

12TH JUNE, 1913.

PRESENT:—

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

H.E. MAJOR-GENERAL C. A. ANDERSON, C.B.

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, C.M.G.

HON. MR. C. MONTAGUE EDE.

HON. MR. D. LANDALE.

HON. MR. E. SHELLIM.

MR. C. CLEMENTI (Clerk of Councils).

Minutes

The minutes of the previous meeting were
approved.

Financial Minutes

THE COLONIAL SECRETARY, by command of
H.E. the Governor, laid on the table Financial Minutes
Nos. 28 to 30, 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
H.E. the Governor, laid on the table the Report of the
Finance Committee, No. 5, and moved that it be
adopted.

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

Public Works Committee

THE DIRECTOR OF PUBLIC WORKS, by
command of H.E. the Governor, laid on the table the
Report of the Public Works Committee, No. 2 of
1913.

Papers

THE COLONIAL SECRETARY, by command of
H.E. the Governor, laid on the table the Report of the
Superintendent of Prison for the year 1912, Report on
the Post Office Department, Report on the Kowloon-
Canton Railway (British section), Report on the
Finances for the year 1912, Report of the Registrar of
the Supreme Court for the year 1912, Report of the
Land Officer for the year 1912, Report of the Director
of the Royal Observatory, Hongkong, for the year
1912.

New Members of Committee

HIS EXCELLENCY—Owing to the changes in
the *personnel* of the Council it has been found
necessary to make the following appointments: The
Hon. Mr. Ede to be a member of the Law Committee
temporarily in place of the Hon. Mr. Pollock, Hon.
Mr. Shellim to be a member of the Public Works
Committee in place of the Hon. Mr. Osborne, and the
Hon. Mr. Landale to be a member of the Public
Works Committee in place of the Hon. Mr. Ross.

Resolution Under the Opium Ordinance

THE COLONIAL SECRETARY—I beg to move
the resolution standing in my name.

The resolution was in the following terms:—

Whereas by the provisions of Section 3 of the
Opium Ordinance, 1909, as amended by Section 2 of
the Opium Amendment Ordinance, 1911, it was
provided *inter alia* as follows:—

"No person shall import, or aid or abet the importation of any Raw Opium into the Colony or into the waters thereof, if such importation shall have been notified in the *Government Gazette* in pursuance of any resolution of the Legislative Council as being illegal."

And whereas by a Resolution dated the 31st August, 1911, and made by the Legislative Council in pursuance of the provisions of Section 3 of the Opium Ordinance, 1909, as amended by Section 2 of the Opium Amendment Ordinance, 1911, it was *inter alia* resolved that a notification should be made in the next issue of the *Government Gazette* that the importation of any kind of Raw Indian Opium, except opium covered by Export Permits from the Government of India to the effect that such opium had been declared for shipment to or consumption in China, should be illegal:

And whereas the said notification was duly published in the *Government Gazette* of the 1st September, 1911, under Government notification No. 259:

And whereas it is desirable to amend the same in certain respects:

Now it is hereby resolved that a notification shall be made in the next issue of the *Government Gazette* that the above recited resolution and notification shall not apply to the transshipment in Hongkong of Raw Indian Opium exported from India on a through Bill of Lading to the Island of Formosa.

THE ATTORNEY-GENERAL seconded, and the resolution was carried.

Deportation Ordinance

THE ATTORNEY-GENERAL moved the second reading of a Bill entitled, "An Ordinance to amend the Deportation Ordinances, 1912." In doing so he said—Sir, the object of this Ordinance is explained very fully in the objects and reasons which are attached to it. There is nothing radically new in the provisions of this Bill, and there is nothing really which introduces any new principle. The whole purport of the Bill beyond a slight re-arrangement of some clauses is to give some little more latitude in dealing with the arrangements under which persons who are detained under detention warrants may be examined for the purpose of ascertaining whether they are persons who ought to be banished or not. The first section of the Bill which is really effective is section 2, and that

deals with the re-arrangement of the old sections, 3, 4, and 5 of the Deportation Ordinance of 1912. The second operative section is really No. 5, and that section slightly adds to the ease of procedure under which persons who have been deported from other Colonies or protected States can be deported from this place. The rather lengthy section 6 of the Bill is simply formal, and is designed to make the alterations in the schedule of the old Ordinance which are necessitated by the slight alteration of procedure which takes place under the provisions of section 2. I do not think that it is necessary for me to go into any details of the Bill, because, as I said before, it is very fully explained in the objects and reasons. I beg to move the second reading.

