

LEGISLATIVE COUNCIL.

No. 162.

LEGISLATIVE COUNCIL, No. 4.

THURSDAY, 7TH APRIL, 1921.

PRESENT:

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

His Excellency the General Officer Commanding the Troops, (Major-General Sir GEORGE
MACAULAY KIRKPATRICK, K.C.B., K.C.S.I.).

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

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

„ the Colonial Treasurer, (CHARLES McILVAINE MESSER, O.B.E.).

„ the Director of Education, (EDWARD ALEXANDER IRVING).

„ the Secretary for Chinese Affairs, (STEWART BUCKLE CARNE ROSS).

„ the Director of Public Works, (THOMAS LOFF PERKINS).

„ Mr. HENRY EDWARD POLLOCK, K.C.

„ Mr. LAU CHÜ-PAK.

„ Mr. PERCY HOBSON HOLYOAK.

„ Mr. Ho Fook.

„ Mr. HERBERT WILLIAM BIRD.

„ Mr. ALEXANDER GORDON STEPHEN.

The Council met pursuant to summons.

NEW MEMBERS.—Messrs. HERBERT WILLIAM BIRD and ALEXANDER GORDON STEPHEN took the Oath and assumed their seats as Members of the Council.

The Minutes of the Meeting held on the 3rd March, 1921, were confirmed.

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

Regulations made by the Governor in Council under section 3 (9) of the Vehicles and Traffic Regulation Ordinance, 1912, Ordinance No. 40 of 1912, as amended by the Vehicles and Traffic Regulation Ordinance, 1921, Ordinance No. 4 of 1921.

By-laws made by the Governor in Council under section 3 of the Holts Wharf Ordinance, 1921, Ordinance No. 3 of 1921.

Report of the Director of the Royal Observatory, for the year 1920.

Report of the Land Officer for the year 1920.

FINANCIAL MINUTES.—The Colonial Secretary laid on the table Financial Minutes Nos. 10 to 17, and moved that they be referred to the Finance Committee:—

No. 10.—Public Works Establishment, Special Expenditure, Typewriter,	\$ 25.00
No. 11.—Kowloon-Canton Railway, Maintenance of Way and Works, Personal Emoluments,	3,200.00
No. 12.—Department of Director of Education, Equipment of Kowloon British School, (Furniture and Materials),	290.00

No. 13.—Public Works, Extraordinary, Hongkong, Communications, Branch Road, from Road contouring hillside in Wongneichong and Tai Hang Valleys, to Wanchai Gap,.....	\$ 3,000.00
No. 14.—Miscellaneous Services, Grant in aid of other Institutions, Imperial Institute,	3,690.00
No. 15.—Harbour Department, A.—Harbour Office, Purchase of Buoys and Moorings,	89,000.00
No. 16.—Public Works, Extraordinary, Kowloon, Tsimshatsui Police Station Extension,.....	2,000.00
No. 17.—Public Works, Extraordinary, Hongkong, Roads: Pokfulam Road Improvements,	7,000.00

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. 2), dated the 3rd March, 1921, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

REPORT ON BATHING FACILITIES.—The Colonial Secretary laid on the table the report of the Committee of the Council on bathing facilities, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

INCREASE OF RATES.—The Colonial Secretary addressed the Council and moved the following Resolution:—

Resolved by the Legislative Council that the percentages on the valuation of tenements payable as rates in the undermentioned districts be altered on and after the 1st July, 1921, as follows:—

(a.) *In the City of Victoria:—*

from 13% to 20%.

(b.) *In that portion of the Hill District bounded on the north, south and west by the 700 feet contour and on the east by a line drawn north and south passing through the Wanchai Gap; and in such other portion of the Hill District, as may by order of the Governor be notified in the Gazette:—*

from 13% to 20%.

