

27th April, 1949.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR (SIR ALEXANDER WILLIAM GEORGE HERDER GRANTHAM, K. C. M. G.)

THE COLONIAL SECRETARY (HON. D. M. MACDOUGALL, C.M.G.)

THE ATTORNEY GENERAL (HON. J. B. GRIFFIN, K. C.)

THE SECRETARY FOR CHINESE AFFAIRS (HON. B. C. K. HAWKINS, O. B. E., *Acting*).

THE FINANCIAL SECRETARY (HON. C. G. S. FOLLOWS, C. M. G.)

DR. HON. I. NEWTON (Director of Medical Services).

DR. HON. J. P. FEHILY, O. B. E. (Chairman, Urban Council).

HON. A. NICOL (Acting Director of Public Works).

HON. D. F. LANDALE.

HON. CHAU TSUN-NIN, C.B.E.

HON. SIR MAN-KAM LO, KT., C.B.E.

HON. LEO D'ALMADA E CASTEO, K.C.

HON. M. M. WATSON.

HON. C. BLAKEE, M.C., E.D.

MR. J. L. HAYWARD (Deputy Clerk of Councils).

ABSENT:—

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS
(MAJOB-GENERAL F. E. G. MATTHEWS, C.B., D.S.O.)

DR. HON. CHAU SIK-NIN.

MINUTES.

The Minutes of the meeting of the Council held on 13th April, 1949, were confirmed.

OATHS.

The Hon. C. Blaker took the Oath of Allegiance and assumed his seat as a Member of the Council.

PAPERS.

THE COLONIAL SECRETARY, by command of His Excellency the Governor, laid upon the table the following paper:—

Annual Report of the Senior Agricultural Officer for the year 1947-48.

ANNOUNCEMENT.

HON. D. F. LANDALE:—Sir, with your permission, I give notice that one of my Unofficial colleagues will move the motion on Constitutional Reform that I have given to the Deputy Clerk of Councils.

For a year or more, Sir, all my Unofficial colleagues have been far from convinced that the proposals set out in Sir Mark Young's despatch of the 22nd October, 1946 were what the genuine inhabitants of the Colony desired, and during this time we have, both collectively and individually, made enquiries as to whether His Majesty's Government were prepared to consider alternative proposals. The first indication that His Majesty's Government were prepared to consider alternatives was made public in the report of the Press Conference given by Mr. Paskin, an Assistant Under-Secretary in the Colonial Office on 19th January, 1949. And you, Sir, in your closing remarks on the Budget Debate, invited us to put forward alternatives. This I now do by means of this motion which has the support of all my Unofficial colleagues. We do not propose to move it for six weeks or so, in order to give us an opportunity to assess public opinion on it.

Notice of Motion.

Since the publication of the despatch of the Right Honourable the Secretary of State for the Colonies dated 3rd July, 1947, in which he gave general approval subject to minor modifications to the recommendations submitted by Sir Mark Young and contained his despatch No. 145 of the 22nd October, 1946, it has become increasingly evident that in the view of the general public of Hongkong:

- (a) proposals of Sir Mark Young involving the creation of a Municipal Council and minor modifications of the constitute Legislative Council are no longer considered to

be the best means of giving to the inhabitants of the Colony a fuller and more responsible share in the management of their own affairs;

- (b) Sufficient consideration was not given to alternative methods of achieving this object;
- (c) The most effective means of achieving this object is a more fundamental modification of the Constitution of the Legislative Council.

Therefore in order to make known to His Majesty's Government as soon as possible the present view's of the Colony it is hereby moved that for the purpose of affording the inhabitants of the Colony a fuller and more responsible share in the management of their own affairs:

- (1) The present proposals for the establishment of a Municipal Council be abandoned;
- (2) The constitution of the Legislative Council should be constituted as follows:

A Council of 20 with an Official membership of 9, including His Excellency the Governor, and an Unofficial membership of 11 consisting partly of members elected by qualified residents of British Nationality and partly of members nominated by the Governor. The Governor to have an original and casting vote and the usual reserve power.

- (3) After the constitution of the Legislative Council has been modified as above indicated the new Legislative Council should consider whether and, if so to what extent, the constitution of the Urban Council should be modified with the view to securing for the Urban Council a greater measure of direct representation and an increase in its financial and administrative powers in municipal affairs.

DISTRICT WATCH FORCE BILL, 1949.

THE ACTING SECRETARY FOR CHINESE AFFAIRS moved the Second reading of a Bill intituled "An Ordinance to amend and consolidate the Law relating to the District Watch Force."

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

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

H.E. THE GOVERNORS—As this is rather a long Bill, gentlemen, I suggest that we might take the clauses in batches of five. If any Honourable Member wishes to speak on any particular clause, we will, of course, stop at that clause.

This was agreed to.

Council then resumed.

THE ACTING SECRETARY FOR CHINESE AFFAIRS reported that the District Watch Force Bill, 1949, 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 into law.

