

LEGISLATIVE COUNCIL.

No. S. 208.—The following Bills were read a first time at a Meeting of the Council held on the 10th August, 1911 :—

A BILL

ENTITLED

An Ordinance to further amend the Protection of Women and Girls Ordinance, 1897.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title.

1. This Ordinance may be cited as the Protection of Women and Girls Amendment Ordinance, 1911.

Further amends section 13 (1) of Ordinance No. 4 of 1897.

2. The Protection of Women and Girls Ordinance 1897, as amended by subsequent Ordinances, is hereby further amended in sub-section (1) of section 13 thereof by the deletion of the words "he may order the occupier or keeper to discontinue such use of it; and if such order is not complied with within such time as the Magistrate may by his order direct, the Magistrate may impose" and by the substitution therefor of the words "he shall order the occupier or keeper to discontinue such use of it; and if such order is not complied with within such time, not exceeding one week, as the Magistrate may by his order direct, the Magistrate shall impose".

Objects and Reasons.

This Bill by changing a "may" into a "shall" limits a Magistrate's discretion so that in future when he is satisfied, on complaint being made by the Captain Superintendent of Police or by the Registrar General that a house is used as a lodging-house for prostitutes or disorderly persons or as a brothel he must punish. His discretion however as to the amount of the fine is not interfered with. Where the complaint does not come from the Captain Superintendent of Police or from the Registrar General proceedings are taken under another Ordinance (No. 1 of 1894) in which the Magistrate's general discretion is not affected by this Bill.

C. G. ALABASTER,
Attorney General.

A BILL

ENTITLED

An Ordinance to amend the Arms and Ammunition Ordinance, 1900.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title.

1. This Ordinance may be cited as the Arms and Ammunition Amendment Ordinance, 1911.

Amends section 2 of Ordinance No. 2 of 1900.

2. The definition of "Exempted person" in section 2 of the Arms and Ammunition Ordinance, 1900, is hereby repealed and there shall be substituted therefor the following :—

"Exempted person" means and includes :—

- (1.) any person in the Naval, Military, Volunteer and Police forces, District Watchmen and members of the Volunteer Reserve in respect of arms and ammunition used by them solely in connection with their duties ;

- (2.) commissioned officers and officers appointed by letter from the Governor in the Naval, Military, Volunteer or Police forces, the Consular representatives of any Foreign Government and commissioned officers of Foreign Armies and Navies; any public officer appointed by the Crown or by letter from the Governor, any Justice of the Peace, special juror, member of the Legislative Council, or other person exempted by Ordinance from serving on a jury on account of his avocation or profession;
- (3.) any person in the Naval, Military, Volunteer and Police forces recommended for exemption by the officer commanding his corps or unit in writing to the Captain Superintendent of Police; and
- (4.) any person recommended for exemption by the Colonial Secretary to the Captain Superintendent of Police."

Objects and Reasons.

The definition of "Exempted person" in the Principal Ordinance has been considered too wide. It was: "Exempted person" means and includes any person in the Naval, Military, or Civil Services of the Crown, and any officer of any Foreign Government, and any officer or volunteer as defined by the Volunteer Ordinance, 1893, or by any Ordinance amending or substituted for the same, and any Justice of the Peace, special juror, member of the Legislative Council, or other person exempted by Ordinance from serving on a jury on account of his avocation or profession and any member of the Police Force and any district watchman."

C. G. ALABASTER,
Attorney General.

A BILL

ENTITLED

An Ordinance for the Establishment of a Hospital for the care and treatment of Chinese patients in the Kowloon Peninsula.

WHEREAS subscriptions have been raised to build a hospital for the care and treatment of Chinese patients in Kowloon; and whereas His Majesty the King has been graciously pleased by way of endowment of the said hospital to consent to the grant of a piece of Crown Land as a site for the erection thereof; and whereas the buildings of the said hospital are now nearing completion and the subscribers desire to surrender the said hospital to the body politic and corporate known as The Tung Wa Hospital; and whereas it is desirable to make special provision for the management of the said hospital:

BE it therefore enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Tung Wa Hospital Extension Ordinance, 1911. Short title.
2. The Hospital in course of erection on Kowloon Inland Lot 1213 shall be known as the Kwong Wa Hospital. Definitions.

Board of Direction means Board of Direction of the Tung Wa Hospital.

Extension of power and liabilities of the Tung Wa Hospital Corporation and Board of Direction to the Kwong Wa Hospital.

