

31st March, 1927.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR (SIR CECIL CLEMENTI, K.C.M.G.).

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (MAJOR-GENERAL C. C. LUARD, C.B., C.M.G.).

THE COLONIAL SECRETARY (HON. MR. W. T. SOUTHORN).

THE ATTORNEY-GENERAL (HON. SIR JOSEPH HORSFORD KEMP, KT., K.C., C.B.E.).

THE COLONIAL TREASURER (HON. MR. C. MCL. MESSER, O.B.E.).

HON. MR. E. R. HALLIFAX, C.M.G., C.B.E. (Secretary for Chinese Affairs).

HON. MR. H. T. JACKMAN (Acting Director of Public Works).

HON. MR. E. D. C. WOLFE (Captain Superintendent of Police).

HON. SIR HENRY EDWARD POLLOCK, KT., K.C.

HON. SIR SHOU-SON CHOW, KT.

HON. MR. A. O. LANG.

HON. MR. H. W. BIRD.

HON. MR. R. H. KOTEWALL, C.M.G., LL.D.

HON. MR. D. G. M. BERNARD.

MR. D. W. TRATMAN (Clerk of Councils).

NEW MEMBER.

Hon. Mr. H. T. JACKMAN, Acting Director of Public Works, took the oath upon taking his seat as a member of Council.

MINUTES.

The minutes of the previous meeting of the Council was confirmed.

PAPERS.

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

Rules made under section 16 (1) of the Peak Tramway Ordinance, 1883, on 23rd September, 1926.

Regulations made under section 2 of the Emergency Regulations Ordinance, 1922, on 3rd March, 1927.

Order made under section 5 of the Dangerous Goods Ordinance, 1873, on 8th March, 1927.

Regulations made under section 5 of the Dangerous Goods Ordinance, 1873, on 8th March, 1927.

Regulations made under section 2 of the Emergency Regulations Ordinance, 1922, on 10th March, 1927.

Appointment made under section 40 of the Liquors Consolidation Ordinance, 1911, on 30th December, 1926.

Rules made under section 6 of the New Territories Regulation Ordinance, 1910, on 30th December, 1926.

Regulations made under section 95 of the Liquors Consolidation Ordinance, 1911, on 30th December, 1926.

Regulation made under section 11 of the Volunteer Ordinance, 1920, on 25th March, 1927.

Jurors List for 1927. (Sessional Paper No. 2 of 1927).

INTERPRETATION ORDINANCE.

THE ATTORNEY-GENERAL moved the third reading of the Bill intituled, An Ordinance to amend the Interpretation Ordinance. He said—In introducing this Bill I said something which might perhaps be misunderstood. I referred to mistakes discovered in the new edition of the Ordinances prepared by Mr. A. Dyer Ball. It is true some mistakes were found, but many of them were merely typographical mistakes and none I think was of any real importance. I wish to correct the impression that I may have created that there were any substantial mistakes.

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

PROMISSORY OATHS ORDINANCE.

THE ATTORNEY-GENERAL moved the third reading of the Bill intituled, An Ordinance to amend the Promissory Oaths Ordinance, 1869.

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

ACCIDENTS IN FACTORIES.

THE ATTORNEY-GENERAL moved the second reading of the Bill intituled, An Ordinance to provide against accidents in factories.

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

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

Section *a* of Clause 2 of the Bill read:—

"Factory" means any premises in which any machinery, other than machinery worked entirely by hand power, is used in any commercial undertaking.

HON. MR. D. G. M. BERNARD—What is the signification of the word "commercial" in this paragraph?

THE ATTORNEY-GENERAL—The definition comes from the English legislation. I take it that it means an undertaking for the acquisition of profit by means of trading or production. It does not cover, for example, the premises belonging to the University or the machinery in the Naval Yard.

HON. MR. D. G. M. BERNARD—If these regulations are necessary for any machinery should they not be applicable likewise to the undertakings mentioned?

