

LEGISLATIVE COUNCIL, No. 21.

MONDAY, 21ST JULY, 1890.

PRESENT:

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT
(The Honourable FRANCIS FLEMING, C.M.G.).

The Honourable the Acting Colonial Secretary, (WALTER MEREDITH DEANE, C.M.G.).

„ the Acting Attorney General, (EDWARD JAMES ACKROYD).
„ the Acting Colonial Treasurer, (HENRY ERNEST WODEHOUSE, C.M.G.).
„ the Surveyor General, (SAMUEL BROWN).
„ the Acting Registrar General, (NORMAN GILBERT MITCHELL-INNES).
„ ALEXANDER PALMER MACEWEN.
„ CATCHICK PAUL CHATER.
„ JAMES JOHNSTONE KESWICK.
„ HO KAI, M.B., C.M.

ABSENT:

The Honourable PHINEAS RYRIE.

The Council met pursuant to adjournment.

The Minutes of the last Meeting, held on the 14th July, were read and confirmed.

The confirmation by Her Majesty of the appointment of the Honourable J. J. KESWICK as a Member of the Council having been received he was duly sworn and took his seat.

His Excellency informed the Council that he thought it would only be in accordance with the wishes of the Members that they should record their regret at the death of the late Postmaster General and Colonial Treasurer. There were few public servants who worked with so much zeal as Mr. LISTER. His varied experience of this Colony and his intimate knowledge of all matters connected with it were of very considerable use to any one connected with the service.

PAPERS.—The Acting Colonial Secretary laid on the table a Report on Public Works by the Surveyor General, Despatches respecting the Adjutancy of the Police Force, and the Report of the Colonial Surgeon for 1889.

Read the following Minutes under the hand of His Excellency the Officer Administering the Government:—

(1.)

F. FLEMING.

C.S.O.
2171 of 1889. The Officer Administering the Government recommends the Council to vote a sum of Two hundred and Forty Dollars, (\$240), to Mr. SYDNEY HAYWARD, who was appointed Student Interpreter, under Section II of the Scheme published in Government Notification No. 209 of the 4th May, 1889.
Government House, Hongkong, 12th June, 1890.

(2.)

F. FLEMING.

C.S.O.
2171 of 1889. The Officer Administering the Government recommends the Council to vote a sum of Four hundred and Eighty Dollars, (\$480), to Mr. HENRY G. WAGGOTT, who was appointed Student Interpreter, under Section II of the Scheme published in Government Notification No. 209 of the 4th May, 1889.
Government House, Hongkong, 12th June, 1890.

(3.)

F. FLEMING.

C.S.O.
1602 of 1890. The Officer Administering the Government recommends the Council to vote a sum of Three hundred and Sixty Dollars, (\$360), being half salary for the Acting Chief Inspector of Police.
\$60 per month for 6 months.
Government House, Hongkong, 11th July, 1890.

(4.)

F. FLEMING.

C.S.O.
445 of 1890. The Officer Administering the Government recommends the Council to vote a sum of Fifteen thousand Dollars, (\$15,000), being amount required to be expended in this year, as part of \$38,000 estimated, for training Albany and adjoining Nullahs, and opening up the land now available as building sites between the Bowen and Kennedy Roads.
Government House, Hongkong, 12th July, 1890.

(5.)

F. FLEMING.

The Officer Administering the Government recommends the Council to vote a sum of Two hundred Dollars, (\$200), for publishing in a separate volume the proceedings of the Legislative Council during one year.

Government House, Hongkong, 15th July, 1890.

(6.)

F. FLEMING.

C.S.O.
1617 of 1890.

The Officer Administering the Government recommends the Council to vote a sum of Two hundred Dollars, (\$200), for making a new set of storm signals, iron frame and lanterns to signal at night, for the use of the Observatory.

Government House, Hongkong, 15th July, 1890.

(7.)

