

20th June, 1929.

PRESENT:—

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

THE HON. THE OFFICER COMMANDING THE TROOPS (COLONEL W. D. S. BROWNRIGG, D.S.O.).

THE ACTING COLONIAL SECRETARY (HON. MR. D. W. TRATMAN).

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

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

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

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

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

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

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

HON. SIR SHOU-SON CHOW, KT.

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

HON. MR. A. C. HYNES.

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

HON. MR. J. P. BRAGA.

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

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

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

ABSENT:—

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

MINUTES.

The minutes of the previous meeting of Council were confirmed.

NEW MEMBERS.

The Hon. The Officer Commanding the Troops (Colonel W. D. S. Brownrigg, D.S.O.), the acting Colonial Secretary (Hon. Mr. D. W. Tratman) and the acting Colonial Treasurer (Hon. Mr. M. J. Breen) took the oath of allegiance and their seats as members of the Council.

PAPERS.

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

The Playing Fields Committee, on 17th May, 1929.

The Stamp Duty Committee, on 17th May, 1929.

Alterations to wavelengths and services of Cape D'Aguilar Radio Station on 17th May, 1929.

Notification under the Merchant Shipping Ordinance, 1899, re Passenger Certificates, on 17th May, 1929.

Notification of the Treaty of Friendship, Commerce and Navigation of the 16th October, 1884, between the United Kingdom and the Republic of Paraguay on 31st May, 1929.

Regulation under the Post Office Ordinance, 1926, on 5th June, 1929.

Order under the Probates Ordinance, 1897, on 12th June, 1929.

Regulations under the Emergency Regulations Ordinance, 1922, on 13th June, 1929.

Declaration under the Merchant Shipping Ordinance, 1899, on 13th June, 1929.

Financial Statement for the year, 1928.

Report on the Assessment for the year, 1929-1930.

Report on the Finances for the year, 1928.

Report of the Harbour Master for the year, 1928.

Report of the Director of the Royal Observatory for the year, 1928.

Report on the New Territories for the year, 1928.

Report of the Official Receiver and Registrar of Trade Marks and Letters Patent for the year, 1928.

Report of the Land Officer and Registrar of Marriages for the year, 1928.

QUESTIONS.

HON. MR. J. P. BRAGA asked:—

1.—What are the functions of the Subordinate Staff Committee?

2.—Having regard to the fact that the Sub-Committee is composed entirely of official members, will the Government consider, favourably, in the interest of the public service, the enlargement of that Board by the inclusion of unofficial members also?

THE COLONIAL SECRETARY replied:—

1.—The Subordinate Staff Board was appointed under Government Notification No. 112, dated the 24th of April, 1911, to advise on certain matters connected with the clerical and subordinate branches of the Civil Service. The Board makes recommendations for promotion in the Clerical and allied branches of the Government Services and keeps the confidential reports made by Heads of Departments on officers of this class. It also supervises recruiting and advises on transfers.

2.—The Government is unable to agree as to the efficacy or the desirability of this proposal.

Petrol Service Stations.

HON. MR. J. P. BRAGA asked:—

1.—How many petrol service station exist in the City of Victoria and at Kowloon, respectively, and at what places?

2.—To whom and under what conditions has permission been granted for erecting and maintaining such service stations?

3.—Are there any applications pending for the erection of additional service stations; if so, from whom have such applications been received and how many await decision?

4.—Have any applications been refused and on what grounds?

5.—What is the annual revenue derived from permits for the encroachment of Crown land and dangerous goods licences, respectively, for petrol stations in respect of

(a) the City of Victoria; and

(b) Kowloon?

THE COLONIAL SECRETARY replied:—

(1) Twenty one Petrol service stations exist as encroachments on Crown Land in the City of Victoria and out-district as scheduled in list A, and 10 stations at Kowloon and New Kowloon as scheduled in list B.

(2) To the Asiatic Petroleum Co., Standard Oil Co. and Texas Co. on annual permits subject to such general and special conditions as Government may require.

(3) Four applications are pending:—

i. A.P.C.—Area at Fire station compound, Kowloon.

ii. A.P.C.—Area occupied by China Motor Bus Co., Chatham Road, Kowloon.

iii. Texas Co.—Area on the New Praya East Reclamation.

iv. Standard Oil Co.—Area opposite K.I.L. 1464, Nathan Road.

(4) About 12 applications have been refused either because sites were open to objection from the point of view of fire risk or traffic.

(5) The annual revenue derived from Permits for Petrol pumps &c. amounts to:

(a) \$4,345.00 for Victoria &c. and

(b) \$1,750.00 for Kowloon and New Kowloon.

To these sums must be added \$64 for petrol storage licences.

"A"

List of Petrol Pumps, etc., on Crown Land for Purposes of Supplying Petrol to Motor Vehicles, etc.
HONG KONG.

