14th April, 1937.

PRESENT:—


THE COLONIAL SECRETARY, (HON. MR. N. L. SMITH).


THE SECRETARY FOR CHINESE AFFAIRS (HON. MR. R. A. C. NORTH).

THE COLONIAL TREASURER (HON. MR. W. J. CARRIE, Acting).

HON. DR. A. R. WELLINGTON, C.M.G., (Director of Medical Services).

HON. MR. R. M. HENDERSON, (Director of Public Works).


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

HON. MR. J. J. PATERSON.

HON. MR. T. N. CHAU.

HON. MR. M. K. LO.

HON. MR. A. W. HUGHES.

HON. MR. LEO D'ALMADA E CASTRO, JNR.

HON. DR. LI SHU-FAN.

HON. MR. M. T. JOHNSON.

MR. A. G. CLARKE, (Deputy Clerk of Councils).
MINUTES.

The minutes of the previous meeting were confirmed.

NEW MEMBERS.

The Hon. Mr. W. J. Carrie (Colonial Treasurer), the Hon. Commander J. B. Newill, D.S.O., R.N., (retired) (Acting Harbour Master), and the Hon. Mr. M. T. Johnson took the Oath of Allegiance and assumed their seats as members of the Council.

TRIBUTE TO MR. EDWIN TAYLOR.

H.E. THE GOVERNOR.—Honourable Members,—Before we proceed to our business this afternoon I wish to give expression to the sense of sorrow and loss with which, since our last session, the Colony has bidden good-bye to Mr. Edwin Taylor. In the course of nearly thirty years service I have known many Treasury officials, but none who has excelled our late Treasurer in determination to safeguard the public revenues and to resist unnecessary public expenditure; in readiness to listen to proposals and ability to dissect and weigh them; in hard work, common sense and thorough grasp of administrative as well as financial policy and detail. The role of colonial Treasurer is not an easy one, and I have known good men in such a post unpopular. But Mr. Taylor blended his castigation of extravagance and his calls to economy with such a kindly frankness, I might almost say geniality, of address and appeal that in his case there could be no rankling or resentment even if there were sometimes discomfiture or disagreement. I count myself fortunate indeed to have served with such a colleague and particularly in having had the privilege of presenting to him the insignia of the recent Royal recognition of his services. I request your permission, Gentlemen, to direct the Clerk of Council to send to him a record of these proceedings with our sincere wishes for complete happiness in his retirement. (Applause).

HON. SIR HENRY POLLOCK.—Sir,—On behalf of the Unofficial Members of this Council I beg leave to endorse what Your Excellency has just said regarding Mr. Taylor.

PAPERS.

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

Amendment to the Brewery Regulations made by the Governor in Council under section 88 of the Liquors Ordinance, 1931, Ordinance No. 36 of 1931, dated 7th March, 1937.

Amendment made by the Urban Council under section 5 of the Public Health (Food) Ordinance, 1935, Ordinance No. 13 of 1935, to the by-laws under the heading "FOOD SHOPS" set forth in the Schedule to that Ordinance, dated 16th February, 1937.
Notice to Aircraft Owners and Ground Engineers, No. 6 of the year 1937, dated 8th March, 1937.

Notice to Aircraft Owners and Ground Engineers, No. 7 of the year 1937, dated 8th March, 1937.

Amendments to the Cremation Regulations made by the Governor in Council under section 7 of the Cremation Ordinance, 1934, Ordinance No. 40 of 1934, dated 18th March, 1937.

Order made by the Governor in Council under section 99 of the Public Health (Sanitation) Ordinance, 1935, Ordinance No. 15 of 1935, dated 18th March, 1937.

Notice to Aircraft Owners and Ground Engineers, No. 8 of the year 1937, dated 23rd March, 1937.

Notice to Aircraft Owners and Ground Engineers, No. 9 of the year 1937, dated 23rd March, 1937.

Amendment made by the Governor in Council under section 3 of the Adulterated Food and Drugs Ordinance, 1935, Ordinance No. 8 of 1935, dated 25th March, 1937.