F. FLEMING.

The Officer Administering the Government recommends the Council to vote a sum of One hundred and Seventy-eight Dollars and Fifty Cents, (\$178.50), being the taxed costs of the Hongkong and China Gas Company, Limited, of their appeal under *The Rating Ordinance, 1888*.

Government House, Hongkong, 15th July, 1890.

(8.)

F. FLEMING.

C.S.O.
11 of 1890.

The Officer Administering the Government recommends the Council to vote a sum of Seven hundred and Twenty Dollars, (\$720), for additional Staff in the Observatory, viz.:—

Additional salary to the 2nd Assistant, as Telegraphist, at \$20 per month,	\$	240.00
2 Telegraph Clerks, at \$20 per month, each,		480.00
	\$	<u>720.00</u>

Government House, Hongkong, 18th July, 1890.

(9.)

F. FLEMING.

C.O.Desp.
97 of 1890.

The Officer Administering the Government recommends the Council to vote a sum of One hundred and Four Dollars and Eighty-four Cents, (\$104.84), being half pay of the First Assistant at the Observatory, from 1st June to 19th July, inclusive, to be given to the Substitute, during Mr. FIGGS vacation leave on full pay. (Sanctioned by the Secretary of State.)

Government House, Hongkong, 18th July, 1890.

The Acting Colonial Secretary moved that these Minutes be referred to the Finance Committee.

The Acting Colonial Treasurer seconded.

His Excellency addressed the Council on the Minutes in connection with the salary of the Acting Chief Inspector, the training of the Albany Nullah, the new set of storm signals, the publication of the proceedings of the Legislative Council and the Staff at the Hongkong Observatory.

Question—put and agreed to.

VOTES PASSED BY THE FINANCE COMMITTEE.—The Acting Colonial Secretary, by direction of His Excellency the Officer Administering the Government, laid on the table the Report of the Finance Committee, dated the 14th July, (No. 16), and moved that the following Votes referred to therein be passed, viz.:—

(1.)

C.S.O.
1592 of 1890.

Repairs to damages caused by the Rain-storm of 29th and 30th May, 1889.—

Amount paid in 1889,	\$	70,038.00
Do. in 1890,		37,148.74
	\$	<u>107,186.74</u>

To be charged to *Extraordinary Public Works*.

(2.)

C.S.O.
1499 of 1890.

Compassionate allowance to the widow of IM CHAN, late Head Messenger at the Magistracy,

\$ 24.00

The Acting Colonial Treasurer seconded.

Question—put and agreed to.

BILL ENTITLED "AN ORDINANCE TO AMEND THE LAW IN RESPECT OF THE SALE OF SHARES IN COMPANIES REGISTERED UNDER THE COMPANIES ORDINANCES 1865 TO 1886 AND IN OTHER JOINT STOCK COMPANIES."—The Acting Attorney General moved that the Standing Rules and Orders be suspended in order that this Bill might be read a first time the same not having been inserted in the Orders of the Day.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Honourable J. J. KESWICK addressed the Council and moved the first reading of the Bill.

Honourable C. P. CHATER seconded.

Honourable the Acting Attorney General addressed the Council.

His Excellency addressed the Council.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED "AN ORDINANCE TO AMEND THE LAW RELATING TO FRAUDULENT MARKS ON MERCHANDISE."—The Acting Attorney General moved the third reading of the Bill.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

BILL ENTITLED "AN ORDINANCE TO PROVIDE FOR AND REGULATE THE SUPPLY OF WATER IN THE COLONY OF HONGKONG AND FOR THE MAINTENANCE AND REPAIR OF THE WORKS IN CONNECTION THEREWITH."—The Acting Attorney General moved the third reading of the Bill.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

The Council then resolved itself into a meeting of the Finance Committee to consider the Financial Minutes which had been referred for its consideration.

