

LEGISLATIVE COUNCIL No. 4.

FRIDAY, 5TH NOVEMBER, 1886.

PRESENT:

HIS EXCELLENCY WILLIAM HENRY MARSH, C.M.G.,

Administering the Government in the absence of His Excellency 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.)

„ the Acting Attorney General, (EDWARD JAMES ACKROYD.)

„ the Colonial Treasurer, (ALFRED LISTER.)

„ the Surveyor General, (JOHN MACNEILE PRICE.)

„ HENRY GEORGE THOMSETT, R.N.

„ PHINEAS RYRIE.

„ FREDERICK DAVID SASSOON.

„ WONG SHING.

„ ALEXANDER PALMER MACEWEN, (*vice* the Honourable THOMAS JACKSON, on leave).

„ JOHN BELL-IRVING, (*vice* the Honourable WILLIAM KESWICK, on leave).

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

At 4 o'clock P.M., the Clerk of Councils read the Proclamation convening the Council, as follows:—

No. 14.

PROCLAMATION.

[L.S.] W. H. MARSH.

By His Excellency WILLIAM HENRY MARSH, Companion of the Most Distinguished Order of Saint Michael and Saint George, Officer Administering the Government and Commander-in-chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same.

In exercise of the powers in me vested as Officer Administering the Government aforesaid, I, WILLIAM HENRY MARSH, do hereby proclaim that a Session of the Legislative Council of Hongkong shall commence and be holden for the despatch of business on Friday, the 5th day of November, 1886, at the hour of four o'clock in the afternoon, in the Legislative Council Chamber, in the City of Victoria, within 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, at Government House, this 30th day of October, 1886.

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

His Excellency the Officer Administering the Government then came into the Council Chamber, and was pleased to speak as follows:—

HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL,

As I shall in all probability be soon relieved of the responsible duties of administering the Government of this Colony, it would obviously be imprudent for me to make any statements, which might pledge the Governor, regarding the business that will be transacted during the ensuing session.

2. There are, however, some public measures either already under consideration, or in regard to which recommendations have been received from Her Majesty's Secretary of State for the Colonies, which ought to be pushed on as soon as possible.

3. As regards the Financial position of the Colony, the Acting Colonial Secretary and Auditor General, in his report of 16th September last accompanying the Estimates for next year, stated that he anticipated that the Revenue of the present year, which had been estimated at \$1,230,973, would reach \$1,304,000. The actual receipts for the first three quarters of the year have been \$1,031,380, or very nearly four-fifths of that amount. There is therefore every reason for believing that his anticipations will be realized.

4. It is, however, very necessary to continue to exercise strict supervision over the expenditure of the Colony, for the year 1888 will commence, (as will be seen at page 3 of next year's Estimates)

with a probable balance in hand of only	\$115,000
Add to this the balance of the Loan, <i>say</i>	\$230,000
there will consequently be only	\$345,000

applicable to the extraordinary works already commenced, for the completion of which during 1888, the following sums will be required:—

Tytam Water Works about,	\$ 12,000
Victoria College,	55,000
Police Buildings,	70,000
Military Defences,	170,000
	<u>\$307,000</u>

Nothing, it will be observed, has been set down for Sanitary Works during 1888. Means must be devised, when the Estimates for that year are prepared, for providing funds for this important object.

5. Amongst the measures to which I have referred in para. 2 is a Bill dealing with the Triad and other Secret Societies, as also another regulating the carrying and possession of arms, both which have already been drafted and submitted to the Colonial Office. These Bills were recommended by a Commission which I appointed some time ago to inquire into representations made to me by the Captain Superintendent of Police and also by the Superintendent of the Gaol, respecting the growing power of the Triad Society. The proceedings of this Commission were necessarily confidential, and it was only on this understanding that much of the evidence was obtained. The Secretary of State has already approved of the proposal to pass a new Bill dealing with Triads.

6. Another important measure which will be introduced early in the Session is a Bill for the prevention of abuses connected with the so-called adoption of female children, and domestic service by female children. The necessity of some legislation on the subject has been long recognized, and is shewn by the fact that at the present moment there are nearly 200 girls of tender age who are being taken care of under the direction of the Registrar General, assisted by the Po Léung Kuk, and who, but for that care, would probably be consigned sooner or later to a life of infamy. The powers which the Registrar General possesses are however considered inadequate for the purpose in view. Difficulties of a legal and constitutional nature have hitherto prevented the introduction of the Bill. But these difficulties have been now overcome, and it only remains for the Legislature to deal with the Bill, the principle of which has been approved by the Secretary of State.

7. The Secretary of State has also expressed his approval of a suggestion made by the Superintendent of the Gaol in his annual report, that prisoners who have earned a remission of sentence should be placed, as in England, under the supervision of the Police, so that if found returning to a criminal career they might at once be sent back to prison to complete their original sentences. A Bill giving effect to this recommendation will be laid before you.

