

30TH SEPTEMBER, 1926.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR (SIR CECIL CLEMENTI, K.C.M.G.).

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (MAJOR-GENERAL C. C. LUARD, C.B., C.M.G.).

THE COLONIAL SECRETARY (HON. MR. W. T. SOUTHORN).

THE ATTORNEY-GENERAL (HON. MR. J. H. KEMP, K.C., C.B.E.).

THE COLONIAL TREASURER (HON. MR. C. McI. MESSER, O.B.E.).

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

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

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

HON. SIR SHOU-SON CHOW.

HON. MR. A. O. LANG.

HON. MR. H. W. BIRD.

HON. MR. R. H. KOTEWALL, LL.D.

HON. MR. D. G. M. BERNARD.

HON. DR. W. V. M. KOCH.

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

Minutes

The Minutes of the last meeting were approved.

Papers

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

Rescission of the Order of 26th April, 1926, proclaiming Saigon to be an infectious place.

Regulation under section 6 of the Pharmacy and Poisons Ordinance, 1916.

Order under the Importation and Exportation Ordinance, 1915.

Regulation under sections 3 and 5 of the Tobacco Ordinance, 1916.

Regulation under section 95 of the Liquors Consolidation Ordinance, 1911.

Order under section 12 of the Rope Company's Tramway Ordinance, 1901.

Proclamation under the Merchant Shipping Ordinance, 1899, Table L Quarantine Regulations, on 2nd September, 1926.

Regulation under section 2 of the Public Places Regulation Ordinance, 1870.

Order under section 2 of the Rating (Refunds) Ordinance, 1926.

Regulations under section 3 of the Wireless Telegraphy Ordinance, 1926.

Order under section 3 of the Post Office Ordinance, 1926.

Proclamation under the Merchant Shipping Ordinance, 1899, Table L Quarantine Regulations, on 16th September, 1926.

Rule under section 18 of the Prisons Ordinance, 1899.

Order under Section 92 (8) of the Public Health and the Buildings Ordinance.

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Regulations under the Public Places Regulation Ordinance, 1870.

Order under the Importation and Exportation Ordinance, 1915.

Rescission of the Order of 20th May, 1926, proclaiming Pakhoi to be an infectious place.

Report of the Medical Department for 1925.

Report of the Police Magistrates' Courts for 1925.

Correspondence in connection with a speech reported in the *Man Kwok Yat Po* to have been made on the 27th August, 1926, by Mr. Sun Fo, Mayor of Canton and Member of the Central Executive Council of the Government of Canton (Sessional Paper No. 13 of 1926).

Finance Committee

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the table the report of the meeting of the Finance Committee held on August 26th (No. 7) and moved that it be adopted.

THE COLONIAL TREASURER seconded, and this was agreed to.

The Trade Loan

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, An Ordinance to charge a certain Loan upon the general revenue and assets of the Colony of Hong Kong.

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

Council then went into Committee to consider the Bill clause by clause. No changes were made in Committee and upon Council resuming,

THE ATTORNEY-GENERAL moved the third reading of the Bill.

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

Registrar of Marriages

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to enable the Governor to appoint such person as he may please to be Registrar of Marriages. He said— From 1852 to 1875, the Governor-in-Council had power to appoint such person as he might please as Registrar of Marriages. In 1875 the work of registration of marriages was given to the department of the Registrar-General which was the title then borne by the officer

now known as the Secretary for Chinese Affairs. At various times objections have been pointed out to the work being done by that department and these objections have recently gained greater force from the fact that the office of the Secretary for Chinese Affairs is about to be moved from the more central part of the town where it now stands to the Government offices opposite the Central Market, which will not be so convenient for the majority of those affected by the Marriage Ordinance. Therefore it is proposed in this Bill to give the Governor power to appoint such person as he may please to the office of Registrar of Marriages. There are various technical and consequential provisions but that is the main object of the Bill. As stated in the Objects and Reasons it has been decided to appoint the Land Officer as Registrar and the Assistant Land Officer as Deputy Registrar of Marriages. The office of the Land Officer is in the building which houses the Courts of Justice.