On the Council resuming, the Acting Colonial Secretary moved that the following votes which had been considered by the Finance Committee be passed, viz.:—

C.S.O. 2171 of 1889.	To Mr. SYDNEY HAYWARD, who was appointed Student Interpreter, under Section II of the Scheme published in Government Notification No. 209 of the 4th May, 1889,	\$ 240.00
C.S.O. 2171 of 1889.	To Mr. HENRY G. WAGGOTT, who was appointed Student Interpreter, under Section II of the Scheme published in Government Notification No. 209 of the 4th May, 1889,	\$ 480.00
C.S.O. 1602 of 1890.	Half salary for the Acting Chief Inspector of Police, for 6 months at \$60 per month,	\$ 360.00
C.S.O. 445 of 1890.	Amount required to be expended in this year, as part of \$38,000 estimated, for training Albany and adjoining Nullahs, and opening up the land now available as building sites between the Bowen and Kennedy Roads,	\$ 15,000.00
	Publishing in a separate volume the proceedings of the Legislative Council during one year,	\$ 200.00
C.S.O. 1617 of 1890.	New set of storm signals, iron frame and lanterns to signal at night, for the use of the Observatory,	\$ 200.00
	Taxed costs of the Hongkong and China Gas Company, Limited, of their appeal under <i>The Rating Ordinance, 1888</i> ,	\$ 178.50
C.S.O. 11 of 1890.	Additional Staff in the Observatory, viz.:—	
	Additional salary to the 2nd Assistant, as Telegraphist, at \$20 per month,	\$ 240.00
	2 Telegraph Clerks, at \$20 per month, each,	480.00
		\$ 720.00
C. O. Desp. 97 of 1890.	Half pay of the First Assistant at the Observatory, from 1st June to 19th July, inclusive, to be given to the Substitute, during Mr. FIGGS vacation leave on full pay. (Sanctioned by the Secretary of State),	\$ 104.84

The Acting Colonial Treasurer seconded.

Question—put and agreed to.

His Excellency then addressed the Council as follows:—

HONOURABLE GENTLEMEN,

Before we adjourn to indulge in a short recess from our Legislative duties it may be of interest to have brought before you a short retrospect of the work we have accomplished during the last few months and to be informed, in so far as I can inform you, of the position of the Colony at the present time.

It was with regret that we learnt from Sir WILLIAM DES VOEUX, towards the beginning of this year, that ill-health compelled him to leave us for a while, but we trust that when he returns in December next he will do so with renewed vigour so that he may be enabled to take in the future that same active interest in the welfare of this Colony as he has taken in the past.

A few months ago we welcomed in our midst a Son and a Daughter-in-law of Our Gracious Sovereign, and we have the gratification of feeling that Their Royal Highnesses The Duke and Duchess of Connaught were well pleased with the brief visit they paid to this the most Eastern Point of Her Majesty's Colonial Empire.

The number of Ordinances which we have passed during the present session has not been very great and I was in hopes that we might have been able to deal with several other matters, more or less ripe for our consideration.

We have, however, enacted some laws of importance. I may refer to "The Magistrates' Ordinance"—a very lengthy measure; "The Waterworks Ordinance;" "The Vaccination Ordinance;" "An Ordinance relating to the Falsification of Accounts;" besides others of less significance.

There are several matters which I trust will engage our attention when we meet again—such as a new law on Bankruptcy, the modification of our Emigration laws, the amendment of our laws concerning Opium, &c.

But the enacting of Ordinances is not the only work we have got through. We have adopted a new Code of Standing Rules and Orders for the regulation of our proceedings, more in accordance with the procedure we now follow and more in conformity with the Royal Instructions under which this Council is constituted.

The Finance Committee have had under their consideration many matters of importance to carry out which it was necessary to apply for public moneys. It will always be my endeavour to consult this Council previous to undertaking measures which involve that cost which it is necessary for this Council to sanction. I do not hesitate to say that there are few Colonies in which Members of the Legislature are prepared to vote moneys so readily as here for what they consider essential in the public interest. But the more the Members of a Legislative body put trust in the proposals made for public expenditure, the less they regard with suspicion suggestions made in this direction, the more careful should a Government be in bringing such proposals before them and the more anxious should it be to see that the money is legitimately expended towards the purpose for which it was asked.

