1st December, 1927.

PRESENT:—

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT (HON. MR. W. T. SOUTHORN, C.M.G.).

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

THE COLONIAL SECRETARY (HON. MR. E. R. HALLIFAX, C.M.G., C.B.E.).

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

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

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

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

HON. MR. R. A. C. NORTH (Secretary for Chinese Affairs).

HON. SIR SHOU-SON CHOW, KT.

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

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

HON. MR. A. C. HYNES.

HON. MR. J. OWEN HUGHES.

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

MR. E. W. HAMILTON (Deputy Clerk of Councils).

MINUTES.

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

PAPERS.

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

Rescission of the Order declaring Amoy to be an infected place, on 15th November, 1927.

Rescission of the order declaring Hoihow to be an infected place, on 16th November, 1927.

Rule made under section 18 of the Prisons Ordinance, 1899, on 17th November, 1927.

Regulation made under section 25 (4) of the Merchant Shipping Ordinance, 1899, on 17th November, 1927.

Order made under section 92 (8) of the Public Health and Buildings Ordinance, 1903, on 13th November, 1927.

Regulation made under section 3 of the Vehicles and Traffic Regulation Ordinance, 1912, on 19th November, 1927.

Declaration under the Merchant Shipping Ordinance Regulations, on 19th November, 1927.

Rescission of the Order declaring Swatow to be an infected place, on 24th November, 1927.

Rescission of the Order declaring Shanghai to be an infected place, on 24th November, 1927.

Regulations made under section 3 of the Dogs Ordinance, 1927, on 24th November, 1927.

Report from the Director of Public Works for 1926.

FINANCE COMMITTEE REPORT.

THE COLONIAL SECRETARY, by command of H.E. the Officer Administering the Government, laid upon the table the report of the Finance Committee No. 14, dated 17th November, 1927, and moved that it be adopted.

THE COLONIAL TREASURER seconded, and this was agreed to.

PRINTERS AND PUBLISHERS ORDINANCE.

THE ATTORNEY-GENERAL—I beg to move that the first reading of the Bill intituled, "An Ordinance to amend the Printers and Publishers Ordinance, 1886," be adjourned until the next meeting of this Council.

THE COLONIAL SECRETARY seconded, and this was agreed to.

MAGISTRATES ORDINANCE.

THE ATTORNEY-GENERAL moved the first reading of "An Ordinance to amend the Magistrates Ordinance, 1890." He said—This Bill began with one or two proposals to alter the Magistrates Ordinance on certain technical points, but, as often happens, the Bill has grown by the addition of more and more proposals and it now contains 25 clauses. Most of these proposals are technical matters dealing with questions of procedure, and they are all fully explained in the "Objects and Reasons."

There are, however, three points dealt with in the Bill which are of a little more general character to which I think I might appropriately refer at this stage. One is the question of the meaning of the term "drunkenness," in the sections of the Ordinance dealing with offences by persons while drunk. The definition of this term, or rather the interpretation of it, has, as is well known, given rise to a great deal of difficulty in the courts here, and even more so in England, and still is a matter of great difficulty and uncertainty. The British Medical

Association, in October, 1925, appointed a committee to report upon the interpretation of the term "drunk," and on the tests for drunkenness. That committee was a very strong one. It included various members of the British Medical Association, two stipendiary magistrates, five police surgeons and others. In February, 1927, the Commission made a very full and careful report. In that report they suggested a certain definition of the term "drunkenness" and that definition has been adopted in the present Bill. It reads as follows:—

> "For the purposes of the relevant sub-sections in this Bill, a person shall be deemed to have been drunk if he was so much under the influence of alcohol as to have lost control of his faculties to such an extent as to render him unable to execute safely the occupation on which he was engaged at the time in question."

It is obvious, of course, that a person may be intoxicated to a certain extent and yet be able to carry on a particular occupation with safety to himself and others, whilst in other cases, as for example when he is in control of a motor-car, a less degree of intoxication will make him a source of danger both to himself and to the general public. The test, therefore, is whether the state of intoxication was such as to render him unable to execute safely the particular occupation on which he was engaged at the time in question. That is the first question of principle, the first general point dealt with by this Bill.

