

28th November, 1929.

PRESENT:—

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

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

THE ATTORNEY GENERAL (HON. SIR JOSEPH KEMP, KT, K.C., C.B.E.).

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

THE COLONIAL TREASURER (HON. MR. M. J. BREEN).

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

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

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

HON. SIR SHOU-SON CHOW, KT.

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

HON. MR. A. C. HYNES.

HON. MR. J. OWEN HUGHES.

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

HON. MR. J. P. BRAGA.

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

MR. E. I. WYNNE-JONES, (Deputy Clerk of Councils).

ABSENT:—

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

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

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

MINUTES.

The minutes of the previous meeting of the Council were confirmed.

PAPERS.

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

Rescission of the Order declaring Shanghai to be an infected place, on 31st October, 1929.

Regulation under section 3 of the Vehicles and Traffic Regulation Ordinance, 1912, on 31st October, 1929.

The Pension Minute Amendment to Clause No. 12.

Order under section 12 of the Rope Company's Tramway Ordinance, 1901, on 6th November, 1929.

Regulations under section 12 of the Female Domestic Service Ordinance, 1901, on 6th November, 1929.

Order under section 7 of the Rating Ordinance, 1901, on 8th November, 1929.

The Pension Minute Amendment to Clauses Nos. 2 and 8.

The Berne Copyright Convention (Denunciation by Liberia) Order, 1929.

Regulations under section 2 of the Public Places Regulation Ordinance, 1870, on 20th November, 1929.

Correspondence relating to the *Mui-tsai* Question (Sessional Paper No. 11 of 1929).

Expert opinion given by the Honourable Mr. S. W. Tso, O.B.E., LL.D., Chinese Member of the Hong Kong Legislative Council in a *Mui-tsai* case tried before the Hong Kong Police Magistrate on the 26th September, 1929, (Sessional Paper No. 12 of 1929).

Memorandum on the use of Opium in Hong Kong (Sessional Paper No. 13 of 1929).

FINANCE COMMITTEE'S REPORTS.

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the table the reports of the Finance Committee Nos. 15 and 16 of 31st October, 1929, and 22nd November, 1929, respectively, and moved that they be adopted.

THE COLONIAL TREASURER seconded and this was agreed to.

RESOLUTIONS.

THE COLONIAL SECRETARY moved the following resolution:

"Resolved that the percentage on the valuation of tenements payable as rates for tenements in Laichikok, Wong Uk, Cheung Sha Wan and Kowloon Old City shall be 9 per cent as from the date fixed by His Excellency the Governor for the coming into effect of this resolution."

THE COLONIAL SECRETARY said: The present rates are 7 per cent. and they include nothing for the supply of water. The water supply from the Government mains has now been laid on to these places and it is proposed that they shall pay a further rate of 2 per cent, bringing the rates up to 9 per cent.

THE COLONIAL TREASURER seconded and the resolution was carried.

THE COLONIAL SECRETARY moved the following resolution:

"That the By-law made by the Sanitary Board under section 6 (43) (b) and 16 of the Public Health and Buildings Ordinance, 1903, on the 29th day of October, 1929, be adopted."

THE COLONIAL SECRETARY said: Members will find a copy of the By-law in their hands. The only effect of this alteration is to bring the offensive trade of fat-boiling actually into the terms of the regulations. Fat-boiling has always been regarded as an offensive trade but was treated as being included in the words "other noxious or offensive trades" and it has been thought better that it should be specifically mentioned.

THE ATTORNEY GENERAL seconded and the resolution was carried.

THE STAMP ORDINANCE.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend further the Stamp Ordinance, 1921." He said: The chief object of this Bill is to carry out one of the two recommendations of the Committee which sat recently to consider the amendment of the Stamp Ordinance with a view to the protection of the revenue derived from stamp duties on share transactions.

