

2ND DECEMBER, 1915

PRESENT:—

HIS EXCELLENCY THE GOVERNOR, SIR FRANCIS HENRY MAY, K.C.M.G.

HIS EXCELLENCY MAJOR-GENERAL F. VENTRIS (General Officer Commanding the Troops).

HON. MR. CLAUD SEVERN (Colonial Secretary).

HON. MR. J. H. KEMP (Attorney-General).

HON. MR. A. M. THOMSON (Colonial Treasurer).

HON. MR. E. R. HALLIFAX (Secretary for Chinese Affairs).

HON. MR. W. CHATHAM, C.M.G. (Director of Public Works).

HON. MR. C. MCI. MESSER (Captain Superintendent of Police).

HON. MR. WEI YUK, C.M.G.

HON. MR. H. E. POLLOCK, K.C.

HON. MR. E. SHELLIM.

HON. MR. D. LANDALE.

HON. MR. LAU CHU PAK.

MR. A. G. M. FLETCHER (Clerk of Councils).

Minutes

The minutes of the last meeting were confirmed.

The Late Mr. E. A. Hewett, C.M.G.

HIS EXCELLENCY — Since the last meeting this Council has suffered a very severe loss in the untimely death of the Hon. Mr. E. A. Hewett, C.M.G., who for over nine years was a member of this Council. For the same period he was a member of the Executive Council, for twelve years he was a member of the Sanitary Board, for a period of eleven years a member of the Medical Board, and for over two years a member of the Licensing Board. Now these responsibilities

cast upon the deceased member very onerous duties, but he performed these with very exceptional energy, and he assisted the Government and the Board on which he served with his very ripe experience and a very large measure of administrative capacity. He never spared himself, he had the courage of his own opinions, and he was, in everything he advocated, and in everything he did as a member of the bodies I have mentioned, actuated entirely by disinterested motives. He, therefore, rightly and justly earned the esteem and respect of the public and of the members of the Government with whom he was brought into contact. In one other respect which I have not alluded to he set a bright example to men much younger than himself in the Colony. Soon after the outbreak of war he enrolled himself as a member of the Volunteer Reserve, and it was only shortly before his death that he was induced on medical advice to cease the lesser activities of "D" Company in the Reserves. I have seen the hon. member on a field day when it was evident that he was straining his heart by the arduous work he was doing, and I should not be surprised if the service he so patriotically rendered for the Reserves may in some measure have shortened his life. I can only say that I wish many younger and able men in this Colony could be fired by his splendid example and do their duty by the Colony as he did his. I would ask you, therefore to adopt the following resolution: — "The Council deplores the loss it has suffered by the untimely death of the late Mr E. A. Hewett, C.M.G., and desires to record its deep appreciation of his valuable services, to the Council and to the Colony."

HON. MR. POLLOCK — Your Excellency, on behalf of the unofficial members of this Council I desire to say that we entirely associate ourselves with the resolution which has been moved, and with the words which have fallen from your Excellency in praise of our departed colleague. Of all the unofficial members of this Council I think, perhaps, I may claim personally to have been most closely associated with the deceased upon various occasions in this

Council and outside of it, in matters connected with the legislation of this Colony, and I feel, Sir, that in his death this Colony has suffered a great loss. It is only a few years ago, Sir, when His Majesty bestowed upon my deceased friend and colleague the honour of C.M.G., that I felt impelled to say, in writing to congratulate him upon this distinction, that I should have been more glad if the honour of Knighthood, which was almost at the same time conferred upon another unofficial member of Council in the Straits Settlements, had been bestowed upon my deceased friend. As your Excellency pointed out Mr. Hewett was at all times one to speak his mind freely and fully, and I feel, Sir, that it will be very difficult, if not impossible at this time, for his place to be adequately filled. He was at all times ready to champion any cause which was laid before him, and we shall very much miss, on the unofficial side of this Council, his bold and fearless advocacy.

The resolution was then passed in silence.

