

LEGISLATIVE COUNCIL.

No. 741.

LEGISLATIVE COUNCIL, No. 13.

Thursday, 4th December, 1930, at 2.30 p.m.

PRESENT:

HIS EXCELLENCY THE GOVERNOR
(Sir WILLIAM PEEL, K.B.E., C.M.G.).

- The Honourable the Colonial Secretary, (Mr. EDWIN RICHARD HALLIFAX, C.M.G., C.B.E.).
" the Attorney General, (Mr. CHALONER GRENVILLE ALABASTER, K.C., O.B.E.).
" the Secretary for Chinese Affairs, (Mr. ALAN EUSTACE WOOD).
" the Colonial Treasurer, (Mr. CHARLES McILVAINE MESSER, O.B.E.).
" Mr. HAROLD THOMAS CREASY, C.B.E., (Director of Public Works).
" Mr. EDWARD DUDLEY CORSCADEN WOLFE, C.M.G., (Inspector General of Police).
" Commander GEORGE FRANCIS HOLE, R.N. (Retired), (Harbour Master).
" Dr. ARTHUR ROBARTES WELLINGTON, (Director of Medical and Sanitary Services).
" Sir SHOUSON CHOW, Kt.
" Mr. WILLIAM EDWARD LEONARD SHENTON.
" Mr. JOHN OWEN HUGHES.
" Mr. ROBERT HORMUS KOTEWALL, C.M.G., LL.D.
" Mr. JOSÉ PEDRO BRAGA.
" Mr. Ts'ò SEEN-WAN, O.B.E., LL.D.
" Mr. CHARLES GORDON STEWART MACKIE.
" Mr. JOHN JOHNSTONE PATERSON.
" Mr. NORMAN LOCKHART SMITH, (Deputy Clerk of Councils).

ABSENT:

- His Excellency the General Officer Commanding the Troops, (Major-General JAMES WALTER SANDILANDS, C.B., C.M.G., D.S.O.).

1. The Council met pursuant to adjournment. His Excellency the Governor occupied the Chair.

MINUTES.

2. The Minutes of the Meeting held on the 6th November, 1930, were confirmed.

PAPERS.

3. The following papers were laid on the table:—

Regulations made by the Governor in Council under section 3 of the Watchmen Ordinance, 1928, on 6th November, 1930.

- Regulation made by the Governor in Council under section 4 (1) of the Pilots Ordinance, 1930, on 20th November, 1930.
- Regulations made by the Governor in Council under section 28 (5) of the Merchant Shipping Ordinance, 1899, on 20th November, 1930.
- Regulations made by the Governor in Council under section 5 of the Ferries Ordinance, 1917, on 20th November, 1930.
- Regulations made by the Governor in Council under section 4 of the Sunday Cargo Working Ordinance, 1929, on 21st November, 1930.
- Regulation made by the Governor in Council under section 36 (12) of the Merchant Shipping Ordinance, 1899, on 22nd November, 1930.
- Regulation made by the Governor in Council under section 3 of the Post Office Ordinance, 1926, on 25th November, 1930.
- Regulation made by the Governor in Council under section 3 of the Post Office Ordinance, 1926, on 25th November, 1930.
- Regulation made by the Governor in Council under section 7 of the Suppression of Piracy Ordinance, 1868, on 25th November, 1930.
- Regulations made by the Governor in Council under section 32 (2) of the Merchant Shipping Ordinance, 1899, on 27th November, 1930.

Administration Reports, 1929 :—

Part I.—General Administration :—

Report of the Auditor, Hong Kong, on the Audit Office.

Part II.—Law and Order :—

Report of the Inspector General of Police.

Sessional Papers, 1930 :—

No. 8.—Abstract showing the differences between the approved Estimates of Expenditure for 1930 and the Estimates of Expenditure for 1931.

QUESTIONS.