8. A Commission appointed by me to report on representations made by the Superintendent on the overcrowded state of the Gaol has recommended the infliction of whipping for certain offences. I have no authority for introducing a change in the law of such importance, but a Bill embodying the recommendations of the Commission has been prepared and sent home for consideration by the Imperial Government.

9. I have also forwarded for the consideration of the Secretary of State a Bill which was read a first time last Session entitled the *European Vagrancy Ordinance*. This Bill proposes to deal with those Europeans who are frequently landed or discharged from vessels in this port and who are either destitute or become so after a short period. As International questions are involved in this measure, it was withdrawn after the first reading, in order that it might be submitted for consideration by the Imperial Government before it was passed.

10. The Sanitary Board, which has been enlarged by the appointment of four additional Un-official Members, have had under their consideration for some time past the provisions of a Draft Public Health Bill which were included by the Surveyor General in a general Ordinance relating to Buildings, prepared by him a year ago. It has now been decided that it would be more convenient that the provisions originally proposed to be contained therein should be dealt with separately in two Bills, one confined to technical building matters only and the other relating to purely sanitary matters. I hope that both these Bills will be laid before the Council during the present Session.

11. Besides the Bills already referred to the following Draft Ordinances have been prepared by the Law Commission or by the Acting Attorney General, and are ready for consideration by the Council.

1. An Ordinance for enabling the Legislative Council and any Committee thereof to compel the attendance of and to administer oaths to witnesses.
2. An Ordinance to enable the Governor of Hongkong to appoint Commissions under the Seal of the Colony and to confer certain powers on Commissioners so appointed necessary for conducting inquiries.
3. An Ordinance to amend the Laws relating to Wills.
4. An Ordinance to amend the Law respecting defamatory words and Libel.
5. An Ordinance to amend and consolidate the Law of Evidence.
6. An Ordinance to amend and consolidate the Laws relating to Jurors and Juries.
7. An Ordinance to consolidate the Laws relating to good order and cleanliness.
8. An Ordinance to promote the revision of the Statute Law.
9. An Ordinance to amend the Companies Ordinances 1865 to 1886.

10. An Ordinance relating to Bills of Lading.
 11. An Ordinance to consolidate the Laws relating to the Post Office.
 12. An Ordinance for the better preservation of Books printed in the Colony.
 13. An Ordinance for the regulation of Markets and the importation of cattle.
 14. An Ordinance consolidating and amending the Laws relating to St. John's Cathedral.
 15. An Ordinance to facilitate the incorporation of Religious, Educational, and Charitable Institutions.
 16. An Ordinance to amend the Law relating to the registration of Trade Marks.
12. The following Bills are also under consideration or preparation, and will, it is hoped, be introduced this Session:
1. An Ordinance to consolidate and amend the Criminal Law Procedure.
 2. An Ordinance to amend the Law relating to Pawn Brokers.
 3. An Ordinance to amend the Law relating to Coroners.
 4. An Ordinance to consolidate and amend the Magistrates Ordinances.

13. The Commission appointed under Section 3 para. 7 of the Chefoo Agreement of 1876, and the additional article of July, 1885, has met and agreed conditionally to the terms of an arrangement, which however will not have effect, unless it is ratified by the Imperial Government as well as by that of China. I am unable therefore at present to enter into any explanations.

14. The representations of the Chamber of Commerce on the necessity of constructing a Lighthouse for the Southern approach to the Colony will be transmitted to the Secretary of State, as soon as I have received all the reports on the subject which have been called for. The Gap Rock is, in the opinion of those qualified to judge, the best situation for this Lighthouse, although it is more difficult of access than some of the other Islands in the immediate vicinity. This objection is, however, I believe, not insuperable.

15. I regret to say that the prospect of carrying out the scheme for the extension of the Praya, in order to connect the Eastern and Western parts of the City seems as remote as ever. The original estimate of the cost of this work made by the Surveyor General was £45,000. This had to be raised subsequently to £71,000 in order to meet the objections of the Naval and Military Authorities, and although the whole of the land to be reclaimed, which is estimated at £160,000, was to be appropriated to their use, the War Office and the Admiralty declined to bear any portion of the cost. The Secretary of State for the Colonies on the other hand has considered that one half of the cost should be borne by the Imperial Departments in consideration of the great extension of ground that they would gain. General CAMERON has since recommended that a portion of the extra cost, entailed by the modification of the original plan should be borne by the War Office, but the Admiralty have stated that until some extension of their premises has been obtained, they must withhold their consent.

16. In respect of the larger public works and undertakings in which the Government has been engaged during the past twelve months, I may mention that, in spite of an unprecedentedly sickly season among the workmen at Tytam, good progress has been made in the construction of the new water-works, and that partial relief may be expected from the subsidiary supplies in connexion with these works, in the event of a drought occurring during next summer. The erection of Victoria College also progresses satisfactorily, and the new building will, I trust, be ready for occupation early in 1888. New Police buildings have been commenced both at Kennedy Town and at Mount Gough for the protection of the residents in those localities, and proposals will be duly submitted to you for the construction of Police Stations near Quarry Bay and at Aberdeen. Arrangements are also in course of completion for beginning the erection of the proposed new Central Market Building during the coming year.

