

29TH JUNE, 1916.

**PRESENT:—**

HIS EXCELLENCY THE GOVERNOR SIR FRANCIS HENRY MAY, K.C.M.G.

HIS EXCELLENCY MAJOR-GENERAL F. VENTRIS (General Officer Commanding Troops in China).

HON. MR. CLAUD SEVERN (Colonial Secretary).

HON. MR. J. H. KEMP (Attorney-General).

HON. MR. E. D. C. WOLFE (Colonial Treasurer).

HON. MR. E. R. HALLIFAX (Secretary for Chinese Affairs).

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

HON. MR. C. McI. MESSER (Captain Superintendent of Police).

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

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

HON. MR. E. SHELLIM.

HON. MR. D. LANDALE.

HON. MR. LAU CHU PAK.

HON. MR. P. H. HOLYOAK.

MR. A. G. M. FLETCHER (Clerk of Councils).

**Minutes**

The minutes of the last meeting were confirmed.

**Papers**

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid on the table the annual report of the Secretary for Chinese Affairs, for the year 1915.

**Financial Minutes**

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid on the table financial minutes Nos. 13 to 15, and moved that they be referred to the Finance Committee.

THE COLONIAL TREASURER seconded, and this was agreed to.

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid on the table report of proceedings of Finance Committee, No. 3, and moved that it be adopted.

THE COLONIAL TREASURER seconded, and this was agreed to.

**Honorarium**

Regarding financial minute 13, the recommendation of an honorarium of £200 to Mr. F. Browne, late Government Analyst,

HIS EXCELLENCY said—Council are asked to vote £200 as an honorarium to Mr. Frank Browne, late Government Analyst, who retired on account of ill-health. Mr. Browne was a very valued public servant, and was one of those who never spared himself. In 1897 he recommended to the Government that the laboratory should be opened for the use of the public on payment of fees, and that recommendation has had far-reaching effects. Signed certificates by the Government Analyst for the analyses of ores are received all over the world as a valid certificate of the quality of the ore, and the Colonial Government incidentally reaped last year no less than \$16,000. It is not possible to increase the pension of an officer for the services I have indicated, but I think it would be a graceful tribute to his efficiency and utility if the Council voted him the sum mentioned in the financial minute.

HON. MR. POLLOCK—I have not received a copy of financial minute 14, relating to the vote of \$5,000 on account of the Kowloon-Canton railway.

HIS EXCELLENCY—That has been withdrawn. The amount is on account of typhoon damage, and the full extent of the damage has not yet been arrived at.

### **Hon. Mr. Holyoak and Enemy Trade-Marks**

HON. MR. P. H. HOLYOAK gave notice that at the next meeting of the Council he will move the following resolution:—

"That it is expedient that all trade-marks belonging to alien enemies and now on the Register here should be expunged, and it is therefore resolved that they be struck off the Register forthwith, and that subsequently to such trade-marks being struck off the Register, that Section 19 of the 'Trade-marks Ordinance of 1909' be amended by providing that no trade-mark shall be registered, at any future period, which is identical with, or so closely resembles, as to be calculated to deceive, one which has been so struck off; and that:—

"Section 3 of the 'Merchandise Marks Ordinance of 1890' be amended so as to make it an offence under that Ordinance to imitate or apply to goods any trade-mark identical with, or so nearly resembling as to be calculated to deceive, a trade-mark which has been so struck off."

### **Nursing Staff at Government Civil Hospital**

HON. MR. H. E. POLLOCK, K.C., asked:—

(1.)—How many Sisters are there now on the Nursing Staff at the Government Civil Hospital? What is the number of Sisters on such Staff borne on the Estimates for 1916?

(2.)—What steps is the Government taking to remedy the deficiency in numbers in such Staff of Sisters, and when will such steps result in such deficiency being remedied?

THE COLONIAL SECRETARY replied as follows:—

1.—There are now on the Nursing Staff at the Civil Hospital one Matron and five Sisters; and two Sisters, Private Nursing Staff, assist at that hospital when their services are not required for private nursing.

2.—Under the heading "Civil Hospital" in the Estimates for 1916 provision is made for seven Sisters and for two Sisters, Private Nursing Staff.

This provision includes Sisters who would in the normal course be absent on leave. Two Sisters are at the present time absent on leave and it may be found necessary to invalid one of these from the Service.

3.—It is assumed that the hon. member's second question is intended to refer to the Staff of Sisters under the Medical Department generally. Provision is made in the estimates for fourteen Sisters, exclusive of two Sisters, Private Nursing Staff, and there are at the present time five vacancies, if allowance is made for the retirement of the Sister who is now absent on sick leave.