Permit No.	Permittee	Description and Locality.	Annual Fee.	C.S.O.	L.S.O.
64/116	A.S. Watson & Co.	To install a Petrol Pump on Crown Land at North Point, opposite M.L. 293.	\$ 10.00	2039/25	48/25H
67/117	Asiatic Petroleum Co.	To install 2 Pumps, construct tanks and lay pipe lines under Crown Land at Stubbs Road, adjoining I.L. 2388.	\$240.00	2054/25	60/25H
81/119	Standard Oil Co.	To construct 1 tank and lay an underground pipe under Crown Land at Lower Albert Road P.W.D. Garage.	\$10.00	2118/25	178/25H
69/121	Asiatic Petroleum Co.	To erect a shed and install a Benzine Pump on Crown Land at City Hall, Wardley Street.	\$600.00	1448/25	166/25H
92/123	Standard Oil Co.	To erect a shed and install a Benzine Pump on Crown Land at City Hall, Wardley Street.	\$625.00	2242/26	113/26H
63/124	Standard Oil Co.	To erect a shed and install a Benzine Pump on Crown Land at Stubbs Road—Junction of Tai Hang Road.	\$200.00	2256/27	157/26H
49/125	Standard Oil Co.	To erect a Service Station, construct an underground tank and install a Pump on Crown Land at Shek Tong Tsui (Tramway Shelter).	\$250.00	2113/24	154/24H
16/126	Standard Oil Co.	To erect a shed, construct a tank and install a Pump on Crown Land at Leighton Hill Road.	\$250.00	22 in 2363/27	74/27H
70/129	Asiatic Petroleum Co.	To erect a Service Station, etc., on Crown Land at Shek Tong Tsui (Tramway Shelter).	\$250.00	165 in 2363/27	146/27H

"A"

4/130	Standard Oil Co.	To install a Pump and lay a pipe line on Crown Land at Aberdeen—A.I.L. 97.	\$120.00	2393/28	28/28
72/132	Standard Oil Co.	To install a Pump on Crown Land adjoining I.L. 2166 Gordon Road.	\$120.00	2523/28	32/28
9/133	Asiatic Petroleum Co.	To install a Pump, etc., on Crown Land at Shek O.	\$120.00	2559/28	407/28
15/133	Vacuum Oil Co.	To erect an Oil Cabinet on Crown Land at City Hall.	\$25.00	2568/28	447/28
10/134	The Texas Co.	To erect a shed and install Pump on Crown Land at junction of Morrison Hill Road and Leighton Hill Road.	\$250.00	2604/28	575/28
75/136	Asiatic Petroleum Co.	To install a Pump, etc., on Crown Land at Leighton Hill Road.	\$250.00	2693/28	775/28
32/138	The Texas Co.	To install a Pump, etc., on Crown Land at Shek Tong Tsui.	\$250.00	2650/28	698/28
36/138	Asiatic Petroleum Co.	To install a Pump, etc., on Crown Land adjoining M.L. 122, Praya East.	\$120.00	12 in 4198/29	926/28
37/138	The Texas Co.	To install a Pump, etc., on Crown Land—W. of I.Ls. 2580 and 2380, Pokfulam Road.	\$200.00	2598/28	477/28
76/138	Standard Oil Co.	To install a Pump, etc., on Crown Land at Pokfulam Road.	\$120.00	43 in 4198/29	953/28
86/138	Standard Oil Co.	To install a Pump, a tank, etc., on Crown Land at Repulse Bay.	\$120.00	P.W.O. 3110/28(1)	755/28
24/139	Asiatic Petroleum Co.	To install a Petrol Pump, etc., on Crown Land at Shaukiwan Road.	\$120.00	64 in 4198/29	116/29
57/139	Asiatic Petroleum Co.	To use a flexible pipe on Crown Land at Douglas Street.	\$120.00	1940/22	118/22H

"B"

List of Petrol Pumps, etc., on Crown Land for Purposes of Supplying Petrol to Motor Vehicles, etc.
KOWLOON AND NEW TERRITORIES.

Permit No.	Permittee	Description and Locality.	Annual Fee.	C.S.O.	L.S.O.
13/119	Asiatic Petroleum Co.	To install a pump and lay an underground pipe line under Crown Land at Chatham Road. Adjoining H.I.L. 261.	\$120.00	2083/25	26/24K
79/119	Asiatic Petroleum Co.	To install a pump and lay an underground pipe line under Crown Land adjoining K.I.L. 1262 at the junction of Argyle Street and Nathan Road.	\$120.00	2107/25	75/25K
56/119	The Texas Co.	To install a pump and lay an underground pipe line under the pavement adjoining K.I.L. 661, Nathan Road.	\$120.00	1898/22	28/22K
66/124	Standard Oil Co.	To install a Petrol Pump, etc., on Crown Land opposite K.I.L. 1633.	\$120.00	17 in 2279/26	66/26K
26/131	Standard Oil Co.	To install a petrol pump, etc., adjoining K.I.L. 2087, Nathan Road.	\$120.00	191 in 2363/27	169/27K
67/137	Asiatic Petroleum Co.	To erect a shed and install a petrol pump, etc., on Crown Land N. of K.I.L. 2101.	\$250.00	32 in 2694/28	571/28(1)
72/138	Asiatic Petroleum Co.	To erect a shed and install a petrol pump, etc., on Crown Land at the junction of Waterloo Road and Argyle Street.	\$200.00	44 in 4198/29	944/28
87/138	Standard Oil Co.	To erect a petrol service station on Crown Land N. of K.I.L. 2101.	\$250.00	48 in 4198/29	571/28
7/139	Asiatic Petroleum Co.	To erect a shed and install a petrol pump, etc., E. of N.K.I.L. 624, Kowloon City.	\$200.00	17 in 4198/29	943/28
53/139	The Texas Co.	To erect a shed and install a petrol pump, etc., on Crown	\$250.00	24 in 2694/28	571/28(2)

Land N. of K.I.L. 2101.

The Water Shortage.

HON. MR. W. E. L. SHENTON asked:—

Will the Government give this Council the following information:

1. The present position of the water supply in this Colony?
2. What measures have the Government already taken or planned to meet the present water shortage—
 - (a) By obtaining supplies of water outside the Colony?
 - (b) By improving the water supplies within the Colony?
3. What plans have the Government for preventing the recurrence of the present shortage of water?