A Correction

HIS EXCELLENCY — Before proceeding to the business which appears on the Orders of the Day, I should like to make a short statement to the Council on the subject of the private nursing staff attached to the Government Civil Hospital. I find that the information which I gave to the Council in the course of my remarks at the meeting held on the 28th October was not quite correct. I stated that I did not think that any application for a private nurse had been refused, but I find that on two occasions it has been impossible to spare the services of a nursing sister, and that a further application for this month has been held over. I am afraid I am personally to blame, because I permitted three nurses to resign their posts here in order to go home and assist in the nursing of the wounded, wherever these services might be required. One of these nurses was Miss Bone. Her services here could have rightly been claimed by the Government, but I could not refuse her patriotic appeal, and it may solace some of those who have missed the services of a private nurse to learn that as soon as she arrived in England she was attached to a hospital at Aldershot, where she has done most meritorious work in nursing grievously injured soldiers. I have received a telegram to the effect that the second nursing

sister for the private nursing staff will leave Sydney on the 15th December, and she should therefore arrive in the Colony early in January, but in the meantime I have given instructions that two private nursing sisters must be available at one and the same time, so that the application for this month will be complied with. I desire to express my regret that the information which I gave to honourable members was incorrect.

Finance

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid on the table Financial Minutes Nos. 52 to 63 (omitting 59), and moved that they be referred to the Finance Committee.

THE COLONIAL TREASURER seconded, and this was agreed to.

THE COLONIAL SECRETARY — Minute 59 has been omitted pending further inquiries.

Papers

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid on the table the report of the proceedings of the Finance Committee held on October 28th, and moved that it be adopted.

THE COLONIAL TREASURER seconded, and this was agreed to.

Companies Ordinance

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, "An Ordinance to amend the law relating to Companies."

The "Objects and Reasons" state that this Bill is complementary to the China (Companies) Order-in-Council, 191 — , and the joint object of these two enactments is to increase the control over Hongkong companies which carry on business in China.

These companies fall into two classes, *i.e.*, companies which are managed from Hongkong, and companies which are managed from some place in China. The former class are termed in the Order-in-Council and Bill "Hongkong China Companies," and the latter class are termed "China Companies."

In the case of companies which are managed from Hongkong, the territorial jurisdiction of the Colonial Government and Courts enables an effective control to be exercised over the company through the persons of its directors and officers here, whatever their nationality. In the case, however, of companies of the second class, the directors and officers of which are resident outside the British Dominions, there is no effective control over the company unless some at least of the directors and officers are of British nationality, because the jurisdiction of the Supreme Court for China is in general confined to British subjects and protected persons. It is this difficulty which has led to the introduction of the above Order-in-Council and this Bill.

The solution which has been adopted is to require that Hongkong companies which are managed from some place in China shall have connected with them a certain number of British subjects on whom a personal control can be exercised, and to provide that the shares in any such companies which are limited by shares will be fully paid up within three months after allotment. The exact provisions in the case of companies limited by shares are that the majority of the directors, and the auditors, must be British subjects, that no person other than a British subject shall be appointed to act within the limits of the Order-in-Council as liquidator of such a company, or as receiver or manager on behalf of the debenture holders, except with the sanction of the Court, and that no shares shall be issued except either as fully paid up or upon the term that the shares shall be fully paid up within three months after allotment. The provision as to the shares is in order to avoid the difficulty of recovering calls from persons of non-British nationality in China. In the comparatively rare case of companies limited by guarantee, the provisions are that no such company shall be allowed to operate without the consent of the Minister, who may as a condition of this consent require that no person other than a British subject shall be a member, or that any member who is not a British subject shall give security for insuring the payment of the amount for which he would be liable under the guarantee.

The Order-in-Council also provides that the jurisdiction conferred by the Hongkong Companies Ordinances upon any Court shall within the limits of the Order-in-Council be exercised by the Supreme Court for China, and that that jurisdiction shall, subject to the provisions of the Order, be exercised in

conformity with the provisions of the Hongkong Companies Ordinances. The Order-in-Council and Bill together provide that in all matters relating to a Hongkong China company the jurisdiction of the Supreme Court of Hongkong and of the Supreme Court for China shall be concurrent and mutually auxiliary, and provisions are made for transferring proceedings from one Supreme Court to the other.

