

List of Vessels.

No.	Name.	Overall length.	Guaranteed speed.

.....undertake not to make charges in respect of the carriage of animals, birds, goods, merchandise, minerals, or parcels in excess of the charges stated in the following list unless authorised by the Governor in Council.

List of Charges.

..... Sir,

Your obedient servant,

LEGISLATIVE COUNCIL.

No. 205.

LEGISLATIVE COUNCIL, No. 3.

THURSDAY, 23RD MAY, 1918.

PRESENT:

HIS EXCELLENCY THE GOVERNOR

(Sir FRANCIS HENRY MAY, K.C.M.G.).

His Excellency the General Officer Commanding the Troops, (Major-General FRANCIS VENTRIS).

The Honourable the Colonial Secretary, (CLAUD SEVERN, C.M.G.).

„ the Attorney General, (JOSEPH HORSFORD KEMP, C.B.E.).

„ the Colonial Treasurer, (ALEXANDER MACDONALD THOMSON).

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

„ the Secretary for Chinese Affairs, (EDWIN RICHARD HALLIFAX).

„ the Captain Superintendent of Police, (CHARLES McILVAINE MESSER).

„ Mr. HENRY EDWARD POLLOCK, K.C.

„ Mr. EDWARD SHELLIM.

„ Mr. DAVID LANDALE.

„ Mr. LAU CHŪ-PAK.

„ Mr. PERCY HOBSON HOLYOAK.

„ Mr. HO FOOK.

The Council met pursuant to summons.

The Minutes of the last Meeting, held on the 28th February, 1918, were confirmed.

PAPERS.—The Colonial Secretary laid on the table the following papers and addressed the Council in connection with the Financial Returns and the Report on the Finances for the year 1917 :—

Jurors List for 1918.

Return of Excesses on Sub-Heads met by Savings under Heads of Expenditure for the 4th Quarter, 1917.

Return of Excesses on Sub-Heads met by Savings under Heads of Expenditure for the 1st Quarter, 1918.

Extracts from Treasury Minutes dated 31st December, 1917, and 9th January, 1918.

Report on the Blue Book for 1917.

Financial Returns for the year 1917.

Report on the Finances for the year 1917.

Report of the Harbour Master for the year 1917.

Report of the Director of the Royal Observatory, Hongkong, for the year 1917.

Report of the Registrar of the Supreme Court for the year 1917.

FINANCIAL MINUTES.—The Colonial Secretary laid on the table Financial Minutes Nos. 9 to 24, and moved that they be referred to the Finance Committee :—

No. 9.—Education Department, Peak School, Furniture, \$	800.00
No. 10.—Fire Brigade, Clothing,	218.60
No. 11.—Kowloon-Canton Railway, 1 Pair Cylinders for Loco No. 1,	450.00
No. 12.—Public Works, Extraordinary, Hongkong, Water Works, Altering and installing Hydraulic Motor in connection with New Filter Beds, West Point,	4,500.00
No. 13.—Public Works, Extraordinary, Hongkong, Cape D'Aguilar Wireless Telegraph Station, Repairs to roofs, etc.,	678.59
No. 14.—Charitable Services, Other Charitable Allowances,	600.00
No. 15.—Harbour Office, Special Expenditure, Furniture,	575.00
No. 16.—Miscellaneous Services, Tientsin Flood Relief Fund,	50,000.00
No. 17.—Kowloon-Canton Railway, Land Survey,	4,599.00
No. 18.—Public Works, Extraordinary, Raising Footpaths and Floors of Houses in Praya East,	13,000.00
No. 19.—Public Works, Extraordinary, Kowloon, Water Works, Additional Main from Filter Beds to Yaumati,	2,000.00
No. 20.—Public Works, Extraordinary, Path from near Plantation Gap to Barker Road near Victoria Hospital,	450.00
No. 21.—Kowloon-Canton Railway, Fire Appliances for Railway Carriages and Kowloon Station, ...	1,650.00
No. 22.—Public Works, Extraordinary, Victoria Gaol,—Constructing Concrete Platform over Lower Yard,	5,650.00
No. 23.—Public Works, Extraordinary, New Territories, Public Health and Buildings Ordinance, 1903, (46) Compensation and Resumptions,	16,550.00
No. 24.—Charitable Services, Charitable Pension,	1,120.37

