

LEGISLATIVE COUNCIL.

No. 903.

LEGISLATIVE COUNCIL, No. 11.

Thursday, 10th November, 1938, at 2.30 p.m.

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. CHALONER GRENVILLE ALABASTER, O.B.E., K.C.).

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

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

„ 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.

„ Mr. LEO D'ALMADA E CASTRO, Junior.

„ Dr. LI SHU-FAN.

„ Mr. ANDREW LUSK SHIELDS.

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

ABSENT:

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

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

MINUTES.

2. The Minutes of the Meeting held on the 13th October, 1938, were confirmed.

## PAPERS.

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

Regulations made by the Governor in Council under section 2 of the Emergency Regulations Ordinance, 1922, Ordinance No. 5 of 1922, dated 28th September, 1938.

Order made by the Governor in Council under section 2 (a) of the Evidence Ordinance, 1889, Ordinance No. 2 of 1889, recognizing the Oversea-Chinese Banking Corporation, Limited, dated 29th September, 1938.

Amendment made by the Governor in Council under section 42 of the Merchant Shipping Ordinance, 1899, Ordinance No. 10 of 1899, dated 30th September, 1938.

Regulation made by the Governor in Council under section 3 of the Pensions Ordinance, 1932, Ordinance No. 21 of 1932, dated 1st October, 1938.

Rules made by the Governor in Council under section 17 of the Prisons Ordinance, 1932, Ordinance No. 38 of 1932, dated 3rd October, 1938.

Regulation made by the Governor in Council under section 2 of the Emergency Regulations Ordinance, 1922, Ordinance No. 5 of 1922, dated 12th October, 1938.

Amendment made by the Governor in Council under section 56 of the Trade Marks Ordinance, 1909, Ordinance No. 40 of 1909, to the Trade Marks Rules, dated 6th October, 1938.

Shum Wan Cemetery authorized by the Governor in Council under section 73 (1) of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, as a place to be used as a cemetery or urn cemetery, dated 12th October, 1938.

Regulation made by the Governor in Council under section 2 of the Emergency Regulations Ordinance, 1922, Ordinance No. 5 of 1922, dated 14th October, 1938.

Amendments made by the Governor in Council under section 32 of the Telecommunication Ordinance, 1936, Ordinance No. 18 of 1936, to the Radio-communication Regulations in the Schedule to that Ordinance, dated 20th October, 1938.

Amendments made by the Governor in Council under section 5 of the Dangerous Goods Ordinance, 1873, Ordinance No. 1 of 1873, to the Regulations, dated 22nd October, 1938.

Amendment made by the Governor in Council under section 42 of the Merchant Shipping Ordinance, 1899, Ordinance No. 10 of 1899, to Table C in the Regulations, dated 27th October, 1938.

Notice to Airmen No. 5 of the year 1938, dated 24th October, 1938.

Hammer Hill Urn Cemetery authorized by the Governor in Council under section 73 (1) of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, as a place to be used as an urn cemetery, dated 30th October, 1938.

Order made by the Governor in Council under section 12 of the Rope Company's Tramway Ordinance, 1901, Ordinance No. 21 of 1901, dated 31st October, 1938.

Proclamation No. 12.—Hong Kong Police Reserve Force called out for active service.

## Administration Reports, 1937 :—

## Part I.—General Administration :—

Report to the Director of Colonial Audit on the Audit of the Accounts of Hong Kong, 1937, with copy of forwarding despatch to Secretary of State for the Colonies.

Report of the Harbour Master and Director of Air Services.

## Part II.—Law and Order :—

Report of the Chief Officer, Hong Kong Fire Brigade.

## Sessional Papers, 1938 :—

No. 14.—Report by the Senior Inspector of Mines, Perak, Federated Malay States, on the subject of the Control Measures which the Hong Kong Government should adopt in respect of Local Mining.

## REPORT OF THE FINANCE COMMITTEE.

4. The Colonial Secretary laid on the table the Report of the Finance Committee (No. 9), dated 20th October, 1938, and moved its adoption.

The Colonial Secretary seconded.

