

18TH MAY, 1911.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR, SIR
FREDERICK J. DEALTRY LUGARD,
K.C.M.G., C.B., D.S.O.

HIS EXCELLENCY MAJOR-GENERAL C. A.
ANDERSON, C.B. (THE GENERAL OFFICER
COMMANDING THE TROOPS).

HON. MR. C. CLEMENTI (Colonial
Secretary).

HON. MR. C. G. ALABASTER (Attorney-
General)

HON. MR. A. M. THOMSON (Colonial
Treasurer).

HON. MR. W. CHATHAM, C.M.G. (Director
of Public Works).

HON. MR. A. W. BREWIN (Registrar-
General).

HON. CAPTAIN F. W. LYONS (Captain-
Superintendent of Police).

HON. DR. HO KAI, M.D., C.M.G.

HON. MR. WEI YUK, C.M.G.

HON. MR. E. H. POLLOCK, K.C.

HON. MR. E. A. HEWETT.

HON. MR. C. MONTAGUE EDE.

HON. MR. C. H. ROSS.

MR. R. H. CROFTON (Clerk of Councils).

Minutes

The minutes of the last meeting were read
and confirmed.

Papers

THE COLONIAL SECRETARY, by
command of His Excellency the Governor,
laid on the table the following papers:—
Report of the Land Officer; Report of the
Registrar of the Supreme Court; Report of the
Captain Superintendent of Police and of the
Superintendent of the Fire Brigade; and the
Financial Returns for the year

Financial Minutes

THE COLONIAL SECRETARY, by
command of His Excellency the Governor,

laid on the table Financial Minutes (Nos. 29
to 31), and moved that they be referred to the
Finance Committee.

THE COLONIAL TREASURER seconded,
and the motion was agreed to.

Financial

THE COLONIAL SECRETARY, by
command of His Excellency the Governor,
laid on the table the report of the Finance
Committee (No. 8), and moved its adoption.

THE COLONIAL TREASURER seconded,
and the motion was agreed to.

The Military Contribution

THE HON. MR. EDE, pursuant to notice,
asked the following question: — With
reference to the remarks of the Hon. Mr.
Slade in the debate of the 8th October, 1908,
will the Government lay upon the table some
papers embodying the views and calculations
of His Excellency the Governor upon the
subject of the Military Contribution?

THE COLONIAL SECRETARY replied—
The views and calculations of His Excellency
the Governor regarding the Military
Contribution, to which reference is made,
were communicated by the Governor to the
Secretary of State in a despatch dated the
28th October, 1909. In reply His Excellency
was informed by Lord Crewe in a despatch
dated the 17th December, 1909, that, should
the Lords Commissioners of the Treasury
agree to the proposal of the Secretary of State
for the Colonies for the appointment of an
Interdepartmental Committee to consider the
question of Military Contribution, His
Excellency's views would receive the most
careful consideration. Mr. Harcourt, to whom
reference has been made by telegram,
deprecates the publication of His Excellency's
despatches at the present moment while
negotiations between the Colonial Office and
the Imperial Treasury are still pending.

The Prosperity of the Colony

HIS EXCELLENCY—Before we proceed to the orders of the day I will ask your permission to make a few remarks upon the Financial Returns which have been laid upon the table to-day. This paper is, perhaps the most important document which is laid on the table of this Council during the year, and it has always been a matter of some surprise to me that while the annual estimates of revenue and expenditure receive the fullest debate and excite the keenest interest, little or nothing is said regarding the financial returns of the last completed year. I hope that the innovation which I make in offering a few comments to the Council on these returns will meet with your approval. I propose to be very brief and to confine my remarks to revenue realised. If it should be the wish of the Council that I should deal in a similar way with the returns of expenditure, that can be done when we have the Appropriation Bill before us later in the year. I am the more anxious to refer to this return to-day because the statement appears to me in many ways a highly satisfactory one.

