

30TH AUGUST, 1923.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR, SIR REGINALD EDWARD STUBBS, K.C.M.G.

HIS EXCELLENCY THE OFFICER IN COMMAND OF THE TROOPS, MAJOR-GENERAL SIR JOHN FOWLER, K.C.M.G., C.B., D.S.O.

HON. MR. A. G. M. FLETCHER, C.M.G., C.B.E. (Colonial Secretary).

HON. MR. J. H. KEMP, K.C., C.B.E. (Attorney-General).

HON. MR. MCI. MESSER, O.B.E. (Colonial Treasurer).

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

HON. MR. E. A. IRVING (Director of Education).

HON. MR. H. T. CREASY (Director of Public Works).

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

HON. MR. P. H. HOLYOAK.

HON. MR. R. H. KOTEWALL.

HON. MR. CHAU SIU-KI.

HON. MR. A. O. LANG.

HON. MR. A. R. LOWE.

MR. S. B. B. MCELDERRY (Clerk of Councils).

New Member

Mr. H. T. CREASY, the new Director of Public Works, took the oath and his seat as a member of the Council.

Minutes

The minutes of the last meeting were approved and signed by the President.

Finance

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid on the table Financial Minutes No. 27 and Nos. 56 to 70, and moved that they be referred to the Finance Committee.

THE COLONIAL TREASURER seconded, and the motion was agreed to.

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid on the table the Report of the Finance Committee, No. 6 and moved its adoption.

THE COLONIAL TREASURER seconded, and the motion was agreed to.

Papers

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

Order made by the Governor in Council under section 24 of the Rents Ordinance, 1922, Ordinance No. 14 of 1922, on August 9th, 1923.

Report of the Commission of Enquiry into the capsizing of the launch *Fei Din Yat*.

Russian Refugees

HON. MR. H. E. POLLOCK, K.C., in accordance with notice previously given asked:—

1.—With reference to the recent influx of Russian Refugees into this Colony, will the Government state approximately

- (a.) How many Russian men,
- (b.) How many Russian women,
- (c.) How many Russian children.

have landed in this Colony during the last two months, and also how many of such persons were landed in a destitute condition?

2.—Will the Government also state whether there is now in this Colony any Consular representative of Russia, and whether such Consular Representative has accepted responsibility for the conduct of such refugees and for their being sent on from this Colony to Europe or elsewhere, and, if so, when?

3.—Generally will the Government state what action it intends to take in regard to such refugees?

THE COLONIAL SECRETARY replied as follows:—

- 1.—(a.) Twenty-five Russian men,
- (b.) Twenty-nine women, and
- (c.) Five families of children

landed in the Colony during the period 14th June to 14th August. It is impossible to say how many of these persons can be classed as refugees. Only one person is known to have landed in a destitute condition, and he was returned to Shanghai at the expense of the Shipping Company concerned. During the same period thirty Russian men, nineteen women and four families of children left the Colony. Most of the Russians passing through the Colony are on their way to Australia as immigrants.

2. — There is no Russian Consular Representative in the Colony, and no other Consular Representative has accepted responsibility for persons of Russian nationality in the Colony.

3.—The situation does not at present appear to call for any special action.

Life Saving Apparatus

HON. MR. H. E. POLLOCK, K.C., in accordance with notice previously given, also asked the following questions:—

4.—Will the Government—

- (a.) Keep a stock of rockets with Life Saving Lines attached at the principal wharves on both the Hongkong and Kowloon sides of the harbour;
- (b.) Build high-powered Motor Life Boats or high-powered Tugs for saving life in bad weather;
- (c.) Form a Life Saving Corps, consisting partly of Government officials, and partly of others who are not in the Government Service and who are willing to be enrolled for Life Saving Service in typhoons.

THE COLONIAL SECRETARY replied as follows:—

(a.) A similar proposal was made in consequence of the typhoon of 1906, and after careful consideration and consultation with the

Commodore it was decided that a rocket life saving apparatus would not serve a useful purpose.

The conformation of the harbour is such that vessels swept from their anchorage in typhoons are ordinarily stranded in positions from which there is direct access to the shore or where there is no danger of breaking up from the action of the sea. In a case such as that of the s.s. *Loong Sang*, where a vessel drifts at a rapid pace and finally sinks, a rocket apparatus would be useless as the ship must be stationary to allow of the hawser being set up.

A Committee appointed in 1920, "To consider the question of making provision for the protection of life and property in the harbour during typhoon weather," did not see fit to recommend the use of a rocket apparatus.

There were no circumstances connected with the recent typhoon which in the opinion of the Government, call for a reconsideration of this matter.

(b.) The proposal for the provision of a high-powered life boat has been considered on former occasions and has been rejected. The Committee of 1913 recorded the opinion that there was no work within the scope of a life-boat which could not equally well be carried out by tugs and launches provided with lifelines.

An arrangement was made in the year 1920 with the Naval Authorities, where-under, when there are immediate prospects of the weather conditions becoming so bad as to place native craft in danger of being unable to make shelter on their own account, two Naval tugs are made available to assist to tow such craft to shelter. The Government will give further consideration to the question of the use of tugs for the purpose of saving life during a typhoon.

(c.) A volunteer corps for saving life in typhoons was established in 1872, and it was re-established after the typhoon of 1908. The movement died out as soon as the first enthusiasm was gone, and there is no record of any useful work done by the corps.

In view of this experience the Government considers that it would be useless to make further experiments in this direction.