The part of the Bill which deals with that recommendation is clause 6, and, put briefly, the effect of that clause will be to make it illegal for any person to demand or receive or pay any dividend on any share the register of which is by law required to be kept in the Colony, unless the person receiving the dividend is either

registered at the time of receipt or has been registered as a shareholder at some time subsequent to the declaration of the dividend. The object, of course, is to ensure that owners of shares shall get themselves placed on the register at least as often as a dividend is declared. The ulterior objects of that are two, to ensure the payment of stamp duty on share transfers, and to assist in the detection of cases where shares belong to the estates of deceased persons and so become liable to estate duty. Offenders against this section will be liable to a fine not exceeding \$1,000 or not exceeding the total amount of the dividend in question, whichever be the greater. Possibly, unregistered owners of shares may still be willing to accept the dividend from the registered owners if they are foolish enough to pass it on to them, but it is hoped that the registered owners will not be so foolish as to pass on dividends to unregistered owners and so incur quite gratuitously and without any benefit to themselves the risk of heavy pecuniary liability.

There are two cases in which exception has been made. One is the case of trusts. It is obvious that any shares forming part of trusts must stand in the name of the trustee and it is equally obvious the trustee must be allowed to hand over the dividends to the beneficiaries of the trust. That exception is made by this new section which it is proposed to insert in the principal Ordinance. It also excepts the case of persons who have *bona fide* lent money on the security of shares and are entitled by the express written terms of the loan agreement to claim the dividend.

I would like to mention that I propose to move, in Committee, a slight amendment to sub-section (4) of the proposed new section 26 A. I am still dealing with clause 6 of the Bill. I propose to move that in the second last line of that new sub-section (4) the word "registered" should be deleted and the word "beneficial" inserted. I think that will express more clearly the intention of the Committee. Those members of the Committee with whom I have had the opportunity of discussing the matter have agreed to this proposed alteration. I might say, Sir, that that sub-clause is intended to prevent possible evasion of the main provisions of the section. It will not be possible, in view of that sub-clause, for the registered owner of a share to sell it right out to someone else and then by some *male fide* trust agreement bring himself within the trust exception of the earlier part of the section, because this clause provides that no unregistered beneficial owner of a share shall be entitled, as a beneficiary of a trust, to be paid any dividend on such share by any previous beneficial owner.

The Bill also deals with a number of other minor and technical points in which it has been decided the Stamp Ordinance requires amendment. These points are all dealt with in the "Objects and Reasons" and I think I need not refer to them in detail now. I beg to move the first reading.

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:

1. The main object of this bill is to carry out one of the recommendations of the recent Stamp Duties Committee. The opportunity has been taken to make certain other amendments also.

2. The present definition of the term "letter of hypothecation" leaves some slight doubt as to whether shares are included, because the words used in the definition are "movable property." Section 2 of this Ordinance amends the definition so as to refer to "goods, shares, or marketable securities."

3. Exemption (b) to Heading No. 16 in the Schedule to the principal Ordinance exempts "trust receipts given to a banker." The intention evidently was to exempt such documents from stamp duty altogether, but it has been suggested that it might be arguable that a trust receipt given to a banker, while not liable to duty as a declaration of trust, is liable to duty as a mortgage, under the provisions of section 8 (3) which lays down that an instrument which is chargeable under more than one heading in the Schedule shall be charged under that heading which imposes the highest duty. Section 3 of this Ordinance accordingly adds to the definition of the term "mortgage" words which exclude from the meaning of that term "trust receipts given to a banker."

4. Section 4 of this Ordinance introduces into section 5 (1) of the principal Ordinance certain words taken from section 1 of the Stamp Act, 1891, 54 & 55 Vict. c. 39, which are desirable for greater accuracy. An example of an exemption not found in the Stamp Ordinance itself is an indenture of apprenticeship to the sea service, which is exempted by section 108 (1) of the Merchant Shipping Act, 1894.

5. Section 5 of this Ordinance adds two classes to the persons who are exempt from the obligation to take out annual certificates to practice. The two classes are (1) Professors of the Medical Faculty of the University of Hong Kong, and (2) any persons exempted by the Governor in Council on the ground that the whole of their time is at the disposal of some charitable institution.