As a temporary measure this Government now employs, to make up for vacancies on the usual staff, one fully trained European Nurse, one probationer Nurse, one Japanese Nurse, one Chinese Nurse trained in a hospital managed on European principles, and two Volunteer Aid Detachment Nurses.

This Government has on several occasions made urgent representations to the Secretary of State for the Colonies regarding the necessity for filling the vacancies on the Staff of Sisters. A telegram was received in October last to the effect that there was no immediate prospect of obtaining a suitable candidate; and in a further telegram dated the 8th January Mr. Bonar Law stated that the Colonial Nursing Association were unable to say when they would be in a position to recommend candidates.

Application was thereupon made to the Government of New Zealand, who in due course replied by telegram regretting that, owing to the scarcity of trained Nurses, due to the large number on active service, it was not possible to spare any for Hongkong.

Enquiries were also made in India, Japan, Shanghai, and Tientsin. Negotiations were opened three months ago for the engagement of five trained Nurses from Japan, and three of these are due to arrive in the Colony very shortly, their passage money having already been remitted for the purpose. Enquiries received from India point to the probability that Nurses may be forthcoming from that country at the commencement of 1917; if there should then be vacancies.

### Supplementary Vote

THE COLONIAL SECRETARY moved the second reading of the Bill intituled, "An Ordinance to authorize the appropriation of a supplementary sum of three millions nine hundred and forty-seven thousand and twenty-seven dollars and forty-one cents, to defray the Charges of the year 1915." In doing so he said—In moving the first reading of this Bill I directed the attention of hon. members to the statement in the Treasurer's report in which the large increase in expenditure last year was explained. The method of presenting the assets and liabilities of the Colony has been revised, and they are now on a cash basis. The position, instead of being obscured by advances made to the railway in anticipation of a loan, is now cleared by debiting the general account with all expenditure over and above that derived from the actual cash payments received on account of the Wuchang loan, the last of which was paid in October. Although nominally the amount required in this Bill is a very large one, it will be seen that it is made up of only a few items. There is the large item for Kowloon-Canton Railway, which I have already referred to, of \$3,036,199, and there are other items under the heading of "miscellaneous services"; on account of loss in subsidiary coins, a sum of \$488,057; on account of the maintenance of the prisoners of war, \$65,266; and special war expenditure, \$175,091. These three items are such as could not be foreseen, and with the railway expenditure practically make up the amount required under this Bill. In all the departments of the Government, with the exception of the railway, there was a saving in the estimated expenditure last year, amounting to a considerable sum in the case of the Harbour Master's Department, the Imports and Exports Department, and the Public Works Department, and I think the explanatory remarks in each case will show how those savings came about. I beg to move the second reading.

THE COLONIAL TREASURER seconded, and the Bill was read a second time.

THE COLONIAL SECRETARY then proposed that the Bill be referred to the Finance Committee.

THE COLONIAL TREASURER seconded, and this was agreed to.

### Alien Enemies (Winding Up) Ordinance, 1914

THE ATTORNEY-GENERAL—I beg to move that the consideration of the Bill intituled, "An Ordinance to amend further the Alien Enemies Winding up Ordinance, 1914," be adjourned to the next meeting of the Council.

THE COLONIAL SECRETARY seconded, and this was agreed to.

### Enemy Trading

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, "An Ordinance to amend further the Trading with the Enemy Ordinance, 1914." In doing so he said—The objects and reasons given in the Bill laid upon the table make it unnecessary for me to say very much on this Bill. The main object of it is to introduce here the provisions of the United Kingdom Trading with the Enemy Amendment Act, 1916, which was passed in January this year. Most of the clauses deal with formal, minor or technical details. Clause 7, I think, is one of the few clauses which require any special notice. The clause provides that the various restrictions on dealing with enemy property shall continue not only during the continuance of the present war, but thereafter until such time as they are removed by order of the Governor-in-Council. In connection with this clause I do not think I can do better than read the explanation given by the Solicitor-General when he introduced the English Act into the House of Commons. He said:—"When peace is declared the existing restrictions on dealing with the enemy and in making remittances to enemies abroad will cease before there is time to investigate and consider the treatment of British property in enemy countries. The object of this clause is that there shall be an interval during which the whole position of property here and abroad can be considered and adjusted before a general release of property takes place, and the proposal is that the date of this general release shall be fixed by Order-in-Council, which can be made as soon as matters are assured." A similar clause had already

