

## LEGISLATIVE COUNCIL.

No. 293.

## LEGISLATIVE COUNCIL, No. 1.

Wednesday, 9th March, 1938, at 2.30 p.m.

## PRESENT:

HIS EXCELLENCY THE GOVERNOR

(Sir GEOFFREY ALEXANDER STAFFORD NORTHCOTE, K.C.M.G.).

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, (Mr. NORMAN LOCKHART SMITH, C.M.G.).

,, the Attorney General, (Mr. JOHN ALEXANDER FRASER, M.C., *Acting*).

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

,, the Financial Secretary, (Mr. SYDNEY CAINE).

,, Commander GEORGE FRANCIS HOLE, R.N. (Retired), (Harbour Master).

,, Mr. RICHARD McNEIL HENDERSON, (Director of Public Works).

,, Mr. THOMAS HENRY KING, (Commissioner of Police).

,, Dr. PERCY SELWYN SELWYN-CLARKE, M.C., (Director of Medical Services).

,, Sir HENRY EDWARD POLLOCK, Kt., K.C., LL.D.

,, Mr. JOHN JOHNSTONE PATERSON.

,, Mr. CHAU TSUN-NIN, C.B.E.

,, Mr. LO MAN-KAM.

,, Mr. STANLEY HUDSON DODWELL.

,, Dr. LI SHU-FAN.

,, Mr. MARCUS THEODORE JOHNSON.

Mr. BRIAN CHARLES KEITH HAWKINS, (Deputy Clerk of Councils).

## ABSENT:

The Honourable Mr. LEO D'ALMADA E CASTRO, Junior.

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

## MINUTES.

2. The Minutes of the Meeting held on the 22nd December, 1937, were confirmed.

## OATHS.

3. The Honourable Mr. JOHN ALEXANDER FRASER, M.C., (Acting Attorney General) and the Honourable Dr. PERCY SELWYN SELWYN-CLARKE, M.C., (Director of Medical Services) took the Oath of Allegiance and assumed their seats as Members of the Council.

## ANNOUNCEMENTS.

4. His Excellency the Governor addressed the Council with regard to rent restriction and announced the appointment of a Commission empowered to receive and to analyse complaints by either of the parties to a tenancy agreement who considers himself aggrieved or injured by steps taken by the other party.
5. *Standing Law Committee.*—The Honourable the Colonial Secretary by direction of His Excellency the Governor announced the appointment of the following to be Members of the Standing Law Committee for 1938:—The Hon. Attorney General (*Chairman*), the Hon. Secretary for Chinese Affairs, the Hon. Sir HENRY EDWARD POLLOCK, Kt., K.C., LL.D., the Hon. Mr. CHAU TSUN-NIN, C.B.E., and the Hon. Mr. LO MAN-KAM.

## PAPERS.

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

Order made by the Governor in Council under section 2 of the Emergency Regulations Ordinance, 1922, Ordinance No. 5 of 1922, rescinding certain regulations for the prevention and mitigation of cholera, dated 18th December, 1937.

Amendment made by the Governor in Council under paragraph (f) of sub-section (1) of section 32 of the Telecommunication Ordinance, 1936, Ordinance No. 18 of 1936, to the Radiocommunication Regulations, dated 22nd December, 1937.

Rescission of the Order made by the Governor in Council on the 21st September, 1937, under section 18 of the Quarantine and Prevention of Disease Ordinance, 1936, Ordinance No. 7 of 1936, dated 28th December, 1937.

Licence granted by the Governor in Council under section 3 sub-section 2 of the Telecommunication Ordinance, 1936, Ordinance No. 18 of 1936, and pursuant to agreements made between the Government of the Colony of Hong Kong and Cable and Wireless Limited, to the said Company to establish, maintain and work a telegraph within the Colony of Hong Kong and an exclusive licence to supply and operate the external fixed station commercial radio communications of the said Colony, dated 29th December, 1937.

Rescission of the Order made by the Governor in Council on the 23rd October, 1937, under section 18 of the Quarantine and Prevention of Disease Ordinance, 1936, Ordinance No. 7 of 1936, dated 31st December, 1937.

Stanley Market declared a market by the Urban Council under by-law 1 of the by-laws under the heading 'Market' contained in the Schedule to the Public Health (Food) Ordinance, 1935, Ordinance No. 13 of 1935, dated 18th January, 1938.

Amendment made by the Governor in Council under section 3 of the Post Office Ordinance, 1926, Ordinance No. 7 of 1926, to the Post Office Regulations, relating to the U.S.A. Air Mail Services, dated 21st January, 1938.

Order made by the Governor in Council on the 21st day of January, 1938, under regulation 16 of the Emergency Regulations published by Notification No. 621 in the Hong Kong Government Gazette of the 2nd October, 1931.

Amendment made by the Governor in Council under section 3 of the Pharmacy and Poisons Ordinance, 1937, Ordinance No. 8 of 1937, to the Third List to the Regulations, dated 14th February, 1938.

Amendments made by the Governor in Council under section 18 of the Pharmacy and Poisons Ordinance, 1937, Ordinance No. 8 of 1937, to the Poisons List, dated 14th February, 1938.

Notice given under section 5 of the Public Reclamations Validation and Clauses Ordinance, 1936, Ordinance No. 40 of 1936, re the definitive approval of the erection of a Pier at North Point by the Governor in Council, dated 17th February, 1938.

Temporary Regulations made by the Governor in Council under section 2 of the Lighting Control Ordinance, 1936, Ordinance No. 55 of 1936, dated 17th February, 1938.

