

8TH DECEMBER, 1897.

PRESENT:—

HIS EXCELLENCY the GOVERNOR, Sir WILLIAM ROBINSON, G.C.M.G.

Hon. J. H. STEWART LOCKHART (Colonial Secretary).

Hon. W. M. GOODMAN (Attorney-General).

Hon. R. MURRAY RUMSEY (Harbour Master).

Hon. F. H. MAY, C.M.G. (Captain Superintendent of Police).

Hon. T. SERCOMBE SMITH (Colonial Treasurer).

Hon. R. D. ORMSBY (Director of Public Works).

Hon. C. P. CHATER, C.M.G.

Hon. HO KAI.

Hon. T. H. WHITEHEAD.

Hon. WEI A. YUK.

Mr. J. G. T. BUCKLE (Clerk of Councils).

MINUTES.

The minutes of the previous meeting were read and confirmed.

THE GENERALS ABSENCE.

HIS EXCELLENCY the GOVERNOR explained that H.E. Major-General Black was unable to attend the meeting owing to official duties.

FINANCE.

Financial minutes Nos. 26, 27, and 28 were referred to the Finance Committee, and the Finance Committee's report (No. 11) was adopted.

REPEAL OF SANITARY BY-LAWS.

The ATTORNEY-GENERAL moved:—"That this Council approves of the repeal by the Sanitary Board of the Bye-laws made by such Board, under section 13 of Ordinance 15 of 894,

on the 19th and 28th days of March, 1895, which were approved by this Council on the 20th day of March, and the 4th day of April, 1895, respectively, and were published in the *Gazette* by Government Notifications Nos. 111 and 134 of 1895. Such repeal to have effect as regards all such Bye-laws except No. 4 as from the 22nd May, 1897, and, as regards No. 4, as from the 13th day of November, 1897, on which dates respectively new Bye-laws were published in the *Gazette*."

The COLONIAL SECRETARY seconded.

Carried.

THE NEW PUBLIC OFFICES.

Hon. T. H. WHITEHEAD—I beg to give notice that at the next meeting of Council I will ask the following question:—Will the Government lay upon the table a copy of the correspondence which has passed between the home authorities and the Colonial Government in connection with the proposed new Public Offices subsequent to that already published?

WIDOWS' AND ORPHANS' PENSIONS
ORDINANCE.

The ATTORNEY-GENERAL—I beg to move the second reading of a Bill to amend the Widows' and Orphans' Pensions Ordinance, 1890. Of course when an elaborate Ordinance like that of 1890 is passed, providing a scheme of pensions, the desirability will be shown of making small amendments from time to time, and this Bill makes two amendments which the Secretary of State has desired should be made. At the same time, by section 2, it makes the effect of the repealing Ordinance, 12 of 1896, clear.

The COLONIAL SECRETARY seconded.

Carried.

Council went into Committee on the Bill.

Bill passed through Committee, read a third time, and passed.

SMALL TENEMENTS RECOVERY ORDINANCE.

The ATTORNEY-GENERAL—I beg to move the second reading of a Bill entitled an Ordinance to facilitate the recovery of possession of small tenements. I think my somewhat lengthy minute explaining the objects and reasons has been circulated to all the members, and one great advantage of such minutes is that it simplifies very much the duties of the mover of the second reading of the Bill. It seems that an Act similar to this is in force in England which enables the speedy recovery of tenements under £20 value. The necessity for that is obvious, as the tenant of property of that description has limited means and a landlord who endeavours to recover possession, when such property is wrongfully held over, has to pay a lawyer and if judgment goes in his favour, and the tenant has not any money, the difficulty is in getting repaid any costs. In this colony sometimes a large number of coolies encroach on a piece of land held by some one under a Crown Lease, in a rural district, and erect matsheds there, and when it is pointed out that they have no right to be there they refuse to go. The labour of ejecting say 120 of them is by legal proceedings very great and the cost enormous, and if a suitor is successful he would not be able to get any money. Some little time ago, when another gentleman was acting as Attorney-General, he gave it as his opinion that the law on the subject in force in England was not in force in Hongkong. Therefore, to prevent any difficulties I have drawn this Ordinance mainly upon the lines of that Act, with such alterations as the circumstances of the colony require. I do not think any hardship will be entailed in passing this Ordinance, because the execution of a warrant can be stayed if the defendant is willing to give a bond to sue the complainant, and the wrongful obtaining of a warrant is made a trespass, as in England.