been proposed here in connection with the local liquidations, and it is now embodied in the Alien Enemies (Winding up) Bill, which will come before Council at the next meeting. The only other clause I would like to refer to is clause 10. That clause imposes certain restrictions on dealings by enemy subjects in connection with Hongkong Companies, and the only thing I would like to point out with regard to that clause is that it is merely a particular instance of the prohibition which has been enforced in Hongkong since December, 1914, under the Ordinance passed in that month all persons in the Colony being prohibited from dealing in any way with any property for the benefit of enemy subjects except with your Excellency's permission. This clause has been taken from the English Act, and it is a more detailed and more particular prohibition, whereas the other was a general or universal prohibition. Three sections of the English Act have not been adopted in this Bill. One is a section which gives power now in England to wind up firms of enemy nationality or enemy association. That section, of course, is unnecessary here because the policy of winding up enemy firms was adopted in this Colony in October, 1914. It was adopted in England in January of this year. Another section of the English Act which has not been included is section 5, which requires enemy subjects within the United Kingdom to report to the Custodian particulars of shares or other property valued at £50 or upwards held by them. Section 6, which deals with the grant to the Custodian of patent rights in the case of pending applications by enemy subjects. The clause enables the grant to be made to the Custodian for the completion of patent rights. I beg to move the second reading.

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

The Bill passed through Committee without amendment, and, on Council resuming,

THE ATTORNEY-GENERAL moved that the Bill be read a third time.

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

### **Registration of Chemists**

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, "An Ordinance to consolidate and amend the law relating to the registration of Pharmaceutical Chemists and to the

regulation of the sale and use of Poisons." In doing so he said—This Bill has three objects. One is to consolidate the law relating to pharmaceutical chemists and poisons. Anyone who has had to deal with the Ordinances as they stand at present will recognise the need for the consolidation. The second object is to re-enact a certain part of the Opium Ordinance 1909, which was not included in the Opium Ordinance, 1914. The provisions of that part refer to the injection of morphine and cocaine and similiar things and certain restrictions on the sale of them. Under the Bill as it stands it will be illegal for any person to administer by injection any poison in part 3 of the schedule, including morphine and cocaine, except on the certificate of a registered medical practitioner. It will also be illegal to supply any poison within that part of the schedule unless on the prescription of a registered medical practitioner. The third object of the Bill is the revision and re-arrangement, which was also necessary, of the schedule of poisons. I beg to move the second reading.

THE COLONIAL SECRETARY seconded.

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

In Clause 13, (3) (b), the word "person" was substituted for the words "licentiate of the Hongkong College of Medicine."

In Clause 14 the words "or some other person authorised thereto by regulation made under the Ordinance" were added.

In Clause 15 (a) and (c) the word "registered" was inserted before the words "medical practitioner."

On Council resuming,

THE ATTORNEY-GENERAL moved that the Bill be read a third time.

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

HIS EXCELLENCY left the Chair and the Council went into Finance Committee.

## FINANCE COMMITTEE.

A meeting of the Finance Committee followed, the COLONIAL SECRETARY presiding:—

The supplementary Appropriation Bill was considered in Committee and agreed to without amendment.

**Honorarium to Government Analyst**

The Governor recommended the Council to vote a sum of two hundred pounds (£200) in aid of Miscellaneous Services, honorarium to Mr. F. Browne, late Government Analyst.

THE CHAIRMAN—The Governor has already explained this gratuity for Mr. F. Browne.

The vote was agreed to.

**Railway Engineer's Honorarium**

The Governor recommended the Council to vote a sum of two hundred pounds (£200) in aid of Miscellaneous Services, honorarium to Mr. R. Baker, Engineer of Ways and Works, Kowloon-Canton Railway.

THE CHAIRMAN—In 1913 Mr. Baker was called upon to take over charge of the terminal station at Kowloon, and at that time it was pointed out that this was outside his ordinary duties as engineer of Ways and Works. At that time the Secretary of State said he would be prepared to con-

sider a vote of that description upon a report that the work was satisfactorily completed. In March last the manager of the railway reported that the architect, when designing the building, left a great deal of work to the engineer in charge of the erection, evidently feeling that he would be at hand to supply details when necessary. That had not been the case, so that Mr. Baker had upon many occasions been called upon not only to supply details but also to make corrections in the drawings where they were found to be incorrect. The manager added that he considered Mr. Baker was deserving of every appreciation, and he recommended him for the bonus promised to him on the completion of the building. The recommendation had been forwarded to the Secretary of State, and he had agreed to it, and that vote was now being asked for.

This vote was agreed to.

**Supplementary Vote**

HIS EXCELLENCY returned to the Chair and Council resumed.

THE COLONIAL SECRETARY reported to the Governor that the Supplementary Vote had been approved by the Finance Committee, and he moved the third reading of the Bill.

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

HIS EXCELLENCY—Council stands adjourned until this day week.