

24TH AUGUST, 1899.

PRESENT:—

His EXCELLENCY the GOVERNOR (Sir Henry Blake, G.C.M.G.).

His EXCELLENCY Major-General GASCOIGNE C.M.G. (Commanding the Troops).

The Hon. J. H. STEWART LOCKHART C.M.G., (Colonial Secretary).

Hon. H. E. POLLOCK (Acting Attorney-General).

Hon. R. MURRAY RUMSEY (Harbour Master).

Hon. F. H. MAY, C.M.G. (Captain Superintendent of Police.)

Hon. A. M. THOMSON (Colonial Treasurer.)

Hon. R. D. ORMSBY (Director of Public Works.)

Hon. C. P. CHATER, C.M.G.

Hon. Dr. HO KAI.

Hon. T. H. WHITEHEAD.

Hon. E. R. BELLIOS, C.M.G.

Hon. WEI A YUK.

Hon. J. J. KESWICK.

Mr. R. F. JOHNSTON (Acting Clerk of Councils.)

PAPERS.

The COLONIAL SECRETARY laid on the table the report of the Subsidiary Coinage Committee, the Superior and Subordinate Courts Returns for 1898, and despatches and other papers relating to the extension of the Colony of Hongkong. He also submitted financial minute No. 2 and proposed that it be referred to the Finance Committee.

NOTICE OF QUESTIONS.

The Hon. T. H. WHITEHEAD gave notice of his intention to ask the following questions at the next meeting of the Council:—

Has the attention of the Honourable the Colonial Secretary been directed to a leading Article in the *China Mail* of Wednesday, August 9th, and will the Honourable Member inform the Council:—

(1.)—Is it the intention of the Government to appoint a Commission to enquire into and report on the alleged land jobbery in the Colony's recently acquired territory, referred to in the said article and widely and publicly spoken about?

(2.)—Was the late Tung Cheong entrusted by the Government on or about the 17th April last with certain Government Proclamations to be conveyed into the New Territory to be posted and placarded in the various villages and towns herein?

(3.)—If so, under whose direction did the deceased undertake the mission without an armed escort at a time when the fact was notorious in the Colony that the people in the New Territory were unsettled, disturbed??, and in a riotous and rebellious condition?

(4.)—Is it true that on the said mission at or near the village of Un Loong on 17th or 18th April last the said Tung Chong was foully and brutally murdered?

5.—What remuneration, if any, has been paid to the deceased's family?

6.—Will the Government lay upon the table a copy in English of the Proclamations issued by the Canton and the Colonial Governments previous to the 17th April last and posted and placarded in the villages and towns throughout the New Territory informing the people and the inhabitants as to the effect the change of Government would have on their lives, liberties, and possessions, and state the dates when such proclamations if any were posted and placarded; ? and

7.—What satisfaction, if any, has been obtained from the Chinese Government or the assault by the Chinese on the Honourable the Captain Superintendent of Police before our New Territory was taken over, and in respect of the resistance by thousands of armed Chinese to the British entering into possession of the area leased by the Imperial Chinese Government to Great Britain per the Convention of June, 1898, the quelling of which resistance resulted in considerable and lamentable loss of life and which forced upon the Colony substantial amount of extra and avoidable expenditure?

Has the attention of the Honourable the Director of Public Works been directed to the *China Mails* leading articles of 15th and 23rd August alleging the existence of jerry buildings in Hongkong; will the Honourable Member inform the Council whether the said allegation are well founded; and if so, will he state what powers his Department possesses to prevent the erection of such buildings, what action has been taken by his Department in the matter and if his powers are insufficient is he taking any steps to get increased powers?

His EXCELLENCY the GOVERNOR—remarked with regard to question three:—That cannot be put as a question. It is a matter of opinion.

#### ANSWERS TO QUESTION.

Hon. T. H. WHITEHEAD asked the following questions:—

1.—New Public Works—Will the Colonial Secretary inform the Council whether the Government has sanctioned the Director of Public Works withholding from the consideration of the Public Works Committee, plans, drawings, specifications, estimate of cost, and full information regarding proposed new Public Works, and, if so, what are the reasons for departing from the course in connection therewith and which has been customary hitherto for years past?

