

LEGISLATIVE COUNCIL, No. 22.

MONDAY, 6TH OCTOBER, 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).
 ,, PHINEAS RYRIE.
 ,, CATCHICK PAUL CHATER.
 ,, JAMES JOHNSTONE KESWICK.
 ,, HO KAI, M.B., C.M.
 ,, THOMAS HENDERSON WHITEHEAD.

The Council met pursuant to adjournment.

His Excellency then addressed the Council as follows:—

HONOURABLE GENTLEMEN,

In meeting again together for the resumption of our Legislative duties I believe I may congratulate you on the satisfactory condition, on the whole, of the Colony at the present time. I am willing to admit that those clouds of depression which have for some time past been hanging over it have not altogether passed away, but I think there are reasonable prospects of their doing so and I sincerely hope that a no distant future has in store times as prosperous as have been witnessed in the past. The health of the Island during that portion of the year which has now elapsed has been exceptionally good and we have happily escaped visitations from any epidemic or other serious malady.

As regards our finances the following is their present condition in so far as I am able to inform you.

The balance of assets on the 1st of January this year was, as I have previously stated, \$505,109, but from this sum I regret to say that a no less amount than \$58,502 must be deducted for the unfortunate defalcations which have taken place in connection with the Post Office Department, papers on which subject will be laid before you.

The local revenue received up to the 30th of September was \$1,415,894. The amount received in England as far as can be estimated, (the Crown Agents' accounts having been received up to the 31st of July only) was \$1,798.

The premiums on land sales amounted to \$12,463 making a total up to the 30th September of \$1,876,762.

The Ordinary Expenditure for the first nine months of the year was \$865,467. The approximate expenditure in England was \$116,369, making a total of \$981,836.

The Extraordinary Local Expenditure during the same period was \$215,695; the extraordinary expenses in England were about \$100,000, making a total of \$315,695.

A sum of \$34,226 was expended on the purchase of Baxter House for the purpose of a Police Station.

This total expenditure therefore amounts to \$1,331,757, leaving an approximate balance on the 30th September of \$545,005.

The Estimates for the coming year have been prepared and will be laid before you without delay.

The Estimated Revenue up to the end of the present year is \$1,884,943; to this may be added the balance of assets at the beginning of this year—less the amount to be deducted for the defalcations I have mentioned—which is therefore \$446,607 and \$50,000 may be put down as a possible sum to be realized on land sales before the year comes to a close. The total revenue therefore amounts to \$2,381,550.

The Estimated Ordinary Expenditure is \$1,470,221; the extraordinary expenditure \$449,700, making a total of \$1,919,921. The probable balance on hand therefore on the 31st of December next, presuming all the amount estimated for extraordinary expenditure to be spent which is somewhat improbable, will be \$461,629.

The Estimated Revenue for 1891, is \$1,952,098 while the premiums on land sales can be put down at \$100,000 making a total of \$2,513,727.

The Estimated Ordinary Expenditure is \$1,663,420, Extraordinary \$804,279 leaving a probable balance on hand on the 31st of December, 1891, of \$46,028.

Among the principal items causing further expenditure for next year I may mention the increased Military Contribution from £20,000 to £40,000, which taking the dollar as representing $3/6d.$ would amount to \$228,572.

The additions to salaries authorized by the Secretary of State amounting to about \$47,000.

The increased cost entailed by the new system of Audit which will involve a yearly increase of about \$7,500.

The introduction of the Electric Light causing an increase of \$13,500.

The most serious addition, however, to Extraordinary Expenditure results from the amount estimated as necessary for Public Works. We know how essential it is, Gentlemen, that such public works as are in course of construction should be completed without delay and that such others as may be really needful should be commenced, while the water and drainage system, which the Colony has undertaken, cannot be allowed to stand still. But I do think that it is a question for serious consideration whether it is just towards the present tax-payers that the entire cost of such works as are destined for the good of future generations should entirely fall upon us.