THE DIRECTOR OF PUBLIC WORKS replied:—

Present Position.

The total quantity of water in the storage and service reservoirs on the island on the morning of the 17th June amounted to 192.75 million gallons. The average drop since June 1 (with fully one inch rainfall) has been 3.2 million gallons a day, which means that, under similar conditions, there is storage to last until 16th August.

The daily rate of draw-off will, however, be decreased by further curtailment of the hours of supply, as further outside sources of supply are brought to Hong Kong for the benefit chiefly of those sections of the community on the lower levels who are at present the principal sufferers.

The total daily consumption from all sources has been reduced to 4 million gallons as against a maximum 1928 summer supply of 12 million gallons a day. Compared with last June the high levels consumption has decreased by about 40% and the same reduction applies to all metered services in the City.

At present all the reservoirs, excepting Tytam, are practically empty, and it is of interest to record that, with the exception of the Pokfulam Reservoir, there is no evidence of silting. The Pokfulam Reservoir has silted to the extent of 3 or 4 million gallons due to the construction of the section of Stubbs Road within the catchment area. The total loss in storage in the island reservoirs due to siltage is about 0.2 of 1%.

In Kowloon the total quantity of water in the storage and service reservoirs on 17th June amounted to 80.51 million gallons.

The yield from the Shing Mun River since 1st June (with a 2 inch rainfall) has averaged 1.50 million gallons a day, but at times it has dropped to less than 1 million gallons a day.

The average daily drop in storage since 1st June has been 0.75 million gallons so that with but a small rainfall Kowloon should have storage for about 3½ months. It is hoped that it may soon be possible to increase the hours of supply in Kowloon, but it must be borne in mind that Kowloon may have to continue contributing supplies to Hong Kong from Laichikok for many months— possibly until next year's rains set in.

As regards subsidiary water supplies the Shaukiwan and Aberdeen Village supplies are in a fairly secure position, and only a few light showers are necessary to keep the streams supplying these water works with sufficient for the normal consumption.

Arrangements have been made for all Government vessels to obtain their supplies from these sources during the present shortage.

The Repulse Bay supply (from Wongneichong Reservoir) is almost exhausted, but arrangements have been made to deliver water by water boat from Stanley or Aberdeen, should it completely fail. Less than 10,000 gallons a day would suffice to maintain an emergency supply to this district.

There is plenty of water at Taipo, but the Fanling supply is getting rather low.

Emergency Measures.

The following emergency measures have been taken to augment the ordinary supplies.

In November, 1928, 4 steel tanks, each of 30,000 gallons capacity, were cabled for from England and arrived in the Colony on 28th January, 1929. Two were erected at Western Street and Sutherland Street, and came into operation on the 21st March. The other two were erected at Western Market and Gilman Street, and came into operation on the 9th and 14th April respectively. The total quantity delivered to these 4 tanks to date from the Laichikok Water Boat Dock is 22.63 million gallons, or an average of 0.257 million gallons a day. For the past few weeks the daily delivery has been over 330,000 gallons a day.

Two other steel tanks were purchased locally and have been erected at Douglas Wharf and Centre Street. The former is supplied by the Douglas Company steamers when in port and also by H.M.S. Cherub from time to time.

The remainder of the tanks (15) are of brick and reinforced concrete construction, nine having been built by the Tung Wah Hospital Authorities and the last six erected by Government on the new Praya East Reclamation. The following is a list of the various tanks shewing their positions and capacity, totalling over 1,000,000 gallons. The additional tanks will be available for intermittent sources of supply from steamers bringing water from outports and for the supplies from Wang Mun and Tsun Wan.

(a) Steel Tanks.

Erected by the Water Works Office.

Total Number, Six.

- (1) at Western Street.
 - (2) at Sutherland Street.
 - (3) at Western Market.
 - (4) at Gilman Street.
 - (5) at Douglas Street.
 - (6) at Centre Street.
- Total Capacity, 754 Tons.

(b) Brick Tanks.

Erected by the Tung Wah Hospital Authorities.

Total Number, Nine.

- (1) at Davis Street (for launches only)..... 138 Tons
 - (2) at Sands Street junct. Connaught Road..... 381 Tons
 - (3) at Hill Road Junct. Connaught Road..... 315 Tons
 - (4) at Water Street 339 Tons
 - (5) at Eastern Street..... 339 Tons
 - (6) at Queen's Street..... 362 Tons
 - (7) at Cleverly Street..... 337 Tons
 - (8) at Harbour Office 337 Tons
 - (9) at Pottinger Street 337 Tons
- Total Capacity, 2,747 Tons.

(c) Brick and R.C.C. Tanks.

On Praya East (Six).

- (1) 146 Tons.
 - (2) 125 „
 - (3) 251 „
 - (4) 125 „
 - (5) 251 „
 - (6) 144 „
- Total Capacity, 1,042 Tons.

(d) Summary of above capacities.

Steel Tanks.....	754 Tons
Brick Tanks.....	2,747 Tons
B. & R. C. C. Tanks	1,042 Tons

Total capacity of all tanks 4,543 Tons or, approximately, 1,000,000 gallons.

The quantity of water delivered into tanks on the Praya from ships calling at Hong Kong between the 10th and 17th June, both days inclusive, was 836,640 gallons, or 3,735 tons, this water coming from Japan, Shanghai, Foochow and Wang Mun.

We are much indebted to the local Shipping Companies for their kind assistance and active co-operation in securing this continuous transport of water from the outports. Messrs. Jardine, Matheson and Co. again came to our assistance by placing the services of Mr. Robert Sutherland at the disposal of Government during his recent visit to Shanghai.