2.—"Beaconsfield," Repairs and Alterations. —Will the Honourable the Colonial Secretary inform the Council why the proposal to expend a substantial amount of Public money on repairs and alterations to "Beaconsfield" was not submitted to the Public Works Committee for their consideration and report to the Council as has hitherto been customary?

3. — "Beaconsfield" Expenditure. — Will the Honourable the Colonial Treasurer inform the Council—(1) under what authority was the sum of \$19,076.70 expended in alterations and repairs to

"Beaconsfield." and cost of the litigation in connection therewith, disbursed; (2) on what date was the said money paid; and (3) why has no financial minute been submitted to the Council or the Finance Committee in respect thereof?

4.—Public Works Committee.—Will the Honourable the Director of Public Works inform the Council why plans, drawings, specifications, estimate of cost, and full information in *re* the new Public Works undertaken since about the middle of last year have not been submitted to the Public Works Committee for consideration and report to the Council as has been customary hitherto for years past.

5. — Special Commissioner's report on New Territory—With reference to the Special Commissioner's report dated 8th October 1898, on the Extension of the Colony, will the Honourable the Colonial Secretary inform the Council whether, exclusive of servants, any other gentlemen or persons, Foreign or Chinese other than those mentioned in para. 3 of the said report, accompanied him on his visiting any of the villages and towns in the New Territory; if so, what were their names, what was the necessity for their presence and why and for what purpose were they permitted to accompany the Commission?

6. — Kowloon Fire Precautions. — Will the Honourable the Colonial Secretary inform the Council whether, in view of the increasing number of houses on the Kowloon Peninsula, the Government has considered and deemed it expedient to make requisite provision in respect of a branch of the Fire Brigade there whereby it will be possible to attempt to cope with any fires which may hereafter take place?

The COLONIAL SECRETARY—Sir, the answer to the first question of the hon. member is no. The answer to the second question is, because the expenditure was not contemplated.

The COLONIAL TREASURER—The answer to the third question is (1) On the authority of His Excellency the Governor. (2) 3rd May last. (3) I do not know.

The DIRECTOR OF PUBLIC WORKS.—The answer to the fourth question is, No new public works have been undertaken since the middle of last year which have not been submitted to, considered, and approved by the Committee of the whole Legislative Council, except a few works in the New Territory which being of urgency were undertaken without the usual formalities being gone through.

The COLONIAL SECRETARY—Sir, the answer to the fifth question is, Yes; Commander de Horsey, some of the other officers of Her Majesty's Ship *Plover*, and Mr. Li Pak. for purposes of curiosity it is presumed, accompanied the Commission

on one or two of its visits to villages in the new territory. Mr. Ng Sui Shang accompanied the Commission throughout the tour of inspection, arranging for transport, guides, etc., and his services proved of great assistance.

His EXCELLENCY the GOVERNOR—With reference to question No. 4, I may say to the honourable member that until I saw his question I did not know of the existence of the Public Works Committee, as the committee was named on a day when I was absent, and at the next meeting I probably had not paid sufficient attention to the reading of the minutes,

The COLONIAL SECRETARY—Sir, the answer to the sixth question is, the matter is at present under the consideration of the Government.

#### PROPOSED WORKS.

The DIRECTOR OF PUBLIC WORKS — With your Excellency's premission I beg to move that the following proposed works be referred to the Public Works Committee of this Council for consideration and report—(1) Police Station at Kennedytown, (2) Chair shelter at Peak Tram Station. (3) High West road. (4) Waterworks extension, Hongkong. (5) The erection of a refuse destructor at Kennedytown. (6) Electric lighting at Government House. (7) Minor roads in the new territory. (8) Preparing the siet for the Governor's Peak Residence. (9) Kowloon water supply. (10) Pokfulam conduit road.

The COLONIAL SECRETARY seconded and the motion was carried.

#### THE LIQUOR LICENSES ORDINANCE.

On the motion of the ACTING ATTORNEY-GENERAL, seconded by the COLONIAL SECRETARY, the Bill entitled an Ordinance to amend the Liquor Licenses Ordinance, 1898, was read a third time and passed.

#### ADJOURNMENT

The Council then adjourned *sine die*.

#### FINANCE COMMITTEE.

A meeting of the Finance Committee was then held, the Colonial Secretary presiding.

