

18th July, 1929.

PRESENT:—

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

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (MAJOR GENERAL J. W. SANDILANDS, C.B., C.M.G., D.S.O.).

THE COLONIAL SECRETARY (HON. MR. W. T. SOUTHORN, C.M.G.).

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

THE SECRETARY FOR CHINESE AFFAIRS (HON. MR. R. A. C. NORTH.)

THE COLONIAL TREASURER (HON. MR. M. J. BREEN).

HON. MR. H. T. CREASY, C.B.E. (Director of Public Works).

HON. COMMANDER G. F. HOLE, R.N. (Retired) (Harbour Master).

HON. DR. A. R. WELLINGTON (Director of Medical and Sanitary Services).

HON. MR. T. H. KING, (Captain Superintendent of Police).

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

HON. SIR SHOU-SON CHOW, KT.

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

HON. MR. A. C. HYNES.

HON. MR. W. E. L. SHENTON.

HON. MR. J. P. BRAGA.

HON. MR. S. W. TS'O, C.B.E., LL.D.

HON. MR. B. D. F. BEITH.

MR. E. I. WYNNE-JONES, (Deputy Clerk of Councils)

MINUTES.

The minutes of the previous meeting of Council were confirmed.

NOTICE OF MEETING.

HON. SIR HENRY POLLOCK.—Sir, I rise to a point of order. Some of my unofficial colleagues received their first intimation of the holding of the meeting of this Council to-day when they opened their paper yesterday morning and saw that there was to be a meeting this afternoon, and that the important question of water

was to be brought forward. That, Sir, is very unsatisfactory, and it is not, as you know, in accordance with the procedure laid down in the Standing Orders. I wish to express the hope that such a procedure will not be followed in future but that if ever there is any reason why it is difficult to send round the full Orders of the Day to members for the full period mentioned in the Standing Orders, that the Clerk of Councils should send out at least to the unofficial members a notice to the effect that on such a day there will be a meeting of the Legislative Council.

H.E. THE GOVERNOR.—I regret that there should have been this delay in notifying hon. members of the date of this meeting. I understand that it was due to the fact that the Orders of the Day took an unusually long time in printing. Of course, it is the wish of the Government to give as long notice as possible of all meetings and every care will be taken to do so in future.

THE WATER POSITION.

THE DIRECTOR OF PUBLIC WORKS.—In accordance with your Excellency's instructions, I submit the following statement giving the water position to date.

The total storage in the island reservoirs this morning amounted to approximately 400 million gallons. The normal full consumption of Hong Kong may be taken as 11 million gallons a day. Thus, there is in the reservoirs at this rate of consumption, only 36 days' supply. At the present restricted rate of consumption there is over 150 days' supply.

Before a full supply can be given to the city at this period of the year, a storage of approximately 2,000 million gallons would be necessary, which means that we require to have all our reservoirs full or nearly so. This would provide a full supply for 182 days.

The total increase due to the recent rains, which gave an average rainfall for the week of 9 inches, is 247 million gallons.

The Kowloon reservoirs are still rising slowly owing to the effects of the recent rains, and the yield from the Shing Mun River during the week was 150.50 million gallons. Although Kowloon reservoirs are not yet full, the Shing Mun River is delivering sufficient water to make Kowloon independent of its reservoir supplies for some time.

PAPERS.

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

Regulations under section 3 of the Vehicles and Traffic Regulation Ordinance, 1912, on 21st June, 1929.

Rescission of the Order declaring Swatow to be an infected place, on 25th June, 1929.

Regulation under section 3 of the Post Office Ordinance, 1926, on 9th July, 1929.

Geological Survey of the Colony (Sessional Paper No. 6 of 1929).

QUESTIONS.

HON. MR. W. E. L. SHENTON asked:—

1.—Is the Government in a position to inform this Council whether there is a possibility of arrangements being made in the near future for a vehicular ferry across the harbour.

2.—Will the Government inform this Council:—

- (a) As to what steps are being taken to establish an effective broadcasting system in this Colony.
- (b) What will be the effective range of such system when the Government's contemplated scheme is completed.
- (c) When is it anticipated that such scheme will be in full operation.

3.—What steps have been taken during the current year with the object of bringing into operation an effective system for dealing with Malaria in this Colony.

THE COLONIAL SECRETARY replied:—

1.—The Government has received proposals from certain companies and parties interested in the formation of a vehicular ferry service across the harbour, but no definite arrangements have yet been concluded. The construction of the necessary wharfage and ferry-steamers will in any case preclude the possibility of inaugurating such a service in the near future.

2.—The answer to the honourable member's questions depends upon the meaning which he attaches to the word "effective." The present broadcasting system is effective for about 50 miles and the studio is being furnished out of a vote of \$5,000 authorised on the 21st March last for equipment. The furnishing, when completed, should improve the quality, though not the strength, of the emission.

The Government has approved the appointment of a Committee under the Chairmanship of the Postmaster General to assist in the preparation of broadcasting programmes and the provision of funds for improved programmes will come up for consideration with the Estimates of 1930.

If the honourable member has in mind an effective range of 400 miles it is estimated that the cost of establishing a transmitting station of adequate strength for that radius would involve an expenditure of over \$200,000 for buildings and equipment alone. There would, in addition, be annual charges estimated at not less than \$80,000 a year, exclusive of the cost of the programmes. The Government does not feel justified at the present time in embarking upon this large expenditure.

3.—As the honourable member is aware provision was made both in 1928 and 1929 Estimates for a Malarial Research Officer and the Secretary of State was asked to select an officer to fill this appointment; but in December of last year, having appointed as Director of Medical and Sanitary Services Dr. A. R. Wellington who had had long experience in anti-malarial work, he deferred making an appointment to the vacant post until Dr. Wellington's advice could be obtained. After due consideration Dr. Wellington has recommended that the post be filled by the transfer to this Colony of a Health Officer who has had long experience in Mosquitology and anti-malarial works together with a Sanitary Inspector similarly qualified. The Secretary of State is being asked if the transfer of suitable officers can be arranged. It will be necessary to increase the amount provided for this service when the exact terms of transfer are known.

It is intended that these officers shall form the nucleus of an anti-malarial branch of the Medical Department. They will train local recruits and they and their staff will make the detailed anopheline surveys which are a necessary preliminary to any economic and efficient anti-malarial campaign which has for its basis the destruction of the breeding grounds of those species of anophelines which are active agents in the spread of malaria.

Kowloon Tong Estate.

HON. MR. J. P. BRAGA asked:—

1.—What are the respective dates and amounts of the premium paid for Crown land leased to the Kowloon Tong and New Territories Development Co., Ltd., under Clause 5 sub-section (a), (b) and (c) of the Agreement dated 26th October, 1922, between the Government and the Company?