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

The Volunteers

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to amend the Volunteer Ordinance, 1920. He said: The chief object of this Bill is to provide for the pay and the discipline of the Volunteer Corps during camp. Other minor amendments are also made by the Bill. The question of pay is dealt with in Clause 4. The present section dealing with the subject provides that when Volunteers are on actual military service they are entitled to pay in the same way as His Majesty's Regular Forces in so far as the rules and regulations are deemed by the Governor-in-Council applicable to the Volunteer Corps. It is obvious that the conditions and circumstances of the Volunteers and the men of the Regular Forces might be, and probably would be, very different. Moreover, nothing is said in the present section regarding camp. It is, therefore, proposed in this Bill that the whole question of pay should be subject to the decision of the Governor-in-Council and Clause 4 provides that the Volunteers, when called out on actual military service or when undergoing training in camp shall be entitled to such pay and allowances, if any, as may be

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by the Governor-in-Council. The question of discipline is dealt with in Clause 5 of the Bill. That Clause provides that Volunteers when in camp are to be subject to the same control, discipline and punishment as are provided in the Army Act in the case of members of His Majesty's regular forces. That amendment merely extends to the case of the camp the provisions that already apply in the case of volunteers on actual military service or who are undergoing training or doing duty with the regular forces. Clause 2 of the Bill gives power to appoint as Administering Commandant a regular officer in case that should be desirable. It has happened in the past that the Commandant was a regular officer and it is thought better in case the need should arise again for the Governor to be given the power to make such an appointment. Clause 3 deals with the proclamation calling out the Volunteer Corps on actual military service. The present section does not seem to give sufficiently wide powers for calling out, because, to take one example, it provides that in case of local disturbances it is necessary to wait until the local disturbances have broken out. Obviously it is desirable if any local disturbances are apprehended that there should be power to call out the Volunteer Corps before the disturbance has broken out. The amendments made by Clause 2 propose to make the power of calling out the Volunteers more full and I think the amendments are all improvements. Paragraph (c) of Clause 3 provides that in any proceedings whatsoever the production of a copy of the *Gazette* containing a copy of the proclamation calling out the Volunteers will be conclusive proof that the proclamation was issued and was validly issued. This is to meet any possible objection that in a particular case some technical point had been omitted and in some way the issue of the proclamation was not technically valid. Such a point is not a very substantial one but it might lead to considerable embarrassment in an emergency.

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

H.E. THE GOVERNOR—The Council stands adjourned until October 14th at 2.30, when it is hoped to take the first reading of the Supply Bill.

FINANCE COMMITTEE

A meeting of the Finance Committee followed, the COLONIAL SECRETARY presiding. H.E. The Governor's Message No. 10 was considered and a total of \$999,839.20 was voted to supplement the estimates of 1926.

Rainstorm Damages

ITEM 173

Rainstorm damages, Hong Kong..... \$620,248

HON. MR. D. G. M. BERNARD—I notice that the estimated cost of the necessary repair work owing to the damage done by the rainstorm is \$908,000 for the Hong Kong area alone. Can the Director of Public Works give us an idea of the cost of repair work on the Kowloon side?

THE DIRECTOR OF PUBLIC WORKS—The cost is shown under items 166, 167 and 168—\$65,000 Kowloon, \$36,200 New Kowloon and \$50,000 New Territories. Those are the amounts required for 1926.

THE CHAIRMAN—Do you happen to have the figures by you of the four districts showing the total cost? You gave us a rough estimate a day or two after the storm but you have now got out most of the figures.

THE DIRECTOR OF PUBLIC WORKS—The amount of the present votes Hong Kong \$620,248; Kowloon \$65,000; New Kowloon \$36,200 and New Territories \$50,000 covers the work that will be done this year and gives us something in addition to what, as far as we can foresee, is actually required.

HON. MR. D. G. M. BERNARD—What I want to get at is the total cost. When we discussed the matter before, I think we were told six lakhs would be required this year and more next year. I think we voted a million at that time.

THE CHAIRMAN—These are the formal votes covering that provisional sanction of expenditure which was given immediately after the storm. I do not think these figures are exactly the same as the figures which were put before you then as the Director of Public Works could not give accurate figures a day or two after the storm. But there are figures

now in existence showing what the total cost will be. I think I am correct in saying that all the damage done in Kowloon, New Kowloon and the New Territories will be repaired this year.

THE DIRECTOR OF PUBLIC WORKS—
That is so.

THE CHAIRMAN—The only work that will be carried over until next year will be work in the Hong Kong area?

THE DIRECTOR OF PUBLIC WORKS—
Yes.

HON. MR. H. W. BIRD—Won't the work in Hong Kong be finished this year, Sir?

THE CHAIRMAN — No, I will have a memorandum prepared showing the exact position regarding the total of the votes required for repair of rainstorm damage and I will have that circulated among the members of the Finance Committee.

