

LEGISLATIVE COUNCIL.

No. 233.

LEGISLATIVE COUNCIL, No. 13.

THURSDAY, 20TH JULY, 1911.

PRESENT :

HIS EXCELLENCY THE GOVERNOR

(SIR FREDERICK JOHN DEALTRY LUGARD, G.C.M.G., C.B., D.S.O.).

The Honourable the Colonial Secretary, (WARREN DELABERE BARNES).

„ the Attorney General, (CHALONER GRENVILLE ALABASTER).

„ the Colonial Treasurer, (ALEXANDER MACDONALD THOMSON).

„ the Director of Public Works, (WILLIAM CHATHAM, C.M.G.).

„ the Registrar General, (ARTHUR WINBOLT BREWIN, C.M.G.).

„ the Captain Superintendent of Police, (FREDERICK WILLIAM LYONS).

„ Dr. HO KAI, M.B., C.M.G.

„ Mr. WEI YUK, C.M.G.

„ Mr. HENRY EDWARD POLLOCK, K.C.

„ Mr. EDBERT ANSGAR HEWETT.

„ Mr. CHARLES HENDERSON ROSS.

ABSENT :

His Excellency the General Officer Commanding the Troops, (Major-General CHARLES ALEXANDER ANDERSON, C.B.).

The Honourable Mr. CHARLES MONTAGUE EDE.

The Council met pursuant to adjournment.

The Minutes of the last Meeting, held on the 6th July, 1911, were read and confirmed.

FINANCIAL MINUTES.—The Colonial Secretary laid on the table Financial Minutes Nos. 42 and 43, and moved that they be referred to the Finance Committee :—

No. 42.—Miscellaneous Services, Steam-Launch,\$ 3,000.00.

No. 43.—Charge on account of Public Debt, Sinking Fund
on 3½% Inscribed Stock, (Wuchang Loan at
1%, £1,143,933), 21,282.46.

The Colonial Treasurer seconded.

Question—put and agreed to.

REPORT OF THE FINANCE COMMITTEE.—The Colonial Secretary laid on the table the Report of the Finance Committee dated the 6th July, 1911, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

REPORTS OF THE STANDING LAW COMMITTEE.—The Attorney General laid on the table Reports Nos. 2 and 3 of the Standing Law Committee.

PAPERS.—The Colonial Secretary laid on the table the following paper :—

Report of the Registrar General for the year 1910.

POST OFFICE AMENDMENT BILL.—The Attorney General moved the First reading of a Bill entitled An Ordinance to amend the Post Office Ordinance, 1900.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

CROWN SOLICITORS BILL.—The Attorney General moved the First reading of a Bill entitled An Ordinance to make provision for the appointment of and to define the powers of the Crown Solicitor and Assistant Crown Solicitor.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

CROWN LANDS RESUMPTION AMENDMENT BILL.—The Attorney General moved the First reading of a Bill entitled An Ordinance to further amend the Crown Lands Resumption Ordinance, 1900.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

PRISON AMENDMENT BILL.—The Attorney General moved the First reading of a Bill entitled An Ordinance to further amend the Prison Ordinance, 1899, and stated that the Bill was not circulated with the Orders of the Day but that the Government considered the matter of sufficient urgency to bring it up without notice.

The Colonial Secretary seconded.

His Excellency the Governor informed the Council that a two-thirds majority was required and, on a show of hands, declared the motion carried.

Bill read a first time.

PROBATES AMENDMENT BILL.—The Colonial Treasurer addressed the Council and moved the Second reading of the Bill entitled An Ordinance to amend the Probates Ordinance, 1897.

The Attorney General seconded.

Question—put and agreed to.

Bill read a second time.

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

The Attorney General moved that in sub-section (*a*) of section 2 the words—“after the word ‘estate’ of the words ‘or property’ and”—be inserted between the words “addition” and “after”; that in sub-section (*b*) the words from “to any” to “person” inclusive be deleted and that the following be substituted therefor: “in their own right to property passing on the death of any person”; and that in sub-section (*c*) the word “of” be inserted between the words “or” and “Japau”.

The above amendments having been approved, the Attorney General moved that the Bill be left in Committee, and the motion was agreed to.

STAMP AMENDMENT BILL.—The Colonial Treasurer addressed the Council and moved the Second reading of the Bill entitled An Ordinance to further amend the Stamp Ordinance, 1901, and the law relating to Stamps and Stamp Duty.

The Attorney General seconded.

Question—put and agreed to.

Bill read a second time.

STAMP DUTIES MANAGEMENT BILL.—The Colonial Treasurer addressed the Council and moved the Second reading of the Bill entitled An Ordinance to consolidate and amend the Law relating to the Management of Stamp Duties.

The Attorney General seconded.

Question—put and agreed to.

Bill read a second time.

PRIVATE VEHICLES AMENDMENT BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to amend the Private Vehicles Licensing Ordinance, 1895.

