

LEGISLATIVE COUNCIL.

No. 379.

LEGISLATIVE COUNCIL, No. 12.

THURSDAY, 1ST SEPTEMBER, 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, C.B.E., K.C.).
- „ 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,
O.B.E.).
- „ the Director of Public Works, (THOMAS LUFF PERKINS).
- „ Mr. HENRY EDWARD POLLOCK, K.C.
- „ Mr. LAU CHÜ-PAK.
- „ Mr. PERCY HOBSON HOLYOAK.
- „ Mr. Ho Fook.
- „ Mr. HERBERT WILLIAM BIRD.

ABSENT:

- „ Mr. ALEXANDER GORDON STEPHEN.

The Council met pursuant to summons.

MINUTES.—The Minutes of the last Meeting held on the 18th July, 1921, were confirmed.

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

- Report of the Secretary for Chinese Affairs for the year 1920.
- Report on the Botanical and Forestry Department for the year 1920.
- Report of the Superintendent of Prisons for the year 1920.
- Report of the Captain Superintendent of Police for the year 1920.
- Medical and Sanitary Reports for the year 1920.
- Report on the Finances for the year 1920.
- Report on the Assessment for the year 1921-1922.
- Order made by the Governor in Council under section 9 of the Post Office Ordinance, 1900, on 4th August.
- Regulation made by the Governor in Council under section 5 of the Ferries Ordinance, 1917, on 4th August.
- Rules made by the Governor in Council under section 18 of the Prison Ordinance, 1899, on 25th August.
- Regulation made by the Governor in Council under section 37 of the Merchant Shipping Ordinance, 1899, on 25th August.
- Regulations made by the Governor in Council under section 6 of the Dogs Ordinance, 1893, on 25th August.
- Order made by the Governor in Council under section 9 of the Post Office Ordinance, 1900, on 25th August.
- Report of a Committee appointed to consider the feasibility of extending the system of Water Carriage in the Colony by pumping up Salt Water from the Harbour and the provision of suitable pipes therefor.

FINANCIAL MINUTES.—The Colonial Secretary laid on the table Financial Minutes Nos. 55 to 81, and moved that they be referred to the Finance Committee:—

No. 55.—Royal Observatory, Special Expenditure, Instruments for Upper Air research,	\$ 2,000.00
No. 56.—Public Works, Extraordinary, Hongkong, Buildings, Conversion of the old Cinema shed at Wanchai into a Fire Brigade Sub-station,	10,700.00
No. 57.—Royal Observatory, Laboratory Expenses,	400.00
No. 58.—Medical Department, B.—Hospitals and Asylums, Upkeep of X-Ray Apparatus,	650.00
No. 59.—Governor, Furniture,.....	1,000.00
No. 60.—Kowloon-Canton Railway, Special Expenditure, Additional Hydrants and Main for Kowloon Station,	50.00
No. 61.—Public Works, Extraordinary, Hongkong, Miscellaneous, (32) Motor-lorry and Motor-bicycle in connection with Maintenance of Roads,	1,408.00
No. 62.—Public Works, Recurrent, Water Works:—	
(20) Maintenance of Shaukiwan, \$	800.00
(22) Water Account (Meters, etc.),.....	6,000.00
Miscellaneous:—	
(34) Typhoon and Rainstorm Damages,.....	6,000.00
Extraordinary, Water Works:—	
(38) Additional Rising Main to the Peak,.....	25,000.00
	—————
	37,800.00
No. 63.—Public Works, Extraordinary, Hongkong, Miscellaneous, (24) Aplichau, Reclamation Scheme,	10,000.00
No. 64.—Public Works, Recurrent, Hongkong, Miscellaneous, (16) Dredging Foreshores,.....	5,500.00
No. 65.—Attorney General's Office, Incidental Expenses,...	100.00
No. 66.—Treasury, Special Expenditure, Furniture,.....	170.00
No. 67.—Kowloon-Canton Railway:—	
Locomotive, Carriage, and Wagon Expenses, Other Charges:—	
Coal,	\$ 28,000.00
Loading Coal,.....	350.00
	—————
	28,350.00
No. 68.—Police Department, A.—Special Expenditure, purchase of Steam Launch <i>Shun Lee</i> , and building of a new Harbour Launch,.....	68,000.00
No. 69.—Public Works, Extraordinary, New Territories, Drainage:—	
(78) Training Nullahs: (b) General Works,	\$ 9,700.00
(79) Miscellaneous Drainage Works: (a) Kowloon City Reclamation Sewerage Scheme,	3,700.00
	—————
	13,400.00
No. 70.—Colonial Secretary's Office, Special Expenditure, Document Presses,.....	130.00
No. 71.—Miscellaneous Services, in aid of expenses incurred by the Promoters of the South of the Island Development Scheme,	7,500.00

