

8TH JULY, 1896.

PRESENT:—

HIS EXCELLENCY the Governor, Sir WILLIAM ROBINSON, K.C.M.G.

Hon. J. H. STEWART LOCKHART, Colonial Secretary.

Hon. H. E. POLLOCK, Acting Attorney-General.

Hon. A. M. THOMPSON, Acting Colonial Treasurer.

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

Hon. R. MURRAY RUMSEY, Harbour Master.

Hon. COMMANDER W. C. H. HASTINGS, Acting Police Magistrate.

Hon. C. P. CHATER.

Hon. HO KAI.

Hon. T. H. WHITEHEAD.

Hon. E. R. BELLIOS, C.M.G.

Hon. J. J. BELL-IRVING.

Mr. F. J. BADELEY, Acting Clerk of Councils.

MINUTES.

The minutes of the previous meeting were read and confirmed.

MR. CHAMBERLAIN'S DESPATCH.

HIS EXCELLENCY—Gentlemen, I have the honour to lay upon the table copies of the correspondence which has passed between myself and Lord Ripon and the present Colonial Secretary of State in reference to the petition addressed to the House of Commons, praying for some amendment of the constitution of this Colony. Mr. Chamberlain apologises for not having answered this important petition and these despatches at an earlier date owing to pressure of business at the Colonial Office; and he informs me that as Lord Ripon stated in 1894 that he (Lord Ripon) could hold out no hope of Hongkong ceasing to be a Crown Colony, he (Mr. Chamberlain) has come to the same conclusion. He says "Neither can I hold out any such hope, for I conceive that in the case of Hongkong, representative Government, on whatever form of franchise it might be based, and with whatever supposed safeguards as to the Executive power, would be wholly out of place." He then goes on to say that two practical points remain to be decided. One is whether any further representation on the Legislative Council, as prayed for by the unofficial members can be made, and the other is whether the unofficial element, as I recommended, should be introduced into the Executive Council. Mr. Chamberlain has agreed to add two members to the Legislative Council, one of whom he states should be the Officer Commanding the Troops, and the second a person belonging to the Chinese community as the element which is least represented whilst it is by far the most numerous. He says he would regard as valuable any step which would tend to attach

them—the Chinese—more closely to the British connection and to increase their practical interest in public affairs. (Hear, hear). With regard to the adding of unofficial members to the Executive Council I recommended in May or June, 1894, that two members—unofficial members—should be added to the Executive body and to that recommendation, I am very glad to say, Mr. Chamberlain has assented. He leaves the selection in my hands, and he trusts, and he feels certain, the selection will be made in accordance with merit. I am sure you will be all very glad to hear, having that latitude or discretion given me, that I have chosen the senior member of the unofficial body, Mr. Chater, and Mr. Bell-Irving. Hereafter, when the Royal Instruction comes out, Mr. Chater and Mr. Bell-Irving will be added to the Executive Council. The Chinese gentleman I have chosen for the Legislative Council is Mr. Wei Yuk, a gentleman who is well known and thoroughly representative of the Chinese community and well suited for the appointment for which I have selected him.

PAPERS.

The COLONIAL SECRETARY laid the following papers upon the table—Returns of Superior and Subordinate Courts for 1895; the Harbour Master's Report for 1895; the Report of the Postmaster General for 1895; the Report of the Director of Public Works for 1895; the Report of the Superintendent of the Botanical and Afforestation Department for 1895; the Reports on the Hongkong Volunteers; the Report on the Water Supply; the Report on Plague; the Acting Colonial Surgeon's Report for 1895; the Report of the Sanitary Superintendent for 1895; the Blue Book; the Report of the Flogging Committee appointed by His Excellency in connection with two cases which had been commented upon in the public press; the Financial Returns; the Report of the Committee appointed to consider British trade in the colony; and the Registrar-General's Report for 1895.

The Acting ATTORNEY-GENERAL laid upon the table the Report of the Law Committee upon the Registration of Births and Deaths Ordinance.

HONGKONG MEDICAL COLLEGE.