4. The Hon. Mr. J. P. BRAGA, pursuant to notice, asked the following questions :—
1. Has the attention of the Hon. the Attorney General been drawn to the leading articles in the "Hong Kong Telegraph" newspaper of the 15th November and in the "South China Morning Post" of the 17th inst. advocating the establishment of a Court of Criminal Appeal in Hong Kong?
 2. Has the suggestion been considered by Government before?
 3. If the reply to question 2 be in the affirmative, will the Government state the reasons for not adopting the precedent in England for creating a Court of Criminal Appeal in Hong Kong? If in the negative, will the Government consider the advisability of creating such a Court in the Colony?

The Attorney General replied as follows :—

1 and 2. Yes.

3. Correspondence has been proceeding since the month of May between the Secretary of State for the Colonies and the Government, with a view to bringing the position in regard to Criminal Appeals in the Colony into accord with the provisions of the Criminal Appeal Act, 1907.

REPORT OF THE FINANCE COMMITTEE.

5. The Colonial Secretary laid on the table the Report of the Finance Committee (No. 15), dated the 6th November, 1930, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

MOTIONS.

6. The Colonial Secretary moved the following resolution:—

Resolved by the Legislative Council that the percentages on the valuation of every tenement enumerated in the list of tenements assessed, payable as rates, shall be altered, and that on and from the date to be fixed by His Excellency the Governor for the coming into effect of this resolution the following percentages shall be payable as rates, namely for any tenement—

- (a) in the City of Victoria17 per cent.
- (b) in that portion of the Hill District bounded on the north, south, and west by the 700-foot 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 Gazette17 per cent.
- (c) in the remaining portion of the Hill District and in Quarry Bay 12 $\frac{3}{4}$ per cent.
- (d) in Tai Hang and San Tsun 17 per cent.
- (e)—(i) in Tung Lo Wan, Whitfield and Shaukiwan Road as far as Inland Lot No. 1620 16 $\frac{1}{4}$ per cent.
- (ii) in the remaining portion of Shaukiwan Road (North Point).....14 $\frac{3}{4}$ per cent.
- (iii) in Shaukiwan East and West16 $\frac{1}{4}$ per cent.
- (iv) Shaukiwan Marine Lots Nos. 1 to 10, both inclusive, and Shaukiwan Inland Lot No. 408 14 $\frac{3}{4}$ per cent.
- (v) in Tsing Shui Ma Tau, Po Kau Wat and Sai Wan Ho 16 $\frac{1}{4}$ per cent.
- (f)—(i) in Broadwood Road (with the exception of Inland Lots Nos. 1911, 1946, 2039 and 2060)16 $\frac{1}{4}$ per cent.
- (ii) Inland Lot Nos. 1911, 1946 and 2060 14 $\frac{1}{4}$ per cent.
- (iii) Inland Lot No. 203917 per cent.
- (g)—(i) in Wong Nei Chung (with the exception of the new Government built village) and Wong Nei Chung Road17 per cent.
- (ii) in Wong Nei Chung New Village.....13 per cent.
- (h) in Aberdeen16 per cent.
- (i) in Aplichau..14 $\frac{1}{2}$ per cent.
- (j) in Stanley12 $\frac{1}{2}$ per cent.
- (k)—(i) in Kowloon Point, Yaumati, Mongkoktsui, Taikoktsui, Shamshuipo, Prince Edward Road, the south side of Boundary Street and Fuk Tsun Heung (with the exception of Kowloon Marine Lots Nos. 26, 28 and 33) . 17 per cent.
- (ii) Kowloon Marine Lots Nos. 26, 28 and 33.....16 $\frac{1}{4}$ per cent.
- (iii) in the area bounded by the extension of Argyle Street on the north, by the extension of Waterloo Road on the south-east and by the Kowloon Canton Railway on or towards the west17 per cent.

(iv) in Hung Hom, Hung Hom West, Hok Yuen and Kowloon City Road from the Hung Hom Police Station to the north as far as and including Kowloon Inland Lot No. 1150 and Kowloon Marine Lot No. 67.....	17	per cent.
(l) in To Kwa Wan	13 $\frac{3}{4}$	per cent.
(m)—(i) in Ma Tau Wai and Kowloon City (with the exception of the new lay-out)	13	per cent.
(ii) in Kowloon City, the new lay-out.....	17	per cent.
(n) in Kowloon Bay Reclamation	17	per cent.
(o) in Lai Chi Kok, Wong Uk, Cheung Sha Wan and Kowloon Old City	13	per cent.
(p) in any other place	11	per cent.