New Vaccination Ordinance

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to amend the law relating to Vaccination. He said:

The reasons for this Bill may be summed up under three heads: vaccination of emigrants, public vaccinators, and certain general miscellaneous matters. I think it cannot be denied that there are defects in the present system of vaccination of emigrants. Without any disrespect to the persons by whom that service of vaccination is carried on at present, I think it must be admitted that it is carried on on a commercial basis, using the word "commercial" in a wide sense. It must be so in the nature of things, but I think it is not a proper basis for a public health service of this kind. In the second place, there is always a danger of the practice of giving commissions being adopted in cases of this kind. In the second place, there is always a danger of the practice of giving commissions being adopted in cases of this kind, and that, I think, is also very undesirable in a public health service like vaccination. Then, again, there is always the danger — the possibility — of certificates being given by persons who do not themselves perform the operation of vaccination. There is also the danger that certificates which are sometimes given signed by means of a "chop," and not an actual signature, may be given improperly, possibly by the improper use of the "chop," unknown to the person whose signature it is supposed to represent. Then, again, certificates which are given may be unsuitable for use in the Colony or place to which the emigrant is going, and, in the sixth place, there is no limitation of fees which may be charged to emigrants. I think it is almost obvious that a service of this kind ought to be undertaken by the Government. It seems to me to be one of that small class of things which is best done by the State,—by "small" I mean, of course, to exclude those matters which are matters of government proper,—because the object of the State is not to make money, or even, in a case like this, to make the service pay. The only objects are efficiency, the interests of the emigrants and the interests of the Colonies or other places to which the emigrants are going. The effect of this Bill, I think, will be that the vaccination of emigrants will fall into the hands of the medical service of the Government, and I think that effect is desirable.

With regard to public vaccinators, their position is not satisfactory at present. They are not Government servants, there is no proper control over them, and the Bill proposes they should all be Government servants, subject to Government service discipline and under the control of the Superintendent of Vaccination and his deputies.

There are certain general defects in the present law, some of which I have mentioned in dealing with the subject of the vaccination of emigrants. For example, there is no limitation on the use of "chops" for signatures on certificates, there is no limitation as to the persons who may perform the operation of vaccination, there is no express prohibition against the giving of a certificate by a person who has not done the operation himself. All these points are dealt with in the Bill.

Coming to the actual provisions of the Bill, clause 3 gives the Governor power to appoint a Superintendent, deputy superintendents, public vaccinators, vaccination stations, quarantine stations, and also emergency vaccinators for use in special vaccination campaigns. Clause 4 is new, and it provides that no person shall perform the operation of vaccination unless he is either a registered medical practitioner or public vaccinator, or what I have called an emergency vaccinator. Clause 7 is also new and requires that all signatures under this Ordinance shall be personally written and that chops and stamps shall not be used. Clauses 9 to 13 deal with the issue of certificates of vaccination or of successful vaccination to be used either within or without the Colony. The certificates of vaccination can only be given by registered medical practitioners or public vaccinators or emergency vaccinators, and certificates of successful vaccination can only be given by registered medical practitioners or public vaccinators. No person is to give a certificate of vaccination unless he performs the operation himself, and no person is to give a certificate of successful vaccination unless he has performed the operation himself and has also satisfied himself by personal inspection that the operation was successful. Forms of vaccination certificates are given in the schedule. The forms for use in the case of emigrants is much fuller than the little ticket which has been given hitherto, which contains really no means

of identifying the emigrants at all. The form in the schedule is much fuller and it also has to bear the thumb print of the emigrant. Clause 14 deals with the vaccination of children in the Colony and is based on the present law, but it is elaborated and certain gaps in the present provisions are stopped up. Every child born in the Colony must be vaccinated within six months of birth and every child brought into the Colony must be vaccinated within one month of arrival here. The provision is made that if the period during which the child must be vaccinated expires between the 1st of May and the 30th of September the guardian will have a further month in which to have the child vaccinated. I am not quite sure that it is necessary from the medical point of view, but there are undoubtedly persons who have objections to vaccination of children during the summer months. Clause 15 lays down certain presumptions, which perhaps I need not go into in detail. Clauses 16 to 19 are based on certain sections of the Straits Settlements Quarantine and Prevention of Diseases Ordinance 1915, and give the medical officers of health and the health officers of the port power to order the vaccination of persons subjected to the risk of infection in the Colony, and of persons arriving in the Colony and desiring to land who have been subjected to that risk. The clauses provide for the detention in quarantine stations of persons who refuse to be vaccinated when ordered by the Health Officer of the Port or by the Medical Officer of Health. Clause 20 provides for the vaccination of the inmates of reformatories, industrial schools, prisons and other institutions. Clauses 22 to 25 provide for registration, and clause 26 fixes the general penalty for offences against the Ordinance at \$250 and imprisonment for any term not exceeding six months. Clause 27 cancels the appointment of public vaccinators who were appointed under the existing Ordinance. It is proposed to issue a list of public vaccinators simultaneously with the coming into operation of the Ordinance.

To give time for the preparation of machinery, the appointment of public vaccinators and so on, the commencement of the Ordinance is deferred until the 1st January next year. I beg to move the first reading.

The COLONIAL SECRETARY seconded,

and the Bill was read a first time.

Arms and Ammunition Amendment Ordinance

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to amend further the Arms and Ammunition Ordinance, 1900, and the Flogging Ordinance, 1903, and to amend the Arms and Ammunition Amendment Ordinance, 1923. In doing so he said:—

The object of this Bill is to increase the penalties for carrying or possessing arms or ammunition without a licence. Unfortunately, there is a great quantity of arms and ammunition in the Colony at present which is not held under licence, and the seriousness of the existence of such a large quantity of arms and ammunition must be obvious to everybody. The proposal of the Bill is to increase the maximum term of imprisonment to ten years—the present maximum on indictment is seven years—and to give power to impose flogging with the cat or birch. The Bill also proposes that all cases of these two offences of carrying or possessing arms shall be committed for trial at the Sessions unless the police expressly request the magistrate for the case to be dealt with summarily. As all serious cases of this class of offence will, under the new Ordinance, go to the Sessions, it is thought unnecessary to retain the present provision for a court of two magistrates. By the amending Ordinance provision was made for such a court and the two magistrates have power to impose heavier penalties than a single magistrate. That special clause seems now unnecessary as all serious cases of these two offences will go to the Sessions. Some of the amendments in the Bill are with a view to taking out again the provisions inserted in the principal Ordinance for the purpose of creating such a court of two magistrates.