The second refers to appeals from magistrates. At present various steps in an intended appeal have to be taken before or by the magistrate appealed from, and no provision is made for the death, absence or incapacity of the magistrate whose decision is appealed against. An intending appellant might find his appeal completely blocked by one of these causes. Section 22 of the Bill, therefore, proposes to provide that if any step in an appeal is rendered impossible by the absence or incapacity of a magistrate whose decision is appealed against the Full Court shall have the power to order the case to be heard *de novo*.

The third point is one of much less importance, but it is one which frequently occurs in the police courts. The Vagrancy Act of 1824 made it an offence for a suspected person, or reputed thief to frequent streets, docks and so on with intent to commit a felony. Very often it is difficult to prove frequenting because to prove frequenting one must be able to show that a man has visited that street for that purpose at least more than once. On the other hand it may be quite obvious from his known character and actions that he can be there only for an unlawful purpose. Accordingly in England the law was altered a good many years ago and it was made an offence for a suspected person, or reputed thief, to loiter with a view to committing a felony. That amendment made in England in 1891 is now to be made here by a section of this Bill.

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

OBJECTS AND REASONS.

The "Objects and Reasons" state:

1. This Ordinance makes a number of minor amendments in the Magistrates Ordinance, 1890. That Ordinance has also been amended by Ordinance No. 2 of 1926.

2. Section 2 amends section 8 of the principal Ordinance by making the Deputy Harbour Master a marine magistrate. When that section was amended in 1926 the office had not been created.

3. The proviso to section 10 (2) of the principal Ordinance, 1890, provides that nothing therein contained, *i.e.*, presumably nothing contained in section 10, shall oblige a magistrate to issue a summons in any case where the defendant appears voluntarily or upon his recognizance or is in the custody of the police or charged upon the charge sheet. There is no provision which expressly empowers the magistrate in such an event to proceed to hear and determine the case. Section 3 of this Ordinance remedies the omission.

4. Section 11 (1) of the principal Ordinance provides that if a defendant does not appear in answer to a summons the magistrate may issue a warrant for his arrest (1) upon being satisfied by oath that the summons was duly served, and (2) on oath being made before the magistrate substantiating the matter of the complaint or information. It has long been the practice to issue this warrant upon sworn evidence of the service of the summons, without requiring the complaint to be substantiated by oath. The reason for this practice is probably to be found in the form of warrant which is given in the First Schedule and which is referred to in the margin of the section, *i.e.*, Form No. 2. That form recites sworn evidence of the service of the summons but does not recite that the matter of the complaint was substantiated by oath. Section 4 of this Ordinance amends the section in question so as to make it agree with the practice. Section 6 of the principal Ordinance provides that "The forms in the First Schedule shall be deemed good, valid and sufficient in law." It is a curious thing that exactly the same discrepancy between the section and the form occurs in the case of section 2 of the Summary Jurisdiction Act, 1848 and Form (B) in the Schedule to that Act. Section 13 of the Summary Jurisdiction Act, 1848, and section 14 of the Magistrates Ordinance, 1890, require only sworn evidence of the summons. Section 9 of the Indictable Offences Act, 1848, does not even require sworn evidence of the service of the summons, but Form (D) in the Schedule to that Act recites that service has been proved by oath.

5. Section 5 amends section 31 of the principal Ordinance so as to make it agree with and include the provisions of section 49 of that Ordinance. Section 49 being thus no longer necessary is therefore repealed by section 6 of this Ordinance.

6. Section 6 repeals section 49 of the principal Ordinance because, as explained in the preceding paragraph, its provisions are now included in section 31 of the principal Ordinance.

7. Section 7 repeals section 78 of the principal Ordinance and substitutes a new section which agrees better with section 11 of the Criminal Procedure Ordinance, 1899, Ordinance No. 9 of 1899.

8. Section 8 inserts in the principal Ordinance a new section 78A which deals with the procedure in the case of a charge against a corporation of an indictable offence. This section is based on certain portions of section 33 of the Criminal Justice Act, 1925, 15 and 16 Geo. V., c. 86. It may be convenient to point out here that service on a limited company registered under the Hong Kong Companies Ordinance is provided for by section 117 of Ordinance No. 58 of 1911, and that service on companies incorporated outside the Colony which establish a place of business here is provided for by section 252 (2) of that Ordinance. It has not been thought necessary to provide specially for service on any other corporations. Sub-section (3) of the section in the Criminal Justice Act, 1925, referred to above, deals with the arraignment of a corporation before the court of assize or quarter sessions. A provision based on that sub-section will be inserted in the Criminal Procedure Ordinance, 1899, which is shortly to be amended.