The COLONIAL SECRETARY seconded.

Bill read the second time.

Bill passed through Committee, read a third time, and passed.

ADJOURNMENT.

The Council then adjourned until Monday, 20th December.

FINANCE COMMITTEE.

A meeting of the Finance Committee was then held. Hon. J. H. Stewart Lockhart (Colonial Secretary) presided, and all the members were present.

MINUTES.

The minutes of the previous meeting were read and confirmed.

WATER FOR MARKETS.

The first minute was one in which the Governor

recommends the Council to vote \$401.41 in aid of the vote "Water for Markets, &c.," Sanitary Department.

Hon. C. P. CHATER—I suppose this is one of the items referred to by my hon. friend (Hon. T. H. Whitehead) in the Budget?

The CHAIRMAN—The question of water for markets is now under the consideration of the Government. The Director of Public Works has addressed a memorandum to the Governor on the subject, but I understand that it is the intention of the Governor to treat this item as was suggested. If there is any departure from that intention the Council will be informed.

Item recommended.

THE COST OF THE JUBILEE CELEBRATION.

The second item was one in which the Governor recommends the Council to vote \$13,451.72 to meet the expenses in connection with the Jubilee celebrations, &c.

The CHAIRMAN—This item also includes the cost of the transport of the Jubilee contingent which represented Hongkong on the occasion of the Jubilee at home. The passages and travelling expenses amounted to \$7,561.25.

Hon. C. P. CHATER—I thought the expenses were going to be defrayed by the Imperial Government.

Hon. Ho. KAI—Only the passages were to be paid by this Government.

Hon. C. P. CHATER—I understood the expenses in England would be defrayed by the Imperial Government.

The CHAIRMAN—The item for expenses incurred by the Police in England amounted to \$77.21.

Hon. C. P. CHATER—Oh, that's a small sum.

The CHAIRMAN—That item must refer to something not included in the expenditure defrayed by the Home Government. The illuminations cost \$4,294.57; other miscellaneous expenses amount to \$1,595.90.

Hon. T. H. WHITEHEAD—Will $17\frac{1}{2}$ per cent. for military contribution be charged in respect of this \$13,000?

The CHAIRMAN—It is not a question of revenue; this is expenditure.

Hon. T. H. WHITEHEAD—Yes, but before we pass this expenditure there must be revenue to pay for it. Will $17\frac{1}{2}$ per cent. be charged on that?

The CHAIRMAN—The $17\frac{1}{2}$ per cent. will be charged on the total revenue of the colony, less land sales.

Hon. C. P. CHATER—I think His Excellence informed us that he endeavoured to get the Secretary of State to do away with the levy on this item and also on the Jubilee fund, but the Secretary of State could not see his way to do it.

The CHAIRMAN—The Council were informed of that.

The ATTORNEY-GENERAL—This item would not increase or diminish the revenue in any way.

The CHAIRMAN—As the senior unofficial member has stated, the Governor did apply to the Home Government to be allowed not to charge $17\frac{1}{2}$ per cent. on the money expended in connection with the celebration of the Jubilee, but that was not sanctioned.

Item recommended.

NEW CADETS.

The last item was one in which the Governor recommends the Council to vote \$275, being the salaries for two new cadets for the months of November and December, 1897.

The CHAIRMAN—A despatch has been received from the Secretary of State informing His Excellency the Governor that Messrs. Messer and Hallifax, who were successful candidates in the competition for cadetships, have been appointed cadets for Hongkong. They were to leave England on the 19th November, so they will be here next month. It is therefore necessary to take this vote.

Item recommended.

ADJOURNMENT.

The Committee then adjourned.
