

22ND FEBRUARY, 1906.

PRESENT:—

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

HIS EXCELLENCY Major-General VILLIERS
HATTON, C.B. (General Officer Commanding
the Troops).

Hon. Mr. T. SERCOMBE SMITH (Colonial
Secretary).

Hon. Sir H. S. BERKELEY, K.C. (Attorney-
General).

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

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

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

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

Hon. Dr. HO KAI, M.B., C.M., C.M.G.

Hon. Mr. WEI YUK.

Hon. Mr. GERSHOM STEWART.

Hon. Mr. H. E. POLLOCK, K.C.

Mr. A. G. M. FLETCHER (Clerk of Councils).

MINUTES.

The minutes of the previous meeting were
read and confirmed.

HIS EXCELLENCY'S ADDRESS.

Before business commenced, HIS
EXCELLENCY, in an address to the Council, said:
— The need for the meeting of the Council to-
day arises from the requirement of Ordinance
No. 6 of 1887, that the Jury List for the year,
which comes into force on March 1st, should
previously be considered by the Council. It is
also necessary to-day to continue the
Summoning of Chinese Ordinance of 1899

which expires on the 30th March. This Ordinance enables the Registrar-general to summon Chinese from the New Territories for the purpose of inquiry into matters concerning the inhabitants of these territories. It is not often used, but it is desirable to have the power, and the Registrar-general has requested that it should be retained for at any rate another two years.

Advantage is taken of the meeting to-day to ask the Council to vote the sums entered in the Finance Minutes Nos. 1 to 6 that are before you. The first of these deals with a sum of \$8,000 to meet expenditure in connection with the visit of His Royal Highness Prince Arthur of Connaught. I authorised this expenditure being incurred with the full confidence that the vote would be passed by the Council. (Hear, hear.) The second Financial Minute is for a payment for services rendered last year by the Eastern Extension Telegraph Company. For the present year and for future years this payment will be considerably reduced by the establishment of direct communication between the Harbour Office and the various stations from which the approach of ships is signalled. Provision for this direct communication has, as you will remember, been made in the estimates for the year. Finance Minute No. 3 is on account of the new rifle range which it is proposed to establish on the Peak, mainly for the use of the Hongkong Volunteer Reserve Association. This is in pursuance of the general policy of the Government, a policy which, I am glad to say, has received the support of the public, to extend as much as possible the practice of rifle shooting in the Colony. Finance Minute No 4 consists of two parts, of which the first, \$65,201, is a revote of sums voted last year for extraordinary public works necessitated by some of these works not having been completed during the year. Such a revote is required every year, as it is not possible to spend the exact amount sanctioned. Last year the revote amounted to \$71,836; this year, as I have stated, it is \$65,201. There is a further vote in the same Finance Minute of \$6,020 to cover some additional amounts in excess of those hitherto provided for the Bacteriological Institute, the Gunpowder Depot at Green Island, and the improvement of the Green Island Light, all of which new services have now been completed. By this small additional vote no excess is involved on the approved total estimates for the work. A further amount of \$2,000 is for compensation to the owners of certain lands at Lyemun, necessitated by the exchange of lands with the War Department. The fifth Finance Minute is for a sum of \$3,040 to cover the cost of furnishing the officers' quarters recently erected at Taipo. These quarters are occupied by junior officers who could ill afford the

expense of furnishing the house themselves, and it is proposed to charge them five per cent. on the value of the furniture which will be made available for them. The last Finance Minute is for the small sum of \$60 for the rent of the house in Tai Po village where the Government dispenser resides. It had been suggested that accommodation for him should be provided in the buildings which it is proposed to erect for the magistrate of Taipo, but it was ultimately decided to continue the house in the village as being more accessible to the Chinese villagers who sought the services of the dispenser.