HIS EXCELLENCY—Before proceeding to the business and the Orders of the Day, I wish to state that it is my intention to withdraw for a short time the Finance Minute No 3, which was to have been submitted to you to-day, recommending a vote of \$40,000, being a Government grant-in-aid of the College of Medicine for Chinese. We all know

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has been very valuable and that it may be made more valuable. I am personally strongly in favour of having it made so without any unnecessary conditions. I had a meeting the other day at Craigieburn with the Principal Medical Officer, the Colonial Surgeon, Dr. Ho Kai, Dr. Thomson, and Mr. Lockhart, and we came to the conclusion that it would be better to alter the title of this institution and call it the Hongkong Medical College and not the College of Medicine for Chinese in Hongkong, so as to make it available for persons of all nationalities, whether Portuguese, Chinese, or Eurasians; that it should be reorganised by Ordinance; and that qualified students should have a recognised status. We hoped it would be made entirely self-supporting, and that, under Government control, more than at present, its continuity would be secured. No doubt, Mr. Belilios will renew his very generous offer if the institution is reorganised and re-established on this basis. The gentlemen whom I have named have formed themselves into a Committee, and they will send me a report based on the lines which I have laid down; and then I shall have great pleasure in submitting the vote to the Council and I trust it will be unanimously passed.

CATTLE DISEASE.

Hon. T. H. WHITEHEAD—Has the attention of the Government been directed to the account in the *Daily Press* of 16th March of the insanitary state of things during the recent fatal disease amongst the cattle at Pokfulam, and will the Government obtain from the Sanitary Board and the Government departments concerned and lay upon the table a complete and detailed statement of the actual position of matters from day to day, as well as a copy of the correspondence between the Government and the Dairy Farm Co., Limited, together with the Colonial Veterinary Surgeon's reports for 1888 and 1889, also the report by the Honourable the Surveyor General, the Honourable O. Chadwick, and Mr. Ladds, referred to in his (Mr. Ladds') report dated 12th January, 1891?

The COLONIAL SECRETARY—The Government has seen the report in the *Daily Press* of the 16th March. The question of the hon. member was referred to the Sanitary Board, when Mr. Ede, a member of the Board, expressed the following opinion: "I think the statement asked by Mr. Whitehead should *not*, as far as the Sanitary Board is concerned, be given. The Board acts under the authority of certain laws, and as far I know acted in accordance therewith in respect of the cattle plague at the Dairy Farm. It would be a vexatious waste of energy and time to furnish such a complete and detailed statement of the actual position of matters from day to day, and I am entirely opposed to the principle involved in supplying reports of this nature. If any person has a grievance in connection

with this matter against the Sanitary Board he had better state it." With Mr. Ede's views the other members of the Sanitary Board agreed and in them the Government concurs.

Hon. T. H. WHITEHEAD—And as regards the Colonial Veterinary Surgeon's reports for 1888 and 1889 which so far have not been published?

The COLONIAL SECRETARY—There is no objection to the hon. member seeing these reports if they have not been published.

THE COLONIAL VETERINARY SURGEON.

Hon. T. H. WHITEHEAD—Will the Government inform the Council what steps have been taken or are proposed to be taken to secure the immediate services of a Veterinary Surgeon, and is it the intention of the Government to provide in the future against the contingency of the Veterinary Surgeon going on leave?

The COLONIAL SECRETARY—This question was referred to the Sanitary Board, when the Secretary wrote the following minute:—"I can hardly think the Board will recommend the engaging of an Assistant Veterinary Surgeon—and that seems to be the only reasonable reading of the question—inasmuch as, if it were not for the work which has to be done in the managing of the public slaughter-houses and food markets, there would be practically nothing for a Veterinary Surgeon to do. It was because it was felt that a Veterinary Surgeon would be on the whole the best kind of man to have to supervise the importation of cattle for food, the management of the public slaughter-houses and markets, that the Board urged some eight or nine years ago the appointment of such an officer. The title then recommended and adopted was 'Inspector of Livestock and Markets.' When the title was changed it was specifically laid down that it meant no change of duties. The mere fact that a trading company has been so unfortunate as to lose by far the greater number of their milch cows does not seem to me a reason why the ratepayers of the colony should be saddled with the salary of an officer whose post would be for all practical purposes a sinecure." From the views expressed by the Secretary, with which all the members of the Board, including Mr. Ede, agreed, it appears that an Assistant Veterinary Surgeon is not necessary.

THE NEW PUBLIC OFFICES.

Hon. T. H. WHITEHEAD—Will the Governor inform the Council the cause of delay in taking steps to obtain by public competition plans and designs for the proposed new Government offices, including the Post-office, the Supreme Court, &c., as directed some time ago by the Governor?