The opportunity is taken, too, of declaring cartridge clips to be ammunition for the purposes of the Arms and Ammunition Ordinance. Cases have occurred where the police have information of large quantities of cartridge clips and it seems desirable that we should have control of such things passing through the Colony or found here.

Clause 11 of the Bill adds two new sections to the principal Ordinance. Section 31 is the more important of the two. It gives the police power to search any person whom they find in the streets during the day time who acts in a suspicious manner or whom they may suspect of having arms in his possession, and also power during the hours of night, between 9 p.m. and 6 a.m., to search any person whom they find in the street or any public place. The search, of course, is one for arms. The other new section, 32, will throw upon the defendant an onus, which already exists in the case of opium. It provides that every person who is proved to have had in his possession anything, such as a box, containing arms or ammunition shall, until the contrary is proved, be deemed to have been in possession of such arms or ammunition. The onus will be on the defendant to prove that he did not know that the box contained arms or ammunition. I beg to move the first reading.

THE COLONIAL SECRETARY seconded.

The first reading was agreed to.

HON. MR. POLLOCK—As this measure appears to be a matter of considerable urgency, owing to the great prevalence of crimes of violence in this Colony, I would beg leave to ask Your Excellency under Rule 48 of the Standing Rules and Orders of this Council to declare that an emergency exists and the grounds therefor, and also to declare that it is desirable in the public interests that the Standing Rules should be suspended in order that the Bill may be carried through its remaining stages at one sitting.

HON. MR. P. H. HOLYOAK seconded.

H.E. THE GOVERNOR—I am not quite sure that it is necessary to invoke Standing Order 48, because I believe such cases can be dealt with under Standing Order 20, which provides that suspension of Standing Orders may be moved without notice. It seems to imply that 48 is only to be used on the Governor's own initiative. In case, however, there is any doubt on the matter, I have no hesitation in saying that an emergency exists and the grounds for my doing so are that the number of violent crimes in the Colony has increased, is increasing and ought to be diminished.

The Standing Orders having been suspended,

the COLONIAL SECRETARY moved and the ATTORNEY-GENERAL seconded that the Bill be read a second time.

HON. MR. R. H. KOTEWALL — In supporting this very necessary measure my Chinese colleague and I would suggest that the Government arrange with the local agents for steamers running between Hongkong and America and Australia to have printed notices posted up in conspicuous places on board warning passengers against bringing into this Colony any arms and ammunition. In the past many Chinese returning from abroad have, in ignorance of our law, brought with them some small arms and ammunition with the intention of taking them to their villages for self-protection, and in view of the heavy penalties provided in the Bill, my colleague and I think that some such warning would be fairer to these people. I understand, Sir, that the Chinese General Chamber of Commerce will write to the Chinese Chambers of Commerce in San Francisco, Sydney and other places in which Chinese reside in large numbers, giving them a summary of our new law.

H.E. THE GOVERNOR—With regard to the point raised by the Hon. Mr. Kotewall, I may say that notices are now in the hands of the printer—or rather the translator—which will be circulated to the shipping companies and to the authorities of ports from which steamers come, giving warning of the penalties and requesting that anybody in possession of arms will hand them over to the Captain of the ship before arrival, and will not endeavour to land with any arms in his possession before obtaining permission from the police. I think that should be satisfactory. There are one or two points I should like to mention in connection with this Bill. My experience is that there are few things about which people are more careless than the custody of firearms, and I have no doubt that many persons in this Colony are in the possession of unlicensed revolvers which they have no intention of using and which are their only because they have had them in their possession for several years and have never taken the trouble to get rid of them. It is most unsatisfactory that firearms should be in the possession of persons who are not in the habit of using them and taking care of them, because they may easily be forgotten and left about in places from

which they may be stolen and get into bad hands. I would ask, therefore, that members of the public will consider carefully when this Bill comes into force whether they have in their possession arms and ammunition for which they have no licence, and, secondly, whether it is necessary for them to take out licences for these arms and ammunition, or whether it would not be better for them to dispense with them. I trust that a number of people will feel that they can dispense with these somewhat useless weapons. I say "useless" because the only real reason I have heard for keeping a revolver is for protection against burglary. As a matter of fact, it is no protection against burglars, because most people put them where they cannot find them, and a revolver is nothing like so effective as a shot gun. The disadvantage of a shot gun is, of course, that you cannot sleep with it under your pillow. You may try and sleep with a revolver under your pillow, but I do not recommend it. If persons find themselves in possession of revolvers for which they do not wish to take out licences, I hope they will take the opportunity of surrendering them at once to the nearest police station. No question will be asked as to the time the revolvers have been in their possession without licences. I trust the representatives of the Press will bring this to the notice of the public, with this addition, that for the next week or ten days the Government will be happy to receive and destroy any weapons which people have no further use for, and after that time the Ordinance will be rigidly enforced.

The Bill was then read a second time, and committed for its consideration clause by clause.

On clause 11, the HON. MR. POLLOCK said—With regard to this clause, I would suggest for the consideration of the Council that the hours 9 p.m. to 6 a.m. might be extended. In this Colony it is dark even in summer as early as 7 p.m. and I think we ought to adopt 7 p.m., or preferably 6 p.m., instead of 9 p.m. I can remember a number of cases in which houses have been entered by armed robbers between the hours of 6 and 8, or 6 and 9 in the evening. In fact, it is rather a suitable time for committing armed robberies, and I think it would be better if 6 p.m. were substituted for 9 p.m.

H.E. THE GOVERNOR—The case seems to me to be covered by the second section. I do not quite see the necessity for the clause at all. Anything that is done under clause (a) can and will be done under clause (b).

