
EXECUTIVE COUNCIL.

No. 368.

Hong Kong.

THE COMPANIES ORDINANCE, 1932.

With reference to the annual list in two parts containing the names of persons authorised by the Governor in Council to perform the duties required by the above mentioned Ordinance to be performed by an auditor, published as Government Notification No. 565 in the Gazette of the 26th July, 1935, the following additions to part II of the said list are now published,—

Names added—

FUNG ON

W. J. KWAN.

D. M. MACDOUGALL,
Deputy Clerk of Councils.

COUNCIL CHAMBER,
7th April, 1936.

LEGISLATIVE COUNCIL.

No. 369.

LEGISLATIVE COUNCIL, No. 4.

Thursday, 19th March, 1936, at 2.30 p.m.

PRESENT:

HIS EXCELLENCY THE GOVERNOR
(Sir ANDREW CALDECOTT, Kt., C.M.G., C.B.E.).

His Excellency the General Officer Commanding the Troops, (Major-General ARTHUR WOLLASTON BARTHOLOMEW, C.B., C.M.G., C.B.E., D.S.O.).

The Honourable the Colonial Secretary, (Sir THOMAS SOUTHOORN, K.B.E., C.M.G., LL.D).
,, the Attorney General, (Mr. CHALONER GRENVILLE ALABASTER, O.B.E., K.C.).

,, the Secretary for Chinese Affairs, (Mr. ROLAND ARTHUR CHARLES NORTH).

- The Honourable the Colonial Treasurer, (Mr. EDWIN TAYLOR).
 " Commander GEORGE FRANCIS HOLE, R.N. (Retired), (Harbour Master).
 " Dr. ARTHUR ROBERTS WELLINGTON, C.M.G., (Director of Medical and
 Sanitary Services).
 " Mr. THOMAS HENRY KING, (Inspector General of Police).
 " Mr. ARTHUR GEORGE WARNHAM TICKLE, (Acting Director of Public
 Works).
 " Sir HENRY EDWARD POLLOCK, Kt., K.C., LL.D.
 " Sir WILLIAM EDWARD LEONARD SHENTON, Kt.
 " Mr. JOSÉ PEDRO BRAGA, O.B.E.
 " Mr. CHAU TSUN-NIN.
 " Mr. JOHN JOHNSTONE PATERSON.
 " Mr. WILLIAM HENRY BELL.
 " Mr. LO MAN-KAM.
 " Mr. HENRY ROBERT BUTTERS, (Deputy Clerk of Councils).

ABSENT:

The Honourable Mr. Ts'ö SEEN-WAN, C.B.E., LL.D.

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

MINUTES.

2. The Minutes of the Meeting held on the 30th January, 1936, were confirmed.

OATHS.

3. The Honourable the Secretary for Chinese Affairs, (Mr. ROLAND ARTHUR CHARLES NORTH) and the Honourable Mr. ARTHUR GEORGE WARNHAM TICKLE, (Acting Director of Public Works), took the Oath of Allegiance and assumed their seats as Members of the Council.

PAPERS.

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

Modification of Article 1 (2) made by the Governor in Council under Article 5 (2) of the Treaty of Peace (Covenant of the League of Nations) Order, 1935, dated 23rd January, 1936.

Addition to Regulation 30 of the Post Office Regulations made by the Governor in Council under section 3 of the Post Office Ordinance, 1926, Ordinance No. 7 of 1926, relating to the acceptance of letters for transmission by Chinese Domestic Air Mail Service from Canton, dated 24th January, 1936.

Amendment made by the Governor in Council under section 3 of the Official Signatures Fees Ordinance, 1935, Ordinance No. 37 of 1935, to the Schedule to that Ordinance, dated 24th January, 1936.

Notification under section 5 of the Ferries Ordinance, 1917, Ordinance No. 28 of 1917, relating to the ferry service between Tap Mun Village and Tai Po, dated 1st February, 1936.

Declaration made by the Urban Council under section 2 (1) (h) of the Public Health (Animals and Birds) Ordinance, 1935, Ordinance No. 16 of 1935, dated 4th February, 1936.