Arrangements were made early in the year with Messrs. Butterfield and Swire to obtain a supply from the Taikoo Refinery for delivery to the City Mains in the Whitfield area. A 5" connecting pipe line, 750 ft. in length, was laid and water was obtained from the Refinery on the 1st February. Up to date a total of 21.35 million gallons has been obtained from this source, equal to an average daily quantity of 157,000 gallons. At present the Refinery has restricted the supply to Government to 100,000 gallons a day.

This firm have kindly furnished Government with a statement of the water in their reservoirs and have expressed their willingness to assist in any way possible.

A pump was fixed in the Shing Mun Valley in April to deliver additional water from the river below the Intake into the temporary conduit. This pump has delivered approximately 30,000 gallons a day since 1st May. Another pump is in course of erection, capable of delivering up to $\frac{1}{4}$ million gallons a day whenever that amount is available.

A channel (length 1,200 ft.), an 8" pipe line (length 600 ft.) and a pier (length 370 ft.) have been constructed at the stream $\frac{1}{2}$ mile West of Tsun Wan Village. This work was commenced on 2nd June and completed on 9th June when water boats commenced transporting water to Hong Kong. The dry weather flow of the stream is approximately 500,000 gallons a day, but to obtain this amount a certain quantity has to be pumped from the stream to the channel. Arrangements have been made with Messrs. Williamson and Co. to supply a pumping unit for this purpose and it is hoped to have this in operation in a few days. Since 9th June an average of 270,000 gallons a day has been obtained from this source and this will be increased within the next few days.

Another similar pumping unit has been fixed in the Laichikok stream below the Kowloon Filter Beds to pump up the contents of the stream to the Filter Beds. A minimum yield of 75,000 gallons a day is anticipated.

An 8" pipe line 1,600 ft. in length has been laid to divert the lower Sheklipui stream into the Kowloon Filter Beds and a dry weather flow of 40,000 gallons a day is meanwhile being obtained.

The supply from Sham Tseng source is not yet in operation owing to the necessary pipes having to be obtained from outside the Colony. Other sources have been investigated at Tai Shui Hang, giving approximately 32,000 gallons a day, and at Yu Ho at Tai O, giving approximately 87,000 gallons a day, but these supplies will not be taken up at present as it is not advisable to divert lighters for this work owing to the small quantity available and the difficulties of approach.

The construction of a temporary dry weather flow channel about 3,500 ft. in length from the Tytam Bay stream to Tytam Tuk Reservoir has commenced and it is hoped to complete it by the end of July. This work will be later superseded by the permanent "Dragon's Back" Catchwater. Meantime it is hoped to gain at least 50 million gallons from August to March, 1930, and as it is most unlikely that Tytam Tuk will overflow this summer, this additional storage will be most welcome.

Since the possibility of a water shortage was foreseen last Autumn, the following restrictions have been imposed.

September 10th, 1928.

Full supply to all districts ceased.

September 11th—October 31st.

Rider Main districts restricted to a 2 hours per day supply.

November 1st—April 30th, 1929.

All Rider Mains disconnected and a constant supply by street fountains given in Rider Main Areas. (Full supply for 3 days at Chinese New Year).

March 25th—April 30th.

Night pressures reduced throughout City.

April 15th.

Shipping Companies advised to obtain supplies elsewhere.

May 1st—May 27th.

Principal mains open daily from 6 a.m.—6 p.m. only.

May 28th—June 17th.

Principal mains open daily from 6—10 a.m. and 3—6 p.m. only.

June 5th.

Contractors' Building Supplies disconnected.

June 18th.

Hours of supply advertised to be 6—9 a.m. and 3.30—6 p.m. only. Peak 4 hours daily.

Regulations under the Emergency Regulations Ordinance have been made by the Governor in Council, empowering the Director of Public Works to take over water boats, lighters, and other vessels to be used for conveying or storing water, and any source of water supply, with the reservoirs, piers, and other works in connexion therewith.

The Railway Department have been instructed by Government to make 20 trucks suitable for the transport of water from points along the railway.

As the Wang Mun source affords the nearest unlimited supply it has been decided to concentrate upon this source, and the necessary arrangements for the transport of approximately 3,000,000 gallons a day are being made. Some 67 lighters of approximately 200 tons capacity each, and about 25 towing craft, will be required. The Shipping Sub-Committee is making a census of all suitable craft but orders have not yet been placed except in the case of 18 lighters which are now being adapted. Of these, eight 100-ton lighters have already been made available.

The Government Bacteriologist has reported on samples of water from Wang Mun, and the results are considered satisfactory, the water being rendered suitable for potable purposes by slight chlorination.

The permission of the Chinese Provincial Authorities and the Commissioner of the Chinese Maritime Customs has been sought for taking the water requirements of the Colony from this source.

The estimated cost of this scheme is approximately \$200,000 a month, apart from the initial cost of adapting lighters for the carriage of water.

At present H.M.S. Cherub continues to do very useful duty in transporting water from Wang Mun, and the S. S. Fukwong, a light tanker of 1,400 tons capacity, has been chartered for this service from the Asiatic Petroleum Co., with a draught capable of negotiating the Wang Mun Bar at all states of the tide.

The proposal to use the Royal Naval dry dock for storage has again received careful consideration. Apart from the serious difficulty of overcoming contamination of the fresh water by seepage this question is dependent upon the use of tankers, which alone would involve an expenditure of approximately \$500,000 a

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month for a supply of 2¼ million gallons a day (not including the cost of water at Shanghai). The estimated expenditure in connexion with the Wang Mun scheme is \$200,000 a month, for a supply of 3,000,000 gallons a day, and it is hoped that this will prove to be a conservative estimate.