THE ATTORNEY-GENERAL—The only important machinery that I can think of which might possibly require the same regulations would be on the premises owned by the Colonial Government and by the Naval Authorities. In their case, of course, they would not be bound by the Ordinance unless the Crown was specially mentioned. It is not usual to pass Ordinances to bind the Crown.

H.E. THE GOVERNOR—We have the railway workshops and a motor garage in which a certain amount of work is done. Apart from those I only know of the workshops at the University.

HON. MR. H. W. BIRD—There is the pumping station.

H.E. THE GOVERNOR—Yes, there is the pumping station, and in the Naval Yard, of course, there are very large works.

HON. MR. A. O. LANG—Why should they be exempt when the Hong Kong and Whampoa Docks and the Taikoo Docks, where similar work is done, are not exempt? Should not the dockyards I have mentioned be exempt on account of the fact that they are under European supervision?

H.E. THE GOVERNOR—I very much doubt whether we ought to do that.

THE ATTORNEY-GENERAL—The precautions which it is intended to impose, Sir, are all very reasonable. The draft of the regulations to be imposed has been published.

H.E. THE GOVERNOR—We have received no objection from any firm which owns factories in the Colony.

HON. MR. A. O. LANG—The regulations have been criticised among people connected with the undertakings I have mentioned.

H.E. THE GOVERNOR—Have they mentioned any specific point?

HON. MR. A. O. LANG—They consider it unfair that legislation should be brought in which affects them and does not affect the Naval Yard where exactly the same work is done.

THE ATTORNEY-GENERAL—The regulations apply to all commercial undertakings. No places are exempt which are in any way in competition with commercial undertakings.

HON. MR. D. G. M. BERNARD—The point I had in mind was that if these regulations are necessary for safety in one case they are necessary in all cases.

H.E. THE GOVERNOR—It may be that the Admiralty have no objection to bringing the Naval Yard under this Ordinance. The Government of the Colony has no objection to bringing its factories under the Ordinance, and in this matter I can speak for the Public Works Department. The best method would perhaps be to refer to the Secretary of State to find out whether there is any objection to the Naval Yard being brought under the Ordinance. If there is none, the word "commercial" might be struck out.

THE ATTORNEY-GENERAL—The Naval Yard might undertake to use the same precautions as outlined in the regulations without any actual legislation.

H.E. THE GOVERNOR—I will take the matter up.

Upon Council resuming,

THE ATTORNEY-GENERAL moved the third reading of the Bill.

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

HONORARY DEGREES AT UNIVERSITY.

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to amend the University Ordinance, 1911. He said—The object of this Bill is to amend the University Ordinance so as to deal in it expressly with the machinery of granting honorary degrees.

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

BASEL EVANGELICAL MISSION.

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to provide for the incorporation of the President in Hong Kong of the Basel Evangelical Missionary Society. He said—It has been decided to allow the Basel Evangelical Mission

to resume control of its work and property in the Colony. This Bill proposes to incorporate the President in Hong Kong of that Mission. It merely revives in an improved and more modern form the old Incorporation Ordinance of 1896 which was repealed in 1919. The immovable property of the Basel Mission is at present vested in the German Missions Trustees. Section 7 of this Bill will vest that property in the new corporation when the Ordinance becomes law.

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

RETIRING MEMBERS.

H.E. THE GOVERNOR—Gentlemen, two of our colleagues, Mr. Lang and Mr. Bird, will leave Hong Kong in a few days time, and to our great regret we know that they do not intend to return to the Colony. Both were substantively appointed to seats in this Council in 1923; but Mr. Bird first acted as a member in 1918 and Mr. Lang in 1921. Mr. Lang has also acted as a member of the Executive Council during various periods since 1922 and has been a substantive member since 1926. Both our honourable friends have, however, made Hong Kong their home for a period far longer than is indicated by the dates which I have mentioned and they have devoted the best years of their life to work in this Colony, the one as a merchant and the other as an architect. The first to arrive in Hong Kong was Mr. Bird who came here in 1892 to join Messrs. Palmer and Turner, of which firm he is now the head, while Mr. Lang originally came to Hong Kong in 1904 to join Messrs. Gibb, Livingston and Company and has been the head of that firm since 1916.