Regulation made by the Governor in Council under section 3 of the Importation and Exportation Ordinance, 1915, Ordinance No. 32 of 1915, dated 10th

- Amendments to the Registration of Imports and Exports Regulations made by the Governor in Council under section 3 of the Registration of Imports and Exports Ordinance, 1922, Ordinance No. 12 of 1922, dated 13th February, 1936.
- Amendment made by the Governor in Council under section 88 of the Liquors Ordinance, 1931, Ordinance No. 36 of 1931, to Form No. 5 in the First Schedule to that Ordinance, dated 14th February, 1936.
- Notification under section 3 of the Marriage Ordinance, 1875, Ordinance No. 7 of 1875, declaring Chinese Methodist Church, Hennessy Road, (on Inland Lot No. 3775), licensed for the celebration of marriages, dated 17th February, 1936.
- Notification made by His Excellency the Governor in Council under section 73 of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, relating to New Kowloon Cemetery No. 7, dated 2nd March, 1936.
- Addition to Regulation 30 of the Post Office Regulations, made by the Governor in Council under section 3 of the Post Office Ordinance, 1926, Ordinance No. 7 of 1926, relating to rates of postage for the trans-Pacific Air Service, dated 2nd March, 1936.
- Amendments to the Boarding-house rules made by the Governor in Council under section 44 (1) of the Asiatic Emigration Ordinance, 1915, Ordinance No. 30 of 1915, and section 3 of the Boarding-house Ordinance, 1917, Ordinance No. 23 of 1917, dated 4th March, 1936.
- Order made by the Governor in Council under section 7 (7) of the Public Health (Animals and Birds) Ordinance, 1935, Ordinance No. 16 of 1935, defining periods of incubation of certain diseases, dated 4th March, 1936.
- Amendment to the Regulations made by the Governor in Council under section 3 of the Dogs Ordinance, 1927, Ordinance No. 21 of 1927, relating to increase in the licence fees for dogs, dated 12th March, 1936.

Administration Reports, 1935 :—

Part I.—General Administration :—

Report of the Director of the Royal Observatory, Hong Kong.

Part II.—Law and Order :—

Report of the Official Receiver and Registrar of Trade Marks and Patents.

Part VII.—Undertakings of Government :—

Report of the General Post Office.

QUESTIONS.

5. The Hon. Mr. JOSÉ PEDRO BRAGA, O.B.E., pursuant to notice, asked the following questions :—
1. Will the Government communicate to the Council any information in its possession concerning the telegraphed report, dated London, March 6, 1936, that Mr. J. H. THOMAS has decided to despatch a Commission of Inquiry from Britain to Hong Kong to further investigate the *mui tsai* system?
 2. Will the Government inform the Council whether—
 - (a) the report is true;
 - (b) if true, at whose expense the Commission will be proceeding to Hong Kong; and
 - (c) if it be at the Colony's expense, will His Excellency the Governor forthwith protest against the imposition of any further expenditure on local taxpayers in presence of the Colony's unbalanced Budget for the current financial year?

The Colonial Secretary replied as follows:—

- (1) The report is correct and the Honourable Member will be already aware that the Secretary of State has appointed Sir WILFRID WOODS, Miss E. PICTON-TURBERVILL and Mr. C. A. WILLIS to be members of the Commission. No information has been received as to when the Commission will arrive. The proposal to appoint a Commission was referred to this Government and was considered in Executive Council where the view was taken that the first conclusion of the Report of the recent Committee on Mui Tsai in Hong Kong (Sessional Paper 8/1935) rendered it desirable to welcome a Commission if one should be appointed.
- (2) This Government will certainly be expected to contribute a share of the cost.
- (3) For the reason given in the first paragraph of this reply the Government is unable to protest in the manner suggested.

MOTIONS.

6. The Colonial Treasurer moved the following resolutions:—

1. That this Council approves under Section 3 (2) of the Hong Kong Dollar Loan Ordinance, No. 11 of 1934, of the following transfers in the Schedule as amended by the resolution of 16th May, 1935.
 - Item No. 2.—Shing Mun Valley Water Scheme from \$10,043,531 to \$10,443,530.
 - Item No. 4.—New Gaol at Stanley from \$4,631,000 to \$4,500,000.
 - Item No. 5.—Tytam Tuk Catchwaters from \$800,000 to \$720,000.
 - Item No. 6.—Airport Development from \$895,000 to \$975,486.
 - Item No. 8.—Other Public Works from \$279,823 to \$10,338.
2. That this Council approves of the expenditure of \$5,223,077.80 on the various items of Loan Works as enumerated below during the financial year 1936, which sum shall be met from surplus balances pending the issue of a further loan.

SCHEDULE.

Head 2.—Shing Mun Valley Water Scheme.

(b) 2nd Section,

(3) Gorge Dam	\$1,800,000.00
(5) 2nd 24" Trunk Main	300,000.00
(6) 3rd Rapid Gravity Filters	250,000.00
<i>Head 3.</i> —Vehicular Ferry	62,022.49
<i>Head 4.</i> —New Gaol at Stanley	2,600,000.00
<i>Head 5.</i> —Tytam Tuk Catchwaters	59,751.17
<i>Head 6.</i> —Airport	
(b) Airport and Seaplane Slipway	151,304.14
	\$5,223,077.80

The Colonial Secretary seconded.

Question—put and agreed to.

