

LEGISLATIVE COUNCIL.

No. 356.

LEGISLATIVE COUNCIL, No. 5.

THURSDAY, 17TH JUNE, 1920.

PRESENT:

HIS EXCELLENCY THE GOVERNOR
(Sir REGINALD EDWARD STUBBS, K.C.M.G.).

The Honourable the Officer Commanding the Troops, (Colonel JULIUS RALPH YOUNG).
 „ the Colonial Secretary, (ARTHUR GEORGE MURCHISON FLETCHER, C.B.E.).
 „ the Attorney General, (JOSEPH HORSFORD KEMP, K.C., C.B.E.).
 „ the Colonial Treasurer, (DAVID WILLIAM TRATMAN).
 „ the Secretary for Chinese Affairs, (EDWIN RICHARD HALLIFAX, O.B.E.).
 „ the Director of Education, (EDWARD ALEXANDER IRVING).
 „ Mr. PERCY HOBSON HOLYOAK.
 „ Mr. Ho Fook.
 „ Mr. JOHN JOHNSTONE.
 „ Mr. EDWARD VICTOR DAVID PARR.
 „ Mr. ARTHUR RYLANDS LOWE.

ABSENT:

„ the Director of Public Works, (WILLIAM CHATHAM, C.M.G.).
 „ Mr. LAU CHÜ-PAK.

The Council met pursuant to summons.

The Minutes of the Meeting held on the 4th March, 1920, were confirmed.

NEW MEMBERS.—Colonel YOUNG, Mr. TRATMAN, Mr. IRVING, and Mr. LOWE took the Oath and assumed their seats as Members of the Council.

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

- Report of the Committee appointed to investigate certain matters connected with the administration of the Victoria Gaol.
- Report of Proceedings of the Public Works Committee at a Meeting held on the 5th February, 1920.
- Report on the Improvement of Jinrikisha Services in Hongkong during the year 1919.
- Return of Excesses on Sub-Heads met by Savings under Heads of Expenditure for the 1st Quarter of 1920.
- Report of the Committee appointed to consider the question of making provision for the protection of life and property in the Harbour during Typhoon Weather.
- Financial Returns for the year 1919.
- Report on the Finances for the year 1919.
- Report of the Harbour Master for the year 1919.
- Report of the Superintendent of Imports and Exports for the year 1919.

Report of the Director of the Royal Observatory, Hongkong, for the year 1919.
 Report of the Registrar of the Supreme Court for the year 1919.
 Report of the Land Officer for the year 1919.
 Report of the Captain Superintendent of Police for the year 1919.
 Report of the Superintendent of Prison for the year 1919.
 Report on the Kowloon-Canton Railway (British Section) for the year 1919.

FINANCIAL MINUTES.—The Colonial Secretary laid on the table Financial Minutes Nos. 17 to 50, and moved that they be referred to the Finance Committee :—

No. 17.—District Officer, Northern District, Motor Car for District Officer,	\$ 267.10
No. 18.—Prison Department, Clothing for Prisoners,	8,000.00
No. 19.—Prison Department, Personal Emoluments,	3,423.00
No. 20.—Prison Department, Personal Emoluments,	9,730.00
No. 21.—Charitable Services, Grants in aid of Charitable Institutions, Kwong Wah Hospital, Bonus to Dr. Smalley,	500.00
No. 22.—Public Works, Establishment, Special Expenditure, Typewriter,	150.00
No. 23.—Public Works, Extraordinary, New Territories, (78) Miscellaneous Works,	17,100.00
No. 24.—Public Works, Extraordinary, Hongkong, Roads: Repulse Bay to Taitam Tuk, 2nd Section, Improving and widening existing road,	6,000.00
No. 25.—Police Department, Furniture, Repairs and Renewals,	4,200.00
No. 26.—Charitable Services, Grants in aid of Charitable Institutions, The John G. Kerr Hospital, Canton,	3,000.00
No. 27.—Public Works, Extraordinary, New Territories, Roads: General Works,	1,070.00
No. 28.—Fire Brigade, Clothing,	1,000.00
No. 29.—Miscellaneous Services, Other Miscellaneous Services,	80,000.00
No. 30.—Prison Department :—	
Materials for Remunerative Industries,	\$ 6,500.00
Materials for Repairs and Renewals,	2,000.00
	8,500.00
No. 31.—Public Works, Extraordinary, Hongkong, (16) Roads: (a) Repulse Bay to Taitam Tuk, 1st Section, New Road,	2,500.00
No. 32.—Kowloon-Canton Railway, Traffic Expenses, Hire of Rolling Stock,	500.00
No. 33.—Police Department, Special Expenditure :—	
Motor Car,	\$ 2,525.00
Motor Fire Engines,	565.00
	3,090.00
No. 34.—Public Works, Extraordinary, New Territories, (68) Roads: (b) Metalling and tarring road from Fanling to Castle Peak,	49,053.00
No. 35.—Public Works, Extraordinary, New Territories, (68) Roads: (a) Taipo Road,—Widening and improving road between Shatin and Taipo, ...	29,000.00
No. 36.—Police Department, Personal Emoluments,	1,524.00
No. 37.—Miscellaneous Services, Rice Allowance,	55,000.00
No. 38.—Police Department, Incidental Expenses,	2,000.00

