

3RD NOVEMBER, 1904.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR, SIR MATTHEW NATHAN, K.C.M.G.

HON. MAJOR-GENERAL VILLIERS-HATTON, B. (General Officer Commanding the Troops).

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

Hon. E.H. SHARP, K.C. (Attorney-General).

Hon. L. A. M. JOHNSTON (Colonial Treasurer).

Hon. A. W. BREWIN (Registrar-General).

Hon. Captain L. A. W. BARNES-LAWRENCE R.N. (Harbour Master).

Hon. P. N. H. JONES (Director of Public Works).

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

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

Hon. WEI A YUK.

Hon. GERSHOM STEWART.

Hon. W. J. GRESSON.

Mr. S. B. C. ROSS (Clerk of Councils).

THE TREE-FELLING OPERATIONS.

Hon. GERSHOM STEWART asked the following questions standing on the paper in the name of the Hon. R. SHEWAN, who was absent owing to illness:—

How has the contract for felling trees and carrying away the wood been let? Is it for a lump sum or per picul? If by the picul, is the weight being supervised and checked, and if so, by whom? Why were not public tenders invited for it?

The COLONIAL SECRETARY replied:—(1) In two ways, in the first, payments are made in an indefinite number of small instalments as the trees are selected and marked for felling by the Forest Officers. About two-thirds of the estimated annual output are being sold in this way. In the second a total prearranged sum is paid for all the mature trees in one block. About one-third of the estimated year's fellings have been disposed of thus. (2) The timber is not sold by the picul but by superficial measurements. The measurements are made and supervised by Forest Officers and checked by the Superintendent of the Botanical and Afforestation Department. (3) Tenders were publicly invited in Government Notification No. 60 (29th Jan. 1904), *Government Gazette*, 1904, page 110. Two contracts were subsequently let without calling for tender, as the first contractor could not handle the whole of the work.

BUOYS AND LIGHTS.

Hon. GERSHOM STEWART, on behalf of the Hon. Robert Shewan, gave notice of the following questions:—

With regard to Buoys and Lights, will the Government

take into consideration the advisability of having the present fairway marked at night by automatic light buoys? Are not the present two small white lights in the Capsuimun Pass inadequate? If they are, what steps have the Government taken to replace them by better?

THE NEW PEAK TRAMWAY SCHEME.

Hon. Sir C. P. CHATER moved the second reading of the Bill entitled An Ordinance for authorizing the construction of a Tramway within the Colony of Hongkong, and in doing so said: I would state that as the title implies, it is for the purpose of obtaining powers to construct a second tramway to give access to the higher levels. It is not designed to come into competition with the present Peak tramway, but it is intended to give facilities for ready access to districts at present dependent solely upon sedan chairs, and will take an entirely different route to that followed by the existing tramway. The lower terminus will be near the end of Battery Pathway at its junction with Queen's Road. Thence it will reach Upper Albert Road, which is a continuation of Caine Road, and climbing upward will tap Robinson Road from that level ascending the eastern side of Glenealy ravine, it will pass Queen's Gardens, From thence a connecting path with the Conduit Road will give access to that new residential district. From that point it will climb the slopes to Victoria Cap, where it is proposed to make the upper terminus. There will be stations for Upper Albert, Robinson, Conduit and the Peak Roads en route, and the promoter contends that will prove a great convenience to the residents on these levels. It will be constructed, as far as possible, to have one grade throughout, and the cars and machinery will alike be of the newest type. The promoter proposes to offer the shares of the Company to the public, but if not taken up by them, he is prepared to finance the work himself. This being a private bill has to be introduced by an unofficial member, and has been entrusted to me for the purpose. The particulars just stated were supplied to me by the promoter, but I would like now, with Your Excellency's permission, to give my opinion on the project. I feel strongly that it is calculated to prove a public benefit, and for the following among other reasons. When the existing Peak tramway was constructed it supplied a great want, but did not immediately secure a large traffic. It created it, however, by degrees by giving access to a district in which a population soon gathered in consequence. A similar result will, I am confident, follow the construction of the proposed new line. At one time Caine Road was the principal residential European quarter, but the Chinese are gradually finding their way up to that level and the Europeans have to climb f u r t h e r . T o t h e s e

higher levels in the centre of the city there is, I submit, only indifferent means of access. The residents there are absolutely dependent on the caprices of the chair coolie, and this useful servant has of late years proved very exacting and fickle. The new line will relieve the residents on all the upper levels in the central districts from that dependence and will also render accessible other sites, perhaps on a higher level yet. There is, Sir, ample room for this new enterprise, and looking a little into futurity I venture to prophesy that it will some time be followed by a third tramway giving direct access to the Magazine Gap district, and a fourth starting from the Queen's Road West tapping Bonham Road, Upper Robinson Road and running up to the new road lately made to go round High West. I have faith in the development of the Colony, and I do not hesitate to predict that the proposed new line will not only make for itself a large and remunerative traffic, but that it will do so without injury to the existing line. With these remarks, Sir, I beg to propose the second reading of this bill.