Mr. Lang has served on the Committee of the Hong Kong General Chamber of Commerce since 1916 and was Chairman in 1922. That was the year of the seamen's strike and involved arduous work which he performed with distinction. Mr. Lang is also a director of the following Companies among others: The Hong Kong and Shanghai Banking Corporation, of which he was Chairman in 1923; the Union Insurance Society of Canton, the Hong Kong Electric Company, the Hong Kong and Kowloon Wharf and Godown Company, the Indo-China Steam Navigation Company, the China Sugar Refining Company, the Hong Kong Tramways Company, the Star Ferry Company, the Hong Kong, Canton and Macao Steamboat Company and the Peak Tramways Company. This mere enumeration shows how big a gap his departure from this Colony will leave.

The monuments of Mr. Bird's activities in Hong Kong may be seen as we look around us. He is a Fellow of the Royal Institute of British Architects and during 35 years he has been engaged in building up this Colony. When he arrived here, his firm was at work upon the construction of the Hong Kong Hotel from Des Voeux Road Central to Queen's Road Central. Since then he and his firm have built the Hong Kong Club, the Alexandra and Union Buildings, the Mercantile Bank, the Hong Kong and Shanghai Bank Annexe,

Jardine's Offices, the Sincere Building, the Matilda Hospital, my own residence "Mountain Lodge," the Bank of Canton, the Asiatic Petroleum Company Building, Pedder Building, the Queen's Theatre, the South China Morning Post Building, the Chung Kwok Restaurant at West Point, the Power House of the China Light and Power Company at Hung Hom, sundry Police Stations in the Kowloon peninsula, residential blocks such as Tregunter Mansions, Branksome Towers and Thorpe Manor, and last but not least the Cenotaph which so worthily occupies the finest site in Hong Kong. I mention only some of the principal works on which Mr. Bird has been engaged. His record is one of which any man may well be proud and of which we in this Colony are proud.

Gentlemen, we can ill afford to spare Mr. Lang and Mr. Bird especially at this time when storm clouds hang heavily over China. Both have given of their best to Hong Kong and both will be long and honourably remembered by the whole community of this Colony. We in this Council part with very keen regret from these loyal and valued friends, upon whose advice and help we have relied during good times and bad for so many years: and I feel sure that the Council will wish to record in its minutes a tribute of warm appreciation of the great and durable services rendered by Mr. Lang and Mr. Bird to the Government and the people of Hong Kong. (Applause.)

SIR HENRY EDWARD POLLOCK—As Senior Unofficial Member of this Council I rise to say that we associate ourselves most heartily with the commendations which Your Excellency has bestowed upon our two colleagues, Mr. Lang and Mr. Bird, who are shortly leaving the Colony. In regard to all matters connected with shipping and commerce we have invariably been assisted by the counsel which has been afforded to us by Mr. Lang, whilst on matters of Public Works, both Ordinary and Extraordinary, we have at all times been able to count upon the skilled advice and expert assistance of Mr. Bird. Mrs. Lang and Mrs. Bird will also be much missed when they leave this Colony and on behalf of all members of this Council I would express the hope that many years of happiness and prosperity may be in store for Mr. and Mrs. Lang and Mr. and Mrs. Bird in the homeland.

SIR SHOU-SON CHOW—Sir, my Chinese colleague and I associate ourselves with the sentiments expressed by Your Excellency and by the honourable Senior Unofficial Member of this Council. Both the Hon. Mr. Lang and the Hon. Mr. Bird have been good friends of the Chinese—(hear, hear)—and we regret very much that they are leaving Hong Kong for good. We wish them a pleasant voyage and many, many years in which to enjoy their well-earned rest.