You will see that under nearly all the heads of revenue there is an increase, but more especially under those heads which directly concern the trade and industry of the Colony—and this, I think, we may take as an indication of an increase in the prosperity and business of the Colony. Under light dues, both special and ordinary, the increase for last year was \$9,157, and over the estimates \$11,968, which is equal to seven per cent. of the total. I think that may be taken as an indication of increased activity in the shipping of the Port on which our prosperity so very largely depends. Under the head of "licences and internal revenue" you will see that the total sum realised was \$140,430 under the estimate, but it is an increase of \$239,295 over last year. The two largest items which show an increase are companies' local registers, \$9,274, and stamp duties \$53,836, both of which, I think, are fair indications of an increasing business. The reason why the total is under the estimate is because the amount realised for liquor duties was, as you all know, \$212,212 under the purely guess estimate of \$600,000. We cannot compare the result of the liquor duties with the year 1909, because they were only instituted 3 months

before the close of that year. If, however, we take the last three months of 1909 when the liquor dues were in force there is a proportionate increase of \$30,000. It is not perhaps fair to say that an increased consumption of liquor in the Colony is an indication of prosperity. It is perhaps more truly due to the depletion of non-dutiable stocks.

You will see also that there was a shrinkage in rates of about \$13,000. That is only due to the fact that refunds of rates over-paid has for the first time been deducted from the gross total instead of being charged as a separate item in expenditure account. Under the next large head of Revenue, viz., Fees, specific payments, etc., there is an increase of \$47,226 over the estimate and \$65,996 over the previous year. Again, I think, you will find that the chief items in this increase are very significant. Registration of companies exceeded the estimate by \$14,179, which means an increase of 318 per cent., and it was \$12,823 over the previous year. Crown leases and deeds were \$9,259 over the estimate and \$9,872 over the previous year, and reached the highest attained since 1905. Emigration fees show an increase of \$13,237 over the estimates, and \$17,514 over the previous year. All these items, I think, point in the same direction, towards an increase in the business and trade of the Colony. You will see that under the Official Receiver's and Trustees', and Official Administrator's Commission there is a total increase of \$13,971 over the estimate, which is equal to 233 per cent. and is \$6,595 over the previous year. I think this may be said to be to some extent, at any rate, an indication of the success of the new appointment of a deputy official receiver. There is one considerable item only as decrease, namely, school fees, which together aggregate \$16,097 under the estimates, but only \$3,200 less than the previous year. The reason of that decrease is primarily that we have in most of the large schools reduced the number of scholars so as to avoid excessive overcrowding which has been the case in previous years. The earnings of the Post Office are \$47,066 over the estimate, an increase of 10 per cent. and \$75,020 over the previous year.

Apart from these figures, which show, as I think, indications of an increase in the

trade and business, it has always been considered that land revenue and sales form an independent guide as to the state of trade and prosperity. If you look at land revenue, including the New Territories, you will see that the realised revenue exceeded the estimate by \$21,086 and last year's receipts by \$6,015. Land sales were \$37,314 under the estimate, but that was a guess estimate of \$100,000, which has not been nearly reached during several previous years. They are, however, very nearly double the receipts for land sales in 1909 and show an increase of \$31,089.

The total realised revenue is \$52,072 over the estimates, and is an increase of \$137,903 over the corresponding revenue of 1909. It includes \$99,310, which is the amount given by the Imperial Government in satisfaction of claims regarding opium, but does not include \$27,000 which the Imperial Government promised us for the deficit in conducting the postal agencies in China. That sum will be credited during the current year.

