

6TH MARCH, 1924.

PRESENT:—

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

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

HON. SIR CLAUD SEVERN, K.B.E., C.M.G. (Colonial Secretary).

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

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

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

HON. MR. A. E. WOOD (Secretary for Chinese Affairs).

HON. MR. E. D. C. WOLFE (Captain Superintendent of Police).

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

HON. MR. P. H. HOLYOAK.

HON. MR. A. O. LANG.

HON. MR. A. R. LOWE.

HON. MR. R. H. KOTEWALL.

HON. MR. CHAU SIU-KI.

MR. A. G. M. FLETCHER, C.M.G., C.B.E. (Clerk of Councils).

New Member

HON. MR. CHAU SIU KI made the required declaration and took his seat on the Council, *vice* the Hon. Mr. CHOW SOU SON, on leave.

Minutes

The minutes of the last meeting were approved and signed.

Papers

The Colonial Secretary, by command of H.E. The Governor laid upon the table the following papers:—

Order under section 9 of the Post Office Ordinance, 1900, Ordinance No. 6 of 1900.

Jurors List for 1924 (Session Paper No. 3).

Finance

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid on the table Financial Minutes (Nos. 13 to 18) and moved that they 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, then moved that the Report of Finance Committee (No. 2) be adopted.

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

Military Lands

H.E. THE GOVERNOR said the resolution approving the acceptance of the award of Sir John Oakley in respect of certain military lands, which stood on the agenda, would not be proceeded with at this meeting.

Hongkong and Shanghai Bank Note Issue

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to amend further the Hongkong and Shanghai Bank Ordinance, 1866. He said:—The object of this Bill is to increase the limit of the ordinary note issue from 20 million dollars to 30 million dollars. Under this Bill there will be no reduction in the amount of security held by the Bank against the note issue. As a matter of fact the Bank is assuming the additional obligation expressed in paragraph (d) of clause 2, that in future

it will hold in coin at least one-third of the value of its bills and notes actually in circulation. Apart from that paragraph the provisions of the Bill are concerned solely with the increase of the limit of the ordinary note issue and consequential amendments.

THE COLONIAL SECRETARY seconded, and the first reading was agreed to.

The Rents Ordinance

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, An Ordinance to amend further the Rents Ordinance, 1922.

THE COLONIAL SECRETARY seconded.

HON. MR. POLLOCK—I am glad that the Government, after careful enquiry into statistics as to reconstruction, has seen its way to bring forward the present measure which will give a desirable check to the reconstruction of houses which are in a good condition. My only regret is that when the subject of reconstructing houses was brought forward in this Council in June last the Government were not able to adopt then the same attitude they are able to adopt now. The matter of the undesirability of unnecessary reconstruction was pressed without avail upon the Government by the unofficial members, with the result that the Hon. Attorney-General informed us at the last meeting of this Council that, at about the middle of January there were 126 houses being reconstructed which before the commencement of reconstruction were comparatively new and sound. On this matter there was an interesting article in the *South China Morning Post* on the first of this month, pointing out that these 126 houses, assuming an average height of three storeys representing about 378 flats and taking the figure of 10 residents in each of these 378 flats it would mean that 3,780 people have been rendered homeless by reason of the reconstruction of houses which were in tolerably good condition.

I speak with some feeling upon this particular aspect of the subject because only two days ago I received through the post a letter which I will read to the honourable members of this Council. It is addressed to me as a member of the Legislative Council and it is dated 3rd March, 1924. It says:—

"SIR,

Cooke St. Houses Nos. 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75.

"We the undersigned have taken the liberty in addressing you on a subject which is of the utmost importance to ourselves and which we trust is not wholly without interest to you.

"We are the occupants of the above houses and did receive three months' notice to quit from our landlords, Messrs. Wing Yip & Co. and others, in order to allow these houses to be reconstructed. This notice expired at the end of January 1924.

"It appears that the motive of our land-lords in doing this act is to force us tenants to give him a substantial increase of rent, and we are given to understand that if we are willing to grant him an increase of about \$13.00 per flat per month he will allow us to remain in possession or otherwise the houses are to be reconstructed.

"We being mostly workmen with families, and shopmen with limited capital, find it impossible to grant this exorbitant increase, especially as we are now passing through very hard times, and we being powerless, have either to submit to this exorbitant demand and live a hand to mouth existence in doing so, or shift out into the streets, for the house shortage is still very acute over here for it is impossible to find new accommodation for we number in all over one thousand souls.