2.—Is it a fact that there is still owing by the Company to the Government a sum of \$318,450.14 as the balance of land premium?

3.—In view of the fact that about one-sixth of the estimated total cost of land and building is paid by each out of the 242

subscribers to the Scheme upon his signing the Agreement with the Company, and before any actual work is commenced, what is the explanation for the large sum stated in Question 2 being still unpaid to Government in respect of land premium?

4.—Has the Government knowledge of a circular letter, dated 2nd July, 1929, issued over the signature of the Managing Director in which the sum of \$2,990,258.49 is stated as the sum "which represents the total amount payable by the entire body of Subscribers under their respective Agreements in respect of all the houses embraced within the Scheme," *i.e.*, the Kowloon Tong Estate Scheme?

5.—Is it a fact that the signatory of the letter referred to in Question 4 besides being the Managing Director of the Kowloon Tong and New Territories Development Co., Ltd., is also the paid architect of the said Company and a Director of the Hong Kong Excavation Pile Driving and Construction Co., Ltd., with which the Contract for the carrying out of the scheme has been entered into by the Kowloon Tong Company?

6.—Between the period when the last Managing Director left the Colony early in 1928 and the appointment of the present incumbent to the office on 22nd May, 1929, is it not true that no Managing Director existed, and this being the case to whom did the Government look for the fulfilment of the Agreement of 1922 during that period?

7.—Was the Government cognisant of the fact that for the carrying out of a scheme involving in the end a sum of nearly \$3,000,000 (irrespective of the Government share) there was registered a Company with a capital limited to a liability of only \$20,000 of which not more than \$2,000 was actually paid up?

8.—Was it considered prudent to vest in a Company the right and power of absolute control of a scheme involving a few million dollars in its execution when its only visible capital was a sum of \$2,000 with shares paid up to the extent only of 10 cents each?

9.—Was any and what Government supervision exercised over the Company in the carrying out of the Company's obligations towards the Government in terms of the Agreement with the Government?

10.—Is it not a fact that up to the 31st December, 1924, the following aggregate payments had been made by individual purchasers:—

(a) In respect of Land	\$556,925
(b) Building—1st Call.....	636,000
2nd Call.....	127,800
3rd Call	76,400
	\$1,397,125
	\$1,397,125

representing 18.62%, 21.27%, 4.27% and 2.55%, respectively, of the total cost of \$2,990,258 up to date?

11.—If the reply to Question 10 be in the affirmative, what reason is there for a sum of over three hundred thousand dollars for land premium remaining unpaid to the Government, when the Government had already been informed that \$556,925 had been collected from the subscribers?

12.—What steps is the Government taking to recover the debt from the Company?

13.—Is the Government aware of the fact that, in respect of land for which the Company contracted to pay the Government about \$400,000, the Company is already and had been for several years in receipt from the subscribers of over \$500,000?

14.—Is the Government aware that in the Circular letter referred to in Question 4 the Kowloon Tong Company has given notice to all subscribers calling for the payment of "a further Call to the extent of 9 per cent. of the amount covenanted to be paid by each and every subscriber in respect of each and every House on the Estate" which will make a total of 109% of what the Subscribers covenanted to pay?

15.—Has the demand for payment been made with the knowledge and consent of the Government? Did not the Company write in to the Government subsequent to 1924 sending a List of Subscribers who have fully paid up all monies in respect of their property under the scheme and calling upon the Government to issue Crown Leases for same in terms of Clause 7, sub-section (a) of the Agreement?

16.—In a letter to the subscriber of House No. 111 of the Kowloon Tong Estate dated 26th January, 1926, the General Manager stated:—

"I can now produce the documentary evidence to the Crown Land Agent (*sic*) and ask that your Crown Lease be made at once. The fees therein will be \$30. If you

desire the Company to secure this Lease for you, I will make sworn affidavit under the Agreement, and do so for you."

Will His Excellency the Governor kindly direct that the text of the "documentary evidence" referred to above be laid on the table of this Council?

17.—Will the Government appoint a Commission of Enquiry to investigate into and report on the Kowloon Tong Scheme?

THE COLONIAL SECRETARY.—The replies to the honourable member's questions are not yet ready.

HON. MR. J. P. BRAGA.—Arising out of the Colonial Secretary's reply I should like to bring to your Excellency's notice the urgency of this Kowloon Tong question.

THE COLONIAL SECRETARY.—On a point of order, Sir, no speeches can be made.

H.E. THE GOVERNOR.—Only supplementary questions can be asked. I may say that the replies to the hon. member's questions will, it is hoped, be given next week.

HON. MR. J. P. BRAGA.—That is satisfactory, Sir, because the subscribers are threatened with re-entry—one on the 2nd of July.

PERMANENT MEASURES FOR INCREASING WATER SUPPLY.

HON. SIR HENRY POLLOCK.—I beg leave to move that, "In the opinion of this Council it is imperative, in the interests of this Colony, that all the permanent measures to increase the water supply which are referred to in the Report of Mr. R. M. Henderson, dated the 20th February, 1928, (other than those which have already been completed) be proceeded with and completed as soon as possible."

My object in making this motion is to endeavour by comment of a constructive character to help to secure for this Colony as speedily as possible a satisfactory permanent water supply, by which term I mean an adequate water supply throughout the year free from any restrictions even in the dry season. Of late years we have got far too prone to be satisfied with a curtailed supply in certain districts through the rider mains, but I think that we ought to make up our minds that this Colony of ours ought to have a satisfactory permanent water supply in the sense which I have just defined.

We have been through bad times in Hong Kong as regards trade during the past four years, but I venture yet once again to re-affirm my faith in the future of this Colony, which, as you, Sir, fully demonstrated in the interesting financial review of Hong Kong which you gave in this Council on the 1st September, 1927, persists in expanding, in spite of temporary setbacks; and, as we know, fresh building sites on Crown land are continually being bought at Government auction, whilst the number of large ocean-going vessels coming into our harbour is increasing.

Now water is one of the necessities of life, and we must have it in sufficient quantity; and, in considering the question of increasing our water supply on the mainland, in order to supply the needs of Hong Kong Island, we must bear in mind the large Praya East Reclamation, which we may reasonably hope to see covered with houses, in a few years time.

And whilst I am on the subject of new buildings in this Colony, I would express the hope that the Government will give every reasonable assistance to building contractors in obtaining water for the carrying on of their building work. No doubt contractors can do a great deal for themselves by the sinking of wells, but I am not clear that that kind of relief completely solves the difficulty, seeing that brackish water is not suitable for every kind of building work.