The tankers would also require storage units of much larger capacity than the existing tanks, and would involve additional pipe lines and pumping ashore—thus further increasing the cost of this source of supply.

The alternative proposals of pumping from tankers into the Elliot Filter Beds or to the Tytam Tuk Pumping Station have been carefully examined, and the Tytam Tuk scheme is proving to be the more feasible proposition. The Waterworks Department are preparing the scheme for laying the necessary pipes connecting the Pumping Station with the pier which it will be necessary to build to carry the pipe out to the tanker lying off in deep water. This pier will be erected by the Port Development Office.

By this scheme it will be possible to connect the tankers with the pumps at the Tytam Tuk Pumping Station, which will deliver the water direct into the tunnel intake, whence it will flow through the Bowen Road Conduit into the Eastern, Albany and Elliot Filter Beds as required. It may be possible to arrange for tankers to convey water to Hong Kong occasionally in their way through the Colony without incurring the great cost of hiring them entirely for the transport of water; but in any case arrangements such as are now proposed must be made to take delivery of such consignments as are carried by tankers with a storage capacity of about 10,000 tons.

On the 18th June by kind permission of the Commodore rain making experiments were undertaken by the Royal Air Force. Seven flights were made from the Kai Tak Aerodrome by planes each carrying 1 cwt. of powdered kaolin which was dispersed into clouds considered to be so located as to produce the best results over the catchment areas of the Hong Kong and Kowloon Reservoirs. Unfortunately no appreciable results were obtained.

Supplies from wells and nullahs are being made available in consultation with the Hon. Director of Medical and Sanitary Services. Particulars of wells opened have already been published. The following is a list of the nullahs from which supplies have been made available to the public:

Star Street.
Victoria Nullah at Queen's Road East.
Albany Nullah—Boundary Path, Lower Tram Station.
Wyndham Street/Wellington Street (from Glenealy Nullah).
No. 12 Bridge Nullah Shaukiwan, Main Nullah.
No. 12 Bridge Nullah Shaukiwan, West Branch.
P.W.D. Annexe (from Albany Nullah).
Tai Hang Village.
Cadogan Street.
Beach Street.
Storm Water Drain springs, Recreation Ground, Happy Valley.
Albany Nullah at Queen's Road East.
Albany Nullah at Kennedy Road.
Albany Nullah at MacDonnell Road.
Duddell Street.
Seth's Corner.
Whitfield.
Matheson Street.
Yee Woo Street.
Pennington Street.
Pokfulam Road/Shektongtsui Nullah.
Hing Hon Road.
Bonham Road/Western Street.

At all wells and nullahs notices, in English and Chinese, have been posted warning the public that the water must be boiled if used for potable purposes.

Measures taken to prevent recurrence of water shortage.

The following permanent measures are being taken to increase the supply:—

1 The Aberdeen Valley scheme, estimated to maintain a daily supply of 2.12 million gallons during the driest known period.

It is hoped to call for tenders within 2 months for the construction of the dam and a short length of catchwater. The necessary pipes and pumps have been ordered from home, and water from this source should be available by the Spring of 1931.

2. The cross harbour pipe line which has now received the approval of the Consulting Engineers is likely to be available in time for the spring rains of 1930 and will be capable of delivering up to 4 million gallons a day to the island.

3. The Dragon's Back and Mt. Pottinger Catchwaters have been investigated and preliminary drawings prepared. The minimum yield from the areas intercepted by these Catchwaters is estimated at 1½ million gallons a day. Construction work can be commenced next year if sufficient staff is available.

4. The Contract for the construction of the Byewash Dam has been signed and notice to commence the work given. It should be possible to impound a certain amount of water in the reservoir in about 14 months' time. The total storage will be 175 million gallons approximately.

5. The Sheklipui Service Reservoir now under construction will hold 10 million gallons to storage. It will be finished within a year.

6. Investigation of the further sections of the Shing Mun Valley scheme is proceeding. The Gorge Dam at Pineapple Pass appears to be feasible and preliminary investigations at Gin Drinkers' Bay, where there is a very large basin capable of impounding fully 2,000 million gallons, have turned out well.

Considerable preliminary work is, however, necessary before works of this magnitude can be commenced.

These and other possible sources of supply have been dealt with fully in Sessional Paper No. 4 of 1928.

FINANCE COMMITTEE'S REPORT.

THE COLONIAL SECRETARY, by command of H.E. The Governor, laid upon the table the report of the Finance Committee, No. 6, of 16th May, 1929, and moved that it be adopted.

THE COLONIAL TREASURER seconded and this was agreed to.

SUNDAY CARGO WORKING ORDINANCE.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled An Ordinance to amend the law relating to the restriction of the loading, working and discharging of cargo on Sunday. He said: Under the present Sunday Cargo Working Ordinance, owing to the form of permit given in the Schedule, the fee for Sunday cargo working must be paid in advance and there is no power in the Ordinance to alter that form so as to make it payable after the event. Payment in advance is inconvenient because frequently a permit has to be taken out in case Sunday working should be necessary. Subsequently it is found that Sunday working can be avoided and the permit is not used, and in that case the

holder of the permit is put to the trouble of applying for a refund of the fee and the Harbour Department and the Treasury are put to the trouble of making the refund. It was therefore decided to pass a short amending Ordinance so as to allow for the subsequent payment of the permit fee. But it very frequently happens that when a simple proposal of that kind is made, other proposals follow, other defects and omissions are discovered in the principal Ordinance, till eventually the old Ordinance practically crumbles away. That is what has happened in this case. When the Ordinance came to be examined it was found there were many omissions, some unnecessary provisions and other defects. It was therefore decided to repeal the whole of the principal Ordinance and re-enact it with the redundancies reduced, the omissions supplied and the defects remedied. The various points dealt with are all more or less technical and are explained in the Objects and Reasons. I beg to move the first reading.