"The above houses which are three storeys high are not old buildings and are still in a good and habitable condition, and the only reason which our landlords have in reconstructing these buildings are those stated above.

"We lately applied to the Secretary for Chinese Affairs to help us in this matter but he told us that he was powerless to help us, and we, knowing you are the poor man's friend in these kinds of affairs, have as a last resort addressed this to you in the hope that you will take this matter up with the Government and obtain redress for us, and cause our landlords to cancel his evil intentions of pulling down these buildings, and it will be the means of

keeping a shelter over the heads of one thousand souls in all, and we could then work and live in peace without being in continual dread of having to shift into the streets.

"Trusting most earnestly you will use your good offices to intercede for us in this matter, and for which you will have the everlasting gratitude of us and our families, and anxiously waiting in anticipation, we have the honour to be, sir, your most obedient servants."

A number of Chinese signatures follow: That letter was received by me on Tuesday morning last, and I at once took steps to get into communication with Mr. Wright, of the Building Ordinance Office, for the purpose of ascertaining whether these houses were still in a good and habitable condition. I ascertained from Mr. Wright that although these houses were not of a good type—they were built immediately before the passing of the Building Ordinance of 1903—they were structurally perfectly sound and are capable of being inhabited for a number of years to come, apart from extraordinary accidents. In regard to this case the plans for reconstruction were sent in some time ago, and the usual certificates under the present law have been given, which state only that new houses are to be reconstructed under the authority of the new Ordinance of 1923.

I bring this case before the notice of Your Excellency in order to ask whether the Government cannot do something in this matter. A somewhat parallel case occurred last year, when ten tenants of Rutter Street were being turned out. On this case being brought to the notice of the Council (page 51 of *Hansard*, 1923), the Government made arrangements to house the tenants in temporary quarters on a large piece of ground immediately adjoining. If any accommodation can be found, I hope that the Government will think it proper to adopt a similar course in the present case, and that temporary buildings will be arranged for these people to move into in the meantime. I think, Sir, that this is a measure which, out of compassion for these people, should be adopted by the Government.

With regard to clause 3 of the present Bill, I propose to move an amendment in Committee that the word "structural" be inserted before the word "conditions" in the ninth line of the clause. This will mean that the Building Authority, in considering whether he shall grant his certificate or not will merely take into account the structural condition of the houses, and that he will not have to go into any

other questions such as questions under the Public Health and Buildings Ordinance. The question will simply be whether these houses are habitable from a structural point of view; a condition very much the same as the learned Attorney-General put in his "Objects and Reasons" that is to say, that the houses are in a reasonably good condition. I think, Sir, at the present time, when there is such a demand for new buildings, the Government ought not to sanction the pulling down of houses merely for the erection other houses on the same site, while there is such a prime necessity for the erection of new houses on new sites, and especially having regard to the fact that the available supply of building materials and building labourers in this Colony is limited. I hope the Government will accept this suggested amendment when we go into Committee on this Bill. That will not prevent, except in exceptional cases, the Governor in Council exercising in an exceptional case and for exceptional reasons giving a certificate on any ground. The point I want to make is simply that so far as the Building Authority is concerned, the simple test should be whether the houses are in a good structural condition from the habitable point of view.

Next, Sir, I should like to say a few words upon the renewal of the Rents Ordinance, because that question naturally arises in connection with any amendments to the Rents Bill. At the last meeting of the Council I gave notice of a motion that I should move that the Bill be continued for another year. That became unnecessary, and I am not going to pursue it, on receiving Your Excellency's assurance that it will be brought forward later as a Government motion. But I should like to say that in my opinion, even in June, 1925, we shall not be at the end of our present housing troubles. I understand that the Government has recently arrived at the computation that the present number of inhabitants of this Colony is some 1,300,000

people. Bearing in mind the fact that the Census for 1921 gave us a population of 650,000, and then allowing for the fact that that was considered to be underestimated and that 750,000 was nearer the mark, the population of the Colony has increased by over 500,000 people. Under these circumstances, Sir, coupled with the continued disturbances in the neighbouring provinces of China, I think it must be realised that anything like a normal state of affairs as regards the rents problem is a considerable distance off. I mention these facts because it has been the custom of the Government, at every renewal of the Rents Ordinance which has taken place since the original Rents Ordinance was passed, to express the hope that that would be the very last time it would be necessary to renew the Rents Ordinance. I am going to say that, for my own part, I cannot see the smallest prospect of conditions returning to the normal for a considerable period of years. Even if we can imagine—by a big stretch of the imagination—that affairs in Canton would calm down and become normal—even then the disturbances of the past several years in the neighbouring provinces are such as to render it difficult to restore confidence there for a good many years to come.