Before dealing in detail with Mr. R. M. Henderson's Report of the 20th February, 1928, I should like, if I may be permitted to do so, to express appreciation of the hard work put in by him and his able Assistant, Mr. Purves; the results of which are embodied in Mr. Henderson's Report of the 8th April, 1924, (included in Sessional Paper 4 of 1929), and in his Report, extracts from which are included in Sessional Paper 10 of 1927, and in his Report of the 20th February, 1928, which is included in Sessional Paper 4 of 1928.

Bearing in mind our present serious water-shortage and the very grave inconveniences and heavy cost of the purely make-shift measures to which the Colony has been subjected during the last few months, I think that few will dispute the expediency of pushing on vigorously with our permanent measures of water-supply.

The earliest of such measures now due for completion is the pipe-line across the harbour, and, in view of the different dates of completion of that line which have been rumoured, I hope that the Hon. Director of Public Works will inform us presently on what date that line is to be completed. Other dates which it would also be interesting to know are the contract-date for the completion of the Kowloon Bye-wash Reservoir, and the contract dates for the completion of the various stages of the Aberdeen scheme, which

scheme, as appears from the details given on page eleven of Sessional Paper No. 4 of 1928, consists of over a dozen items, namely:—

Upper Dam.....	\$900,000
East Catchwaters.....	\$130,000
West Catchwaters.....	\$255,000
Supply Pipe to Pumping Station.....	\$270,000
Pumping Station to complete.....	\$190,000
Rising Mains.....	\$70,000
New Filters.....	\$180,000
Existing dam alteration.....	\$100,000
Lower dam Pipe Line.....	\$30,000
Bennett's Hill Catchwater.....	} \$497,000
Alteration to Pokfulam Reservoir.....	
Access Road.....	
Resumptions.....	
Salvage.....	

There is added a note that the estimated time to construct all the above is three years, *i.e.* from 1928 to 1931 and that the estimated production is 2.12 million gallons per day.

In connexion with this Aberdeen scheme, which is also dealt with in Sessional Paper 10 of 1927, I would draw attention to the fact that it is of especial importance to the residents in the ridermain districts at West Point that all the items of this scheme should be pushed through to completion as soon as possible, and even in a shorter time, if possible, than that allotted by Mr. Henderson.

Other important works are the increase of the catchment areas of Tytam Tuk Reservoir and in his Report on the third paragraph of page 10 of Sessional Paper 4 of 1928, Mr. Henderson says:—

"As Tytam Tuk Reservoir is at present short of Catchment Area, I would propose the construction of Mount Pottinger, Mount Parker, Tytam Tuk East and Dragon's Back East catchwaters, all of which would drain into that Reservoir."

I believe that the Director of Public Works has some good news to tell us with reference to the Dragon's Back catchwater, which I understand, is being strenuously proceeded with, but I would venture to express the hope that he will be able to give us some assurance with regard to promptly proceeding with the other catchwaters recommended by Mr. Henderson, more especially as that officer, lower down on the same page of his Report informs us, if I have

read him aright, that his proposals for both Hong Kong and Kowloon, other than the second section of the Shing Mun scheme, will only bring the total supply of the Colony up to 16.53 million gallons per day i.e. only up to the estimated requirements of the Colony in 1932. Mr. Henderson adds: "With the addition of the filters proposed under the Aberdeen scheme the filtering capacity of the Colony would approximately equal requirements."

Obviously, therefore, in view of the fact that the second section of the Shing Mun scheme must take some years to complete, it is desirable that it should be commenced next year, if possible; and I notice from page 83 of the Hong Kong *Hansard* for 1928, that my honourable friend, Sir Shou-son Chow, speaking on behalf of all the Unofficial members in the Budget debate of last year, stated that the Unofficial members unanimously supported the proposal that the second section of the Shing Mun scheme should be pushed on with all possible speed.

In that view of the Unofficial members I respectfully concur, and, in this connexion it is disappointing to learn from the statement of the Director of Public Works, made in this Council on the 20th ultimo, that "Considerable preliminary work is necessary before works of this magnitude can be commenced," more especially as Sessional Paper 4 of 1929 includes the following extract from a telegram, dated the 19th October, 1925*, from the Secretary of State for the Colonies to the Governor:—

"With reference to the Shing Mun scheme second section, I agree to the details being worked out immediately, as it is obvious that this will be required before long in any case."

The Shing Mun scheme second section consists of several parts and involves the building of nine dams in all and the construction of various catchwaters, and I rather gather from Mr. Henderson's remarks on the Order of Construction in his Report of the 8th April, 1924, that we shall obtain useful results most speedily in connexion with this scheme by constructing catchwaters draining areas A, B, C, D & E on the Southern slopes of Taimoshan and by building Dams Nos. 3 and 4.

There can be no difficulty in financing this Shing Mun scheme as the Secretary of State, some years since, sanctioned a loan for that purpose.

Doubtless a second pipe-line across the harbour would form a necessary corollary to the second section of the Shing Mun scheme; and, if we can build two pipe-lines *at the same time* much more cheaply, *in proportion*, than we can build one, it seems worth while to consider whether it would not be better to get on with the laying of the second pipe-line now.

* See page 119 *infra*. The date of this telegram was 19th October, 1928. By a misprint in Sessional Paper 4 of 1929, the date appeared as 19th October, 1925.

In his Report of the 20th February, 1928, Mr. Henderson also says:—

"To cope with the increased consumption a consistent annual programme of main-laying and distribution improvement is necessary both on the Island and the Mainland. Balance-tanks at North Point and Kowloon City are becoming urgent necessities."

In connexion with the above statements of Mr. Henderson I should be glad if the Director of Public Works could inform us whether such a consistent annual programme of main-laying and distribution improvement has been drawn up, and, if so, what it is and whether it is being carried out. Also whether balance-tanks at North Point and Kowloon City are being put in hand, and, if not, why not.

Generally, in connexion with the question of speeding up the providing of the Colony with a satisfactory permanent water-supply, I should like to point out that a precedent exists for the Government employing (if necessary) the services of a non-Government Engineer temporarily in order to supplement a shortage (if any) in the Government staff, as was done in the case of Mr. Lawrence Gibbs (then of Denison, Ram & Gibbs) who was retained by the Government in connexion with the construction of the big reservoir at Kowloon. I do not, of course, pretend to be able to judge whether such outside engineering assistance is or is not desirable so as to enable the Government to push on more speedily with some or any of their permanent water-measures, but I hope that the question of employing such outside assistance will be taken into careful consideration by your Excellency.

