

# VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL OF HONGKONG.

No. 2 OF 1870.

WEDNESDAY, 30<sup>TH</sup> MARCH, 1870.

## PRESENT:

His Excellency Governor SIR RICHARD GRAVES MACDONNELL, C.B.  
The Honorable the Chief Justice, (JOHN SMALE.)  
The Honorable the Colonial Secretary, (JOHN GARDINER AUSTIN.)  
The Honorable the Attorney General, (JULIAN PAUNCEFOTE.)  
The Honorable the Colonial Treasurer, (FREDERICK H. A. FORTH.)  
The Honorable HUGH BOLD GIBB.  
The Honorable PHINEAS RYRIE.  
The Honorable WILLIAM KESWICK.  
The Honorable RICHARD ROWETT.

## ABSENT:

The Honorable the Auditor General, (WILLIAM H. RENNIE), absent on leave.

The Council meets this day at 3 P.M. by Special Summons.

The Minutes of the Council held on the 25th February last, are read and confirmed.

The Bill *for the Preservation of Birds* is read a Second time, amended in Committee, and passed, bearing the Title of "*An Ordinance enacted by the Governor of Hongkong, with Advice of the Legislative Council thereof, for the Preservation of Birds,*"—being "*No. 1 of 1870.*"

The Bill *to co-operate with the Chinese Authorities for the Suppression of Piracy* is brought forward for the Second reading, and His Excellency states that this Bill had been introduced in pursuance of Instructions from the Secretary of State for the Colonies, which directed the re-enactment of Ordinance No. 2 of 1868, now expired. The Despatch (No. 148 of 14 September, 1869.) conveying the above instructions, is then read and considered.—After which, the Bill is read a Second time, committed, and passed, bearing the Title of "*An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to enable the Governor to co-operate with the Chinese Authorities for the Suppression of Piracy,*"—being "*No.2 of 1870.*"

On the representation of the Attorney General, who states that upon further consultation with the Members of the Profession he is desirous to submit a more comprehensive measure which he has prepared on the subject of the Admission of Attornies,—and the Chief Justice concurring, the Bill *relating to the Admission of Attornies* is withdrawn by order of His Excellency.

The Bill *for the Establishment of a Chinese Hospital* is read a Second time, amended in Committee and passed, bearing the Title of "*An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, for establishing a Chinese Hospital to be supported by Voluntary Contributions, and for erecting the same into an Eleemosynary Corporation,*"—being "*No. 3 of 1870.*"

His Excellency lays on the Table the *Emigration Bill* which was read a First time at a Meeting of the Council held on the 25th February last, together with Despatch No. 174 of 19th October, 1869, from the Secretary of State for the Colonies, respecting further Legislation on the subject.—His Excellency then fully explains to the Council the future Policy of Her Majesty's Government as to Emigration from Hongkong, which the Bill is intended to carry out.

Discussion follows—

After which, the Bill is read a Second time, amended in Committee, and passed, bearing the Title of "*An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to make further Regulations respecting Chinese Passenger Ships,*"—being "*No. 4 of 1870.*"

His Excellency then lays on the Table the Annual Report for 1869 from the Acting Captain Superintendent of Police, and calls attention at considerable length to the Statistics of Crime in the Colony, just completed, from 1865 to 1869, by which a great decrease in 1869, amounting to 22.6 per cent, is evidenced in Serious Offences as compared with 1868, and 51 per cent as illustrated by Comparative Returns of the latter half of 1865, and the latter half of 1869.

His Excellency concludes by stating that this Meeting of the Council may possibly, for some time at least, be the last over which he will be able to preside, as he is compelled by the state of his health to avail himself of the Leave of Absence to proceed to England, which had been accorded to him by the Secretary of State, though if possible, he would return from Japan for a short period to assist in passing the Estimates for 1871, before finally leaving for Europe.

Whereupon, the Honorable the Chief Justice reads the following Address to His Excellency:—

"As this is probably the last occasion on which I shall have an opportunity of addressing Your Excellency in public, I ask permission to say a few words before the business of this sitting is closed, to express the regret we feel that a long and most arduous tropical service has caused a break-down—we hope only a temporary break-down—of your strength, compelling you to seek restoration in quiet in England. We trust that whether in higher office, to which on restored health we may anticipate your elevation, or in a prolonged life of hardly earned and dignified ease at home, you may find renewed enjoyment of life. It has been the misfortune of some, at least of one of us, to have differed from the policy of the Executive in some very important particulars. Divergencies in opinion are daily incident to public life, even in England; much more do honest differences, (occasionally expressed in too warm a manner,) necessarily arise here, where there is so much that is to us unprecedented and anomalous. It would be inopportune and improper on this occasion to comment on the policy of the Government, but there is a great merit in an able and vigorous carrying out of a policy, and if we may be permitted to say so, to this great merit Your Excellency's Government is preeminently entitled. Guarding myself individually from expressing concurrence in—indeed, having dissented from some of—the measures adopted, I am bound to state what I think all will concur in, that on the results—the increased security to life and property, and great decrease of crime to which I have elsewhere referred, the extent of which is confirmed by