At the same time provision is made for the establishment of a Register of companies at Shanghai, where all documents relating to China companies will be filed and fees paid.

The opportunity has also been taken of making certain minor amendments in the law which are desirable. These will be referred to specifically below:

Clause 1 is formal.

Clause 2 contains definitions, the definition of "China Company," "Hongkong China Company," and "British Company," being taken from the Order-in-Council. The nomenclature of the Order-in-Council has been departed from in one respect, namely, in substituting the term "The Companies Ordinances" for the term "The Ordinance."

Clause 3 proposes to establish a Register at Shanghai and provides that all acts done by or before the Registrar at Shanghai shall be of the same validity as if they had been done by or before the Registrar of Companies in Hongkong. It also directs that all documents required by the Companies Ordinance to be filed with the Registrar of Companies shall in the case of a China Company be filed with the Registrar at Shanghai, and that a copy of all such documents shall in the case of a Hongkong China Company, as defined in the Bill, be filed with the Registrar at Shanghai. It also provides that all fees which a company is required to pay to the Registrar of Companies shall in the case of a China Company be paid to the Registrar at Shanghai.

Clause 4 deals with the question of transfer from one Register to another, either on notice by the company concerned or on the motion of one of the two Registrars, and provides for an appeal to the Supreme Court from any order of transfer.

Sub-clause (6) of this clause is inserted in order to bring the notices referred to within the terms of the Table of Fees in the First Schedule to the Companies Ordinance, 1911.

Clause 5 is complementary to corresponding provisions in the Order-in-Council, and the two sets of clauses taken together are intended to make the Supreme Court of Hongkong and the Supreme Court for China of concurrent jurisdiction, and auxiliary to each other, in all matters relating to a Hongkong Company, as defined in the Bill. The clause also empowers the Supreme Court of Hongkong to enforce orders of the Supreme Court for China in all matters relating to China Companies.

Clause 6 enacts certain amendments in the Companies Ordinance, 1911. Most of these are self-explanatory and are necessitated by the new order of things introduced by the Order-in-Council. The others are shortly referred to below.

Sub-clause (1) of clause 6 repeals a clause which will not be necessary when the Supreme Court and the Supreme Court for China are auxiliary to each other.

Sub-clause (2) of clause 6 repeals three subclauses which are unnecessary, notice of the situation of the registered office being sufficiently, and more suitably, dealt with in section 63 of the Companies Ordinance, 1913. There is no precedent in the Companies (Consolidation) Act, 1908, for these three sub-clauses.

Sub-clause (3) of clause 6 is intended to prevent the improper use of the word "British" in the names of companies. The proviso is added because all China Companies will have a real and substantial British character.

Sub-clause (6) of clause 6 is intended to assist in marking the distinction between China Companies and other limited companies, established under the law of a foreign State, which are not subject to British control in China.

Sub-clause (7) of clause 6 is intended to correct a slight error which crept into the Companies Amendment Ordinance, 1913. This point is further dealt with in clause 8 (1).

Sub-clause (10) of clause 6 is an attempt to impose more stringent conditions on the commencement of business by a new company in order to prevent fraud.

Sub-clause (12) of clause 6 provides that an application for the appointment of inspector may be made by either Registrar of Companies as well as by members of the company.

Sub-clause (13) of clause 6 deals with three points:

Paragraph (a) corrects a slight error introduced by the Companies Amendment Ordinance, 1913.

This point is also dealt with in clause 8 (2).

Paragraph (b) repeals the proviso added by the Companies Amendment Ordinance, 1913, as this proviso appears to be unnecessary. This point is also dealt with in clause 8 (3).

Paragraph (c) enacts that the provision of the Companies Amendment Ordinance, 1913, for the formation of a list of authorised auditors shall not apply in the case of a China Company, as it is considered undesirable that there should be any such list in the case of China Companies.

