

5TH APRIL, 1917.

**PRESENT:—**

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

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

HON. MR. CLAUD SEVERN, C.M.G. (Colonial Secretary).

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

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. P. H. HOLYOAK.

HON. MR. C. E. ANTON.

MR. J. A. E. BULLOCK (Clerk of Councils).

**Minutes**

The minutes of the last meeting were confirmed.

**Finance**

THE COLONIAL SECRETARY laid on the table Finance Minute No. 11, and moved that it be referred to the Finance Committee.

HON. MR. WEI YUK seconded, and this was agreed to.

THE COLONIAL SECRETARY also laid on the table report of proceedings of Finance Committee, No. 3, and moved that it be adopted.

HON. MR. WEI YUK seconded, and this was agreed to.

**Questions and Notice of Motion  
by Hon. Mr. Holyoak**

HON. MR. HOLYOAK.—Sir, I beg to give notice that at the next meeting of the Council I shall move the following resolution:—It is the opinion of this Council that it is in the best interest of the Colony of Hongkong that persons of German nationality should be excluded therefrom for a period of at least 10 years following the declaration of peace; and that, subsequently, they be only admitted into the Colony under strict licence.

I also beg to give notice that I shall ask the following questions:—

1.—Will the Government state whether the attention of the Secretary of State for the Colonies is especially drawn on all occasions to motions made by unofficial members which have been defeated by the use of the Official Majority against the unanimous vote of unofficial members of Council?

2.—Will the Government also state whether on all occasions when a Bill, or any part of a Bill, is passed by the use of the Official Majority against the unanimous vote of the unofficial members of Council, a special explanation is given to the Secretary of State of the Colonies to justify the use of the Official Majority, and are the circumstances of different cases fully set forth in a special despatch?

3.—Will the Government state when the German Bank and other "immovable" German private property will be sold by public auction?

4.—Having regard to the fact that the German Bank property has already been advertised for the prescribed period of three months, will it be considered necessary to advertise it again for any period longer than a few days?

**Merchant Shipping**

THE ATTORNEY-GENERAL moved the second reading of a Bill intituled, "An Ordinance to amend the Merchant Shipping Ordinances, 1899-1913." In doing so he said:—The abnormal state of things occasioned by the circumstances

of the present war have caused a shortage in the number of competent and suitable officers, deck officers, and engineers for steamers, and this Bill proposes to relax the ordinary peace requirements with regard to such officers in the case of river steamers not exceeding 400 tons. It is obvious, of course, that any relaxation of these peace conditions can be better effected in the case of river steamers than in the case of ocean-going vessels. The effect of Section 2 of the Bill will be that in future river steamers not exceeding 400 tons net registered tonnage will be able to proceed on their voyages with a master and three Chinese pilots. The present requirements are a master and a certificated officer. The section also provides that such river steamers will be enabled to proceed on their voyages if they have on board one qualified engineer and one engineer holding a certificate of competency granted by the Harbour Master, providing the Harbour Master approves of the man, that he is suitable for this kind of employment. At present, steamers of over 100 nominal horse-power have to carry two certificated engineers. If this Bill is passed these steamers will be enabled to sail with one fully qualified engineer and one engineer holding a local certificate, if he has the special approval of the Harbour Master for this service. That, Sir, is one object of the Bill. The second object is to enable regulations to be made so as to require launches at present not licensed to be licensed. It is not intended to require purely pleasure motor boats to take out a licence, but owners of launches and motor boats which are used for trade will in future, if this Bill is passed by hon. members, be required to take out a licence and to pay a licence fee. As that amendment has involved alterations in Section 37 of the principal Ordinance, and as there were certain other details in the section which required amendment, the section is by this Bill repealed, and another section substituted containing those amendments in detail. Opportunity has also been taken of transferring to the regulations certain provisions which really are more appropriate to regulations than to an Ordinance. The draft of the regulations proposed to be made under this Bill were published in the *Gazette* on Friday last. The third object of the Bill, which is dealt with in Clause 4, is to give the Governor-in-Council power to

make regulations for the purpose of prohibiting, restricting, regulating and controlling in any manner whatsoever, the embarkation or landing of persons or things on or from vessels of all kinds. That power has been suggested by the circumstances arising out of the present war, but it seems one which the Governor-in-Council ought properly the Governor-in-Council ought properly to possess permanently, and it is therefore placed in this Ordinance instead of being made part of the existing war legislation which is enacted under different powers. As a matter of fact the Governor-in-Council has already certain powers of regulation and control, but they are not general. It is thought better to give a general power which will cover everything. I beg to move the second reading.