I am sure, gentlemen, you will all agree with me that these are very reassuring figures and give us ground for hoping that the "winter of our discontent" is really passing by. I class myself among those who think that sane and moderate optimism is much more likely to produce the results we desire than continued pessimism, but the figures I have quoted do not stand alone. Those of you who have had time to read and compare the annual reports laid on this table will see that the figures are borne out by the different reports from the heads of departments. There was laid upon the table at the last meeting the report of the Assessor of Rates, which showed that the rateable value of property in this Colony has continually decreased for the last three years, but for the year 1910 it has increased by .71 per cent. The highest ever attained in the rateable value of property was in the year 1906-1907, when it reached a value of \$10,969,203, but in 1910 it stood at \$11,161,390, which is the highest ever attained in the history of the Colony. The increase has been universal except in a few villages in Kowloon. The vacant tenements in the Colony have decreased from 135 to 105. Then, again, the Harbour Master's report, which, I regret to say, has not yet been printed, but which will shortly be laid before

the Council, and which I have gone through carefully, shows that during the year 1910 there was an increase of 19,884 vessels and 1,703,516 of tonnage, and that is the highest also which has ever been attained in this Colony.

These figures, gentlemen, I think, speak for themselves, but the conclusions I have drawn from them are supported also by outside figures, independent and weighty opinions. You have all read the report of the Chairman of the Hongkong and Shanghai Banking Corporation, and I presume that no one is better able to form a large and liberal idea of the course of trade in the Far East. He stated that in spite of the financial crisis which recently took place in Shanghai, and despite the outbreak of plague in Manchuria—the first of which was not adjusted and the second still rampant at the time he delivered his speech—that his predecessor's forecast, which was very optimistic, had been largely realised and that he anticipated a healthier trade in the coming year than there had been in the Far East for a long time past. He stated that the prospects were promising, though the improved condition of affairs had been lost sight of owing to the temporary financial crisis in the money market. Home trade was improving, and Burmah, Siam, Cochin-China, the Straits and the Philippines were all highly prosperous. His remarks were endorsed by the Chairman of the Chartered Bank in London on March 29th. He made almost identical remarks regarding the trade of India, Ceylon and Burmah. I may say also that I have received private information that the demand for property has been increasing rapidly in the Colony quite recently.

My speech, gentlemen, sounds something like those with which you are all so familiar when the chairman of one of our prosperous companies informs the share-holders that the Company is progressing most satisfactorily and winds up by declaring a very comfortable dividend. I have no dividend to declare, and I regret to say no remission of taxation to announce, but I think, that, as we are all shareholders in the prosperity of the Colony, it is a useful thing to look at our balance sheet and take stock of what has happened during the past year. And I think I may say that we

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comfort in the feeling that we are probably at the end of our financial difficulties and that the revenue and expenditure of the Colony has been placed on a satisfactory footing which will not demand of us any further sacrifices in the form of new taxation. (Applause.) I think I may say that my perhaps somewhat optimistic forecasts are thoroughly borne out by the facts and figures I have quoted to you, and I believe a knowledge of them will promote a healthy confidence in the Colony and is more likely to do good and to stimulate trade than is, as I said before, a persistent pessimism. (Applause.)

Foreign Offenders' Detention Amendment Ordinance

THE ATTORNEY-GENERAL moved the first reading of a Bill entitled, "An Ordinance to amend the Foreign Offenders' Detention Ordinance, 1872."

THE COLONIAL SECRETARY seconded, and the motion was agreed to.

The objects and reasons are:

Ordinance No. 1 of 1872 permits the Governor to warrant the temporary detention of subjects of Foreign Governments who, having been accused or convicted of crimes committed in China, are brought within the Colony in course of transmission to their own country for trial or punishment. Owing to the growth of consular jurisdiction such persons are tried in their Consular Courts in China more often than in their own country, and as it is as important to detain prisoners being transmitted East as it is to detain prisoners being transmitted West the amendments are made in the preamble and in section 3 of the principal Ordinance. Moreover, as the principal Ordinance is not an extradition Ordinance, but an Ordinance which authorises the detention of prisoners already in lawful custody when, in course of transmission, they are brought to the Colony, sub-section (4) of section 5, which is based on extradition precedents, seems unnecessary, and his Honour the Chief Justice, who is now engaged in the revision of the Ordinances, has advised its repeal. The amendment to section 6 is consequential on the amendment to section 5.

