

2ND JUNE, 1893.

PRESENT—

His Excellency the Governor Sir WILLIAM ROBINSON, K.C.M.G.

Hon. G. T. M. O'BRIEN, C.M.G., Colonial Secretary.

Hon. W.M. GOODMAN, Attorney-General.

Hon. J. H. STEWART-LOCKHART, Registrar General.

Hon. N. G. MITCHELL-INNES, Colonial Treasurer.

Hon. F.A. COOPER, Director of Public Works.

Hon. R. M. RUMSEY, R.N., Harbour Master.

Hon. HO KAI.

Hon. T. H. WHITEHEAD.

Hon. J. J. KESWICK.

Hon. E. R. BELLIOS.

Mr. A. SETH, Clerk of Councils.

MINUTES.

The minutes of the previous meeting were read and confirmed.

PAPERS.

The COLONIAL SECRETARY—I have the honour to lay on the table a despatch from the Secretary of State for the Colonies, No. 53,

dated March 24th. on the subject of gaol extension; also the Registrar-General's report for 1892; also a correspondence with the Secretary of State on the subject of retrenchment, and the memorial of the unofficial members of the Legislative Council dated January 12th, 1893.

FINANCE.

The COLONIAL SECRETARY—I have the honour to lay on the table the report of the Finance Committee (No 3) in which the Committee agreed unanimously to the expenditure, recommended by your Excellency, of \$13,000 on the construction of a road in Kowloon.

PUBLIC WORKS COMMITTEE.

The DIRECTOR OF PUBLIC WORKS—I have the honour to lay on the table the report of the proceedings of a meeting of the Public Works Committee held on May 25th and move that it be adopted.

The COLONIAL SECRETARY seconded.

Carried

ILLNESS OF HON. C. P. CHATER.

HIS EXCELLENCY—I have just received a note from Mr. Chater expressing his regret

that he cannot attend the meeting of Council to-day on account of illness.

GAOL EXTENSION.

The COLONIAL SECRETARY—The resolution which stands in my name is postponed at the request of the unofficial members. It has already been circulated to them with the order of the day, and I give notice that I shall move it at the next meeting of Council.

RETRENCHMENT—APPOINTMENT OF A COMMISSION.

HIS EXCELLENCY—In the despatch which has just been referred to by the Colonial Secretary I am desired by the Secretary of State to appoint a Committee for the purpose of enquiring into possible retrenchment and reduction of offices and his lordship states that over this Committee the Colonial Secretary or Chief Justice might preside, with one or two other Government officers and certain unofficial members as colleagues, it being clearly understood that the reference to the Committee does not extend to the question of reducing the salaries of existing officers. In conformity with that expressed opinion I propose to appoint the Chief Justice, Commander Rumsey (Harbour Master), Mr. Chater, Mr. Keswick, Mr. Whitehead, Mr. Wodehouse, and Mr. May (Captain Superintendent of Police).

WAGLAN LIGHTHOUSE.

Hon. E. R. BELLIOS—With reference to my notice at the last meeting of Council I have to ask the following questions :—"Will the Government state whether in connection with the new lighthouse on Waglan there was any understanding or agreement between the Imperial Chinese Government and the Imperial British Government or between the Chinese Imperial Maritime Customs and the Colonial Government of Hongkong; and also whether there was any special reason for the lighting of the eastern approach of the port of Hongkong being undertaken by the Chinese Customs?" In putting these questions I beg to call your Excellency's attention to the recommendation that has been made in the report to the Government by my honourable friend on my left representing the Harbour Department to the effect that considering there is a lighthouse on Waglan now the present lighthouse at D'Aguilar is unnecessary and that it should be discontinued I am afraid, sir, that if this suggestion were adopted and out of any freak or fancy of the Chinese Government or owing to any disturbed relations between China and England at any future period they should see fit to extinguish their light on Waglan the Colony of Hongkong would be in a most unhappy and a most unenviable position; we would not have a light to guide vessels coming from the North to steer clear of the rocks, safely into our Harbour.

The COLONIAL SECRETARY—It would hardly be serving any useful purpose to attempt to follow the hon. member in the observations he has

made in support of his questions. In any case I should not be in order in doing so, and I shall confine myself to answering his questions. First as to whether there was any understanding or agreement between the Imperial Chinese Government and the Imperial British Government, &c. The answer to that question is No. The second question is whether there was any special reason why the lighting of the eastern approach to the colony should have been undertaken by the Chinese Customs. The answer to that question is that I am not aware. It is almost superfluous to add that as a matter of course the Hongkong Government and the Hongkong public generally were aware of the intention of the Chinese authorities to erect a lighthouse on Waglan Island.

NOTICE OF QUESTIONS.

Hon. T. H. WHITEHEAD—I beg to give notice that at the next meeting of Council I shall ask the Honourable the Colonial Secretary—

(1.)—If the correspondence between the Government and myself on the subject of the appointment of the Honourable the Registrar-General as Chairman of the Special Committee appointed by His Excellency the Governor to investigate and report on certain points connected with the Bill for the Incorporation of the Po Leung Kuk has been forwarded to the Right Honourable the Secretary of State for the Colonies, and if the Secretary of State has expressed any opinion as to the propriety or otherwise of that appointment?

(2.)—Have the Government taken any steps, and if so what steps, to recover from the persons named in the report of the Commissioners appointed by His Excellency the Governor to enquire into and report on the Treasury defalcations, and from their sureties, the amounts of money lost to the Government during the periods in which they respectively held office, and if not does the Government intend to take any action?

NOTICE OF MOTION.

