

EXECUTIVE COUNCIL.

No. 245.

Regulations made by the Governor in-Council under Section 28 of the Sale of Food and Drugs Ordinance, 1896, (Ordinance No. 8 of 1896), as amended by Section 3 of the Sale of Food and Drugs Amendment Ordinance, 1911, (Ordinance No. 20 of 1911), this 24th day of August, 1911.

Milk.

1. When a sample of milk (not being milk sold as skimmed, or separated, or condensed, milk) contains less than 3 per cent. of milk-fat, it shall raise a presumption for the purposes of the Sale of Food and Drugs Ordinance, 1896, as amended by the Sale of Food and Drugs Amendment Ordinance, 1911, until the contrary is proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-fat, or the addition thereto of water.

2. When a sample of milk (not being milk sold as skimmed, or separated, or condensed, milk) contains less than 8.5 per cent. of milk-solids other than milk-fat, it shall raise a presumption for the purposes of the Sale of Food and Drugs Ordinance, 1896, as amended by the Sale of Food and Drugs Amendment Ordinance, 1911, until the contrary is proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-solids other than milk-fat, or the addition thereto of water.

Skimmed or Separated Milk.

3. When a sample of a skimmed or separated milk (not being condensed milk) contains less than 9 per cent. of milk-solids, it shall raise a presumption for the purposes of the Sale of Food and Drugs Ordinance, 1896, as amended by the Sale of Food and Drugs Amendment Ordinance, 1911, until the contrary is proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-solids other than milk-fat, or the addition thereto of water.

C. CLEMENTI,
Clerk of Councils.

COUNCIL CHAMBER.
24th August, 1911.

LEGISLATIVE COUNCIL.

No. 246.

LEGISLATIVE COUNCIL, No. 16.

THURSDAY, 17TH 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 10th August, 1911, were read and confirmed.

FINANCIAL MINUTES.—The Colonial Secretary laid on the table Financial Minutes Nos. 52 and 53, and moved that they be referred to the Finance Committee:—

No. 52.—Public Works, Recurrent, Maintenance of Roads and Bridges in City,	\$15,000.
No. 53.—Sanitary Department, Additional Lighter and Repairs to same,	3,800.

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 10th August, 1911, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

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

Report on the Blue Book for the year 1910.

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

1. Will the Government lay upon the table a printed paper containing a progress Diagram, showing the work done on the Typhoon Refuge up to the 30th June, 1911, and will the Government thereafter lay upon the table a similar paper showing the progress made during each successive period of six months?
2. Will the Government explain why the work on the Tsim Sha Tsui Market is proceeding so slowly? When will the Market be ready for use?
3. What information can the Government give to the Council with reference to the prospects of the erection of a Wireless Telegraph Station on an Island of the Pratas Group?
4. What information can the Government give to the Council with reference to the prospects of a Wireless Telegraph Station being established in this Colony? Has the Government of this Colony or have the Home Authorities on behalf of the Government of this Colony entered into any and what engagements with any and what authority, corporation, company or firm with reference to the erection of such station?

The Colonial Secretary replied to Questions Nos. 1 and 3 and His Excellency the Governor addressed the Council with reference to Question No. 4. Question No. 2 was postponed.

CODE OF CIVIL PROCEDURE AMENDMENT BILL.—The Attorney General moved the First reading of a Bill entitled An Ordinance to amend the Code of Civil Procedure.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

The Attorney General addressed the Council and moved that the Bill be read a second time. The Colonial Secretary seconded, motion agreed to, and Bill read a second time.

Council then went into Committee on the Bill.

On the motion of the Attorney General the following amendments were agreed to.

The following section was inserted after section 1 and numbered section 2:—

2. In section 2 after the definition of "This Code" there shall be inserted the following definition:—
 "The Hongkong Code" means the Code of Civil Procedure established by Ordinance No. 13 of 1873, and repealed by Ordinance No. 6 of 1901 (both as numbered before the coming into force of Ordinance No. 12 of 1900); and the expression shall have the same meaning when used in any other Ordinance.

*Ordinance
No. 3 of
1901.
Amends
section 2.*

Sections 2, 3 and 4 were renumbered 3, 4 and 5, and in the last mentioned section the words "by or under any" were inserted after the word "or" in the fourth line and the words "officer or its principal" were inserted after the word "principal" in the same line.

The following section was inserted and numbered section 6:—

6. In section 37 the first two lines thereof shall be deleted and there shall be substituted therefor the words "When the action or other proceeding is against any corporation or company which does not fall within the provisions of the last preceding section, but which has an office and carries on business in".

Sections 5, 6 and 7 were renumbered 7, 8 and 9 and the words "the following" in the third line were deleted and the words "in all other" were substituted therefor, and the words "as amended by subsequent Ordinances" were added at the end thereof.

Sections 8, 9 and 10 were renumbered 10, 11 and 12.

Section 11 was cancelled.

Sections 12, 13, 14, 15, 16 and 17 were renumbered 13, 14, 15, 16, 17 and 18.

The following section was inserted and numbered 19, section 18 being incorporated as sub-section (2):—

- 19.—(1.) In section 478 the words "with the consent in writing of the Governor." shall be deleted. *ib.* Amends sections 478, 479, and 480.
- (2.) In section 479, after the word "service" there shall be inserted the words "of a sealed copy".
- (3.) Sub-section (1) of section 480 shall be amended by the insertion after the word "Governor" of the words "whose consent shall be necessary to the continuance of the action. Such consent may be withheld upon such grounds as would justify the Attorney General of England in refusing his *fiat*."

Sections 19, 20, 21, 22, 23, 24, 25 and 26 were renumbered 20, 21, 22, 23, 24, 25, 26 and 27.

