

# VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL OF HONGKONG.

NO. 4 OF 1881.

MONDAY, 13<sup>TH</sup> JUNE, 1881.

## PRESENT:

His Excellency Governor Sir JOHN POPE HENNESSY, K.C.M.G.  
The Honourable the Acting Chief Justice,—FRANCIS SNOWDEN.  
The Honourable the Acting Colonial Secretary,—FREDERICK STEWART.  
The Honourable the Attorney General,—EDWARD LOUGHLIN O'MALLEY.  
The Honourable the Acting Colonial Treasurer,—MALCOLM STRUAN TONNOCHY.  
The Honourable PHINEAS RYRIE.  
The Honourable NG CHOY.  
The Honourable FRANCIS BULKELEY JOHNSON.

## ABSENT:

The Honourable WILLIAM KESWICK, on leave.  
The Honourable JOHN MACNEILE PRICE, on leave.

The Minutes of the last Meeting of Council, held on the 3rd instant, are read and confirmed.

The Honourable the Acting Chief Justice, pursuant to notice, puts the following question:—

"What steps has His Excellency taken, or is about to take, to give the Supreme Court the accommodation it urgently requires?"

His Excellency replies that the subject has already engaged the consideration of the Government, and that it will be attended to as soon as more important works, which the Acting Surveyor General has in hand, are completed.

The Honourable F. BULKELEY JOHNSON, pursuant to notice, puts the following question:—

"If the attention of the Acting Surveyor General has been called to the state of the roads in the Colony, to the general want of metal upon them, and especially to the state of Queen's road and the Praya Eastwards."

In reply, His Excellency reads a memorandum, prepared by Mr. BOWDLER, the Acting Surveyor General, on the progress of the repairs to the roads, and remarks that, when the last Estimates were framed, the damage which has within the last few months been caused to the roads by the recently introduced Jinrickshas was not anticipated, and that it may be necessary to ask for a further vote for re-constructing some roads that had only been made for chair traffic.

The Honourable Member next asks:—

"If the Acting Surveyor General can inform the Council when the Bowrington Bridge will be open to traffic."

His Excellency replies that the Acting Surveyor General says that the Bridge will

be open in about five weeks, and explains the difficulties with which the Government had to contend, owing to the rains for some months, and then to the withdrawal of the several Contractors who have tendered for the work.

The Honourable Member next asks "If His Excellency can give the Council any "information as to the measures in progress for increasing the Water Supply to the "City of Victoria."

The Governor replies by reading various correspondence and minutes, since 1873, on the question of Water Supply, ending with a report, up to date, of the Acting Surveyor General, Mr. BOWDLER, showing that, since the improvement of the Water Supply, on which \$47,000 had been spent in 1877 and 1878, each inhabitant of the town of Victoria receives, on an average, 14 gallons of water per day in the rainy season, and  $5\frac{3}{4}$  in the dry season. His Excellency adds that the necessity of dealing with the Fire-tanks scheme in connexion with the general question of the Water Supply is now before the Secretary of State, who has placed the Surveyor General in communication with Mr. RAWLINSON. His Excellency, therefore, has very little doubt that a practical scheme will soon be devised for still further increasing the Water Supply.

His Excellency moves the second reading of the Bill entitled the "*Penal Ordinances Amendment Ordinance, 1881.*"

The Honourable F. BULKELEY JOHNSON, while congratulating His Excellency on having introduced this Bill, and expressing this concurrence in the abolition of branding and flogging, enquires if it is true that since the abolition of flogging the crime of ear-ring snatching had increased.

The Honourable Member also remarks that some of the Ordinances about to be repealed by this Bill were enacted in the time of the late Sir RICHARD MACDONNELL, and details at length the causes which at the time prompted the introduction of those Ordinances.

The Honourable the Acting Chief Justice expresses his views in favour of the suspension of branding public flogging, and remarks that crime has very much decreased, especially crimes of violence, since the sentencing of prisoners to long terms of imprisonment, instead of flogging and deporting them.