The Colonial Treasurer seconded.

Question—put and agreed to.

7. *Crown Lands Resumption Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Crown Lands Resumption Ordinance, 1900.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

8. *Entertainments Tax Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to impose Duties in respect of admission to Entertainments.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

9. *Piers Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend further the Piers Ordinance, 1899.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

10. *Stamp Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend further the Stamp Ordinance, 1921.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

11. *Tung Wah Hospital Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to make certain provisions relating to the corporation named The Tung Wah Hospital.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

12. *Revenue Officers Power of Arrest Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the law relating to the powers of arrest possessed by revenue officers.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

13. *Police Force Amendment Bill.*—The Attorney General moved the Second reading of the Bill intituled “An Ordinance to amend the Police Force Ordinance, 1900.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council 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.

Question—put and agreed to.

Bill read a third time and passed.

14. *Probates Amendment Bill.*—The Attorney General moved the Second reading of the Bill intituled “An Ordinance to amend the Probates Ordinance, 1897.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council 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.

Question—put and agreed to.

Bill read a third time and passed.

15. *Summary Offences Amendment Bill.*—The Attorney General moved the Second reading of the Bill intituled “An Ordinance to amend the Summary Offences Ordinance, 1845.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

The Attorney General moved and the Colonial Secretary seconded that in Clause 2 (b) the words “or a District Officer” should be inserted after the words “Secretary for Chinese Affairs” at line 6 of 13D. The amendment was approved.

On Council resuming, the Attorney General reported that the Bill had passed through Committee with an amendment, which was held to be immaterial, 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.

16. *District Watch Force Bill.*—The Attorney General moved the Second reading of the Bill intituled “An Ordinance to consolidate and amend the law relating to the District Watch Force.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

The Attorney General moved and the Colonial Secretary seconded the inclusion of the word “of” after the word “Repeal” in the marginal note of Clause 7. The amendment was approved.

On Council resuming, the Attorney General reported that the Bill had passed through Committee with an immaterial amendment 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.

17. *Places of Public Entertainment Regulation Amendment Bill.*—The Attorney General moved the Second reading of the Bill intituled “An Ordinance to amend the law relating to theatrical performances at places of public entertainment.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council 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.

Question—put and agreed to.

Bill read a third time and passed.

18. *Law Revision Bill.*—The Attorney General moved the Second reading of the Bill intituled “An Ordinance for promoting the revision of the Ordinances of Hong Kong by the repeal of Ordinances and other Enactments which are spent or no longer required and by the correction of errors.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council 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.

Question—put and agreed to.

Bill read a third time and passed.

19. *Companies Amendment Bill.*—The Attorney General moved the Second reading of the Bill intituled “An Ordinance to amend the law relating to Companies.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

The Attorney General moved and the Colonial Secretary seconded the addition of the following words at the end of Clause 2:—" ; and nothing herein shall be deemed to require a second auditor for the daily summary in the English language referred to in the proviso in Section 77 (1)". The amendment was approved.

On Council resuming, the Attorney General reported that the Bill had passed through Committee with the above amendment, which was held to be immaterial, 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.

20. The Council then adjourned until Thursday, the 11th day of December, 1930, at 2.30 p.m.

W. PEEL,
Governor.

Confirmed this 11th day of December, 1930.

N. L. SMITH,
Deputy Clerk of Councils.

No. 742.—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. 27 of 1930.—An Ordinance to amend the Crown Lands Resumption Ordinance, 1900.

Ordinance No. 28 of 1930.—An Ordinance to impose Duties in respect of admission to Entertainments.

Ordinance No. 29 of 1930.—An Ordinance to amend further the Piers Ordinance, 1899.

Ordinance No. 30 of 1930.—An Ordinance to amend further the Stamp Ordinance, 1921.

Ordinance No. 31 of 1930.—An Ordinance to make certain provisions relating to the corporation named The Tung Wah Hospital.

Ordinance No. 32 of 1930.—An Ordinance to amend the law relating to the powers of arrest possessed by revenue officers.