Amendment made by the Governor in Council under section 39 of the Merchant Shipping Ordinance, 1899, Ordinance No. 10 of 1899, to Table T in the Schedule to that Ordinance, dated 6th April, 1937.

Amendments made by the Governor in Council under sections 3, 4 and 8 of the Pleasure Grounds and Bathing Places Regulation Ordinance, 1936, Ordinance No. 29 of 1936, to the First and Second Schedules to that Ordinance, dated 8th April, 1937.

Administration Reports, 1936:

Part I.—General Administration:

Financial Returns.

Proclamation No. 3.—Merchant Shipping Amendment Ordinance, 1936, Ordinance No. 47 of 1936, to come into operation on the 30th March, 1937.

Proclamation No. 4.—Telecommunication Amendment Ordinance, 1937, Ordinance No. 1 of 1937, to come into operation on the 12th April, 1937.

Sessional Papers, 1937:

No. 2.—Jurors List for 1937.
No. 3.—Report on the Water Supply of Hong Kong, by Mr. W. Woodward, B.Sc.,
A.M. INST. C.E.

No. 4.—Changes in the Public Health Organisation of Hong Kong during the
period 1929 to 1937, by Dr. A. R. Wellington, Director of Medical Services.

FINANCE COMMITTEE’S REPORT.

The COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the
table the Report of the Finance Committee (No. 2) dated 10th March, 1937, and moved that it
be adopted.

The COLONIAL TREASURER seconded, and this was agreed to.

DEPORTATION (BRITISH SUBJECTS) AMENDMENT
ORDINANCE, 1937.

The ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance
to amend the Deportation (British Subjects) Ordinance, 1936. He said: This amending Bill
makes a few alterations in the principal Ordinance of last year which have been suggested by
the Secretary of State with a view to bringing that Ordinance in closer conformity with the
Colonial Office model Ordinance, prepared for this Colony and other Colonies.

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 amendments to be made in the principal Ordinance by this Bill have been
suggested by the Secretary of State with a view to bringing that Ordinance into closer
conformity with a Model Bill attached to the Report, dated the 12th September, 1933, of a
Departmental Committee of the Colonial Office appointed by the Secretary of State.

2. Section 2 (2) of the principal Ordinance set out five classes of British subjects who
were to be deemed to belong to the Colony. Class (a) was confined to British subjects born in
the Colony. The amendment will add to this class a British subject born of parents who at the
time of his or her birth were ordinarily resident in the Colony.

3. Section 2 (3) of the principal Ordinance provided that a person should be deemed
an immigrant British subject if at the date of the service upon him of a notice under section 5,
or, in the case of a convicted person, the date upon which he is charged with the offence, he is
a British subject and has been resident in the Colony since the date of his last arrival therein for
less than certain prescribed periods. The words "since
the date of his last arrival therein” were inserted to prevent a claim of former residence defeating the unexpressed intention of the Committee which prepared the model that the periods of residence concerned must have immediately preceded the service of notice or the charge. At the same time the words in question were not satisfactory because thereby a long period of residence might be broken by a few days absence. The amendment will delete these words and substitute others expressing more clearly the intention of the Committee.

4. Section 2 (3) (b) of the principal Ordinance provided that a convicted or undesirable British subject should be deemed an immigrant if his period of residence had been less than seven years. To conform with the model the amendment will reduce this period to two years.

5. To conform with the model this Bill will amend section 9 (1) of the principal Ordinance so as to provide for the service on a deportee of a summary of the findings of fact and conclusions of law arrived at by the Judge in Chambers who has dealt with his case under 6 (2).

WIDOWS’ AND ORPHANS’ PENSION AMENDMENT ORDINANCE, 1937.

THE ATTORNEY GENERAL.—With the permission of this Council I would like to postpone the first reading of the Bill to amend the Widows' and Orphans' Pension Ordinance, 1908 as further suggestions for amendment came in yesterday and I would like time to consider them.

THE COLONIAL SECRETARY seconded, and the motion for postponement was carried.