The preamble after section 26 was cancelled.

Section 27 was renumbered 28 and the following was inserted as sub-section (2):—

- (2.) The first line of sub-section (1) of section 42 shall be amended by the insertion of the words "of a writ of summons or notice of a writ of summons" after the word "jurisdiction".

Sub-section (2) was renumbered (3) and the words "served upon", "served" and "serving" were substituted for the words "given to", "given" and "giving" respectively in the fifth, eighth, and fifteenth lines respectively.

Sub-sections (3) and (4) were renumbered (4) and (5) and sub-section (5) was cancelled.

Section 28 was renumbered 29 and the words "and notices of writs of summons" were inserted after the word "summons" in sub-section (6), the word "giving" in the fifth line of sub-section (7) was deleted and the words "service of" were substituted therefor, the words "for transmission to the Secretary of State" in the fourth line of sub-section (8) (i) were deleted, the word "further" in the ninth line was deleted and the words "through the proper channels," were inserted after the word "same" in the same line, in sub-section (8) (iii) the words "served or to have been" were inserted after the word "personally" in the seventh line, in sub-section (8) (iv) the word "the" in the second last line was deleted, and in sub-section (8) (v) the words "with such variations as circumstances may require" were added at the end.

Section 29 was renumbered 30.

Council then resumed, the Bill being left in Committee.

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

The Attorney General addressed the Council and 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.

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

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council then went into Committee on the Bill.

On the motion of the Attorney General it was agreed that the definition of "Exempted person" in sub-section (2) of section 2 be amended by the addition of the words "in the Army and Navy" after the words "commissioned officers" in the first line, by the deletion of the words "Naval, Military," in the second line, and by the deletion of the words "or other person exempted" to the end of the sub-section and the substitution therefor of the words "barrister, solicitor, medical practitioner, clergyman of the Church of England, Roman Catholic priest or any minister of any congregation of Protestant dissenters or of Jews".

Council then resumed, the Bill being left in Committee.

TUNG WA HOSPITAL EXTENSION BILL.—The Attorney General addressed the Council and moved the Second reading of the 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 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 SOLICITORS BILL.—The Attorney General addressed the Council and moved the Second reading of the 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 second time.

CROWN LANDS RESUMPTION AMENDMENT BILL.—The Attorney General moved that the Committee stage on the Bill entitled An Ordinance to further amend the Crown Lands Resumption Ordinance, 1900, be resumed.

The Colonial Secretary seconded, and motion was agreed to.

Council in Committee on the Bill.

Council resumed, the Bill being left in Committee.

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.

Council in Committee on the Bill.

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

In the definition of "Board of Trade" in section 39A the words "the Lords and others of" in the first line were deleted.

In section 39B :—

In the definition of "The Colony" the word "the" in the third line was deleted and the word "their" substituted therefor, and the word "thereof" in the third line and the words "and Kellet Island" in the fourth line were deleted.

In the definition of "Kowloon" the words "in the Province of Kwang-tung in the Empire of China" in the second and third lines were deleted, and the words "Great Britain by the Emperor of China" were substituted for all the words from "Her Majesty" to "Peking" inclusive.

In the definition of "The New Territories" the words "acquired by this Colony" in the second line were deleted and the words "leased to Great Britain by the Emperor of China" were substituted therefor, and all the words from the words "between Her" to the end were deleted.

In the definition of "City of Victoria" the words and brackets "(that is to say, a level which shall hereafter be notified in the *Gazette*)" were inserted after the words "Ordnance datum" in the fourth paragraph.

In the definition of "The Waters of the Colony" the words "following boundaries" in the third line were deleted and the words "area bounded as follows" were substituted therefor, the word "by" was inserted after the word "South" in the first line of the second paragraph, the words "by a line drawn" were inserted after the word "North" in the first line of the third paragraph, and the words "Thereafter the land boundary is" in the ninth line of the same paragraph were deleted and the words "Thence by a line drawn" were substituted therefor, and the word "by" was inserted after the words "East" and "West" in the first line of the fourth and fifth paragraphs respectively.

In the definition of "Harbour" the second paragraph was cancelled and the following substituted therefor :—

"on the East.—A line drawn from a pillar to be marked 'Harbour Limits' at North Point on the island of Hongkong to the most easterly point of Kowloon Pier."

and the word "Master's" in the second last line of the same definition was deleted and the word "Department" substituted therefor.

In the definition of "Public Officer" the words "any appointment" were inserted between the words "holding" and "or" in the second line, the words "or appointment in the Civil Service of the Colony, and includes every member" were deleted and the words "the emoluments of which are wholly or in part directly derived from the Revenues of the Colony, and includes members of the Executive and Legislative Councils, members of the Sanitary Board, Justices of the Peace, members" were substituted therefor, and the following words were added at the end thereof :—"and also Commissioners and persons acting under Ordinance No. 13 of 1886 and persons acting under Ordinance No. 6 of 1893".

The definition of "Emigration Officer" was cancelled.

Section 41 as substituted at the Meeting of the 10th August, 1911, was cancelled and the old section 41 of the Bill as printed on page 458 of the Supplement to the *Gazette* was restored.

Sub-section (6) of section 48 was cancelled and section (7) was renumbered (6).

On Council resuming the Attorney General reported that the Bill had passed through Committee with considerable amendments. The third reading was therefore postponed until the next Meeting, in order to enable the Bill to be re-published in the *Gazette* for general information.

ADJOURNMENT.—The Council then adjourned until Thursday, the 24th August, 1911.

F. D. LUGARD,
Governor.

Read and confirmed this 24th day of August, 1911.

C. CLEMENTI,
Clerk of Councils.