In connection, Sir, with the abnormal demand for buildings in this Colony, I would like to enquire of the Director of Public Works what steps have been taken, and whether steps have proved effective, for carrying out certain recommendations made by the Commissioners on the Housing Question with regard to the increase of staff in the Survey department and in the Building Ordinance department of the Public Works Department. My fellow Commissioners and I were very much surprised by the fact that both of these departments are seriously undermanned, and we should like some assurance that adequate steps are being taken to remedy this defect. I therefore take this opportunity of asking whether steps have been taken to carry out the recommendations contained in paragraph 60 of the Commissioners' Report, and to refer to the recommendation that the Government should forthwith endeavour to engage the services of a temporary engineering and surveying staff from the local naval and military force. I think, Sir, that is all I have to say on the second reading the Bill.

HON. MR. KOTEWALL — The hon. senior unofficial member has referred to a letter he has received from a number of tenants in Cooke Street. A similar letter has been sent to my Chinese colleague and myself, and we hope, Sir, that the Government can find it possible to do something for these tenants

in the direction indicated by the Hon. Mr. Pollock.

H.E. THE GOVERNOR—I do not grudge Mr. Pollock the satisfaction of thinking that he has converted the Government to his view, but I am bound to point out that the decision arrived at in June last year was not a Government decision, but represented my own personal view which apparently had weight in the Council with the official members and one unofficial. I was careful to say at the time that I left the matter to the unbiassed decision and judgment of the Council. I still adhere to much that I said on that occasion. The fact that it was advantageous to landlords to destroy insanitary property, to pull down such houses and build bigger ones, was improving affairs in the Colony to a considerable extent. I confess that where I went wrong was when I credited the landlords with having more public spirit and more refined ideas of common honesty than they appear to possess. I thought a landlord would only pull down his premises to get a substantial improvement. I did not suppose that many were prepared to go to the extreme length of destroying good buildings in order merely to evade the law. I can only express my regret that I took a higher view of humanity than seems to be justified by local circumstances, and that the hon. member took a more correct view than I did.

In regard to the question of the premises in Cooke Street, if the honourable member will forward the communication of which he spoke to the Colonial Secretary we will look into the matter, but I should like to observe that there are points of difference between this matter and the Rutter Street case to which the hon. member referred. In the latter case the majority of the people were night soil coolies who were performing unattractive but very useful functions in the interests of the community. It was for these men, in the interests of the community, that we took care to provide accommodation. In the present case, if my memory serves me, the people in Cooke Street are,

almost without exception, employed by the Dock Company and the Cement Works, and I submit that it is a proper thing for wealthy companies of that nature to provide accommodation for their workers rather than to expect their less wealthy fellow-citizens to assist them through the medium of the Government.

The hon. member went on to deal with the question of the renewal of the Rent Ordinance. I feel some diffidence, after what the hon. member said, in expressing my opinion, but still I wish to express again the sincere hope that this will be the last time that renewal will be necessary. If it is not the last time, I shall have no hesitation in moving a further extension. I do not propose to bring it forward as a Government resolution, and official members will be free to vote according to their inclination and consciences. I fancy that the inclinations and consciences of the official members are in accordance with my own in this matter.

The hon. member referred to the fact that according to a very curious and recondite method of calculation, it is believed that the population of this Colony is now about 1,300,000. I am not absolutely satisfied with the data on which that conclusion was based, but in any case it does not mean necessarily that there has been a very great increase over the figures of 1921, as the calculation in question was made in 1921 or 1922. I think it possible that at the time of the Census the real facts were somewhere in between the official figure and that now suggested. As the hon. member rightly said, a great deal depends upon the restoration of order in Canton, and as he also said, the present circumstances do not seem to indicate that the restoration of order is a matter of imminency.

In regard to the increase in the Public Works staff I must leave the answer to the Director of the Public Works Department, who will more or less be able to deal with it.