#### FURNITURE FOR "THE CLIFFS."

The CHAIRMAN—The first minute I have to bring before the Council is one in which the Governor recommends the Council to vote a sum of \$1,500 to meet the expenses of furniture, &c., at "The Cliffs."

The vote was agreed to.

#### EXPENDITURE IN THE NEW TERRITORY ON BEACONSFIELD, ETC.

The CHAIRMAN—The next vote is one in which the Governor recommends the Council to vote a sum of \$170,000 in aid of the following votes:—New Territory, \$100,000; Plague 20,000; Miscellaneous Services (Other), \$40,000; Printing, \$10,000; Total, \$170,000.

The Hon. T. H. WHITEHEAD—Before you proceed with this vote I should like to know exactly how much of this \$100,000 has already been expended?

The CHAIRMAN—About \$60,000. It is proposed of

course later on to lay full details on the table, and estimates of future expenditure to be incurred this year will also be given. Up to the 31st July about \$60,000 of the amount had been expended.

The Hon. T. H. WHITEHEAD—Can you tell us how much has been spent on the new road?

The CHAIRMAN—I do not think I have got the figures by me, but all the information can be laid on the Council table before the vote comes before the full Council if honourable members desire it.

The Hon. C. P. CHATER—I think we might have a detailed account of what has been expended and what is to be expended to make up the \$100,000.

The CHAIRMAN—Certainly.

The Hon. T. H. WHITEHEAD—In view of Colonial Office Regulation 348, why were specifications, drawings and estimates of the cost of the road and new works not submitted to the Public Works Committee or to the Council, as has hitherto been the custom in connection with all new works?

The CHAIRMAN—The work was considered to be one of emergency, and to save time it was commenced at once.

The Hon. T. H. WHITEHEAD—Does that expenditure of \$100,000 include any expenses incurred by the naval and military authorities in quelling the opposition by the 2,000 or 3,000 armed Chinese to the British taking possession of the New Territory?

The CHAIRMAN—It includes the expenses incurred in regard to the New Territory.

Hon. T. H. WHITEHEAD — But the military expenditure, has the colony been called upon to pay that?

The CHAIRMAN—No.

The Hon. T. H. WHITEHEAD—Then in the statement you have offered to place before the Council will you include the extra expense caused to the Colonial Government by and in consequence of the armed opposition by the Chinese to the British occupation—all the extra expenditure incurred?

The CHAIRMAN—On what do you mean, ships and so on?

The Hon. T. H. WHITEHEAD—Has any extra expense been caused to the Colonial Government by the armed opposition of the Chinese?

The CHAIRMAN—Not beyond the burning down of the mat-sheds and the expenditure on account of H.M.S *Fame* and *Humber*.

The Hon. T. H. WHITEHEAD—Well, that is extra avoidable expenditure—will the cost thereof be included in the statement?

The CHAIRMAN—The statement which will be laid on the table will give details of the expenditure. I may mention that this \$100,000 is simply a sum on account of e x p e n s e s a l r e a d y

incurred and which will be incurred in the immediate future, but this \$100,000 will not cover the whole of the expenses of the New Territory this year.

The Hon. T. H. WHITEHEAD — There was considerable military expense incurred. Has any claim been made on the colony on account of it?

The CHAIRMAN—No claim has been made on the colony in respect of the military expenditure.

The Hon. T. H. WHITEHEAD—Will the colony have to bear, or is it likely to be called upon to bear the expense in regard to the military expedition?

The CHAIRMAN—That I am unable to answer.

The Hon. T. H. WHITEHEAD—With regard to the expense incurred in connection with the taking and the occupation of Samchun and Chinese Kowloon City, no claim has been made on the colony?

The CHAIRMAN—No claim has been made on the colony.

The Hon. T. H. WHITEHEAD—What extra allowances have been recommended by you, sir, to be granted to any of the Government employees for their services in the New Territory on account of their special fact in dealing with Chinese and their special knowledge of the Chinese language? Has any of this \$100,000 been spent in connection with it?

The CHAIRMAN—So far as I am aware no special allowance has been granted to any one for special tact in dealing with Chinese and special knowledge of the Chinese language, but an allowance of 25 per cent. on their pay is granted to certain officers serving over there. The expenditure on that account will be furnished in the statement.

