

LEGISLATIVE COUNCIL.

No. 241.

LEGISLATIVE COUNCIL, No. 15.

THURSDAY, 10TH AUGUST, 1911.

PRESENT:

HIS EXCELLENCY THE GOVERNOR

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

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

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.

,, Mr. CHARLES MONTAGUE EDE.

The Council met pursuant to adjournment.

The Minutes of the last Meeting, held on the 3rd August, 1911, were read and confirmed.

FINANCIAL MINUTES.—The Colonial Secretary laid on the table Financial Minutes Nos. 49 to 51, and moved that they be referred to the Finance Committee:—

No. 49.—Additional Duty Pay to Deputy Official Receiver, ...\$ 286.00.

No. 50.—Observatory, House Allowance to Director Designate, 703.22.

No. 51.—Tung Wah Hospital, Medicines,1,000.00.

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 3rd August, 1911, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

QUESTIONS.—Mr. POLLOCK, pursuant to notice, asked the following question:—

In view of the statement concerning the progress of the work on the Typhoon Refuge, which was laid upon the table at the last Meeting of Council, will the Government take steps to ensure that the future monthly expenditure on this work during the remaining 52 months of the contract time and the general progress of the work shall be such as to safeguard the completion of the work within the contract time of five years?

The Colonial Secretary replied.

PROTECTION OF WOMEN AND GIRLS AMENDMENT BILL.—The Registrar General moved the First reading of a Bill entitled An Ordinance to further amend the Protection of Women and Girls Ordinance, 1897.

The Attorney General seconded.

Question—put and agreed to.

Bill read a first time.

ARMS AND AMMUNITION AMENDMENT BILL.—The Attorney General moved the First reading of a Bill entitled An Ordinance to amend the Arms and Ammunition Ordinance, 1900.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

TUNG WA HOSPITAL EXTENSION BILL.—The Attorney General moved the First reading of a Bill entitled An Ordinance for the Establishment of a Hospital for the care and treatment of Chinese patients in the Kowloon Peninsula.

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 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.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

WIDOWS' AND ORPHANS' PENSION AMENDMENT (No. 3) BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to yet further amend the Widows' and Orphans' Pension Ordinance, 1908.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council then went into Committee on the Bill. On Council resuming the Attorney General reported the Bill 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.

CROWN LANDS RESUMPTION AMENDMENT BILL.—The Attorney General moved that the Council resolve itself into a Committee of the whole Council to consider the Bill entitled An Ordinance to further amend the Crown Lands Resumption Ordinance, 1900.

The Colonial Secretary seconded.

Question—put and agreed to.

Council in Committee on the Bill. On the motion of the Attorney General it was agreed that the proviso at the end of section 4 be deleted, and that the following be added at the end of section of 6 :—

(k.) In sub-section (1) (b) of section 9 so renumbered section 11 of Ordinance No. 10 of 1900 the words "or after the notice by the Colonial Secretary under section 5, as the case may be," shall be inserted after the words "notice of intended resumption".

(l.) In section 12 so renumbered section 14 of Ordinance No. 10 of 1900 the words "Governor or owner" shall be deleted in the two places where the said words occur and there shall be inserted in substitution in each of the said places the words "Governor, owner or Chairman".

Council resumed, the Bill being left in Committee.

PRISON AMENDMENT BILL.—The Attorney General moved the Third reading of the Bill entitled An Ordinance to further amend the Prison Ordinance, 1899.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

PENALTIES AMENDMENT BILL.—The Attorney General moved the Third reading of 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.

Question—put and agreed to.

Bill read a third time and passed.

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

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

On the motion of the Colonial Secretary, seconded by the Attorney General, it was agreed that the Standing Orders be suspended in order to enable the Bill to be read by the headings of the sections.

The following amendments, proposed by the Attorney General, were agreed to :—

In sub-section (2) of section 40 the word “means” in the first line was deleted and the word “means” was inserted before the word “regulations” in the third line and the word “orders” was inserted after the word “rules” in the same line.

In sub-section (3) of section 40 the words “and not before,” in the third line were deleted and the words “and effect” added to the marginal note.

In sub-section (4) of section 40 the word “rule” in the first line to read “rules” and the following proviso added at the end thereof :—“Provided that they shall not apply to banishment orders”.

Section 41 to be cancelled and the following to be substituted therefor :—

“41. Unless it is otherwise enacted, whenever in any Ordinance it is provided that regulations shall be made by or made subject to the approval (or confirmation) of the Governor-in-Council or Legislative Council, or when other similar words are used, such regulations shall be submitted for the approval of the Governor-in-Council or the Legislative Council, as the case may be, and the approving authority shall have power to amend, or to disapprove the whole or any part of the regulations, and may, if he disapprove them either in whole or in part, require further or other regulations to be submitted for approval. The words ‘to amend’ shall include the power to add to, alter, or otherwise vary.”

Powers of
Governor-in-
Council over
regulations.

The following was inserted as marginal note to section 46, *viz.*, “Application of certain previous sections”.

Council then resumed, sections 39, 41 and 48 of the Bill being left in Committee.

POST OFFICE AMENDMENT BILL.—The Attorney General moved that the Council resolve itself a Committee of the whole Council to consider the Bill entitled An Ordinance to amend the Post Office Ordinance, 1909.

The Colonial Secretary seconded.

Question—put and agreed to.

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

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

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

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

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

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

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

ADJOURNMENT.—The Council then adjourned until Thursday, the 17th August, 1911.

F. D. LUGARD,
Governor.

Read and confirmed this 17th day of August, 1911.

C. CLEMENTI,
Clerk of Council.

APPOINTMENTS, &c.

No. 242.—His Excellency the Governor has been pleased, under instructions from the Secretary of State for the Colonies, to appoint HUGH ADAIR NISBET to be Registrar of the Supreme Court, Registrar of Companies, Official Administrator and Official Trustee, and a Justice of the Peace, with effect from the 15th instant.

18th August, 1911.

NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. 243.—The following is published for general information.

WARREN BARNES,
Colonial Secretary.

18th August, 1911.

CUSTOMS NOTIFICATION.

*Persian and Turkish Opium: Importation of, into China, prohibited
from 1st January, 1912.*

In accordance with instructions received through the Inspector General, notice is hereby given that the importation of Persian and Turkish and any other non-Indian foreign Opium into China has been prohibited by the Chinese Government, such prohibition to take effect on and after the 1st of January, 1912.

A. H. HARRIS,
Commissioner of Customs.

Offices of the Chinese Imperial Maritime Customs
for Kowloon and District, York Buildings.

HONGKONG, 16th August, 1911.