THE COLONIAL SECRETARY seconded.

HON. MR. POLLOCK.—It seems, Sir, from the Objects and Reasons that Clause 2 of this Bill is necessary. But I think it must be obvious to everybody that it is undesirable as a general principle that there should be only one European officer in charge of the deck and one European officer in the engine-room in view of the possibility of collision with another steamer, fire, internal disturbances on board of any kind, and piratical attack from the outside. Therefore, Sir, I venture to express the hope that as soon as possible after the present conditions, which render it difficult to get European officers, close, this Clause 2 may be repealed. I see, Sir, it is proposed to make it in force during the continuance of the present war, and thereafter for only such time as may be appointed by order of the Governor-in-Council. As I have said, Sir, I think it is very desirable that this provision should not be in force in this Colony even until the end of the war, assuming that the conditions before the end of the war are such that it is reasonably possible to have an European mate and an European second engineer on these steamers. I think we must all feel that this Bill will leave the steamers very shorthanded as regards European officers in the event of any such contingency as I have mentioned.

HIS EXCELLENCY—I think we all must recognise that this is an emergency measure, and as it is extremely unlikely that the number of certificated officers will increase before the end of the war, I think it is better to leave the Section as it stands. We quite realise that there are many objections to having only one deck officer and one engineer in charge.

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

The following addition was made to the first marginal note, "Ordinances No. 10 of 1899, and 25 of 1913."

On Clause 2,

THE ATTORNEY-GENERAL remarked that even after war concluded it would not be possible to suddenly change the regulations on that point. Some period would have to elapse before other arrangements could be made.

HON. MR. POLLOCK—Could not the section remain in force until such time as it may seem fit to be altered by order of the Governor-in-Council?

HIS EXCELLENCY—I do not think an amended Clause would be any better. This Clause emphasises the fact that it is for the continuance of the war.

THE ATTORNEY-GENERAL—That is the intention of the wording. It is a war measure.

THE COLONIAL SECRETARY—It is merely legislation made until the conclusion of the war. Then the conditions existing at present will be changed.

HON. MR. POLLOCK—Then it had better stay as it is. If necessary, we can ask for it to be repealed at some future date.

Clause 2 remained, and Council resumed.

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

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

HIS EXCELLENCY—Council stands adjourned until this day fortnight.

FINANCE COMMITTEE.

A meeting of the Finance Committee followed, the COLONIAL SECRETARY presiding.

### **Kowloon Water Works**

The Governor recommended the Council to vote a sum of seven hundred and ten dollars (\$710) in aid of the vote Public Works, Extraordinary, Kowloon Water Works, (44) Miscellaneous Water Works.

THE CHAIRMAN—In the estimate for the current year there is a vote of \$3,000 under Public Works Extraordinary, Kowloon, Water-works. It is proposed to expend that amount in erecting a street fountain at a cost of about \$100, and to build a perforated tile invert for one of the filters at a cost of \$3,600. These two works have caused an excess on the vote of \$710. I will ask the Director of Public Works to explain what is the urgency of the perforated tile invert which will justify Council in passing the vote.

THE DIRECTOR OF PUBLIC WORKS—The reason for it is, Sir, that this particular filter bed must be dealt with at the present time. It is leaking rather badly, and in need of repairs, and in order to effect the necessary repairs it must be entirely emptied. This new perforated tile invert will be substituted for a large quantity of broken stones which has hitherto been used is the filtering material in the filter beds. The perforated tiles will effect a better filtration than the broken stones hitherto used, and will be much more easily handled. Instead of postponing the introduction of these tiles it is desired to apply them now because delay will add considerably to the expense if the old materials have to be used until some future date and the tiles then substituted.

THE CHAIRMAN—Will the use of the tiles effect any saving in labour in cleaning the filter beds?

THE DIRECTOR OF PUBLIC WORKS—It will in course of time. Of course they are not very often taken out, but they are from time to time.

THE CHAIRMAN—It will cost less to clean the filter beds with these tiles?

THE DIRECTOR OF PUBLIC WORKS—Yes.

The vote was agreed to.