ADVERTISEMENTS REGULATION AMENDMENT ORDINANCE, 1937.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled “An Ordinance to amend the Advertisements Regulation Ordinance, 1912.” He said: The objects of this Bill are set forth in the Memorandum.

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:—

In view of the increasing number of street and sky signs and the consequent increase in the amount of work devolving on the Government in connection with their supervision and maintenance it is considered desirable that a proper system of licensing with a corresponding payment of licence fee should be put into operation.
The principal Ordinance does not make it abundantly clear that the Governor in council has power to charge fees in connection with the issue of such licences and the proposed amendment is made for the purpose of removing all doubts.

PUBLIC HEALTH (SANITATION) AMENDMENT ORDINANCE, 1937.

The ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend the Public Health (Sanitation) Ordinance, 1935." He said: As stated in the Memorandum, the object of this Bill is to provide for a slight reorganisation in the grouping of the inspectors who do anti-malarial work.

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. Section 6 of the principal Ordinance provides for the grouping of Inspectors under the Health Officers. Although this practice is convenient in the case of ordinary Sanitary Inspectors it is more convenient to group Malarial Inspectors under the Malariologist.

2. This amending Bill adds a proviso to section 6 of the principal Ordinance enabling Malarial Inspectors to be grouped under the Malariologist and Inspectors appointed for other special purposes to be grouped under such other officer as the Governor may direct.

PHARMACY AND POISONS ORDINANCE, 1937.

The ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend the law relating to poisons and the registration of pharmaceutical chemists." He said: This Bill has been some time in preparation and has been drafted by Mr. J. A. Fraser and Mr. E. H. Williams. It is based on the provisions of the Pharmacy and Poisons Act of 1933 with such variations as the medical Department of this Colony considered desirable to adapt it to local circumstances.

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 repeals the Pharmacy and Poisons Ordinance, No. 9 of 1916, and instead enacts new provisions based upon the Pharmacy and Poisons Act, 1933, which it closely follows.
2. A Table of Correspondence is attached showing the corresponding sections of the English Act, and the variations therefrom and also the corresponding Poisons Rules, and the variations therefrom.

3. The provisions of Ordinance No. 9 of 1916 dealing with the narcotic poisons included in Part III of the Schedule to that Ordinance have been omitted from this Ordinance, adequate provision having been made for the control of such poisons in the Dangerous Drugs Ordinance, No. 35 of 1935.

4. Section 28 of this Ordinance provides that the Ordinance shall come into force on such date as the Governor by Proclamation may appoint.

GOVERNOR'S VALEDICTION.

H.E. THE GOVERNOR.—Honourable Members,—This is, I am sad to say, the last occasion on which I shall have the privilege of addressing you from this chair. I therefore ask your forbearance for a short message of farewell before I declare this session adjourned.

I want, Gentlemen, to thank you for collaboration and support that no Governor could ever have enjoyed in fuller measure. The personnel of this Council has undergone many changes since I took the Oaths of Office in this Chamber only sixteen months ago. Sir Thomas Southorn, Sir William Shenton, Mr. Braga, Dr. Ts'o Seen-wan, Mr. W. H. Bell, and Mr. E. Taylor have all vacated their seats since then; on transfer, retirement or expiration of a last term of office. I mention their names to-day because to them as well as to present members my deep sense of gratitude and obligation goes out; as it does also to Sir Shouson Chow and to his successor, Dr. Kotewall, on my Executive Council.

I believe this Council to be truly and efficiently representative of the public interests of this Colony; and anybody who will take the trouble to look through our Hansard of the past year and to note the points that have been brought forward at question-time or in debate will never accuse it of being merely a registering authority—a criticism that I have sometimes heard levelled against colonial legislatures. But, as my predecessor remarked in his parting speech, there is no waste of words or of time in this Chamber; it has never degenerated into a cave of the winds. It is rather a business-like clearing-house for proposals, criticisms and arguments on all matters of public interest and policy, and such, I trust, it will always continue to be.