Sub-clause (15) of clause 6 gives both Registrars power to apply for a winding-up order.

Sub-clause (20) of clause 6 corrects an obvious misprint in article 50 of Table A in the First Schedule to the Companies Ordinance, 1911.

Clause 7 excepts China Companies from the operation of the sections of the Companies Ordinance, 1911, which deal with the question of local registers. It retains, however, the annual fee heretofore paid by companies with local registers in China, as it re-enacts that shares in such companies shall be exempt from transfer duty and probate and estate duty, except in the case of transfers where the transfer is executed by the transferor in the Colony.

Clause 8 makes the necessary amendments in the Companies Amendment Ordinance, 1913, which have been referred to above under subclauses (7) and (13).

Clause 9 provides that the Companies Ordinance, in so far as they affect companies carrying on business within the limits of the China Orders-in-Council, shall be read with and subject to the Order-in-Council above referred to.

Clause 10 is intended to suspend the commencement of the Ordinance until the date when the Order-in-Council comes into operation.

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

Imports and Exports

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, "An Ordinance to amend the law relating to importation and exportation."

The "Objects and Reasons" state that the object of this Bill is to give the Governor-in-Council power to make from time to time such provisions as may be necessary for regulating and restricting importation into the Colony and exportation from the Colony.

The powers conferred may seem wide, but they appear to be justified by three considerations. One is that the measure is a war measure. The second is that the ingenuity of persons who attempt to evade the law must be met from time to time by fresh measures introduced with the least possible delay. The third is that a quick and elastic form of legislation is desirable in the interest of legitimate trade.

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

Full Court Ordinance

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, "An Ordinance to amend the Full Court Ordinance, 1912, and to make further provision for the constitution of the Full Court." In doing so he said: —

The objects of this Bill are two in number. The first is to give a Full Court of two judges jurisdiction in all applications for leave to appeal from the Full Court here to the Privy Council. Such applications are generally simple and frequently formal, and sometimes cannot afford to wait for the arrival of the third judge from Shanghai. The other object of the Bill is to provide that the Full Court, sitting here on appeal to it from a single judge, may, in any case, consist of two judges only instead of three if, in the opinion of the judge whose order or judgment is being appealed from, and in the opinion of the other two judges, the presence of the judge whose judgment is being appealed from is unnecessary. This would be useful in case of a long session of the Full Court, which might otherwise lead to great congestion in the ordinary work of the Court. I beg to move the second reading.

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

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

On Clause 2, sub-clause 2,

THE ATTORNEY-GENERAL moved that this be omitted and that the following sub-clause be substituted: —

"(2) In all applications for leave to "appeal to His Majesty in Council and in all matters incidental thereto the Full Court may

consist either of two or of three judges."

On Council resuming,

THE ATTORNEY-GENERAL moved that the Bill be read a third time.

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

Trading with the Enemy

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, "An Ordinance to amend further the Trading with the Enemy Ordinance, 1914." In doing so he said: —

The objects of this Bill, Sir, are not, I think, of any great importance in the present conditions of the Colony, but they are introduced in order to assimilate the laws of this Colony to the laws on this subject in the United Kingdom. Clauses 5 to 7 are practically copied from the recent Trading with the Enemy Amendment Act, 1915, which was recently passed by the Parliament of the United Kingdom. Clauses 2 and 3 are intended to somewhat improve the provisions restraining the registration of Companies formed for the purpose of acquiring undertakings and firms which though not entirely of enemy character yet have a certain amount of enemy character, or such connection with the enemy as to render them liable to suspicion. Clause 4 provides, again following the law in England, an additional ground for the appointment of a controller of a business where such appointment seems desirable owing to circumstances arising out of the present war. Though it is not probable that reliance will have to be placed on this section here, yet it is just as well to have power in case the circumstances should arise. I beg to move the second reading.

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

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

The Bill passed through Committee without amendment, and on Council resuming.

THE ATTORNEY-GENERAL moved that it be read a third time.

