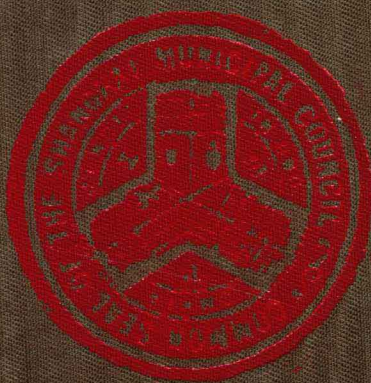


工部局董事会 会议录

第二十五册

上海市档案馆 编



上海古籍出版社

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THE MINUTES OF SHANGHAI MUNICIPAL COUNCIL

Volume XXV

SHANGHAI MUNICIPAL ARCHIVES

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工部局董事会会议录

THE MINUTES OF

SHANGHAI MUNICIPAL COUNCIL

(1931—1932)

At the meeting of the Council held on Wednesday, January 7, 1931, at 5 p.m.
there are:

Present:

Brig.-Gen. E. B. Macnaghten (Chairman)
 Messrs. G. W. Sheppard (Vice-Chairman)
 A. D. Bell
 M. S. Brown
 J. W. Carney
 S. L. Hsu
 A. J. Hughes
 M. Leslie
 O. Okamoto
 T. D. Woo
 L. T. Yuan
 Yu Ya Ching
 The Director-General, and
 The Deputy Secretary.

Absent:

Messrs. K. Fukushima
 O. S. Lieu

The Minutes of the last meeting are confirmed and signed by the Chairman
 subject to an amendment of the item Engagement of Expert. - The proposal
 of the Waterworks Company to engage an expert from America was not
 definitely approved at that meeting but was referred to the Public
 Utilities Committee for further consideration. With regard to
 5613/ Education Policy the Chairman states that the Treasurer is now engaged
 in investigating the extension scheme submitted by the Education Board.
 In the matter of Chinese Liaison Officer Mr. Hsu has suggested to the
 Chairman the appointment of two Chinese members to the Sub-Committee
 which is to consider applications for this office instead of one as
 first proposed. Members having already expressed their approval, the
 question of nominations is left for later discussion by the Chinese
 Members of Council. On the subject of Royal Asiatic Society - Grant,
 The Chairman reads an interim reply from the Building Sub-Committee
 of the Society expressing its appreciation of the Council's generous
 support.

5485 The Minutes of the meeting of the Watch Committee of December 19 are sub-
 mitted and confirmed. With regard to Greyhound Racing the Chairman
 of Committee, Mr. Brown, states that the Director-General has conferred
 with the Crown Advocate thereon. The Chairman of Council refers to a

conversation he has had with the British Consul-General, who expressed disappointment at the Council's failure to close down greyhound racing on January 1, though in the matter of the legality of such racing he did not appear to be sure of his ground. He evidently expected the Council to take the lead, whereupon he would be prepared to render Consular support.

The Director-General, who has interviewed the Consul-General (Mr. Brennan) and the Crown Advocate (Mr. Mossop), states that the former was dissatisfied with the progress made. Mr. Mossop was well informed on the subject though, in view of recent decisions by British Courts and the confused state of the laws he was unable to express a definite opinion on the legal position of the prospects of successful prosecution of British subjects engaged in greyhound racing in Shanghai. He agreed however with Mr. Brennan in offering all possible support if the Council took the initiative. Mr. Bell suggests the early closure of the two courses and the payment of compensation to be fixed by arbitration. The Director-General is not in favour of arbitration, which he thinks might involve the Council in heavy expenditure. He reads a draft letter, addressed to the Greyhound Racing Club, alluding to the undesirable state of affairs arising from the virtual abolition of entrance fees, and the inauguration of an advertising campaign, etc; informing them that dog-racing will not be permitted after April 1, and stating that the Council would take over the lease of Luna Park and give consideration to cases of individual hardship involved. Members generally concur in the advantage of such action over the arbitration plan, and agree that a letter on the above lines should be sent to the Greyhound Racing Club, and that the Stadium should likewise be closed by a letter to the Shanghai Greyhound Club couched in similar terms. Mr. Okamoto questions the advisability of the Council taking over the lease of Luna Park; but the Director-General states that it could with advantage be converted into a recreation ground. The rental is stated to be low and the lease will expire in less than two years. Mr. Hughes speaks of the hardship which will be suffered by numerous persons in the event of the early discontinuance of greyhound racing. Delay would mitigate, for example, the loss on the disposal of the greyhounds. He refers to a scheme to amalgamate the two racing concerns and to devote the Stadium to athletic events, with dog racing only once a week and the abolition of free passes. He feels that a grave injustice will be done if greyhound racing is stopped while other opportunities for gambling remain.

