

VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL OF HONGKONG.

No. 15 OF 1873.

WEDNESDAY, 9TH JULY, 1873.

PRESENT:

His Excellency the Governor SIR ARTHUR EDWARD KENNEDY, K.C.M.G., C.B.

The Honorable the Chief Justice (JOHN SMALE).

The Honorable the Acting Colonial Secretary (CECIL CLEMENTI SMITH).

The Honorable the Attorney General (JULIAN PAUNCEFOTE).

The Honorable PHINEAS RYRIE.

The Honorable RICHARD ROWETT.

The Honorable WILLIAM HASTINGS ALEXANDER.

The Honorable JAMES WHITTALL.

ABSENT:

The Honorable the Acting Treasurer (CHARLES MAY), absent on duty.

The Honorable HENRY JOHN BALL, absent on leave.

The Council meets this day at 2.30 P.M., pursuant to adjournment.

The Minutes of the Council held on the 2nd July, are read and confirmed.

The Honorable the Chief Justice presents the Bill *for the Relief of Trustees and Executors*, as amended by the Special Committee; and the same having been received,—

The Council goes into Committee upon the Clauses of the Bill,—which are explained by the Honorable the Attorney General.

The amendments proposed by the Special Committee are agreed to; and certain alterations and additions having been made in Sections 6, 7, and 8, the Bill, as amended, is adopted by the Council and passed,—bearing the Title of "*An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to extend to this Colony some of the Provisions of certain Acts of the Imperial Parliament for the Relief of Trustees and Executors*,"—being "No. 7 of 1873."

The Council having resolved itself into Committee, resumes consideration of the Bill *respecting the Carriage and Deposit of Dangerous Goods*.

Sections 4 and 14, as amended at the last Meeting, are discussed and agreed to.

At the suggestion of the Honorable the Attorney General, Paragraph 4 of Section 11 is amended, by excepting Nitro-Glycerine among goods which may in certain small quantities be kept without a License; and a new Section is introduced (to stand as Section 19), providing for the prosecution of offences against Section 14.

Several other alterations are agreed to, and the Bill is reported with amendment.

The Council adopts the amendments made in Committee, and the Bill, as amended, is passed,—bearing the Title of "*An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, for the Amendment of the Law with respect to the Carriage and Deposit of Dangerous Goods,*"—being "No. 8 of 1873."

His Excellency lays on the Table the three Bills which were read a first time at the last Meeting; namely:—to amend the Constitution and Procedure of the Supreme Court, and to abolish the Court of Summary Jurisdiction.

The reform contemplated by these Bills is discussed and approved.

In the course of discussion, the Honorable RICHARD ROWETT gives notice that at the next Meeting of the Council he will bring forward a Motion to the effect, that measures should be adopted by the Government to allow Clients to consult Barristers, without the intervention of Attornies, in all cases except those in which litigation in the Supreme Court has been actually commenced.

The Bills on the Table are then read a second time; namely:—

- (1). A Bill *to amend the Constitution of the Supreme Court of Judicature of the Colony.*
- (2). A Bill *to simplify and assimilate the Procedure and Practice of the Supreme Court in its Common Law and Equity Jurisdictions, and to amend and consolidate the Provisions of the Law relating thereto.*
- (3). A Bill *to abolish the Court of Summary Jurisdiction, and to confer upon the Supreme Court a Summary Jurisdiction at Law, and in Equity.*

His Excellency then moves that these Bills be referred for examination and report to a Special Committee of the Council, to be composed of the Chief Justice, the Attorney General, and Mr. ALEXANDER.

Motion agreed to, and Bills referred accordingly.

It is resolved, that the Code of Civil Procedure be not published in the *Gazette*.

His Excellency adjourns the Council at half-past 4 o'clock.

A. E. KENNEDY,
Governor.

Read and confirmed, this 19th Day of August, 1873.

L. D'ALMADA E CASTRO,
Clerk of Councils.