HON. MR. POLLOCK—I suppose the idea was that in a sense clause (b) puts the onus on the policeman of showing that the person is acting in a suspicious manner, whereas clause (a) does not.

THE ATTORNEY-GENERAL—It is to cover cases where the police may receive information that certain people are coming along with arms. They do not know who they are and they therefore stop anyone they find on the road. Many of the people may be perfectly respectable and not acting suspiciously.

The amendment proposed by the HON. MR. POLLOCK was adopted.

The Bill passed the Committee stage without further amendment and on Council resuming the ATTORNEY-GENERAL moved and the COLONIAL SECRETARY seconded the third reading. This was adopted and the measure passed into law.

New Edition of Hongkong Ordinances

THE ATTORNEY-GENERAL moved the first reading of a Bill intituled, An Ordinance to authorise the publication of an edition of the Ordinances of the Colony to be known as "The Ordinances of Hongkong, 1844-1923," and to repeal the Statute Law (New Revised Edition) Ordinance, 1911.

He said—The object of the Bill is to authorise a new edition of the Ordinances of Hongkong. It is obvious, I think, that a new edition is desirable. A longer time than usual has elapsed since the last revised edition. This Ordinance gives the necessary powers for the preparation and issue of the edition. It contains all the formal powers which the editor will require. He will also, of course, have to submit to the Council other law amendment and law revision Ordinances, to cover any points not covered by the formal powers given to him by this Bill. I beg to move the first reading.

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

Crown Rights (Re-Entry) Ordinance

THE ATTORNEY GENERAL moved the second reading of the Bill intituled, An Ordinance to amend the Crown Rights (Re-entry) Ordinance, 1870.

THE COLONIAL SECRETARY seconded, and the motion was agreed to.

The Council resolved itself into Committee to consider the Bill clause by clause. The Bill passed through Committee without amendment and on the Council resuming, the ATTORNEY-GENERAL moved and the COLONIAL SECRETARY seconded, that the Bill be read a third time.

The motion was agreed.

Supplementary Appropriation

THE COLONIAL SECRETARY moved the second reading of the Bill intituled, An Ordinance to authorise the Appropriation of a Supplementary Sum of One million five hundred and eight thousand five hundred and ninety-four Dollars and seventy-eight Cents to defray the Charges of the year 1922.

THE COLONIAL TREASURER seconded.

HON. MR. H. E. POLLOCK — Your Excellency, When the Budget for the year 1922 was introduced in this Council on the 27th October, 1921, your Excellency—I am quoting from *Hansard* for 1921, at page 137—made the following observations on the subject of the vote for Public Works Extraordinary:—

"The total sum provided for Public Works Extraordinary is \$6,611,300, an increase on the estimate for the previous year of \$1,643,900. The vote for this year was far larger than any vote for Public Works in previous years, so that honourable members will be able to gauge the extent to which the rapid development of the Colony is making it necessary to spend sums on roads, buildings, reclamations and waterworks that were undreamt of a few years ago. Many works that are desirable, though not very urgent, have had to be dropped for the present."

From the extract that I have just read from

your speech, Sir, it will be gathered that this vote of over six-and-a-half million dollars was for the carrying out of various Public Works Extraordinary which were considered by the Government to be absolutely necessary for the effective progress of the Colony, many works which were desirable having to be dropped, even so. Well, Sir, if Hon. Members of this Council will now refer to the Draft Appropriation Account which was circulated with the Orders of the Day for this meeting, they will find that that anticipated expenditure of over six million and a half dollars for Public Works Extraordinary in 1922 has not been spent: in fact that the money spent on public works extraordinary was little more than half of that amount. The actual relevant figures will be found three lines from the bottom of page 50, from which it will be seen that the estimated expenditure was \$6,611,300—the sum mentioned just now, which I quoted from your Excellency's speech—and that the actual expenditure was \$3,575,635, only, leaving what are optimistically called a "Savings" of \$3,035,665.

Now, Sir, that, as I submit, is a very unsatisfactory state of affairs. Of this necessary expenditure we have little over fifty per cent. actually expended in the year 1922. A number of important works were very scantily dealt with, as we shall see by referring to this Appropriation Account. For Sai Ying Pun School, for instance, near the bottom of page 36. \$25,000, is allocated, but no sum of money is expended; Queen's College—formation of site—\$25,000 should have been spent but there was only spent \$1,670.77. Turning to the next page—page 38—under the heading of "Communications." item, "Road from Bowen Road to Repulse Bay;" on this important piece of work, which will nearly halve the distance from the City to Repulse Bay, there ought to have been expended \$75,000, but only \$17,000 odd was spent. Turning over now, Sir, to page 42, there was an important work to be done in respect of the Tai Tam Tuk scheme, additional pumping plant. There ought to have been spent on engine foundations, \$65,000: nothing was spent; engine and boiler, two lakhs dollars: in fact, only \$1,986.89 was spent. There is a marginal note explaining that to a certain extent.

It says: "No work done. Still in hands of consulting engineers." To me this does not fully explain it, because I do not understand who are the consulting engineers or where they are to be found, nor why it is that we cannot obtain their advice and opinion in sufficient time to start with this additional pumping plant.