6. Section 6 of this Ordinance introduces a section unanimously recommended by the recent Stamp Duties Committee. It is intended to prevent the passing on of dividends to unregistered shareholders.

7. The effect of section 7 of this Ordinance will be that the stamp duty on an instrument of apprenticeship will in future be \$1 instead of \$20. The duty in England is 2s. 6d.

8. Section 8 of this Ordinance expands Heading No. 16 in the Schedule to the principal Ordinance so as to make it clearly apply

to certain declarations of trust about which there might otherwise be some question.

9. Heading No. 15 in the Schedule to the principal Ordinance originally had a scale divided into two parts. This, however, was very soon altered, as Ordinance No. 21 of 1921 made the stamp duty \$1 per \$100 in all cases. Heading No. 15 deals with the stamp duty on conveyance on sale. It seems obvious that the stamp duty on foreclosure orders, which is dealt with in Heading No. 21, should have been altered at the same time. This was overlooked. Section 9 of this Ordinance now remedies that omission.

10. Heading No. 24 in the Schedule to the principal Ordinance, which deals with the stamp duty on leases, does not provide for the case where the term of the lease is indefinite. Section 10 of this Ordinance supplies this omission. The words adopted are mainly based upon the judgment of Hamilton J. in *Mount Edgcumbe v. Revenue Commissioners* (1911) 2 K.B. 24.

11. Heading No. 24 in the Schedule to the principal Ordinance is open to another objection also, in that it makes the stamp duty on the surrender of a lease the same as the duty on the lease. This seems to be inequitable and might work considerable hardship in some cases. Apparently in England the stamp duty would be only the ordinary deed stamp of 10s. Section 11 of this Ordinance makes the stamp duty on surrender of a lease the same duty as would be payable on a lease for the residue of the term surrendered, any consideration for surrender being regarded as premium.

12. Heading No. 29 (2) in the Schedule to the Stamp Ordinance makes the stamp duty on any additional or substituted security 10 cents for every \$100 of the principal sum secured. This seems unnecessarily heavy, as the value of any additional security might be quite small in comparison with the total sum secured. Accordingly section 12 of this Ordinance provides that the duty in such a case shall be 10 cents for every \$100 of the value of the additional or substituted security. Section 12 also alters the language of the second column of this sub-heading which left something to be desired.

THE LIQUORS ORDINANCE.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend the law relating to intoxicating liquors." He said: This Bill, Sir, deals with a great many details and unrelated points, some of which perhaps I ought to refer to now. Possibly the main change which the Bill will introduce is that it will bring in a new system of charging and collecting duty on spirits distilled in the Colony. That point is dealt with by the proposed new section 62 A which appears as part of clause 12 of the Bill. Hon members will see that the details of this section are very technical and I do not propose to attempt any explanation of them, but, shortly, the system in future will be to collect the duty

by reference to the amount of fermentable material used in the distillery in question in the particular duty period in question. It has been found that the present system is unsatisfactory and it is thought that this new system will be very much more satisfactory.

The proposed new section 62 B which forms the second part of clause 12 introduces a power of distraint for duty payable under the principal Ordinance. That provision is taken from the English Act of 1880.

Clause 21 of the Bill introduces in the new section 87A a power which is perhaps a little unusual but which has a precedent in the Tobacco Ordinance. It is a power to be given to the Superintendent of Imports and Exports, and to any revenue officer specifically authorised by him for the purpose, of acquiring information on any subjects which it is the duty of the Department to inquire into under the Ordinance, and, of course, the corresponding duty is laid on the person to whom the questions are put. The section has apparently worked satisfactorily in the Tobacco Ordinance for the last thirteen years but the section in this Bill confers in two points more restricted power than that contained in the Tobacco Ordinance. In the Tobacco Ordinance power is given not only to the Superintendent but to all revenue officers: in this Bill it is given only to the Superintendent and to such revenue officers as the Superintendent may authorise, in writing, for the purpose. In the second place—this, I think, is a clear improvement on the section in the Tobacco Ordinance—it is provided that this power shall not extend to the questioning of any person who has been charged under the Ordinance with any offence, or in whose case the Superintendent has decided to prosecute under the Ordinance. So, though this power may perhaps seem unusual, it is based on a power which has existed here in another revenue subject for the last thirteen years, and these two restrictions now added to it ought, I think, to relieve anyone of any fear that the section might have an injurious effect.