Hon. T. H. WHITEHEAD—I beg to give notice that at the next meeting of Council I shall move :—

"That a small Commission be appointed to investigate and report on the working of the Gap Rock Lighthouse, the telegraphic communication therewith, and the methods of reporting and signalling generally the arrival of ships and steamers in the waters of the Colony."

NATURALIZATION ORDINANCE.

The COLONIAL SECRETARY—I rise to move the first reading of a Bill for the naturalization of Meyer Fredericks. The Bill speaks for itself, and the object of the naturalization which it enacts is to enable Meyer Fredericks, who was for four years a member of the Volunteer Artillery Corps, to become a member of the new Hongkong Volunteer Corps.

The ATTORNEY-GENERAL seconded.

Bill read a first time.

## THE REGULATION OF THE KEEPING OF DOGS ORDINANCE.

The ATTORNEY-GENERAL—I have the honour to move the first reading of a Bill to make provision for regulating the keeping of dogs and for the prevention of the importation and spread of rabies. It is unnecessary that I should make any observations on the first reading. I will reserve them therefore until at the next meeting of Council I move the second reading of the Bill. I will only make this one observation, that in the report of the Captain Superintendent of Police I find it mentioned that there have been no less than seventeen cases of rabies between January 1st and April 30th this year in the colony, that is in four months, which is a very serious matter and makes it necessary that some steps should be taken at once.

The COLONIAL SECRETARY seconded.

Bill read a first time.

THE PO LEUNG KUK INCORPORATION  
ORDINANCE—SECOND READING.

The REGISTRAR-GENERAL—I have the honour to move the second reading of the Bill entitled the Po Leung Kuk Incorporation Ordinance. Sir, when the Bill for the incorporation of the Po Leung Kuk last came before this Council it was postponed indefinitely; and the reason of postponing it, your Excellency told us, was that certain grave charges had been made to you against the operations of this Society. At that meeting of Council your Excellency stated—"I think as such very grave charges are hanging over this Society, a Society which has done very good work, it would be the wish of the members themselves that the matter should be thoroughly inquired into. If these statements are proved, it will be a very serious business, and if they are disproved the hands of the Government and the hands of the Po Leung Kuk Society will be immensely strengthened." Sir, those charges have been thoroughly enquired into and to-day the Po Leung Kuk stands cleared entirely of all the unjustifiable imputations which were cast upon its character and good faith, (Hear, hear.) When the Bill was last before this Council the chief opponent of the measure was the hon. member who represents the Chamber of Commerce in this Council. He was the declared opponent of the Po Leung Kuk and all its works. To-day he appears before us as the supporter of the incorporation of this Society. (Hon. T. H. WHITEHEAD applauds.) I observe that the hon. member met that statement with applause. I heartily congratulate the hon. member on his change of front and I trust that he will not allow himself to wander into the paths of unreasoning opposition again. (Laughter.) Hard facts have extinguished his opposition, which is now as dead as a door nail. (Laughter.) What is the reason, Sir, of this conversion? It is very simple and will not require much explanation. When the hon. member opposed this Bill he was absolutely

ignorant of the Po Leung Kuk and its work. Possessed of no knowledge on the subject and not endeavouring to obtain any—

Hon. T. H. WHITEHEAD—I was not the only one who did not know of the Society's inner workings.

The REGISTRAR-GENERAL—I say again, possessed of no knowledge, and not endeavouring to obtain any, he seems to have approached your Excellency and made certain representations. What those representations were I do not know, but this I do know, that those representations could not have been based on any knowledge of the working of the Society, for at the very first meeting of the Special Committee appointed by your Excellency to enquire into the Society the hon. member who represents the Chamber of Commerce told us that he knew absolutely nothing about the working of the Society. Well, Sir, what those representations of his were I am not aware, but I do know that the result of those representations and of the allegations of a certain member of the police force led to very serious charges being formulated against the Society. The Special Committee of inquiry was appointed, but still the hon. member was not satisfied. He made a discovery! He discovered that the Chairman that your Excellency had deemed fit to "preside over that Committee would not be satisfactory to the public." Those were the hon. member's own words. I do not know what steps the hon. member took to ascertain the feelings of the public on this subject. I doubt very much if he took any steps at all to ascertain whether my appointment as Chairman of the Committee would or would not be satisfactory to the public. I give him the opportunity now of stating what those steps were. I ask him the question now. It is a simple question and does not require a man ready of debate to answer it—(laughter)—and I give him the opportunity now of answering it. The hon. members gives no reply.

Hon. T. H. WHITEHEAD—Consult the local Press.

The REGISTRAR-GENERAL—Consult the local Press! Yes, we can do that, but the hon. member still gives us no information as to what steps he took to ascertain the feeling of the public with regard to the Chairmanship of the Committee.

Hon. T. H. WHITEHEAD—Many of the leading members of the community expressed their opinion to that effect.

The REGISTRAR-GENERAL—It is all very well for the hon. gentleman to tell us that many members of the community expressed their opinions to that effect, but we have not got them in evidence and I think I am perfectly right in saying that on this occasion Mr. Thomas Henderson Whitehead was the self-constituted personification of the Hongkong populace, and in refusing to recognise him as the public I think that I only acted in a proper manner, and I challenge

the hon. member to show that the Chairman in the discharge of his duty in connection with this Committee of inquiry has not carried out his work in a manner that is satisfactory to the public.

Hon. T. H. WHITEHEAD—Sir, I rise to order. Is the hon. member in order?

His EXCELLENCY—I do not think the hon. member is at all out of order.