In addition to such questions as have actually been submitted to you, many matters have occupied my attention.

I am very desirous that the many Chinese who must necessarily die during the course of the year in this Colony should be buried elsewhere than in the limited area we possess. I feel confident that if burials continue to take place as they do now the time will come when we shall have cause to regret it. I have been in communication with Her Majesty's Consul at Canton on the subject and although the Chinese authorities are not prepared to meet the suggestions I made, I have not abandoned hopes of being able to carry out in some way what I venture to think would tend towards the sanitary condition of this Island, while, I believe it would be more in harmony with the feelings and wishes of the Chinese themselves.

Another matter of almost equal importance which has attracted my notice is the system of squatting which has long existed here and in regard to which several recommendations were made in the report of the Land Commission which was appointed to enquire into this and other kindred questions in the year 1886. I am about to appoint a Commission to deal with this particular subject, and although there are no doubt many difficult and complicated points involved in it, I trust that those who have expressed their readiness to serve on the Commission will be able to surmount them.

I am desirous, Gentlemen, of seeing the profession of Brokers in this Colony placed on a better footing than it stands to-day, but I would much prefer that any steps in this direction should come from the Members of that body themselves rather than be taken by the Government. I may state that on one or two occasions I have received deputations with whom I have discussed the question and who have mentioned to me proposals worthy of careful consideration. I trust that at the end of this year, if not before, circumstances will allow of those, who I believe are anxious to move in the matter, to follow up these proposals. If, however, such is not the case it will become necessary for the Government to seriously consider whether it should not take the initiative.

The Secretary of State, Gentlemen, has drawn my attention to the absence of any vote in the Estimates for this year for the erection of a New Gaol and it cannot be doubted that the present prison accommodation is insufficient for the numbers confined. The question of constructing a New Gaol is one that has been mooted for some years past and a site has been selected and reserved for such a building. But, bearing in mind the many important works now on hand and the considerable expenditure that will be incurred thereon, I am not disposed to commence a new prison, the estimated cost of which is between \$400,000 and \$500,000 if such can be avoided. But recognizing, as I do, the strong necessity of further prison accommodation I have lately been considering a scheme by which I trust this may be obtained without having recourse to a new and costly construction.

Some time since we were called upon by the Imperial Government to increase our Military Contribution from £20,000 to £40,000 a year on the understanding that our garrison would be increased. This Council, on the ground that it begrudged not the expenditure of money for an efficient defence of the Colony, voted, without opposition, the amount asked for while stating what it expected as a return for the additional cost involved. I forwarded the conclusions at which the Council arrived, together with a copy of the Resolutions it passed, to the Secretary of State. I have not yet received a reply from him, but when I do so I trust there will be no objection to my laying on this table a copy of the despatch I wrote so that Honourable Members may see the views I expressed.

I may add, concerning certain rumours that have been lately afloat, that no intimation has been made to me in regard to the organization of any Chinese troops in this Colony, nor have I any reason to believe that there is any foundation for the reports to which I have alluded.

There is no Department, Gentlemen, which the people in this Colony naturally take a deeper interest in, nor which is of greater importance than that of the Public Works.