Clause 10 of the Bill repeals section 50 of the principal Ordinance. That section of the principal Ordinance deals with the opening of cases in bond for the purpose of exporting portions of the contents. Such breaking of cases leads to very great difficulties in accounting and it is proposed to alter the present provisions of that section and to enact the new provisions by regulation and not by a section in the Ordinance. If it is found that the new regulation is not satisfactory it can be altered simply by an order of the Governor in Council and will not require a fresh amending Ordinance. It is a matter of detail which, I think, is best dealt with by regulation, partly because it is a matter of detail and partly because the details may require alteration from time to time.

It is difficult, Sir, to know which of the provisions of the Bill to select for comment at this stage. Perhaps I might refer to clause 13. Clause 13 repeals section 70 of the principal
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section which was enacted at a time when import duties were being imposed here for the first time, and when everyone was rather shy of the possible effect of such duties, provided that no search of goods or baggage should be made unless there was reasonable grounds to suspect that the particular goods or baggage in question contained dutiable liquors. It is obvious, of course, that a power of search, limited in that way, would be of very little use and I imagine that all over the world the power of search exists without any definite information of the possible existence of dutiable matter in any particular goods or baggage examined. Section 13 repeals that section and gives power to search generally.

I think, Sir, that most of the other provisions of the Bill are matters not of principle but of detail which, if any question arises on them, can best be dealt with in the Committee stage of the Bill. I beg to move the first reading.

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:

1. This Ordinance makes certain amendments in the Liquors Consolidation Ordinance, 1911, Ordinance No. 9 of 1911, which experience has shown to be advisable.
2. Section 2 of this Ordinance amends section 2 of the principal Ordinance as follows:
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 - (a) In paragraph (8) "*the* Government Analyst" is altered to "a Government Analyst" because there are more analysts than one in the service of the Government, one of them being attached to the Imports and Exports Department: see also sections 17 and 18 of this Ordinance.
 - (b) Paragraph (11) is repealed because eating-house licences are now issued by the Head of the Sanitary Department in accordance with Notification No. 600 of the 21st October, 1927: see also sections 7, 24, 25 and 27 of this Ordinance.
 - (c) Paragraph (13) of section 2 of the principal Ordinance provides *inter alia* that in the case of Chinese spirits 7½ catties are to be treated as equivalent to one imperial gallon. This provision is repealed for two reasons. One is that there is no standard catty. The other is that the volume of a catty's weight of spirit increases as the alcoholic strength increases. The result, therefore, of the provision now to be repealed is that the stronger a spirit is, the lower is the duty which is paid on it.
 - (d) The new paragraph (20A) defines "Person" in the same language as in the Tobacco Ordinance, 1916.

- (e) Paragraph (29) is amended so as to give an Assistant Superintendent of Imports and Exports the same power and rights as the Superintendent.

3. Section 3 of this Ordinance adds to section 3 (1) of the principal Ordinance the additional offence of possession by an unlicensed person of any fermenting or fermented material without lawful authority or excuse. The other amendment effected by section 3 is in conformity with Government Notification No. 159 of the 18th March, 1927, which, *inter alia*, substituted the Superintendent of Imports and Exports for the Captain Superintendent of Police as the licensing authority in the case of distillery licences.

4. Section 4 of this Ordinance substitutes the Superintendent of Imports and Exports for the Captain Superintendent of Police as the licensing authority under section 4 of the principal Ordinance, which provides for the licensing of stills for medical or scientific purposes.

