

22ND JUNE, 1903.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR, Sir HENRY A. BLAKE, G.C.M.G.

HIS EXCELLENCY Sir W. GASCOIGNE, K.C.M.G. (Commanding the Troops).

Hon. F. H. MAY, C.M.G. (Colonial Secretary).

Hon. Sir HENRY SPENCER BERKELEY, KT. (Attorney-General).

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

Hon. Commander R. M. RUMSEY, R.N. (Harbour Master).

Hon. W. CHATHAM (Director of Public Works).

Hon. Dr. J. M. ATKINSON (Principal Civil Medical Officer).

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

Hon. Dr. Ho KAI, C.M.G.

Hon. WEI A YUK.

Hon. R. SHEWAN.

Hon. GERSHOM STEWART

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

FINANCIAL.

The COLONIAL SECRETARY laid on the table Financial Minutes (Nos. 14 to 24) and moved that they be referred to the Finance Committee.

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

The COLONIAL SECRETARY laid on the table Report of the Finance Committee (No. 3) and moved its adoption.

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

WATERWORKS AT TAIPO.

The DIRECTOR OF PUBLIC WORKS laid on the table the Report of the Public Works Committee (No. 1), which was in the following terms:—

"Water Supply for Quarters, Police Station, and Police Launches at Taipo.—The Chairman laid before the Committee a proposal for obtaining a supply from a stream near Taipo, at a point above the cultivated area bordering its course, and conveying the water in an open catchwater and in pipes to the island where the landing place is situated or on which it is intended to erect quarters. A branch pipe to be carried across the embankment forming the Taipo Road for the supply of the Police Station and the existing temporary quarters. The estimated cost of the work was \$3,720. It was unanimously agreed to recommend that provision for the work be made in the Estimates for 1904. The Committee then adjourned."

PAPERS.

The COLONIAL SECRETARY laid on the table the reports for 1902 of the Botanical and Afforestation Department, the Post Office, the Harbour Master, the Acting Registrar-General, the Po Leung Kuk, the

Superintendent of the Fire Brigade, and the Government Bacteriologist; and the report on the health and sanitary condition of the Colony.

RATES AT MONGKOKTSUI.

The COLONIAL TREASURER moved the following resolution:—"Resolved that the percentage on the valuation of tenements, payable as rates, in the village of Mongkoktsui be altered from 101/2 to 121/4 per cent." The resolution, he said, was rendered necessary by the fact that Mongkoktsui is now practically part of Yaumati, and that the inhabitants are in enjoyment of nearly all of the privileges existing in Yaumati.

The COLONIAL SECRETARY seconded, and the resolution was agreed to.

QUESTIONS.

Hon. R. SHEWAN gave notice of the following questions:—

Will the Honourable the Colonial Secretary be good enough to give the following information respecting the working of the Crown Agents system with regard to this Colony:

1. (a) What method is adopted for paying the Crown Agents? (b.) Do the Crown Agents receive a commission on orders executed in addition to regular salaries? (c.) Do they receive remuneration from other Crown Colonies in addition to this?

2. What is the annual sum paid by the Colony to the Crown Agents during the past 3 years, giving salary and commissions separately, or what annual sum has been charged to the Colony for the services of the Crown Agents?

3. (a) Are all orders for material, etc., sent to Europe on behalf of the Colony made through the Crown Agents? (b.) If not, what system is adopted with regard to such orders which are not executed by Crown Agents?

4. (a) What system is adopted to ensure that orders on behalf of the Colony are executed by the firm best able to carry out the work at the most reasonable price? (b.) If orders are put up to tender only for those firms on the Crown Agents' lists, how are these firms selected? (c.) Can any reputable firm on application be placed on the Crown Agents' lists, or do the Crown Agents exercise a rights to refuse to place a firm on their list? (d.) In the event of such a refusal, has the firm thus rejected any right of appeal and if so to whom?