The Statute Law (New Revised Edition) Ordinance

THE ATTORNEY-GENERAL moved the second reading of the Bill entitled, "An Ordinance to authorise the publication of a Newly Revised Edition of the Revised Edition of the Statute Laws of the Colony prepared in virtue of Ordinance No. 12 of 1900."

In doing so he said—As you know, Sir, the unsold stock of the Ordinances of this Colony has now been reduced to 20 copies, and it is absolutely necessary that a new stock should be prepared. It is highly undesirable that the stock should be reprinted, partly because it goes down to the year 1901, since when much that is in the earlier volumes has been altered by revising, consolidating and amending Ordinances, and also because certain errors crept into Sir John Carrington's edition. Sir Francis Piggott has been appointed editor for the revision of the new edition, and this Ordinance is the authority which he will have to make alterations in the old edition. I beg to move the second reading.

THE COLONIAL SECRETARY seconded, and the motion was agreed to.

THE ATTORNEY - GENERAL then moved that the Bill be referred to the Law Committee.

THE COLONIAL SECRETARY seconded, and the motion was agreed to.

The Money-Lenders' Ordinance

THE ATTORNEY - GENERAL moved the second reading of the Bill entitled, "An Ordinance to amend the Law with respect to Persons carrying on business as Money-lenders."

In doing so he said—Sir, the problem of how to deal with usurers has faced every Government ever since there has been a Government. Moses tried to deal with it by prohibiting the trade altogether, and the fact that his own descendants are so largely engaged in it is a striking commentary on his failure. Another method, adopted by Justinian, and by some States in Europe at times, and by several States in America, is

to fix a legal rate of interest, but they have never succeeded. Such a law is in force in certain States in America now, where the maximum rate allowed by law is six per cent. to loans without security, but yet in these same States loans with the very best mortgage security average eight or nine per cent. In 1897 a Select Committee of the House of Commons was appointed to report on the subject generally. They did not complete their sittings, but all the minutes of evidence taken before them was continued by the Select Committee appointed in 1898. They reported that neither the Mosaic nor the usury laws with regard to the maximum rate of interest were suitable, and they suggested that the only way to deal with the problem was to register all those who carried on the business of money-lending, either as their sole business or as a substantial part of their business, and to give the Courts power to revise any contract which they entered into. As a result of that report in 1900 an Act was passed in England. There were only seven sections, only five of which are of any importance. The other two referred to the date of coming into force and to the application of the Act to Scotland. On those five sections there have been no less than reported 140 cases, because as soon as the Act was passed the moneylenders tried to evade it, and several of those who have written books on the subject (I was one of the number) have made a substantial income by telling moneylenders that the methods of evasion they have propounded for consideration would not help them to escape, because the judges in interpreting the Act have been guided always by the principle that it was intended for the protection of borrowers, and have never strained any of its provisions in favour of a lender. I would suggest in introducing the law into this Colony that we follow the English Act as closely as possible. That has been done in drafting this Bill, but there was one very slight exception in section 6 sub-section (*d*). The English Act allows the Board of Trade to exempt certain corporations. There does not seem to be any sufficient reason why power of exemption should be limited to corporations, so in this draft Bill power of exemption has been extended to companies, associations or partnerships. The Governor-in-Council is not bound to exempt them, but if he is satisfied

they are allowed to be exempted.

THE COLONIAL SECRETARY seconded, and the motion was agreed to.

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

On resuming,

THE ATTORNEY-GENERAL reported that the Bill had passed through the Committee stage without amendment, and moved that it be read a third time.

THE COLONIAL SECRETARY seconded, and the Bill was read a third time and passed.

