

18TH JUNE, 1908

**PRESENT.—**

HIS EXCELLENCY THE GOVERNOR: — SIR  
FREDERICK JOHN DEALTRY LUGARD,  
K.C.M.G., C.B., D.S.O.

HIS EXCELLENCY MAJOR-GENERAL  
BROADWOOD (General Officer Commanding).

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

HON. MR. W. REES DAVIES, K.C. (Attorney-  
General).

HON. MR. L. A. M. JOHNSTON (Colonial  
Treasurer).

HON. MR. W. CHATHAM, C.M.G. (Director of  
Public Works).

HON. MR. E. A. IRVING (Registrar-General).

HON. COMMANDER BASIL R. H. TAYLOR, R.N.  
(Harbour Master).

HON. DR. HO KAI, M.B., C.M., C.M.G.

HON. SIR HENRY BERKELEY, K.C.

HON. MR. H. E. POLLOCK, K.C.

HON. MR. WEI YUK.

HON. MR. H. W. SLADE.

HON. MR. MURRAY STEWART.

MR. C. CLEMENTI (Clerk of Councils).

**Minutes.**

The minutes of the previous meeting were read,  
and confirmed.

**Finance Minutes.**

THE COLONIAL SECRETARY, by direction of  
H.E. the Governor, laid on the table Financial  
minutes Nos. 25, 26, 27 and 28 and moved that  
they be referred to the Finance Committee.

THE COLONIAL TREASURER seconded and  
the resolution was agreed to.

**Resolution Under the Public Health Ordinance.**

THE COLONIAL SECRETARY moved the  
following resolution under Section 170 of the  
Public Health and Buildings Ordinance, 1905,  
(Ordinance No. 1 of 1903).—

"Whereas application has been duly made by the  
Sanitary Board to the Governor under Section 167 of the  
Public Health and Buildings Ordinance 1903 for the  
erection of a public latrine on the site now occupied by  
No. 1, Chuk Hing Lane; and whereas such application  
having been approved by the Governor and a notification  
of the intention to erect a public latrine upon such site  
having been duly published in three successive numbers  
of the *Gazette*, certain owners of property in the  
immediate vicinity of such site have objected to such  
erection; and whereas the objections so made have been  
considered by this Council; It is hereby resolved by this  
Council that the above mentioned site and the erection  
thereon of a public latrine be approved."

He said—In connection with this resolution  
correspondence referring to the subject has been  
circulated to hon. members and no doubt they have  
made themselves fully acquainted with the aspects  
of the case. As far back as 1906 the erection of a  
latrine in this particular health district, No. 4, was  
recommended by the Civil Medical Officer of  
Health. The Sanitary Board endorsed that  
recommendation, and a site was selected by the  
Medical Officer of Health after investigation as to  
other suitable sites in the district in question. The  
necessary formalities have been complied with and  
the site has been resumed by the Government for  
the purpose in view. The objections which are  
printed in the paper have been made by certain  
residents in the vicinity. With regard to these  
objections I can only say that I presume everybody  
would rather not have a latrine near his dwelling if  
it could be avoided. At the same time latrines are  
necessities. The Sanitary Board has on several  
occasions urged the Government to increase the  
supply of public latrines and in pursuance of the  
policy which has been followed in recent years—  
the Government sets aside annually a certain sum  
for the extension of the number of public latrines—  
it is proposed to erect a latrine in this district which,  
as members know, is in the very heart of the City of  
Victoria and is very crowded. There is no open  
space there upon which a latrine under ideal  
conditions could be erected. It is therefore to meet a  
necessity that the site should be acquired and the  
public latrine be erected thereon. I may say that the  
original proposal was to erect a

latrine with 40 seats—that was recommended by the Sanitary Board—but that has been modified and the latrine proposed will contain sixteen seats only. The first proposal was for a two-storey building but the present one is a one-storey building. Therefore there would be far more open space surrounding the new building than would surround the one originally proposed. I have said, I think, all that is necessary in support of the resolution and I trust the Council will approve of it.

THE DIRECTOR OF PUBLIC WORKS—I beg to second the resolution. In doing so, I would point out that it is practically impossible for the Government to provide large open spaces around these places, the value of the land being so high and practically every portion of land in the central district of the city being already fully occupied. In the present case, Sir, the cost for the resumption alone has been about \$300 per seat of accommodation afforded. It seems to me it would become a very serious task to provide accommodation to anything like the extent it ought to be provided throughout the city.

The HON. DR. HO KAI—Before this resolution is put to the Council I think we are entitled to more information on the subject in order to enable members of this Council to give their votes in an intelligent manner. Here we have an application by the Sanitary Board for the erection of a latrine in a certain locality; the fact has been advertised in compliance with section 168 of the Public Health Ordinance, and certain objections were sent in by the neighbours. One or two of the objections seem to me very cogent, and I should like to hear some reference to these from the Government so that we may know that the objections have been well considered and answered. I hold in my hand a print of one of the letters sent in by the neighbours. It is dated 21st May. It states:—“(1) The site is situate in a narrow lane surrounded by the back of tall houses three stories high. The stench, the obnoxious flies and other evils attendant on a public latrine will particularly affect the kitchens of these immediately surrounding houses where human food is prepared. (2) The owners of these immediately surrounding houses have, recently, in compliance with the requirements of the Sanitary Board, opened more windows in these