5. Section 5 of this Ordinance amends section 30 (1) of the principal Ordinance in conformity with Notification No. 159 of the 18th March, 1927, which, *inter alia*, substituted the Superintendent of Imports and Exports for the Treasurer in the case of dealer's licences. Section 6 of this Ordinance amends section 32 of the principal Ordinance in conformity with the same Notification.

6. Section 7 of this Ordinance repeals sections 34 and 35 of the principal Ordinance because the licensing of eating houses is now dealt with under Ordinance No. 1 of 1903: see Ordinance No. 19 of 1928, section 2 (2), and sections 2 (b), 24, 25 and 27 of this Ordinance. Eating houses are not allowed to sell intoxicating liquors, and they have therefore no place in a liquors Ordinance.

7. Section 8 of this Ordinance amends section 41 (3) of the principal Ordinance so as to make it subject to the new section 62A which is referred to in paragraph 11 below. Section 8 also corrects a clerical error in section 41 (2) (b) of the principal Ordinance.

8. Section 9 of this Ordinance provides a form of ship to ship removal permit and shortens the period for shipment of liquors to twenty-four hours before the time mentioned in the ship's clearance. This shortening is considered desirable for the purpose of lessening the opportunities of committing offences against this Ordinance. The section also empowers the Superintendent to demand the production of shipping documents.

9. Section 10 of this Ordinance repeals section 50 of the principal Ordinance because it is intended in future to deal by means of regulations with the subject of "breaking" cases in bond for the purpose of exporting portions of the contents.

10. Section 11 of this Ordinance amends section 54 of the principal Ordinance, with a view to preventing as far as possible the improper use of a permit to move liquor from a ship or to remove liquor for exportation.

11. Section 12 of this Ordinance adds two sections to the principal Ordinance. The new section 62A introduces a new system of charging and collecting the duty on spirits distilled in the Colony. It is based on section 46 of the Spirits Act, 1880, 43 & 44 Vict. c. 24. It is so technical that any description of the system would practically have to be a quotation of the section. The new section 62B gives power to distrain for arrears of duty on spirits distilled in the Colony. It is practically a copy of section 48 of the Spirits Act, 1880.

12. Section 13 of this Ordinance repeals section 70 of the principal Ordinance because it is undesirable that the power to search goods or baggage should be limited to cases in which there is definite cause to suspect that such goods or baggage contain dutiable liquors or denatured spirits.

13. Section 14 of this Ordinance amends section 71 of the principal Ordinance so as to confer upon revenue officers, authorized by the Superintendent in that behalf, power to search any ship, not being or having the status of a ship of war, and to seize, remove and detain anything found in any such ship with respect to which the revenue officer has reasonable grounds of suspecting that any offence against Ordinance 9 of 1911 has been committed. This power is similar to the power conferred upon revenue officers, so authorized, by the Dangerous Drugs Ordinance, 1923, Ordinance No. 22 of 1923, section 7, and by the Opium Ordinance, 1923, Ordinance No. 30 of 1923, section 31.

14. Section 15 of this Ordinance repeals section 73 of the principal Ordinance which requires the Superintendent in the case of an unsuccessful search for intoxicating liquors or other articles liable to forfeiture under that Ordinance to repack or cause to be repacked any goods unpacked during such search and to be responsible for damages caused in the course of such repacking. There is no such provision in the Tobacco Ordinance, 1916, Ordinance No. 10 of 1916.

15. Section 16 of this Ordinance repeals section 76 of the principal Ordinance because the payment of informers and the disposal of things forfeited are rather matters for the Executive.

16. Sections 17 and 18 of this Ordinance amend sections 79 and 80 of the principal Ordinance for the reason given in paragraph 2 (a) above.

17. Section 19 of the Ordinance repeals section 81 of the principal Ordinance, which empowers the Governor to stop proceedings and to order restitution of articles forfeited, as
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and unnecessary. There is no such provision in the Tobacco Ordinance, 1916, Ordinance No. 10 of 1916.