As you know, I have left on the stocks a new scheme of budget procedure designed to give the unofficial members a more constructive part in the forming of the annual estimates. Some of you have put forward valuable suggestions for the improvement of that scheme, and these suggestions are awaiting the consideration of my successor and of the new Financial Secretary whose arrival is expected in June or July. I hope that the scheme, with all advisable modifications, will be given its trial next year.
If I were to write a local history of the past sixteen months I would include the following among my chapter headings: — Currency; Retrenchment and Economy; Taxation; Public Salaries; Friendly Relations; Mui-Tsai; University; Public Health; Volunteers; Air Port; Water Works; Prisons; and Scenic Hong Kong. Under none of these headings of course could a finished chapter be written; in every case something, and in most cases a great deal, remains still to be done.

Under "Currency" for instance it will soon, I am glad to say, be possible to chronicle the substitution of safety-rimmed nickel for cupronickel small coin, and the consequent discomfiture of the counterfeiter.

Under "Retrenchment and Economy" I hope that the termination of the salary levy will soon be recorded. But the tale of the substitution, wherever and whenever possible, of locally born for imported officers is a serial story and must go on from year to year. Also it should never be forgotten that "Economy" is not a slump-time slogan but a synonym for sound budgeting and business-like administration. Retrenchment is too often necessitated by a previous disregard for economy and can itself, when applied by force of financial circumstance to maintenance of fabrics, be most uneconomical. No circle could be more vicious than this one. The golden rule is that no item of special expenditure should ever be inserted in a budget without a note of the annual charges to which it will give rise, and no new appointment should be added to the establishment without a note of the future incremental and pensions liability involved.

"Taxation" is not a popular caption, but I cannot conceal my considered opinion that if the sanitary and social services of this Colony are to be raised and developed to such a level and extent as that which I sometimes see suggested, and not unreasonably suggested, in the Press, extra revenue will have to be raised. Victoria is a not too clean city, with a grave slum problem which is, as you know, being investigated by a committee. That committee has during my time here been largely dormant owing to changes of staff and to the impossibility of tackling such a large problem during the economic depression. Its report, however, will come before this Council this year or next, and when it does come it will, I have no doubt, present serious demands on the public conscience and on the public purse. As regards social services the Colony may well be proud of the achievements of its voluntary workers and subscribers: it is indeed a magnificent tradition which, I feel sure, will never be impaired. But there are limits to the field of private philanthropy, for the simple reason that not all rich men are philanthropists, and if the field of social service is to be widened questions of new or increased subsidies from the Treasury will inevitably arise.

Under "Public Salaries" the approximation of what are commonly known as "standard time-scales" and of the pay of their super-posts to the rates current in the African Colonies is awaiting the final approval of the Secretary of State. Some consequential alterations in what I
may call the mid-level scales may be necessary, and also an overhaul of our present list of allowances. These matters are already under attention.

I know that I speak on behalf of all in this Chamber, and reflect also all influential opinion outside it, when I say that the tale of "Friendly Relations" with our neighbours must, like that of "Economy," be made into a serial history carried on and developed from year to year. There is no need for me to enlarge on this theme, because the public feeling of the Colony is happily eloquent of it as never before.

I think that everybody will agree that the Mui-tsai Commissioners have deserved our thanks and our congratulations on a report which presents a full and faithful picture of the whole problem, and has already dissipated some of the obscurity of historical and factual detail in which it had become enveloped. You will have seen from the reply to a question in the House of Commons that action on the report awaits consultation between the Secretary of State for the Colonies and the Colonial Governments concerned. I much regret that our copies of the report, which requires very careful reading and unhurried digestion, have arrived too late for me to participate in the local discussions on the subject in Executive Council, District Watch Committee, or elsewhere. My personal views are, however, known to my colleagues.

Under the heading "University" I again have to record inability to discuss with my advisers and with the Council of the University before I go the very valuable report of the Committee which I recently appointed to look into and advise regarding its affairs. Right through the report, of which I was kindly furnished with an advance copy, there will be found to run a sure and profound belief in the University, a belief of which I made personal profession not long ago in a message which I sent for the Orient Number of a British illustrated paper. I am happy in the anticipation that the Committee's recommendations will be found to afford a basis for the University's continued success and development.