In the subsequent discussion members agree that, in view of the present situation and the Council's previously expressed determination to end this form of sport, definite action should now be taken. The

Director-General is accordingly requested to dispatch the necessary letters, announcing the Council's decision to terminate greyhound racing on March 31.

Commandant of Volunteers. - The Chairman reads a telegram from the London Agents submitting the War Office's nomination of Lieut.-Colonel Thoms of the New Zealand Staff Corps as an officer eminently suitable for the position of Commandant of the Volunteer Corps. He also reads a private cable conveying Maj.-General Bartholomew's endorsement thereof.

A member suggests that the salary, Tls. 1,000 per mensem plus allowances, seems rather high, as the officer will later receive a pension from his own Government. It is agreed however that the nomination should be accepted, and that a telegram should be dispatched enquiring when Lieut.-Colonel Thoms would arrive in Shanghai.

The Chairman retires and Mr. G. W. Sheppard takes the Chair.

Tobacco Tax. - The Director-General states that a letter has been received from the Senior Consul on the question of the enforcement of the Chinese

Government's tobacco tax on Chinese factories in the Settlement. The Chairman, as an interested party, did not wish to see the letter and will take no part in the Council's deliberations. Three or four years ago the Government took up with the tobacco and oil companies in the Settlement the question of taxes on these commodities. The British-American Tobacco Co., most of whose products went outside the Settlement, was the first to agree in writing to the imposition of the tax, and the other foreign companies followed their example. Mr. T. V. Soong, for the Nationalist Government, has now approached the Foreign Consuls for assistance in collecting the tax from Chinese firms which have evaded payment and engaged in smuggling tobacco products out of the Settlement.

The Director-General reads the above mentioned letter, explaining the attitude of the foreign and Chinese firms to the Rolled Tobacco Tax Law, stating that the former wished to see an end of smuggling by their commercial rivals, and enclosing a draft agreement on the subject for the consideration of the Council. This agreement provides, in brief, for the establishment of a bureau, the use of Municipal Police only in the enforcement of the tax, prosecutions by the Municipal Advocate acting under the Council, the giving of 30 days' notice before the first prosecutions are instituted, and a provision that the taxation shall not be retroactive.

The Director-General is of the opinion that the old rigid policy of the Council regarding taxation in the Settlement by the Chinese authorities should be relaxed, and Judge Feetham has agreed that the present claim should be favourably considered. Replying to Members' enquiries, he states that stamps covering the tobacco tax have for some time been on sale

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in the Settlement, and that, apart from this, the Chinese officials do nothing but go round and see if the stamps are affixed to packages. He adds that the general enforcement of the tax by the Council would not prejudice future action as it is proposed that every new tax should be the subject of a special agreement.

After some discussion it is decided to comply with the request of the Nanking Government.

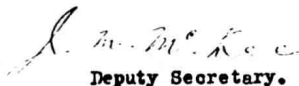
Brig.-Gen. E. R. Macnaghten resumes the Chair.

5772/1
5773/1
The Municipal Gazette for Friday, January 9, is submitted in proof and authorized for publication, except Notifications 4045 and 4046 which are ordered to be held over. These Notifications relate to the appointment of Chinese cadets in the Health Department and the Fire Brigade, and it is directed that they should be sent to the respective Committees for approval prior to publication.

The meeting adjourns at 6.25 p.m.