3. From and after the commencement of this Ordinance the body politic and corporate which is referred to in the Tung Wa Hospital Incorporation Ordinance, 1870, as the Tung Wa Hospital shall possess the same powers and rights and be subject to the same liabilities and responsibilities in connexion with the Kwong Wa Hospital as it possesses and is subject to with regard to the hospital which is known as the Tung Wa Hospital; and the Board of Direction for the time being of the Tung Wa Hospital shall have and exercise the same powers and rights and be subject to the same liabilities and responsibilities in connexion with the Kwong Wa Hospital as they have and exercise and are subject to in connexion with the Tung Wa Hospital, and moreover the provisions of sections 14, 16 and 17 of the said last-mentioned Ordinance shall apply to the Kwong Wa Hospital in the same way as such provisions now apply to the Tung Wa Hospital.

Management.

4. The Board of Direction shall have power to appoint any person approved by the Governor as manager of the Kwong Wa Hospital. Any person so appointed shall, subject to such regulations as may from time to time be made by the Board of Direction, undertake and exercise the immediate supervision and management of the Kwong Wa Hospital.

The manager shall be responsible to the Board of Direction for the management of the hospital and for the conduct of the staff, and all orders of the Board of Direction shall be conveyed through him.

Staff.

5. The Board of Direction shall also appoint all the other members of the staff of the hospital.

One of the members of the staff of the Kwong Wa Hospital shall be a Chinese medical practitioner trained in European medicine, who shall be in charge of the patients who desire European treatment. He shall be removable from office by the Board of Direction with the consent of the Governor and not otherwise.

Local Board.

6. The Board of Direction shall have power, subject to the approval of the Governor-in-Council, to appoint a Local Board consisting of subscribers to the Kwong Wa Hospital who are resident in Kowloon, and, subject to the like approval, to make regulations regarding the duties and constitution of the Local Board, the term of office of its members and the method of their appointment. Provided always that the manager of the Kwong Wa Hospital shall be *ex officio* Chairman of the Local Board.

Small-pox Hospital.

7. The small-pox hospital now under course of erection by the Tung Wa Hospital on Kowloon Inland Lot 1264 shall be considered to be part of the Kwong Wa Hospital and this Ordinance shall apply equally to it as to the Kwong Wa Hospital.

A BILL

ENTITLED

An Ordinance to enable Joseph Horsford Kemp Esquire, Barrister-at-law, to practise as Crown Solicitor in the Court and to provide for the payment of solicitors' costs in cases in which a salaried Crown Solicitor or Assistant Crown Solicitor acts as solicitor.

Be it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows:—

Short title.

1. This Ordinance may be cited as the Crown Solicitors Ordinance, 1911.

2. The Court shall admit Joseph Horsford Kemp Esquire, Barrister-at-law, to practise as solicitor in the Court; and thereafter, subject to the provisions of this Ordinance, the said Joseph Horsford Kemp shall have all the rights and powers of a person duly admitted to practise as a solicitor under the Legal Practitioners Ordinance, 1871.

Admission of J. H. Kemp Esq. as solicitor.

3.—(1.) Nothing in this Ordinance shall be deemed to confer on the said Joseph Horsford Kemp the right to practise as a solicitor after he shall have ceased to be a public officer.

Limitation.

(2.) The said Joseph Horsford Kemp shall not be entitled to practise as a barrister as long as he continues to perform the duties of a solicitor.

4. Subject to the provisions of this Ordinance and notwithstanding any professional rule of etiquette or custom to the contrary the status of the said Joseph Horsford Kemp as a barrister shall be preserved.

Professional status preserved.

5. Nothing in this Ordinance shall confer any rights on the said Joseph Horsford Kemp against the Crown.

Saving of Crown rights.

6.—(1.) If in any cause or proceeding before any court or tribunal any party, for whom any Crown Solicitor or Assistant Crown Solicitor appears or acts as solicitor, obtains an order for costs against any other party, such costs shall be taxed against and payable by the losing party.

Costs of section 2 of Ordinance No. 24 of 1903.

(2.) If by reason of any custom, rule, regulation or arrangement any Crown Solicitor or Assistant Crown Solicitor so appearing or acting as aforesaid is not allowed to retain such costs, the costs so taxed when recovered shall be paid into the General Revenue of the Colony.

7. This Ordinance shall come into operation on the 1st day of September, 1911.

Commencement.

Objects and Reasons.

This Bill is necessary owing to the appointment as Crown Solicitor of Mr. Kemp who will be an English barrister by the time he arrives in the Colony. Section 6 is analogous to section 2 of the Crown Counsel's Fees Ordinance, 1903, which deals with the Attorney General's costs. The arrangement with the present Acting Crown Solicitor expires on the 31st August.

C. G. ALABASTER,
Attorney General.

No. 209.—The following Bill to amend the Code of Civil Procedure will be introduced at the meeting of the Legislative Council to be held on the 17th August, and is published for public information :—