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 (No. 1), dated the 21st February, 1918, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

QUESTIONS.—Mr. LAU CHÜ-PAK, pursuant to notice, asked the following questions:—

1. Will the Government make arrangements to have all the permanent public places of amusement periodically examined as to their stability, and the adequacy or otherwise of the provision of fire-exits and fire-extinguishing appliances?
2. Will the Government state what conditions they propose to impose to ensure the safety of the public in the case of temporary structures used as public places of amusement?

The Colonial Secretary replied.

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

1. When did the Victoria Hospital on Barker Road cease taking in maternity cases? and for what reason was this decision come to?
2. How many infectious cases of disease have been taken into this Hospital during the fortnight ending March 9th?
3. Why are infectious cases imported into an area which was previously free from infectious diseases?
4. How many cases of Measles have been taken into the Victoria Hospital during the past 3 weeks and how many of these emanated from Kowloon?
5. Are such diseases as Measles, Diphtheria, Scarlet-Fever, etc., "notifiable" diseases? and if not, will the Government take immediate steps to make them so?
6. Will the Government provide in the next Estimates for increasing materially the size of Victoria Hospital?
 - (a) Sell a portion of the present site of the "Government Civil Hospital" and with the proceeds erect:—
 - (b) A Hospital for Europeans in the Central district of Hongkong?
 - (c) A Branch Hospital for Europeans in Kowloon?
 - (d) Improve the present Lunatic Asylum?
7. Will the Government give instructions that the General Post Office shall remain open on all Bank holidays, other than Xmas Day and China New Year's day, until 12 o'clock Noon for the despatch of Mails?

The Colonial Secretary replied.

Mr. HOLYOAK addressed the Council and His Excellency the Governor replied.

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

1. In connection with the recent disaster at the Racecourse which resulted in the death of over 570 persons,
 - (i) Is it the fact that the Coroner, near the close of his charge to the Jury, said as follows:—
 "It would appear that this calamity was one which could most probably have been prevented by the exercise of foresight, and foresight which one might have reasonably expected before the event and which one certainly found it easy to expect after the event."
 - (ii) Is it the fact that the Jury, in their findings, specified certain neglects and omissions of duty on the part of the Public Works Department and the Police Department?
 - (iii) Is it the fact that the Jury recommended the making and enforcement by the Government of certain classes of regulations for the purpose of minimizing, so far as possible, the risk of a future recurrence of such a disaster?
2. If the answer to the last Question is in the affirmative will the Government take early steps to pass the necessary Regulations, and, in the framing of such Regulations, will the Government take especial care to enact that certain definite Officials in the Government Service shall be personally responsible for seeing that such Regulations are carried out?

3. *Will the Government also direct the early revision and the enforcement of all Regulations relating to the stability and construction of and overcrowding in and fire precautions in theatres and other places (including matsheds) of public entertainment?*

4. *Will the Government state whether any, and, if so, what Regulations exist for the inspection and testing of lifts in buildings? If there are no such Regulations, will the Government introduce such Regulations?*

The Colonial Secretary replied.

MR. POLLOCK addressed the Council and the Colonial Secretary and His Excellency the Governor replied.