A few items lower down is the Stanley Mount Catch Water, another important work in connection with our water in the Tai Tam Valley, \$100,000 was to have been spent, but \$804.72 was actually spent in 1922. The only marginal note we have is "The work was only commenced near the close of the year," which does not really carry us very much further. Another important item, on page 44, is the Kowloon Hospital. On that hospital there was estimated to be spent \$200,000, whereas in fact \$21,115.35 was expended that year. The marginal note is "Work could not be commenced as early as anticipated." On the Police Station at Mongkoktsui shortage of expenditure was "owing to difficulties with foundations." Under "Communications, items a to g," there are enormous amounts not expended in respect of the roads in Kowloon which total altogether just upon two lakhs of dollars. Then Sir, on page 46 there is the item "Training Nullahs (a) Mongkoktsui \$116,000" — only \$750 spent. The marginal note is "Work could not be commenced until late in the year." Another item on the same page is "New Territories Gaol \$50,000": the amount spent was \$600 odd. The next is "Police Station, Shatin \$35,000," nothing spent; erection of brick bungalow at Taipo \$20,000," nothing spent; "Anglo-Chinese School, Cheung Chau, \$17,000," nothing spent; "Quarters for Inspector of Vernacular Schools, Taipo, \$15,000," nothing spent. At page 48, near the bottom, is mentioned a very important scheme, "The Kowloon Tong Development Scheme, (a), resumption \$84,000," only \$14,000 spent; (b) Excavation and filling, \$66,000; \$10,000 spent.

These are items that happened to strike me in reading through the Draft Appropriation Account. The nett result is, as I have pointed out, that we find that only three-and-a-half millions out of \$6,600,000 has been expended. It is curious how often the expression occurs, "Less work done than was anticipated," or,

"Less progress made than was anticipated," or "Contracts not put in hand until nearly the end of the year" and so on. I think these expressions occur about 40 times. Well Sir, what is the moral of all this? What are we to deduce as the reason why these works, declared by your Excellency in Council in October, 1921, to be pressing works, to be carried out in 1922, why are they not done? I submit it is clear in the main why these works have not been carried out—it must be due to a shortage of staff in the Public Works Department. This question has been constantly and repeatedly brought up by the Unofficial Members of this Council. We consider that it is extremely bad economy that there should be a shortage of staff in this very important spending department. We hold that it is good value to get out a full and sufficient staff to carry out all the necessary works, and it is quite clear from the figures that I have given, that the year 1922 must be reckoned as a very bad year for the progress of Public Works, this year in which we have only succeeded in spending just over a half of what we intended to spend upon works described in your Excellency's speech in this Council as "necessary public works," I trust, Sir, that the question of a sufficiency of staff of the Public Works Department will be gone into very seriously by the Government. I do not think anybody who reflects upon the position of affairs in this Colony at the present day and upon the extra-ordinary rate of building which is going on—a rate even higher than it was in the year 1922—can doubt that it is extremely necessary for this Government to see that the Department is fully strengthened to meet every reasonable contingency. I have spoken on this point, Sir, at some little length because, of course, I cannot help knowing that the Government must now be having under its consideration the question of the sufficiency of the staff, not only of the Public Works Department, but in other offices, with a view to the introduction of the Budget in this Council in two months' time. Therefore, I venture to emphasise this point and to express the hope that the Government will fully budget for a sufficiency of staff in the Public Works

Department, so that we may not in another year, be faced with this extra-ordinary under-expenditure which has occurred in the year 1922.

HON. MR. P. H. HOLYOAK — Your Excellency, it is easy to criticise, but I do not think anyone who has carefully studied the Appropriation Account can fail to be struck with one or two facts: either the Public Works Budget was grossly over-estimated or the Department was grossly under-staffed to carry it out and the failure to do so is, I think, sufficient and ample proof of that fact. In addition to that, your Excellency, it is well-known that you have under consideration, and I hope will shortly embark upon, a very considerable Harbour development scheme, and it is in connection not only with the figures that are set forth in the Appropriation Account but in view of that also that I endorse the remarks that have fallen from the Senior Unofficial Member, and I trust that in connection with the forth coming Budget you will provide for a very considerable increase in the staff of the Public Works Department.

HON. MR. R. H. KOTEWALL — Your Excellency, I crave permission to make a few remarks in connection with the item "Rent Allowances" which appears on page 12 on the Draft Appropriation Account for 1922. This item shows a total expenditure of \$66,730, which I presume represents rent allowances to those European civil servants who do not occupy Government quarters free or at reduced rentals. This privilege to European employés is necessary, but I venture to make an appeal for similar relief on behalf of the Chinese, Portuguese and Indian civil servants who must, in these days of high cost of living, find it very difficult to make both ends meet on their meagre salaries. The Government is encouraging employers to build houses for the accommodation of employés, and I am sure that it will show the same measure of sympathy for all its servants—irrespective of race—now that the matter has been brought to its notice. The Government can build houses in suitable localities and let them to its subordinate employés at reasonable rentals, or grant them an allowance in aid of house rent. If it is found, for financial reasons, impossible to extend the privilege to all, may I suggest

that the privilege may be first given to subordinates who have more than, say, ten years' service. I respectfully commend this suggestion, which has the support of my Chinese colleagues, to the sympathetic consideration of your Excellency.

There is another item on the same page, the item "Stationery," for which \$52,000 was originally voted. This shows an increase of \$34,562, and the explanation given in the last column is "Increase of Government business." The volume of Government business must have considerably increased during the last few years, but it is a question whether it has grown to the same extent as the expenditure shown on that item. Perhaps there are other and special reasons for this enormous increase, which have been omitted from this White Book, and I am sure the Unofficial Members would like to have an explanation.

THE COLONIAL SECRETARY—With regard, Sir, to the question of Rent Allowance I may say that it is the policy of the Government to extend housing to the Service more or less generally. Of course it is a very big undertaking and, owing to the present demand for labour for building, the Government is not pressing it immediately. But it has in view and is making arrangements for an extension of the Kowloon Tong scheme for a provision of a number of suitable houses for the senior Chinese and Portuguese clerks in the service. As I think Hon. Members know, the Government system is that a public officer pays six per cent. on his salary in respect of his rent. There is one point to which I may draw attention namely that the Salaries Commission, although they did not put it in their report, drew the attention of the Government to the necessity of keeping in touch with the commercial community in connection with the raising of clerical salaries in the Colony, and it is a somewhat important question, because when a Government, employing a very large clerical staff, gives increases of salary it is reflected in the charges which commercial houses have to bear under the same head. This is a question which might be

considered in the first instance by the General Chamber and the Chinese Chamber of Commerce. His Excellency the Governor has recently authorised the Treasurer and myself to go into this very question and put forward the beginnings of a scheme. I may add that while the Rents Ordinance remains in force the pressure upon this class is not nearly so great as it would be if there were no rent restriction.