The COLONIAL SECRETARY—Unavoidable delay has arisen owing to the time required for obtaining and scheduling the information and

preparing the conditions which must be definitely decided before competition can be invited. The scheme of erecting new Government offices has been referred to the Secretary of State for his sanction, and he has called for a further report, especially as regards the manner in which it is proposed to meet the expenditure required to carry out the proposed scheme.

THE SECRETARY OF STATE'S DESPATCH.

Hon. T. H. WHITEHEAD—The next question has reference to the production of the Secretary of State's despatch, but as it has been laid on the table there is no necessity to ask the question, and I wish to withdraw it.

The COLONIAL SECRETARY—There is no objection. I have only to say that the papers were in type before the receipt of the hon. Member's question.

SANITARY BOARD REFORM.

Hon. T. H. WHITEHEAD—Does the Government intend to take any action for the reconstruction of the Sanitary Board in accordance with the opinion expressed by the British members of the community at the ballot taken on the 16th day of May last, the result of which was duly reported to the Government by Mr. N. J. Ede?

The COLONIAL SECRETARY—The question of the construction of the Sanitary Board has been referred to the Secretary of State for his final decision, and he has been informed of the result of the ballot to which the hon. member refers.

THE COST OF GAP ROCK LIGHTHOUSE, AND THE SPECIAL LIGHT DUES.

Hon. T. H. WHITEHEAD—Will the Government lay upon the table a statement showing: (1) the cost of the construction of the Gap Rock Lighthouse, and the cost of laying down the cable connecting Gap Rock with Hongkong; (2) the total cost of maintenance of the light and the cable to the 30th ulto.; and (3) the total proceeds of the special Gap Rock Lighthouse rate, imposed for the specific purpose of reimbursing the Government the cost of the Gap Rock light and the connecting cable, from the date it was levied to 30th ulto.

The COLONIAL SECRETARY—In reply to the hon. member I beg to lay upon the table the statement for which he has asked. The statement is as follows:—Cost of construction, &c., of Gap Rock Lighthouse—1889, \$72,632.89; 1890, \$39,177.31; 1891, \$49,302.66; 1892, \$30,895.52; total, \$192,008.38; improvements, \$2,978.78; grand total, \$194,987.16. Cost of laying down the cable, \$87,253.33.

Maintenance of Gap Rock Lighthouse:—1892, \$4,598.62; 1893, \$8,051.86; 1894, \$7,889.47; 1895, \$8,647.58; 1896 (6 months), \$4,507.41; total, \$33,694.94.

Proceeds of the special Gap Rock rate of 11/2 cents up to 30th June, 1896:—1890, \$38,256; 1891,

\$53,376; 1892, \$54,941; 1893, \$57,205; 1894, \$55,390; 1895, \$63,902; 1896 (6 months), \$35,551.

MOTION FOR SANITARY BOARD PAPERS.

Hon. T. H. WHITEHEAD—Sir, I rise to move the resolution, of which I have given due notice, calling for the correspondence and papers connected with the necessity for the proposed reconstitution of the Sanitary Board. Ordinance No. 24 of 1887 is entitled "The Public Health Ordinance," and was not sanctioned by the Home Government without the fullest enquiry. The enactment passed this Council after protracted debate and discussion on the 23rd September, 1887, but was not assented to by the Governor until the 30th day of May, 1888. The Secretary of State's despatch authorising it stipulated that this legislation should only be carried out slowly and by degrees, and with every due consideration for the interests to be affected thereby. It was this Ordinance which created the present Sanitary Board in 1888, and section 4 states that the Board shall consist of four official and not more than six unofficial members. During the first years of the Board's existence, I believe letters and memoranda from its individual members called the attention of the Government to certain defects in the working of the Board, and suggested improvements and alterations. In 1890, during Sir William Des Voeux's absence on leave, but at his request (now) Sir Francis Fleming, then Administrator, framed definite proposals, after very full enquiry, for extending the Board's powers and improving its organisation. Sir William Des Voeux returned to the colony, but only for a few months, as ill-health compelled his retirement from the Service in 1891; hence nothing was then done, and nothing has been done since. It is very desirable that we should, if possible, have the opportunity of considering Sir Francis Fleming's proposals, and the relative papers, so that we may become acquainted with what were the defects in the working of the Board found to exist in practice. In 1895 Government appointed the Medical Officer of Health a member of the Sanitary Board, and not under the Board's orders. To this act the unofficial members of the Board then in the colony took exception, and resigned their seats. It is necessary that Government should give the unofficial members of Council the opportunity of studying the correspondence and despatches which passed between the Colonial authorities and the Home officials in connection with:—(1.) The resignation of the unofficial members of the Board. (2.) The appointment of the Medical Officer of Health, his position, and relation to the Sanitary Board. (3.) The recommendations of the unofficial members of Council. (4.) The Colonial Government's reasons and arguments in support of the necessity for now proposing to so alter and change the constitution of the Board. The sole and