BILLS OF EXCHANGE (TIME OF NOTING) BILL.—The Attorney General moved the First reading of a Bill intituled An Ordinance to amend the Bills of Exchange Ordinance, 1885.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

CLAIMS AGAINST ENEMIES BILL.—The Attorney General moved the First reading of a Bill intituled An Ordinance to require certain returns to be made to the Custodian of Enemy Property.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

SUMMARY OFFENCES AMENDMENT BILL.—The Attorney General moved the First reading of a Bill intituled An Ordinance to amend further the Summary Offences Ordinance, 1845.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

DANGEROUS SMOKING PREVENTION BILL.—The Attorney General moved the First reading of a Bill intituled An Ordinance to amend the Dangerous Smoking Prevention Ordinance, 1900.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

PEAK DISTRICT (RESIDENCE) BILL.—The Attorney General moved the First reading of a Bill intituled An Ordinance to provide that with certain exceptions no person shall reside within the Peak District without the consent of the Governor in Council.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

MALAY STATES EXTRADITION ORDINANCE REPEAL BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill intituled An Ordinance to repeal the Malay States Extradition Ordinance, 1903.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council resuming, the Attorney General reported that the Bill had passed through Committee without amendment and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

INDECENT EXHIBITIONS BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill intituled An Ordinance to prohibit exhibitions, publications, and advertisements of an indecent, obscene, revolting, or offensive nature.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On the motion of the Attorney General, the word “medical” was inserted in section 4 before the word “book” and before the word “publication”, and the following new sections were added to the Bill:—

- 6.—(1) Whenever it appears to a magistrate upon the oath of any person that there is reasonable cause to suspect that any written or printed matter, or any picture, figure, or other thing, which is of an indecent, obscene, revolting, or offensive nature, is to be found in any building, vessel (not being a ship of war or a ship having the status of a ship of war); or other place, such magistrate may by warrant directed to any police officer empower him, with such assistants as may be necessary, by day or by night to enter and if necessary to break into or forcibly enter such building, vessel, or other place, and to search for and take possession of any written or printed matter, or any picture, figure, or other thing, which appears to such police officer or to his assistants to be of an indecent, obscene, revolting, or offensive nature. Search Warrant.
- (2) Where any written or printed matter or picture which appears to such police officer or to his assistants to be of an indecent, obscene, revolting, or offensive nature, is contained in any newspaper, book, magazine, or pamphlet, it shall be lawful for such police officer and his assistants to take possession of the whole of such newspaper, book, magazine, or pamphlet.
- 7.—(1) Any written or printed matter, or picture, figure, or other thing, taken possession of under any warrant issued under the provisions of section 6 of this Ordinance, shall forthwith be taken before a magistrate to be disposed of according to law. Forfeiture.
- (2) It shall be lawful for a magistrate to order to be forfeited any written or printed matter, or any picture, figure, or other thing, which appears to him to be of an indecent, obscene, revolting, or offensive nature.
- (3) If any written or printed matter or picture which appears to a magistrate to be of an indecent, obscene, revolting, or offensive nature, is contained in any newspaper, book, magazine, or pamphlet, any order of forfeiture made under the provisions of this section may include the forfeiture of the whole of such newspaper, book, magazine, or pamphlet.
- (4) Every thing which is ordered to be forfeited under the provisions of this section may be disposed of in such manner as a magistrate shall direct.
- (5) If any written or printed matter, or picture, figure, or other thing, which appears to a magistrate to be of an indecent, obscene, revolting, or offensive nature, is affixed to or painted upon any building, it shall be lawful for such magistrate to order the owner or occupier of such building to remove or efface such written or printed matter, or picture, figure, or other thing, and if the person against whom the order is made fails to comply with the said order within such time as may be limited by such magistrate, it shall be lawful for a magistrate by order under this hand, to empower any police officer, with such assistants as may be necessary, to enter and if necessary to break into or forcibly enter such building, and to remove or efface such written or printed matter, or picture, figure, or other thing.

On Council resuming, the Attorney General reported that the Bill had passed through Committee with amendments and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

ADJOURNMENT.—The Council then adjourned until Thursday, the 30th day of May, 1918.

F. H. MAY,
Governor.

Confirmed this 30th day of May, 1918.

A. G. M. FLETCHER,
Clerk of Councils.