I desire to take this opportunity of congratulating the Public Works Department upon the pipe-line scheme which it is carrying out for the increase of the water-supply which can be handled at the Pier at Sham Tseng, opposite Capsuimoon, and I understand that the Government is exploring the possibility of connecting yet further streams in that neighbourhood with that Pier. These resources which are much nearer to us than those in the Canton River or at Wangmoon should form very valuable auxiliaries to our water-supply.

In conclusion, I should like to mention to the Council a system for enabling every householder in this Colony to convert his own house into an effective catchwater for rain-water, to be used for washing and flushing purposes.

This system has kindly been sent to me by Mr. Robert Sutherland, who informs me that he has found that it has effected a marvellous saving in the case of his own house at the Peak.

His memorandum to me, which was written primarily for the use of Peak residents, reads as follows:

"A very easy method of collecting rain water can be arranged by simply removing a section of the down-take water pipe from the roof, and adjusting a short canvas hose which conveys the water into barrels. I have tried this method for months past and I have found it of great economy in the use of water, inasmuch as every drop of water from the roof is caught and conveyed up to the flushing tank and hot water tank on the roof. By this means the only water drawn from the main is purely for cooking and drinking purposes.

"If the intention is to suggest this method to other residents at the Peak, and elsewhere, I have an estimate from Wo Fat and Co., 34 and 36 Des Voeux Road Central, who will supply 40 gallons barrels at \$5.50 each; lengths of canvas hose 10 feet each, including binding to the down-take pipe, removal of the pipe, etc., at \$11 per length. They will deliver the barrels, and make all the adjustments necessary, for a charge of \$16.50 inclusive, and readjust the rain pipes at any time required. This is a most reasonable charge and should be availed of.

"I suggest that the Peak residents be informed of the foregoing particulars and they can communicate direct with Wo Fat & Co.— Telephone C.661—when the work will be expeditiously carried out. I have known Wo Fat for many years and he is thoroughly reliable.

"Before this water system is put into vogue if the water is collected from a flat roof it would be well to have this thoroughly scrubbed with bamboo brooms as flat roofs are inclined to become mildewed and sooted up.

"The advantage of canvas hose is, of course, that not being a fixture it can be taken out of one barrel and put in another without any trouble. My experience is that two barrels should be put in position for each rain pipe."

I suggest that a similar saving of water could be effected in Chinese houses, and that possibly the cost of the scheme could be cheapened by substituting a bamboo-pipe for the canvas hose mentioned by Mr. Sutherland. At all events it seems to be worth while to bring this plan for saving not only water but the cost and labour of getting it to the notice of the Chinese community.

HON. SIR SHOU-SON CHOW.—I have much pleasure in seconding the motion which has been made by the hon. senior Unofficial member. I can assure your Excellency that the Chinese community are most anxious that the water supply of this Colony should be sufficiently increased in future to ensure, if practicable, that there shall be no restrictions whatever in the supply of water even in the dry season.

THE COLONIAL SECRETARY.—I cannot help feeling, Sir, that the hon. mover of this motion has travelled somewhat outside the scope of a motion intended to deal with permanent
m e a s u r e s i n

putting before us so temporary and makeshift an arrangement as that which he described in the latter part of his speech. The Government is in general sympathy with the objects of the mover in bringing to public notice the importance of getting on as quickly as possible with permanent measures for increasing the water supply of this Colony, but the Government cannot accept the motion as it stands, for it is cast in such wide terms that it would commit this Council and the Government to a programme of work which has not been adequately examined and which has not been submitted to, much less received the sanction of the Secretary of State, for if hon. members would refer to the Sessional Paper to which the mover of this motion drew attention, they will find included among the permanent measures to increase the water supply in the report of Mr. Henderson, the second section of the Shing Mun scheme. Now, the second section of the Shing Mun scheme is a project which is still under investigation and as to which it is at present quite impossible to decide what particular measures ought to be undertaken. I hope that the hon. member, after hearing what I have to say, will be satisfied that the Government is carrying out as quickly as possible the more important sections of work referred to in Mr. Henderson's report and will see his way not to press this motion to a division.

I would like, in passing, to associate myself on behalf of the Government, with the kind reference which the hon. member made to the work of the Public Works Department and of the water engineers in particular. No one knows better than I do how the water engineers have spared no pains to cope with the difficulties of the existing crisis.

I will now come to the more detailed points raised by the hon. member. The hon. member is, of course, aware from statements which have been made both by myself and by the Hon. Director of Public Works in this Council, that the Aberdeen scheme is already being proceeded with and that water from this source should be available by the spring of 1931. I regret I do not quite follow the trend of the hon. member's reference to the specific items of the Aberdeen scheme. Every large scheme consists of a number of items, but the engineers can hardly be expected to assign a specific date for the completion of each of the items which go to comprise the complete scheme.

The hon. member referred to the catchwaters which are intended to improve the supply of Tytam Tuk, which form the second group of items in the programme of works in Mr. Henderson's list. These items were not proceeded with owing to lack of staff, our engineers being engaged at the time on bigger and more profitable schemes. I am not unaware that the Public Works Committee in July of last year gave special prominence to the importance of these works and those members who were present will no doubt remember that I informed them when I met them informally in October last that the matter had not been overlooked, but that it could not be proceeded with owing to the fact that the engineers were fully occupied
w i t h o t h e r a n d m o r e

important water schemes. The matter did, however, receive further investigation, but in February of this year when, in addition to the cross harbour pipe and the Aberdeen scheme it was decided to proceed with the Kowloon Byewash reservoir, it became impossible for the engineers to proceed at the same time with these catchwaters. I may observe that these catchwaters have been under consideration since the year 1921, but owing to their uneconomical cost in comparison with other schemes, they were from time to time deferred in favour of more profitable schemes.

At the same time the hon. member referred to special work which was being carried out in connexion with Dragon's Back West (not East) catchwater. I am able to inform the Council that a temporary channel dealing with over 150 acres of the area to be drained by this catchwater is being made and will be completed this month. It is nearly one mile in length and will have a maximum capacity of ten million gallons per day. It will be subsequently incorporated in the permanent work of the catchwaters.

The hon. member suggested that if, as I have explained, the work cannot be proceeded with owing to shortage of staff that the Government should offer the work to private engineering firms, and he quoted a particular instance where, I understand, he maintains this procedure was adopted with great success. Now, Sir, without any wish to disparage in any way the skill and ability of private firms, the Government is definitely of the opinion that work of this kind can be more cheaply and more satisfactorily carried out under direct Government supervision, and in view of the magnitude of the works now in hand and contemplated, two additional engineers have already been asked for and will, I hope, be in the Colony before many months are passed. With reference to the one particular case quoted by the hon. member, the case was a very peculiar one. Mr. Gibbs was an Assistant Engineer in the Public Works Department and as such actually prepared the drawings for Kowloon dam and he was in charge of that work. He then left the Department and joined a private firm and the Government decided to allow his firm to complete the work, presumably owing to Mr. Gibbs' intimate knowledge of the details.