Chairman.



Deputy Secretary.

At the meeting of the Council held on Wednesday, January 21, 1931, at 4.30 p.m.

there are:

Present:

Brig.-Gen. E. B. Macnaghten (Chairman)

Messrs. G. W. Sheppard (Vice-Chairman)

A. D. Bell

N. S. Brown

J. W. Carney

S. L. Hsu

A. J. Hughes

N. Leslie

O. S. Lieu

O. Okamoto

T. D. Woo

Yu Ya Ching

The Director-General, and

The Deputy Secretary.

Absent:

Messrs. K. Fukushima

L. T. Yuan.

The Minutes of the last meeting are confirmed and signed by the Chairman.

339 Appointment of Chinese Official. - The Chairman reports that a meeting of the Special Committee was held this week when the application received were scrutinized, five thereof being left for further consideration. He understands that, until decision as to the designation of the official to be appointed is reached, a number of Chinese are withholding their applications. Another meeting of the Special Committee will be convened at an early date; in the meantime he will welcome any suggestions by members as to the designation of the official to be appointed.

340 Royal Asiatic Society - Grant. - A further letter from the President of this Society is submitted formally accepting, and expressing appreciation of the grant donated by the Council.

It is then proposed and unanimously carried that Mr. A. J. Hughes be elected to serve as the Council's nominee on the Council of this Society, Mr. Hughes agrees to serve in this capacity.

1497 The Minutes of the meeting of the Works Committee of January 13 are submitted and confirmed subject to the following modification. - Outer Western Area - Official Plans. - Opinion is divided as to the advisability or otherwise of refusing to supply copies of these plans to the Works Department of the Greater Shanghai Municipality, a majority of members taking the view that

such refusal might accentuate still further the difficulties of securing reciprocal action in matters in which co-operation is so earnestly desired; other members consider that copies of these plans should not be supplied until the specific purpose for which they are required is disclosed.

After discussion it is decided to authorize the Commissioner of Public Works to endeavour to ascertain precisely for what reason these plans are required by the Greater Shanghai Authorities, whereafter their request will receive further consideration. The Chinese members are also requested if possible to obtain information as to this.

With regard to the negotiations to define the status of extra-settlement roads, the Director-General, for the reasons given, states that he understands there is little prospect of progress being made during the next few months. The Chairman observes that he is meeting General Chang Chun informally next week, on which occasion he will enquire unofficially as to this.

The Minutes of the meeting of the Watch Committee of January 14 are submitted and confirmed. Anti-Kidnapping measures. - Subject to the views of the Commissioner of Police being elicited members regard it as desirable that publicity be given to the steps proposed to be taken to cope with the activities of armed kidnappers.

The Minutes of the meeting of the Finance Committee of January 15 are submitted and confirmed. Country Hospital - Finances. - Mr. Hughes states that he understands some difference of opinion exists amongst members of certain medical firms as to the type and number of the staff employed at this Institution. He is prepared, if desired, to transmit such views to Mr. Fessenden.

Taxation of Postal Property. - A letter is submitted from the Secretary of the Directorate-General of Posts applying for exemption from land tax on property occupied by the Postal Administration on the ground that, as this administration is a public utility service, the Chinese Government has exempted from taxation all its property in other parts of the Country.

Replying to the Chairman, the Deputy Secretary (Mr. Jones) states that, under Land Regulation I, Foreign Consulate sites and the Customs House "shall bear their share of the public burdens and Municipal taxes." The Customs Authorities have however disputed their obligation to pay such taxes and have paid no General Municipal Rate since 1871 although Land Tax has been paid to the end of 1930. In his opinion, the contention of the Customs Authorities that as the Land Regulations have at no time been approved by the Chinese Government, the Customs House should not be regarded in the same light as Foreign Consulate sites and properties for taxation

purposes cannot be upheld. Furthermore, there are a number of residential rooms in the Customs building which still further weakens their case. The Postal Authorities however request exemption on the ground that the Administration conducts a public utility service. If therefore exemption is accorded on this basis it would become necessary to consider the position of other public utility undertakings. It might be contended that the levy of land tax on Government owned property is inconsistent having regard to the fact that such properties in England are exempted from this form of taxation. For this reason therefore he suggests it might be advisable to reach a mutual agreement whereunder the relative section of the Land Regulations would be disregarded.