The Hon. T. H. WHITEHEAD—There is another item in the vote, "Miscellaneous services (other) \$40,000." Can you give us any explanation as to how this is made up?

The CHAIRMAN—This is made up of two items. One is money the Government had to pay for the repair of "Beaconsfield" and the other is money it had to pay in consequence of the slaughter of certain animals at the instance of the Sanitary Board. In round figures there was about \$20,000 to pay in either case.

The Hon. T. H. WHITEHEAD—I am opposed to this vote on account of the expense in connection with "Beaconsfield"

The CHAIRMAN—Then you oppose that item, I understand?

The Hon. T. H. WHITEHEAD—I oppose that item.

The CHAIRMAN—Is there any other item you wish to ask about?

The Hon. T. H. WHITEHEAD—The details of the item \$20,000 on account of plague will be given?

The CHAIRMAN—If they are desired.

The Hon. T. H. WHITEHEAD—Not full details; a general statement.

The CHAIRMAN—A general statement can be drawn up without much difficulty.

The Hon. C. P. CHATER—With regard to the item of \$40,000, I think hon. members would like some further information. How came it that the Government had to pay some \$20,000 on account of "Beaconsfield," and why was it paid over without information being given to honourable members?

The CHAIRMAN—The Government did not consider itself liable for the amount. The case was tried in the Supreme Court, as is no doubt known to all honourable members present, and the Government had to pay the money because the case went against it.

The Hon. T. H. WHITEHEAD — But before the Government went into the Supreme Court, was there any offer of any compromise made in any shape or form which would have involved the ratepayers in a less serious loss?

The CHAIRMAN—The Government in taking the matter into court did so because it thought it was not justified in paying the amount claimed. It thought it was acting in the best interests of the ratepayers in taking the matter into court, but it lost the case, its surmise not proving correct.

The Hon. T. H. WHITEHEAD — Might not the unofficial members have been consulted before rejecting any reasonable compromise if one was offered?

The CHAIRMAN—I am not aware of any compromise being offered. As I said, the Government thought they were acting in the best interests of the ratepayers.

The Hon. C. P. CHATER—Was that decision against the Government? The claim was made by a Chinaman.

The CHAIRMAN—The decision was such that the Government was advised by its legal adviser that it was necessary to pay this money.

The Hon. C. P. CHATER — I think in future if information is given to us without our having to find it out it would facilitate the business of the Council say much. In an expenditure like this of \$40,000, if the two items were kept apart it would be better.

The CHAIRMAN—Then in a large amount like this you would like the main heads of expenditure to be put down? That seems to be a reasonable request, and I will see that it is carried out.

The Hon. C. P. CHATER—Then with regard to the \$100,000, we hear that \$60,000 of it has been expended, but we really do not know on what.

The CHAIRMAN—I think your request is a very reasonable one, and I shall have satisfaction in seeing that your suggestion is carried out in the future.

The Hon. T. H. WHITEHEAD—Before you put the vote perhaps the honourable member (Hon. E. R. Belilios) the owner of "Beaconsfield"

can inform us whether any compromise was offered?

The Hon. E. R. BELLIOS—Should I answer such a question as that?

The CHAIRMAN—I do not think this the place to discuss the question again. It has been decided by a court of law, and I do not think the Finance Committee is the place to enter into the merits of the case. To answer the question which the honourable member has been asked would open up the whole case again.

The Hon. T. H. WHITEHEAD—It is with a view to saving the ratepayers from such a fearful loss in the future. If this matter had been referred to the Public Works Committee in accordance with the Colonial Office regulations—

The CHAIRMAN—This expenditure was never contemplated.

The ACTING ATTORNEY-GENERAL—It is only fair I should inform the Council that a compromise was suggested and that I advised the Government to accept that compromise. (Hear, hear.) The Government would have saved a great deal of this \$19,000 which was made up of costs. In consequence of A Hok losing his case he had a claim against the Government, who had to pay not only his costs but those of Mr. Bellios as well. As I have already informed the Council I strongly advised the Government—as strongly as I could—to accept that compromise, but the Government did not do so.