The REGISTRAR-GENERAL—A Special Committee of inquiry was appointed. As to the results of the inquiry, they have been laid on the table and hon. members of this Council have had an opportunity of reading them. As regards the general results of the inquiry, all the members of the Committee were agreed. On the main points there was absolutely no difference of opinion. They did disagree on matters of detail and it is perhaps that difference that led to three separate reports being drawn up. Hon. members have had the opportunity of looking into the cases which were brought against the Society, most of them at the instigation of the hon. member for the Chamber of Commerce. Every one of these cases was thoroughly investigated and every one of them proved to have absolutely no foundation. (Applause.) The so-called charges disappeared at the very first meeting of the Committee. I consider that in the matter of these charges the Po Leung Kuk has been treated most unfairly. I stated again and again when sitting in Committee that I considered the Society should be told at once that there were no charges against it. I pointed out that it had been stated in the local Press more than once during the sitting of the Committee that grave charges were hanging over the head of this Society. At the first meeting of the Special Committee of inquiry I said to the hon. member for the Chamber of Commerce who was instrumental at any rate in bringing forward some of these charges—I said to him after he explained that he never made the charges. "I trust that the hon. member will make his explanation as public as his original statement with regard to the Society has been made." And what was the answer of the hon. member? He called my remarks "gratuitous and impertinent." Gratuitous they certainly were, for they did not even earn his thanks. As to being impertinent, the hon. member recognised their pertinency a year after—a year, mark you—when he did make public the explanation which has been published in the proceedings of the Committee. I should like to ask the hon. member what he would think if the Po Leung Kuk had brought charges against the financial institution over which he presides and allowed them to continue unexplained for a whole year. Yet that is exactly what the hon. member has done. In April, 1892, in this Council, he described the Society as a "Secret Society," an unfortunate term he now calls it, and it took him more than a year to tell the community, including

the Chinese public that he did not mean what he had said.

Hon. T. H. WHITEHEAD—The words I used were not understood by your Excellency in the offensive sense.

The REGISTRAR-GENERAL—Your Excellency, I am simply stating that it took the hon. member a whole year to give us his explanation. The hon. member says that he did not use those terms in the sense in which they are generally understood. He may not have used them in that sense, but the Chinese community most certainly understood them in that sense, and they again and again told me that they had understood them in that sense, and they also understood that they had been accused of squeezing. With regard to that charge, the hon. member has explained it in his report. As far as the Chinese community is concerned they thought, and I do not think very unnaturally, that these charges were hanging over their head.

Hon. T. H. WHITEHEAD—I never accused the Society of squeezing, but the Police did so.

The REGISTRAR-GENERAL—Having dealt with the opposition and statements of the hon. member who represents the Chamber of Commerce, I now come to the consideration of the Bill which is before us. The object of the Bill is the incorporation of the Society commonly known as the Po Leung Kuk, a Society for the prevention of kidnapping and the protection of women and children. It has been in existence for thirteen years. The hon. member who represents the Chamber of Commerce has made another discovery, for he says it only came into existence in 1892. That is certainly extraordinary, for I have been personally acquainted with it myself for over ten years and with the committees that have carried on its work. It appears that the hon. member thinks that because it has been dependent it has been non-existent, but I scarcely think he is serious when he says that, because if dependence means non-existence there are a great many people in this colony who are very much dead though they firmly believe they are alive and kicking. (Laughter.) The good work of the Society is acknowledged by every single member of the Committee of Inquiry, including the hon. member who represents the Chamber and the senior unofficial member, whom I regret not to see in his place to-day, especially on account of the reason which has prevented his being here. I will quote what the senior unofficial member says. He says—"The Society has done excellent service," and he speaks of "its undoubtedly valuable work." The hon. member for the Chamber of Commerce thinks "that the thanks of the Government are due to the Chinese gentlemen who had carried on the good work from year to year," and says, "I agree that the services of the Po Leung Kuk are most valuable in affording food, clothing, and shelter for rescued women

and children and destitutes and in cooperating with the Government by correspondence and other means in making enquiries and in providing, by marriage or otherwise, for people who cannot be restored to home or friends" He also says:—"I am of opinion with Dr. Eitel, a most invaluable witness, that under proper control the Po Leung Kuk can render very valuable service in detecting and bringing to justice kidnappers and other offenders against women and children. I adopt his (Dr. Eitel's) words, 'that none but a Committee of respectable Chinese residents can effectively and safely grapple with the shades of difference between kidnapping and selling and cope with the tricks of Chinese kidnappers and Chinese anti-kidnapping detectives.'" These are the remarks of the hon. senior unofficial member and the member for the Chamber of Commerce, who speak in the highest terms of the work of the Society. The good work of the Society is also proved by statistics. During the last four and a half years, up to 1891, no less than 2,751 persons came under the protection of the Society. In the report of the majority of the Special Committee allusion is made to this fact in the following terms:—"Thousands of women and girls have been rescued, thousands of destitutes cared for, and thousands of persons restored to their relations." The hon. member for the Chamber of Commerce objects to those remarks. He calls them "mere words and nothing more" I much regret that I am unable to follow him in his objection, for if in four and a half years 2,751 people are placed under the protection of the Society I do not think it is a very big guess to say that certainly double that number came under the Society during the other eight and a half years it has been in existence. I do not think I need adduce any other facts in proof of the usefulness of the Society. What then is the object of the Society desiring incorporation? Its object is to increase its efficiency and that the Government should have a voice in its management. As you are doubtless aware, hitherto, carrying on its work under rules approved by the Secretary of State, the Society has been able to work quite independently of the Government in theory, but as a matter of fact it has in practice worked in cooperation with the Registrar-General; and now the Society desires to bring theory and practice into conformity. The reasons why it desires incorporation are clearly stated in the report of last year's Committee of the Society furnished to the Committee of inquiry. In that report it was stated:—"Having obtained funds, the Society is now in a different position from that which it occupied when it was dependent on the Tung Wa Hospital for the maintenance and housing of the girls entrusted to its care. For this reason and also because the constitution of the Society as laid down in the rules approved by the Secretary of State has not proved itself adapted to meet the