ILLEGAL STRIKES AND LOCK-OUTS BILL, 1949.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to prevent strikes and lock-outs having an object other than or in addition to the furtherance of a trade dispute within the trade or industry in which the disputants are engaged and being calculated to coerce the Government, and-to prevent breaches of contract of service the consequence of which may be injurious to the public."

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

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

Council then resumed.

THE ATTORNEY GENERAL reported that the Illegal Strikes and Lock-outs Bill, 1949, 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 into law.

STAMP AMENDMENT BILL, 1949.

THE ATTORNEY GENERAL moved the Second reading of a Bill intituled "An Ordinance to amend the Stamp Ordinance, 1921."

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

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

Council then resumed.

THE ATTORNEY GENERAL reported that the Stamp Amendment Bill, 1949, 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 into law.

ZETLAND HALL TRUSTEES INCORPORATION**(AMENDMENT) BILL, 1949.**

THE HON. D. F. LANDALE moved the First reading of a Bill intituled "An Ordinance to amend the Zetland Hall Trustees Incorporation Ordinance, 1922." He said: Sir, the Objects and Reasons clearly set out the purpose of the Bill and I have nothing to add, but I would like to give notice that at the appropriate stage I will move a small amendment to clause 2 of the Bill.

HON. CHAU TSUN-NIN 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 Zetland Hall Trustees were incorporated by the Zetland Hall Trustees Incorporation Ordinance, 1922', the principal Ordinance, with the object of maintaining a suitable Masonic Hall or Halls or the use of Freemasons Lodges established in Hong Kong and for the use and betterment of Freemasonry generally. By that Ordinance the Trustees were limited to the elected representatives of the Lodges specified in section 2 thereof; Lodges working under the Irish Constitution were not set out in section 2.

2. Since the date of incorporation a considerable number of other Lodges have been established in Hong Kong and more particularly a number which formerly operated at the various foreign Concessions at the Treaty Ports have now removed to Hong Kong. All these Lodges in addition to those specified in section 2 of the principal Ordinance, use the Hall maintained by the Corporation and contribute by means of fees rents and charges to the income thereof.

3. Owing to the limitation of the trustees to the elected representatives of a small number of specified Lodges it is felt that Freemasonry in general is not sufficiently represented in the constitution of the Corporation and it is therefore desired that the number of Lodges specified shall be increased and that it shall be possible to bring 'into the Corporation the elected representatives of other Lodges hereafter established in Hong Kong which shall be desirous of being represented in the Corporation. This proposal is contained in the amendments set out in clause 2, coupled with clause 7 of the Bill. Clauses 3, 5 and 6 contain proposed amendments to the principal Ordinance consequential upon the provisions of clause 2.

4. The Masonic Hall standing on Inland Lot No. 31 was, during the pacific War, destroyed by enemy action and has since been sold by the Corporation and another site for a new Masonic Hall acquired on behalf of the Corporation by Charles Bernard Brown the Right Worshipful District Grand Master for Hong Kong and South China and Edmund Maurice Raymond, since- deceased, one of the other

trustees, out of moneys provided by the Corporation, that site is known as INLAND LOT NO. 1875 and a new Masonic Hall is now being erected thereon. By clause 4 it is proposed that this property shall be vested in the Corporation.

CHINA PENIEL MISSIONARY

SOCIETY INCORPORATION BILL, 1949.

HON. LEO D'ALMADA moved the Second reading of a Bill intituled "An Ordinance to provide for the incorporation of the President in Hong Kong of the China Peniel Missionary Society." He said : Sir, when I moved the First reading of this Bill, I gave notice to Council that I would move certain amendments to this Bill. I find that it is not necessary now, because I was under the impression that only my copy contained the amendments. I find that they were made in all the copies before Council and therefore they were passed in the First reading.

HON. SIR MAN-KAM LO seconded, and the Bill was read a Second time.

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

Council then resumed.

HON. LEO D'ALMADA reported that the China Peniel Missionary Society Incorporation Bill, 1949, had passed through Committee without amendment and moved the Third reading.

HON. SIR MAN-KAM LO seconded, and the Bill was read a Third time and passed into law.

NORTH POINT WHARVES LIMITED BILL, 1949.

HON. LEO D'ALMADA moved the Second reading of a Bill intituled "An Ordinance to authorise the making of by-laws by the North Point Wharves, Limited."

HON. M. M. WATSON seconded, and the Bill was read a Second time.

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

Council then resumed.

HON. LEO D'ALMADA reported that the North Point Wharves Limited Bill, 1949, had passed through Committee without amendment and moved the Third reading.

HON. M. M. WATSON seconded, and the Bill was read a Third time and passed into law.

ADJOURNMENT.

H.E. THE GOVERNOR:—That concludes the business, Gentlemen. When is it your pleasure that we should meet again?

THE ATTORNEY GENERAL:—A fortnight's time, Sir.

H.E. THE GOVERNOR:—Council will adjourn until this day fortnight,