The CHAIRMAN—As I have already informed the Committee, the Government in taking this matter into court did so believing that it was acting in the best interests of the rate-payers, notwithstanding any advice given to it.

The Hon. Dr. HO KAI—I think at that time Mr. Pollock gave his advice as Acting Attorney-General.

The ACTING ATTORNEY-GENERAL—I advised the Government as strongly as I could.

The CHAIRMAN—That is a matter between the Acting Attorney-General and the Government.

The ACTING ATTORNEY-GENERAL—It was absolutely impossible for anyone to urge the matter more strongly on the Government than I did.

The Hon. T. H. WHITEHEAD—I move the adjournment of this vote for further consideration until further particulars are furnished. I disapprove very strongly of the mode in which this vote of \$40,000 has been brought forward and the mode in which particulars have been concealed. The Government have not played the game.

The CHAIRMAN—I do not quite understand the honourable gentleman. Any information the honourable gentleman has asked for has been given to him. There has been no attempt to conceal anything. There is absolutely nothing to conceal. The request of the Senior Unofficial Member that particulars should be given when a large sum is brought forward to be voted is a reasonable one, and it will be carried out. I have brought

forward this vote in the form votes have always been brought forward. The Hon. member has proposed that this vote should be postponed for further consideration. Does anybody second?

The Hon. Dr. HO KAI seconded.

On the matter being put to the vote the Hon. T. H. Whitehead's motion was lost, five voting for and six against. The following voted for:—The Hon. Wei A Yuk; the Hon. T. H. Whitehead, the Hon. Dr. Ho Kai, the Hon. C. P. Chater, and the Hon. H. E. Pollock. Those who voted against were the Hon. E. R. Bellios the Hon. R. D. Ormsby, the Hon. F. H. May the Hon. W. M. Thomson, the Hon. R. M. Rumsey, and the Hon. J. J. Keswick.

The vote was accordingly passed.

#### MAINTENANCE OF WATER WORKS.

A vote of \$6,000 in aid of the vote "Maintenance of Water Works" was agreed to.

#### THE NEW TERRITORY AGAIN.

The next vote submitted was one in which the Governor recommended the Council to vote a sum of \$38,750 in aid of the following votes:—Passages and Bonuses \$5,500, Arms and Ammunition \$100. Oil, Wick and Gas for Barracks \$1,600 Repairs to Boats and Launches \$3,000, Coal, Oil, &c. for Launches \$13,800, Conveyance of Police, Prisoners, &c. \$1,500, Incidental Expenses \$1,500, Clothing and Accoutrements \$3,500, Meals for Prisoners in cell \$300, Photography \$200, Small Stores \$100, Ration Allowance \$6,000, and Good Conduct Badges \$1,650. Total \$38,750.

The Hon. T. H. WHITEHEAD—It is apparently in connection with expenses for the New Territory?

The CHAIRMAN—Yes, a good deal in connection, with the New Territory.

The vote was passed,

#### THE POST OFFICE.

A vote of \$3,250 in aid of the vote for "Incidental expenses" of the Post Office was agreed to.

#### THE ELECTRIC LIGHT AT GOVERNMENT HOUSE.

The next minute was one in favour of a vote of \$5,645.50 to cover the cost of the installation of the electric light at Government House.

The Hon. T. H. WHITEHEAD suggested that the item seemed a substantial one,

The CHAIRMAN—If the honourable member would like to have full particulars—

The Hon. T. H. WHITEHEAD—I have no desire whatever. I suppose in this case they were entirely at the mercy of the Company, and that the Company were making hay while the sun shone?

The CHAIRMAN—As far as I am aware, only one Company can do the work in Hongkong,

and the Government had to have recourse to its services. As to whether the charges were exorbitant the Director of Public Works will be able to inform you.

The DIRECTOR OF PUBLIC WORKS— This matter came before the Public Works Committee. Most of the prices are catalogued prices, and as far as we could judge the Electric Company were not sticking it on in any way.

The CHAIRMAN—Then the Company does not

deserve a bad character.

The Director of Public Works—No.

The vote was passed.

LAUNCHES FOR THE NEW TERRITORY.

A vote of \$91,500 to cover the cost of steam launches for the use of the New Territory was agreed to.

This was all the business.

---