objects for which the Society was formed, the Society desires that its position and status as laid down in those rules should be altered so as to be in conformity with the form which the Society has gradually assumed, and which practice has proved to be the most effective for carrying on the, work of the Society. That form is laid down in the draft Ordinance incorporating the Society." As the same Committee points out in the same report, the chief difference between the rules approved by the Secretary of State and this Ordinance is that under the Ordinance incorporating the Society the Government is to have a voice in the management of the Society and there is to be a permanent Committee. In the Ordinance there is also provision for the Governor altering, amending, or disallowing the rules and regulations made by the Society, and for the inspection of buildings. There is also a change with regard to membership. Formerly a subscription of \$10 entitled the subscriber to life membership. Now it is proposed to change the subscription, making it either an annual one or providing for compounding by a certain amount down. So far as the Special Committee of Inquiry were concerned, they were unanimous as to the advisability of the Government having a voice in the management of the Society. They differed, however, as to how that voice of the Government was to be heard in the working of the Society and I will quote the opinion of the senior unofficial member on that point. In his report he says:—"I feel strongly that it is inadvisable that the Registrar-General should be a member of the governing body, though on the other hand it would be a very good thing if the member representing the Chinese were *ex officio* Chairman of this body. The Registrar-General should be outside it as the authority to whom all questions under debate should be submitted, the right of final appeal from his decisions to the Governor in Council being always reserved." And Mr. Whitehead says:—"The Registrar-General must have in all respects the final and decisive word in all dealings by the Society with women and girls entrusted to its care. He should be entirely outside it, and above it, and should not be mixed up in the debates and discussions of the members of Committee." And again he says, "It would be an unbecoming position for any high officer of the Government to be placed in a minority and over-ruled by a majority of the Committee of the Society." I suppose that the Registrar-General ought to feel grateful for the position in which the senior unofficial member and the hon. member who represents the Chamber of Commerce wish to place him; they evidently wish him to be the dictator of the Chinese community, and his gratitude ought to be especially great to the latter gentleman, seeing that it is only a short time ago that in this Council he was very anxious that the Registrar-

General should be abolished altogether. (Laughter).

Hon. T. H. WHITEHEAD—No; not the occupant of the office, but the Department yes.

The REGISTRAR-GENERAL—It will scarcely be believed, your Excellency, that these two hon. members who wish the Chinese community to be under the thumb of one Government officer are agitating for a preponderance of the unofficial element in this Council. (Laughter.) I do not express any opinion as to whether that would be a good thing or a bad thing, but what I want to point out is the gross inconsistency of these gentlemen. They say that, as far as the Chinese are concerned, in a matter in which they have special knowledge they are to be overruled by the Registrar-General. The members may be able to explain their inconsistency but I think I have found the key to it. It is due to prejudice and want of confidence in the Chinese. What would be the result, sir, of this prejudice and want of confidence in the Chinese? I will quote the words of Dr. Eitel, whom the hon. member for the Chamber of Commerce has described as "an invaluable witness," who has lived in the colony for thirty years and who is thoroughly acquainted with the people, their language and their customs. Dr. Eitel says:—"I believe the principle of ruling the Chinese through the Chinese ought to be much more largely applied in Hongkong. In kidnapping at any rate, more than in any other case, this principle ought to be applied. Give the Chinese a considerable amount of confidence and a considerable amount of power, with the distinct and practical supervision of the Registrar-General, who is altogether the link between the Chinese community and the European Government." And again, "The moment the control is of a nature which is disagreeable to the Chinese, injuring their self-respect, showing a want of confidence, lacking in sympathy with the Chinese people and lacking in real advantages to the Chinese, then in that case the Chinese will simply become apathetic or refuse altogether to do anything." And especially must it be remembered, in considering this point, that the Chinese know more about kidnapping than anybody else. What does the hon. senior unofficial member say? He says:—"It is only the Chinese who really understand how to deal with the offences whose prevention is the object of the Society, and how to control properly the subordinates who are employed for this purpose." This being the case surely it is most unreasonable that gentlemen who are supposed to be specialists in this subject should be overruled by a Government officer. I consider the position to be derogatory to the Chinese and a most invidious one for any Government officer and one which as long as I hold the post of Registrar-General I shall protest most emphatically against.

Hon. T. H. WHITEHEAD—It has obtained up to date for thirteen years.

The REGISTRAR-GENERAL—I do not quite understand what the hon. member means to suggest, but I know that as long as I have held the post of Registrar-General I have not overruled the wishes of the Chinese on the question of kidnapping or any other matter and I challenge the hon. member to show that I have done so.

Hon. T. H. WHITEHEAD—I say the Registrar-General has exercised a wise control which has been very desirable, and which has also been very effective; and I think it would be a great pity if that control should now be given up and disappear.

The COLONIAL SECRETARY—Hear, hear.

The REGISTRAR-GENERAL—I say again that the Registrar-General does not want to be placed in the position of the dictator of the Chinese and it is no use for the hon. member who represents the Chamber of Commerce to fence with words. That is undoubtedly the position he wishes to place the Registrar-General in.

Hon. T. H. WHITEHEAD—They have said themselves that their object is to put the Registrar-General under their thumb; in fact, to control the Registrar-General.