18. The proposed new section 87 of the principal Ordinance, to be enacted by section 20 of this Ordinance, makes it necessary for every person to give correct details of any particulars, returns, etc. which he supplies under the Ordinance, at his peril of being guilty of an offence unless he can prove both absence of knowledge of the incorrectness and absence of negligence conducing to it. The present section 87 lays on the prosecution the onus of proving guilty knowledge.

19. Section 21 of this Ordinance inserts a new section, based on section 48 of the Tobacco Ordinance, 1916, Ordinance No. 10 of 1916, which gives power to the Superintendent, and to certain specially authorised revenue officers, power to obtain information in certain cases. This new section, which will be section 87A, will be more restricted than the section in the Tobacco Ordinance in two respects. In the first place, the power will be confined to the Superintendent and to particular revenue officers authorised in writing by the Superintendent, whereas the section in the Tobacco Ordinance gives the power to all revenue officers. In the second place, a proviso makes it clear that the section will not confer any power of questioning any person who has been charged under the Ordinance, or on whose case the Superintendent has decided to prosecute under the Ordinance.

20. Section 21 of this Ordinance also inserts a new section based on sections 17 and 18 of the Opium Ordinance, 1923, Ordinance No. 30 of 1923, to prevent the improper possession of labels, wrappers or marks issued by the Superintendent of Imports and Exports, and to prevent the possession of fraudulent imitations of such labels, wrappers or marks.

21. Section 22 of this Ordinance effects amendments in section 89 of Ordinance 9 of 1911, so as to make it similar to section 59 of the Tobacco Ordinance, 1916, but with the additional option given to the magistrate similar to that which is given to him by section 39 (3) of the Opium Ordinance, 1923, Ordinance No. 30 of 1923, of imposing, if he thinks fit, a fine not exceeding two thousand dollars in lieu of a fine not exceeding ten times the duty. The reason for this latter addition is that there are many serious offences, such as keeping an illicit still, or manufacturing bogus brandy from smuggled spirits of wine, in which very little liquor may be seized.

22. Section 23 of this Ordinance enables the Governor in Council to make regulations in regard to the manufacture, possession and sale of denatured spirits, in addition to the other matters enumerated in section 95 of the principal Ordinance.

23. Sections 24 and 25 of this Ordinance remove all references to eating house licences from the Schedules to the principal Ordinance. Eating houses now come under Ordinance No. 1 of 1903.

24. Section 26 of this Ordinance amends the Third Schedule to the principal Ordinance by inserting therein the form of ship to ship removal permit already referred to in paragraph 10 above.

25. Section 27 of this Ordinance amends Ordinance No. 1 of 1903 so as to give the Sanitary Board the power to prescribe the fees to be paid in respect of eating house licences. This is in accordance with the policy referred to in paragraph 6 above. Ordinance No. 19 of 1928, section 4, has already given the Sanitary Board the power to make regulations with regard to eating houses.

JESUIT ORDER (PORTUGUESE PROVINCE) INCORPORATION

ORDINANCE, 1929.

HON. MR. W. E. L. SHENTON moved the first reading of a Bill intituled "An Ordinance to provide for the incorporation of the Procurator in Hong Kong of the Portuguese Province of the Jesuit Order." He said:

For the reasons which I shall mention later it is now desired that the Procurator in Hong Kong of the Portuguese Province of the Jesuit Order shall be incorporated.

The Jesuit Order was founded so long ago as 1540 A.D. and is now a world-wide organization with educational and missionary objects. The Head of the Order is Father Ledochowsky who resides at Rome and it is from there that the operations of the whole Order are directed.

For the purpose of general administration, the Order is divided into units, usually national units, known as "Provinces" or "Assistancies." There is one Province in England, one in Portugal, four in France, five in America and others in various parts of the world. The missionary work in various countries is assigned by the Head Organization to different Provinces. At the present moment the Portuguese Province is the only Province engaged in missionary work in South China, the English Assistancy being engaged in educational work in Hong Kong.