In order to reach a satisfactory agreement, the Director-General suggests the desirability of taking up this question with the Consular Body. Whilst there would appear to be no objection to exemption from taxation if this is limited to the Postal and Customs properties he points out that the number of buildings occupied by official and semi-official organizations will, in the future, tend to increase and unless the status of such is mutually agreed, the Council may be faced with a considerable loss of revenue.

To comply with the relevant section of the Land Regulations, the Vice-Chairman suggests that the Chinese Government might agree to pay Land tax on its properties on a fixed assessment, such properties to be excluded from future re-assessments.

After discussion it is decided that this question be taken up with the Consular Body, and that the proposal put forward by Mr. Sheppard be submitted for its consideration.

House Numeration - Conflict of Authority. - A letter is submitted from the 1631 Asia Realty Company outlining the difficulties which have arisen through the removal, by representatives of the Greater Shanghai Municipality, of the Council's number plates from a number of houses being constructed by the Company in Great Western Road.

The Director-General states that he has discussed this question with representatives of the Company and has also seen the property. The land is held under a Chinese title deed and merely has access from a Municipal Road. As the houses in question are situate in Chinese territory, the American Consul-General has intimated that he is unable to take any action on behalf of the Company. In his opinion the Council has no power to insist on municipal number plates being affixed to houses built on Chinese territory. The Council in the past has never claimed this right but has only taken such action by agreement with the occupier

that, in consideration of public utility services being provided, the Council's special rate will be paid.

Upon Mr. Hughes enquiring as to the objection to Chinese number plates being affixed to such houses, it is pointed out that such action on the part of the Chinese authorities has always been regarded by the Council as a preliminary to the collection of taxation.

Having regard to the views expressed by the Director-General, members direct that, in future, no municipal number plates be affixed to houses which, by reason of their situation, may lead to renewed friction with the Chinese Authorities. It is realized that a satisfactory solution of this question cannot be arrived at until the major question of the status of outside roads has been reached.

Foreign Staff Association. - Relative to the discussion at the meeting of October 29, the Director-General reports that he is informed by representatives of the Association that they are unable to agree to the amendment to the Articles of Constitution proposed by the Council. The reason given for their inability to accept this amendment was that it was quite impossible to forecast the future constitution of the Council. In recalling that the Council desired to prevent any attempt at collective bargaining on the part of the Staff, Mr. Fessenden states that, should this be attempted or should the Association engage in political activities, the Council would have its remedy in immediately withdrawing its recognition. In view of this, he is unable to endorse Mr. Hsu's proposal that specific reference be included in the articles of constitution forbidding any attempt at collective bargaining.

The Chairman points out that the Council has ruled that the articles of constitution for the proposed Chinese Staff Association shall be identical with those of the Foreign Staff Association; it therefore follows that the decision reached in the case of the Foreign Staff Association will apply to the Chinese Staff Association.

After considerable discussion and in view of the Council's safeguard referred to by the Director-General, it is decided to withdraw the request as to the insertion of this stipulation in the Articles of Constitution.

With regard to the formation of a Chinese Staff Association, the Director-General undertakes again to submit the proposed Articles of Constitution and Byelaws to the Chinese members of Council for purposes of comparison with those adopted by the Foreign Staff Association.

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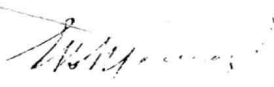
57084 The Municipal Gazette for Friday January 23 is submitted in proof and authorized for publication. - Greyhound Racing. - It is decided to publish the replies received from the two Greyhound Racing Organizations in the Gazette.