I now come to the subject of "Public Health," and must express my pleasure at having seen the completion of the Queen Mary Hospital and of the Wanchai market; also my pleasure that the doom of our old and unhygienic Central Market should have been precipitated in my time by omens of structural collapse. Its replacement by two modern markets will remove what has too long been both a danger and a disgrace. The latter word is, I regret to say, applicable also to the premises which are at present dignified by the name of "Mental Hospital." The opening of the Queen Mary and the closing of the old Civil Hospital will leave these premises marooned, and I commend to the attention of all concerned the necessity for their early replacement and for a change of site. Similar attention should be paid to the question of providing an adequate Infectious Diseases Hospital and to the prosecution of the scheme for a settlement, possibly on Lamma Island, for Hong Kong-born lepers.
The Colony will shortly lose the services of Dr. Wellington on retirement; his statement of progress made during his directorate of Medical and Sanitary Services is one on which both he and the Colony may be congratulated, and it is being printed as a sessional paper which I think is before honourable Members to-day. There is already a programme for the continuation and extension of anti-malarial measures, and I hope that by the end of next year the whole of the Island will have been rendered reasonably immune from malarial infection.

It is probably general knowledge by now that the Urban Council, which is the rule-making authority, has been apprised of the Executive Council's agreement with Dr. Wellington's recommendation for the compulsory pasteurization of milk. I feel it my duty, however, to repeat the warning which I uttered after the recent lamentable epidemic of Shiga Dysentery, that, in relation to malaria, dysentery and many other diseases, Governmental measures and regulations, however comprehensive and efficacious, cannot remove the necessity for individual care and precaution. The enemy is too insidious for any sensible person to rest content with a single and outer line of defence.

The King George V Memorial Parks will, I feel certain, bring light into the lives and air into the lungs of many poor people, young and old, who live in their congested environments. I hope that the need for such bases in our two cities will never be forgotten or sacrificed to a too acute desire for revenue from land sales. I was indeed gratified when the Urban Council recently pressed for the retention of the Kowloon old magistracy site as an open space.

My views regarding the paramount claim of the Volunteer movement for support require perhaps no reiteration. Nevertheless I do repeat my appeals, partly because I feel so strongly about them and partly because I wish to make this addition—that I regard as volunteer service not only, though primarily, membership of the H.K.V.D.C. and the H.K.N.V.F., but service in their nursing unit, in the St. John Ambulance Brigade and on the sub-committees of the local Defence Committee. Work such as that done by Mr. J. H. Taggart on the Food Supplies sub-committee is of a rare order and importance and I am glad to have the opportunity before I leave of mentioning it from this chair.

I am glad to have seen the inauguration of the Imperial and the China National air services to Hong Kong. The American Clipper Service is due to start within a month, and the Eurasia Company is now knocking at our doorway in the skies which, I hope, will very shortly be thrown open to them. Hong Kong is in fact now securely and permanently on the world's air map, and in capital letters too.

Although the privilege has fallen to me of opening the Shing Mun Dam and the new Prison at Stanley, I must nevertheless confess considerable uneasiness both as regards our water supply and our gaol population. The exact position regarding the former is being set forth in a sessional paper which I believe is before honourable members this
afternoon. At an expense of about three million dollars on catchwaters, pumps and mains (an amount which can be raised under the existing Loan Ordinance) you will be able to get and to distribute all the water that the great new dam can collect and retain but unless systematized anti-waste measures are devised and enforced betimes our two cities are bound to be confronted once more with an insufficiency of supply. I hope therefore that the need of an anti-waste section of the Water Works Branch of the Public Works Department will not escape attention when the estimates for next year are under consideration. The problem of the growing prison population appears at the moment still more grave and difficult. It may however be that the recent increase is due to an amelioration of local economic conditions; that is to say, to increased opportunities for begging and thieving by those who came nearest to starvation during the worst of the depression. The position, however, needs very careful watching and I have already ordered the compilation of data on which a running review of it may be commenced and continued.