17. In conclusion I am confident that our labours during the present session, probably the last at which I shall have the honour of co-operating with you, will be marked by the same zeal for the welfare of the Colony that has always been manifested by the Members of this Council in past years, and that the measures to be submitted to you will receive at your hands that careful and attentive consideration which has always characterized the proceedings of this Council.

His Excellency the Officer Administering the Government having then left the Council Chamber, the Chair was again taken by the Chief Justice.

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 ATTORNEY GENERAL.
"	THE COLONIAL TREASURER.
"	P. RYRIE.
"	F. D. SASSOON.
"	J. BELL-IRVING.
"	THE ACTING COLONIAL SECRETARY.

The Treasurer seconded.
Question—put and passed.

The Acting Colonial Secretary moved that the Council adjourn till 4.45 o'clock, to enable the address of the Council in reply to the speech of His Excellency to be prepared.

The Treasurer seconded.

Question—put and passed.

The Council re-assembled at 5 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, in reply to the speech he had been pleased to deliver to the Council:—

MAY IT PLEASE YOUR EXCELLENCY,

We learn with satisfaction from the Address delivered by Your Excellency that the favourable anticipations formed respecting the Revenue of the Colony for this year will most probably be realized, and we believe that the increase which has yearly taken place in the Revenue will be maintained. We think we may safely rely upon the Revenue of 1888 being sufficient to meet the demands which may be made upon it. We agree with Your Excellency that it is still necessary to exercise a strict supervision over the expenditure.

2. We learn with pleasure that a sum of \$12,000 is all that will be required in 1888 to complete the Taitam Water-works.

3. Among the measures which Your Excellency proposes to present for the consideration of the Council, we attach special importance to the following:—

A Bill dealing with the Triad and other Secret Societies;

A Bill for the better Protection of young Girls; and

A Bill for the Police supervision of certain Criminals.

This last measure, in presence of the number of recommittals, we believe to be greatly needed.

4. We observe with approval that a Bill embodying the recommendation of the recent Gaol Commission respecting whipping for certain offences has been prepared.

5. With respect to the other Bills mentioned in Your Excellency's Address, we trust that they may, during this Session, be added to the Statute-book, as, judging from their titles, we believe that they will prove eminently beneficial to the interests of the Colony.

6. We learn with satisfaction that the question of a Lighthouse for the Southern approach to the Colony is at last receiving serious attention, and we hope that shortly this matter will take a practical shape. The want of such a light has been much felt for many years, and no other port of the world of the magnitude of Hongkong is without a leading light to its principal approach.

7. We join Your Excellency in regretting that there should be any difficulty in carrying out a scheme so desirable and so greatly needed as the extension of the Praya.

8. It is satisfactory to learn that progress is being made with the larger Public Works and undertakings of the Colony, and that arrangements for the erection of the new Central Market are well advanced.

9. We have heard with regret that this is probably the last Session during which Your Excellency will preside over this Council, and we beg to assure you of our hearty co-operation in all such measures conducive to the welfare of the Colony as Your Excellency may bring before us.

Mr. RYRIE moved that the Address as read be adopted, and addressed the Council.

Mr. J. BELL-IRVING seconded the motion, and addressed the Council.

Mr. MAC EWEN addressed the Council.

The Surveyor General addressed the Council.

The Acting Attorney General addressed the Council.

The Treasurer addressed the Council.

Question—put and passed.

The Acting Colonial Secretary moved that the Address in reply be presented to the Officer Administering the Government by Mr. RYRIE and Mr. BELL-IRVING at Government House to-morrow, at 1 P.M., it having been ascertained that that hour would be convenient to His Excellency.

Question—put and passed.

BILLS READ A FIRST TIME.—On the motion of the Acting Attorney General, seconded by the Acting Colonial Secretary, the following Bills were read a first time:—

(1.) A Bill entitled *An Ordinance for the better protection of young Girls.*

(2.) A Bill entitled *An Ordinance for enabling the Legislative Council and any Committee thereof to compel the attendance of and to administer Oaths to Witnesses.*

(3.) A Bill entitled *An Ordinance to enable the Governor of Hongkong to appoint Commissioners under the Seal of the Colony and to confer certain powers on Commissioners so appointed necessary for conducting Inquiries.*

(4.) A Bill entitled *The Cattle and Markets Ordinance, 1886.*

NOTICE OF SECOND READING.—The Acting Attorney General gave notice that at the next meeting of Council he would move the second reading of these Bills.

ADJOURNMENT.—The Council adjourned until Friday, the 12th instant, at 4 P.M.

W. H. MARSH,
Administering the Government.

Read and confirmed, this 12th day of November, 1886.

ARATHOON SETH,
Clerk of Councils.