

7th April, 1932.

PRESENT:—

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

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (MAJOR-GENERAL J. W. SANDILANDS, C.B., C.M.G., D.S.O.).

THE COLONIAL SECRETARY (HON. MR. W. T. SOUTHORN, C.M.G.).

THE ATTORNEY GENERAL (HON. MR. C. G. ALABASTER, K.C., O.B.E.).

THE SECRETARY FOR CHINESE AFFAIRS (HON. MR. E. R. HALLIFAX, C.M.G., C.B.E.).

THE COLONIAL TREASURER (HON. MR. E. TAYLOR).

HON. MR. H. T. CREASY, C.B.E., (Director of Public Works).

HON. COMMANDER G. F. HOLE, R.N., (Retired) (Harbour Master).

HON. DR. A. R. WELLINGTON (Director of Medical and Sanitary Services).

HON. MR. T. H. KING, (Inspector General of Police).

HON. SIR HENRY POLLOCK, KT., K.C.

HON. MR. W. E. L. SHENTON.

HON. MR. R. H. KOTEWALL, C.M.G., LL.D.

HON. MR. J. P. BRAGA.

HON. MR. S. W. TS'O, O.B.E., LL.D.

HON. MR. J. J. PATERSON.

HON. MR. T. N. CHAU.

HON. MR. W. H. BELL.

MR. R. A. C. NORTH (Deputy Clerk of Councils).

MINUTES.

The Minutes of the previous meeting of Council were confirmed.

NEW MEMBER.

THE HON. MR. W. H. BELL took the oath of allegiance, and his seat as a member of the Council.

PAPERS.

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the table the following papers:—

By-laws made by the Sanitary Board under section 16 of the Public Health and Buildings Ordinance, 1903.

Order under sections 3 and 7 of the Licensing Ordinance, 1899, Table L, Quarantine Regulations—Saigon as an infected place.

Rescission of the Order of the 27th January, 1932, published in the Gazette of the 29th January, 1932, as Government Notification No. 51, declaring Sourabaya to be an infected place.

Amendment and Addition made under section 6 of the Vaccination Ordinance, 1923.

Repeal and Substitution of Table N in the Schedule under sections 26 and 42 of the Merchant Shipping Ordinance, 1899.

Regulations in substitution for the regulations heretofore made under section 3 of the Post Office Ordinance, 1926.

Order made by the Governor in Council under section 4 of the Crown Fees Ordinance, 1870, on 24th February, 1932.

Notification under sub-section (1) of section 16 of the Tobacco Ordinance, 1931.

Suspension until further notice under section 3 of the Dogs Ordinance, 1927, of regulation 21 of the regulations made under the said Ordinance on the 24th day of November, 1927.

Amendment of Table K (A) under section 42 (1) of the Merchant Shipping Ordinance, 1899.

Rules made by the Governor in Council under section 16 of the Gunpowder and Fireworks Ordinance, 1901, on 10th March, 1932.

Alteration under section 36 of the Liquors Ordinance, 1931.

Appointments under section 38 of the Liquors Ordinance, 1931.

Order made by the Governor in Council under section 4 of the Societies Ordinance, 1920, on 17th March, 1932.

Resolution made and passed by the Legislative Council on the 17th day of March, 1932, under section 39 of the Liquors Ordinance, 1931.

The Report of the Retrenchment Commission and Government's Commentary thereon (Sessional Paper No. 2 of 1932).

FINANCE COMMITTEE'S REPORT.

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the table the report of the Finance Committee, No. 3 of 17th March, 1932, and moved that it be adopted.

THE COLONIAL TREASURER seconded and this was agreed to.

SANITARY BOARD BY-LAWS.

THE ATTORNEY GENERAL moved:—

“That the By-laws and amendments made by the Sanitary Board under section 16 of the Public Health and Buildings Ordinance, 1903, on the first day of March, 1932, relating to Aerated Water Manufactories, Laundries, Bakehouses, Food Preserving Establishments and Dairies, be approved.”

He said:—

Sir,—I rise to move the resolution standing in my name. Under section 16 of the Public Health and Buildings Ordinance, 1903, the Sanitary Board is empowered to make by-laws with regard to a number of subjects. Under section 17, all by-laws made by the Board have to be submitted to the Governor and are subject to the approval of the Legislative Council. The new by-laws and amendments to existing by-laws, now submitted for approval, deal with the prevention or control of expectoration in aerated water factories, bakehouses, dairies, food preserving establishments and laundries.

These new by-laws prohibit spitting in these establishments except in spittoons provided for the purpose, and require the licensees or registered proprietors of the premises to keep their spittoons continuously disinfected, and to see that they are properly cleansed daily at the close of business.

They also require them to display notices enjoining persons not to spit on the floor. These by-laws were made by the Board on March 1st, and I now move that they be approved by this Council.

THE COLONIAL SECRETARY seconded, and the motion was agreed to.

MEDICAL REGISTRATION AMENDMENT ORDINANCE, 1931.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend further the Medical Registration Ordinance, 1884." He said.—It is a short correcting Bill, the object of which is explained in the memorandum attached to it.