University Amendment Ordinance

THE ATTORNEY-GENERAL moved the second reading of the Bill entitled, "An Ordinance to amend the University Ordinance, 1911." In doing so he said—The amending Bill deals with Part I. of the first schedule to the principal Ordinance. It deletes the words "two representatives of Asiatic races other than Chinese" and substitutes "two additional members nominated by the Governor." This was done because as the words stood it was difficult to know whether they excluded or included members of the Jewish race. There are many Jews who consider themselves members of an Asiatic race and many who do not, and the alteration will enable the Governor-in-Council to nominate whom he chooses. Part III. of the principal Ordinance is amended by inserting after the words "provided that" the following words: "pending the sufficient constitution of the Senate for the purpose of transacting business it shall be lawful for the Chancellor to nominate a member of the Senate of the Hongkong College of Medicine who is also a member of the Court of the University to be an additional member of the Council, and provided also that." The reason for this is sufficiently stated in the objects and reasons attached to the Bill.

THE COLONIAL SECRETARY seconded, and the motion was agreed to.

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

On 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, and the Bill was read a third time and passed.

Sale of Food and Drugs Amendment Ordinance

THE ATTORNEY - GENERAL moved the second reading of the Bill entitled, "An Ordinance to amend the Sale of Food and Drugs Ordinance, 1896." In doing so he said—This Bill has two enacting clauses. The first (clause 2) requires machine skimmed milk and ordinary skimmed milk to have certain labels on it stating its nature and stating that it is not suitable for consumption by children under one year of age. The second requirement does not appear in the corresponding English Act, because in England the meaning of the words skimmed milk and machine skimmed milk are sufficiently known. The Select Committee on Food Products Adulteration in their report published in July, 1896, recommended that in the case of condensed milk made from skimmed milk the label of the tin should describe the contents in large and legible type, and that a notification should be printed thereon that such milk is not suitable for the purpose of feeding infants and young children, and we, in drafting the Bill, have adopted that suggestion, because we consider that without it either label would convey nothing to the Chinese. Clause 3 of the Bill gives the Governor-in-Council certain powers for setting standards which are possessed in England by the Board of Agriculture. The Bill if passed to-day will come into operation at once. I believe that my hon. and learned friend on the left is going to propose that at any rate the coming into force of this Bill should be delayed partly because certain contracts have been entered into by condensed milk dealers who would like to get rid of their existing stocks and partly because it creates an immediate offence, so that if they attempt to deal with their stocks without sticking on labels they will commit an offence tomorrow. I am loath to accede to the request that the operation of the Bill be postponed for this reason. The object of the

Bill is to prevent infant mortality, and I deem it to be the duty of the Executive as soon as they are made acquainted with the fact that a certain state of affairs is conducive to infant mortality to stop it at once without regard to the fact that a certain trade may suffer temporary loss. Moreover, I do not think that trade can suffer great loss by the operation of this measure, because all it asks them to do is to put additional labels on tins which they are selling. I therefore move that the Bill be read a second time in its present form.

THE COLONIAL SECRETARY seconded.

THE HON. MR. POLLOCK—Sir, I think there are certain details in regard to which this Bill is open to criticism. I have been approached, Sir, by a trader who is interested in this business, not, of course, professionally, but in my capacity as an unofficial member of this Council. With regard to the words in clause 2, "not suitable for the feeding of infants under one year of age," and the corresponding Chinese characters, as the hon. and learned Attorney-General has pointed out to this Council, no equivalent of those words exists in the corresponding English Act of Parliament, and I think, Sir, it is a noteworthy fact that those words have not been incorporated at present into the legislation of England. The learned Attorney-General has referred us to some recommendation which has been made in some report at Home, but whatever recommendation may have been made the fact remains that these words do not appear at present on the Statute Book in England, and we know that at Home they are very strict in their tests and ideas in these matters. Sir, I would submit that no sufficient case has been shown at present why we should go ahead of the Home legislation. The hon. Attorney-General, in connection with the postponing of the Bill, made some remarks about the object of the Bill being to prevent infant mortality, but, Sir, no definite proof has been adduced before this Council to show that the feeding of an infant under one year of age with either machine skimmed milk or skimmed milk would conduce to mortality. It is nothing more than a statement thrown out, and we have not been informed at p r e s e n t w h a t