It seems to me that the comparatively small debt of £200,000, which is gradually becoming less every year, might fairly be added to so as to enable the Colony to construct such works as are absolutely necessary without undue pressure on its finances or over-taxation of its people.

Several Ordinances are in course of preparation and many are ready for your immediate consideration.

Among them is an Ordinance to amend the Laws relating to the Police Force which is rendered desirable in consequence of certain changes that have lately taken place among the Officers of that Department and which I have already had occasion to explain to you.

The Secretary of State has made it a condition, as regards many of those who will under the proposed scheme for the re-adjustment of salaries receive additional pay, that they should join a Widows' and Orphans' Pension Fund. A similar measure to that proposed some months back, but which was not then proceeded with, will therefore be submitted to you. I may state that such a law exists in many other Colonies, and although it is impossible to say how far the measure will prove a success in a Colony where the number of Civil Servants is comparatively small, it must be admitted that its object, in providing for those who may otherwise be left in want and destitution, is a good one.

The Squatters' Ordinance has been drafted with the view of giving the necessary powers to those who have been already appointed to consider how the irregular occupation of Crown lands in this Colony can be discontinued.

An Ordinance to give further powers to Companies with respect to the alteration of their Memoranda of Association will be submitted to you.

Honourable Members will recollect that during the course of the present year a Private Bill was introduced with the object of enabling the Hongkong Land Investment Company to transact business elsewhere than in this Colony, and to extend its powers of investments which under its present Articles of Association it is unable to do. The Ordinance passed through its different stages, but before my assent was given to it objections were raised against it and I was requested to submit the matter for the decision of the Secretary of State. This I did and the Secretary of State in reply forwarded copy of a Public Bill which was then passing through the Imperial Parliament on the subject, stating that he had no objection to a similar measure being passed here. The Ordinance which will be laid before you is therefore *mutatis mutandis* a copy of the English Act.

Bills to amend the Public Health Ordinance of 1887; to consolidate and amend the Laws relating to Merchant Shipping, &c.; to amend the Opium Ordinances; to consolidate the Law relating to Chinese Passenger Ships and the conveyance of Chinese emigrants; to amend the Law relating to Bankruptcy; to amend our Laws in regard to Gambling and to provide against the Adulteration of Food are all in course of preparation and will be brought before you very shortly.

It will be remembered that at our last meeting previous to the recess a Bill was introduced by an Honourable Member to amend the Law respecting the sale of Shares in

Companies registered under the Companies Ordinances. This measure is undoubtedly one of considerable importance and in order to save time it was proposed that I should, during the recess, send a copy of it to the Secretary of State for his consideration. I did so and so soon as I receive a reply I will inform the Council accordingly.

I have already mentioned to you, Gentlemen, my desire to find further space than exists in this Island for the interment of such Chinese who die here and whose relatives are not in a position to remove their remains for burial elsewhere. This, as is the case with most questions of difficulty and importance, requires some time for solution, but I have good reason to hope, although my original idea may not be carried out, that I shall soon be able to attain in some way the object I have in view.

The question of Gaol extension has not ceased to occupy my attention since we last met as I am fully convinced of the necessity of providing in some way or another, further prison accommodation. I have addressed the Secretary of State on the subject and although there are no doubt arguments in favour of building a new Prison which it would not have been right of me to have concealed from him I have expressed an opinion, in order to avoid so large an expenditure as would be involved in the erection of a new building, that the existing Gaol should be added to on its present site by the Magistracy being removed to a piece of ground which I believe has long been lying idle in the vicinity of the quarters occupied by the Captain Superintendent and Police Inspectors.

Until I hear what the Secretary of State's views are in the matter the question cannot be definitely settled. But in the meantime such a sum has been inserted in the Estimates as is likely to be required next year either for one work or the other. If the present Gaol is enlarged in the manner I have suggested, the cost, including the erection of a new Magistracy, &c., is estimated at \$170,000.

