

27TH SEPTEMBER, 1923.

**PRESENT:—**

HIS EXCELLENCY THE GOVERNOR, SIR REGINALD EDWARD STUBBS, K.C.M.G.

HIS EXCELLENCY THE OFFICER IN COMMAND OF THE TROOPS, MAJOR-GENERAL SIR JOHN FOWLER, K.C.M.G., C.B., D.S.O.

HON. MR. A. G. M. FLETCHER, C.M.G., C.B.E. (Colonial Secretary).

HON. MR. J. H. KEMP, K.C., C.B.E. (Attorney-General).

HON. MR. C. McI. MESSER, O.B.E. (Colonial Treasurer).

HON. MR. E. R. HALLIFAX, C.B.E. (Secretary for Chinese Affairs.)

HON. MR. E. A. IRVING (Director of Education).

HON. MR. H. T. CREASY (Director of Public Works).

HON. MR. H. E. POLLOCK, K.C.

HON. MR. P. H. HOLYOAK.

HON. MR. CHOW SHOU-SON.

HON. MR. CHAU SIU-KI.

HON. MR. A. O. LANG.

HON. MR. A. R. LOWE.

MR. S. B. B. MCELDERRY (Clerk of Councils).

**An Investiture**

On taking his seat H.E. THE GOVERNOR said—Before we proceed to business I have the pleasure, on behalf of HIS MAJESTY THE KING, of presenting the badge of Officer of the Order of the British Empire to Dr. T. W. Pearce, and the badge of Member of the same Order to Miss Pitts. These badges have been awarded by HIS MAJESTY in consideration of many years' work in the cause of Education in this Colony. I think I am speaking for you all in congratulating Dr. Pearce and Miss Pitts upon the honour being awarded them.

The Members of Council remained standing while HIS EXCELLENCY pinned the badges on the recipients, whom they greeted with applause.

**Minutes**

The minutes of the last meeting of the Council were approved and signed.

**Finance**

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid upon the table Finance Minute No. 81 and moved that it be referred to the Finance Committee.

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

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid on the table the Report of the Finance Committee (No. 10) and moved that it be adopted.

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

**Papers**

There was also laid on the table an Order made by the Governor in Council under section 20 of the Medical Registration Ordinance, 1884, dated the 20th day of September, 1923, and published in the *Government Gazette* of the 21st September, 1923.

**Celluloid and Cinematograph Film Ordinance**

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to make better provision for the prevention of fire in premises where raw celluloid or cinematograph film is stored or used. He said: The Bill makes provision for the handling and keeping of cinematograph film with a view to the prevention of fire. The Bill and the Regulations in the schedule are adopted practically word for word from the English Act. I do not suppose we have any celluloid here, other than in the form of film, but as we may have at some future time I think it is better to adopt the whole of the English Act—the provisions dealing with the storage and use of celluloid, as

well as the provisions dealing with the storage and use of films. The Bill does not apply to cinematograph theatres because they are dealt with under another Ordinance.

THE COLONIAL SECRETARY seconded, the first reading which was carried.

### **Streets (Alteration) Ordinance**

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to provide for the closing, narrowing and diverting of streets, and for the alteration of the levels of streets.

He said—This is a very formal Bill and it is intended mainly to correct certain more or less obvious defects in the present Ordinance, which was passed in 1910. Perhaps the only substantial provision in this Bill is that contained in clause 11. It is not clear, I think whether the present Ordinance applies to merely temporary closing and diversions: this Bill, in clause 11 makes it clear that the general provisions of the Bill are to apply only to more or less permanent alterations, and clause 11 provides that merely temporary alterations shall not give rise to any claim for compensation unless they are continued for at least six months.

THE COLONIAL SECRETARY seconded, and the first reading was carried.

### **Fraudulent Transfers of Businesses**

H.E. THE GOVERNOR — With the permission of the Council we propose to defer again the second reading of the Bill intituled an Ordinance to Prevent certain Fraudulent Transfers of Businesses. The matter is now under reference to the Chinese Chamber of Commerce.

### **Statute Laws**

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, An Ordinance to provide for the preservation of certain portions of the Statute Laws (New Revised Edition) Ordinance, 1911.

The motion, after being seconded by the

COLONIAL SECRETARY, was agreed to, whereupon the Bill was referred to Committee for consideration clause by clause, and subsequently the Council passed the third reading of the Bill.

### **Fire Brigade Ordinance**

The Bill intituled, An Ordinance to regulate the Fire Brigade passed its second and third readings.

### **Public Health and Buildings Ordinance**

On the motion of the ATTORNEY-GENERAL, seconded by the COLONIAL SECRETARY, the Council passed the second reading of the Bill intituled, An Ordinance to amend further the Public Health and Buildings Ordinance, 1903, which was then referred to Committee.