particular expert opinion lies behind that statement. So much with regard to clause 2 of the Bill. With regard to clause 3, it seems to me that it is proposed by this clause to give powers to the Governor-in-Council which I venture to think the Governor-in-Council ought not to possess. At Home the power of making regulations upon the points referred to in clause 3 is vested in the Board of Agriculture, which is a body which is eminently qualified to pass rules and regulations as to the normal constituents which should be generally found in milk, cream, butter, and so on. But, Sir, without in any way wishing to decry the capacity and abilities of members of the Executive Council, I must confess that we possess no expert knowledge in this matter at all, and powers which could safely be confided to the Board of Agriculture at Home are not powers which could safely be confided to the Governor-in-Executive-Council. If the Government decides to have some clause somewhat corresponding with clause 3 of this Bill, I would submit that words should be inserted in that clause to the effect that the regulations made are not to come into force until approved by the Legislative Council. Otherwise I think it would be very dangerous to give these departmental powers to the Governor-in-Council. There is another point to be considered. I do not see how the Governor-in-Council can come to a decision in this matter without some reference to the Government Analyst or expert of the Government. There is a proviso in clause 3 that the Government Analyst is to have regard to regulations made by the Governor-in-Council in certifying the result of an analysis under this Ordinance, and under the principal Ordinance a certificate of analysis given by the Government Analyst is made *prima facie* evidence in a court of law in any proceedings. Therefore, Sir, I think that either clause 3 should be deleted altogether, or, if the Government is not willing to go so far as that, that some words should be inserted in the latter part of that clause to provide that these regulations shall not come into force until approved by the Legislative Council. With regard to the other point referred to by the Attorney-General, the question of postponing the operation of the Bill, I would submit it is obviously unjust that this Bill should come into force straight off. Supposing this Bill to

be passed to-day and your Excellency's signature attached, to-morrow an offence is created. I would submit that that is altogether unreasonable. In the case of a Bill which was passed through Council this afternoon, the Moneylenders' Ordinance, it has been provided by a clause of that Bill that it shall not come into operation until the first of January next year. I don't know whether it is necessary to postpone the operation of the present Bill to so late a date as that, but at all events there should be a reasonable postponement, say, three or four months. There is another point that might be mentioned in connection with this Bill. I am not an expert on the subject, but the Chinese members may be able to deal with it, that is, the question of Chinese translations used in the Bill. I am given to understand that those translations do not happily represent the equivalent of the English words.

THE COLONIAL SECRETARY—Sir, in reply to the remarks made by my hon. and learned friend, more particularly with regard to the second section of this Bill, I venture to think that the best course will be to read to the Council a minute by the Government Analyst dealing with this question. The matter is eminently one for experts, and I think no official member of this Council has any special knowledge with regard to milk. Therefore I prefer to read the following minute which is signed by Mr. Franklin and dated the 1st inst.:— "Condensed skimmed milk is prepared in enormous quantities on the Continent of Europe by butter manufacturers. The residue left after removing nearly all the fat by separating machinery is concentrated, after the addition of sufficient cane sugar or beet sugar, to form about 35 to 45 per cent. of the finished product, *i.e.*, an amount fully equal to the milk solids in the concentrated milk. The condensation is between $2\frac{3}{4}$ and $3\frac{1}{4}$ as a rule, *i.e.*, one part by weight of products represents $2\frac{3}{4}$ to $3\frac{1}{4}$ parts by weight of original milk. According to evidence given by a witness claiming to be one of the largest manufacturers before the Departmental Committee on milk regulations in 1900, cane sugar is not necessary as a preservative, but is added to meet the public taste." The following remarks are then quoted by