Queen's Pier

ITEM 174

Maintenance of Praya Wall and Piers ... \$13,000

HON. MR. A. O. LANG—I should like to make an enquiry regarding Queen's Pier. What has been the cost to the Colony from the beginning?

THE DIRECTOR OF PUBLIC WORKS— I have not the figures with me but this vote refers to Blake Pier.

HON. MR. A. O. LANG—Queen's Pier is mentioned and that prompted my question.

THE CHAIRMAN — The figures shall be supplied to you.

Spares for X Ray Sets

ITEM 175

Upkeep of X Ray apparatus, spares
for X Ray sets \$1,836.20

HON. DR. W. V. M. KOCH — Is the

Government satisfied that the room in which this apparatus is kept is suitable for the purpose? It used to be very damp and the apparatus was always out of order.

THE CHAIRMAN—I am afraid I cannot answer that question but I will make a note of the enquiry and will pass it on to the Principal Civil Medical Officer.

Shing Mun Valley Scheme

ITEM 178

Pipe line: 24in. steel pipe from
Sheklaipui Service Reservoir to
Kowloon Point..... \$60,000

HON. MR. D. G. M. BERNARD—Is this pipe being carried across the harbour?

THE CHAIRMAN — No. This money is not provided for bringing the pipe across the harbour. For the time being that is in abeyance.

New Nullahs

ITEM 179 (B)

Constructing new nullah through No. 1
dump in connection with Inland
Lot No. 2354, Stubbs Road..... \$6,000

HON. MR. D. G. M. BERNARD—Which is the No. 1 dump?

THE DIRECTOR OF PUBLIC WORKS—
The first one going up the road. The covered culvert was blown out and now it is proposed to put in an open culvert.

Magnetograph House

ITEM 181

Buildings for Magnetic instruments
at Au Tau, New Territories..... \$14,000

HON. MR. H. W. BIRD—Is this going to be underground? Or what provision is going to be made for protecting these instruments from the climate?

THE CHAIRMAN — I understand the building is specially designed in accordance with the plans of the Observatory authorities.

THE DIRECTOR OF PUBLIC WORKS—
There are double walls. We have carried out the plans approved by the Observatory.

HON. MR. H. W. BIRD — The local observatory?

THE DIRECTOR OF PUBLIC WORKS—
We were provided with plans by the local Observatory.

Nursing Sisters in Hong Kong

The question of the pensions to be granted to Nursing Sisters in Hong Kong was considered.

The following memorandum had been circulated:—

"Papers concerning the grant of pensions to Nursing Sisters on more favourable conditions have been circulated, and Honourable Members of Finance Committee are unanimously agreed:

- (a) that European Nursing Sisters should be allowed to retire on attaining the age of 50 years with grant of full 5 years' tropical allowance.
- (b) that some addition should be made to salary as reckoned for pension purposes, to compensate for the value of free quarters and other emoluments equivalent to salary.

"2. There is a division of opinion as to whether an addition to salary should be by way of a fixed sum, the same in all cases, or as a percentage of salary. The majority of members are in favour of an addition equivalent to 1-6th of salary. In the case of Nursing Sisters who retire as such the maximum salary is £225 per annum and it has been suggested by one member that where 1-6th of salary is less than £50, the minimum addition should be £50. Are Honourable Members in favour of this?

"3. There is one other respect in which European Nursing Staff in Ceylon is treated more favourably than in Hong Kong, namely, that a Matron or Sister is allowed to retire after 20 years' service with tropical allowance of 5 years even although she may not have attained the age of 50 years. Service as a Nursing Sister in a tropical climate is arduous; and it would probably be in the interests both of the Staff and the Service that this concession should also be made to apply to Hong Kong. Do Honourable Members agree?"

THE CHAIRMAN—There is some slight difference of opinion as to the proper way of dealing with the pensions of Nursing Sisters. It has been proposed that the equivalent of one-sixth of the salary should be added before calculating the pension. This addition would be compensation for the value of free quarters and other emoluments equivalent to salary. Mr. Bernard, I think, suggests that the addition should be £50.

HON. MR. D. G. M. BERNARD — My suggestion is that where one-sixth of the salary is less than £50, then £50 should be added. The minimum should be £50.

THE CHAIRMAN—Do the members of the Finance Committee agree?

HON. MR. A. O. LANG—It is a more generous scale.

THE CHAIRMAN—Yes.

The suggestion was then approved.

THE CHAIRMAN—The other suggestion is that Nursing Sisters should be allowed to retire after 20 years' service with full allowances even if they have not attained the age of 50 years.

This suggestion was also approved.