His Excellency expresses his acknowledgements to the Honourable Member (Mr. BULKELEY JOHNSON) and to His Honour the Acting Chief Justice for the support they had given to this important Bill. He had no reason to believe that there had been any increase in the crime of ear-ring snatching on account of his having stopped unnecessary floggings. As the Acting Chief Justice had pointed out, crime had declined, and especially crimes of violence. The severe penal laws, and the bad system this Bill would sweep away, had created and fostered a criminal class. Crime had been manufactured by branding and the lash; whereas a more rational system had now reduced crime. The report just laid on the table of the Superintendent of the Gaol, for 1880, showed that the number of admissions to the Hongkong Gaol had steadily declined from 1877 to the end of last year; that is, during the period when, in the exercise of his prerogative, he suspended branding and public flogging, and gradually reduced the number of floggings, till, of late, not one was inflicted. He was bound to say that Mr. TONNOCHY, by reforming the discipline of the Gaol, contributed to this result. The changes ordered by the Government in 1878 in Police administration, which had also worked well, would not have been practicable but for

the first-rate condition into which Governor Sir ARTHUR KENNEDY had brought the *personnel* of the Force.

The Bill is then read a second time.

At the request of the Honourable the Attorney General, the going into Committee on the Bill is postponed until next meeting.

The second reading of the "*Banishment and Conditional Pardons*" Bill is postponed until next meeting.

The following Bills are read a first time:—

"*An Ordinance for the Naturalization of Fung Ming-shán.*"

"*An Ordinance for the Naturalization of Wong Shé-tái.*"

"*An Ordinance for the Naturalization of Shi Shang-kái.*"

"*An Ordinance for the Naturalization of Páng Im.*"

"*An Ordinance for the Naturalization of Ip Him-kwong.*"

"*An Ordinance for the Naturalization of Ūn Man-ts'oi.*"

"*The Companies Ordinance, 1881.*"

Second reading to be taken at the next meeting.

The Honourable F. BULKELEY JOHNSON asks for leave to introduce a Bill for the construction of Tramways in the Colony. He explains the details and advantages of the measure, and the general principles on which it is based.

The Honourable P. RYRIE supports the motion.

The Honourable the Attorney General moves that the introduction of the Bill be postponed, to admit of the proper formalities being observed.

His Excellency reads the Governor's Instructions and the Standing Orders of the Council on the subject, and observes that the Bill should be published in the *Gazette* for a certain time before it can be introduced. Without pledging the Government to support the Bill, His Excellency expresses his cordial concurrence in the general principles laid down by the Honourable Member (Mr. BULKELEY JOHNSON).

Permission is also asked by the Honourable NG CHOY for the introduction, at a future date, of a Tramway Bill on behalf of another Company.

The Honourable the Acting Chief Justice moves, pursuant to notice,—

"That the repeal, amendment, and consolidation of a large number of the Ordinances in force in this Colony has become a work of urgent necessity, and should be undertaken without delay, and that His Excellency be requested to take such steps as he may be advised with a view to carry out a revision of the Ordinances in these respects, and to the publication of a revised Edition as soon as possible."

The Honourable the Attorney General says that he concurs with His Honour, but thinks it is a proposition that should emanate from the Executive, and not from the Chief Justice.

His Honour replies that he was not aware of it; but he nevertheless hopes some steps towards this end will soon be taken.

The Governor says he is indebted to the Honourable the Acting Chief Justice for the valuable suggestions he had made. Some time ago His Excellency had placed

the matter in the hands of the Attorney General, and steps would soon be taken to revise and consolidate the Ordinances.

His Excellency adjourns the Council at 5.10 P.M. *sine die*.

J. POPE. HENNESSY,  
*Governor.*

Read and confirmed this 24th day of June, 1881.

ARATHOON SETH,  
*Acting Clerk of Councils.*