HIS EXCELLENCY—I think there is some alteration in Section 2, new Section 5.

THE ATTORNEY-GENERAL—Yes: there is another point which perhaps I should have mentioned, that is sub-section 5 of Section 2, which introduces a slight alteration with regard to the conditions under which, when there is an issue of a proclamation under the Peace Preservation Ordinance, a person may be deported. Under the old peace Preservation Ordinance it was possible to deport persons on certain grounds, those grounds being when it was deemed necessary for the public safety. In the present Bill these conditions are slightly altered, and now under the present Bill it is possible to deport under such circumstances persons when it is considered desirable for public safety or the peace and good order of the Colony. That is a slight alteration to which I should have drawn attention.

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

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 amendment, and moved that it be read a third time.

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

Supplementary Estimates

THE COLONIAL SECRETARY moved the second reading of a Bill entitled, "An Ordinance to authorize the Appropriation of a Supplementary sum of thirty thousand six hundred and nine dollars and fifty-seven cents, to defray the charges of the year 1912." In doing so he said—I propose to have this Bill referred to the Finance Committee, when questions connected with it can be asked and answered.

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

The Bill was then referred to the Finance Committee.

Foreign Silver and Nickel Coin Ordinance

THE COLONIAL SECRETARY moved the second reading of a Bill entitled, "An Ordinance to prohibit the importation and circulation of certain foreign coins." In doing so he said—I take the opportunity of correcting an error which I made on the occasion of the first reading. I then said that the policy of the Government in reducing coins had had up to date no result whatever. As a matter of fact, there was on examination found to be a slight increase in the average value, but such increase is, however, so slight as not to make any difference to the consideration of the Bill before us. Representations have been made during the last fortnight to the Government on the subject of the importation of foreign coin, and the Government has consented to make concessions to the extent of adding in committee two provisions already embodied in subsections 2 and 3 of section 3 of the Copper Coinage Ordinance, 1912, whereby foreign silver coin will be permitted to be imported under licence. I may add with regard to the condition of these licences that care will be taken that they are sufficiently strict to prevent any possible temptation to put coin so imported into circulation in the Colony. I may point out in passing that the subject of gold coin has been mentioned, but no provision will be made to prevent the importation or circulation of foreign gold coin, as there is no necessity to interfere with such. As regards the date of coming into operation, the Government is quite prepared to accept a date, say, the 1st of March, which will fully cover next China New Year. Any other matters that may arise, or that members may have some misgivings about, will, I think, be better discussed in committee, and I may say it is not proposed to take that stage to-day.

THE COLONIAL TREASURER seconded, and the Bill was read a second time.

Foreign Notes (Prohibition of Circulation) Ordinance

THE COLONIAL SECRETARY moved the second reading of a Bill entitled, "An Ordinance to prohibit the circulation of foreign notes." In doing so he said—I may state with regard to this matter that there have been certain misapprehensions and some representations have reached the Government on the subject of this Bill. Therefore, I will take the opportunity of pointing out that there are no restrictions whatever on the importation of foreign notes. These, however, when they arrive in the Colony should be only dealt with as part of exchange business. They should not be dealt with as currency. An instance was pointed out to me whereby a merchant may receive foreign notes in the way of business done outside the Colony, and that he may possibly pay out such foreign notes in the Colony in payment of debts, say, on account of bills of exchange or other notes tendered to him. I should fancy that the latter payment would be against the principles of the Bill, and that it should not be permitted. Foreign notes coming into the Colony are dealt with only as a matter of exchange business. There being no restriction on the importation of notes, the question of a globe-trotter bringing gold notes or green-backs into the Colony does not arise.