9. The third schedule to the principal Ordinance contains a list of offences excluded from summary jurisdiction. This list includes the following item:—

(9) Any offence against any provision of the laws relating to bankrupts.

In 1906 it was decided to give the magistrates jurisdiction to deal with the offences of obtaining credit under false pretences or by means of any other fraud. This might have been done by amending the third schedule, but it was actually done, in Ordinance No. 2 of 1906, by inserting in section 80 of the principal Ordinance the provision which now appears as sub-section (2). As the present form of the third schedule might conceivably form a trap on this point, this Ordinance repeals section 80 (2) and amends the third schedule by excepting from the above item any offence under section 82 (5) (*a*) of the Bankruptcy Ordinance, 1891. Section 9 of this Ordinance effects the repeal of section 80 (2) of the principal Ordinance. The third schedule is amended by section 24 of this Ordinance. Section 9 also repeals section 80 (3) of the principal Ordinance. The power there given to a magistrate to direct the accused to be kept in solitary confinement is not used.

10. Section 10 amends paragraph (6) of section 85 of the principal Ordinance by substituting a reference to the present Stowaways Ordinance, 1924, for a reference to the Stowaways Ordinance, 1903, which has been repealed.

11. Section 11 repeals section 93 of the principal Ordinance and substitutes a new section. The section in question deals with various offences connected with drunkenness. The principal changes are as follows:—

(*a*) The present section 93 (1) provides varying penalties for the first, second and subsequent convictions, of being found drunk in a public place, *i.e.*, fines of $5, $10 and $15. The new section 93 (1) provides a single penalty of $10.

(*b*) The maximum penalty for being drunk while in charge of a motor vehicle is increased to $250 and imprisonment for six months. The present maximum penalty under section 93 (2) is $25 or imprisonment for two months. The new maximum penalty is the same as that under section 4 of the Vehicles and Traffic Regulation Ordinance, 1912, Ordinance No. 40 of 1912.

(*c*) Sub-section (5) of the new section 93 contains a definition of drunkenness which is taken from the report of the committee appointed by the British Medical Association on the 21st October, 1925, to report upon the tests for drunkenness. The committee reported on the 9th February, 1927, and suggested the definition of drunkenness which is adopted in this Ordinance.

(*d*) The maximum penalty for being drunk while in possession of loaded firearms is increased from $25 or two months to $250 and imprisonment for six months. It is also made an offence to be in possession of a firearm and any ammunition therefor while drunk. The definition of drunkenness referred to above has been adapted to meet this case.

12. Section 12 of this Ordinance repeals section 96 of the principal Ordinance and substitutes a new section. The section in question deals with re-hearings. The alterations in the new section are as follows:—

(*a*) The new section makes it clear that it is sufficient if the application for the re-hearing is made within seven clear days, and that the actual decision to review the case need not be made within that time. If an application is made on the last day it may not be possible to come to a decision on that day.

(*b*) The section also makes it clear that the party applying for a re-hearing need not be present at the making of the application. It might be difficult to secure his attendance if he were in custody at the branch prison and if the application were being made on the last day.

(*c*) Sub-section (3) of the new section gives the Superintendent of Prisons power to produce for the purposes of the review a prisoner who is applying for, or who has obtained, a review. At present, the Superintendent of Prisons seems to have no power to produce such a prisoner unless the review has actually been commenced in the presence of the prisoner before the end of the seven clear days.

(*d*) Sub-section (6) of the new section provides that for the purposes of the review the magistrate shall have all the powers that he would have if the matter were being brought before him as an original complaint, including powers for securing the attendance of the parties and witnesses.

(*e*) Sub-section (8) of the new section makes it clear that a review by the magistrate is not a bar to a subsequent appeal.

(*f*) Sub-section (2) of the old section 96 is omitted because the subject matter is covered by sections 12 to 14 of the Criminal Procedure Ordinance, 1899, Ordinance No. 9 of 1899.

