

# LEGISLATIVE COUNCIL No. 1.

WEDNESDAY, 7<sup>TH</sup> OCTOBER, 1885.

PRESENT:

HIS EXCELLENCY THE GOVERNOR

(SIR GEORGE FERGUSON BOWEN, G.C.M.G.)

His Honour the Chief Justice, (SIR GEORGE PHILLIPPO, Knt.)

The Honourable the Acting Colonial Secretary, (FREDERICK STEWART, LL.D.)

„ the Attorney General, (EDWARD LOUGHLIN O'MALLEY.)

„ the Colonial Treasurer, (ALFRED LISTER.)

„ the Surveyor General, (JOHN MACNEILE PRICE.)

„ PHINEAS RYRIE.

„ THOMAS JACKSON.

„ FREDERICK DAVID SASSOON.

„ WONG SHING.

ABSENT:

The Honourable the Colonial Secretary, (WILLIAM HENRY MARSH, C.M.G.), on leave.

„ WILLIAM KESWICK, on leave.

Pursuant to Proclamation, the Council met. The chair was taken by the Chief Justice as Senior Member.

At 5 o'clock P.M., the Clerk of Councils read the Proclamation convening the Council, as follows:—

No. 11.

## PROCLAMATION.

[L.S.] G. F. BOWEN.

By His Excellency Sir GEORGE FERGUSON BOWEN, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same.

Whereas the Legislative Council of Hongkong stands prorogued to Tuesday, the 15th day of September instant, now I, Sir GEORGE FERGUSON BOWEN, in exercise of the powers in me vested as Governor aforesaid, do hereby proclaim that the said Legislative Council is further prorogued to Wednesday, the 7th October, 1885, on which day it shall meet for the despatch of business at the hour of 5 o'clock in the afternoon in the Council Chamber, in the City of Victoria in the said Colony; and the Members of the Legislative Council are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and the public Seal of the Colony, this 5th day of September, 1885.

By Command,

FREDERICK STEWART,  
*Acting Colonial Secretary.*

GOD SAVE THE QUEEN.

His Excellency the Governor came into the Council Chamber, and having desired the Honourable Members to be seated, was pleased to speak as follows:—

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,

I have summoned you to meet at a somewhat earlier period of the year than on previous occasions, because, in addition to the Estimates for 1886, and to several important Legislative measures, I desire to submit for your consideration a Loan Bill, and a Bill to establish a Spirit Farm, similar to that successfully established in the neighbouring Colony of the Straits Settlements.

2. It will be remembered that, in opening the Session for 1884, I addressed you as follows:—

"Hongkong is probably the only State or Colony of importance, which at the present day is not only without a Public Debt, but which possesses assets nearly equal to its annual revenue. However, the existing balances will not be sufficient to carry out several Public Works, which are urgently required by this community, in addition to those 'strong and complete measures of sanitation,' which Mr. CHADWICK, (the Civil Engineer recently sent out from England), has reported to be absolutely

necessary 'for the immediate benefit of the public health.' Under these circumstances, I concur with the Executive Council in what appears to be the general opinion of the Colony, viz. that the present generation of Colonists ought not to be deprived of the advantages referred to, while it cannot, of course, be expected to defray the entire cost of works of a permanent and reproductive character; so that, consequently, it will be expedient to raise, on the exhaustion of the existing assets, a moderate loan not much exceeding the revenue of a single year. This question will not have to be decided in its details during the present Session; but, I desire to elicit the opinion of the Council on the principle involved."

3. In your address in reply, the Council said: "We agree with your Excellency in the opinion that, in justice to the present generation of tax-payers in Hongkong, a moderate loan should be raised on the exhaustion of the existing assets, to defray a portion of the cost of those Sanitary and other Public Works, which are recognised as of permanent importance for the security of the general health and well-being of our population."

4. You have, therefore, Honourable Gentlemen, already sanctioned the principle of a loan; and there will now be laid before you Bills (already approved by Her Majesty's Government), for raising One million of Dollars, (that is, less than one year's income of this Colony);—and to establish a Spirit Farm, the produce of which will be required to provide for the interest and Sinking Fund of the Loan.