The correspondence which has taken place between the Secretary of State and myself respecting the increase of our Military Contribution will be laid on the table. To comment on it is unnecessary on my part. Honourable Members will see the views I expressed and the replies that have been received and they can judge for themselves in the matter.

The question of the Naval and Military Establishments being removed from the Town of Victoria is engaging the consideration of the home Authorities and I believe that before very long it will be ripe for a decision.

I may inform the Council that Lord KNUTSFORD has approved of the formation in this Colony of a Volunteer Machine Gun Corps and a Volunteer Mounted Rifle Corps as recommended by the Committee appointed to consider this question in 1889, and that the Maxim guns, the cost of which was voted in March last, have been ordered.

My attention was drawn some time ago to the fact that a certain amount of over-pressure existed in the Schools of this Island more especially as regards Chinese children. Honourable Members will have observed that enquiry is now being made into this point. Whether over-pressure exists in the Schools or not the result of the investigation will probably show, but I may inform the Council that I discovered that the number of attendances required in the Aided Schools here was greater than that demanded in other Colonies. For this I could see no sufficient reason and I recommended to the Colonial Authorities that it should be reduced. To this proposal the Secretary of State has acceded and the same number of attendances will hereafter be required here as are required at the Schools in the Straits Settlements.

Papers will be submitted to you respecting a proposed reduction in Postage Rates with a view of obtaining a uniform postage for all the different Colonies and thus to do away with certain anomalies which now exist. The estimated loss to the Imperial Revenue, should the scheme be carried out, is about £105,000 a year and Her Majesty's Government desire to know whether the various Colonies are disposed to contribute towards reducing this amount. In the interests of the world generally the idea is no doubt a good one and one to which I feel sure this Council will give every consideration. But it will be seen from the Report of the Acting Assistant Postmaster General that the Colony will lose a no inconsiderable sum by the scheme being adopted and I am therefore desirous of taking the sense of the Council on the question before sending a reply.

A short time ago I had the satisfaction of taking part, in what I may allude to as the gratifying function of laying the foundation stone of the Gap Rock Lighthouse. To join in the erection of a beacon, the object of which is to save from danger and to guide through difficulties, must at all times be a pleasurable duty, but I venture to say that there are few spots where the existence of a lighthouse will prove of more true value to navigation than that from which this light will shine over many a distant mile.

I may mention, in connection with this subject that I have lately enquired what steps are being taken to place a lighthouse on Waglan Island in lieu of that on Cape D'Aguiar

and I am glad to be able to inform you that the Chinese Authorities are at the present moment seriously considering this question and that engineers and others are about to be sent, if they have not left already, to make all necessary arrangements for carrying out the work.

The Secretary of State's Despatch regarding the Increase of Salaries to Civil Servants and the conditions under which such are to be granted will be laid on this table. It will be seen that Lord KNUTSFORD has felt unable to consent to the scheme proposed by Sir WILLIAM DES VOEUX that salaries should be paid at sterling rate, but he has sanctioned an increase, with certain exceptions, on the conditions however that those who accept the increases proposed shall forego the privilege of sending money home in the shape of family remittances as heretofore; that when on leave they shall be paid at the rate of 4/- the dollar and that their pensions shall be at the rate of 3/8*d.* only.

Since we last met, Gentlemen, the services of one who had been a Member of this Council for some years past have not only been lost to us but to this Colony generally.

There is no one who took a deeper interest in his work as a Member of the Legislature; who without speaking for display or for any factious object was nevertheless prepared to take such action and to ask for such information as he considered the public interest demanded—than Mr. MACEWEN. His absence from this Board will necessarily be felt, but I am sure that the one who has been selected to replace him will do all in his power to make up for the loss we have sustained.