13. Section 13 amends section 99 of the principal Ordinance. The chief amendment is to provide that a person who has obtained a case stated shall serve a copy of the case on the Crown Solicitor as well as on the opposite party. A case occurred recently in which the legal advisers of the Government did not know of the appeal until the time for amendment of the case stated had elapsed. The other amendments are purely technical. One deletes the word "parties" because the singular word "party" includes the plural, by virtue of section 36 of the Interpretation Ordinance, 1911, Ordinance No. 31 of 1911. The singular word "party" is used elsewhere in the principal Ordinance in the sections dealing with appeals. The other deletes the words "or respondents" because they are not used elsewhere in the Ordinance, and in any case "respondent" would include "respondents."

14. Section 100 of the principal Ordinance provides that a case stated may be amended by the magistrate at any time before it has been set down for argument before the Full Court. As it is possible for an appellant to set a case down as soon as he receives it, this provision might not allow sufficient time for the opposite party to consider the case and to apply for amendment if he were so advised. Section 14 of this Ordinance, therefore, amends section 100 so as to give the magistrate power to amend the case at any time before the commencement of the hearing by the Full Court. This will give the opposite party sufficient time to make any necessary application because four clear days notice of the day appointed for argument must be given to the other side. Section 100 of the principal Ordinance is also amended so as to require the transmission, service and setting down for argument of the amended case just as if it were the original case.

15. Section 15 amends section 101 of the principal Ordinance so as to require that notice that the case has been set down shall be given to the Crown Solicitor as well as to the opposite party.

16. Section 103 of the principal Ordinance does not at present expressly refer to the case where the party aggrieved wishes to appeal on the ground that there was no evidence on which the magistrate could convict. Section 16 includes an express reference to this case in section 103 of the principal Ordinance. That will have the effect

of applying to such an appeal the provisions relating to appeals on the ground of fact. One effect of this apparently is that it would be possible for the Full Court, should it think fit in any particular case, to hear further evidence.

17. Section 17 amends section 104 of the principal Ordinance so as to require service on the Crown Solicitor of the motion for a rehearing before the Full Court in the case of appeal on the ground of fact.

18. Section 18 adds to section 106 of the principal Ordinance a new sub-section (7) which gives the Full Court power to estreat the appellant's recognizance if he failst perform any part of the condition. This is in order to provide expressly for the class of cases where the appeal is abandoned before it ever reaches the Full Court. Probably the Full Court has this power already, but it has been thought better to give it expressly, and also to provide that an appeal so disposed of shall for the purposes of section 111 be deemed to have been decided in favour of the respondent. The effect of this latter provision is that a magistrate can then prooceed to enforce the original conviction or order.

19. Section 19 inserts in the principal Ordinance a new section 106A which provides that any notice or document required to be given or served by the appellant in any appeal may be given to or served on the respondent's solicitor, and that if the respondent has no solicitor and the respondent himself cannot be found the Full Court may proceed with the appeal as if the notice had been given or the document had been served. It is evidently convenient to be able to serve a solicitor, and it seems obvious that, for example, a convicted person should not be prevented from appealing by the mere fact that the complainant has disappeared or is purposely keeping out of the way.

20. Section 20 inserts in the principal Ordinance a new section which provides that on any appeal on a question of fact the depositions taken before the magistrate, or a certified copy thereof, shall be admissible as evidence of the evidence which was given and of the statements which were made before the Magistrate, and generally that the proceedings therein recorded took place. The depositions are also to be admissible on the hearing of any motion under the new section 113A which is dealt with in paragraph 21 below, and on any application to the Full Court to send a case stated back to the magistrate for amendment.

21. Section 21 repeals section 112 of the principal Ordinance and substitutes a new section. The principal changes are as follows:—

(*a*) Sub-section (2) of the new section provides that every person who has applied for a case stated or for a certificate of leave to appeal, and every person who has applied for a review under section 96 of the principal Ordinance, shall, if he is in

custody, be treated pending the appeal or review as if he were a person awaiting trial.

(*b*) Sub-section (3) provides that the time during which an appellant is admitted to bail, or is treated in prison as an appellant, pending the appeal, shall not count as part of his sentence. This sub-section is taken from section 14 (3) of the Criminal Appeal Act, 1907, 7 Edw. 7, c. 23.

