

11th April, 1935.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR (SIR WILLIAM PEEL, K.C.M.G., K.B.E.).

HIS EXCELLENCY THE OFFICER COMMANDING THE TROOPS (MAJOR-GENERAL O. C. BORRETT, C.B., C.M.G., C.B.E., D.S.O.).

THE COLONIAL SECRETARY (HON. SIR THOMAS SOUTHORN, K.B.E., C.M.G.).

THE ATTORNEY GENERAL (HON. MR. C. G. ALABASTER, O.B.E., K.C.).

THE SECRETARY FOR CHINESE AFFAIRS (HON. MR. N. L. SMITH).

THE COLONIAL TREASURER (HON. MR. E. TAYLOR).

HON. COMMANDER G. F. HOLE, R.N., (Retired) (Harbour Master).

HON. MR. R. M. HENDERSON, (Director of Public Works).

HON. DR. W. B. A. MOORE, (Acting Director of Medical and Sanitary Services).

HON. MR. M. J. BREEN, (Postmaster General).

HON. SIR HENRY POLLOCK, KT., K.C., LL.D.

HON. SIR WILLIAM SHENTON, KT.

HON. MR. R. H. KOTEWALL, C.M.G., LL.D.

HON. MR. J. P. BRAGA.

HON. MR. S. W. TS'O, O.B.E., LL.D.

HON. MR. T. N. CHAU.

HON. MR. J. J. PATERSON.

MR. R. A. D. FORREST, (Deputy Clerk of Councils).

MINUTES.

The Minutes of the previous meeting of the Council were confirmed.

PAPERS.

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid upon the table the following papers:—

Order under section 72 of the Public Health and Buildings Ordinance, 1903, relating to the closing of Canal Road and Monmouth Path Markets.

Code of Civil Procedure—substitution of Form No. 34 in the Schedule.

FINANCE COMMITTEE'S REPORT.

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid upon the table the report of the Finance Committee, No. 7 of 4th April, 1935, and moved that it be adopted.

THE COLONIAL TREASURER seconded, and this was agreed to.

MAGISTRATES AMENDMENT ORDINANCE, 1935.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend the Magistrates Ordinance, 1932". He said: The amendment effected by this Bill will provide a simple alternative method of appealing against any decision of a Magistrate, and the provisions follow very closely those of the English Acts which are mentioned in the Table of Correspondence.

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

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

The object of this Ordinance is to provide a cheap, simple and direct method of appeal from a magistrate's conviction or sentence to a judge of the Supreme Court.

Section 2 of this Ordinance provides an alternative appeal procedure in such cases by adding new sections 118A to 118I to the principal Ordinance, without disturbing in any way the general right of appeal to the Full Court under sections 100 to 117 of that Ordinance.

Section 3 of this Ordinance adds new forms 91 (notice of appeal against conviction) and 92 (notice of appeal against sentence) to the Third Schedule to the principal Ordinance.

The sources and nature of the amendments are fully set out in the attached Table of Correspondence.

STAMP AMENDMENT ORDINANCE, 1935.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the Stamp Ordinance, 1921." He said: When this Bill is in Committee I propose with Your Excellency's permission to move an amendment to Clause 9.

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

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

Clause 9.

THE ATTORNEY GENERAL.—I move that this Clause be amended so as to read:—

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| Amendment of Ordinance
No. 8 of 1921. Schedule.
Heading No. 33 (2). | 9. Heading No. 33 (2) in the Schedule to the Stamp Ordinance, 1921, is amended:—
(a) in the second column by the addition of the words "for amounts exceeding \$20" after the words "renewal receipts" in paragraph (2); and
(b) in the third column by the substitution of "10 cents" for "5 cents". |
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The effect of this amendment is to bring Heading No. 33 (2) into line with Heading No. 36 (a).

THE COLONIAL SECRETARY seconded, and this was agreed to.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee with an amendment to Clause 9 and moved that the third reading be postponed until the Bill, as amended, had been published in the *Gazette* of April 12.

THE COLONIAL SECRETARY seconded, and this was agreed to.

BUILDINGS ORDINANCE, 1935.

THE DIRECTOR OF PUBLIC WORKS moved the second reading of a Bill intituled "An Ordinance to amend and consolidate the law relating to the construction of Buildings".

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

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

Clause 95.

THE ATTORNEY GENERAL.—There is no marginal note for Clause 95. It should have one.

THE DIRECTOR OF PUBLIC WORKS.—It should be "Pail Latrines". I move that it be inserted.

THE COLONIAL SECRETARY seconded, and this was agreed to.

Schedule C.

HON. SIR HENRY POLLOCK.—There is no marginal note for Schedule C.

H.E. THE GOVERNOR.—It is not intended to have one.

Upon Council resuming,

THE DIRECTOR OF PUBLIC WORKS reported that the Bill had passed through Committee with an immaterial amendment, and moved the third reading.

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

ADJOURNMENT.

H.E. THE GOVERNOR.—Council stands adjourned until Thursday, April 18.
