

25th May, 1933.

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 O. C. BORRETT, C.B., C.M.G., C.B.E., 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. A. E. WOOD).

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

HON. MR. E. D. C. WOLFE, C.M.G., (Inspector General of Police).

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

HON. COMMANDER J. B. NEWILL, D.S.O., R.N., (Retired) (Harbour Master).

HON. MR. A. G. W. TICKLE, (Director of Public Works).

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

HON. MR. C. G. S. MACKIE.

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. PAUL LAUDER.

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

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:—

Order under section 72 of the Public Health and Buildings Ordinance, 1903, relating to the establishment and closure of markets.

Additions under section 7 of the Public Health and Buildings Ordinance, 1903, to the List of Authorized Architects.

Regulations under section 12 of the Education Ordinance, 1913.

Rules made by the Chief Justice under section 10 of the Criminal Procedure Ordinance, 1899.

Order under section 2 of the Prisons Ordinance, 1932.

Report of the Harbour Master and Director of Air Services for the year 1932.

Report of the General Post Office, Hong Kong, for the year 1932.

QUESTIONS.

HON. SIR HENRY. POLLOCK.—I rise, Sir, to ask the questions standing in my name, as follows:—

1.—Is it not the fact that several complaints have been sent in recently to the Medical Officer of Health with reference to malaria at Kowloon Tong?

2.—If the answer to Question 1 is in the affirmative, what steps is the Government taking or does the Government purpose to take for the purpose of removing the causes of such malaria?

THE COLONIAL SECRETARY replied:—

1.—Complaints have been received by the Public Health Authorities regarding cases of malaria contracted at Kowloon Tong.

2.—Investigations were carried out by the Malariologist in this area in 1932, and a drainage scheme and estimates of expenditure

are being prepared by the Public Works Department. It is the intention of Government to carry out anti-malarial works in this neighbourhood as soon as circumstances permit.

THE HON. SIR HENRY POLLOCK:—

1.—What instructions, if any, and when, have been given by the Honourable the Inspector General of Police to the police officers concerned as to the exercise of their discretionary power to shoot in the streets dogs, which are found at large without muzzles?

2.—Has the power to shoot dogs without muzzles been restricted to European Officers only?

3.—Since the present muzzling Order came into force, how many dogs, found at large without muzzles,

(a) On Hong Kong Island,

(b) On the mainland,

have been shot by the Police, without warning to their owners?

In how many of such cases were the owners of those dogs ascertainable?

4.—Have any symptoms of rabies been found in any of the dogs referred to in Question 3, and, if so, in how many of those dogs?

THE COLONIAL SECRETARY replied:—

1.—The Police were instructed on 27th April, 1933 to carry out the terms of Regulation 21 which states that ".....any dog "found abroad in the public thoroughfares or elsewhere which is "neither muzzled nor on the lead may be captured and detained, "or may be shot or otherwise destroyed, by any police officer "or by any person authorised by the Inspector General of "Police.....". It is left to the discretion of the Officer to decide whether he can safely capture a dog alive or whether it must be shot.

2.—Yes, except in Sha Tin and Tai Po Districts, New Territories, for a short period April/May while several rabid dogs were at large there. A case of human rabies occurred at Sha Tin, a platelayer on the Railway dying of Hydrophobia. Special Officers who are good "shots" are entrusted with the duty of dog shooting in all cases.

3.—Since April 27th

(a) 68 dogs have been shot on the Island, and

(b) 116 on the mainland.

It is quite impossible for the police to ascertain the owners of unmuzzled dogs until these have been captured or shot.

Dogs are only shot when they cannot, or cannot safely, be captured.

4.—The carcasses of stray dogs shot by Police Officers, are not examined for evidence of Rabies.

THE (1932 SUPPLEMENTARY) APPROPRIATION ORDINANCE, 1933.

THE COLONIAL TREASURER moved the first reading of a Bill intituled "An Ordinance to authorize the Appropriation of a Supplementary Sum of Five hundred and seventeen thousand and fifteen Dollars and thirty Cents to defray the Charges of the year 1932." He said:—I rise by Your Excellency's command to move the first reading of a Bill intituled "An Ordinance to authorize the appropriation of a supplementary sum of five hundred and seventeen thousand and fifteen dollars thirty cents to defray the charges of the year 1932." The details of all items making up this sum have already been fully explained to Honourable Members from time to time and have received the approval of the Finance Committee and of this Council in the usual way.