THE COLONIAL TREASURER — As to the item for stationery, the explanation is perhaps not fully set forth. Last year's estimates show a saving of \$17,157, the reason being that a quantity of goods ordered from Home which ought to have arrived the year before did not come in until last year. One item represented in the expenditure is £3,947 which is, I think, sufficient to explain almost the whole of the excess.

H.E. THE GOVERNOR — To which the Treasurer might have added that the cost of stationery is very much higher than it was ten years ago. With regard to the remarks of the Senior Unofficial Member as to the expenditure on Public Works Extraordinary I have one or two observations to make. The first is, of course, that the programme as it appears in the Estimates is a maximum of what we can hope to perform, and I am afraid we must assume always that a certain proportion of the works estimated for cannot be carried out for various reasons. Difficulties arise in such matters as obtaining possession of land and the letting of contracts. Amongst the items to which the Hon. Member referred is the new gaol. The expenditure of \$464 was not incurred, as he suggested, merely for the purpose of keeping the item on the books of the Colony, but it was incurred in the commencement of the preparation of plans, which proved to be an extraordinarily difficult task. I may say that this new gaol is my own project: I have always been particularly interested in it and I have been pressing the Public Works Department to say when they are in a position to proceed with it, but until quite recently even the general principles of the plans had not been agreed. If the Hon. Member will look at the Secretariat file on the subject he will be amazed to discover the numerous problems, ranging from engineering to religious, which arise in connection with the new prison. The main plans are, I think, now

prepared and the detailed plans, I trust, are in course of preparation.

Another specific instance mentioned by the Hon. Member was the pumping plant for the Tai Tam Tuk scheme as to which it was noted that less progress was made owing to questions submitted to the consulting engineers. The reason for the prolonged delay in dealing with that matter was that the question arose whether it was desirable to introduce a new type of electrical machinery or use steam machinery. The Public Works Department advanced certain views and the consulting engineers commented on them, and several references to and for were necessary. I think the eventual decision was that steam should be retained. In many other cases the explanation given is that less work was done than was anticipated. I think that in certain cases it means that difficulties arose in regard to land titles and so forth. In other cases it means that it was not possible to make the expected progress and I should like the Hon. Member to remember first, that some six weeks were cut out of the year by the strike, during which no work was possible, and there would have been, in any case, a considerable falling off on that account. I think you will find—I have not the figures at hand—that the annual expenditure was certainly not far short of the maximum of previous years. I think it must be admitted that considerable advance was made in very desirable works: possibly more could have been done with more staff: that is not absolutely certain, because in this question of public works you are somewhat dependent on labour and at the present time there is a considerable shortage. I remember that Mr. Perkins remarked that it is not much use having the staff unless you can provide accommodation for them, and the first necessity is this building which we now see outside these windows. Now that it is ready for occupation there is room for more staff than was the case this time a year ago. I have been looking in vain through Hansard to find the remarks made by Mr. Perkins, but I believe he assured the Council quite recently that all his requests for additional staff had been fully met. I c a n o n l y s a y t h a t , a s

long as the Council will vote money for Public Works purposes, I shall continue to meet the requirements of the Director in this matter. I must utter a word of warning. I assure the Hon. gentleman that the next programme of Public Works will certainly contain items which will not ultimately be proceeded with. This is inevitable unless you include in the estimates only items which you are certain of dealing with, and in that case you continually have to decide the order of urgency and call the Finance Committee together for alteration of the vote. I have tried both systems and I think it is better to take as optimistic a view as you can, bearing in mind that there will be, I will not say a "saving," as the hon. gentleman does not approve of the word, but "deficiencies" in expenditure. I am afraid I cannot answer the hon. member's specific points in regard to certain items, and the Director of Public Works has not been here long enough to answer him either, but if there is any point on which he is anxious to obtain definite particulars I have no doubt that information can be supplied in due course. On the general question, it is my desire that the Public Works Department should do as much work as it possibly can and also have the staff which will enable it to do such work. (Applause.)

Rising again, H.E. THE GOVERNOR said—The Colonial Secretary reminds me that I forgot to add that recently we have largely extended the practice of giving out work to private firms, so that to a certain extent relieves the pressure on the Public Works Department, though, of course, it increases pressure of work on outside firms, who appear to be very busy on non-Government matters. Probably we shall get more results from an increase in the Public Works Staff than from outside help.

The second reading of the Bill was agreed to, and on the motion of the COLONIAL SECRETARY, seconded by the COLONIAL TREASURER, the Bill was then referred to the Finance Committee.

The Adjournment

H.E. THE GOVERNOR—The Council will adjourn till this day week at 2.30 p.m.

FINANCE COMMITTEE

A meeting of the Finance Committee was afterwards held, the COLONIAL SECRETARY presiding.

The Supplementary Appropriation

THE CHAIRMAN—It is the practice to take the items of the supplementary Appropriation Bill separately and to ask your approval of each one. I think after what His Excellency said, the items generally are sufficiently explained in the text of the Appropriation Accounts. You will see that most of the money has already been voted by this Council and this bill is merely to regularise the votes of last year. The first item relates to H.E. the Governor and is largely in connection with the Prince of Wales's visit. A somewhat large item "Transport of Government Servants, \$119,000." This was very much larger than was estimated. The loss on subsidiary coin was on account of the melting of two million dollars face value of subsidiary coin. It was voted by the Council at the time.

Russian Refugees

HON. MR. POLLOCK—In connection with the Police Department vote, could you tell us about these Russians landing? Are any of them entitled, by their tickets, to land here?

