

16TH, APRIL 1908.

PRESENT:—

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

HIS EXCELLENCY THE OFFICER COMMANDING
THE TROOPS, COLONEL C. H. DARLING.

HON. MR. F. H. MAY, C.M.G. (Colonial
Secretary).

HON. MR. W. REES DAVIES (Attorney-
General).

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

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

HON. MR. E. A. IRVING (Registrar-General).

HON. COMMANDER BASIL R. H. TAYLOR,
R.N. (Harbour Master).

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

HON. MR. H. E. POLLOCK, K.C.

HON. MR. WEI YUK.

HON. MR. E. OSBORNE.

HON. MR. MURRAY STEWART,

MR. C. CLEMENTI (Clerk of Councils).

Minutes.

The minutes of the previous meeting were read,
and confirmed.

New Member.

Mr. MURRAY STEWART took the oath and
assumed his seat as a member of the Council.

Papers.

THE COLONIAL SECRETARY, by direction of
His Excellency the Governor, laid on the table the
following papers—

Reports of the Captain Superintendent of Police
and of the Superintendent of the Fire Brigade for
the year 1907.

Financial Returns for the year 1907,

Report on Queen's College for the year 1907.

Report of the Director of the Hongkong
Observatory for the year 1907.

Returns of the Police Magistrates' Courts for the
year 1907.

Report of the Registrar of the Supreme Court.

Financial Minutes.

THE COLONIAL SECRETARY, by direction of
His Excellency the Governor, laid on the table
Financial minutes Nos. 14 and 15, 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 direction of
H. E. the Governor, laid on the table the report of
the Finance Committee (No. 5), and moved its
adoption.

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

Chinese Extradition Ordinance.

THE ATTORNEY GENERAL moved the the
first reading of a Bill entitled an Ordinance to
amend the Chinese Extradition Ordinance, 1889.

THE COLONIAL SECRETARY, seconded.

HIS EXCELLENCY—Gentlemen, this Bill has
been introduced in order to make a slight alteration
in the original ordinance of 1889 in consequence of
a ruling given lately by the Full Court. The Treaty
of Tientsin, upon which the Ordinance of 1889 was
based, used the words "Chinese authorities." The
Ordinance, however, substitutes the phrase
"Chinese Government," and the Full Court has
ruled that it would be necessary to obtain the usual
pledge that the prisoner will not be tried for any
offence other than that for which he was extradited
without being first returned to His Majesty's
dominions, from the Central Government itself and
not from the local authorities in the Two Kwang
Provinces as has hitherto been the custom. Since,
however, the ordinance does not use the actual
w o r d s e m p l o y e d i n

the Treaty upon which it is based, this ordinance is intended to interpret what the meaning of the words "Chinese authorities" shall be. We have introduced a short clause to make it clear that the words "Chinese Government" shall include the Viceroy or other officer administering a Provincial Government. This is in accordance with what has been the practice in the Colony since the passing of the Ordinance in 1889 and introduces no new procedure.

The Bill was read a first time.

THE ATTORNEY -GENERAL — I ask the permission of the Council to move the suspension of the Standing Orders in order to allow this Bill to pass through its subsequent stages. It is simple in character and it is desirable that it should be given effect to as soon as possible.

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

THE ATTORNEY GENERAL moved that the Bill be read a second time.

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

The Council then resolved itself into committee to consider the Bill clause by clause.

On the Council resuming,

THE ATTORNEY GENERAL moved that the Bill be read a third time.

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

Foreign Corporations Ordinance.

THE ATTORNEY GENERAL moved the second reading of the Bill entitled an Ordinance to enable Foreign Corporations to acquire and hold land in the Colony. He said—Sir, the preamble of the Bill practically states the object of it—"Whereas doubts have arisen as to the power of Foreign Corporations to hold land in the Colony; and whereas it is expedient to remove such doubts and to enable such Corporations to hold and acquire land therein." Several Ordinances, Sir, have recently been passed in regard to individual companies, the desire being to ensure that foreign corporations which acquire land in the

Colony shall have a good title and shall be in no way handicapped by the fact that they are foreign corporations. The Government is of opinion that instead of passing piece-meal legislation dealing with individual companies, it is desirable to have a general ordinance to admit foreign corporations which by virtue of their constitution are empowered to acquire land and dispose of removable property within the Colony to do so subject to their complying with the requirements of the Ordinance. I may say, Sir, that this Bill is rather more elaborate than the Ordinances recently passed. It is based on the same lines. It has been fully considered. Persons outside the Government have had an opportunity of looking into it, and it has been generally accepted. It is somewhat more general in scope and more comprehensive in its character. The object is to ensure that the Government will not have to deal with individual applications in regard to the acquisition of land. There should be a comprehensive measure to deal with the whole subject.

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

The Council afterwards went into committee to consider the Bill clause by clause.

On resuming,

His EXCELLENCY reported that the Bill had passed through committee.

Wharf and Godown Co.'s Bye-laws.

THE ATTORNEY -GENERAL moved the second reading of the Bill entitled an Ordinance to authorize the making of Bye-laws by the Hongkong and Kowloon Wharf and Godown Company Limited. He said—This Bill confers on a certain company, the Hongkong and Kowloon Wharf and Godown Company, Limited, the power of making bye-laws in connection with the conduct of its business and the maintenance of order on its premises. It was considered that the law of Hongkong was not adequate as to trespass on private property and the Government regards the circumstances as of exceptional character and considers that such a Bill giving the powers shown in the draft attached may be fairly approved. Power, Sir, is reserved to the Governor in Council to reject from time to time any bye-laws passed by the Company, and that power we think is a sufficient check on any bye-laws

that might be submitted which might encroach on the public interest. The draft of the Bill has been approved by the Chamber of Commerce here and the Government sees no objection to it.

THE HON. MR. KESWICK seconded, and the motion was agreed to.

The Council afterwards went into Committee to consider the Bill,

On resuming,

HIS EXCELLENCY reported that the Bill had passed through committee without amendment.

THE ATTORNEY GENERAL—The Bill being entirely non-controversial I ask the permission of the Council to move the suspension of the Standing Orders in order that the Bill be passed through the subsequent stages.

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

The Bill was read a third time, and passed into law.

**Public Health and Buildings Ordinance
(Amendment) Bill.**

The next order of the day was the second reading of the Bill entitled an Ordinance to amend the Public Health and Buildings Ordinance, 1903, and The Public Health and Buildings Amendment Ordinance, 1903.

THE ATTORNEY GENERAL — With regard to the Bill entitled an Ordinance to amend the Public Health and Buildings Ordinance 1903, the second reading has been moved, but I understand it is not intended to proceed with it to-day and I therefore move the adjournment of the debate.

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

HIS EXCELLENCY—The Council stands adjourned till this day fortnight. There will be a meeting of the Finance Committee afterwards.

FINANCE COMMITTEE.

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

Street Fire Alarms.

The Governor recommended the Council to vote a sum of Three thousand three hundred Dollars (\$3,300) in aid of the vote, Police and Prison Department, Fire Brigade, Special Expenditure, Street Fire Alarms,

School Repairs.

The Governor recommended the Council to vote a sum of Eight hundred Dollars (\$800) in aid of the vote Education, A—Inspector of Schools. Other Charges, Saiyingpun Anglo-chinese School, Rent of Temporary Quarters.