In addition to this financial business and the other business to which I have referred, four bills are down to be read a first time. They will not be proceeded with until the legislative programme for the year is ready. As, however, they have been drafted, I thought it advisable to introduce them so as to give honourable members as much time as possible in which to study them. The first of these bills is the Summary Offences (Further Amendment) Ordinance of 1906, the object of which is to confine the Summary Offences (Amendment) Ordinance, which was passed last year, to the main purposes of that Ordinance—to stop the solicitation by prostitutes in the streets. Hon. members may recollect that on the second reading of the Ordinance of last year an amendment was introduced which extended its scope by making police regulations which applied to public streets applicable also to private streets. This was explained by the Attorney General on the second reading of the bill, and the bill was ultimately passed *nemine contradicente*. I was afterwards informed by the senior unofficial member of the Council that the non-official members had not understood the amendment and were opposed to it. I need not say that the Government did not wish them to vote in favour of a bill which they did not understand, and in consequence I propose that the Ordinance should now be amended so as to restrict its scope to the main purpose of the bill as understood by Hon. members. The second bill before you is for amendments of the Magistrates' Ordinance. Mr. Gompertz, who was acting as police magistrate for some time, made out a list before he went home of suggestions with regard to the jurisdiction and power of magistrates. Advantage was taken last session of the amendment to the Women and Girls' Protection Ordinance to adopt one of these suggestions. The others are embodied in the present bill, the details of which will be explained by the Attorney General when it is read a second time. With regard to the Lunatic Asylums Bill, the Government has been advised that while there is authority at common law for the

detention of lunatics, it will be safer to make statutory provision for such detention, This bill is intended to make that provision. The necessity for the Lunacy Bill arises from the fact that the powers of the Supreme Court in relation to the persons and estates of lunatics have hitherto been conferred by the Imperial Enactments Extension Ordinance of 1856, which extended the Lunacy Regulations Act of 1853 to this Colony, that that Act has since been superseded in the United Kingdom by the Lunacy Act of 1890. That supersession does not involve *ipso facto* the supersession of the earlier by the later Act in the legislature of the Colony, and the Chief Justice has advised that the Colonial should be brought into line with the Imperial legislation by Ordinance.

FINANCIAL.

The COLONIAL SECRETARY laid on the table Financial Minutes Nos. 1 to 6, and moved that they be referred to the Finance Committee.

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

PAPERS.

The HON. COLONIAL SECRETARY laid on the table the report on the Widows and Orphans Pension Fund for the year 1905, and the report on the teaching of Hygiene in the schools of Hongkong.

SUMMONING OF CHINESE ORDINANCE.

The ATTORNEY GENERAL moved the following resolution:—

Whereas by Section 5 of "the Summoning of Chinese Ordinance, 1899" (No. 12 of 1899), it was enacted that the said Ordinance should only continue in operation for the period of two years from the coming into operation of the said Ordinance and for such further period or periods as might, from time to time, be determined by Resolution of the Legislative Council, and whereas such operation has been continued by Resolution of this Council until the 30th day of March, 1906, inclusive: it is hereby resolved by this Council that "the Summoning of Chinese Ordinance, 1899," shall be further continued in operation for the further period of two years from the 31st day of March, 1906, inclusive.

He said:—After the explanation which your Excellency has tendered to the Council of the necessity for this resolution continuing this Ordinance, I need not occupy the time of the Council with any remarks. I will satisfy myself by moving the resolution I have read to the Council.

The HON. COLONIAL SECRETARY seconded, and the motion was carried.

QUESTIONS.

The Hon. Mr. GERSHOM STEWART asked the following question—Will the Government take into consideration the advisability of approaching the

proprietors of the "city Hall" with a view to acquiring the "building" in order that it may be altered to meet the necessity of the growing community?

The COLONIAL SECRETARY said—The answer to the question put by the hon. member is "yes." (Applause.)

The Hon. Mr. H. E. POLLOCK asked the following question—Will the Government state what steps are being taken to educate the Chinese tenants of houses in the principles of sanitation and ventilation which are applicable to the houses in which they live?

For what purpose was Robinson Road, Kowloon, opened up, and on what date? When is it anticipated that the work will be completed and the road restored to its proper state?

Will the Government state what steps they have taken, and what further steps they intend to take and when, in connection with the installation of a system of fire-alarms? Will the Government also state what is the estimated cost of such installation?

Will the Government state what progress has been made with the works for the extension of water storage at Tytam and at Tytam Tuk and at Kowloon? Will the Government also state when these respective works are likely to be completed?

When is it anticipated that—(a) the New Post Office, (b) the New Law Courts, will be completed?