THE CHAIRMAN—It depends upon the question whether the passport bears a proper visa. We have a very strong rule with regard to Russians. It was made at the time that a large number of refugees were coming in. The rules require that no Russian may come here unless he has a British visa which recommends that he should come to or pass through the Colony.

HON. MR. A. O. LANG—A great number of these people take passages in Shanghai and North China to proceed to Australia *via* Hongkong. I dare say, in many cases, they are waiting for the oncarrying ship for Australia.

THE CHAIRMAN—Undoubtedly, and I think in the majority of cases they have the appropriate visa. You may rely on the Government to watch this

matter very carefully. We have had some experience in the past from beachcombers and undesirables being admitted here and we are taking very stringent action.

HON. MR. HOLYOAK — I have heard of at least one Russian lady who has been going about soliciting assistance either in money or in kind. Women of that character should not have been allowed to land here.

THE CHAIRMAN—I am afraid it is almost impossible to prevent their landing, because the rigid passport system is no longer in force.

HON. MR. HOLYOAK — Captains of vessels should be warned that Russian refugees are not allowed to land except on through visas.

THE CHAIRMAN — They are warned. Unfortunately, these people do not frequent either the Police Department or Government Offices because they know that immediately they are found they are sent away. If those solicited would only inform the police—which they never do—we could deal with them immediately.

HON. MR. A. O. LANG—I must confess I fully appreciate the difficulties with which the Government has to contend. The commercial community have asked for less onerous passport restrictions; they have proved irksome.

THE CHAIRMAN—We do not enforce the Registration Ordinance: we do not make people register and prosecute them if they don't register; the sense of the community was against it. I think we have very efficient methods for dealing with these people if we know of them.

Life Saving Apparatus

In connection with the vote for the Harbour Master's Department, the HON. MR. POLLOCK asked whether the Government would reconsider the question of establishing rocket apparatus on definite stations along the Praya.

THE CHAIRMAN—It has been pointed out in the answers already given that the question has been gone into on two or three occasions.

The Naval authorities were strongly against it. First of all, it requires considerable skill to use it particularly in a typhoon wind. You have to get the appropriate angle to reach a ship. In cases where ships are stranded on shore there is usually no immediate danger of loss of life. As to the *Loong Sang* if you had got a line out while she was drifting it would have been carried away, and there was not time, after the vessel stopped, to rig the line before she foundered. I have been here in three typhoons: in the 1906 typhoon I was in the open for the most part of it, and I do not recall any case in which rocket apparatus would have saved life. It is difficult to say that it would not in the case of wrecks in the harbour near shore. At Home it is used when a ship is out on a line of rocks, and there, of course, you can get a rocket across and fix up a line. If the shipping members of the Chamber of Commerce would like to forward any recommendations the Government would be pleased to consider them. The Commission in 1913 was made up of shipping people and they did not recommend the idea. It is really a matter for the shipping community.

HON. MR. A. O. LANG — I understand, Sir, you are meeting the Chamber of Commerce on Tuesday, and the question might be brought up and discussed then.

THE CHAIRMAN—I should be glad to discuss it.

HON. MR. HOLYOAK — It is solely a question of the practicability of it.

THE CHAIRMAN — Entirely. The Government is perfectly willing to introduce it if people who know the subject say it is practicable, but the Naval authorities and the Harbour Department tell us it is not.

The Military Lands Question

Under the vote for Military expenditure, the HON. MR. POLLOCK asked whether the Chairman could make any statement with regard to the military lands question.

THE CHAIRMAN—I think Sir John Oakley, a very eminent surveyor at Home, is coming out, solely on account of the War Office, in order to satisfy them

as to the question of valuation. I believe he is due here in about a month and I hope after that we shall get the issue quickly decided.

Saiyingpun School

HON. MR. HOLYOAK—When it is hoped to open Saiyingpun School? There is nothing more urgent.

THE CHAIRMAN—That is being pressed on particularly. I have spoken about it quite recently. I am afraid I cannot give the date but they are getting on with it. There is something definite to be seen now.

HON. MR. HOLYOAK—I think it is at least three years since I asked the same question.

THE CHAIRMAN—We had very great difficulty in regard to the site which belonged to the Italian Bishop. He met us in every way possible, but we had to arrange some exchange which proved to be a rather difficult matter. It was mixed up also with the question of lands belonging to ex-enemy missions so that we did not get the site until quite recently. It has been pushed on now. I have also arranged with the Director of Education that the new school at Quarry Bay, the New Victoria School and the Extension to the Kowloon British School will be done at once by an outside firm of architects. They are getting the plans ready.

The various items in the Draft Supplementary Appropriation Account were approved.

The Kowloon Cemetery

The Governor recommended the Council to vote a sum of \$10,000 on account of Public Works, Extraordinary, Kowloon. Buildings, Sextons' Quarters, Kowloon Cemetery.

THE CHAIRMAN—You have seen the site, Gentlemen. I may mention that since we went there the applicants for the land have somewhat modified their request. The original request was to take in the whole of this area. I have a report that the cost for simply levelling the tops of the hills and for draining would amount to \$1,000,000. Apart from that the promoters now say that they do not wish to

disturb the existing graves, which much modifies the proposal. Now, I understand, they wish to build round the hill tops. That would have round the hill tops. That would have been building land in any case. Therefore, the scheme of Mr. Soares no longer affects the cemetery question. With regard to the cemetery, there is a proposal for removing it to some adjacent island to which the Government will maintain a proper ferry service for both the Hongkong and Kowloon sides. In the meantime I think we must go on with the central Kowloon cemetery, and so I propose that this vote of \$10,000 for building sextons' quarters be approved.

The Committee agreed.

Civil Hospital

The Governor recommended the Council to vote a sum of \$3,000 in aid of the vote Medical Department, Civil Hospital, Other Charges, Medicines and Surgical Appliances.