the Statistics which Your Excellency has this day laid on the table—the material improvements in roads, in buildings and in water supply—and also the increased educational advantages for the Chinese—on the foundation of a Chinese Hospital by Chinamen, helped by the Government, which we have this day established by Ordinance,—and on the display by the Chinese of increasing interest in public affairs, Your Excellency's Government may well be congratulated. The traffic, which having been so designated by one of Her Majesty's Ministers, I individually may be excused for calling the Coolie slave trade, has been watched and regulated with jealous care, ever since your attention was first directed to it. That watchfulness has culminated in the Ordinance No. 4 of 1870, the last, the crowning act, of this day's Legislation, which will render, as we hope, enforced labour of Coolie Emigrants from this colony impossible. A generous liberality on all occasions, especially during the recent Royal Visit, has well sustained the dignity of your high office as the Representative of Her Majesty. We should be wanting in the due expression of our own sentiments—the sentiments of the whole Community—did I omit to add that Lady MacDonnell has filled her exalted station with an urbanity of manner, and a kindness of heart, which will leave a grateful remembrance of the gentle courtesies which she has extended to all. No Lady who has presided at Government House, will have left the Colony, more deeply, or more generally regretted, than Lady MacDonnell."

Honorable HUGH BOLD GIBB next rises, and on behalf of himself and the Un-official Members of the Council, says:—

"I was not aware when entering this Chamber, that the Chief Justice had prepared an address to Your Excellency, or following the same course, I should perhaps have more distinctly stated what I wish now to say on behalf of my Non-official colleagues and myself. We endorse most heartily the expressions of good-will towards you that have fallen from the Chief Justice, for although we have sometimes found it our duty to differ from, and oppose the measures that have been brought forward in this Council, we have always felt that Your Excellency has been actuated with an honest desire to promote the well-being of the Colony. Apart, however, from the deliberations that have taken place around this table, having had an opportunity of becoming acquainted with the nature of some of your correspondence with Her Majesty's Government, I cannot help thinking and am glad to have this opportunity of saying so, that this Colony has great reason to be thankful for the manner in which you have guarded its interest. I refer more particularly to the establishment of the Chinese Cruisers and Revenue Stations around this Island, and further the proposed appointment of a Chinese Consul within the City, both matters, in my mind, affecting very seriously the interests of this Colony, and although your efforts in preventing their existence have not in the one case been so successful as could be wished, yet we owe you a deep debt of gratitude for your exertions to that end. Again we have more lately to thank you for the able manner in which you have backed up the Memorial by this Community, in reference to the Convention lately made by Sir RUTHERFORD ALCOCK, and the Chinese Government. I trust, Your Excellency, that you are leaving us but for a short time, and most deeply are we concerned that ill-health should have attacked you on the eve of your leaving to avail yourself of your well earned leave. As regards the expressions of regard and esteem

made by the Chief Justice towards Lady MACDONNELL, we most sincerely concur, and whether to return to this place or in the more genial climate of home, we trust she may enjoy a long and happy life."

His Excellency, addressing the Chief Justice, Mr. Gibb, and the other gentlemen, said that there were times when words to express one's feelings did not occur readily; and as he had no notice of these friendly intentions until he was just entering the Council room, he confessed he was entirely unprepared to mark his grateful sense of these kind expressions of feeling, especially, too, at a time when one's feelings were more than usually susceptible. He would be most heartily ashamed of himself, however, if he could not thank them—though not in adequate language, at least with manner, spirit and feeling adequate to the occasion. He deeply regretted that he had to leave without winding up affairs in so satisfactory a manner as he could have wished; but it was his intention to return. And, whether he returned or not, it would be found from the records, however misunderstood he may have occasionally been by parties who had not access to accurate information, that he had exhibited a laborious interest in the Colony's welfare. He had great satisfaction in thinking this would be so, though they had differed as to several points of policy—the Stamp Act and the Licenses, for instance. Nevertheless he believed the majority of the Community and the Council would now admit themselves in favor of these on the whole. He had always adopted a straight-forward course of action, and sought to conceal nothing. It had been said by some—for it happened to suit them to say so—that the Council does not represent the public feeling of the Colony; but he denied the fact, and also that the public were not fairly represented. There were four unofficial members; and they had been chosen partly because they were known to hold views on certain questions opposed to his own, as his correspondence with the Secretary of State would show. So little desirous was he to assume autocratic powers, that he had never influenced a member as to how he should vote; and he would say that none were better able than those now in the unofficial seats of the Council, to exercise a salutary influence. The influence of the Council was quite as great as that of any elective or non-elective assembly elsewhere; and the Estimates were always the estimates of the united Council, though as in every assembly there must at times necessarily be a few points on which they could not all agree. If the members had not interfered with his policy often, it was because they well knew there was no one actuated by a more thorough desire to advance the best interests of the Colony, than the Governor himself. He had again to thank them on his own behalf, and more especially on behalf of Lady MacDonnell, who would be much gratified by their kind allusions to her. He hoped they would meet again, and have as good results to show as they had had this day. He begged them to excuse these very imperfect remarks, as he had not his former strength.

His Excellency then adjourns the Council at 10 minutes past 6 o'clock.

H. W. WHITEFIELD,  
*Lieutenant-Governor.*

Read and confirmed, this 13th Day of April, 1870.

L. D'ALMADA E CASTRO,  
*Clerk of Councils.*