The REGISTRAR-GENERAL—I have read the evidence most carefully and I challenge the hon. member to show me that statement. I say the position would be a most invidious one and one which no Government officer should be called upon to occupy. For over twelve years the Registrar-General has worked in perfect harmony with the Chinese, and should any difference of opinion arise I think the proper person to whom the final reference should be made is the Governor. I pass now to the question of the permanent Committee. The reason for desiring that is obvious. It is desirable that there should be connected with the Society gentlemen who have been long in residence in the colony and whose position is calculated to inspire confidence in the community. In the schedule you will see the names of the gentlemen who it is proposed should form the first permanent committee. Their names, sir, are a sufficient guarantee for their respectability. The majority of them have been resident in Hongkong for over a quarter of a century. Gentlemen such as these have, in carrying on the work of the Po Leung Kuk, done excellent service to the colony and the community for many years past and if they are encouraged there is no reason why they should not continue to do so in the future, but if they are discouraged the work will not be carried on and the evil of kidnapping will increase in Hongkong. Let this Bill be passed, put the Society on a better footing than at present, and I feel certain that the good work of the Po Leung Kuk will not only continue but increase. With these remarks I beg to move the second reading of the Bill.

Hon. HO KAI—Sir, I have much pleasure in seconding the second reading of this Bill. I am very glad, sir, that we are likely to be unanimous

on the principle of this Bill. The two main objects of the Bill, namely the incorporation of the Po Leung Kuk and the endowment of that Society with a sum of \$20,000, will be advocated by nearly everybody and every hon. member of this Council, since the Committee which your Excellency appointed have unanimously reported in favour of the two points. True, when we come to go through this Bill in Committee there may be some sections that will raise a difference of opinion, but at the same time, so far as the principle of the Bill is concerned, I am very glad, as I said before, that there will be no contention whatever. Now, sir, although my hon. friend the Registrar-General has said very kind words in favour of the Po Leung Kuk, I think it is only right and fair that I as representative of the Chinese in this Council should also make a few remarks upon the character of that Society and also upon its work, knowing at the same time that I am running the risk of being charged by the hon. member for the Chamber of Commerce with bestowing unmeasured praise upon the Society and its work. Now, sir, what was the Society formed for? It was formed as far back as 1880 with the distinct object of assisting the Government in the prevention of the crime of kidnapping and kindred offences, and also to assist the Government in rescuing women and children from being the victims of crime and degradation, and, furthermore, to assist the Government in the disposal of those women and children in the best manner possible, having regard to their lifelong welfare and happiness. Now in the carrying out of these objects I am sure the Po Leung Kuk have done their best and the success of their endeavours to attain these objects has been testified to by the Registrar-General, who has been intimately associated with them for a large number of years and who is the most likely person to know whether their work is valuable to the Government or not and whether their assistance was of any value at all. Now I will take the words of the Registrar-General with regard to its character and value against thousands of others whose gross ignorance is utterly deplorable and whose hasty utterances are most despicable (Applause.) As a witness we have first the Registrar-General. I say, and apart from that I myself have ten years of personal experience and observation of the Society's work, and I can add my testimony most unmistakably to the Registrar-General's. Even those who have spoken most against the Society have now withdrawn more or less their former statements and they have to testify to the value of the work and also to the respectability of the members who from year to year represent the Society. Now, sir, such a Society as this, I submit, deserves well of the Government. They deserve, in fact, the support and encouragement of every right minded man in this Colony. (Hear, hear.) And we are now introducing this

Ordinance to give to them a more definite legal status and also to sympathise and encourage and help them in carrying on their good work by an endowment of \$20,000, It is nothing but what is just and proper that we should pass such a Bill with unanimity and good feeling, since we show the Chinese in this way that we not only sympathise with them but we wish to encourage them. There have been, sir, certain irregularities, certain mistakes, made sometimes by some of the members of the Society in the discharge of their duties. There was one case before the Police Court where a detective was charged with carrying out his duty in a hasty and unwise manner. He was fined \$5. Then there was another case where the directors of the Po Leung Kuk were to a certain extent censured by the Magistrate for their irregular action of detaining a man for a certain time against the principle of English law. These are cases that have been brought forward and have been made a great deal of in the Special Committee and in the Press against the Society, and from these cases it was argued that they were not to be trusted with any power and that they ought to be supervised and overlooked and so forth. Now, when we look into these cases we find that there was no intention on the part of the members of the Society or its employes to do anything which was evil, and the only thing is that being Chinese their ignorance of the principles of English law led them by excess of zeal to commit irregularities. But during the ten years the Society has been in existence nothing more than these trifling cases has been brought forward against them. Now, in introducing this Ordinance one of the chief objects is to do away with these irregularities by laying down plainly what position the Society ought to occupy and by making regulations and rules to guide the Society in the way that they should go and to guide the constables or detectives who may be employed by, or lent to, the Society for the detection of the crime of kidnapping. That is the very object of the Ordinance and if we pass the Ordinance the Society will be placed in a very much better position. The Committee of the Society will have the benefit of the experience of the permanent Board of Direction. They will have the benefit of the guidance of the rules and regulations made by the Governor, and I venture to think that in the future there will be fewer irregularities and mistakes made by them. Now, then, sir, having said so much as to the general provisions of this Bill, I will come to the one point which no doubt represents the chief difference between the three members of the Special Committee and the rest, and also the differences (though of course the hon. gentleman is very likely to change his mind) which we may meet in this Council to day. I refer to the management and constitution of the Society. Section 5 says: —"The Permanent "Board of Direction shall consist of not less