THE CHAIRMAN explained that there was no allowance for the Peak Hospital in estimates.

Approved.

Quarters for Chinese Railway Traffic Staff

The Governor recommended the Council to vote a sum of \$15,000 on account of Kowloon-Canton Railway, Special Expenditure, Chinese Traffic Staff Quarters.

THE CHAIRMAN—This has been before the members. The intention is to erect two buildings costing about \$20,000 each, one of three storeys and one of four storeys, as Chinese traffic staff quarters.

HON. MR. POLLOCK—Where are they going to be built?

THE CHAIRMAN—Between Holt's godowns and the Railway at Signal Point.

HON. MR. LANG—I thought there was some idea of earmarking this for the Sailors' Home.

THE CHAIRMAN—No, this is on the sea side of the railway. The Sailors' Home will be on the other side between the hill and Salisbury Road.

Approved.

Filling in a Tidal Flat

The Governor recommended the Council to vote a sum of \$40,000 in aid of the vote Public Works, Extraordinary, Miscellaneous, (81) Filling in Tidal Flat and cutting down hill between Taikoktsui and Fuk Tsun Heung.

THE CHAIRMAN—This is for an extension of the filling in that is going on.

Approved.

Loss on Subsidiary Coin.

The Governor recommended the Council to vote a sum of \$199,840.10 on account of Miscellaneous Service, Loss on Subsidiary Coin.

THE CHAIRMAN—This was a shipment in last December on the *Kashgar* of \$1,000,000 face value. I understand there are \$20,000,000 in circulation.

THE COLONIAL TREASURER—At the present time there is not much coming in.

THE CHAIRMAN—I think hon. members will have noticed from the Financial Statements that we have a balance of some two millions lying idle in the Hongkong and Shanghai Bank. They do not give us interest on it. That is always available to go out or retain, according to the market. There is something like \$20,000,000 still in circulation and I hope, with the hon. members, that we shall not have to go on with this policy very long. The result has been remarkable. I think you will all remember people crowded exchange shops for the discount. It has certainly had the effect of bringing the discount down and keeping it down.

Approved.

Alterations to Beaconsfield Arcade

The Governor recommended the Council to vote a sum of \$4,000 on account of Public Works, Extraordinary, Hongkong, Buildings,

Alterations to Beaconsfield Arcade for S.C.A.

Approved.

A Recent Accident on the Railway

The Governor recommended the Council to vote a sum of \$30,000 in aid of the vote Kowloon-Canton Railway, Special Expenditure, Accident, Mile 10 $\frac{1}{2}$.

THE CHAIRMAN—At the last meeting \$4,000 was voted for immediate expenditure after surveying the site and repairs needed there and repairs to the engines. \$28,000 odd is the estimate given.

Approved.

Imports and Exports Dept. Vote

The Governor recommended the Council to vote a sum of \$500 in aid of the vote Imports and Exports Department, Other Charges, Transport.

THE CHAIRMAN—The vote is \$700. The number of patrols has been very considerably increased.

Approved.

Compensation and Resumptions

The Governor recommended the Council to vote a sum of \$115,000 in aid of the vote Public Works, Extraordinary, Kowloon, Public Health and Buildings Ordinance, 1903, (88) Compensation and Resumptions.

THE CHAIRMAN—The vote is \$30,000. This is in connection with town planning and relaying out—very necessary work.

Approved.

Taipo Communications

The Governor recommended the Council to vote a sum of \$1,500 in aid of the vote Public Works, Extraordinary, New Territories, Communications. (101) Roads: (b) Taipo to Shun Wan Road.

THE CHAIRMAN—This is the short road—quarter of a mile—journey up the old Taipo market and the new Taipo market.

Approved.

Praya East Reclamation

The Governor recommended the Council to vote a sum of \$26,000 in aid of the vote Public Works, Extraordinary, Hongkong, (64) Praya East Reclamation Scheme, (a) Contribution by Government towards Fund for Reclamation.

THE CHAIRMAN—This is the fifth call of 8 per cent. The vote was \$26,167 and the total amount required \$51,000 odd.

HON. MR. POLLOCK—Is this work well up-to-date.

THE CHAIRMAN—That I am afraid I cannot say. I have no details.

Approved.

Resumptions at Wongneicheong

The Governor recommended the Council to vote a sum of \$100,000 in aid of the vote Public Works, Extraordinary, Hongkong, Public Health and Buildings Ordinance, 1903, (43) Compensation and Resumptions.

THE CHAIRMAN—These are farm lots at Wongneicheong. There is a great amount of building there and we are resuming the farm lots.

Approved.

New Buoys

The Governor recommended the Council to vote a sum of \$7,960 on account of Harbour Master's Department, Special Expenditure, New Buoys.

THE CHAIRMAN—This is for the purchase of buoys—2a and 4c buoys.

Approved.

Railway Votes

The Governor recommended the Council to vote a sum of \$3,800 on account of the following votes:—

Kowloon-Canton Railway, Special Expenditure:—

Siding and Crossover at Bridge No. 7	\$3,500.00
Trap Points at Taipo Market Station	300.00
Total	<u>3,800.00</u>

THE CHAIRMAN—This is for the new bridge that they have just made over the 100-foot road between Kowloon City and Laichikok. They have laid a siding and diverted the traffic, and they wish to keep it there as a branch line. As regards the Trap Points the scotch block failed, and this \$300 is to provide a safer method.

Approved.

The Governor recommended the Council to vote a sum of \$1,100 in aid of the vote Kowloon-Canton Railway, Special Expenditure, additional machine for workshops.

THE CHAIRMAN—This was voted last year but not paid for. It is for motor control gear.

Approved.

Market at Whitfield

The Governor recommended the Council to vote a sum of \$8,000 on account of Public Works, Extraordinary, Hongkong, Buildings, Market at Whitfield.

THE CHAIRMAN—This was an important work which it was found possible to undertake this year.

Approved.