Coming now to the Shing Mun scheme, the whole of the first section has been sanctioned and the final portions of it comprising the cross harbour pipe-line, service reservoir and the land pipe-line are now in hand and it is hoped water will be available through the pipe-line early next year. The Kowloon Byewash reservoir, which the hon. member referred to, forms an additional item to the first section of the Shing Mun scheme. It is already under construction and it should be completed about the end of 1930.

HON. SIR HENRY POLLOCK.—You say it should be completed by the end of 1930? Does that mean the contract?

THE DIRECTOR OF PUBLIC WORKS.—The date of the contract is the 13th of December, 1930.

THE COLONIAL SECRETARY.—The next item in Mr. Henderson's list is the second section of the Shing Mun scheme, for which he puts down a sum of \$200,000 as the estimated cost for the first year. Now, Sir, the hon. member has read Sessional Paper No. 4 of 1929 and he will therefore know that this second section is estimated to cost \$4,750,000. Our engineers are, at the present time, engaged in the examination of this scheme. It was only very broadly outlined when first suggested in 1924 and we are not yet in a position to submit detailed proposals to the Secretary of State for his approval. That is one of the special reasons why the Government has not been able to accept the hon. member's motion as it stands.

The hon. member referred to a second pipe-line. Now that is a thing which has been very carefully considered and it has been decided that it is wiser to wait until we have gained experience in the laying of the first pipe-line and in its use before we start to make the second one.

Of the other items mentioned in Mr. Henderson's report the Hong Kong and Kowloon mains are being dealt with on a regular programme of improvements on sums voted in the annual Estimates. The North Point tank appears in the Estimates for this year and the engineers hope to commence it this year. The Kowloon City tank, although a desirable work, has not been felt to be a necessity up to the present. It is, however, on the programme.

Now, Sir, I think the hon. member will admit that the Government has not been idle since Mr. Henderson's report was published. The Government cannot entirely disregard the importance of finance in works of such magnitude as the construction of waterworks. I can well believe, as the hon. member stated in a letter to the Press, that the Government "can reckon fully upon the heartiest support of all sections of the community in putting the water supply and distribution on a permanent and satisfactory basis," but the Government cannot place upon the Colony a load of debt which it might find difficulty in repaying without an increase of taxation. While the Government fully realises the necessity of increasing the water supply of this Colony, it is not disposed to embark upon large and expensive schemes without first assuring itself that the schemes have been fully investigated and the cost ascertained, that they are practicable and that they are being undertaken in the most economical way and, moreover, that the necessary funds can be made available to pay for them.

THE DIRECTOR OF PUBLIC WORKS.—Sir, I have nothing further to add to the Hon. Colonial Secretary's remarks.

HON. SIR HENRY POLLOCK.—Sir, At his request I sent the Hon. Colonial Secretary a note of what I was about to say to-day and I am now somewhat regretting the fact that I did so after he considered it worth while to give some cheap gibe in referring to Mr. Sutherland's scheme. He said he thought I was travelling a bit outside the terms of the motion. I would suggest to the hon. member that he might, with advantage, have left that out of his speech. I can assure you, Sir, though the hon. member may not credit it, I am not very well familiar with dams and catchwaters, and although my speech may seem to the hon. Colonial Secretary a poor effort, still I did take a good deal of pains in putting it together.

The hon. member at the beginning of his speech said that the Government was in general sympathy with my objects, and he said very soon afterwards the Government hoped I would not press this motion to a division. In view of what has fallen from the Hon. Colonial Secretary, I certainly have every intention of pressing the motion to a division. I do not think the hon. member has shown the slightest reason why the motion should not be pressed to a division. The motion is a very simple one: "In the opinion of this Council it is imperative, in the interests of this Colony, that all the permanent measures to increase the water supply which are referred to in the report of Mr. R. M. Henderson, dated the 20th. of February, 1928, (other than those which have already been completed) be proceeded with and completed as soon as possible."

Now I should have thought, Sir, that a motion like that would have commended itself to every single person in the Colony, and I am rather surprised to see a gentleman of the eminence of the Hon. Colonial Secretary suggesting that there is anything harmful in the passing of such a motion. The hon. member said he could not follow the reason why I referred to various items forming the Aberdeen scheme. Well, Sir, I should have thought it was obvious that if the Government wants to carry out the Aberdeen scheme it wants to carry it out to the full and I should have also thought it was obvious that the Aberdeen scheme would, if carried out, give a great deal of relief to the people who have been, in the past, the principal sufferers from the water shortage, namely, those people on the rider main system at West Point. I asked for contract dates for the completion of various parts of the Aberdeen scheme, and I am still waiting for a reply on that subject. All we have been told is that we shall get some relief from Aberdeen—I think it is in 1931—but that does not satisfy me at all. Not a single word has fallen from the Hon. Colonial Secretary to show that the Aberdeen scheme is being pursued with reasonable diligence. That scheme, as I said, consists of over a dozen items and all the Hon. Colonial Secretary has done is practically to repeat what the Director of Public Works told this Council on the 20th. of June this year. That is to say, we should have some water available by the spring of 1931. He has not in the least met my point, which is that the necessary parts of the Aberdeen scheme as detailed by Mr. Henderson, should be proceeded with as soon as possible.

Then, Sir, with regard to my query as to whether it was not desirable for the Government to engage outside non-Governmental engineering assistants. I submit a good deal of what the Hon. Colonial Secretary has said shows that the Government ought to have set about that long ago, because he has told us in the course of his speech that catchwaters could not be proceeded with with reasonable diligence as recommended by Mr. Henderson. Why? Because we have not got sufficient staff. The hon. member has also told us that the Kowloon Byewash reservoir was delayed for a certain time. Why? Because we have not a sufficient staff, or rather, as he put it, the Kowloon Byewash reservoir could not be proceeded with owing to more important water schemes.

THE COLONIAL SECRETARY.—Either I did not say what I intended to say, or the hon. member has misunderstood me.

HON. SIR HENRY POLLOCK.—Well, what did you say? Those are the exact words I have got down—"not proceeded with owing to more important water schemes."

THE COLONIAL SECRETARY.—What I said was that in February of this year when, in addition to the cross-harbour pipe and Aberdeen scheme it was decided to proceed with the Kowloon Byewash reservoir, it became impossible for the engineers to proceed at the same time with the catchwaters. That has nothing to do with delaying the Kowloon Byewash Reservoir.