No. 39.—Police Department, Personal Emoluments,.....	\$ 2,824.00
No. 40.—Kowloon-Canton Railway, Maintenance of Way and Works, Sleepers,.....	5,000.00
No. 41.—Department of Director of Education, Building Grant for French Convent School known as St. Paul's Institution,	10,000.00
No. 42.—Department of Director of Education, Building Grant for St. Joseph's College,.....	20,000.00
No. 43.—Kowloon-Canton Railway, Special Expenditure, Re-building of Locomotive Workshop Office,...	1,500.00
No. 44.—Prison Department, Other Charges :—	
Incidental Expenses,	\$ 1,000.00
Photography,	600.00
Subsistence of Prisoners,	36,000.00
	37,600.00
No. 45.—Medical Department, <i>D.</i> —Institutes, Animals and Fodder,	750.00
No. 46.—Treasury, Purchase of Adding Machine,.....	100.00
No. 47.—Kowloon-Canton Railway, Special Expenditure, Improvements to Fanling Station,	715.00
No. 48.—Public Works, Extraordinary, Kowloon, (16) Fire Station, Tsimshatsui,	5,500.00
No. 49.—Imports and Exports Department, Launch Re- pairs,	800.00
No. 50.—Harbour Master's Department, Special Expendi- ture, Typewriter,	160.00

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 (No. 4), dated the 4th March, 1920, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

ADVERTISEMENTS REGULATIONS.—The Colonial Secretary addressed the Council and moved the approval of the Regulations made by the Governor in Council on the 4th day of March, 1920, under the Advertisements Regulation Ordinance, 1912.

The Attorney General seconded.

Question—put and agreed to.

OFFENSIVE TRADES BY-LAWS.—The Colonial Secretary moved the approval of the new By-law made by the Sanitary Board on the 30th day of March, 1920, under section 16 of the Public Health and Buildings Ordinance, 1903, in substitution for By-law No. 1 of the Offensive Trades By-laws.

The Attorney General seconded.

Question—put and agreed to.

PUBLIC LATRINE AND URINALS AT SHAMSHUIPO.—The Colonial Secretary addressed the Council and moved the following Resolution :—

Whereas application has been duly made by the Sanitary Board to the Governor under section 167 of the Public Health and Buildings Ordinance, 1903, for the erection of a Public Latrine and Urinals at the East corner of the junction of Yee Kuk Street and Pei Ho Street, Shamshuiipo :

And whereas such application having been duly approved by the Governor and a notification of the intention to erect a Public Latrine and Urinals at such site having been duly published in three successive numbers of the Gazette, certain owners and occupiers of property in the vicinity have objected to such erection :

And whereas such objections have been duly considered :

It is hereby resolved by this Council that the above mentioned site and the erection thereof of a Public Latrine and Urinals be and the same are hereby approved.

The Attorney General seconded.

Question—put and agreed to.