Whitelegge and Newman (1908) from *Hygiene and Public Health*: "The added sugar renders it too carbonaceous and fattening, though lacking in fat, but apart from this the nutritive value of condensed milk seems to be inferior to that of fresh milk, especially in regard to bone formation and stamina. A serious consequence arising from the addition of a large amount of sugar to condensed milk is that the preparation is unsuitable for ordinary purposes unless mixed with such a proportion of water as to dilute it far beyond the bulk of the milk before concentration. Some labels bear a statement that if mixed with from three to five volumes of water the milk may be used as a substitute for cream. As a fact, though the article thus diluted will have the consistence and appearance of cream it will contain less fat than is present in ordinary uncondensed new milk. A highly reprehensible statement which is made on the labels of many brands of condensed milk is that for infants' use the preparation should be diluted with from six to fourteen parts of water. This direction, if carried out to the extreme limit, would yield a fluid containing only three to four per cent. of milk solids (instead of twelve to thirteen per cent.), and in some cases less than one per cent. of fat (instead of three and a half to four per cent.). In some instances the labels bear the statement that nurses are disposed to add too little water. The Select Committee of Food and Products Adulteration, in their report published in July, 1896, recommended that 'in the case of condensed milk made from skimmed milk the label of the tin should describe the contents in large and legible type, and that a notification should be printed thereon that such milk is not suitable for the purpose of feeding infants and young children.' But the Committee do not appear to have realised the grave mischief caused by false statements respecting the dilution which should be practised when the milk is intended for the feeding of infants." Then follows another quotation from the *Commercial Organic Analysis*, Vol. 4 (1898), by A. H. Allen: "Unfortunately, such flagrant misrepresentations as disgraced the condensed milk trade are not punishable under the Sale of Food and Drugs Act, and the proceedings which are possible under other enactments lack the necessary initiative." The author quoted—one of the foremost authorities on the subject —

cites several brands in support of the above, and shows how the milk when diluted according to directions will contain anything down to 0.68 per cent. of fat, even in the case of condensed whole milk. He then concludes: "From these figures it appears that an attempt to feed an infant in accordance with the directions issued with some brands of condensed milk will either result in the child being half starved, or will compel it to imbibe such a quantity of fluid as cannot fail to prove a serious strain on its system." The above remarks are followed up by Mr. Franklin himself, who says: "The above remarks refer to all condensed milks, but have far greater force in the case of machine skimmed, and when it is remembered that the proteids are equally attenuated the serious aspect of the matter is increased. Scientific and medical witnesses before the Commission of 1900 used such phrases as 'starvation of children fed on tem,' when speaking of condensed skimmed milk. The foregoing disposes of many of the statements made on behalf of condensed skimmed milk, but in view of the misleading comparison made between whole milk and one particular brand of the condensed article, it is necessary to go further and point out that these statements appear to be based on the assumption that the milks are to be diluted to correspond approximately with fresh skimmed milk. The comparison mentioned above is useless. The product of such dilution would be too thick for infants. Some of the brands on the local market have wrappers bearing directions in Chinese that the contents should be diluted ten or fourteen times with water." Then follows a table which I will not read. Mr. Franklin winds up by saying: "To avoid friction the proposed wording of notice on label might be altered to 'not suitable for feeding infants under one year.' I think it would be better if the new section 28 gave the Governor-in-Council power to make regulations as to standards for all food products and drugs also. There are other substances than those enumerated for which standards may become necessary, and the matter will be much simplified if the needful machinery is enacted now." It is upon this recommendation that sections 2 and 3 of the present Bill are based. With regard to the question of the Chinese translation in section 2, I referred the matter to the