HON. SIR HENRY POLLOCK.—You said that the Kowloon Byewash reservoir and the catchwaters could not be proceeded with at the same time. If that means anything at all, it must mean that they cannot be proceeded with at the same time owing to lack of staff.

H.E. THE GOVERNOR.—It was decided that the one scheme was more economical than the other and should be taken up instead.

HON. SIR HENRY POLLOCK.—Still, I do not understand the hon. member's remark to mean anything other than it could not be proceeded with at the same time because of shortage of staff.

THE COLONIAL SECRETARY.—That is what is meant, but it does not mean the Byewash Reservoir was delayed.

HON. SIR HENRY POLLOCK.—I cannot understand the hon. member in any sense except that. The hon. member has given us satisfactory news about the Dragon's Back West catchwater. He also tells us on the question of staff that two additional engineers have been asked for but he did not tell us when these two engineers were written for, because it is quite obvious from what he has said that there must have been a necessity for them for some time and I should like to have some further information upon that point.

With regard, Sir, to the Shing Mun scheme second section, the Hon. Colonial Secretary said it was broadly outlined in 1924. Well, Sir,

it was not only broadly outlined, but Mr. Henderson's report which, by the way, was not published until Sessional Paper No. 4 of 1929, contains a very full statement with regard to that scheme and also a very interesting plan attached to that report. This was issued in April, 1924. Since then it appears from the telegram I referred to in my opening speech, that the Secretary of State telegraphed the Governor: "With reference to the Shing Mun scheme second section, I agree to details being worked out immediately, as it is obvious that this will be required before long in any case."

Therefore, Sir, we ought to be well on with our details of the Shing Mun scheme second section, and for my part I do not understand why we are apparently so far behind in these details. I pointed out that in the same report Mr. Henderson had given an order for construction and I pointed out before that certain catchwaters and dams, numbers three and four, have been indicated by him as being desirable to be proceeded with early in the course of going on with the Shing Mun scheme. I cannot see the smallest reason for the Government not accepting the present motion. Surely it is in the interests of the Colony, as I say in the motion, that we should have a full water supply; surely it is in the interests of the Colony that the permanent measures should be proceeded with, and surely it is in the interests of the Colony that we should proceed in accordance with the very excellent scheme which has been worked out by Mr. Henderson and his assistant, Mr. Purves. I cannot for the life of me imagine how it is that the Hon. Colonial Secretary, especially after he has had the opportunity of reading what I was about to say, could possibly, as he seems to have done, advise the Government that this resolution could not be accepted. I cannot conceive such a position possible. If he had said the thing had been suddenly sprung upon him and that I was suggesting all sorts of outside things, then I could understand the hon. member's hesitation in accepting this motion, but all I am asking this Council to do is to vigorously take up the suggestions of its own officers and that if it finds itself short of staff engage outside engineering assistants. It is imperative, in the interests of the Colony, that this scheme for the permanent relief of the Colony's water, as opposed to the tin and tank system, should be vigorously proceeded with.

H.E. THE GOVERNOR.—I did not have the opportunity of reading the hon. Senior Unofficial Member's speech before I came to this Council nor did I have the advantage of hearing the hon. Colonial Secretary's reply until he delivered it; but, having heard both speeches, I think it is very unfortunate that the hon. Senior Unofficial Member wishes to press this motion to a division, because there is really no difference of opinion between him and the Government on this subject; and perhaps, if he listens to me, I may yet persuade him that the wiser course will be not to divide the Council. If the hon. member's motion had been otherwise worded, if he had merely stated that it was imperative that the Colony should have a full water supply and that it was desirable that permanent

measures should be taken, there would have been no difference of opinion between him and me, and I might have been able to accept his motion as it stood. But as the motion is to the effect that all permanent measures to increase the water supply which are referred to in a certain report should be carried out forthwith, the Government finds itself unable to agree.

Now there are certain portions of Mr. Henderson's scheme which have been "cut and dried," approved, estimated for and carried out. The most important of these is, of course, the Aberdeen scheme, which has been estimated for, and the whole of which it is intended to carry out. All the subsidiary works for the main reservoir, which were detailed in the Senior Unofficial Member's speech will, we hope, be carried out simultaneously with the construction of the dam. On the island there will also be constructed the catchments in connexion with the Tytam Tuk reservoir. One of them is already under construction as a temporary measure and is being pushed on very rapidly in connexion with the water emergency; but it will be converted into a permanent catchwater as soon as we have an opportunity to turn ourselves from temporary to permanent measures.

While I am on that point, I should like to draw the hon. Senior Unofficial Member's attention to the fact that he somewhat unfairly criticises the Government, because he fails to draw attention to the extent to which the Public Works staff has been absorbed in dealing with temporary measures. If it had not been for the fact that the Director of Public Works and his staff were and are preoccupied by these temporary measures, we might have been able to spend the last few months on permanent schemes instead of on ephemeral work. While this emergency continues, I fear that a large amount of the energy of the Government and its officers will continue to be absorbed in work which is simply of temporary utility.

On the mainland we are carrying out and have almost completed the first stage of the Shing Mun scheme. We propose also without delay to carry the pipe-line across the harbour, —a single pipe-line in the first place, because it is really in the nature of an experiment. We are not quite certain of the result, but we all hope that it will be a complete success. To construct two pipe-lines now would commit the Colony to an expenditure which is unwarrantable in view of the many doubts which still hang over the scheme.

The second stage of the Shing Mun scheme is still in a somewhat hazy condition. The Senior Unofficial Member himself accompanied me with other members of the Council some months ago on a visit to Shing Mun Valley. When we were there, we saw preparatory work for the Shing Mun gorge dam. That dam had not even then reached the stage when we knew what the foundations for it were likely to be. Cuttings were being made on the hillside in order to ascertain where the rock went and where the dam could best

be placed. The hon. member then accompanied me from the gorge further up the Shing Mun river and we came to a point near the Shing Mun village. It was proposed, in Mr. Henderson's scheme, that a dam should be placed in this valley not far from the village. But Mr. Henderson himself did not know what the best site would be. We looked at two sites on that occasion; but no decision has been taken as to where the dam should be constructed. Mr. Henderson has also in contemplation further dams in Shing Mun gorge, at least two more on the way down to Tide Cove; but there again Mr. Henderson himself has not made up his mind where these dams should be placed, nor have we any idea of the cost of these works. When the location of these dams is known, and when the cost of them is also known, it will then be necessary to obtain the sanction of the Secretary of State. I have no doubt that the Secretary of State will give his sanction to any well-considered schemes I put before him, and I feel sure such schemes will have the unanimous support of this Council, when they come before it; but until the schemes are fully prepared and not merely adumbrated, it will be quite premature for this Council to commit itself. Even Mr. Henderson, if he were here to-day, would not be able to tell us exactly what he wants to do in the Shing Mun Valley. Under these circumstances I think the hon. member will see that we ought not to adopt the resolution as placed on the Order Paper.