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

Magistrates Ordinance

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, "An Ordinance to amend the Magistrates' Ordinance, 1890, and for purposes connected therewith." In doing so he said: —

Clause 2 and 3 of the Bill, Sir, which are the most important portion of it are to enable the Magistrate to proceed *ex parte* upon failure of a defendant who is summoned to appear. The Magistrates here have no power to proceed *ex parte* unless the summons is merely one which asks for an order; they have no power to convict and fine. That power has existed in England for at least 68 years and these two clauses assimilate the law here to that in force in England. Clause 4 is an auxiliary clause to make it quite clear that these provisions will apply to every summons issued after the commencement of this Ordinance, even if the act for which the summons is issued was done before the Ordinance was brought into force. Clause 5 proposes to raise the maximum fine in cases of indictable offences, tried summarily, to \$250 instead of \$100. This amount is generally in force in England, and the maximum of \$100 seems too low for the ordinary cases of indictable offences tried summarily. Clause 6 is intended to give the Magistrates power in all cases, if they think fit, to impose a fine instead of imprisonment. In most cases here already they have power, but in a few cases the powers do not exist and inconvenience has been felt on more than one occasion. The Magistrates have felt that punishment by imprisonment was too severe, but they have had no option but either to imprison or to discharge the defendant without any punishment at all. Clause 7 is intended to give a different title to Ordinance 28 of 1913 from the title to Ordinance 3 of 1913. I beg to move the second reading.

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

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

The Bill passed through Committee without amendment, and on Council resuming,

THE ATTORNEY-GENERAL moved that it be read a third time.

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

Chinese Passenger Ships

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, "An Ordinance to amend and consolidate the law relating to 'Chinese Passenger Ships' as defined by the Chinese Passengers' Act, 1855, and concerning Asiatic Emigrants generally." In doing so he said: —

This Bill, Sir, has received very careful consideration both here, and by the Secretary of State, and in the Straits Settlements, and a long time has elapsed since its first introduction. Generally the object of the Bill is not to effect any great changes in the law, but to classify and simplify the somewhat disconnected provisions of the present Chinese Emigration Ordinance, to bring it up to date, and to omit provisions which at the present day are obsolete and unnecessary. The chief differences between this Bill and the present law are that all reference to contracts emigrants is omitted, contract emigrants being a thing of the past; a number of sections dealing with illegal fittings on emigrant ships are left out because the state of things aimed at by these provisions no longer exists; voyages are classified into two divisions, long and short; and the provisions of the Bill relating to medical requirements, life-saving apparatus, and the penal provisions, are collected and arranged in more convenient form than in the old ordinance. Additions have also been made to the schedules providing for the case of Indian emigrants, who are not provided for in the present law. The Bill is largely a technical one, and I do not think it is necessary for me to go any further into the Bill, but if questions arise in the course of the passage of the Bill through Committee, I shall be very glad to give any explanations that I can with regard to them. I beg to move the second reading.

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

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

On Clause 17, "emigrant ship to carry only free emigrants,"

HON. MR. LANDALE asked — Does that refer to assisted emigrants or are they recognised as free emigrants?

THE ATTORNEY-GENERAL replied that Clause 2 defined "free emigrants. Assisted emigrants were those who were assisted by payment of passage money or otherwise.

On Clause 27, "medical inspection, of assisted emigrants,"

HON. MR. LANDALE — Is it necessary to have assisted emigrants inspected twice?

THE GOVERNOR — It is, apparently, under this clause.

THE COLONIAL TREASURER — It may be dispensed with.

HON. MR. LANDALE — But why should they be inspected twice, if the others are only inspected once. Is not once sufficient?

THE COLONIAL TREASURER — It might be dispensed with, with the sanction of the Governor.

THE ATTORNEY-GENERAL said that they would always have power to dispense with the second examination.

THE SECRETARY FOR CHINESE AFFAIRS said that this was introduced to prevent impersonation. The second examination was done by the Medical Officer, who was always on board.

HON. MR. POLLOCK — The trouble is that certain people receive advance payments and then get a substitute.