Will the Government state whether they received a letter from the Secretary of the Sanitary Board sent by direction of the President, conveying the following resolution unanimously adopted at the meeting of property-owners at the Sanitary Board office on 18th May, convened by advertisement in European

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the Colony. Namely: "That the permission of H. E. the Governor be obtained to have the report, which was read by Dr. Pearse at the meeting on the subject of overcrowding and its abatement, printed and circulated amongst the European land-owners in the Colony."

No. 2. If so, has any reply been sent thereto? If not, why not?

No. 3. Is the Government aware that the President of the Sanitary Board stated at the Board on 19th inst. that no answer had been received to that letter, but that the report had been laid on the table and was accessible to the Press if they wanted it?

No. 4. Do the Government propose to print and circulate Dr. Pearse's report in terms of the resolution? Or is it true, as rumoured, that the report has been withdrawn from circulation? and that the information which has been placed at the disposal of the Chinese will not be available for European land-owners?

No. 5. Do the Government approve of the request of the Chairman that the Europeans should leave the meeting of land-owners above referred to?

Will the Government instruct the Government Printers to print a larger number of copies of Ordinances, as it appears that the Passenger Act (No. 1 of 1889, Chinese Consolidation Ordinance) is now out of print and cannot be supplied.

FIRST READINGS.

The following Bills were submitted and read a first time:—A Bill entitled an Ordinance to repeal The New Territories Rent Recovery Ordinance; a Bill entitled an Ordinance to amend The Holidays Ordinance, 1875 (No. 6 of 1875); a Bill entitled an Ordinance to give effect to an Order in Council made by His Majesty the King on the 12th day of March, 1903, relating to the Marriages of British Subjects in Foreign Countries; a Bill entitled an Ordinance to authorise and regulate the establishment and use of installations for the purpose of Wireless Telegraphy; a Bill entitled an Ordinance to amend The Malay States (Fugitive Criminals) Surrender Ordinance, 1903

STOWAWAYS ORDINANCE.

The ATTORNEY -GENERAL moved the second reading of the Bill entitled an Ordinance to provide for the more effectual prevention of frauds on owners and charterers of ship by stowaways, their aiders and abettors. He said—Hon. members of the Council are aware of the events that have led to the introduction of this Bill. The subject of the Bill and the reasons for its being introduced are as set forth in the memorandum which I have attached to the Bill itself. The Bill has been in the hands of hon. members for a considerable time now and I have no doubt they have made themselves acquainted with what the Government considered to justify the passage of this

Bill. As I have stated in the objects and reasons the Ordinance is drastic in its provisions, but to be effective I think you will agree with me it is necessary that the Ordinance should be drastic. It is reduced now to this shape in the hope that it will put an end to the nuisance that has been for a long time inflicted upon shipowners by persons stowing-away on their ships. The nuisance has been felt particularly by those trading between Hongkong and the Philippine Islands; and in one case, which is mentioned in the objects and reasons, a very heavy security, \$70,000 gold, was required from the owners of one of the steamers taking stowaways from here to the Philippines, because of the excess number of passengers carried. The owners protested that the excess number was not carried with their sanction or knowledge, but were stowaways. Under the law as it stands a fine of \$500 or in default of payment six months' imprisonment can be imposed on each stowaway, his aider and abettor; but it appears that that penalty, which at the first blush is severe has not been severe enough to stop the practice of stowing-away. It is believed indeed that the profits arising from the successful running of a cargo of stowaways make it worth while to run the chance of a fine of this amount. This Ordinance therefore proposes to invest the Magistrate with the power to impose a term of imprisonment in addition to a fine, and it is believed and hoped that the threat of imprisonment will deter those who at present are engaged in this what may be called nefarious practice.

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

The Council afterwards resolved itself into Committee and considered the Bill clause by clause. On resuming,

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

The COLONIAL SECRETARY seconded.

The Bill was read a third time and passed.

FINANCE COMMITTEE.