(c.) *In Kowloon Point, Yaomati, Hung Hom, Hung Hom West, Mong Kok Tsui, Taikoktsui, Fuk Tsun Heung with the exception of Kowloon Marine Lots Nos. 26, 28 and 33, Shamshui-po, Homuntin, Hok Un and Kowloon City Road from Hung Hom Police Station to the North as far as and including Kowloon Inland Lot No. 1150 and Kowloon Marine Lot No. 67, Causeway Bay outside the City Boundary, Tai Hang or San Tsun, Tung Lo Wan, Whitfield, the Shaukiwan Road as far as and including Inland Lot No. 1706, and in Sai Wan Ho and Shaukiwan East and West along the main road and in Inland Lot No. 1891 or more particularly in the areas edged red on the plans marked A and B dated the 5th day of April, 1921, signed by the Treasurer and deposited at the Treasury:—*

from present percentages to 20%.

(d.) *In the remaining portions of Hok Un and Fuk Tsun Heung (i.e. Kowloon Marine Lots Nos. 26, 28 and 33) and the remaining portion of Shaukiwan Road as far as and including Inland Lot No. 1393 and in the remaining portions of Shaukiwan East and West, Tsing Shui Ma Tau, Po Kau Wat and Sai Wan Ho (Tai Foc Street, &c.), and in Kowloon City or more particularly in the areas edged blue on the said plans marked A and B:—*

from present percentages to 17½%.

(e.) *In Broadwood Road Nos. 4 to 21 or more particularly in the area edged green on the said plan marked A:—*

from present percentages to 18½%.

(f.) *In To Kwa Wan, Tai-po Road (New Kowloon Inland Lot No. 33 and New Kowloon Farm Lot No. 6):—*

from present percentages to 14½%.

(g.) *In the remaining portions of the Hill District and in Wong Nei Chung, Sookonpo, Kwat Chun Long, Quarry Bay, Sai Wan Terrace, Aberdeen, Mongkok and Ma Tau Wei or more particularly in the areas edged yellow on the said plans marked A and B:—*

from present percentages to 13%.

(h.) *In any other place:—*

from 7% to 10%.

His Excellency the Governor addressed the Council.

The Colonial Treasurer seconded.

Question put and agreed to.

LIQUOR DUTIES.—The Colonial Secretary addressed the Council and moved the following Resolution:—

Resolved that on and after the 7th day of April, 1921, the duties payable upon intoxicating liquors heretofore or hereafter imported into, distilled, made or prepared in the Colony shall be as follows, namely:

<i>On all brandy and liqueurs</i>	<i>\$10.00 per gallon.</i>
<i>On all whisky, gin, rum, and other spirituous liquors</i>	<i>6.00 ..</i>
<i>On all champagnes and other sparkling wines</i>	<i>10.00 ..</i>
<i>On all port, sherry, and madeira</i>	<i>4.00 ..</i>
<i>On all other still wines in bottle</i>	<i>3.00 ..</i>
<i>On all other still wines in wood</i>	<i>2.50 ..</i>
<i>On all other intoxicating liquors excepting spirits of wine and native wines and spirits</i>	<i>0.40 ..</i>
<i>On all spirits of wine and arrack</i>	<i>6.00 ..</i>
<i>On all native wines and spirits:</i>	

(a) *\$0.60 cents a gallon on the native liquors known as Liu Pan and Sheng Ching and on the following sweetened, prepared, and medicated wines:*

No Mai Tsau, Hak No Mai, Man Kan, Yuk Lan, Ning Mun Tsau, Tsing Mui, Muk Kwa, Sun Fung, Wu Tan, Shit Li Tsau, Shan Kat, Lung San Tsau, Tei Kuk, Sam Pin, Tit Ta, Fung Shap, and Wai Shang.

All such liquor shall contain not more than 25% of alcohol by weight.

(b) *\$0.80 cents a gallon on the native liquor known as Sam Ching, containing not more than 35% of alcohol by weight.*

(c) *\$1.00 a gallon on the native liquor known as Fa Tsau and on the following sweetened, prepared, or medicated wines:—*

Ng Ka Pei, Mui Kwai Lo, Sz Krok Kang, Fu Kwat Muk Kwa, Yan Chan Lo, and Ko Leung Kon.

All such liquor shall contain not more than 45% of alcohol by weight.