THE SECRETARY FOR CHINESE AFFAIRS — Also, undesirable emigrants are substituted.

THE GOVERNOR — There has been a lot of trouble through substitution formerly. This is the existing law, is it not?

THE SECRETARY FOR CHINESE AFFAIRS — It is existing.

THE GOVERNOR — If there is any real objection it can be dispensed with.

On clause 30. "right of Chinese medical practitioner to be surgeon of a ship,"

HON. MR. LANDALE asked if the Straits' Government recognised a Chinese medical practitioner, after approval by the Governor here?

THE ATTORNEY-GENERAL replied that he believed that they did not, and all ships carrying emigrants to the Straits Settlements would have to comply with the immigration laws of that Colony.

HON. MR. POLLOCK — It does not seem right to approve of them if they are not recognised. A difficulty would be created.

THE GOVERNOR — In many places they the recognised now.

There were some slight amendments to clauses 42 and 44, and also slight alterations to schedule 4.

On Council resuming,

THE ATTORNEY-GENERAL moved that the Bill be read a third time.

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

FINANCE COMMITTEE.

A meeting of the Finance Committee followed, the Colonial Secretary presiding.

Compensation

THE GOVERNOR recommended the Council to vote a sum of \$2,000 in aid of the vote Public Works, Extraordinary, compensation for resumptions of land at Sham Shui Po.

THE CHAIRMAN — This sum, and the sum asked for in another minute for similar work at Sham Shui Po, is in connection with the resumption of lands. They form a part of the scheme for resetting out the town. The sum mentioned has, I understand, already been expended.

HON. MR. POLLOCK asked what was the object of resumption.

THE CHAIRMAN replied that the scheme being carried out at Sham Shui Po was in connection with Government reclamation there. It was a very big work and it was going on gradually as opportunities offered. A new road was also being made from the Tai Po road.

The vote was agreed to.

New Territory Improvements

THE GOVERNOR recommended the Council to vote a sum of \$2,185 in aid of the vote Public Works, Extraordinary, New Territories, Miscellaneous, Improvements of Ap Lui Village.

THE CHAIRMAN said that this was in connection with a scheme for improving Ap Lui vilage. In 1913 a Board of Arbitrators was appointed and they made certain recommendations, and when the villagers agreed they were paid certain sums. He thought these payment nearly completed the matter.

THE DIRECTOR OF PUBLIC WORKS — There are a few outstanding, but the people who have hitherto refused to accept what we offered are coming round and accepting.

The vote was agreed to.

Police and Prison

THE GOVERNOR recommended the Council to vote a sum of \$5,210 in aid of the following votes: —

Police and Prison Department

A. — Police, Other Charges: —

Bedding, Mess Utensils, etc.	\$ 280
Clothing and Accoutrements	4,930

Total	\$5,210

THE CHAIRMAN — This is caused entirely by the increased cost of goods which have been ordered from England.

The vote was agreed to.

Travelling Expenses

THE GOVERNOR recommended the Council to vote a sum of \$100 in aid of the vote Audit Department, Other Charges, Transport and Travelling.

THE CHAIRMAN — These sums are incurred by unforeseen travelling expenses. The ferry fares are higher; many special visits have been necessary to the Railway Offices. Two thirds of the amount mentioned will not be incurred again.

The vote was agreed to.

Kowloon British School

THE GOVERNOR recommended the Council to vote a sum of \$1,000 in aid of the vote Public

Works, Extraordinary, Kowloon, Miscellaneous, Kowloon British School — alterations to latrines and urinals.

THE CHAIRMAN — This is for an entire rearrangement of the latrines and urinals at the Kowloon British School. The extension of the school, amounting to \$6,500, was not proceeded with, so that amount has been saved on the one hand and this sum has been re-incurred on the other. It is very necessary work.

The vote was agreed to.

Tai Po Buildings

THE GOVERNOR recommended the Council to vote a sum of \$5,500 in aid of the vote Public Works, Extraordinary, New Territories, Buildings, Tai Po Quarters — addition to provide accommodation for bailiff.