(*c*) Sub-section (4) gives to a magistrate in the case of a review similar powers to those given to the judges and to the Full Court in the case of an appeal, and applies sub-section (3) to the case of a review.

22. Section 22 inserts in the principal Ordinance a new section 113A which empowers the Full Court to rehear a case *de novo* if any step in an appeal is rendered impossible by the death, absence or incapacity of the magistrate whose decision is appealed against.

23. Section 4 of the Vagrancy Act, 1824, *inter alia* makes it an offence for a suspected person or reputed thief frequenting certain specified places with intent to commit felony. This gave rise in practice to three difficulties. In the first place it was held by the Court of Exchequer in two cases that on the wording of the section in question it had to be proved that the frequenting was of some street leading to a river or place of public resort or a street adjacent to a place of public resort, and in one of these eases a charge of frequenting Regent Street with intent to commit a felony failed on this ground. There was a contrary decision by the Court of Queen's Bench. In the second place, it was argued that it was necessary to prove an overt act or some attempt to commit a felony. Both these difficulties were removed by section 15 of the Prevention of Crimes Act, 1871. In the third place, as was held in *R. v. Clark* (1884) 14 Q.B.D. 92, the finding of a man in a street upon one occasion does not amount to frequenting. This difficulty was met by section 7 of the Penal Servitude Act, 1891, which extended the provisions of the Vagrancy Act to cases of loitering in one of the place referred to with the intent specified. Section 23 of this Ordinance inserts in the Magistrates Ordinance, 1890, a new section 127 which incorporates the provisions of the Acts of 1871 and 1891.

24. Section 24 amends the form of caution in Form No. 70 in the First Schedule to the principal Ordinance in order to make it agree with the provisions of section 73 of that Ordinance.

25. Section 25 makes an amendment in the Third Schedule which is explained in paragraph 9 above.

26. There is still much in the Magistrates Ordinance, 1890, which calls for examination and amendment, *e.g.*, the curious duplication between sections 11 and 14. Re-arrangement would shorten and simplify the Ordinance considerably. This, however, would have involved the expenditure of more time than was available.

THE POLICE RESERVE.

THE ATTORNEY-GENERAL moved the first reading of "An Ordinance to provide for the formation, establishment and regulation of the Hong Kong Police Reserve." In doing so he said—To a large extent this Bill will repeat the provisions of the present Police Reserve Ordinance, but it does make three somewhat important changes in the law relating to the Reserve. In the first place it will dispense with the oath of allegiance and it will substitute an undertaking to serve in the Reserve and to obey all the rules and regulations in force during the period of the individual's service.

In the second place all penalties for breach of discipline, other, of course, than reprimand and dismissal, are abolished except when the Reserve is called out for active service. It is obvious that when it is called out for active service, if ever, the penalties must revive for the period of active service.

In the third place power is given under the Bill to the Governor-in-Council to direct that members of the Reserve be paid when the Reserve is called out for service. The regulations proposed to be made under this Ordinance, when it is passed, have been published in the *Gazette*.

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

"OBJECTS AND REASONS."

The "Objects and Reasons" state:—

1. The bill proposes to repeal and re-enact with variations the Hong Kong Police Reserve Ordinance, 1914. The principal variations introduced by the bill are:—

(*a*) The oath of allegiance is dispensed with as the Reserve is purely a civil force.

(*b*) All penalties for breach of discipline, other than reprimand and dismissal, are abolished except while the Reserve is called out for active service.

(*c*) Power is given to the Governor-in-Council to direct that members of the Reserve shall be paid when the Reserve is called out for service.

2. A table of correspondence between the bill and the Police Reserve Ordinance, 1914, is appended.

3. A copy of the proposed regulations is published at the same time as this bill.

BOY SCOUTS ORDINANCE.

THE ATTORNEY-GENERAL moved the second reading of "An Ordinance to further and protect the activities of the Boy Scouts Association, and to incorporate the Hong Kong Branch thereof."

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

Council went into committee to consider the Bill clause by clause. No changes were made in committee, and upon Council resuming,

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

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

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT.

