aid of the vote Royal Observatory, Special Expenditure, New Instruments.

Relief of Destitutes

The Governor recommended the Council to vote a sum of one thousand dollars (\$1,000) in aid of the vote Charitable Services, Passages and Relief of Destitutes.