No. 72.—Sanitary Department, Special Expenditure, Exhumation at Kai Lung Wan Cemetery,	\$ 2,000.00
No. 73.—Public Works, Extraordinary, Hongkong, Buildings, Proposed erection of a temporary school near Gap Road,	30,000.00
No. 74.—Public Works Establishment, Incidental Expenses,	1,600.00
No. 75.—Police and Fire Brigade, A.—Police :—	
Clothing and Accoutrements, ...	\$ 30,000.00
Passages and Bonuses in lieu of passages,.....	30,000.00
	<hr/> 60,000.00
No. 76.—Miscellaneous Services, Other Miscellaneous Services,	750.00
No. 77.—Police and Fire Brigade, B.—Fire Brigade—Special Expenditure, Motor Cars,	2,400.00
No. 78.—Police and Fire Brigade, B.—Fire Brigade—Special Expenditure, Electric Plant and Search Light for No. 1 Fire Float,	4,000.00
No. 79.—Medical Department :—	
Civil Hospital :—	
Bedding and Clothing,	\$ 1,600.00
Cleansing Materials,	350.00
Furniture and Repairs,.....	650.00
Lunatic Asylum, Bedding and Clothing,.....	350.00
Victoria Hospital, Bedding and Clothing,.....	350.00
	<hr/> 3,300.00
No. 80.—Public Works, Extraordinary, Kowloon, Miscellaneous, (61) Chinese Cemeteries : Laying out new areas,	1,000.00
No. 81.—Miscellaneous Services, Other Miscellaneous Services,	50,000.00

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. 9), dated the 18th July, 1921, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

QUESTION.—Mr. BIRD, pursuant to notice, asked the following question :—

With reference to applications for building sites in non-urban districts, will the Government, in fairness to the applicant who has frequently been put to considerable trouble and expense in selecting his site, consider the advisability of disposing of such sites by private treaty instead of by public auction?

The Colonial Secretary replied.

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

1. *Is not the Report of the Committee appointed to go into the question of the use of sea-water for flushing purposes now ready? If not, when will it be ready? When will such Report be published?*

2. *What information can the Government give to the Council with regard to Sir Maurice Fitzmaurice's Report on the Improvement of the Harbour? Cannot the Government take steps to expedite the obtaining of such Report?*

The Colonial Secretary replied.

RESOLUTIONS.—Mr. POLLOCK, pursuant to notice, moved the following resolutions :—

1. *That, in view of the shortage of European office and business accommodation in this Colony and in view of the shortage of sites for Chinese business premises in this Colony, it is imperative that the Military Establishments along the Queen's Road should be transferred from their present site in the centre of the City to some other site or sites at the earliest possible date.*

Mr. HOLYOAK seconded.

Mr. POLLOCK, Mr. HOLYOAK, His Excellency the General Officer Commanding and His Excellency the Governor addressed the Council.

The motion was then put to the meeting and declared by His Excellency the Governor to be carried. His Excellency the General Officer Commanding abstained from voting.

2. *That, with a view to encourage the construction of new houses in this Colony, it is desirable for the Government to pass an Ordinance exempting, for 3 years after completion, from liability to pay rates, any new buildings, the plans for which may be sent in for the first time after the commencement of such Ordinance.*

Mr. LAU CHŪ-PAK seconded.

Mr. HOLYOAK supported the resolution.

Mr. POLLOCK, Mr. LAU CHŪ-PAK, Mr. HOLYOAK, The Colonial Secretary and His Excellency the Governor addressed the Council.

The motion was then put up by His Excellency the Governor who declared it lost. Five Unofficials voted in favour and seven Official members against.

3. *Also that a Committee of three Members of this Council be appointed for the purpose of considering what measures can be taken*

(i.) *To facilitate the prompt acquisition by applicants of sites which they require :*

(ii.) *To facilitate the prompt passing of building plans.*

Mr. BIRD seconded.

Mr. POLLOCK, Mr. BIRD, the Director of Public Works and His Excellency the Governor addressed the Council. A committee was appointed consisting of the Director of Public Works, Mr. POLLOCK, and Mr. BIRD.