The detailed statement of Expenditure and the Report on the Finances for 1932, copies of which have already been furnished to each member, give the reasons for the excesses. \$517,015.30 represents the total of the supplementary appropriation required under each of the heads exceeded, no account being allowed for savings on other heads. Actually, of course, there was a large saving, the total expenditure being \$32,050,283, against an estimate of \$34,981,661, a decrease of \$2,931,378. Furthermore, the expenditure of the year was \$1,499,433 less than the revenue, thereby increasing the excess of assets over liabilities from \$11,347,629 on the 1st January 1932 to \$12,847,062 on the 31st December, 1932.

The estimates for the year were based on \$1 equals 1s. and a small surplus of \$9,849 was budgetted for, excluding a sum of \$1,000,000, being part payment to the Admiralty for the surrender of the Naval Arsenal Yard and Kellet Island which was to be met from surplus balances. However, not only was this payment made from current revenue, but even then the surplus on the year's working was \$1,499,433. Exchange made this possible, the average rate throughout the year being 1s. 3 7/8d. with a consequent reduction in the number

of dollars required, as compared with the estimates to satisfy sterling commitments such as salaries, loan charges, pensions and stores. The provision under "Other Charges" of \$4,800,817 was also underexpended by \$479,604. When the estimates were prepared it looked as if the year 1932 would be as difficult as 1931, but in September 1931, when England went off the gold standard, exchange began to rise and His Excellency the Governor, in concluding the Budget debate on 22nd October 1931, held out the hope that if the rise were maintained, the position would be more favourable, and he hoped to be able to reinforce certain maintenance works and provide for additional extraordinary works. As the rise in exchange was maintained, it was decided to place further funds at the disposal of the Director of Public Works and by a Resolution of Council dated 30th June, 1932, supplementary votes were approved as under:—

Head 35	Public Works Department.....	\$ 10,500
Head 36	Public Works Recurrent	\$389,500
Head 37	Public Works Extraordinary.....	\$346,950

It is customary in introducing this Bill to give Honourable Members some idea of the financial position during the current year, but as it is being taken much earlier than usual (last year it was the 4th August) it is rather difficult to do so, or at any rate, it is rather early to make any reasonable estimate. I will give some approximate figures to the end of April. The total revenue for the first four months is \$12,233,000, which is \$900,000 more than one-third of the estimates, but it has to be noted that the receipts include one exceptional item of \$1,812,140 under Estate Duties. There is a short fall of \$820,000 up to 30th April on liquor and tobacco duties, due to the rise in the dollar over the estimated figure of 1s. 2d. and to a decline in imports. Receipts from the sale of opium amount to \$447,000, against an estimate of \$833,333 for the four months. Stamp Duties are \$105,000 below the estimate for the same period. Land Sales realised \$301,000, whereas the estimate for the whole year is \$1,300,000. Estate Duties for the four months amount to \$2,051,490, including payment on the one exceptionally large estate referred to above. Excluding this estate the receipts are \$239,350 which is about normal. Light Dues will be below the estimate on account of the reduced fees effective from 1st April. Water Excess and Meter Rent continue to expand and it is hoped that the estimated revenue of \$1,400,000 will be exceeded by at least \$150,000. Railway receipts are growing and should yield considerably more than the estimate.

The approximate expenditure to the 30th April amounts to \$9,640,000 which is \$2,093,000 below one-third of the estimated expenditure for the year. The under expenditure is due (a) to the rise in the dollar, savings being shewn under personal emoluments, pensions and public debt and (b) to the fact that during the early part of the year, expenditure is always very much less proportionately than

later, especially on Public Works items so that it is practically impossible to give a fair revised estimate of expenditure for the year from figures available on 30th April, and more hazardous still to give an estimate of the final results of the year.

I have every hope, however, provided there is no catastrophic fall in exchange, that the budget will be balanced without undue difficulty.

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

DIVORCE AMENDMENT ORDINANCE, 1933.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the Divorce Ordinance, 1932."

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

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

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without amendment and moved the third reading.

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

VOLUNTEER ORDINANCE, 1933.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend and consolidate the law relating to the Hong Kong Volunteer Defence Corps."

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

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

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without amendment 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 until June 8.