The Hong Kong Travel Association, to which the Treasury pays a dollar for dollar annual subsidy up to a maximum of $15,000, has recently opened an Information Bureau at Kowloon, and has published an illustrated guide to Hong Kong. I have met a large number of visitors during the past year, but their enthusiasm over our exquisite scenery has nearly always been accompanied by expressions of horror at the way in which it has been desecrated in the past. Nullahs festooned with naked water pipes; hills hideous with houses that look, some of them, like inverted packing cases and some like magnified septic tanks; slopes sore with slicings on which no trenches of humus for the healing creepers have been provided; beaches ruined by the substitution of semi-permanent "Sunny Nooks" and "Better 'Oles" for the inoffensive matshed;—what a testament of human ugliness to have written in the book of natural beauty! We have recently made financial provision for the planting of trees and flowers; we possess, and have recently improved, a law dealing with the control of advertisements and skysigns; the local press publishes regular articles on nature's rich endowment of our countryside and does not fail in a proper castigation of those who despoil and uglify. Nevertheless, I have misgivings about the local public conscience, and indeed the local architectural conscience, being right and sound yet in this matter. A house should be not merely a thing to be comfortably lived in by its tenant but a thing that can be looked upon without discomfort by others. Large and beautiful areas suitable for residential purposes will shortly be approachable by the road that leads up through the Customs Pass and by other new roads. I sincerely trust that the Administration and people of this Colony will see to it that the development of these lands shall not spell their disfigurement.

That completes my imaginary chapter headings, though I could, if time permitted, add quite a number more. One addition unfortunately is necessary, and it bears the sad title of "Good bye." To all my colleagues in the public service I offer my sincere gratitude for hard,
loyal team-work. I wish my honourable friend and right hand, Mr. N. L. Smith, every success during the period of his administration, and I know from personal experience that he will find in Mr. R. A. C. North a most able and untiring coadjutor. I have appreciated, Your Excellency, more than I can say the atmosphere of cordial co-operation which has enveloped all my dealings here with representatives of the Fighting Services. And last but far from least I tender my humble and grateful admiration to all those generous subscribers and self-sacrificing workers who keep the flag of voluntary Social Service so proudly flying over the Colony.

Hong Kong is a small place in which to find packed together so many large and important interests; the interests of a great port, of a great emporium, of a great fortress, and of a great multi-racial community. Without goodwill and sympathetic understanding the interplay of those interests might easily lead to friction and sectionalism. The contrary happily obtains. On the great stone which marks the completion of the Shing Mun reservoir there has been engraved the Latin title of a well known psalm. When your new City Hall is built I suggest that its foundation stone be engraved with another such title. It is "Ecce Quam Bonum," and stands prefixed to the psalm which in the English authorised version begins, "Behold, how good and how pleasant it is for brethren to dwell together in unity!"

**ADJOURNMENT.**

H.E. THE GOVERNOR.—Council stands adjourned sine die.

**FINANCE COMMITTEE.**

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

Votes totalling $4,079, under Estimates 1936, and $134,606, under Estimates 1937, contained in Message No. 3 from H.E. The Governor were considered.

**Estimates 1937.**

12.—10, B.—Air Services:—7, Upkeep of Motor Car, $1,300.

HON. MR. JOHNSON.—Government do not insure, Sir?

THE CHAIRMAN.—The Government hardly ever insures. The driver of the car has been suitably dealt with.

HON. MR. JOHNSON.—They have so many cars that it pays Government better not to insure?
THE CHAIRMAN.—Quite so. The Government carries its own insurance.

17.—26, Kowloon-Canton Railway:—Special Expenditure. Re-building one 3rd Class Coach, $15,000.

HON. SIR HENRY POLLOCK.—I suppose there is no possibility of recovering this amount from the Chinese section of the Railway?

THE CHAIRMAN.—I think it would be quite impossible, apart from the fact that the Chinese section was not responsible.

HON. MR. LO.—Was an official report of this affair ever published?

THE CHAIRMAN.—There has been an enquiry. The Ministry of Communications sent a special man down.

HON. MR. LO.—Does the local manager get a copy of the report?

THE CHAIRMAN.—He is still waiting for it. I asked him two days ago and he said it had not arrived.

All the votes were approved.