SUPPLEMENTARY APPROPRIATION BILL FOR 1920.—The Colonial Secretary addressed the Council and moved the First reading of a Bill intituled An Ordinance to authorize the Appropriation of a Supplementary Sum of One million four hundred and fifty-seven thousand seven hundred and eighty-seven Dollars and seventy-four Cents to defray the Charges of the year 1920.

The Colonial Treasurer seconded.

Question—put and agreed to.

Bill read a first time.

GENERAL LOAN AND INSCRIBED STOCK BILL.—The Attorney General addressed the Council and moved the First reading of a Bill intituled An Ordinance to amend the General Loan and Inscribed Stock Ordinance, 1913.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

PRAYA EAST RECLAMATION BILL.—The Attorney General addressed the Council and moved the First reading of a Bill intituled An Ordinance to provide for the reclamation of the foreshore and sea bed off Praya East, Victoria, in the Colony of Hongkong.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILLS OF EXCHANGE BILL.—The Attorney General addressed the Council and moved the First reading of a Bill intituled An Ordinance to amend further the Bills of Exchange Ordinance, 1885.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

INDEMNITY BILL.—The Attorney General addressed the Council and moved the First reading of a Bill intituled An Ordinance to restrict the taking of legal proceedings in respect of certain acts and matters done during the war and to provide in certain cases remedies in substitution therefor.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

DEPORTATION BILL.—The Attorney General addressed the Council and moved the First reading of a Bill intituled An Ordinance to amend the Deportation Ordinance, 1917.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

TOBACCO BILL.—The Attorney General addressed the Council and moved the First reading of a Bill intituled An Ordinance to amend the Tobacco Ordinance, 1916.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

STAMP AMENDMENT BILL.—The Attorney General addressed the Council and moved the First reading of a Bill intituled An Ordinance to amend the Stamp Ordinance, 1921.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

ESTATE DUTY BILL.—The Attorney General addressed the Council and moved the First reading of a Bill intituled An Ordinance to amend the Estate Duty Ordinance, 1915.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

LEGAL PRACTITIONERS AMENDMENT BILL.—The Attorney General moved that the Bill intituled An Ordinance to amend further the Legal Practitioners Ordinance, 1871, should stand over until the next meeting of the Council.

Question—put and agreed to.

PUBLIC HEALTH AND BUILDINGS BILL.—The Attorney General moved that the Second reading of the Bill intituled An Ordinance to amend further the Public Health and Buildings Ordinance, 1903, be also postponed to the next meeting of the Council.

CROWN LANDS RESUMPTION BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill intituled An Ordinance to amend the Crown Lands Resumption Ordinance, 1900.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On the motion of the Attorney General it was agreed to delete the words "by a willing seller" in the tenth line of section 2. In section 5 the words "owner or" were inserted between the words "any" and "co-owner" in the first line thereof, and before the word "co-owner" in the marginal note thereof.

The Attorney General moved a new section 6, as follows:—

Sub-section (1) of section 10 of the principal Ordinance is amended by the insertion of the words "and also in respect of damage to business due to removal," between the word "thereto" and the word "and" in the seventh line thereof, and by the insertion of the words "or damage" between the word "extinction" and the word "to" in the eighth line thereof. Amendment
of Ordinance
No. 10 of
1900, s. 10
(1).

Section 6 was re-numbered section 7.

On Council resuming, the Attorney General reported that the Bill had passed through Committee with amendments and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

ADJOURNMENT.—The Council then adjourned until 2.30 p.m. on Thursday, the 8th day of September, 1921.

R. E. STUBBS,
Governor.

Confirmed this 8th day of September, 1921.

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

No. 380.—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. 15 of 1921.—An Ordinance to authorize the Appropriation of a Supplementary Sum of One million four hundred and fifty-seven thousand seven hundred and eighty-seven Dollars and seventy-four Cents to defray the Charges of the year 1920.

Ordinance No. 16 of 1921.—An Ordinance to amend the General Loan and Inscribed Stock Ordinance, 1913.

Ordinance No. 17 of 1921.—An Ordinance to provide for the reclamation of the foreshore and sea bed off Praya East, Victoria, in the Colony of Hongkong.

Ordinance No. 18 of 1921.—An Ordinance to amend further the Bills of Exchange Ordinance, 1885.

Ordinance No. 19 of 1921.—An Ordinance to amend the Deportation Ordinance, 1917.

Ordinance No. 20 of 1921.—An Ordinance to amend the Tobacco Ordinance, 1916.

Ordinance No. 21 of 1921.—An Ordinance to amend the Stamp Ordinance, 1921.

Ordinance No. 22 of 1921.—An Ordinance to amend the Estate Duty Ordinance, 1915.