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

Objects and Reasons.

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

1. The First Schedule of the Sunday Cargo Working Ordinance, 1891, Ordinance No. 1 of 1891, contains the form of permit which must be used under the Ordinance. That form recites the previous payment of the permit fee. No power exists in the Ordinance to alter this form, so that it can be altered only by a new Ordinance. Payment of the fee in advance is inconvenient because it frequently happens that a permit which has been taken out is not used. In such a case the holder of the permit is put to the trouble of applying for a refund of the fee, and the Harbour Department and Treasury are put to the trouble of making the refund. It was therefore proposed to pass an amending Ordinance so as to allow for the subsequent payment of the permit fee.

2. Under the present Ordinance a practice has grown up of returning an unused permit to the Harbour Office with an endorsement to the effect that the permit has not been used. This is for the purpose of claiming a refund of the fee. There is, however, no penalty under the Ordinance for a false or incorrect endorsement of this kind. It was therefore proposed to include in the amending Ordinance the provision of a penalty for this purpose.

3. It was subsequently found that other amendments of the Ordinance were also desirable, on the following points:—

(a) Section 4 of Ordinance No. 1 of 1891, deals with the hours during which applications for Sunday permits may be made. This is a matter which would more properly be dealt with by regulation, if indeed it were necessary to legislate for

it at all. It is omitted both from the present bill and from the regulations in the First Schedule to the bill, because it is thought that the matter may be left to departmental arrangement.

- (b) Section 6 of Ordinance No. 1 of 1891 gives power to make regulations, but that power is limited. It is enlarged in the bill. For example, power is given to the Governor in Council to exempt any specified vessel or class of ship from the operation of the Ordinance.
- (c) Section 7 of Ordinance No. 1 of 1891 provides a penalty for contraventions of section 3 of that Ordinance, but no penalty is provided for breaches of regulations made under the Ordinance.
- (d) The same section 7 make "the agents and the consignee of such vessel" liable in the absence of the master. It fails to provide for the case where the ship has an owner in the Colony and no agent. Further the reference to "the consignee of such vessel" is perhaps a mistake, though a general consignee of a ship is not unknown.
- (e) The same section 7 unnecessarily deals with the question of the term of imprisonment which may be imposed in default of payment of the fine, a matter which is dealt with generally in section 57 of the Magistrates Ordinance, 1890.
- (f) Section 8 of Ordinance No. 1 of 1891 provides unnecessarily for the case of persons who assist in contraventions of section 3 of the Ordinance. The question of aiders and abettors is dealt with generally by section 37 of the Magistrates Ordinance, 1890.

4. In view of these further points it was decided to repeal the present Ordinance and to re-enact it with variations. Most of these variations have been impliedly explained above.

5. The difficulty of bringing home to individuals any particular contravention of the Ordinance seems to call for some special remedy for the protection of the revenue. Clause 3 (2) of the bill, therefore, provides that if any cargo is worked on any ship contrary to the provisions of the Ordinance, the master, and the owners, charterers, (if any) and agents of the ship in question shall be deemed to have incurred a debt to the Crown equal to twice the amount of the Sunday permit fee for the ship in question. The reference in this sub-clause to "forfeiture" is inserted in order to make the debt in question recoverable by the procedure laid down in Ordinance No. 6 of 1875. It is possible that section 7 of the present Ordinance makes master and agents liable criminally even in the absence of guilty knowledge, but it is considered that the case does not justify a provision of this exceptional nature, and that it is more appropriate to make the master, owners, etc., liable to pay double the usual permit fee if the Ordinance is contravened, on the ground that it is their duty to see that the revenue is not defrauded in a matter over which they have or should have control.

6. Clause 6 of the bill lays down that the fee for any given Sunday permit must in general be paid within seven days after the date of issue, but it also provides that the fee shall not be payable if the holder satisfies the Harbour Master that no cargo was received on board, loaded, worked, or discharged, on or from the ship in question on the Sunday for which the permit was issued, and if the holder shall also have complied with the law generally so far as it is relevant to the permit in question.

7. The bill proposes to repeal both Ordinance No. 1 of 1891 and the regulations now in force thereunder which appear on page 152 of the Regulations of Hong Kong, 1844-1925.

WIDOWS' AND ORPHANS' PENSION ORDINANCE.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled An Ordinance to amend further the Widows' and Orphans' Pension Ordinance, 1908. He said: Two points are dealt with in this Bill. The first point is dealt with by clauses 2 and 3. These clauses amend a misprint which crept into the present revised edition of the Ordinances, the word "not" having been inserted by mistake. The effect of that misprint was to make officers on agreements for periods not exceeding two years liable to pay the widows' and orphans' contribution, whilst officers on agreement for periods exceeding two years were not so liable. That is obviously absurd because the general intention is that all permanent or semi-permanent officers should be bound to contribute whilst temporary officers should not be required to contribute. Clause 3 makes this amendment date back to the coming into effect of the present revised edition of the Ordinances in which this misprint occurred. I think there is no objection to retrospective legislation in this case because everyone practically has acted all along on the assumption that the "not" must be a misprint.