In connection with the Council's published decision to prohibit Greyhound Racing on March 31, next, Mr. Hughes states he was absent when this decision was reached and although as a member of Council he acquiesces therein he feels it might be desirable to modify this decision to some extent. In order to secure the support of public opinion and to minimise the losses of shareholders, Greyhound owners and others, he suggests that it might be possible to arrive at some arrangement whereunder, with the Council's approval the Stadium could be utilized for sports and recreation purposes and a limited amount of dog racing by the two organizations permitted, subject to elimination of its gambling element.

In his opinion, an announcement on these lines and an invitation to the Greyhound racing promoters to submit definite proposals would do much to allay the prevailing unrest and the criticism directed at the Council.

After discussion, members concur with the Chairman that any modification of the Council's announced decision would result in a further disorganization of the stock market and accentuate the difficulties of the existing situation. They are, therefore, unable to adopt the proposal put forward by Mr. Hughes.

The meeting terminates at 6.30 p.m.


Chairman.


Deputy Secretary.

At the meeting of the Council held on Wednesday, February 4, 1931, at 4.30 p.m.

there are:

Present:

Brig.-Gen. E. B. Macnaghten (Chairman)

Messrs. G. W. Sheppard (Vice-Chairman)

A. D. Bell

N. S. Brown

J. W. Garney

K. Fukushima

S. L. Hsu

A. J. Hughes

N. Leslie

O. S. Lieu

O. Okamoto

T. D. Woo

L. T. Yuan

Yu Ya Ching

The Director-General, and

The Deputy Secretary.

The Minutes of the last meeting are confirmed and signed by the Chairman.

599/ Appointment of Chinese official. - The Chairman reports that no further meeting of the Special Committee has been held and that the only suggestion as to designation which has been forthcoming is that of "Secretary for Chinese Affairs." This, he proposes, might be adopted by the Council.

Mr. Hsu suggests that, if this designation is adopted, it would be only logical to designate the Foreign Secretary of the Council as "Secretary for Foreign Affairs." He has discussed this question with his fellow members and they unanimously favours the designation of "Deputy Director-General."

Upon Mr. Bell enquiring whether, if this designation was adopted, and if for any reason the Director-General should be absent, it is intended that the proposed Deputy Director-General should function as the Council's Chief Executive Officer, Mr. Hsu replies that this aspect of the appointment has not been considered. To overcome any difficulty in this respect, he suggests that two Deputy Directors-General might be appointed, one foreign and one Chinese. Owing to the divergence of view as to designation he suggests that this question be referred back to the Special Sub-Committee.

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Although members deprecate the further delay which will ensue by adoption of this proposal, it is ultimately decided to again refer this question to the Special Sub-Committee, its recommendation thereon if possible to be circulated to the Council for approval.

5705/k Greyhound Racing. - In view of the doubt which exists in the mind of a certain section of the public as to whether the Council intends to adhere to its published decision that the Greyhound Racing Tracks shall cease to function on March 31, next, Mr. Leslie suggests that brief replies reiterating this decision be forwarded to the letters received from the Organizations concerned and that these be published in the Municipal Gazette.

This proposal is unanimously approved.

The Minutes of the meeting of the Staff Committee of January 22 are submitted and confirmed.

1408 The Minutes of the meeting of the Public Utilities Committee of January 23 are submitted and confirmed. Shanghai Waterworks Company - Investigation.

In connection with the engagement of an expert from America, which is approved, Mr. Bell states that the Company has suggested that in order to avoid delay a cabled request for the selection of an expert be forwarded to the American Waterworks Association.

After discussion, it is directed that the letter to this Association outlining the Council's requirements be drafted forthwith and that a summarized version thereof be cabled to enable the Association to give preliminary consideration to suitable candidates. The Association will however be requested not to make a definite selection until the Council's letter has been received.

The Minutes of the meeting of the Education Board of January 28 are submitted, and, subject to reference to the Finance Committee, are confirmed.

5613/5 The Minutes of the meeting of the Finance Committee of January 30 are submitted and confirmed. Education Policy. - The Vice-Chairman states that the views advanced by him during the course of this discussion are not quite clearly expressed. He desires it recorded that whilst he was unable to support the views put forward by Mr. Bell and Mr. Brown he did ultimately agree to adoption of the education policy in principle subject to full details thereof in all its aspects being furnished to the ratepayers. In particular, he desires to stress his opinion that all expenditure on educational facilities should be entirely divorced from the general municipal funds.