In conclusion, Gentlemen, let me ask of you to join your efforts in working for the future welfare of a Colony which by reason of increased facilities in communication is yearly becoming of more importance in a political and Imperial point of view while I trust of more value to those whose interests are interwoven with its interests and whose fortunes and whose happiness may be said to be proportionate to its success and its prosperity.

At an early period of the coming year the Colony will be celebrating its fiftieth anniversary as a possession of the British Crown, and it is an interesting coincidence that in 1891 it will witness the same span of life as will the Heir to the English Throne.

That Hongkong may advance and prosper during the fifty years that are next to come as it has advanced and prospered during the fifty years that are about to pass away is I am sure the earnest wish of one and all of us.

The Minutes of the last Meeting, held on the 21st July, were read and confirmed.

NEW MEMBER.—Mr. THOMAS HENDERSON WHITEHEAD who had been appointed, provisionally and subject to Her Majesty's confirmation, an Un-official Member of the Legislative Council on the nomination of the Chamber of Commerce was duly sworn and took his seat.

PAPERS.—The Acting Colonial Secretary laid on the table the following papers:—Acting Colonial Secretary's Report on the Blue Book for 1889; Assessor's Report on the Assessment for 1890 and 1891; Despatches respecting the increased Military Contribution; Papers respecting the Defalcations of Z. M. BARRADAS; Despatch respecting increase of salaries of Public Officers; Despatch approving of the new Standing Rules and Orders; and Despatch in connection with Companies altering their Memoranda of Association.

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

(1.)

F. FLEMING.

C. O. Desp.
43 of 7th
March, 1890.

The Officer Administering the Government recommends the Council to vote a sum of Three hundred and Fifty-five Dollars, (\$355), being a Building-grant to the Diocesan Home and Orphanage, to defray half the cost of an improvement in the building.

Government House, Hongkong, 10th September, 1890.

(2.)

F. FLEMING.

C.S.O.
1915 of 1890.

The Officer Administering the Government recommends the Council to vote a sum of Thirty Dollars, (\$30), as a Supplementary Vote for Office Contingencies of the Attorney General.

Government House, Hongkong, 10th September, 1890.

(3.)

F. FLEMING.

C.S.O.
1751 of 1890. The Officer Administering the Government recommends the Council to vote a sum of Fifty-six Dollars and Forty-five Cents, (\$56.45), being an stipulated increment to the salary of the Veterinary Surgeon, viz.:—\$2,400 on appointment, \$2,700 after 3 years, and \$3,000 after 6 years.

Increase from the 24th October to the end of the year, \$ 56.45

Government House, Hongkong, 10th September, 1890.

(4.)

F. FLEMING.

C.S.O.
1513 & 2030
of 1890. The Officer Administering the Government recommends the Council to vote a sum of Ninety-four Dollars and Seventy-two Cents, (\$94.72), being amount required to complete the sum due for Kowloon well.

Amount expended, \$1,044.72

Vote of 7th July, 1890, 950.00

\$ 94.72

Government House, Hongkong, 10th September, 1890.

(5.)

F. FLEMING.

C.S.O.
2060 of 1890. The Officer Administering the Government recommends the Council to vote a sum of One hundred and Fifty Dollars, (\$150), as a supplementary vote for Office Contingencies for the Magistracy.

Government House, Hongkong, 10th September, 1890.

(6.)

F. FLEMING.

C.S.O.
1308 of 1890. The Officer Administering the Government recommends the Council to vote a sum of Nine hundred and Sixty-three Dollars, and Twenty-five Cents, (\$963.25), being the amount of the judgment debt and costs, in the matter of a Writ of Execution issued by A-TACK against A. G. APCAR, misappropriated by a Bailiff of Supreme Court.

Government House, Hongkong, 10th September, 1890.

(7.)