The other point dealt with in the Bill is in the case of officers who were transferred to Hong Kong from some other Colony where they are already contributing to the widows' and orphans' pension scheme. The provision already made for the possible widow and orphans of an officer in that case may be quite sufficient. If he is required to contribute also to the Hong Kong scheme, the drain upon his salary may be serious and the provision may well be considered to be too large. Accordingly, it is now proposed to provide that an officer transferred to Hong Kong who is contributing to a scheme in another Colony, need not contribute to the Hong Kong scheme.

Provision is also made for refunds of contributions which may be made while the question of withdrawal from the Hong Kong scheme is under consideration because in each case an officer must, within a certain period, apply for exemption from the Hong Kong scheme. Clause 5 of the Bill extends this right to claim exemption

from the Hong Kong widows' and orphans' pension scheme to officers who, at the commencement of the Ordinance, are already liable to contribute. There are some officers who have been transferred to Hong Kong who were contributing to schemes in other colonies, and it is proposed to give them the right to claim exemption from the Hong Kong scheme. As the Ordinance is drafted they are also given the right to a refund of any contributions made by them up to the time when exemption is obtained, but I should mention that it is not intended at present to pay any refunds to any such officers—that is, existing officers—until it is known whether the payment of refunds in these cases will be approved by the Secretary of State. As I say, the Ordinance on the face of it gives the right, but the refunds will not actually be paid until approval has been obtained from the Secretary of State. That applies merely to existing officers and not to new officers coming hereafter. I beg to move the first reading.

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

Objects and Reasons.

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

1. Section 2 of this Ordinance will correct an obvious mistake in section 3 (1) (c) of the Widows' and Orphans' Pension Ordinance, 1908, Ordinance No. 15 of 1908. The Widows' and Orphans' Pension Scheme applies, generally speaking only to permanent officers, but in 1921 it was extended to persons appointed on an agreement for periods exceeding two years. Section 3 (1) (c) of the principal Ordinance in its present obviously incorrect form would make the Scheme apply to officers on agreement for periods not exceeding two years, while excluding officers on agreement for periods exceeding two years. This mistake must have occurred in the printing of the present revised edition, because the section appears correctly in the Law Revision Ordinance, 1924, Ordinance No. 5 of 1924, s. 36.

2. Section 3 makes this amendment retrospective so as to date back to the time when the present revised edition of the Ordinances became the statute book for all purposes, because everyone has all along acted as if the word "not" did not occur in the paragraph in question. The proclamation referred to is the proclamation which brought the new revised edition into effect.

3. Section 4 inserts in the principal Ordinance a section dealing with the case of persons transferred to Hong Kong who are already contributing to a widows' and orphans' pension scheme in some other Colony. The new section provides that such an officer need not contribute to the Hong Kong scheme. It gives him three months to claim exemption, the three months dating from the time when he commences to draw salary from this Government. The
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only where the scheme to which the officer is already contributing is approved by the Secretary of State. The new section also provides that if an officer obtains exemption, any contributions previously made by him under the principal Ordinance shall be returned to him without interest. Some contributions might have been deducted while the officer's claim was being dealt with. The reference in sub-section 6 of the new section is to the *obtaining* of exemption because a claim would fail if the scheme in the other Colony were not one approved by the Secretary of State. The new section is made to apply in the case of schemes in colonies, protectorates, mandated territories, and British India.

4. Section 5 of this Ordinance is a temporary provision dealing with the case of officers who at present are liable to contribute under the principal Ordinance, but who will be entitled to claim exemption when this Ordinance becomes law. Such officers are given three months after the commencement of the Ordinance in which to claim exemption. Any such officers on leave at the commencement of this Ordinance will have three months after return from leave to claim exemption.

JURY AMENDMENT ORDINANCE.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled An Ordinance to amend the Jury Ordinance, 1887. He said: The principal object of this Bill is to amend and improve the procedure for fixing the two annual Jury Lists. One trouble at present is that we are tied down to a particular date—the 1st of March. The Lists have to be ready by that date and have to come in force on that date. They have to be posted outside the Courts of Justice on the 1st February and remain there for a fortnight, so that there really remains only the second half of February to go through the Lists, consider claims and objections and settle the two Lists of Common and Special Jurors by the 1st March. That does not allow much time, and one of the proposals of this Bill is to make the time movable according to the decision of the Governor so that if it is found the Lists cannot be ready by the ordinary date, then you, Sir, will be able to extend the time. It is also provided that the former Lists will remain in force until the new Lists come into effect.

There are also some improvements made in the provision of the Lists and more power is given and more obligation thrown on the Registrar with regard to the preparation of the Lists in advance for the final settlement. Another alteration proposed is that the final settlement of the two Lists should be transferred from the Legislative Council to the Governor in Council.

The Bill proposes to make certain other minor amendments. For example, the Bill provides that the Hong Kong Police Reserve shall not be exempt from jury service, an alteration is made in the wording of the reference to Ministers of other Congregations than the Church

of England. It simplifies the procedure for drawing panels of jurors and gives the Court power at any time when it is satisfied that a jury cannot agree to discharge the jury and release the members of it and empanel a new jury. At present a jury empanelled which cannot agree must at least remain until the close of the day's sitting and possibly, under another reading of the section, must remain empanelled until the conclusion of all the other cases set down in that month's Criminal Sessions have been disposed of. It frequently happens that the Court can clearly ascertain that the jury cannot agree and it should be possible when that stage is reached for the Court to discharge the jury and proceed with the case with another jury. This Bill proposes to give the Court that power. I beg to move the first reading.

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

Objects and Reasons.