HON. MR. A. O. LANG—Your Excellency, I thank you very much for your kind remarks and I am also very grateful to my unofficial

colleagues for the generous terms in which they have referred to me and to Sir Henry Pollock for associating my wife with these good wishes. I assure you it is with deep regret I bid good-bye to this Colony and to the members of this honourable Council.

HON. MR. H. W. BIRD—I thank Your Excellency very much for the way in which you have spoken of myself and I thank my unofficial colleagues for the way they have supported what you said. With regard to my work in the Council I only claim to have had the courage of my convictions. If I thought the Government were in the wrong I opposed; if I thought they were right I supported them. As regards the clouds hanging over us I am an optimist. I think there will soon be a break in the clouds and that the sun will shine again as brightly as ever. I see no reason why Hong Kong and Canton should not walk side by side along the path of progress and prosperity.

Council then adjourned *sine die*.

FINANCE COMMITTEE.

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

H.E. The Governor's messages Nos. 2 and 3 were considered. The first message included items Nos. 257 to 265, amounting to \$20,601, to supplement the estimates of 1926 and items Nos. 9 to 23, amounting to \$111,156, to supplement the estimates of 1927. Message No. 3 comprised items Nos. 24 to 28, amounting to \$66,445, to supplement the 1927 estimates. The total amount asked for—\$198,202—was passed.

HON. MR. R. H. KOTEWALL—In connection with item No. 264, where a sum of \$404 in aid of the vote for gun cotton charges and electric detonators for fog signals is required, may I ask if anyone is being held responsible for the fog signal detonators which were found to be defective. The message says:—

A number of fog signal detonators were found to be defective when brought up for use during the 1926 fog season and a further supply to replace them had to be ordered from the Crown Agents. The cost, viz.: \$2,537.11 resulted in an expenditure of \$403.64 in excess of the amount voted.

THE CHAIRMAN—I understand the matter is being taken up, but at present I have not heard any explanation of the defects.

Item No. 15:—A sum of \$10,000 was asked for the provision of water meters in Kowloon. The amount provided in the estimates was \$5,000. A saving of \$5,000 on the Hong Kong meter vote was anticipated and it was suggested that this sum should be transferred

from Hong Kong to Kowloon. In addition to this a further sum of \$5,000 was asked for making a total additional sum of \$10,000 which would allow for the fixing of approximately 200 meters in Kowloon.

It was pointed out that it would be worth while for the Government to vote sufficient funds for these installations as: (1) There is ample water and to spare in Kowloon; (2) The meters are in the Colony and already paid for by the Government so that their issue is merely a book transaction between the Store Suspense Account and the vote concerned; (3) The meters are a dead weight in store but when in use pay for themselves in from four to six years by meter rents alone; (4) These meters will register excess consumption which will be paid for by the users to the benefit of the revenue, and (5) About 300 applications for water meters in Kowloon have been received.

HON. MR. R. H. KOTEWALL—If these meters pay for themselves by registering excess consumption, what is the reason that applications for meters in the city of Victoria have been refused?

THE CHAIRMAN—There is not enough water.

HON. MR. R. H. KOTEWALL—I thought their installation would be a means of checking waste.

HON. MR. H. T. JACKMAN—We do not find it so.

HON. MR. R. H. KOTEWALL—Yet the Government wanted to bring in a meter scheme for the purpose of checking waste.

THE CHAIRMAN—If there was sufficient water for everyone meters would be the best scheme for registering excess consumption.

SIR HENRY EDWARD POLLOCK, in connection with item No. 25—\$11,856 for Kowloon Bay West Reclamation—asked what part of the reclamation scheme this referred to.

HON. MR. H. T. JACKMAN—It is in connection with the reclamation for which the soil taken from the Chatham Road extension was used.