THE CHAIRMAN — This sum is for the quarters for the bailiff at Tai Po, which has been carried out departmentally. This is the first work carried out departmentally in the New territories, and though it has cost more than expected it has given the department an insight into the difficulties of construction in the New Territory. I think it is useful.

HON. MR. LANDALE — Could not the work have been done by contract?

THE CHAIRMAN replied that tenders were called for, some of which were rather less than they had spent. The Director of Public Works thought that though a saving might not be effected by doing the work departmentally the result would be beneficial if only for ascertaining the difficulties liable to occur in connection with work in that district. The lowest tender was about \$1,000 less than the cost of the work, but he thought that the contractor would have been very unwilling to carry out the work, and in view of the experience gained it had not been expensive.

THE COLONIAL TREASURER — I expect if you had let the contract for \$12,000 you would have had to spend about \$15,000.

THE CHAIRMAN — The contractor might have found himself entirely unable to carry out the work contracted for.

HON. MR. SHELLIM inquired what were the difficulties?

THE DIRECTOR OF PUBLIC WORKS — Transport of material is one great difficulty, and it is a common occurrence for fever to occur among the work-people out there. Contractors are very diffident about accepting building contracts for that district.

THE CHAIRMAN remarked that generally speaking the cost quoted for New Territory had gone up about 30 per cent. in the last two years. This work was really undertaken as a test to find out the nature of the difficulties. In that case he thought it was justified.

HON. MR. SHELLIM — Do you consider it cheaper to be done by contract, or departmentally?

THE CHAIRMAN replied that it had cost \$1,000 more than the tender in this case, but it was impossible to say whether the contract would have been carried out. It might have resulted in compensation and other additional sums having to be expended. They could take it that the worst which had happened was that the experiment had cost them \$1,000.

The vote was agreed to.

Survey of Colony and Boundary Stones

THE GOVERNOR recommended the Council to vote a sum of \$350 in aid of the following votes:

Public Works, Extraordinary, Hongkong,
Miscellaneous.

(1.) — Survey of Colony	\$150
(2.) — Boundary Stones	200

Total	\$350

THE CHAIRMAN — These two items have been caused, one by more boundary stones being required and the other is due to the survey. These were matters which could not be anticipated when the estimates were drawn up.

The vote was agreed to.

Repairs to Dredger

THE GOVERNOR recommended the Council to vote a sum of \$1,500 in aid of the vote Public Works, Recurrent, Upkeep of Plant, Repairs to Dredger *St. Enoch*.

THE CHAIRMAN explained that the dredger had broken down during the work it was carrying out in fulfilment of a promise by the Government.

THE DIRECTOR OF PUBLIC WORKS remarked that a new iron cable was required for the dredger, because the old cable was in such a condition that it was constantly giving way, causing very serious delays in the progress of the dredging operations. The new cable cost \$1,541.

HON. MR. POLLOCK — What work is the dredger doing?

THE CHAIRMAN — It is dredging the approaches to the proposed new wharf at Kowloon.

The vote was agreed to.

Tytam Water Works

THE GOVERNOR recommended the Council to vote a sum of \$105,000 in aid of the vote Public Works, Extraordinary, Hongkong, Water Works, Tytam Tuk Scheme, second section.

THE DIRECTOR OF PUBLIC WORKS explained that \$75,000 was due to pumping machinery not arriving in 1914 owing to the outbreak of war. It did not arrive until this year, and the expense had thus fallen into this year. More progress had also been made with the main work than was anticipated.

The vote was agreed to.

Prisoners of War

THE GOVERNOR recommended the Council to vote a sum of \$68,000 in aid of the vote Miscellaneous Services, Maintenance of prisoners of war.

THE CHAIRMAN said that up to the end of July the cost of maintenance was \$48,600. A sum of \$19,400 would be required up to November 30th.

The vote was agreed to.

Resumptions of Land

THE GOVERNOR recommended the Council to vote a sum of \$1,524 in aid of the vote Public Works, Extraordinary, Compensation for resumption of land at Sham Shui Po.

The vote was agreed to.