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT—Before we adjourn I should like to express my indebtedness to the Official and Unofficial Members alike of both the Executive and Legislative Councils for the very ready help and co-operation they have given to me at all times while I have been administering the Government of this Colony in the absence of H.E. The Governor. As this is probably the last time I shall have the pleasure of meeting you together for some months I should like also to take this opportunity of wishing you all and the Colony a very prosperous future.

Council adjourned *sine die*.

FINANCE COMMITTEE.

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

The items, Nos. 122 to 130 of 1927, contained in the message of H.E. The Officer Administering the Government, No. 15, were considered.

Item No. 126. Public Works Extraordinary; New Government Civil Hospital, Compensation for Resumption—$253,500.00.

The explanation of the vote on the agenda of the Finance Committee was as follows:—

> "It is proposed, as soon as the financial position of the Colony permits, to reconstruct the Government Civil Hospital and in connection therewith more land will be required. A favourable opportunity occurred to acquire the site of the Diocesan Boys' School on Bonham Road, and the sum now required is for the purchase thereof. In July, 1926, the Finance Committee agreed that this sum might be offered."

HON. MR. W. E. L. SHENTON—Since this matter was last before the Finance Committee, several members of the Committee have been changed. I think, therefore, that the papers dealing with the subject

subsequent to the meeting when the offer of this sum was authorised might be circulated to the present members of the Finance Committee. It is a big sum of money and at least three members of this Committee, including myself, know nothing about it. I would suggest that this vote be adjourned until our next meeting and that in the meantime members might be given an opportunity of seeing the papers dealing with the question.

THE COLONIAL SECRETARY—There is no objection to the members of the present Committee seeing the papers, but you must understand that the vote was approved in 1926 and that the Finance Committee definitely committed us to the expenditure of this sum. The matter was brought before the Finance Committee before any decision as to the site had been taken and it was upon the advice then given that the present policy was adopted. It was agreed then that the price now paid should be offered. As the Finance Committee decided on the policy and fixed the price the Government were definitely committed to it and have to pay the money. We have, as a matter of fact, completed the payment.

HON. MR. W. E. L. SHENTON—In the case of such a large sum as this I think something more than just a statement that the Finance Committee had agreed to the expenditure might be offered to the members of the present Committee. Personally, I find it difficult to speak on the subject because I only know what is printed upon the agenda. I think the Finance Committee should have something more tangible before them, some details of what has taken place, before they sanction this vote.

THE COLONIAL SECRETARY—It is a little unfortunate that members of the Finance Committee who sanctioned the vote should not be present now. The Government, however, has to regard the Finance Committee as a continuing body and acts on that basis. When the Diocesan Boys' School made its plans for transfer to Yaumati, arrangements for the sale of the old premises were completed. At that time the Government lost control of the ground. The necessity for re-building the hospital arose then and it was clear to us that the site of the Diocesan Boys' School was necessary for the satisfactory development of the scheme if the new building for the hospital was to be erected in an approximate position to the old one, a course which it was definitely decided to adopt. The negotiations for the private sale of the site of the Diocesan Boys' School hung fire and collapsed. It was considered undesirable again to lose control of the area and so endanger the solution of the Government Civil Hospital problem. The Finance Committee was fully consulted throughout and the money required was definitely agreed to and passed. The papers can be circularised to the present members of the Committee, but we are not in a position to go back on the arrangements made.

The vote was then approved.

The other votes on the agenda were agreed to.

MOTOR LAUNCH FOR IMPORTS AND EXPORTS DEPARTMENT.

THE COLONIAL SECRETARY—There is a vote on next year's estimates for the Imports and Exports Department for $7,000 for the purchase of a launch. An opportunity has arisen this year to purchase an entirely satisfactory launch for $4,500 or $5,000, at any rate at a considerable saving on the vote in the papers for next year. The offer of the launch has been tentatively accepted in expectation of the consent of the Finance Committee and I would ask for your approval.

HON. MR. D. G. M. BERNARD—What is the age of this launch? Is it a good policy to purchase a second hand launch?

THE COLONIAL SECRETARY—The launch has been very carefully surveyed by the Government Marine Surveyor and he reports that it is well worth the money.

HON. MR. W. E. L. SHENTON—The launch has been fully surveyed and the Government advised to purchase?

THE COLONIAL SECRETARY—Yes. It is a motor launch.

The vote was approved.