5. From the Report of the Acting Colonial Secretary and Auditor General, it will be seen that the state of our Finances is briefly as follows:—In consequence of the exercise of rigorous economy in the general administration, while considerable progress has been made in the chief Public Works, there will still remain in the Treasury on the 31st of next December a balance of \$190,000. Now, the Extraordinary Public Works,—that is, those to be defrayed out of Balances and Loan, including among others, the Tytam Water-Works; the completion of the Victoria College, and of the permanent Lazaretto; the Defence Works, and the Sanitary Works; are estimated to cost \$579,800; consequently, it will become necessary to raise by loan during the ensuing year not less than about \$400,000.

6. The Estimates for 1886 show a surplus (in round numbers) of \$122,500, if we include the increase expected from the proposed Spirit Farm, which is estimated at about \$63,500, and which will be devoted to the payment of interest and Sinking Fund on the Loan. Consequently, there will remain only a nett surplus of \$59,000, not more than is required to meet unforeseen expenses.

7. At the present time, the taxation of this Colony, both general and municipal, does not exceed £1.1.0 per head of the population. With the increase from the Spirit Farm, it will not exceed £1.3.6 per head. It will be recollected that the aggregate taxation, general and municipal, per head of the people of England, and of the Australasian Colonies, exceeds £3.0.0 per head.

8. Under the circumstances stated in a Report of the Colonial Treasurer which will be laid before you, it has been found necessary to increase the Police rate by 1 per cent. As the law of this Colony has hitherto stood, the power of assessing the Municipal rates is vested solely in the Governor in Executive Council. I think that this anomaly, for which there is probably no precedent in any other part of the British Empire, should be removed; and that, for the future, the municipal, like the general taxation should be imposed, after full consideration, by a vote of the Legislative Council. I have recommended to Her Majesty's Government that I should receive authority to carry out this reform.

9. And here I will take the opportunity of observing that I have always advocated the creation in all British and homogeneous communities of Municipalities freely elected by the Rate-payers, as in England. I took an active part in encouraging the extension of such Municipalities during the twenty years that I was Governor successively of three of the principal Colonies in Australasia. But, I recognise the fact that it is practically impossible to create here an elective Municipality; for probably not a single Englishman would be elected to it. From an Official report, it appears that there are:—

(1). English Rate-payers, .....	83
(2). Chinese, .....	947
(3). Others (chiefly Portuguese), .....	98.

As the constant policy and action of my Government abundantly prove, I feel much sympathy with the Chinese who have settled in this British Colony. I will never sanction any unnecessary interference with their national customs or national feelings; I have always given favourable attention to the petitions addressed to me by them; and I have appointed one of the most respected members of the Chinese Community to represent his countrymen in this Council. At the same time, it is obvious that neither the Colonial nor the Imperial Government can leave to an elective Municipality which would be composed entirely of Chinese, or in which the Chinese element would be largely predominant, the arrangements necessary for the health, water supply, good order, and general administration of one of the principal Naval and Military Stations, and Marts of Commerce in the British Empire. In addition to the European Civil residents and to the crews of the Merchant Shipping annually visiting this harbour, (the tonnage of which exceeds to 51/4 millions of tons, that is, it exceeds the tonnage entering all other British Ports except London and Liverpool), it will be remembered that we have to take into account some three thousand of Her Majesty's seamen and soldiers.

10. On the other hand, the existing Legislative Council is practically also a Municipal Council. More than two-thirds of the business transacted by it is of a purely Municipal character; and it can no longer be reasonably alleged in any quarter that it does not fairly represent the community at large. It is true that on my assumption of this Government in 1883, I found that the Council consisted of nine members, of whom seven were official, and only two unofficial and independent members; all appointed absolutely by the Crown. In consequence of my urgent recommendation, I received authority to increase the unofficial members from two to five; one of whom will always be a Chinese; while I have given the privilege of freely nominating their own representatives to the two principal, Public Bodies, viz., the Bench of Magistrates and the Chamber of Commerce, which comprise the chief payers of rates and taxes of every nationality resident here, British, American, German, Jewish, Chinese, Parsee, and Armenian. Thus the property, intelligence, and education of the entire community are now directly represented in this Council. Moreover, so long as I retain my present post, the official majority will not over-rule, especially in financial questions, an united unofficial minority except, of course, in extreme cases of necessity, and in which Imperial interests may be involved.