THE COLONIAL SECRETARY seconded, and the Bill was read a first time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

Section 2 of this Ordinance adds two sub-sections to section 10 of the principal Ordinance. The new sub-section (4) makes provision for a chairman of the Medical Board and gives him a deliberative and a casting vote on the lines of section 13 (2) of Ordinance No. 1 of 1903. The new sub-section (5) is on the lines of section 14 (1) of the latter Ordinance and enables the Board to make Standing Orders.

OPIUM ORDINANCE, 1932.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend and consolidate the law relating to opium." He said.—This Bill is a consolidating Bill with amendments indicated in the table of correspondence attached to it, and one new section, section 14, which has been put in, in consequence of the Bangkok Opium Agreement. That section forbids the sale or purchase of opium by minors and their possession, and sub-Section 2 makes it an offence to aid, abet, counsel or procure any such sale, purchase, smoking or possession. Such section, in consequence of the agreement, makes aiding and abetting a specific offence but it is not really necessary that the sub-section should be inserted, because there is ample provision in the law to deal with aiders and abettors, either under Section 37 of the Magistrates' Ordinance, or under Section 7 of Ordinance No. 14 of 1929.

When the Bill goes into Committee I would like to move corrections in Clauses 3 and 4 and to the schedule by deleting the word "first." There is only one schedule now. The second schedule of the principal ordinance was repealed in 1924 and is not printed here.

THE COLONIAL SECRETARY seconded, and the Bill was read a second time.

Council then went into Committee to consider the Bill clause by clause.

Clause 3:—

THE ATTORNEY GENERAL moved that the word "first" be omitted from the marginal note and from sub-Section (1) (d).

The amendment was approved.

Clause 4:—

THE ATTORNEY GENERAL moved that the word "first" be omitted from the marginal note and from sub-Sections (2) (f) and (3).

The amendment was approved.

Clause 7:—

THE ATTORNEY GENERAL moved that the word "first" be omitted from the marginal note and sub-Sections (1) and (2).

The amendment was approved.

Clause 8:—

THE ATTORNEY GENERAL moved that the word "first" be omitted from the marginal note and fourth line.

The amendment was approved.

Schedule:—

THE ATTORNEY GENERAL moved that the word "first" be omitted before "Schedule" in the heading, and that the figures and letters "ss. 3, 4, 7, 8 and 37" be substituted for those in the square bracket.

The amendment was approved.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through committee with immaterial amendments, and moved the third reading.

THE COLONIAL SECRETARY seconded, and the Bill was read a third time and passed.

ADJOURNMENT.

H.E. THE GOVERNOR.—Council stands adjourned *sine die*.

FINANCE COMMITTEE.

Following the Council, a meeting of the Finance Committee was held, the Colonial Secretary presiding.

Votes totalling \$123,946, contained in Message No. 4 from H.E. the Governor, were considered.

Item No. 21: Public Works Extraordinary:—Kowloon, Miscellaneous. Forming Children's Playground and erecting of sheds etc., \$5,500.

HON. MR. J. P. BRAGA.—Is this provision in pursuance of the Government's policy for preserving open spaces in Kowloon?

THE CHAIRMAN.—It was your wish that I should arrange for a playground out of the Chater Bungalow site. It really arises out of your representations that the Chatham Road playground was so unsatisfactory and unsafe that I have been to a great deal of trouble, or rather the Public Works Department has on my behalf, to find another site and the Kowloon Cricket Club has given up a portion of their site.

HON. MR. BRAGA.—In other words, this is a very economical solution of the difficulties which presented themselves to the Government.

THE CHAIRMAN.—Yes.

HON. MR. BRAGA.—May I ask you, Sir, on behalf of Kowloon Tong residents, whether some trouble might be gone to in their interests for a similar space, to be provided for children in Kowloon Tong?

THE CHAIRMAN.—I thought they already had a playground there.

HON. MR. BRAGA.—The intention was that the reservation designed in the first instance for the railway yard should be a children's playground but if all I hear is true that hill will be cut down and eventually will be sold out of the reserved areas. I think it is time that Government should, if it can be generous enough, consider that such a place should be required for Kowloon Tong residents more on the lines of the recreation ground that we are voting for now.

THE CHAIRMAN.—I will look into it, Mr. Braga.

HON. MR. BRAGA.—Unless we look ahead now, Mr. Creasy might be worried with applications for sales of desirable Crown lands and we shall be left with nothing in Kowloon Tong.

HON. SIR HENRY POLLOCK.—Is it the area between Kowloon Tong and the railway?

HON. MR. BRAGA.—The upper area.

HON. SIR HENRY POLLOCK.—You mean the higher ground on the west side of Kowloon Tong?

HON. MR. BRAGA.—No, the upper area of Kowloon Tong, a little higher up than the Kowloon Tong Market, to the left of Waterloo Road as you go up.

THE CHAIRMAN.—That will be looked into, Mr. Braga.

All the votes were approved.