There is also the question of finance. If we are to commit this Colony to very heavy waterworks construction, we must also be prepared to bear the cost. The cost of construction will be a reasonable charge on loan; but interest and sinking fund on the loan will have to be paid from revenue from the outset. If we are to embark on costly schemes, we must be prepared in our next Budget to find the necessary sums and I am not at all sure that schemes of the magnitude indicated in Mr. Henderson's report could be carried out at present without resorting to increased taxation. I would, therefore, remind the hon. Senior Chinese Member, who supported this motion, that at the recent meeting of *kaifong* one resolution passed with unanimity was that the present is not the time for additional taxation. I think the Chinese realise that we have to go slowly. We have the same end in view, but we wish to achieve it, if possible, without any additional taxation. I myself do not think that this is a time when we ought to increase taxation, if we can avoid the necessity for doing so. I suggest, therefore, again to the hon. Senior Unofficial Member that in view of the fact that he and I really see eye to eye on this matter, that there is no need for us to record opposite votes.

HON. SIR HENRY POLLOCK.—Sir, I am quite prepared to alter my motion in order to meet your Excellency's views as follows:

"That in the opinion of this Council it is imperative in the interests of this Colony that permanent measures to increase the water supply of the Colony should be pressed on with the utmost despatch."

H.E. THE GOVERNOR—That, I am quite willing to accept.

HON. SIR SHOU-SON CHOW—I beg to second the motion as amended.

The motion, as amended, was then put to the meeting and carried.

FINANCE COMMITTEE'S REPORT.

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the table the report of the Finance Committee, No. 8, of 27th June, 1929, and moved that it be adopted.

THE COLONIAL TREASURER seconded and this was agreed to.

MERCANTILE BANK NOTE ISSUE ORDINANCE.

HON. MR. W. E. L. SHENTON.—Your Excellency, I beg to move the first reading of a Bill intituled, "An Ordinance to extend for a further period the powers granted by the Mercantile Bank Note Issue Ordinance, 1911, to the Mercantile Bank of India, Ltd., to make, issue, re-issue and circulate notes in the Colony." As hon. members will see from the statement of Objects and Reasons attached to this Bill, the present power of the Bank to make, issue, re-issue and circulate notes in the Colony, which was granted by Ordinance in the year 1911, will expire in the normal course on the 13th August of this year. It is proposed by clause 2 of the Bill to extend that period of expiry till the 12th July, 1939, after which date the Bank will cease to issue or re-issue notes but shall redeem any notes which it shall have previously issued or re-issued.

HON. DR. R. H. KOTEWALL seconded, and the Bill was read a first time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

The Mercantile Bank Note Issue Ordinance, 1911, Ordinance No. 65 of 1911, empowers the Mercantile Bank of India, Limited, to make, issue, re-issue and circulate bank notes. This power is limited so as to come to an end on the 13th August, 1929. It is now considered desirable to extend the duration of this power up to and including the 12th July, 1939.

WATERWORKS ORDINANCE.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend the Waterworks Ordinance, 1903." He said: A great deal has been said this afternoon in this Council on the subject of water emergency. I am afraid I shall have to ask

the indulgence of the Council while I take up the time of members in explaining this Bill and the proposed regulations. What has been said already on the subject of water has referred mainly to proposed permanent measures. I should like, if I may, to say a very few words on the temporary present condition of affairs. I should like to do so, Sir, because I think a certain number of persons in Hong Kong appear to think that the recent rains have so increased our supplies that restrictions may be either taken off altogether or a great deal reduced. It is true we have had rain in the last ten days, but it has ceased for the present and even if it had continued up to the present moment, we would still, I think, be facing the most serious water shortage the Colony has ever had to face. The Hon. Director of Public Works in his statement at the beginning of this meeting, told us that the total increase due to the recent rains is 247 million gallons. At the estimated full consumption, if all restrictions were removed, that would last us only a little over three weeks and we still have nine months or perhaps ten till the next summer rains. I think the community ought to realise that unless our reservoirs are overflowing at the end of the summer, we shall be in a very serious condition again next year unless we have exceptional rainfall.

It is true we still have part of July, August, September and October, but August is only a 15-inch month, September a 10-inch and October a 5-inch, according to the average. Tytam holds 1,419 million gallons. It will require now about 1,300 million gallons to make it overflow. I think if members of the community would realise these facts and grasp what an enormous amount of rain is still required to fill the reservoirs, they would perhaps begin to realise that the recent rains are only a very small alleviation of the position and that the restrictions must still continue. It is, therefore, essential that every step possible should be taken to enforce and encourage economy in the use of water and that policy is desirable especially, I submit, in the interests of those members of the community who are now suffering most from the water shortage.

This Bill, Sir, is dictated by that consideration. Its main object is to enable the present free allowance of water, as it is called, to be abolished. The actual abolition of that free allowance and the imposition of a charge in respect of the free allowance, will be done by regulations to be made when this Bill has been passed, but the Bill is required to prepare the way for these regulations.

The Bill does three main things. In the first place it gives power to make regulations altering the price of water and abolishing the free allowance, to make regulations of that kind with retrospective effect. The intention is to abolish the free allowance for the third quarter of the year which has already commenced.

In the second place it is necessary to define what is meant by "quarter," because in reading the meters it is obviously impossible to read all the meters on the first and last days of
t h e c a l e n d a r q u a r t e r

so that what is meant by quarter in these regulations is what I call "meter readers' quarter," in other words the period between two successive readings of any particular meter.

In the third place the Ordinance proposes to increase the penalty for water offences—waste of water, pollution of water, allowing foul accumulations to collect near reservoirs and so on. I think it will be generally realised that the present penalties are much too low in many cases and should obviously be increased.

One clause of the Bill it is proposed to omit in committee. That is clause 4. It was proposed to alter Section 3 of the principal Ordinance in a somewhat unimportant detail but it was thought better to preserve it in its present form and I now propose to move the omission of that clause in committee.

There is one provision of the Bill perhaps I should draw attention to, though it is not intended at the moment to act under it. If hon. members will look at clause 6, paragraph (b), they will find there some words which, when inserted in their proper place in the principal Ordinance, will give power to make regulations to carry out the scheme which is in contemplation which, if I may be allowed to mention his name, the Hon. Dr. Tso has taken great pains to work out, by which the supply given from street fountains will be regulated and restricted. The intention, I gather, is to assign particular blocks of houses to particular street fountains, to prevent what I might call poaching by people from outside and also if possible to ration the supply and see that people assigned to a fountain get their proper share. It is not intended to make any regulations for the moment under this provision, because regulations have already been made this morning under another enactment dealing with that scheme and these regulations will appear in the *Gazette* to-morrow. It has been thought better to insert this power in the principal Ordinance in case some other crisis which we hope may never arise should make desirable the making of regulations of the same kind on some future occasion.

