

11th July, 1935.

PRESENT:—

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT (SIR THOMAS SOUTHORN, K.B.E., C.M.G.).

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (LIEUTENANT-GENERAL O. C. BORRETT, C.B., C.M.G., C.B.E., D.S.O.).

THE COLONIAL SECRETARY (HON. MR. D. W. TRATMAN, C.M.G., *Acting*).

THE ATTORNEY GENERAL (HON. MR. C. G. ALABASTER, O.B.E., K.C.).

THE SECRETARY FOR CHINESE AFFAIRS (HON. MR. N. L. SMITH).

THE COLONIAL TREASURER (HON. MR. E. TAYLOR).

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

HON. MR. R. M. HENDERSON, (Director of Public Works).

HON. DR. W. B. A. MOORE, (Acting Director of Medical and Sanitary Services).

HON. MR. M. J. BREEN, (Postmaster General).

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

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

HON. MR. W. H. BELL.

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

HON. MR. T. N. CHAU.

HON. MR. J. J. PATERSON.

MR. H. R. BUTTERS, (Deputy Clerk of Councils).

ABSENT:—

HON. SIR WILLIAM SHENTON, KT.

HON. MR. J. P. BRAGA, O.B.E.

MINUTES.

The Minutes of the previous meeting of the Council were confirmed.

PAPERS.

THE COLONIAL SECRETARY, by command of His Excellency the Officer Administering the Government, laid upon the table the following paper:—

Regulations under sections 3 and 5 of the Motor Spirit Ordinance, 1930, relating to Drawback on Light Oil content of Mixtures or Admixtures.

FINANCE COMMITTEE'S REPORT.

THE COLONIAL SECRETARY, by command of His Excellency the Officer Administering the Government, laid upon the table the report of the Finance Committee, No. 10 of June 27th, 1935, and moved that it be adopted.

THE COLONIAL TREASURER seconded, and this was agreed to.

CROWN SOLICITORS AMENDMENT ORDINANCE, 1935.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend the Crown Solicitors Ordinance, 1912, and to repeal the Crown Solicitors Amendment Ordinance, 1924." He said: The object of this Bill is fully set out in the Memorandum of Objects and Reasons.

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. Section 2 of the principal Ordinance, No. 35 of 1912, authorised the appointment, as Crown Solicitor, of any person possessing the qualifications which would entitle the Court to approve, admit and enrol him as a barrister or as a solicitor under section 21 of the Legal Practitioners Ordinance, No. 1 of 1871, and as Assistant Crown Solicitor of any person who had successfully passed all the examinations required of a student before admission as a barrister or advocate in Great Britain or Ireland or as an attorney, solicitor, writer or law agent in one of the Courts at London, Dublin or Edinburgh or as a proctor in any ecclesiastical Court in England.

2. Section 2 of this new Ordinance substitutes a new section 2 (1) which will allow the appointment, as Crown Solicitor or Assistant Crown Solicitor, of any barrister, advocate, solicitor, law agent or proctor or any member of the Colonial Legal Service, and as an Assistant Crown Solicitor of any person who has successfully passed the examinations required before admission of a barrister, solicitor, law agent, proctor or any member of the Colonial Legal Service. The Scots expression "law agent" includes Writers to the Signet Solicitors of the Supreme Courts and Procurators in the Sheriff's Court (see 36 & 37 Vict. c. 63, s. 1).

3. This substituted section will not only conform more closely with section 21 of Ordinance No. 1 of 1871, as amended by section 2 of Ordinance No. 13 of 1931, but it will also remove a restriction which might prevent the appointment of any member of the Colonial Legal Service with some other Colonial legal qualification as Crown Solicitor or Assistant Crown Solicitor. In a Circular Despatch dated the 15th July, 1933, the Secretary of State has requested the removal of any such statutory restrictions.

4. Section 2 of this Ordinance enacts a new section 2 (2) which merely gives effect to the amendment made in the repealed section by section 2 of Ordinance No. 9 of 1924.

5. Sections 3 and 4 of this Ordinance amend sections 3 (1) (a) and 4 of the principal Ordinance by including the Air Authorities and His Majesty's Trade Commissioner in Hong Kong among the authorities for whom the Crown Solicitor and his assistants may act with the consent of the Governor.

6. Section 5 repeals Ordinance No. 9 of 1924, as the effect of section 2 thereof is replaced by the new section 2 (2) and the effect of section 3 thereof was repealed and replaced by section 2 of Ordinance No. 24 of 1932.

**(1934 SUPPLEMENTARY) APPROPRIATION
ORDINANCE, 1935.**

THE COLONIAL TREASURER moved the second reading of a Bill intituled "An Ordinance to authorize the Appropriation of a Supplementary Sum of Six hundred and thirty-five thousand four hundred and forty-two Dollars and twenty-seven Cents to defray the Charges of the year 1934."

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

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

Upon Council resuming,

THE COLONIAL TREASURER reported that the Bill had passed through Committee without amendment, and moved the third reading.

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

ADJOURNMENT.

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT.—Council stands adjourned *sine die*.

FINANCE COMMITTEE.

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

Votes totalling \$148,075, contained in Message No. 11 from H.E. the Officer Administering the Government, were considered.

Item 50.—34, Public Works Extraordinary:—Hong Kong, Communications, 16, New 100 foot Road between Causeway Bay and Quarry Bay, \$117,000.00.

HON. SIR HENRY POLLOCK.—I would like to ask two questions in connection with Item 50. The first is, What were the unavoidable delays which occurred in 1934, the second, When will this road be completed and put through?

THE DIRECTOR OF PUBLIC WORKS.—The unavoidable delays were due to resumptions. It was a considerable time before we got possession of the lots, and before we could start work. Under the original estimate the road would have been completed by October of next year, but it should now be finished by the middle of the year.

All votes were approved.