THE COLONIAL TREASURER seconded, and the Bill was read a second time.

Rope Company's Tramway (Revival) Ordinance

THE ATTORNEY-GENERAL moved the second reading of a Bill entitled, "An Ordinance to revive the Rope Company's Tramway Ordinance, 1901." In doing so he said—Hon. members will observe that under the Ordinance referred to, No. 31 of 1901, the Hongkong Rope Manufacturing Company, Limited, is given certain powers to construct and make a short tramway for the purpose of carrying goods for a small distance. By an oversight, discovered during the revision of the laws, the period for which these rights were granted was

allowed to expire on the 15th December, 1911, and was not renewed as it might have been under the Ordinance. The rights and privileges have been continued in fact, and it is desired under this Ordinance to continue them in law also. The object, therefore, of the Ordinance is simply to keep the rights alive, and then an opportunity will be given of taking ordinary steps under the old Ordinance of keeping the rights further alive for such time as the Governor-in-Council may think fit.

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

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 amendment, and moved the third reading.

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

HIS EXCELLENCY—Council stands adjourned until this day week.

FINANCE COMMITTEE.

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

Public Playground

The Governor recommended the Council to vote a sum of \$2,300 in aid of the vote Public Works, Extraordinary, Hongkong, Miscellaneous, Levelling portion of West End Park to form playground.

Praya Wall and Piers Repair

The Governor recommended the Council to vote a sum of \$2,650 in aid of the vote Public Works, Recurrent, Hongkong, Miscellaneous, Maintenance of Praya Wall and Piers.

Supplementary Estimates

The Supplementary Appropriation Bill was considered in committee.

HON. MR. HEWETT — With regard to Miscellaneous Services there is an increase of \$12,000, and I see that this sum is made up of practically three items: Miscellaneous Papers show an increase of \$4,500, Ordinances and Regulations of nearly \$2,000, and the Revised edition of the

Ordinances of \$6,724.22. I would like to know something about those increases. Let us take them seriatim: Miscellaneous Papers, \$4,500. That is a big increase, fifty per cent. over the estimates. Surely the stationary department, whoever they are, ought to be able to estimate figures closer than that.

THE CHAIRMAN—There was a revised edition of the Street Index. As a matter of fact you will find that \$15,317 has been previously voted.

HON. MR. HEWETT—We ought to be given some explanation about that increase. It is excessive, and there ought to have been a closer estimate in the first place when the original estimates were framed. With regard to the amount for the Revised Edition of the Ordinances, \$6,724, I should like to know where that comes in. Is that the amount paid to Sir Francis Piggott for revising the Ordinances which, we understand, have already become obsolete? I think some explanation is due.

THE CHAIRMAN—I think an explanation was given to the Council on the occasion of the vote being taken.

HON. MR. HEWETT—I was not here when the vote was taken. It seems to me that the amount paid for the Revised Ordinances is excessive, and we are still called upon to pay \$7,000 more, and I understand we have not come to an end yet.

THE CHAIRMAN—It was voted last year. This is purely a formal transaction to satisfy the auditor.

HON. MR. HEWETT—Money has been wasted in bringing out an edition of the Ordinances which has now become obsolete, and has had to be revised. We have thrown away all this money. I was not here last autumn or I would have said what I am saying now. We have been called upon to bring out Revised Ordinances before the printers' ink was dry on the old edition, which is now waste paper. I feel very strongly on the subject, and I will state here, as I stated privately, that I consider it a gross waste of public money. I said the whole system was wrong, and it has proved to be a failure. I must put it on record that I protest against this waste of public money. I have nothing more to say.

THE CHAIRMAN—If there are no further remarks, I take it that we may recommend the Bill to be passed.

This was agreed to.