Hon. GERSHOM STEWART—I have been asked to second the second reading of this Bill, and I do so with pleasure. I take the earliest opportunity of saying, as I have already stated to the lawyers who are acting for the promoters, that my support is given firstly and chiefly to the principle of the Bill. In matters of detail I have an open mind, and I by no means assert that the 128 clauses in this lengthy Bill are all perfect and incapable of improvement. I reserve to myself the right of accepting and if need be of advocating any alteration which may appear after due consideration to improve the measure. I have no interest in either the old tram or the new, except as one of the travelling public. I advocate the construction of the new line because I look upon any increase of mechanical transport as a public boon. Two of the greatest difficulties we have to contend with in this colony are the climate and the question of transport. The mountainous nature of the Island makes assistance to locomotion very desirable at any time. The climate for nine months of the year makes it for nearly all of us an imperative necessity. We are too much dependent upon our chair coolies, and they, knowing their value, make what they can out of our necessities; they are perfectly right in doing so, for theirs is a most arduous calling; but at the same time we should be entirely foolish if we did not endeavour by every means in our power to do what we can to take their yoke off our neck. It is commonly supposed that the yoke is always on the neck of the coolie, but an ordinary householder who has many coolies to provide finds that he also has a heavy burden to bear. The whole of the residents of Caine Road, Robinson Road, Conduit Road and Queen's Gardens will be benefited by this tram, and if a family can save \$20 or \$30 a month it will be a

very acceptable saving. It would go far towards helping a man to educate one of his children. In advocating the new line I by no means forget the debt we all owe to the old Company. This Company has done its work right well, and after surviving great difficulties during the early years of its existence has now emerged into an atmosphere of prosperity. It has carried us all with safety, regularity, and civility for many years, and we all owe a great deal to the old Company. It would be no ultimate good to the general public if the new Company by being permitted to come to the Queen's Road and plant its terminus at the door of the old Company at the Peak were to obtain such an advantage as to enable it to wreck the old company. In a few years we would be worse off than ever, for the tendency of the traffic is to increase all the time. I fully believe that the Government would be doing what the community will cordially endorse if they meet in a sympathetic spirit any application they may receive from the old Company for privileges to meet on fair grounds the new competition. If the Government were to allow the old company to come to the Queen's Road it would probably solve that difficulty, and is a concession which justice and public convenience seem plainly to call for. If that is impossible, I think it only fair that we should protect the pioneer Company from being invaded at Victoria Gap. A terminus at the umbrella seat on the west side of Mount Austin Barracks would give the new company the whole of the Conduit Road, Robinson Road, and Queen's Gardens district, and the monopoly of the western half of the Peak, which under the circumstances seems a fair division. That the old company did not at the time of its formation make a stipulation that no opposition line should be placed alongside of it for say 25 years (which it might have obtained) is a matter which commends it to our consideration at the present juncture. It should not now suffer for its forbearance then. It seems probable that in the ultimate adjustment of the various interests involved the War Department will have a considerable say. It is comforting to know that we have a progressive and liberal-minded General Officer Commanding, who will, I am sure help things along as far as possible, provided that military efficiency is not interfered with. The Government will, I hope, be able to steer a middle course between undue protection of a vested interest and doing anything to deter other investors from undertaking a new and desirable enterprise. Were this question debated at home, it is possible that both companies would be represented by an array of counsel, and the money of the shareholders be diverted largely into the hands of the lawyers. In leaving the matter in the hands of the Government (for it depends on the official vote

whether this Bill goes through or not) both Companies have shown wisdom for the Government accept a responsibility which, I am sure, they will discharge for the best of the public interest, which is to have both tramways running in an efficient and contented spirit. Before we go into Committee on this Bill it would help us to know whether the old company has applied for increased facilities, and if so whether their application has met or is likely to meet with favourable consideration.

H.E THE GOVERNOR:—I will inform the hon. member who seconded the motion that the old company has asked to be allowed to extend their line through Crown land to the Queen's Road, and their request is under consideration. I would also point out to him that though the old company's rights are peculiarly affected they have not petitioned to be heard by this Council in connection with the new Bill.

The ATTORNEY-GENERAL:—I beg to move, in view of the voluminous nature of this Bill, and in view of the many legal technical points which will arise for consideration when the clauses are gone through, that the Bill be referred to the Law Committee.

The COLONIAL SECRETARY seconded.

The motion was agreed to.

THE IMBECILE PERSONS BILL.

Hon. ATTORNEY-GENERAL moved the third reading of the Bill entitled An Ordinance to amend the Imbecile Persons Introduction Ordinance, 1903.

The COLONIAL SECRETARY—In seconding the motion for the third reading of this Bill, I would like, Sir, to remind the Council that on the third reading being proposed at the last meeting of this Council the hon. member for the Chamber of Commerce dissented and you, Sir, thereupon postponed the third reading of the Bill. The ground upon which the hon. member dissented was that Chinese imbeciles were excluded from the operation of the Bill, and you, Sir, explained at the time that this was done

to meet the views of the Chamber of Commerce. Since that meeting, by your Excellency's direction, I addressed a letter to the Chamber of Commerce in which I reminded them of the representation received from their former representative, Mr. H. E. Pollock, in which the Government were urged to exclude Chinese imbeciles from the operation of this Bill. I also drew their attention to the fact that the third reading of the Bill had been postponed owing to the opposition of their representative present in this Council, and I asked them what their wishes in this matter now were. In reply I received a communication this afternoon from the Chamber of Commerce in which they state that Mr. Pollock had acted on their instructions in endeavouring to obtain the exclusion of Chinese imbeciles from the Bill, and that the Chamber still adhered to that view of the matter,

The Bill was passed.

THE CHURCH BILL.

Hon. ATTORNEY -GENERAL moved the third reading of the Bill entitled An Ordinance to enable "The Trustees of Saint John's Cathedral Church in Hongkong" to hold and deal with property for the purpose of promoting the work of the Church of England in Hongkong and China.

The COLONIAL SECRETARY seconded and the Bill was passed.

The Council then adjourned *sine die*.

FINANCE COMMITTEE.

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

A HOUSE ALLOWANCE.

The Governor recommended the Council to vote a sum of \$444 for house allowance from 2nd September, 1903, to 25th October, 1904, to the Assistant Surgeon acting as Medical Officer of Victoria Gaol during the absence on leave of the substantive holder of the post.

The vote was agreed to.