The Colonial Secretary seconded, motion agreed to, and Bill read a second time. Council then went into Committee on the Bill. On Council resuming the Attorney General reported that the Bill had been approved without amendment and moved that it be read a third time. The Colonial Secretary seconded, motion agreed to, Bill read a third time and passed.

SUPPLEMENTARY APPROPRIATION BILL.—The Colonial Secretary addressed the Council and moved the Second reading of the Bill entitled An Ordinance to authorize the Appropriation of a Supplementary Sum of Four hundred and thirty-eight thousand nine hundred and nine Dollars and ninety-three Cents, to defray the Charges of the Year 1910.

The Colonial Treasurer seconded, motion agreed to, and Bill read a second time. Council then went into Committee on the Bill. On Council resuming the Colonial Secretary reported that the Bill had been approved without amendment and moved that it be read a third time. The Colonial Treasurer seconded, motion agreed to, Bill read a third time and passed.

PENALTIES AMENDMENT BILL.—The Attorney General moved that the Council resolve itself into a Committee of the whole Council to consider the Report of the Standing Law Committee on the Bill entitled An Ordinance to abolish Minimum Penalties, and to bring the Law of the Colony as to Penalties into uniformity with the Law of England, and for other purposes.

The Colonial Secretary seconded, and the motion was agreed to.

The Attorney General moved the following amendments to Part V of the Schedule:—

That the following be inserted between the first and second paragraphs of the amendments to Ordinance No. 4 of 1897:—

“in section 13, as amended by Ordinance No. 11 of 1904, for the words ‘or to imprisonment’ three times there shall be read ‘and to imprisonment’, and the words from ‘Provided always’ to ‘think fit’ are repealed:”

That the following be inserted after the amendments to Ordinance No. 10 of 1899:—

“Ordinance No. 7 of 1903, (as amended by Ordinance No. 42 of 1909), in section 5, for the words ‘or to a fine’ there shall be read ‘and to a fine’, and the words ‘or both’ are repealed.”

That in the amendments to Ordinance No. 15 of 1907 the words and figure “in section 2,” be inserted between the figures “1907,” and the word “for”.

That the following be inserted at the end of the Schedule:—

“Ordinance No. 21 of 1909, in sections 42, 58 and 59, for the words ‘or to’ there shall be read ‘and to’, and the words ‘or to both’ are repealed.”

On the motion of the Colonial Secretary the draft of the Bill attached to the above-mentioned Report, as amended above, was substituted for the Bill previously laid before the Council. The Bill was left in Committee in order that the new draft might be published in the *Gazette*.

INTERPRETATION BILL.—The Attorney General moved that the Committee stage on the Bill entitled An Ordinance to amend and codify the law as to Common Forms and as to the Interpretation of Terms used in Ordinances, be resumed.

The Colonial Secretary seconded and the motion was agreed to.

The Attorney General moved the following amendments:—

In the definition of "The Colony" under section 39B that the word "Island" be substituted for the word "Colony" in the second line thereof and that the words "and Kowloon" be inserted after the word "Hongkong" in the same line.

That the following definitions be inserted after the definition of "Emigration Officer":—

"Medical Officer of Health" and "Assistant Medical Officer of Health" means the persons appointed respectively to act as such officers under Ordinance No. 1 of 1903.

"Government Analyst" includes any analyst appointed by the Governor under Ordinance No. 8 of 1893.

That the following definitions be inserted after the definition of "The Gaol":—

"Superintendent of the Gaol" includes the Assistant Superintendent of the Gaol. This definition shall apply to all warrants of committal, or other documents, whether issued, made, sealed or signed before or after the commencement of this Ordinance.

That the following be added at the end of sub-section (2) of section 47:—

"Ordinance No. 15 of 1903, so much of section 5 as relates to obstructing and hindering officers.

Ordinance No. 23 of 1909, section 86."

That the words "and Excise Officers" be added at the end of sub-section (6) of section 48.

That the words and figures "Ordinance No. 18 of 1909" be inserted between the third and fourth lines of section 50.

On the motion of the Colonial Secretary the draft of the Bill attached to the Report No. 3 of the Standing Law Committee, as amended above, was substituted for the Bill previously laid before the Council. The Bill was left in Committee in order that the new draft might be published in the *Gazette*.

ADJOURNMENT.—The Council then adjourned until Thursday, the 3rd August, 1911.

F. D. LUGARD,
Governor.

Read and confirmed this 3rd day of August, 1911.

C. CLEMENTI,
Clerk of Councils.

NOTICES.

OFFICE OF REGISTRAR OF TRADE MARKS.

The Patents Ordinances, 1892-1911.

No. 234.—It is hereby notified that, on the application of SIDNEY RADCLIFF of Bairnsdale, in the State of Victoria, Australia, Director of School of Mines, His Excellency the Governor-in-Council has been pleased to grant to the said SIDNEY RADCLIFF provisional protection for a period of six months from the 1st day of August, 1911, for an invention for an improved process for treating complex radium ores, pending the grant of Letters Patent therefor.

A. G. M. FLETCHER,
Registrar of Trade Marks.

3rd August, 1911.