hon. Registrar-General before the Council met, and I understand that a small modification will be proposed when Council goes into Committee. I take it that my hon. and learned friend has no objection to the principle of this section other than the wording of the label, and I would suggest that that point might be discussed in Committee. With regard to section 3, the hon. member pointed out that the Governor-in-Council has no particular knowledge on the subject of milk, but in such a matter as this any action taken by the Governor-in-Council would certainly be on expert advice. The Government Medical Officers and more particularly the Government Analyst would, of course, be consulted before any regulations were framed. I may also say that the question of submitting to the Legislative Council regulations passed by the Governor-in-Council has been time and again debated in this Chamber, and the conclusion invariably reached has been that it would be quite useless to delegate powers to the Governor-in-Council and then require him to submit regulations made under those powers to the Legislative Council. I may point out that this Bill was published in the *Gazette* last Friday, and it has been in the hands of the trade for a week. Presumably the time required for printing the new labels would not be considerable, and I consider that the hon. gentlemen's request for a postponement on that account for three or four months is very excessive. I would also entirely endorse the statement made by the hon. Attorney-General that the attention of the Government having been called to the fact that these foods are a great danger to infants to whom they are supplied, we should be entirely wrong in not taking steps to immediately obviate such danger.

HON. MR. HEWETT — I don't know whether I am in order, Sir, but I would ask that the extracts mentioned by the Colonial Secretary in the report of the Analyst should be published and laid on the table for information.

HIS EXCELLENCY — In view of the important points which have been raised on the second reading of this Bill, and more especially since the hon. member who spoke last desires to see the Tabular Statements and to be able to study the somewhat intricate and

technical minute which has been read, I think the better course will be not to proceed with the Bill to-day, but to postpone it until our next meeting. I agree, however, with the hon. Attorney-General when he says that no undue delay should take place in the passing of this Bill, since it has been represented to the Government by the Sanitary Board, by its Medical Officers, and by the Analyst, that grave danger to infants does in their opinion exist in the sale of condensed milk as it is at present labelled. I propose therefore that we shall defer the Committee stage to the next meeting of Council. We can then perhaps take the third reading and pass the Bill forthwith. The hon. Colonial Secretary has already replied to most of the points which my hon. friend on the left raised. I will at present therefore only comment on the date on which the Bill should come into operation. While feeling with the hon. Attorney-General who has spoken on behalf of the Government that no undue delay should be caused in bringing the Bill into operation, I do feel that hardship may be caused in making it immediately operative after receiving my signature. The Bill has been published in the *Gazette* for a week and by postponing the Committee stage the trade will have a further week. I think the Bill should come into operation in a fortnight or three weeks, which should be sufficient to meet any reasonable claim on the part of the trade.

The Bill was then read a second time.

Electricity Ordinance

THE ATTORNEY - GENERAL moved the third reading of the Bill entitled, "An Ordinance for regulating the supply of Electricity for Lighting and other purposes within the Colony of Hongkong and its Dependencies.

THE COLONIAL SECRETARY seconded, and the Bill was read a third time and passed.

HIS EXCELLENCY—Council will adjourn until this day week.

FINANCE COMMITTEE.

A meeting of the Finance Committee was held afterwards, the Colonial Secretary in the chair. The following vote was passed:

Educational

The Governor recommended the Council to vote a sum of one hundred and thirteen dollars and twenty-three cents (\$113.23) in aid of the vote Education, Other Charges, Belilios Public School, English Side, Language Study Allowance (Chinese) to Assistant Mistress.

Pension Expenses

The Governor recommended the Council to

vote a sum of one thousand eight hundred and eighty-six dollars (\$1,886) in aid of the vote Miscellaneous Services, Widows' and Orphans' Pension Expenses.

Coronation Illumination

The Governor recommended the Council to vote a sum of five thousand dollars (\$5,000) in aid of the vote Miscellaneous Services, Illumination of Public Buildings in connection with the Coronation Celebrations.