In Committee, the ATTORNEY-GENERAL moved the insertion of the following clause after paragraph (a):

- (b) any trade, business or manufacture which is declared by the Board by by-law to be an offensive trade.

The motion was agreed to, as also was a motion to re-letter paras. (b) and (c) as (c) and (d).

THE ATTORNEY-GENERAL also moved to delete from the list of authorised cemeteries, the words "The Cheung Sha Wan Cemetery." That cemetery, he said is now in fact closed and is not being used any longer.

The motion was agreed to.

On Council resuming the third reading of the Bill, as amended, was passed.

### **Dangerous Drugs Ordinance**

The Council passed the second reading of the Bill intituled, An Ordinance to regulate the importation, exportation, manufacture, sale and use of Dangerous Drugs.

By formal resolution the Bill was referred to Committee for consideration clause by clause.

On clause 7, the ATTORNEY-GENERAL moved to add the following paragraph to the clause:

(3) Any authority given by the Superintendent under this section may be given to an individual or to a class, and may be (1) general, so as to embrace all the powers referred to in this section, or (2) limited, so as to embrace only a portion of those powers, or (3) particular, for a particular occasion.

In clause 7 (1) the words "in writing" (line 2); and the words "either generally or for a particular occasion" (line 3) were deleted on the motion of the ATTORNEY-GENERAL.

THE ATTORNEY-GENERAL explained that the object of the proposed amendment was to give the Superintendent power to limit the authority given under this section to a particular officer or class of officers. For example, he might give the right of search on enclosed premises to fewer officers than the right to search in the streets. The proposed new paragraph gives the Superintendent power to limit authority in any way, either to a particular occasion or to a particular individual, or to embrace only some of the powers given by the clause.

The motion was agreed to.

The insertion of the new sub-clause involved the renumbering of sub-clause (3) as sub-clause (4).

On Council resuming the Bill as amended was read a third time and passed.

#### **Resignation of the Hon. Mr. Chau Siu Ki**

H.E. THE GOVERNOR — Gentlemen, before we adjourn I have to inform you that the Hon. Mr. Chau Siu Ki has placed his resignation in my hands, and that I propose to accept it with regret and with many thanks to the hon. member for his services. I should like to explain the circumstances of this case. Some little time ago I approached the hon. gentleman with an enquiry whether he would desire to be appointed representative of the Chinese community on the Council, and he

informed me then that in view of his age and of the business in which he was concerned he desired to be excused. As hon. members are aware, the hon. member has a record of some 40 years of good service to the Chinese community and he has reached the age of 61. Having regard to the reasons given by the hon. member I of course accepted his decision, but, at a somewhat later stage the unfortunate death of Mr. Ng Hon Tsz left us in a somewhat difficult position—a difficulty accentuated by the absence of the Hon. Mr. Chou Shou-son in the North. I then approached Mr. Chau Siu Ki and asked him to help me out of the difficulty and, at my request, and with great self-sacrifice, he consented to accept the appointment on the distinct understanding that he was only to be required to serve until Mr. Chou Shou-son returned and permanent arrangements could be made. The appointment of Mr. Chau Siu Ki as approved by His Majesty was a substantive one but it was understood from the beginning by both of us that it was of a temporary character and that the hon. member was to be allowed to resign when he pleased. He has now informed me that, for the same reasons as he gave me before, he does not wish to continue his membership of the Council and wishes to retire in favour of Mr. R. H. Kotewall, whose valuable services are well known to this Council. I am greatly obliged to the hon. gentleman for the readiness with which he met my wishes in accepting the appointment and I thank him on your behalf for his services to the Council. I hope, in spite of his age, he will, if necessary, be willing to assist us again in case of difficulty.

HON. MR. CHAU SIU KI—I thank Your Excellency most sincerely for the very kind and generous words with which you have referred to my public services. For reasons of health and in view of my old age, I had long ago contemplated retiring from active public life, making room for younger and more capable men after some 40 years of services to the Colony during which period I feel that perhaps I have done my fair share of work. I

accepted nomination as an unofficial Chinese member of this Honourable Council purely out of a sense of duty to the Colony and on the understanding that I was to be allowed to retire on the return of the Hon. Mr. Chow Shou-son. In bidding farewell to this Honourable Council I may assure you, Sir, that although retired I will still retain a keen interest in the welfare of the Colony and will always render whatever services I can.

### **Adjournment**

H.E. THE GOVERNOR—The Council will adjourn till this day week at 2.30.

### **FINANCE COMMITTEE**

A meeting of the Finance Committee was afterwards held, the COLONIAL SECRETARY presiding.

The Governor recommended the Council to vote a sum of \$3,000 on account of Education Department, Special Expenditure, Physical Apparatus, Kowloon British School.

THE CHAIRMAN—This was in connection with the teaching of physics in this school. It is intended to teach this subject in the future and this is the first instalment of apparatus. A vote of \$5,000 is being asked for next year.

Approved.