The main operations of the Portuguese Province are directed from Shiu Hing in the province of Kwang Tung where the Portuguese Province maintain a large college. There are several primary schools maintained by them and a number of churches, residences, and other buildings in South China. Owing to the uncertain conditions in China, and in order to protect the properties belonging to the Portuguese Province and to give the Province a secure base from which to conduct operations, it is desired to incorporate the Procurator of the Province in Hong Kong and to acquire for this purpose a procuration from which the work of the Province will be directed and controlled.

With this object in view, the Procurator has agreed to purchase No. 41 Mosque Junction—Subsection A Subsection 1 of Section C of Inland Lot No. 348 for use as a procuration.

It is proposed that the various properties belonging to the Province, which are now vested in individual names, shall be transferred to the Corporation. The Procurator in Hong Kong will also manage the financial affairs of the Province and will control the supplies coming through the Colony for the use of the various missions. The Rev. Father Antony Alves will be the first Procurator in Hong Kong. The form of the Incorporation Ordinance follows in its main lines the forms of other Incorporation Ordinances which have been passed from time to time.

HON. MR. J. P. BRAGA seconded and the Bill was read a first time.

Objects and Reasons.

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

1. The Procurator of the Portuguese Province controls a number of Mission Stations in South China the headquarters of which are situate in the Colony. It is now desired to establish a fixed base in Hong Kong.

2. For this purpose the Procurator has agreed to purchase Sub-section A of Sub-section One of Section C of Inland Lot No. 348 (No. 41 Mosque Junction.) The house will be used as a Procuracy.

3. In order to secure perpetual succession and the other advantage of incorporation it is proposed that the Procurator in Hong Kong of the Portuguese Province of the Jesuit Order shall be incorporated as a corporation sole and the Bill now proposed follows in its main lines other incorporating Ordinances which have been passed from time to time.

JESUIT INCORPORATION AMENDMENT ORDINANCE, 1929.

HON. MR. W. E. L. SHENTON moved the first reading of a Bill intituled "An Ordinance to amend the Jesuit Order Incorporation Ordinance, 1927." He said:

In 1927 the Procurator in Hong Kong of the English Assistancy of the Jesuit Order was incorporated by Ordinance No. 18 of 1927. The Procurator was incorporated as the "Procurator in Hong Kong of the Jesuit Order" and the Short Title of the Ordinance was "The Jesuit Order Incorporation Ordinance 1927."

The title of the corporation and the short title of the Ordinance embrace the whole of the Jesuit Order, although it was only the Procurator of the English Assistancy who desired to be incorporated. It was not appreciated then that another Province of the same Order

might apply for incorporation in this Colony. Inasmuch as the Procurator of the Portuguese Province of the Jesuit Order now desires to be incorporated in this Colony it has become necessary to amend the Jesuit Order Incorporation Ordinance, 1927, by the insertion in the name of the corporation and in the short title of the Ordinance, of the words "English Assistancy." The Procurator will, in future, be known as "The Procurator in Hong Kong of the English Assistancy of the Jesuit Order" and the Short Title of the Ordinance will be "The Jesuit Order (English Assistancy) Incorporation Ordinance, 1927."

HON. MR. J. P. BRAGA seconded and the Bill was read a first time.

Objects and Reasons.

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

In view of the fact that it is now desired to incorporate the Procurator in Hong Kong of the Portuguese Province of the Jesuit Order it has been found necessary to limit the title of the Procurator in Hong Kong of the English Assistancy of the Jesuit Order—by the insertion of the words English Assistancy.

The short title of the Incorporation Ordinance requires a similar amendment.

ADJOURNMENT.

H.E. THE GOVERNOR:—The Council will adjourn until Thursday, the 5th of December.

FINANCE COMMITTEE.

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

Votes totalling \$2,338, contained in Message No. 17 from H.E. The Governor, were considered.

All the votes were approved.