than five and not more than ten persons including the Registrar-General, who shall be *ex officio* the President, and also the, Member of Council for the time being representing the Chinese who shall be *ex officio* the Vice-President. The first Permanent Board of Direction shall consist of the persons whose names are contained in the schedule to this Ordinance. Vacancies in this Board shall be filled up from time to time by the Governor, who may call upon the continuing members of the Board for their recommendation. All appointments to the Board shall be held only during the Governor's pleasure." Now the objections to the constitution of the Society as provided by this Section are twofold. First of all they object to the two Committees, the permanent Committee and the elective Committee, because they say it may lead to confusion. Secondly, they object to the Registrar-General being a member and president of the Society for some other reason which I will come to by and by. One of the reasons why it is necessary to have two Committees is that there ought to be experienced men to supervise the action of the elective board from year to year and who may constantly exercise a supervision of their acts. The hon. member who represents the Chamber of Commerce objects to this because he says it will lead to confusion and he proposes a remedy for this arrangement. He says, let us have a permanent Board for six years, of which two members should go off every year, and then if a sub-committee is necessary to carry out the daily routine of the work let that sub-committee be appointed by this permanent Board. Now, I confess I do not see any difference at all between these two schemes. I think both of them require two committees; in one they are called the permanent committee and the elective committee and in the other the permanent committee and the sub-committee—a difference in the name. They will be elected annually and if one arrangement is likely to lead to confusion I am sure that the other would. So possibly this detail as regards the constitution of the committee is not of much importance. But the second objection, that the Registrar-General should not be a member and president of the permanent Board requires a good deal more consideration. Now I would first of all, in order to make hon. members understand the question before them, give the reason why we wish the Registrar-General to be a member and president of the permanent Board. The first reason is that the permanent Committee, as you will see in the schedule, consists entirely of Chinese gentlemen, and although some of them have been in the Colony for a large number of years and no doubt know a good deal about things, still in some cases they would not have a perfect knowledge of the principles of English law nor are they presumed

to know perfectly well the English way of doing things in all cases and under all circumstances. Consequently they would require some supervision, guidance, and advice. Now I ask from whom can they get that guidance and advice better than from the Registrar-General? They have always been associated with the Registrar-General, they have worked with the Registrar-General ever since the Society was established, a though by the rules and regulations approved by the Secretary of State they are not at all obliged to consult him in the management of their Society. But I say they have always been associated with the Registrar-General, and they have always found him give them good advice and guidance, and he, on the other hand, has always found them helpful and willing to render assistance. They have agreed together for thirteen years, and what is the reason now for separating them? I would venture to say that some very strong argument is required by the opponents of this section before they will induce this Council to alter the constitution of this Society otherwise than as it stands in that section. The second reason is that if the Registrar-General is a member of the Board it will save a lot of time and correspondence and meetings. Supposing tho Registrar-General is not a member of this Board but has a power of veto on the doings of this Society. What would be the result? In every case the Committee would have to send in their decision to the Registrar-General, then the Registrar-General having inquired into everything would have to correspond and ascertain the reason why they arrived at such a decision; otherwise, the Registrar-General cannot be said to exercise his power of veto in an intelligent manner. Sometimes he might have to reassemble the Committee of the Society to discuss with them the various points. With him at the head of the Committee, however, all this would be simplified. The third reason would be this: it does away with the necessity of the Registrar-General consulting with his clerks and others in reference to the affairs of the Society when it differs with the Registrar-General, and there is no doubt that he cannot carry out his duty or exercise his vote in an intelligent manner without some advice from the Chinese. (The REGISTRAR-GENERAL—Hear, hear.) And if he were deprived primarily of the direct advice of the permanent Committee it seems to me that he would have to go somewhere or elsewhere for the advice. Now, he could only resort to his Chinese clerks or some Chinese private gentleman who came to his office. This is the very thing that I have continuously held to be unwise on the part of the Registrar-General. The hon. member for the Chamber of Commerce quoted one of my speeches on the subject in which I spoke against the advisability of the Registrar-General getting



people, Chinese gentlemen, individually and privately, into his office asking them their opinions on certain subjects. The quotation is a very long one. I do not propose to read it, but it is found in the report on page 13. Upon that the hon. member seemed to think that the Registrar-General should not consult the Chinese, but that he should be outside and above them. He misunderstood me and took just the opposite view to that which I wished to convey in that speech. I meant to say that the Registrar-General should not ask Chinese singly and individually to come to his office but I never intended that the Registrar-General should not have the Chinese assembled in his office and discuss matters openly. That has been done, though not in this Committee, because we have not yet appointed a Committee, and I do not know whether in former times it has been done, but I do know since I have been a member of the District Watchmen Committee that we discuss and decide by the vote of the majority, and I venture to believe that though sometimes the Registrar-General has been in the minority he thinks that his dignity has not been affected and that it was not derogatory to his high position to be outvoted. (The REGISTRAR-GENERAL—Hear, hear.) I have found that Committee a most convenient and workable body. Now, I do not know whether the hon. member for the Chamber of Commerce really desires that all the questions and dealings of this Society should be subjected to the decisive and final veto of the Registrar-General. We have in this colony a Governor and we always look upon him as the representative of H.M. the Queen, and as Chinese subjects here, and also as subjects of H.M. the Queen, it is only fair to suppose that they would always desire to submit the final decision of their differences to the Governor alone. And it is a matter of very great regret, when I find that a gentleman who at one time was very strong upon the power, the too great power, of the Registrar-General and who told the Chinese, myself included, that the Registrar-General had too much power; and that the Registrar-General is the uncrowned King of the Chinese in Hongkong—(laughter)—and that virtually the Registrar-General is the Governor of this Colony—(laughter) —

The REGISTRAR-GENERAL—Name, name.

