

specified in the notification, and while the restriction remains in force—

(a) no person shall sell any such article for a sum greater than such maximum price; and

(b) notwithstanding any agreement to the contrary, no action shall lie for the payment of any money in excess of such maximum price, but such money, if paid, may be recovered by the payer:

Provided that nothing in this regulation shall affect the sale of any article sold in pursuance of a contract made before the date of the notification.

T. MEGARRY,  
*Clerk of Councils.*

COUNCIL CHAMBER,  
14th October, 1938.

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**LEGISLATIVE COUNCIL.**

No. 799.

**LEGISLATIVE COUNCIL, No. 9.**

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Thursday, 15th September, 1938, at 2.30 p.m.

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PRESENT:

HIS EXCELLENCY THE GOVERNOR

(Sir GEOFFRY 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).

„ Mr. JOHN JOHNSTONE PATERSON.

„ Mr. CHAU TSUN-NIN, C.B.E.

„ Mr. LO MAN-KAM.

„ Mr. STANLEY HUDSON DODWELL.

„ Mr. LEO D'ALMADA E CASTRO, Junior.

„ Dr. LI SHU-FAN.

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

## ABSENT :

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

„ Mr. ANDREW LUSK SHIELDS.

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

## MINUTES.

2. The Minutes of the Meeting held on the 1st September, 1938, were confirmed.

## PAPERS.

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

Amendments made by the Governor in Council under section 12 of the Female Domestic Service Ordinance, 1923, Ordinance No. 1 of 1923, to the regulations, dated 31st August, 1938.

Amendment made by the Governor in Council under section 2 of the Gasholders Examination Ordinance, 1938, Ordinance No. 1 of 1938, to the regulations, dated 2nd September, 1938.

Resolution made and passed by the Legislative Council under the Public Officers (Changes of Style) Ordinance, 1937, Ordinance No. 25 of 1937, on the 1st September, 1938.

Order under section 75 (8) of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, made by the Colonial Secretary for the removal of all graves in the portion of Section A in New Kowloon Cemetery No. 3 (Cheung Sha Wan Cemetery) in which bodies were buried during the years 1930 and 1931, on the 31st day of August, 1938.

Order under section 75 (8) of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, made by the Colonial Secretary for the removal of all graves in the portions of Sections B and C in Kowloon Cemetery No. 2 (Ho Man Tin Cemetery) in which bodies were buried during the years 1928 and 1929, and in Section A and Trenches in which bodies were buried during the years 1930 and 1931, on the 31st day of August, 1938.

Order under section 75 (8) of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, made by the Colonial Secretary for the removal of all graves in the portions of Sections B and C in Mount Caroline Cemetery in which bodies were buried during the year 1930, in the portion of Section A in which bodies were buried during the year 1931, and in the portion of Tung Wah Hospital, Eastern Extension, in which bodies were buried during the year 1931, on the 31st day of August, 1938.

Order under section 75 (8) of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, made by the Colonial Secretary for the removal of all graves in Shum Wan Cemetery, Aberdeen, in which bodies were buried before the year 1924, on the 31st day of August, 1938.

Order under section 75 (8) of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, made by the Colonial Secretary for the removal of all graves in the portion of Section A in Chai Wan Cemetery in which bodies were buried during the year 1931, and in the portions of Sections B and C in which bodies were buried during the year 1930, on the 31st day of August, 1938.

Order under section 75 (8) of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, made by the Colonial Secretary for the removal of all graves in the portions of Section A and Trenches in Kai Lung Wan East Cemetery in which bodies were buried during the year 1931, in the portion of Section C in which bodies were buried during the year 1930, and in the portion of the Chiu Chow Section in which bodies were buried during the year 1929, on the 31st day of August, 1938.

Order under section 75 (8) of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, made by the Colonial Secretary for the removal of all graves in the Tung Wah Hospital Cemetery at Kai Lung Wan in which bodies were buried during the year 1929, on the 31st day of August, 1938.

Amendment made by the Governor in Council under sections 3 and 4 of the Pleasure Grounds and Bathing Places Regulation Ordinance, 1936, Ordinance No. 29 of 1936, to the First Schedule to that Ordinance, dated 3rd September, 1938.

Proclamation No. 8.—Approval and confirmation of the Asiatic Emigration Amendment Ordinance, 1938, Ordinance No. 2 of 1938.

Proclamation No. 9.—The First Volume of the 1937 edition of Ordinances and the First Volume of the 1937 edition of Regulations to come into operation on the 2nd day of September, 1938.

#### REPORT OF THE FINANCE COMMITTEE.

4. The Colonial Secretary laid on the table the Report of the Finance Committee (No. 7), dated 1st September, 1938, and moved its adoption.

The Financial Secretary seconded.

Question—put and agreed to.

#### MOTIONS.

5. *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.

6. *Female Domestic Service Amendment Bill.*—The Attorney General moved the Second reading of a Bill intituled “An Ordinance to amend the Female Domestic Service Ordinance, 1923.”

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.

7. *Offences Against the Person Amendment Bill.*—The Attorney General moved the Second reading of a Bill intituled “An Ordinance to repeal and replace section 45A of the Offences Against the Person Ordinance, 1865, as enacted by the Offences Against the Person Amendment Ordinance, 1929.”

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.

8. *New Territories Regulation Amendment Bill.*—The Attorney General moved the Second reading of a Bill intituled “An Ordinance to amend the New Territories Regulation Ordinance, 1910.”

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.

9. *Waterworks Bill.*—The Attorney General moved the Second reading of a Bill intituled “An Ordinance to provide for and regulate the supply of water.”

The Colonial Secretary seconded.

The Honourable Mr. CHAU TSUN-NIN, C.B.E., the Honourable Mr. LO MAN-KAM and the Honourable Dr. LI SHU-FAN addressed the Council opposing the Bill.

The Financial Secretary and the Honourable Mr. R. M. HENDERSON replied.

His Excellency the Governor addressed the Council.

The motion was put to the vote and carried. Three Members voted against—the Honourable Mr. CHAU TSUN-NIN, C.B.E., the Honourable Mr. LO MAN-KAM and the Honourable Dr. LI SHU-FAN.

Bill read a second time.

Council in Committee on the Bill.

The Attorney General moved various amendments to Clauses 2, 5, 9, 10, 12, 14, 17, 19, 20 to 33, 26, 29, 30, the Schedule, Appendix I, Objects and Reasons and Table of Correspondence.

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).

10. *Dangerous Drugs Amendment Bill.*—The Attorney General moved the Second reading of a Bill intituled “An Ordinance to amend the Dangerous Drugs Ordinance, 1935.”

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 with material amendments and requested the President's permission under Standing Order No. 28 (1) to suspend Standing Orders to allow the Bill to be read a third time at the same meeting.

The President gave the required permission and Council approved the suspension of Standing Orders.

The Attorney General then moved that the amended Bill, which had already appeared in the Gazette as amended, be read a third time in substitution for the Bill as read a second time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

ADJOURNMENT.

11. The Council then adjourned *sine die*.

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

Confirmed this 13th day of October, 1938.

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

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**No. 800.**—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. 19 of 1938.—An Ordinance to amend the Stamp Ordinance, 1921.

Ordinance No. 20 of 1938.—An Ordinance to provide for and regulate the supply of water.