Question—put and agreed to.

## MOTIONS.

5. The Colonial Secretary addressed the Council and moved the following resolution :—

That the Estimates of Expenditure for the year 1939 as now presented be approved.

The Financial Secretary seconded.

The Honourable Sir HENRY EDWARD POLLOCK, Kt., K.C., LL.D., the Honourable Mr. CHAU TSUN-NIN, C.B.E., the Honourable Mr. LO MAN-KAM, the Honourable Mr. LEO D'ALMADA E CASTRO, Junior, the Honourable Dr. LI SHU-FAN, the Honourable Mr. ANDREW LUSK SHIELDS, the Director of Public Works, the Director of Medical Services, the Colonial Secretary and His Excellency the Governor addressed the Council.

Question—put and agreed to.

6. *Appropriation Bill for 1939.*—The Financial Secretary addressed the Council and moved the First reading of a Bill intituled “An Ordinance to apply a sum not exceeding Twenty-nine million three hundred and twenty-seven thousand two hundred and ninety-four Dollars to the Public Service of the year 1939.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

7. The Financial Secretary addressed the Council and moved the following resolution:—

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:—

Item 2.—Shing Mun Valley Water Scheme—to be reduced from \$10,212,877.98 to \$10,175,262.90.

Item 4.—New Gaol at Stanley—to be reduced from \$3,945,000 to \$3,917,087.25.

Item 6.—Airport—to be reduced from \$907,485.92 to \$900,940.90.

Item 8.—Other Public Works—to be increased from \$909,000 to \$985,225.68.

The Colonial Secretary seconded.

Question—put and agreed to.

8. The Financial Secretary addressed the Council and moved the following resolution:—

That this Council approves of the expenditure during the financial year 1938 under the heads of the Loan Works authorized under Ordinance No. 11 of 1934, set out in the Schedule below of a total net sum of \$735,746.77 which sum shall be met by advances from the surplus balances of the Colony pending the issue of the remainder of the loan authorized under the said Ordinance.

#### SCHEDULE.

Head 6.—Airport, B.—Airport and Aeroplane Slip-way .....	\$ 21,000.00
Head 8.—New Markets.	
(a) Central Market .....	\$699,846.77
(b) Wholesale Market .....	\$ 14,900.00
	\$735,746.77

The Colonial Secretary seconded.

Question—put and agreed to.

9. The Financial Secretary addressed the Council and moved the following resolution:—

That this Council approves of the expenditure during the financial year 1939 under Head 8A of the Loan Works authorized under Ordinance No. 11 of 1934 (Central Market) of a total sum of \$50,000 which sum shall be advanced from the surplus balances of the Colony pending the issue of the remainder of the loan authorized under the said Ordinance.

The Colonial Secretary seconded.

Question—put and agreed to.

10. The Financial Secretary moved that the Schedule to the following resolution be amended under Head 2—Water Works—item (k), by inserting the figure \$10,000 in the third column and reducing the figure \$25,000 in the fourth column to \$15,000.

That this Council approves the carrying out of the works set out in the Schedule below at an estimated cost of \$4,112,812.50 and of the expenditure in the financial years 1938 and 1939 of the sums set out in

columns 3 and 4 of the Schedule the cost to be met from a future loan and meanwhile to be charged as advances from the surplus balances of the Colony pending the raising of a loan.