Hon. HO KAI—Well, sir, I do not wish to name, but I think the hon. member for the Chamber of Commerce understands to whom I allude. (Laughter)

Hon. T. H. WHITEHEAD—I do not know, sir, (To the Hon. Ho Kai) —perhaps you want me to agree with you.

Hon. HO KAI—If the hon. member denies it I can only say that my hearing faculties must be wanting attention from the doctor, and I would remind the hon. member that not only in my hearing, but in the hearing of the senior unofficial member, such conversation

did take place. I am sure that whatever the exact words were his opinion was unmistakable that the Registrar-General had too much power and that the Chinese should communicate direct with the Governor and not through the Registrar-General, that they should not be governed by the Registrar-General, but send their communications addressed to the Colonial Secretary's Office and that it would be a good thing if the Registrar-General's Department was abolished altogether. How strange, sir, it is that one who has advocated all this sort of thing should turn round now and wish to place the Chinese, to use his own words, under the thumb of the Registrar-General.

Hon. T. H. WHITEHEAD—Not more than in the past.

Hon. HO KAI—That is the very reason why we should better their condition now by this Ordinance. They are used to being subjected, but that is no reason why they should not be improved in their position now. Because they have been subjected for a large number of years to the yoke of the Registrar-General, much more should we wish them to escape from that position, and though to a certain extent still governed by the Registrar-General to be directly under His Excellency the Governor. (Hear, hear.) I say it is very strange now that such a change of opinion and front should be observable in hon. members of this Council. Now, I simply wonder whether it is caused by order, pressure, or official influence. (Laughter.) It is a curious thing to note, and I hope it is not attributable to any of those causes I have suggested. It seems to me that we have recently talked a great deal too much about unofficial majority and adequate representation in Council. If this is to be the result of such agitation for more adequate representation and an unofficial majority, then Heaven save us from such agitators. (Loud laughter.) I think that our leading Chinese would prefer to be placed continually under an intelligent official rule rather than be placed under the unreasonable and illiberal treatment of an unofficial regime. Now, sir, what reason have those who are opposed to this section to grudge the small satisfaction to the Chinese of having an unofficial majority in that permanent committee of the Po Leung Kuk? I can find none at all. I do not dare, I do not wish, to think that these gentlemen despise the Chinese and have no confidence in them as was suggested by my hon. friend on my left (the Registrar-General) I hope not, but if it is I hope those gentlemen will have the boldness to say so and the Chinese will know what to think of them and I as their representative in Council would know what course to steer in the future with regard to them.—(The COLONIAL SECRETARY—Good.)—Now, sir, with regard to the objection that the Chinese Authorities would identify the action of the Po Leung Kuk, if the Registrar-

General were Chairman, with the action of the Government, I say there is nothing in it. That is a misunderstanding which arises from a question I put to one of the witnesses, which will be found on page 141. I believe the Chinese officials are as energetic in trying to put down kidnapping as we are and would thank any one of whatever nationality who assisted in putting down the crime of kidnapping and protecting women and children from it. Now, in conclusion, sir, I am sorry for having taken up so much time and I must apologise. It is rather unfortunate that I am not a ready debater—(laughter)—and I hope that I have not said anything hasty on the spur of the moment, anything which will offend anybody. If I have I hope they will excuse me, and if they wish in twelve months time I will write an ample apology and explanation. (Laughter).

Hon. E. R. BELLIOS—Sir, I desire to say a few words in support of the Po Leung Kuk Ordinance now before the Council. Our resolution is not unreasonable or unusual. We have precedents for it in India. In that country the elders of the various sects, creeds, and nationalities form themselves into societies called Pun-chah-yats and these Pun-chah-yats, I believe, have larger powers conferred on them by the Government with regard to matrimonial and social usages than those proposed to be given to the Po Leung Kuk by the Bill before us. I think therefore, sir, that we need have no fear in granting the powers that are proposed to be financial position of the Society, I may say that I am in favour of the grant of \$20,000 being made to it against the \$30,000 raised by the members themselves. Having regard to the fact that the Chinese community in the aggregate are the largest taxpayers the sum asked for endowment is not large and I think we should give it ungrudgingly. Personally I am and have always been in favour of the establishment of institutions of this kind, by which what may be termed the native population are encouraged to help themselves. If at any future time individuals or Societies were to come before this Council with propositions to the effect that he or they were prepared to devote a certain sum of money for the establishment of some charitable institution provided the Government furnished a like sum for an endowment I for one would readily support and advocate the giving of such a grant. It has been urged by two hon. members of the Special Committee that by appointing the Registrar-General Chairman of the Po Leung Kuk we shall show the Chinese Government that the Society is a Government institution. Now, sir, so far from thinking that a disadvantage I hold the directly opposite opinion, and I think that it would be better to make it apparent that the Society is a Government institution because in that case we shall not excite any jealousy and

the mandarins in the neighbouring mainland will regard the institution with esteem and respect. It must be remembered that we are asked to set aside \$20,000 from the public funds at our disposal to endow this institution. It would be only right for one member of the Government to have a say in the management and investment of that fund. There need be no apprehension, sir, on the score of outvoting the Chairman by the members of the Board of Direction. We know from experience that at meetings, whether public or private, a great deal of deference is shown to the Chairman and I believe that you will find that the Chairman of the Po Leung Kuk will seldom find himself in a minority. Then again, instead of allowing the Society to stand alone as an isolated body, we shall by appointing the Registrar-General Chairman create a link between that institution and the executive Government of this Colony. There is another reason, sir, why I advocate that this Bill should be passed. I feel that by granting the Society the powers it seeks we shall show the Chinese inhabitants of this Colony that respectable men whether Chinese or of any other nationality will not be denied our confidence or regarded with distrust. (Applause.) They will thus be imbued with deeper respect for the administration, while the good fellowship now subsisting between us will be increased and the Chinese community drawn closer to us than ever before. (Applause).