I think, Sir, I ought to refer shortly to one or two points in the proposed regulations which were published with the Bill in the *Gazette Extraordinary* on the 16th. of July. The first regulation rescinds the present regulation 1, the Waterworks Regulations and substitutes another which contains in its various clauses a complete provision for the price of the water supplied to various parts of the Colony and for various purposes. It will be seen that while the free allowance, as it is called, is abolished on the Island, with the exception of one or two small places, so that all water supplied by meter will be paid for, that free allowance has not been abolished in Kowloon. The reason for that is that there is sufficient water in Kowloon now to make any such measure unnecessary. As the Director of Public Works has stated, the Shing Mun River is now delivering sufficient water to make Kowloon independent of its reservoir supplies for some time. It may, of course, be necessary later on, if we are

unfortunate, to abolish the free allowance in Kowloon also, but at present it is considered unnecessary. This new regulation 1, altering the price of water and abolishing free allowance on the Island, is expressly made to apply only to the current third quarter of this year, so that the whole position will have to be reconsidered towards the end of the quarter. In addition to the regulations published in the *Gazette* of the 16th July, it is now proposed to enact another regulation dealing with the question of waste as follows: "No person shall wilfully waste or negligently misuse or waste, or cause or allow to be misused or wasted, any water taken from a public fountain or public tank." The maximum penalty for a breach of that regulation will be \$250.

With regard to the proposal to increase the price of water supplied by meter for building purposes from \$1 per 1,000 gallons to \$2 per 1,000 gallons, the intention is, as is the intention of the whole of this legislation, to prevent waste. It is found, unfortunately, that building contractors' men leave taps running and waste water. Waste is a crime at the present day and it is hoped that this increased price of water supplied for building purposes may make persons in charge of workmen more careful to ensure that waste should be checked. The whole object of this legislation is, of course, not revenue but to prevent waste in a time of very serious shortage. I beg to move the first reading.

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

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

1. The main object of this Ordinance is to facilitate the temporary abolition of what is known as the "free allowance" of water. The abolition of the "free allowance" will actually be effected by regulation. The sole aim of this proposed legislation is to check consumption during the present very serious shortage of water.

2. Section 2 (a) (ii) of the principal Ordinance refers to a quarterly allowance. This is the so-called "free allowance." Section 2 of this Ordinance substitutes the term "quarterly amount" because "allowance" suggests the present "free allowance" and that is to be abandoned temporarily.

3. The principal Ordinance refers in various places to the "quarter." In practice this must mean the period between two consecutive meter readings as provided by regulation 7 on page 339 of the Regulations of Hong Kong. It is obvious that the meters throughout the Colony cannot possibly be read on the same day, and the regulation in question provides that for the purpose of calculating the quarterly consumption in any particular tenement

the differences between two consecutive readings of the meter is to be taken. It also provides that the reading may be taken on any day not more than ten days before or after the calendar date of the commencement of the quarter. Accordingly, the meter reader's quarter for any particular tenement may be longer or shorter than the calendar quarter, but a longer quarter is always balanced later on by a shorter quarter because the last reading of any one quarter must be taken as the first reading of the succeeding quarter. Section 3 of this Ordinance inserts in the principal Ordinance a section which expressly recognises what may be called the meter reader's quarter. This same point recurs in section 14 (2) of this Ordinance.

4. Section 3 of the principal Ordinance provides that the Water Authority shall have the administration of the waterworks subject to the general authority of the Governor in Council. Section 4 provides that the officers appointed to carry out the Ordinance shall be under the control of the Water Authority subject to the general authority of the Governor. There seems to be no good reason for making a distinction in these two sections in the matter of the ultimate authority. The Governor in Council is given special powers in particular sections of the Ordinance, but the natural controlling authority for general purposes is the Governor. Accordingly, the opportunity is taken to alter "Governor in Council" in section 3 of the principal Ordinance to "Governor." This is effected by section 4 of this Ordinance.

5. Section 5 of this Ordinance amends section 5 of the principal Ordinance so as to make the ordinary undertaking to pay for water apply to the amount which at present is comprised in the "free allowance." This amendment is necessary even apart from the temporary abolition of the "free allowance," because even at present there are cases in which there is no "free allowance."

6. Section 6 of this Ordinance amends the regulation making section of the principal Ordinance in two ways. In the first place it abolishes the present maximum price for water supplied by meter. In the second place it gives the Governor in Council a wide power to make regulations for the purpose of controlling the persons who resort to the public fountains. For example, in a time of shortage such as the present, it may be desirable to assign particular public fountains to particular blocks of buildings and to exclude persons from outside areas. It might also be desirable to introduce some system of rationing. It is also desirable to be able to give powers to police officers and others who may be stationed at public fountains.

7. Sections 7 to 13, both inclusive, of this Ordinance amends the various penalties under the principal Ordinance. Some of the penalties in the principal Ordinance appear to be small. For example, the maximum penalty for wilful waste of water, however much water may have been wasted, is only \$25. Again, the maximum penalty for negligently polluting the

w a t e r w o r k s b y " a n y

foul liquid gas or other noxious or injurious matter" is only \$100, and even for wilful pollution of this nature the maximum is the same. In the second place, the maximum penalties seem to be unnecessarily varied. The amending sections of this Ordinance make the maximum penalty in any case \$250 which is now the standard maximum for summary offences. In the two cases where a daily penalty is provided in the principal Ordinance this Ordinance makes the maximum \$25 a day.

8. Section 14 of this Ordinance gives power to make the temporary abolition of the "free allowance" apply to the current quarter, and it makes it clear that what is meant is the current meter reader's quarter.

ADJOURNMENT.

H.E. THE GOVERNOR.—The Council will adjourn until Thursday next.

FINANCE COMMITTEE.

Following the Council, a meeting of the Finance Committee was held, the Colonial Secretary presiding.

Votes totalling \$20,400, contained in Message No. 9 from H.E. The Governor, were considered.

Item No. 51: Attorney General:—Personal Emoluments, Assistant to Attorney General, \$12,000.

HON. MR. J. P. BRAGA.—When was the appointment made, and given equal qualifications could any barrister in the Colony be appointed?

THE CHAIRMAN:—It is made by H.E. the Governor, subject, of course, to the approval of the Secretary of State.

All the votes were approved.