premises directly facing the said site, with the object of letting in pure and fresh air into these houses; but if a public latrine is erected, which would be directly opposite to their windows, they will have bad and vitiated air instead.” I wish to draw attention to No. 2, which seems to be a very strong objection. We all know that the Government has called upon house owners to open windows at the rear of their premises in order to get sufficient air, and now the Government by the erection of this latrine is compelling them to open their windows to admit vitiated air. This requires every consideration, and I should be only too pleased to hear the Government's answer to this. I quite admit that latrines are necessary, but the sites have to be carefully selected, and from a study of the plan I am of opinion that the site is as bad as it well can be. First of all, it is in the centre of a block of houses. In one direction it measures 30 feet, in another 27 ft. 2 in., the breadth is 22 ft. 9 in. one direction and 19 ft. 2 in. another. As it is right in the middle of a block of houses, it seems to me both harmful and insanitary. I think the Government before proceeding with this resolution might consider the objections which have been raised. I would like to see the minutes of the Medical Officer of Health or the Sanitary Board before I record my vote.

The HON. Mr. WEI-YUK—I second that.

THE COLONIAL SECRETARY—Sir, this is one of those questions which the Sanitary Board has been constituted to deal with. The Sanitary Board has thoroughly investigated this question and it has recommended that this latrine be built on this site. That decision was arrived at after the fullest investigation by the Medical Officer of Health and, as I have already explained, it is impossible in the heart of this populous city, except at prohibitive expense, to get a site that will be surrounded by large spaces of air on all sides. There are a great many latrines in the city of Victoria—I have here a map showing the latrines in this particular part—and every one of them is theoretically open to the very same objection that the senior unofficial member has urged against this particular one. It is a very small latrine, and the fact that it is in a side lane is in its favour. If it fronted on to a public

street it would be more of a nuisance than where it is. There is nothing inherently insanitary about a well-kept latrine. There may be a certain odour arising from it, but I think I can state on the highest authority that under the efficient system of supervision which obtains in this city no effluvia will escape that is in any sense dangerous to health. As regards the other things mentioned, they can be obviated by proper removal of the contents of the latrine. I don't think that any serious objection has been shown against this latrine that could not be shown against dozens of other latrines in the city. If these objections are to weigh against the institution of this latrine, then all I can say is that many other latrines would have to be condemned as insanitary, and thus make the provision of future latrines practically an impossibility. I commend this resolution with confidence to the Council. It is a baby in the latrine family which is sponsored by the Sanitary Board, and if the Sanitary Board cannot guide us in matters of this kind, I don't know what this Council can do.

On the resolution being put to the vote,

His EXCELLENCY declared that the "Ayes" had it, but the Hon. Dr. Ho Kai asked for a division which resulted as follows:—

*For the resolution*—Hon. Mr. Slade, Hon. Sir Henry Berkeley, Hon. Mr. Stewart, Hon. Mr. Pollock, the Harbour Master, Registrar General, Director of Public Works, Colonial Treasurer, Attorney-General, Colonial Secretary, His Excellency the General.

*Against the resolution*—Hon. Dr. Ho Kai and Hon. Mr. Wei Yuk.

### **The Appropriation Bill**

THE COLONIAL SECRETARY moved the third reading of the Bill entitled An Ordinance to authorize the appropriation of a supplementary sum of One hundred and sixty-six thousand seven hundred and thirty-five dollars and eighty-five cents, to defray the charges of the year 1907.

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

### **Chemists and Druggists Ordinance**

THE ATTORNEY GENERAL moved that the Council go into Committee on the Bill entitled An Ordinance to provide for the registration of Chemists and Druggists and to regulate the Sale of Poisons.

THE COLONIAL SECRETARY seconded and the motion was agreed to.

THE ATTORNEY GENERAL said that the Committee was adjourned on the last occasion to enable certain amendments to be framed to clause 11. He had had an opportunity of drafting amendments which would meet with the approval of the gentlemen concerned.

The Bill passed through committee and, there being no objection, the Bill was also read a third time.

### **The Public Health Ordinance**

HIS EXCELLENCY—The committee stage on the Public Health and Buildings Ordinance stands next on the orders of the day. An hour or two before the meeting of this Council I received a letter from the Chief Justice commenting on certain aspects of the debate which took place in this Council last week. The receipt of that letter raises a constitutional point which I think deserves serious consideration, and although I have given the matter, in conjunction with the Attorney General, my most careful consideration up to the last moment before the assembling of the Council, I think it better to postpone the committee stage until next meeting of the Council.

HON. SIR HENRY BERKELEY—Do you postpone consideration of the entire Bill?

HIS EXCELLENCY—Yes. The only remaining clause is the one proposed by yourself. The Council stands adjourned until Thursday next.

### **FINANCE COMMITTEE.**

A meeting of the Finance Committee was held after the Council—the Colonial Secretary presiding. The following votes were passed:

**Public Works Extraordinary**

The Governor recommended the Council to vote a sum of Six thousand seven hundred dollars (\$6,700) in aid of the vote, Public Works Extraordinary, Saiyingpun Anglo-chinese School Extension.

The Governor recommended the Council to vote a sum of One thousand seven hundred dollars (\$1,700) in aid of the vote, Public Works Extraordinary, 11, Victoria British School—Additional Storey to Quarters.

**Water Works**

The Governor recommended the Council to vote a sum of Eight thousand five hundred dollars (\$8,500) in aid of the vote, Public Works Extraordinary, Miscellaneous Water Works.

**Public Works Recurrent**

The Governor recommended the Council to vote a sum of Six thousand five hundred dollars (\$6,500) in aid of the vote, Public Works Recurrent, Maintenance of Kowloon Water Works.