Is it the intention of the Government to make a road from the top Tram Station to Plantation Road? If so, when? What is the estimated cost of such road?

Will the Government procure and lay before the Council an estimate of the cost of prolonging Kennedy Road in a south-easterly direction from the point of its junction with the Wanchai Gap Road so that it may lead down to the Race Course at the back of the Mahommedan Cemetery?

Will the Government procure and lay upon the table an estimate of the cost of continuing Harlech Road round the north side of Victoria Peak—(a) back to Victoria Gap, (b) to Barker Road.

The Hon. Mr. GERSHOM STEWART—I beg to ask the question standing in my name.

The COLONIAL SECRETARY said—In reply to question No. 1, no steps are being taken to educate the Chinese tenants of houses, but instruction in Hygiene has been introduced into the curriculum of most Government and Grant-in-Aid Schools in the Colony, with the results in the first year that are set forth in the paper laid on the table this afternoon.

In reply to question No. 3.—Since the 12th of July, 1904, when a similar question was asked by the Honourable the member for the Chamber of Commerce on behalf of the Honourable the member for the Justices of the Peace, Mr. Wodehouse, Assistant Superintendent of Police,

whilst on leave in 1905 has made inquiries in London as to the system of fire alarms in use by the Metropolitan Fire Brigade, and reported that the system was not considered to be entirely satisfactory. Reference was then made to Singapore to learn how the "Gamewell System" reported to be in operation there was working. The reply after some delay was that there was no fire alarm system of any kind in Singapore. It is proposed to instruct Mr. E. R. Hallifax, Assistant Superintendent of Police, who is going on leave this spring to make full inquiries into the system in vogue in Great Britain and Ireland but until his report is received no estimate of the cost can be framed. The answers to the other questions will be given by the Hon. Director of Public Works.

The HON. DIRECTOR OF PUBLIC WORKS, replying to question No. 2, said—The question is understood to refer to a trench recently opened from Middle Road northwards for a distance of about 170 yards. It is for the purpose of raising a water main consequent upon the level of the road having been raised. It was not possible to carry out this work simultaneously with the construction of storm water drains and sewers recently undertaken. The opening was begun on the February 8th and it is anticipated that the work will be completed and the road restored to its proper state by the 3rd March.

In reply to question No. 4:—Tytam Tuk Scheme, First Section.—The dam, which will be about 90 feet in height above ground level, has been constructed for fully half its height. The new road is far advanced, about 3/4 mile of main has been laid and erection of the pumping engines is about to be begun. It is anticipated that the whole of the works will be completed by the end of this year, and that the dam will be completed in time to enable the reservoir to be filled during the coming wet season. Tytam Tuk Scheme, Second Section.—Surveys in connection with the preparation of working drawings are proceeding. Kowloon Water Works, Gravitation Scheme.—The dam, which will be about 100 feet in height above ground level, has been constructed for half its height. The main from the storage reservoir to the service reservoir is nearly completed and will shortly be utilized for conveying the water from several perennial streams, thus materially increasing the present supply. The filter beds and catchwater are in progress. It is anticipated that the whole of the works will be completed by the middle of next year, but will be so far advanced as to afford a sufficient supply for present requirements by next dry season.

In reply to question No. 5.—It is anticipated that both buildings will be completed by the end of 1909.

In reply to question No. 6.—By arrangement with the owners of the Peak Hotel, a portion of the road

referred to, where it affects their property, is to be made new. When this arrangement has been fulfilled, the Government will complete the road. The estimated cost of doing this is \$8,300.

With regard to question No. 7, the question of improved communications in the locality referred to is at present receiving the attention of Government and the suggestion of the Hon. member will be considered.

In reply to question No. 8, I have to state that the cost is roughly estimated at from \$25,000 to \$30,000. As there is no prospect of funds being available in the near future to carry out this work, which is not of great public importance, it is not considered advisable at present to incur the expense of making the surveys preliminary to forming a detailed estimate.

The Hon. Mr. POLLOCK—With reference to the answer of the Hon. Director of Public Works to the last question, might I ask whether this estimate includes taking the road to Victoria Gap?