11. I know that you, Honourable Gentlemen, agree with the principles stated above. I know that you also rejoice with me at the steady prosecution by the Military Authorities, (as is shown by reports from the Colonel Commanding the Royal Engineers,) of the system of Defence Works, undertaken after my strong representations to the Imperial Government of the previously unprotected state of this Port and Colony. You will also be glad to learn that my application for a flotilla of Torpedo Boats has now been granted; and that six first-class Torpedo Boats will shortly re-inforce those already supplied by the Admiralty. It is morally certain that our defences by land and sea will be completed long before there will be any occasion to test them; and, as you are already aware, the highest Naval and Military Authorities in the Empire consider that, when completed, they will place Hongkong in safety against foreign attack.

12. In connexion with the subject of Defence, I have to inform you that I have again pressed on the attention of the Imperial Government the importance of securing direct telegraphic communication between Hongkong and Singapore.

13. With regard to Legislation;—in addition to the financial measures already mentioned, the principal Bills to be submitted to you during the Session will be Bills to consolidate and amend the existing law relating to Prisons; to provide for the Preservation of the Peace; to amend the Municipal Rates Ordinance; also a new Building Ordinance. The Commission for the revision of the Laws is now making satisfactory progress; and, it is hoped, will soon be able to submit some revised Ordinances for your consideration.

14. You will learn with satisfaction that the action of my Government throughout the difficult and delicate crisis of the Franco-Chinese hostilities has met with the approval, on every point, of the Imperial Government. While enforcing British neutrality, I preserved throughout friendly relations with the Belligerent Powers.

15. Some time ago, I directed the attention of the Imperial Authorities to the importance to the Mercantile Community of Hongkong, of opening to commerce the great South-western Provinces of China with their rich resources and population of above 100 millions; and especially the affluents of the Canton River. A lengthy correspondence ensued between the Foreign Office and the British Legation at Peking; and I have now been informed officially that representations have been made on the subject to the Chinese Government; and that a prominent Agent of the British Government will be despatched to investigate and report on the manifold advantages to trade offered by the South-western portion of the neighbouring Empire. Valuable results may be expected from this mission.

16. It is believed that the Commission appointed for that purpose will secure an adequate representation of Hongkong at the approaching Colonial and Indian Exhibition. A preliminary exhibition will be held here before the despatch of the exhibits to London.

17. During the course of the Session there will be presented to you reports and other documents showing the condition of the several Departments of the Colonial Service, and the state of the Tytam Water-Works, and of the other Public Works in progress. I invite you to ask at all times for any further public papers, the production of which you may consider necessary or desirable for the full elucidation of the position of the Colony as to financial and all other affairs.

18. In conclusion, Honourable Gentlemen, I desire to express my full confidence that I may continue, as heretofore, to rely on your loyal co-operation in all matters calculated to promote the public interests. I would repeat also my confident hope that the progressive development of our commerce, now relieved from the depression caused by the recent hostilities in this part of the world; the most rigid economy in our finances that is compatible with the efficiency of the public service, and with the prosecution of the necessary Public Works; together with constant firmness and justice,—not dry but sympathetic justice,—on the part of the Government and Legislature to all races in our mixed population, will, under the blessing of Providence, promote the general welfare and happiness of this community.

His Excellency the Governor having left the Council Chamber, the chair was taken by the Chief Justice, as Senior Member.

The Acting Colonial Secretary moved that the following gentlemen be appointed a Committee to prepare the address in reply to His Excellency's Speech:—

The Honourable THE ACTING COLONIAL SECRETARY.

The Honourable THE ATTORNEY GENERAL.

The Honourable THE COLONIAL TREASURER.

The Honourable P. RYRIE.

and The Honourable T. JACKSON.

The Treasurer stated that, owing to the arrival of the Mail, he regretted his inability to serve on the Committee. The Honourable F. D. SASSOONS name was then substituted.

Question—put and passed.

PAPERS.—The Acting Colonial Secretary laid on the table the following papers:—

- (1.) The Estimates for 1886.
- (2.) The Supplementary Estimates for 1884.
- (3.) Papers respecting the proposed Loan (No. 3).
- (4.) Papers respecting the proposed Spirit Farm (No. 4).
- (5.) Papers respecting the increase of 1% in the Municipal Rates (No. 5).
- (6.) Papers respecting the opening to trade of the South-western Provinces of China (No. 6).

The Acting Colonial Secretary moved that the Council adjourn till 6 P.M. to enable the Address of the Legislative Council in reply to the Speech of His Excellency the Governor to be prepared.