QUESTIONS.—Mr. LOWE gave notice of the following questions :

- 1.—*In view of the fact that a strong local Commission, appointed by the Officer Administering the Government, reported in or about March, 1919, their findings regarding the emoluments of the public service of the Colony, and having regard to the fact that such emoluments are defrayed out of local revenue and not out of Imperial Funds, will the Government lay on the table the following documents, viz., the Report of the Commissioners; the despatches from the Secretary of State dealing with such report?*
- 2.—*Will the Government, having regard to the desire of the taxpayers that the public servants should be remunerated on a fair and reasonable basis only, and in view of the undoubted dissatisfaction still existing amongst several classes of such servants as a result of the Secretary of State's decision, lay on the table a statement showing in what respect the recommendations of the Commission differ from the directions of the Secretary of State?*
- 3.—*Will the Government state on broad lines what financial assistance they are prepared to make to assist applicants desiring to build houses for their own occupation and also how many of such applications have been received to date, specifying how many of such have been accepted or refused or with which they are still in treaty?*
- 4.—*How many patients resident in Kowloon have been inmates of the Government and other hospitals in Victoria during 1919 and what steps, if any, have been taken to further a scheme for a general and maternity hospital at Kowloon?*

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

1. *In view of the shortage of Hospital accommodation in this Colony will the Government sanction the attendance of patients' own physician or surgeon desired, at the Government Civil Hospital and the Barker Road Hospital, and will the Government also arrange for an additional number of private rooms for this purpose both in the 1st and 2nd class wards?*
2. *What steps has the Government taken to provide Hospital accommodation for "maternity" cases on the Peak?*
3. *Is it not a fact that the house called "Lyceum" next the Victoria Hospital was purchased by the Government for the express purpose of turning it into a maternity annexe of the Victoria Hospital and if so why has it not been put to such use?*
4. *In view of the dangerous condition of some of the new motor roads both in Victoria and the New Territory and the approach of the rainy season which will make them more dangerous, what steps have the Government taken for a daily patrol on and report of all the important roads in the Colony and New Territory?*
5. *In view of the fact that during the last 10 months and even within the last 10 days several cases of suspected rabies infection have had to leave the Colony for treatment in Shanghai, will the Government immediately take steps to provide the same treatment here?*

The Colonial Secretary replied.

TRADE MARKS BILL.—The Attorney General moved the First reading of a Bill intituled An Ordinance to amend the Trade Marks Ordinance, 1909.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

SOCIETIES BILL.—The Attorney General moved the First reading of a Bill intituled An Ordinance to amend the law relating to societies.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

PUBLIC HEALTH AND BUILDINGS BILL.—The Attorney General moved the First reading of a Bill intituled An Ordinance to amend the Public Health and Buildings Ordinance, 1903.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

ADJOURNMENT.—The Council then adjourned until Thursday, the 24th day of June, 1920.

R. E. STUBBS,
Governor.

Confirmed this 24th day of June, 1920.

W. J. CARRIE,
Clerk of Councils.

No. 357.—His Excellency the Governor has given his assent, in the name and on behalf of His Majesty the KING, to the following Ordinances passed by the Legislative Council:—

Ordinance No. 7 of 1920.—An Ordinance to amend the Trade Marks Ordinance, 1909.

Ordinance No. 8 of 1920.—An Ordinance to amend the law relating to societies.

Ordinance No. 9 of 1920.—An Ordinance to amend the Public Health and Buildings Ordinance, 1903.

HONGKONG.

No. 7 OF 1920.

I assent to this Ordinance.



R. E. STUBBS,
Governor.

25th June, 1920.

An Ordinance to amend the Trade Marks Ordinance, 1909.

[25th June, 1920.]

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

Short title and construction. Ordinance No. 40 of 1909.

1. This Ordinance may be cited as the Trade Marks Ordinance, 1920, and shall be read and construed as one with the Trade Marks Ordinance, 1909, hereinafter called the principal Ordinance, and the said Ordinance and this Ordinance may be cited together as the Trade Marks Ordinances, 1909 and 1920.

Omission to send, and non-receipt of, notice of intended removal to be no bar to removal of expired trade mark.

2.—(1.) Notwithstanding anything contained in the principal Ordinance or in the Rules made thereunder, neither omission on the part of the Registrar to send the notice prescribed by section 30 of the said Ordinance, nor the non-receipt by the registered proprietor of any such notice, nor omission on the part of the Registrar to advertise the fact of non-payment of the renewal fee, shall be any bar to the removal from the register of any trade mark the registration of which has expired and