A meeting of the Finance Committee was held immediately after the Council, the Colonial Secretary (Hon. F. H. May, C.M.G.) presiding.

CIVIL HOSPITAL EXPENSES.

The Governor recommended the Council to vote a sum of \$1,200 in aid of the item "Washing" under "Other Charges," Civil Hospital Vote.

The vote was agreed to.

TRAINING OF NULLAHS.

The Governor recommended the Council to vote a sum of \$11,500 (Public Works Extraordinary) to meet the cost of training certain nullahs in the Western District.

The recommendation was approved.

VICTORIA HOSPITAL.

The Governor recommended the Council to vote a sum of \$600 in aid of the vote Medical Departments, Other Charges, to meet cost of fixtures for the Victoria Hospital for Women and Children.

This vote was also approved.

P.W.D. EMOLUMENTS.

The Governor recommended the Council to vote a sum of \$1,392.21 in aid of the vote Personal Emoluments, Public Work Department:—Mr. Xavier is to draw sterling salary at the rate of £360 rising to £480 by £40 triennially as from the 1st May, 1903.

The Committee passed the vote.

WATER ACCOUNTS CLERK.

The Governor recommended the Council to vote a sum of \$1,780.65 in aid of the vote for Personal Emoluments, Public Works Department:—Salary of the Water Accounts Clerk at \$1,800 per annum from 5th January to 31st December, \$1,780.65.

The CHAIRMAN—Members will recollect the complaints that were made about delay in the rendering of water accounts—hence this additional assistant.

The vote was agreed to.

STAMP OFFICE EMOLUMENTS.

The Governor recommended the Council to vote a sum of \$118.06 in aid of the vote for Personal Emoluments, Stamp Office, sub-department to Treasury:—Salary of an assistant to the shroffs at \$180 per annum from 5th May to 31st December, 1903, \$118.06.

The vote was approved.

COMPENSATION FOR DAMAGES BY DISINFECTION.

The Governor recommended the Council to vote a sum of \$3,000 in aid of the Vote Sanitary Department, Other Charges (Plague), to meet the cost of compensation for damage done in disinfecting premises.

Hon. GERSHOM STEWART—By whom are these damages assessed?

The CHAIRMAN—By the Standing Committee

of the Sanitary Board.

Hon. GERSHOM STEWART—Is this a vote on account, or is it the exact sum required?

The CHAIRMAN—Compensation to the extent of \$1,200 has already been awarded, and it is calculated that this sum will probably suffice for the epidemic now happily drawing to a close.

The recommendation was adopted.

P.W.D. EXECUTIVE ENGINEER.

The Governor recommended the Council to vote the sum of \$3,499.35 being equivalent to £291.12.3 at 1/8 in aid of the vote for Personal Emoluments, Public Works Department:—Salary of additional Executive Engineer (Mr. A. G. Fisher promoted) at £480 per annum from 23rd May to 31st December, 1903, \$3,499.35.

The vote was agreed to.

X-RAY APPARATUS.

The Governor recommended the Council to re-vote the sum of \$1,050 unexpended in 1902, and to vote an additional sum of \$151.64, making a total of \$1,201.64, for payment for the X-ray Apparatus and Microscope under Other Charges, Civil Hospital, Medical Departments.

The vote was approved of.

POST OFFICE AT SHANGHAI.

The Governor recommended the Council to vote a sum of \$375 in aid of the item "repairs to Post Office at Shanghai" under Other Charges, General Post Office.

This vote also was agreed to.

COMPENSATION TO LANDLORDS.

The Governor recommended the Council to vote a sum of \$2,288 for the payment of compensation to the owners of certain land in the New Territories, resumed by the Government for a public purpose.

The CHAIRMAN—This land is situated in the immediate vicinity of Shataukok Police Station, and its resumption was recommended by the medical authorities to improve the health of the occupants of the Police Station.

The vote was agreed to.

This was all the business.