The Treasurer moved that, as the Mail had come just in, it would be more convenient to adjourn until 20 minutes to 6 P.M.

The Honourable T. JACKSON seconded.

The Acting Colonial Secretary then withdrew his motion.

Question—put and passed.

The Council re-assembled at 5-40 P.M.

The Chief Justice took the Chair.

The Clerk of Councils read at the table the following Address to be presented to His Excellency the Governor, in reply to the Speech he had been pleased to deliver to the Council:—

MAY IT PLEASE YOUR EXCELLENCY,

1. We, the Members of the Legislative Council of Hongkong, in Council assembled, desire to thank your Excellency for the Speech with which you have opened the present Session.

2. We repeat that we agree with your Excellency in the opinion that, in justice to the present generation of tax-payers in Hongkong, a moderate loan should be raised on the exhaustion of the existing assets, to defray a portion of the cost of those Sanitary and other Public Works, which are recognised as of permanent importance for the security of the general health and well-being of our population.

3. Agreeing in the principle, we shall give our careful consideration to the details of the proposed Loan Bill and of the proposed Bill to establish a Spirit Farm, the produce of which will be devoted to pay the interest and Sinking Fund of the Loan.

4. We thank your Excellency for the intention to submit to this Council the Municipal as well as the general taxation of the Colony.

5. We agree with your Excellency that it would be practically impossible, under the circumstances of this Colony, to create here an elective Municipal Council, in which an alien element would be predominant.

6. We concur with the views stated by your Excellency on the above subjects.

7. We are glad to learn that the Military Authorities are steadily prosecuting the system of Defence Works undertaken upon your Excellency's representation of the previously unprotected state of this Port and Colony. We also learn with pleasure that your Excellency's application for a flotilla of Torpedo Boats has been granted. We desire to express our thanks for the constant exertions of your Excellency to secure the defence of this Port and Colony by sea and land.

8. We think direct telegraphic communication between Hongkong and Singapore of great practical importance to both Imperial and Colonial interests; and we hope that your Excellency's renewed application to the Home Government on this subject will prove successful.

9. We shall give due attention to the Legislative measures which will be submitted to us; and we are glad to learn that the Commission for the revision of the Laws is now making satisfactory progress.

10. We are glad that the action taken by your Excellency during the crisis of the Franco-Chinese complications has met, on every point, with the approval of Her Majesty's Government.

11. We concur with your Excellency as to the importance of opening to commerce the great South-western Provinces of China; and we trust that the efforts made in this direction will be crowned with success.

12. We trust with your Excellency that the Commission appointed for the purpose will secure an adequate representation of Hongkong at the approaching Colonial and Indian Exhibition in London.

13. We shall examine with care the reports to be laid before us on the condition of the Public Departments, and on the state of the Taitam Water-Works and of the Sanitary and other Public Works in progress.

14. In conclusion, we beg to assure your Excellency that you may always rely on our loyal co-operation with the Representative of our QUEEN in all matters tending to further the public interests; and that we share your hope that the progressive development of our commerce; rigid economy in our finances; and constant firmness and justice to all races and classes in our population, will, under the Divine blessing, promote the general well-being and contentment of this entire community.

The Honourable P. RYRIE moved that the Address as read be adopted, and addressed the Council, drawing attention to certain Public Works for which votes had been taken from the Council, and no commencement had apparently been made for carrying them out. The Honourable Member referred particularly to the repairs to Murray Pier taking precedence to the extension of Pedder's Wharf.

The Surveyor General replied, and explained with reference to Pedder's Wharf, that it had been found necessary to dredge the foreshore for some distance around it before any new work could be commenced. The Dredger, which had been engaged at Causeway Bay doing good sanitary work, would soon be brought over to work at Pedder's Wharf.

The Honourable F. D. SASSOON seconded the motion, and addressed the Council.

Question—put and passed.

The Acting Colonial Secretary moved,—That the Address in reply be presented to the Governor by the Honourable P. RYRIE and the Honourable F. D. SASSOON at Government House to-morrow, at Noon, it having been ascertained that that hour would be convenient to His Excellency.

Question—put and passed.

The Council adjourned at 6 P.M. until Wednesday, the 14th instant, at 4 P.M.

G. F. BOWEN,  
*Governor.*

Read and confirmed, this 14th day of October, 1885.

ARATHOON SETH,  
*Clerk of Councils.*