7. The Attorney General moved:—

1. That the amendment to the Market by-laws made by the Urban Council under section 5 of the Public Health (Food) Ordinance, 1935, Ordinance No. 13 of 1935, on the 7th January, 1936, be approved.

2. That the amendment to the Scavenging by-laws made by the Urban Council under section 4 (xv) of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, on the 7th January, 1936, be approved.
3. That the amendment to the General and Licensing by-laws made by the Urban Council under sections 2 and 4 of the Hawkers Ordinance, 1935, Ordinance No. 22 of 1935, on the 7th January, 1936, be approved.

The Colonial Secretary seconded.

Question—put and agreed to.

8. *Summary Offences Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Summary Offences Ordinance, 1932.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

9. *Stonecutters Island Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Stonecutters Island Ordinance, 1889.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

10. *Companies Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend further the Companies Ordinance, 1932.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

11. *Deportation (British Subjects) Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to regulate the Deportation of Undesirable British subjects.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

12. *Hong Kong Government Service (Levy on Salaries) Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to make provision for a levy on the salaries of public officers in the Hong Kong Government Service.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

13. *Telecommunication Bill.*—The Attorney General moved the Second reading of a Bill intituled “An Ordinance to amend and consolidate the law relating to Telecommunication.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

The Attorney General moved:—

- (a) That clause 3 (3) be transferred to the end of the Bill making it clause 42 (1).

(b) That the following be added as clause 42 (2):—

(2) Nothing in this Ordinance shall be deemed to authorise the placing or maintenance of any telegraph line under, over, along or across, or of any telegraph posts in or upon, any immovable property, which is vested in or under the control of the Naval, Military or Air Force Authorities, without the previous consent of the authorities concerned.

(c) That the words "tender for transmission" be substituted for the words "retransmit" in the 12th line of clause 6 (1).

The Colonial Secretary seconded.

Question—put and agreed to.

The third reading of the Bill was postponed to enable the Bill as amended to be published in the Gazette as required by Standing Order 28 (1).

14. *Married Women Bill.*—The Attorney General moved the Second reading of a Bill intituled "An Ordinance to amend the law relating to the capacity, property and liabilities of married women and the liabilities of husbands."

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. *Tortfeasors Bill.*—The Attorney General addressed the Council and moved the Second reading of a Bill intituled "An Ordinance to amend the law relating to proceedings against, and contribution between, tortfeasors."

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.

16. *Liquors Amendment Bill.*—The Attorney General addressed the Council and moved the Second reading of a Bill intituled "An Ordinance to amend the law relating to alcoholic liquors."

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.

17. The Hon. Mr. LO MAN-KAM addressed the Council and moved the following resolution :—

“That in the opinion of this Council the Colony cannot afford to maintain so large and costly a Civil Service as now exists, and that the Government should take immediate steps to effect all possible retrenchments in the same.”

The Hon. Sir HENRY POLLOCK addressed the Council and seconded the resolution. The Hon. Director of Medical and Sanitary Services addressed the Council regarding the Medical Establishment of the Colony.

The Colonial Secretary addressed the Council and said the Government agreed with the resolution standing in the name of the Honourable Member only in so far as it referred to present circumstances.

His Excellency the Governor addressed the Council.

The resolution was put to vote and declared lost. Six members voted for the resolution. Hon. Sir HENRY POLLOCK, Hon. Sir WILLIAM SHENTON, Hon. Mr. CHAU TSUN-NIN, Hon. Mr. JOHN JOHNSTONE PATERSON, Hon. Mr. WILLIAM HENRY BELL, Hon. Mr. LO MAN-KAM.

Nine members voted against. The Officer Commanding the Troops, the Colonial Secretary, the Attorney General, the Secretary for Chinese Affairs, the Colonial Treasurer, the Harbour Master, the Director of Medical and Sanitary Services, the Inspector General of Police, the Director of Public Works.

Hon. Mr. JOSÉ PEDRO BRAGA abstained from voting.

ADJOURNMENT.

18. The Council then adjourned *sine die*.

A. CALDECOTT,
Governor.

Confirmed this 22nd day of April, 1936.

D. M. MACDOUGALL,
Deputy Clerk of Councils.

No. 370.—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. 13 of 1936.—An Ordinance to amend the Summary Offences Ordinance, 1932.

Ordinance No. 14 of 1936.—An Ordinance to amend the Stonecutters Island Ordinance, 1889.

Ordinance No. 15 of 1936.—An Ordinance to amend further the Companies Ordinance, 1932.

Ordinance No. 16 of 1936.—An Ordinance to regulate the Deportation of Undesirable British subjects.

Ordinance No. 17 of 1936.—An Ordinance to make provision for a levy on the salaries of public officers in the Hong Kong Government Service.

Ordinance No. 18 of 1936.—An Ordinance to amend and consolidate the law relating to Telecommunication.