

25th February, 1927.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR (SIR CECIL CLEMENTI, K.C.M.G.).

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (MAJOR-GENERAL C. C. LUARD, C.B., C.M.G.).

THE COLONIAL SECRETARY (HON. MR. W. T. SOUTHORN).

THE ATTORNEY-GENERAL (HON. SIR JOSEPH HORSFORD KEMP, KT., K.C., C.B.E.).

THE COLONIAL TREASURER (HON. MR. C. MCL. MESSER, O.B.E.).

HON. MR. E. R. HALLIFAX, C.M.G., C.B.E. (Secretary for Chinese Affairs).

HON. MR. H. T. CREASY (Director of Public Works).

HON. MR. E. D. C. WOLFE (Captain Superintendent of Police).

HON. SIR HENRY EDWARD POLLOCK, KT., K.C.

HON. SIR SHOU-SON CHOW, KT.

HON. MR. A. O. LANG.

HON. MR. H. W. BIRD.

HON. MR. R. H. KOTEWALL, C.M.G., LL.D.

HON. MR. D. G. M. BERNARD.

MR. D. W. TRATMAN (Clerk of Councils).

RECENT HONOURS.

H.E. THE GOVERNOR—Gentlemen,—Since this Council last met His Majesty the King has conferred high honour upon two of its members. The honourable the Attorney-General has been knighted and the honourable the Junior Chinese Member has been made a Companion of the Order of St. Michael and St. George. His Majesty's gracious act has evoked much pleasure throughout the Colony, but especially in this Council where we who are colleagues of Sir Joseph Kemp and Dr. Kotewall appreciate most fully how well these honours have been won by distinguished merit, painstaking industry, sterling worth of character and very loyal and devoted services to Hong Kong. I feel sure that the Council will desire to take this, the earliest, opportunity of congratulating both Sir Joseph Kemp and Dr. Kotewall upon the honours which they have received. (Applause.)

SIR HENRY EDWARD POLLOCK—Sir, as Senior Unofficial Member of this Council, it gives me great pleasure to have the privilege of endorsing the congratulations which have fallen from you upon the Attorney-General and the junior Chinese member. After filling many posts in the Civil Service with great credit, Sir Joseph

Kemp had his great opportunity when appointed Acting Attorney-General only a few years before the outbreak of the Great War. During the war years we learned to appreciate his very great skill in drafting rather intricate legislative measures for which there was no precedent laid down. Someone once said that it was a very fine thing to be the draughtsman of an Act of Parliament because one could put in almost anything one wanted—a man might be made to include woman and bread might include butter. But we owe it to the sound and sterling common sense of Sir Joseph that he has at all times been conscious of the fact that the enthusiasm of the legislature must be, to a certain extent, restrained by the practical difficulties which we have to meet in dealing with matters of public legislation. Sir Joseph has also been of yeoman service to the Government and to this Colony through his labours on the Councils—this Council and on the Executive Council where, I am sure, his advice is valued not only by the Governors of this Colony, but also by his unofficial colleagues.

Turning now to the junior Chinese member he is a man of such varied parts that I am in a difficulty at the very outset. I do not know whether to address him as Mr. Kotewall or as Dr. Kotewall. But in view of the fact that he has a very large consulting practice I am inclined to call him Dr. Kotewall. In the course of that consulting practice he has been the means of giving very valuable advice not only to the Government officials of this Colony but also to many members of the Chinese Community who have sought his counsel. I myself have often experienced the benefit of the sound judgment I have had from him on various matters affecting the Chinese community. I will not say anything more about my honourable unofficial colleague now because I understand that Sir Show-son Chow intends to speak with reference to Dr. Kotewall's various and many activities among the members of the Chinese community.

SIR SHOU-SON CHOW—Your Excellency, it is with sincere joy that I beg to endorse every word that has fallen from Your Excellency regarding the high distinctions that have been conferred on the learned Attorney-General and on my Chinese colleague, the Honourable Dr. Kotewall, by His Most Gracious Majesty, the King. The Hon. Senior Unofficial Member of this Council has spoken at length of the valuable services rendered by Sir Joseph Kemp to the Colony, and it only remains for me to endorse his remarks, and to add that the Chinese Community received with pleasure the news of the high honour bestowed on him—an honour which he has earned by his ability fair mindedness, tact and judgment.

As regards my Chinese colleague I consider no word of praise is too high for him. Ever since he was appointed to this honourable Council his one aim has been to promote the interests of the Chinese community and the general welfare of the Colony. It was the concensus of opinion among all classes of the community that the mark of distinction which he received from His Majesty was thoroughly

merited. Personally I owe much to Dr. Kotewall for his whole hearted co-operation in all matters concerning the Chinese public and I should like to take this opportunity of testifying to the esteem and regard in which he is held by the Chinese in Hong Kong. I would also like to express the sincere hope that he will enjoy many, many years of robust health to continue the good work he is now doing.

SIR JOSEPH HORSFORD KEMP—I beg to thank Your Excellency most sincerely for the all too kind congratulations which you have expressed. I also desire to thank the Senior Unofficial member and Sir Shou-son Chow for kindly associating themselves with those congratulations.

HON. DR. R. H. KOTEWALL—Your Excellency, I am extremely grateful to you for your kind congratulations and for your very generous remarks about myself which I do not deserve, and also to the Hon. Senior Unofficial Member and to my Chinese colleague for the equally kind manner in which they have endorsed them. Gentlemen, I thank you all.

STANDING LAW COMMITTEE.