I consequently requested the Surveyor General to prepare, so that I might lay the same before you, a Memorandum of such public works as had been proceeded with this year, or were in course of construction. This he has done and the report has been submitted to you. It is gratifying to find that the work connected with the Gap Rock Lighthouse is proceeding so satisfactorily, also that a real commencement has been made in the work of the long talked of Central Market and in that of the Lunatic Asylum for Chinese. A new Pier has been opened at Kowloon Point and orders have been given that the District School, for which provision was made in the Estimates for this year, should be proceeded with as soon as possible. A site at Kennedytown has been selected for a new Slaughter-House and Depôt for pigs and sheep. It has been decided to commence, without further delay, the erection of new Police Stations at Aberdeen and Quarry Bay. The additions to Government House are being rapidly gone on with, while plans are nearly completed for a new house, offices, &c. for the Superintendent of the Botanical and Afforestation Department. The Council is aware that during the course of last year an agreement was entered into for lighting the City of Victoria with electric light, and I trust that in a short time hence we shall see this work completed. It may hereafter be found possible to extend this system of lighting to another and more lofty part of this Island which is daily becoming more popular and more populated.

Instructions have lately been given to carry out some of the recommendations made by those Gentlemen who were appointed to enquire into the working of the Observatory and when the Estimates for next year are submitted to you proposals will be made for some addition to the staff of that Department. I am far from wishing to suggest increased expenditure, but if such an institution as an Observatory is to be of any real good it must be efficiently maintained, or it would be sounder economy to do away with it altogether.

Much good work has of late been done, under the supervision of Mr. CHADWICK, in connection with our drainage and waterworks. It is to be hoped that these important undertakings on which much money has been, and has still to be, expended, will prove satisfactory to the community.

There is nothing more necessary than from time to time to ascertain the financial condition of a country, and I will inform you, Gentlemen, in so far as I can, what the financial condition of this Colony was on the 30th of June last.

The balance of assets in hand on 1st January, 1890, was \$505,109, and the Revenue at the end of June was \$1,073,079, making a total at end of June of \$1,578,188.

The expenditure in the Colony up to the end of June was \$720,658. The actual expenditure in England up to end of May, and that estimated for June, amounted to \$254,619. To this must be added a sum of \$34,127 for premia on Land Sales, making a total (partly estimated) expenditure for the first six months of the year, of \$1,009,404 and shewing a probable balance of assets on 30th June of \$568,784.

Within the last twelve months, Gentlemen, there have been many changes among the Members of this Council. Most of these have fortunately been caused through the necessity of making temporary arrangements. But there have been a few of a permanent nature.

In October last death prematurely and unexpectedly deprived this Colony of the services of the late Colonial Secretary, Mr. STEWART. I had not the advantage of personal acquaintance with this officer, but no one could be long in this Island without hearing how much he was respected and of the great good he rendered to this country, more especially in the all-important cause of Education. Another who was but a short time since among us we shall see no more. I refer to Mr. LISTER, our late Postmaster General and Colonial Treasurer, who during a quarter of a century begrudged neither time nor labour in the performance of his duties and whose reluctance to take rest when rest was needed may have gone far to hasten his end.

I am happy to say that among the un-official Members only one change has occurred during the time I have alluded to. I refer to Mr. WONG SHING, whose period of service expired during the present year, and who desired, by reason of advancing age and the necessity of attending to business elsewhere, to be relieved from further duty at this Board. I recommended for Her Majesty's approval as his successor Dr. HO KAI of whom we have already seen sufficient to know the deep concern he takes in the work brought before us and to feel how efficiently he will strive for the welfare of those whose interests he is here to represent.

I have endeavoured, Gentlemen, to lay before you such information as I considered might interest you at the present moment. It will not be very long before we meet again when we shall take up as it were the threads of the work we are quitting for a while to-day.

In conclusion let me thank you for the consideration you have shown me since I have been presiding over this Council, let me wish you a pleasant recess, and let me express the hope that we may all join once more in working, with increased strength, for the benefit of a Colony to which many have been indebted for good fortune in the past and to which many may be indebted for success and happiness in the future.

ADJOURNMENT.—The Council then adjourned till Monday, the 6th October, at 3 P.M.

F. FLEMING,
Officer Administering the Government.

Read and confirmed, this 6th day of October, 1890.

F. A. HAZELAND,
Acting Clerk of Councils.