Declaration under section 18 of the Quarantine and Prevention of Disease Ordinance, 1936, Ordinance No. 7 of 1936, dated 19th February, 1938.

Proclamation No. 13.—Pharmacy and Poisons Ordinance, 1937, to come into operation on the 1st January, 1938.

Proclamation No. 1.—Crown Rents (Apportionment) Ordinance, 1936, to come into operation as regards certain lots on the 7th January, 1938.

Administration Reports, 1937 :—

Part I.—General Administration :—

Financial Returns.

Sessional Papers, 1938 :—

No. 1.—Report on a New Museum in Hong Kong.

No. 2.—Report on the Third Congress of Prehistorians of the Far East, held at Singapore, 1938.

List of statements and abstracts of reports of the following Companies which have been deposited with the Registrar of Companies under the Life Insurance Companies Ordinance, 1907, during the year 1937 :—

*Statements under Section 12.*

The China Hong Nin Life Insurance Company, Limited.

The Sincere Life Assurance Company, Limited.

The Wing On Life Assurance Company, Limited.

West Coast Life Assurance Company.

The Luk Hoi Tong Life Assurance Company, Limited.

The Oi Kwan Life Assurance Company, Limited.

*Statements under Section 13.*

The Tai Shan Insurance Company, Limited.

7. The Hon. Dr. LI SHU-FAN, pursuant to notice, asked the following questions :—

1. Will Government state what is the number of liquid fuel storage tanks in the immediate vicinity of residential districts, both Hong Kong and Kowloon, giving the number separately and their respective localities?
2. Does Government agree that these tanks are potential sources of danger to the localities, either from accidental fire or from destructive missiles in time of war?
3. If the answer to question (2) is in the affirmative, will Government consider the desirability of removing the tanks as speedily as possible to outlying districts, where they will not constitute a source of danger to the public?

The Colonial Secretary replied as follows :—

1. There are 15 oil storage tanks in Hong Kong distributed as follows :—

*North Point Installation.*

5 large tanks .....	} Benzine and Kerosene.
1 small tank .....	
4 large tanks .....	} Liquid fuel oil.
3 small tanks .....	

*West Point Petroleum Depot. Davis Street.*

2 small tanks .....Benzine.

*Kowloon.*

None of the tanks in Kowloon are in the immediate vicinity of residential districts.

2. The requirements of the Fire Brigade in the matter of surrounding the tanks by retaining walls and of connection with the chemical foam fire extinguishing system have been complied with and there is no reason to think that the precautions taken are not adequate for the protection of property in ordinary circumstances.

The risk to neighbouring property would of course be increased by war conditions.

3. The suggestion will have Government's consideration.

8. The Hon. Mr. LO MAN-KAM, pursuant to notice, asked the following questions:—

With reference to the Commission appointed by His Excellency the Officer Administering the Government on the 7th day of October, 1937, for the purpose of inquiring into and establishing "the facts in relation to the alleged sinking of certain fishing junks the survivors of which were brought into Hong Kong on board the S.S. *Scharnhorst* and S.S. *Kaying*,"—

1. What is the date of the Commissioners' Report?
2. Is it the intention of Government to publish the Report for the information of the public, and if so, when?
3. If it is not the intention of Government to publish the Report, will Government state the reasons for not publishing the same?

The Colonial Secretary replied as follows:—

1. 25th October, 1937.

2 & 3. The report was referred to the Secretary of State for the Colonies for consideration by the Imperial Government. It is at present still under consideration and no instructions have yet been received as to its publication.

## REPORTS OF THE FINANCE COMMITTEE.

9. The Colonial Secretary laid on the table the Reports of the Finance Committee (Nos. 10 and 1), dated 22nd December, 1937, and 2nd February, 1938, respectively, and moved their adoption.

The Financial Secretary seconded.

Question—put and agreed to.

## MOTIONS.

10. The Director of Public Works addressed the Council and moved the following resolution:—

Resolved that the approval of the Governor in Council of permission to the Hong Kong Tramways, Limited, to construct a new single tramway track leading from the double tramway track in King's Road to Inland Lots Nos. 4955 and 3546 as shown in Enclosure (94)<sup>2</sup> in C.S.O. 9365/04, and to maintain a tramcar shed on the said Inland Lots in connexion therewith be confirmed.

The Colonial Secretary seconded.

Question—put and agreed to.

11. *Gasholders Examination Bill*.—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to make provision for the periodical examination of Gasholders.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

12. *Asiatic Emigration Amendment Bill*.—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Asiatic Emigration Ordinance, 1915.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

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

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

#### CORONATION HOSPITALITY.

14. The Hon. Mr. STANLEY HUDSON DODWELL addressed the Council in connection with his and Dr. T'SO SEEN-WAN'S official visit to the Coronation of Their Majesties, and on behalf of Dr. T'so, himself and his wife requested His Excellency the Governor to convey to the Secretary of State for the Colonies an expression of their deep appreciation of the excellence of the arrangements which had been made for their reception, comfort and enjoyment.

His Excellency the Governor replied that he would be very pleased to comply with the Honourable Member's request.

#### ADJOURNMENT.

15. The Council then adjourned *sine die*.

G. A. S. NORTHCOTE,  
*Governor.*

Confirmed this 13th day of April, 1938.

B. C. K. HAWKINS,  
*Deputy Clerk of Councils.*

**No. 294.**—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. 1 of 1938.—An Ordinance to make provision for the periodical examination of Gasholders.

Ordinance No. 2 of 1938.—An Ordinance to amend the Asiatic Emigration Ordinance, 1915.

Ordinance No. 3 of 1938.—An Ordinance to amend the Empire Preference Ordinance, 1932.