**SCHEDULE.**

**Appendix VI (C).**

**LOAN WORKS.**

*Additional Works to be charged to a proposed New Loan.*

Works.	Estimated Cost	Revised Estimated Expenditure 1938.	Estimated Expenditure 1939.
	\$	\$	\$
Head 1.—New Markets :—			
(a) Central Market ... ..	115,312.50	—	115,312.50
Head 1.—Total ... ..	115,312.50	—	115,312.50
Head 2.—Water Works :—			
<i>Authorized Works.</i>			
(a) Supply to Albany ... ..	100,000.00	85,000.00	13,478.81
(b) Supply to Peak Road ...	100,000.00	90,000.00	8,494.94
(c) Cross Harbour Pipes ...	950,000.00	710,000.00	235,140.93
(d) Rapid Gravity Filters, Eastern ... ..	300,000.00	1,000.00	50,000.00
(e) Kowloon Chai Service Reservoir ... ..	240,000.00	50,000.00	170,000.00
(f) Supply Main to Kowloon Chai Service Reservoir.	250,000.00	—	200,000.00
(g) Distribution, Island ...	100,000.00	30,000.00	35,000.00
(h) Distribution, Mainland...	75,000.00	25,000.00	25,000.00
(i) Shing Mun Valley Scheme Catchwaters ...	1,070,000.00	220,000.00	406,000.00
<i>Proposed New Works :—</i>			
(j) Rapid Gravity Filters, Shing Mun Valley Scheme ... ..	150,000.00	—	100,000.00
(k) Tai Lam Chung Scheme, Preliminary Works ... ..	25,000.00	—	25,000.00
(l) New Meters ... ..	120,000.00	—	60,000.00
(m) Waste-Detection Equip- ment ... ..	300,000.00	—	120,000.00
(n) Reconstruction at Albany	150,000.00	—	10,000.00
(o) Miscellaneous Works ...	67,500.00	—	67,500.00
Head 2.—Total ... ..	3,997,500.00	1,211,000.00	1,525,614.68
Grand Total ... ..	4,112,812.50	1,211,000.00	1,640,927.18

The Colonial Secretary seconded.

Question—put and agreed to.

The Financial Secretary then moved the resolution.

The Colonial Secretary seconded.

Question—put and agreed to.

11. The Financial Secretary addressed the Council and moved the following resolution :—

That this Council approves the expenditure during the financial year 1939 from the balance credited to the Waterworks Renewals and Improvements Fund of the sums set out in the Schedule below :—

**SCHEDULE.**

(a) Replacement Nos. 1 and 2 Pumping Sets Tytam Tuk .....	\$ 50,000
(b) Aberdeen and Aplichau Supply .....	\$ 70,000
(c) Pokfulam District Supply, Conversion to full supply .....	\$ 60,000
(d) New Waterworks Depot at Kowloon .....	\$ 10,000

The Colonial Secretary seconded.

Question—put and agreed to.

12. 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 one additional curve to connect the north tramway track, King's Road, to the existing single track leading to Inland Lots Nos. 4955 and 3546 as shown in Enclosure (99)<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.

13. *Land Registration Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Land Registration Ordinance, 1844, and to confer certain powers on assistant land officers.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

14. *Pharmacy and Poisons Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Pharmacy and Poisons Ordinance, 1937.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

15. *Dollar Currency Notes Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Dollar Currency Notes Ordinance, 1935.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

16. *Registration of Persons (No. 2) Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Registration of Persons Ordinance, 1934.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

17. *Police Force and Peace Preservation Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Police Force Ordinance, 1932, and the Peace Preservation Ordinance, 1886.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

18. *Rating Amendment Bill.*—The Attorney General moved the Second reading of a Bill intituled “An Ordinance to amend the Rating Ordinance, 1901.”

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.

ADJOURNMENT.

19. The Council then adjourned until Thursday, the 24th day of November, 1938, at 2.30 p.m.

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

Confirmed this 24th day of November, 1938.

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

**No. 904.**—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. 22 of 1938.—An Ordinance to apply a sum not exceeding Twenty-nine million three hundred and twenty-seven thousand two hundred and ninety-four Dollars to the Public Service of the year 1939.

Ordinance No. 23 of 1938.—An Ordinance to amend the Land Registration Ordinance, 1844, and to confer certain powers on assistant land officers.

Ordinance No. 24 of 1938.—An Ordinance to amend the Pharmacy and Poisons Ordinance, 1937.

Ordinance No. 25 of 1938.—An Ordinance to amend the Dollar Currency Notes Ordinance, 1935.

Ordinance No. 26 of 1938.—An Ordinance to amend the Registration of Persons Ordinance, 1934.

Ordinance No. 27 of 1938.—An Ordinance to amend the Police Force Ordinance, 1932, and the Peace Preservation Ordinance, 1886.