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

1. Section 7 of the Jury Ordinance, 1887, Ordinance No. 6 of 1887, provides that the Special Jurors List and the Common Jurors List for any particular year must be brought into force on the 1st day of March, and there is no power to extend this date. The section also requires that the list of persons liable to serve as jurors must be posted up outside the Courts of Justice on or before the 1st day of February in each year, and there is also no power to extend this date. The section also requires the consideration of the jurors list by the Legislative Council in the second half of February. The rigidity of these provisions has caused inconvenience from time to time and has sometimes made very difficult a proper consideration of points arising on the lists. This amending bill gives the Governor power to extend the dates in question in case of necessity.

2. The Jury Ordinance, 1887, provides for the final settlement of the lists by the Legislative Council. The bill transfers this duty to the Governor in Council, who is considered to be the more suitable authority.

3. The Jury Ordinance, 1887, throws on the Legislative Council the whole duty of selecting the special jurors. The bill provides that the list of special jurors shall be compiled in the first instance by the Registrar. The Registrar will be guided as to the number of names to be included in the list of special jurors as the bill provides for a certain maximum. This maximum may be altered by the Governor in Council from time to time. The list of special jurors will be finally settled by the Governor in Council, and in settling the list the Governor in Council will not be bound by any previous order made by him with regard to the maximum number of names to be included.

4. As the date on which the two lists for any particular year are to be brought into use is no longer rigidly fixed by Ordinance

the bill provides that the lists brought into use in any particular year shall continue in force until the lists settled in the following year are brought into use.

5. The above changes are made by clauses 3 and 4 of the bill. Clause 7 of the bill is a temporary provision to the effect that the lists brought into use on the 1st day of March, 1929, shall continue in force until the new lists settled in 1930 are brought into use.

6. The bill amends the principal Ordinance in certain other minor points also.

7. Clause 2 amends section 4 of the Jury Ordinance, 1887, on the two following points. In the first place it makes an addition to paragraph (2) which is intended to make it clear that members of the Hong Kong Police Reserve are not to be exempt from jury service. In the second place, it omits the reference to dissent in paragraph (8), because it has been objected that the word dissent is inappropriate where there is no established religion.

8. Section 10 of the Jury Ordinance, 1887, provides, *inter alia*, that a jury panel must be drawn by the Deputy Registrar in the presence of the Registrar. This might be inconvenient, and accordingly clause 5 amends section 10 of the Jury Ordinance, 1887, by providing that the panel may be drawn either by the Registrar or by a Deputy Registrar.

9. Section 24 of the Jury Ordinance, 1887, provides, *inter alia*, that if a jury has not returned its verdict before all the other cases for trial at the same session "have been disposed of *and* when it sufficiently appears" that the jury cannot agree, the jury is to be discharged and a new jury to be empanelled. The word "session" is not entirely free from doubt, but even if it means only a day's sitting, a case may easily arise where it would be unnecessary to wait to the end of the day before being sure that the jury could not agree. Again, it may be doubtful when the point of time is reached which is described by the words of the section "(when) all the other cases for trial at the same sitting or session have been disposed of." For example, two cases might be down for hearing on a particular day and only one might be disposed of on that day, or neither case might be finished on that day. Accordingly clause 6 of the bill alters the word "or" to "and" in the passage quoted at the beginning of this paragraph. The result will be that the court will have power to discharge a jury at any time when satisfied that the jury cannot agree upon a verdict.

THE CHARGES OF THE YEAR 1928.

THE COLONIAL SECRETARY.—By Your Excellency's command I rise to move the first reading of the Bill to authorise the Appropriation of a Supplementary Sum of \$292,104.79 to defray the charges of the year 1928.

This is the smallest Supplementary Appropriation figure for many years. It is smaller even than that for 1927 which was itself a record for recent times and it reflects an increasing

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financial control and care in cutting the administrative coat according to the legislature's allowance of cloth. In fact the total expenditure for the year is only \$21,230,242.00 as against the authorised budget of \$22,183,045.00. Details of the principal heads on which savings are shown are given in the Treasurer's report on the finances for the year 1928, a copy of which members will find among the papers before them. It will be noted that lapsing salaries are among the causes of savings on a number of heads and while some of these are attributable to calculated economy, others are, I regret to say, due to the difficulty of attracting an adequate supply of recruits to certain branches of this Government's service, notably the Medical and Education Departments which have been and are still understaffed in respect of home recruited officers. The same print also gives the principal heads showing excess expenditure. Of these the first item—that for the Railway—is, as will be seen elsewhere, more than counter-balanced by an excess of revenue resulting from the resumption of regular through traffic with Canton. This traffic, as members may be aware, has only been made practicable by the use of the engines of the British Section and its maintenance reflects great credit on the staff of the department especially those responsible for making and keeping the engines fit for a type of duty for which they were never designed.

The second item of excess is also in a sense, a matter for congratulation because increased military contribution indicates increased revenue. Revenue in fact was nearly \$5,000,000 more than our estimate for the year and even when allowance has been made for recredits arising from our new policy of development by loan there is still a handsome surplus—nearly \$3,000,000 of which the most gratifying item is the figure for land sales which realised nearly a million and a half above the estimate. There is no better index of the Colony's progress and prosperity than the demand for land within its borders. I am happy to be able to say that, despite the invasions of the smuggler into our opium monopoly, our revenue continues to be well above the average of our budget for the year, and if there are anxious and expensive days ahead, I have no doubt we shall face them as courageously and survive them as successfully as we have the other and varied tribulations of the past.

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

ADJOURNMENT.

H.E. THE GOVERNOR.—The Council will adjourn to Thursday, June 27.

FINANCE COMMITTEE.

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

Votes totalling \$341,394, contained in Message No. 7 from H.E. The Governor, were considered.

All the votes were approved.