Hon. T. H. WHITEHEAD—I rise to say a few words in support of this Bill and to state that I shall vote for the second reading. As the result of the inquiry and of the evidence taken by the Committee I am satisfied that in spite of many defects and of numerous irregularities the Po Leung Kuk Society has rendered most invaluable services in the past and if established on a better footing is likely to be capable of rendering very valuable assistance to the Government in the future and to the Registrar-General's Department in its labours for the protection of women and children and in the detection and suppression of kidnapping and kindred offences. When the Bill for the incorporation of the Society came before the Council last year I was not in favour of it. I was not then disposed to grant a vote of public money to the Society but since the inquiry I have changed my opinion. Many intelligent people in the community, including Government servants and Police Magistrates, did not know and did not believe that the Society was doing good.

The REGISTRAR-GENERAL—They knew nothing about it.

Hon. T. H. WHITEHEAD—I think that the impression generally existed that the Society was doing some mischief and the few occasions on which it appeared in the police courts and in the local press were to its serious disadvantage. Until quite recently there were no reports published of the operations of the Po Leung Kuk.

The REGISTRAR-GENERAL—I must correct that statement. There have been annual reports for many years past.

Hon. T. H. WHITEHEAD—Simply of figures, sir; I think not of the working of the Society.

The REGISTRAR-GENERAL—Of the working of the Society.

Hon. T. H. WHITEHEAD—Nor have there been reports of the working of the Registrar-General's Department, and no one, however intelligent or willing, had the means of obtaining knowledge in respect thereof.

The REGISTRAR-GENERAL—I wish to state that the hon. member—

HIS EXCELLENCY—Mr. Whitehead.

Hon. T. H. WHITEHEAD—I shall vote for the second reading of the Bill, affirming thereby the principle that the Po Leung Kuk should be incorporated and should receive assistance from the Government, but I still object to some of the details of the Bill and in committee I shall endeavour to amend these, and more particularly that clause appointing the Registrar-General Chairman of the permanent Board of Direction. The hon. senior unofficial member, who is unfortunately absent to-day, strongly and firmly agrees with me on this point and his views are expressed in his report which was laid on the table at the last meeting of Council. My reasons for objecting to the inclusion of the Registrar-General in the permanent Board of Direction of the Society are stated in my report and I would, were it not late in the afternoon, read the evidence of several Chinese witnesses and of Dr. Eitel, a most invaluable witness, in support of this contention, but possibly this can be done in Committee later on. A most effective control over the government of the Society has hitherto existed and been carried on by the Registrar-General, and that is now being departed from. It is a most material point and the effective Government control which has hitherto existed is now being given up. As to the remarks of the hon. Registrar-General and the hon. member representing the Chinese as to various matters, I pass them over for the present, but I will give them the fullest consideration and possibly before the Council has passed through the committee stage some agreement and some modification of our views and opinions may be arrived at. With regard to the unfortunate words I let fall in April last year, viz, "secret society," a great deal too much has been made of them. I have in the colony a number, a large number, of friends amongst the Chinese, men in whom I have every confidence and for whom I have a vast amount of respect and esteem, and I asked a number of them whether it was necessary for me to do anything instantly in connection with these words and they said, "The Chinese do not think anything about it." Your Excellency did not misunderstand me.

The REGISTRAR-GENERAL—Will you give names, please?

HIS EXCELLENCY—I do not think it is necessary.

Hon. T. H. WHITEHEAD—In your Excellency's speech of April, 1892, you clearly showed that these unfortunate words which I used were not regarded in an offensive sense.

HIS EXCELLENCY—Personally I am perfectly prepared to accept your explanation.

Hon. T. H. WHITEHEAD—Perhaps your Excellency will tell us whether this measure is now regarded as a Government measure or whether the officials are at liberty to vote as they like or as directed.

HIS EXCELLENCY—They can vote just as they please, but I think that they are quite unanimous.

The REGISTRAR-GENERAL—I do not think it is necessary, Your Excellency, for me to reply, as there is no opposition to the Bill. I would only say with regard to the statement of the hon. member that the reports of the Society are not published, that this is only a fair sample of the ignorance of the many intelligent gentlemen to whom he has referred. The report is published in the *Hongkong Government Gazette* every year.

Hon. T. H. WHITEHEAD—I was well aware of that fact, but I mean the report of cases and the operations of the Society. I am sorry the hon. member has misunderstood me.

The REGISTRAR-GENERAL—A report of those is also published and circulated among the Chinese. There is only one other point I wish to draw attention to, and that is with regard to the large number of Chinese friends the hon. member has who told him the Chinese thought nothing about the charges. If that were so I do not know why he calls the term he used unfortunate. I should like to say that all the Chinese whom I have spoken to considered the term a most improper one and one which they could not help regarding as an insult to the Chinese community.

The ATTORNEY-GENERAL spoke in favour of the Bill.

The Bill was read a second time unopposed.

The Council went into committee on the Bill and the Hon. T. H. WHITEHEAD moved several amendments and made numerous suggestions, none of which were adopted. Only one of the amendments was seconded, when the COLONIAL SECRETARY performed the office *pro forma* and on the division the mover was in a minority of one.

On the suggestion of the ATTORNEY-GENERAL, several verbal amendments were made and section 31 of Ordinance 10 of 1890 was incorporated as section 21 of the Bill.

The Bill was then reported and the Council adjourned until Monday, 19th June.