THE DIRECTOR OF PUBLIC WORKS— At the present time several officers are on their way out. We have received notice that others are to come. I should like, if I may, to submit a statement on this point of staff. I think we have had four additional men since we first asked that men should be obtained. We have indented for men, but there has been considerable difficulty in obtaining them.

HON. MR. POLLOCK—What branch of the P.W.D. are these men for?

THE DIRECTOR OF PUBLIC WORKS— Two are for the Surveyors' Department and I think I am correct in saying that an officer will be relieved to go to the Building Ordinance Department, when an additional man for the Architectural Department arrives.

HON. MR. POLLOCK—Has there been any difficulty? Have some men failed to come?

THE DIRECTOR OF PUBLIC WORKS— Not in the two departments you mention; in the Architectural Department, yes.

HON. MR. POLLOCK—What was the reason?

THE DIRECTOR OF PUBLIC WORKS— They did not give the reason. They sent a telegram to say that the man had with-drawn.

H.E. THE GOVERNOR—I think the explanation is that men are not available owing to interruption in training during the war.

THE ATTORNEY-GENERAL moved that the Council go into Committee to consider the Bill clause by clause.

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

In Committee, the HON. MR. POLLOCK moved to amend clause 3 by inserting in the ninth line the word "structural" before the word "condition," for reasons he had given in the Council.

THE DIRECTOR OF PUBLIC WORKS seconded and the amendment was agreed to.

THE ATTORNEY-GENERAL moved and the COLONIAL SECRETARY seconded, that clause 4 be committed.

HON. MR. POLLOCK—I am sorry, Sir, it has been found necessary to omit this clause. I am afraid that I must admit that under the circumstances it is very difficult to go back upon what has been done in the past. I am afraid there is

no option but to omit the clause. It would be very difficult to apply the clause fairly to cases already dealt with in times past.

H.E. THE GOVERNOR—I agree with the hon. member.

The omission of the clause was approved.

On Council resuming, the ATTORNEY-GENERAL moved the third reading of the Bill.

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

The Adjournment

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

FINANCE COMMITTEE

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

Wireless Telephones

The Governor recommended the Council to vote a sum of \$3,600 on account of Public Works, Extraordinary, Kowloon, Miscellaneous, Installation of Wireless Telephones at the Water Police Station and Cheung Chau Island.

THE CHAIRMAN — This has already been approved by the Finance Committee.

Approved.

Wireless at Waglan and the Post Office

The Governor recommended the Council to vote a sum of \$8,400 on account of Public Works, Extraordinary, Hongkong, Miscellaneous, Installation of Wireless at Waglan Lighthouses and General Post Office.

THE CHAIRMAN—This was before the Finance Committee, but only the Waglan installation was mentioned. I assume the approval of hon. members extends to the Post Office installation also, as recommended by the Electrical Engineer. The

Waglan installation is to cost £4000, and the balance is for the Post Office installation.

Approved.

Grant to Boy Scouts Association

The Governor recommended the Council to vote a sum of \$4,000 on account of Miscellaneous Services, Grant to the Hongkong Boy Scouts Association.

THE CHAIRMAN—This vote and the method of its administration have been approved by the Finance Committee.

Approved.

Motor-Car Hire

The Governor recommended the Council to vote a sum of \$1,300 on account of Medical Department, Other Charges, Motor-car Hire.

THE CHAIRMAN—A thousand dollars of this sum is required for hire of cars by the Medical Officer supervising native hospitals in Kowloon. The \$300 is for transferring Hospital Sisters between the lower tram terminus and the Government Civil Hospital. Some sisters have to live at Victoria Hospital as there is not sufficient room at the Government Civil Hospital.

Approved.

Rent Allowance to Indian and Chinese Police

The Governor recommended the Council to vote a sum of \$12,730 in aid of the vote Police Department, Personal Emoluments, Rent allowance to Indian and Chinese Police.

THE CHAIRMAN—This has been approved by the Finance Committee.

Approved.

Married Quarters for Tsim Sha Tsui Police

The Governor recommended the Council to vote a sum of \$16,000 on account of Miscellaneous Services, Erection of Married Quarters over the Garage at Tsim Sha Tsui Police Station.

THE CHAIRMAN—This vote has also been approved by the Finance Committee.

Approved.