The HON. DIRECTOR OF PUBLIC WORKS—Assuming the hon. member refers to only one of these alternatives being adopted the estimates will not be affected by the change.

SUMMARY OFFENCES AMENDMENT ORDINANCE.

The ATTORNEY GENERAL moved the first reading of a Bill entitled An Ordinance to amend the Summary Offences (Amendment) Ordinance, 1905.

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

MAGISTRATES' ORDINANCE AMENDMENT.

The ATTORNEY GENERAL moved the first reading of a Bill entitled An Ordinance further to amend the Magistrates Ordinance, 1890.

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

ESTABLISHMENT OF LUNATIC ASYLUMS.

The ATTORNEY GENERAL moved the first reading of a Bill entitled An Ordinance to provide for the establishment of Lunatic Asylums, and to provide for the custody and care therein of persons of unsound mind.

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

JURISDICTION OF SUPREME COURT.

The ATTORNEY GENERAL moved the first reading of a Bill entitled An Ordinance relating to the Jurisdiction of Supreme Court with respect to the care and commitment of the custody of the persons and estates of lunatics.

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

FINANCE COMMITTEE.

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

The following votes were approved:—

THE ROYAL VISIT.

The Governor recommended the Council to vote a sum of \$8,000 to meet the expenses incurred by the Treasurer of the Reception Committee and for illuminating the public buildings in connection with the visit to this Colony of H.R.H. Prince Arthur of Connaught.

MISCELLANEOUS SERVICES.

The Governor recommended the Council to vote a sum of six hundred and eighty-one dollars and sixty cents (\$681.60) in aid of the vote Miscellaneous Services, Telegraph Service — Contribution in connection with Signalling Vessels and Messages to Observatory.

RIFLE RANGE AT THE PEAK.

The Governor recommended the Council to vote a sum of five thousand two hundred and fifty dollars (\$5,250) in aid of the vote, Public Works Extraordinary, Rifle Range at the Peak.

PUBLIC WORKS EXTRAORDINARY.

The Governor recommended the Council to revote a sum of sixty-five thousand two hundred and one dollars and fourteen cents (\$65,201.14) the vote—Public Works Extraordinary, for the following items:—

Bacteriological Institute	\$2,844.94
Government Civil Hospital—Extension of Staff Quarters	3,000.00
Gunpowder Depôt, Green Island	14,389.56
Harbour Office	6,926.53
Post Office, Shanghai	15,000.00
School, Yaumati	1,382.00
Tai Po, Quarters for Officers	5,086.00
Volunteer Headquarters (Contribution)	24.56
Miscellaneous Drainage Works	326.85
Kowloon Roads	5,600.00
Green Island Light Improvement	88.02
Kowloon-canton Railway—Survey and Preliminary work	10,532.68
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	\$65,201.14

Bacteriological Institute	1,920.00
Gunpowder Depôt, Green Island	300.00
Green Island Light Improvement	1,800.00
Compensation to Lessees of Quarries D. 16 and D. 17, Lyemun	2,000.00
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	\$6,020.00

The Hon. Mr. POLLOCK—I should like to ask a few questions. The first is—When is the Gunpowder Depot at Green Island to be completed?

The Hon. DIRECTOR OF PUBLIC WORKS—It is completed now, and occupied.

The Hon. Mr. POLLOCK—What about the Harbour Office?

The Hon. DIRECTOR OF PUBLIC WORKS—The Harbour Office will be finished in a few months.

JUDICIAL AND LEGAL.

The Governor recommended the Council to vote a sum of three thousand and forty dollars (\$3,040) in aid of the vote Judicial and Legal Departments for the following items:—

Magistracy, New Territories, Other Charges, Furnishing of the New Tai Po Quarters	\$1,520
Land Registry Office, New Territories, Other Charges, Furnishing of the New Tai Po Quarters	1,520
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Total	\$3,040

MEDICAL DEPARTMENT.

The Governor recommended the Council to vote a sum of sixty dollars (\$60) in aid of the vote, Medical Department — Other Charges, B. -hospitals and Asylums, New Territory, Rent of Temporary Dispensary at Tai Po.

JURY LIST FOR 1906.

When the Council resumed, the jury list for 1906 was considered in private.

ADJOURNMENT.

The Council adjourned *sine die*.