F. FLEMING.

C.S.O.
1061 of 1890. The Officer Administering the Government recommends the Council to vote a sum of Three hundred and Thirteen Dollars, and Seventy-five Cents, (\$313.75), being amount of prisoners' property embezzled by Turnkey Ng' KAM-FUK, employed as Receiving Officer in Victoria Gaol.

Government House, Hongkong, 10th September, 1890.

(8.)

F. FLEMING.

C.S.O.
1983 of 1890. The Officer Administering the Government recommends the Council to vote a sum of One thousand and Seven hundred Dollars, (\$1,700), as supplementary Vote for Police exclusive of Establishments, viz.:—

Oil and Gas for Barracks, \$ 900.00

Incidental expenses, 800.00

\$1,700.00

Government House, Hongkong, 10th September, 1890.

(9.)

F. FLEMING.

C.S.O.
2229 of 1890. The Officer Administering the Government recommends the Council to vote a sum of Two hundred and Fifty Dollars, (\$250), as a Supplementary Vote for Office Contingencies of the Treasury, to cover expenses in collecting Village Rates.

Government House, Hongkong, 2nd October, 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 Kowloon well, and the amount misappropriated by a Bailiff of the Supreme Court.

Question—put and agreed to.

His Excellency informed the Council that by Clause 48 of the Standing Rules and Orders it is provided that at the first Meeting of the Council after the 1st of October the President might appoint the following Committees:— Finance Committee, Law Committee and Public Works Committee. He would at this sitting appoint the Finance Committee and would consider between this and the next Meeting who should be appointed on the other two Committees.

His Excellency then appointed all the Members of the Council except the Governor as the Finance Committee, the Colonial Secretary to be Chairman.

Honourable Ho KAI gave notice that at the next Meeting of Council he would ask the following question:—

What steps have been or are to be taken by the Government

1. *To suppress or diminish public gambling in the Colony.*
2. *To regulate, register or suppress the hundreds of gambling clubs that have sprung into existence during the last few years.*

His Excellency informed the Council that it was the intention of Government to introduce a Bill as soon as possible in connection with the suppression of gambling. His Excellency further informed the Council that if in any way the question of the Honourable Member could be answered at the next Meeting he would be happy to do so.

BILL ENTITLED "AN ORDINANCE TO AMEND ORDINANCE No. 8 OF 1873, ENTITLED THE DANGEROUS GOODS ORDINANCE, 1873."—The Acting Attorney General moved the first reading of the Bill.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED "AN ORDINANCE TO AMEND ORDINANCE No. 15 OF 1888 ENTITLED THE RATING ORDINANCE, 1888."—The Acting Attorney General moved the first reading of the Bill.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED "AN ORDINANCE TO REPEAL ORDINANCE No. 29 OF 1888 AND TO AMEND ORDINANCE No. 15 OF 1886 ENTITLED THE PEACE PRESERVATION ORDINANCE, 1886."—The Acting Attorney General moved the first reading of the Bill.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED "AN ORDINANCE TO AMEND THE POLICE FORCE CONSOLIDATION ORDINANCE, 1887."—The Acting Attorney General moved the first reading of the Bill.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED "AN ORDINANCE TO PROVIDE FOR AND REGULATE A PENSION FUND FOR WIDOWS AND CHILDREN OF PUBLIC OFFICERS OF THE COLONY."—The Acting Attorney General moved the first reading of the Bill.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED "THE SQUATTERS' ORDINANCE, 1890."—The Acting Attorney General moved the first reading of the Bill.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED "AN ORDINANCE TO GIVE FURTHER POWERS TO COMPANIES WITH RESPECT TO THE ALTERATION OF THEIR MEMORANDA OF ASSOCIATION."—The Acting Attorney General moved the first reading of the Bill.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

ADJOURNMENT.—The Council then adjourned till Monday, the 13th October, at 3 P.M.

F. FLEMING,
Officer Administering the Government.

Read and confirmed, this 13th day of October, 1890.

F. A. HAZELAND,
Acting Clerk of Councils.