(d) *\$1.20 a gallon on the native liquor known as Fan Tsau, if containing 50% or under of alcohol by weight, with the addition of six cents for every one per centum between 50% and 55% of alcohol by weight.*

(e) *\$1.50 a gallon with the addition of ten cents for every one per centum above 55% of alcohol by weight on any native liquor containing above 55% of alcohol by weight.*

(f) *\$0.20 cents per gallon on all native liquor distilled in the New Territories, not including New Kowloon and the Island of Cheung Chau, for consumption in the said Territories.*

Further resolved that:

(1.) *On native wines and spirits declared or labelled as belonging to any of the above divisions the appropriate duty therein laid down shall be paid except that on any native liquor however declared or labelled found by the Government Analyst or such person as the Governor may from time to time appoint in that behalf to contain more alcohol than is permitted in the division to which it is declared or labelled as belonging there shall be paid the appropriate duty of the division in which the amount of alcohol found has placed it: each division in such case shall represent native liquor of the limit of strength in alcohol therein stated and irrespective of any definition or description of such liquor, and on any native wines and spirits not declared or labelled as belonging to any division there shall be paid the duty appropriate to the division in which the amount of alcohol found by the Government Analyst or such person as the Governor may from time to time appoint on that behalf has placed it.*

(2.) Stills in the New Territories (not including New Kowloon and the Island of Cheung Chau) shall be prohibited from sending liquor produced in these stills to Hongkong, New Kowloon, or Cheung Chau: provided that any licensee of a distillery who desires to send such liquor to Hongkong, New Kowloon, or Cheung Chau, may be granted a permit to do so, upon payment of the duties charged in Hongkong, New Kowloon, or Cheung Chau.

(3.) On intoxicating liquors, other than spirits of wine, arrack, and native wines and spirits, stored in a general bonded or licensed warehouse at the date of the passing of this resolution, imported into, distilled, made, or prepared in the Colony above the strength of 18° under proof there shall be paid an additional duty of 8 cents for every degree above such strength in the case of brandy, and of 7 cents for every degree above such strength in the case of any other liquor.

The Resolution made by the Legislative Council under the provisions of Section 41 (1) of the Liquors Consolidation Ordinance, 1911, on the 1st day of March, 1916, and published in the Gazette of the said 1st day of March, 1916, as Government Notification No. 90, is hereby cancelled.

The Colonial Treasurer seconded.

Question—put and agreed to.

TOBACCO DUTIES.—The Colonial Secretary addressed the Council and moved the following Resolution:—

Resolved that on and after the 7th day of April, 1921, the duties payable upon tobacco heretofore or hereafter imported into or manufactured in the Colony shall be as follows, namely:—

- | | |
|---|----------------|
| (a) Cigars valued at not less than \$2.20 per lb. and snuff of whatever value..... | \$2.50 per lb. |
| (b) Cigars valued at less than \$2.20 per lb. and not less than \$1.60 per lb. | 1.50 .. |
| (c) Tobacco and cigarettes valued at not less than \$1.60 per lb. | 1.50 .. |
| (d) Tobacco, cigars and cigarettes valued at less than \$1.60 per lb. and not less than \$1.10 per lb. | .50 .. |
| (e) Tobacco, cigars and cigarettes valued at less than \$1.10 per lb. and not less than 60 cents per lb. | .50 .. |
| (f) Tobacco, cigars and cigarettes of any other kind not herein otherwise provided for | .50 .. |

The Resolution made by the Legislative Council on the 3rd day of August, 1916, under the provisions of Section 7 of the Tobacco Ordinance, 1916, Ordinance No. 10 of 1916, and published in the Gazette on the 4th day of August, 1916, as Government Notification No. 343 is hereby cancelled.

The Colonial Treasurer seconded.

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

Question—put and agreed to.

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

Did the Secretary of State give any, and if so, what reason in his despatch on Constitutional Reform for "not being convinced that any change is desirable."

The Colonial Secretary replied.

ADJOURNMENT.—The Council then adjourned until Thursday, the 14th day of April, 1921.

CLAUD SEVERN,

Officer Administering the Government.

Confirmed this 14th day of April, 1921.

S. B. B. McELDERRY,
Clerk of Councils.