H.E. THE GOVERNOR—As this is the first meeting of the Council this year it is necessary to appoint the Standing Law Committee. I propose to appoint the following members who have agreed to serve:—

Hon. ATTORNEY-GENERAL (Chairman).

Hon. COLONIAL TREASURER.

Hon. Sir H. E. POLLOCK, KT, K.C.

Hon. Mr. R. H. KOTEWALL, C.M.G.

Hon. Mr. D. G. M. BERNARD.

PAPERS.

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the table the following papers:—

Nomination under the University Ordinance, 1911, on 17th December, 1926.

Regulation under section 3 (1) of the Post Office Ordinance, 1926, on 30th December, 1926.

Proclamation under the Merchant Shipping Ordinance, 1899, Table L, Quarantine Regulations, on 30th December, 1926.

By-laws under section 16 of the Public Health and Buildings Ordinance, 1903, on 31st December, 1926.

Rule under section 36 of the Tramway Ordinance, 1902, on 5th January, 1927.

Proclamation under the Merchant Shipping Ordinance, 1899, Table L, Quarantine Regulations, on 7th January, 1927.

Regulations under section 2 of the Emergency Regulations Ordinance, 1922, on 27th January, 1927.

Regulations under section 2 of the Emergency Regulations Ordinance, 1922, on 27th January, 1927.

Regulations under section 3 of the Wireless Telegraphy Ordinance, 1926, on 28th January, 1927.

Regulations under section 2 of the Emergency Regulations Ordinance, 1926, on 4th February, 1927.

Amendment of the University Ordinance, 1911, on 7th February, 1927.

Order under section 3 of the Post Office Ordinance, 1926, on 10th February, 1927.

Proclamation under the Merchant Shipping Ordinance, 1899, Table L, Quarantine Regulations, on 10th February, 1927.

Rescission of the Order of 7th January, 1927, proclaiming Haiphong to be an infected place, on 12th February, 1927.

Rescission of the Order of 19th November, 1926, proclaiming Sourabaya to be an infected place, on 17th February, 1927.

Rescission of the Order of 31st December, 1926, proclaiming Macassar to be an infected place on 17th February, 1927.

Extensive Damage to the many parts of Hong Kong caused by a torrential rainfall and thunderstorm (Sessional Paper No. 1 of 1927).

THE COLONIAL SECRETARY moved that the Jurors' List should be considered by the Council *in camera* at the conclusion of the business on the agenda.

REPORT OF FINANCE COMMITTEE.

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the table report of the Finance Committee held on February 18th, and moved that it be adopted.

THE COLONIAL TREASURER seconded, and this was agreed to.

INTERPRETATION ORDINANCE.

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, An Ordinance to amend the Interpretation Ordinance, 1911.

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

THE ATTORNEY-GENERAL moved that Council go into Committee to consider the Bill clause by clause.

THE COLONIAL SECRETARY seconded, and the Council went into Committee.

THE ATTORNEY-GENERAL moved the following amendments:—

1.—In clause 2 insert the following words immediately after the words "is amended by":

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 "the insertion of the words 'or privilege' between the word 'power' and the word 'may' in the third line of sub-section (2), and by"

2.—Insert the following clause as clause 3 of the bill:—

Amendment of
Ordinance No. 31
of 1911, s. 37.

3.—Section 37 of the Interpretation Ordinance, 1911, is amended by the substitution of the figures "1889" for the figures "1899" in the fourth line thereof.

3.—Re-number clause 3 as clause 4.

4.—Re-number clause 4 as clause 5.

5.—Insert the following clause in the bill as clause 6:—

Amendment of
Ordinance No. 31
of 1911, s. 40.

6.—Section 40 of the Interpretation Ordinance 1911, is amended by the deletion of the word "orders" in the third line of sub-section (2), and by the repeal of sub-section (4).

6.—Insert the following clause in the bill as clause 7:—

Amendment of
Ordinance No. 31 of
1911, s. 47.

7.—Section 47 of the Interpretation Ordinance 1911, is amended by the deletion of the word "not" in the ninth line thereof.

THE COLONIAL SECRETARY seconded, and these amendments were approved.

Upon Council resuming,

H.E. THE GOVERNOR stated that it was proposed the third reading of the Bill should stand over until the next meeting of the Council.

PROMISSORY OATHS ORDINANCE.

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, An Ordinance to amend the Promissory Oaths Ordinance, 1869.

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

THE ATTORNEY-GENERAL moved that Council go into Committee to consider the Bill clause by clause.

THE COLONIAL SECRETARY seconded, and Council went into Committee.

No changes were made in the Bill in Committee. Upon Council resuming,

THE ATTORNEY-GENERAL—I move that the third reading of this Bill stand over to the next meeting of the Council as it deals with several matters also dealt with in the Interpretation Bill, the third reading of which has been postponed until the next meeting.

THE COLONIAL SECRETARY seconded, and this was agreed to.

ACCIDENTS IN FACTORIES.

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to provide against accidents in factories. He said—The object of the Bill is to give the Governor in Council power to make regulations for the purpose of preventing accidents in factories, and for certain cognate matters. The regulations which it is proposed to make under the Ordinance after it becomes law are published in the *Gazette* of January 14th. They deal mostly with questions of the fencing of belts, exposed wheels, shafting and other dangerous parts of machinery. It will be generally admitted that they are quite simple and entirely reasonable.

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

JURORS' LIST.

Council considers the Jurors' List for 1927 *in camera*.

The Jurors' List was amended and settled.