Messrs. Bell and Brown assure the Vice-Chairman that they

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concur in this view. Mr. Brown reminds members that the Annual Meeting is attended only by foreign ratepayers; he therefore regards it as important that the information to be furnished to them should be most clearly stated and the case for adoption of this policy sympathetically presented.

Mr. Bell suggests and members concur that it would be of assistance to the Council in its endeavour to get this policy adopted if the Chinese members could obtain an assurance from the Chinese community that it will agree to increased taxation for the specific purpose of additional educational facilities.

With regard to the issue of Grants-in-aid Mr. Bell states that the Education Board hopes to be in a position at an early date to frame a definite recommendation as to the amount to be included in the current year's Budget for this purpose.

Annual Ratepayers Meeting. - For the reasons advanced in a report furnished

1889 by the Commissioner of Public Works, members adopt his proposal that application be made to the Management of the Grand Theatre to hire this building for the purpose of holding the forthcoming Annual Meeting of Ratepayers.

In order to be assured that this building will be available for the purpose, it is directed that the necessary steps to secure it be taken forthwith.

Board of Film Censors. - The Chairman acquaints members with the contents of a

3605 letter written by the German Consul-General in his private capacity
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5809/ relative to the exhibition locally of "War-films." To meet the views therein expressed, the Chairman suggests that the existing membership of the Board of Film Censors be enlarged. The present membership consists of one Police representative, one British representative, and two Ladies of American and Chinese nationalities respectively. There are two vacancies caused by the resignations of Mrs. V. G. Lyman and Mr. Kuan Chun. He therefore suggests that the latter vacancy be filled by the appointment of a Chinese Gentleman. He further proposes that a Japanese representative (either lady or Gentlemen) be appointed as also one of a different nationality, possibly German.

The above proposals are unanimously endorsed the Chinese and Japanese members undertaking to submit recommendations as to their respective national nominees in due course.

The Municipal Gazette for Friday February 6, is submitted in proof and subject to minor amendments is authorized for publication.

The meeting terminates at 5.35 p.m.

J. M. H. K. C.
Deputy Secretary.

Chairman.

At the meeting of the Council held on Thursday, February 19, 1931, at 4.30 p.m. there are:

Present:

Brig.-Gen. E. B. Macnaghten (Chairman)
Messrs. G. W. Sheppard (Vice-Chairman)
A. D. Bell
N. S. Brown
J. W. Carney
K. Fukushima
S. I. Hsu
A. J. Hughes
N. Leslie
O. S. Lieu
O. Okamoto
T. D. Woo
L. T. Yuan
Yu Ya Ching
The Commissioner of Public Works,
The Director-General, and
The Deputy Secretary.

Mr. A. C. Clear attends.

The Minutes of the last meeting are confirmed and signed by the Chairman.

5892/1 Appointment of Chinese Official. - The Chairman reports that, at a recent meeting of the special Committee, the designation of the Chinese Official to be appointed was further discussed. The Chinese members withdrew the suggestion that this designation should be "Deputy Director-General", whereupon he proposed the designation "Secretary (Chinese)". The Chinese members of the Committee however desire that this official be designated "Secretary." He is unable to support this suggestion since, in his view, confusion would be inevitable having regard to the provisions of Land Regulation XXVII.

Replying to the Chairman, the Director-General states that, whilst under the Land Regulations the Council is not restricted in the appointment of senior officials, he is strongly of the view that the designation "Secretary" applied to two officials is impracticable. Although it is proposed that his own designation be altered to "Secretary-General", the holder of the post of Secretary under the provisions of Land Regulation XXVII may sue and be sued on behalf of the Council.

The Vice-Chairman suggests that this difficulty might be overcome by the issue of an announcement in the Gazette at the commencement of each year as to which of the joint holders of this post