only remedy proposed in the draft Bill entitled "The Sanitary Board Ordinance of 1896" is the reduction of the number of official members from 4 to 3, and the reduction of the unofficial members from "not more than 6" to 2, and of this it appears, in the objects and reasons attached to the draft Bill, that the Secretary of State has approved. I feel quite certain Sir William Des Voeux and the Secretary of State in 1888 did not sanction a majority of unofficial members on the Board without having first made the very fullest enquiries and conclusively satisfied themselves of the wisdom of their deliberate action. Unless we have before us very substantial grounds and strong reasons, we cannot, I think, justify our beginning to undo the work of a former Secretary of State and a former Governor who was so highly esteemed and respected here. I think the British members of the community confirmed on 15th and 16th May last most emphatically the experience throughout the vast British Empire and British India, viz., that for the general improvement in sanitation the co-operation of the public, through their legally elected representatives, is essential. I respectfully submit, sir, it is not only necessary but it is indispensable that the Government should publish all the correspondence and papers. They are the sole and only material which can enable the unofficial members and the public to form an independent and accurate opinion on the merits of the very important change now proposed.

HIS EXCELLENCY—Does anyone second that?

Hon. HO KAI—I beg to second, sir.

The COLONIAL SECRETARY—In reply to the motion I can only repeat what I stated a short time ago, that the question of the construction of the Sanitary Board has been referred to the Secretary of State for his final decision, and that the Government does not propose to lay upon the table any papers in connection therewith until that decision has been received.

HIS EXCELLENCY (to Hon. T. H. Whitehead)—Do you wish to take a vote upon that, or not?

Hon. T. H. WHITEHEAD—In reply, sir, to the hon. the Colonial Secretary I think it would be advisable to have the papers now in order that unofficial members may have the opportunity of expressing their views before the final decision of the Secretary of State has been arrived at.

HIS EXCELLENCY—Do you understand that the Secretary of State has all the papers and all the correspondence and result of the ballot—that everything is before him?

Hon. T. H. WHITEHEAD—Your Excellency, on the 14th December last you promised to lay all the papers on the table as soon as the Secretary of State's decision had been arrived at. The draft Bill was submitted to the Council in March last and from the objects and reasons attached to the draft

Bill the Secretary of State would appear to have come to a decision.

The COLONIAL SECRETARY—The decision of the Secretary of State was then supposed to be final, but owing to circumstances which have arisen since the decision is not regarded as final. The Government does not therefore propose to lay any papers in this subject until a final decision has been received.

Hon. C. P. CHATEB.—Seeing that there has lately been a considerable amount of comment and discussion regarding the production of these papers, it was my original intention to have supported the motion of the member of the Chamber of Commerce, which has been seconded by my hon. friend on my right (Hon. Ho Kai.) After the remarks of the Hon. the Colonial Secretary I shall content myself by waiting till the final decision of the Secretary of State arrives. Perhaps the proposer and seconder will concur with me in this course.

Hon. T. H. WHITEHEAD—Sir, under these circumstances I will withdraw the motion, with your Excellency's sanction.

The motion was therefore allowed to be withdrawn.

FIRE SIGNALS.

Hon. E. R. BELILIOS gave notice of the following question:—Referring to the fire that took place recently on board the British barque *Glen Caladh*, is there, as if I mistake not was the case on the old Police hulk, a look-out for signals for aid afloat maintained at Tsimsatshui Police Station? If not, why has the system been abandoned?

FIRST READINGS OF BILLS.

The following Bills were read the first time—An Ordinance to further amend the law relating to Widows' and Orphans' Pensions; an Ordinance to authorise the appropriation of a supplementary sum of \$1,002,275.7 to defray the charges of the year 1895; an Ordinance to make better provision for the sale of food and drugs in a pure state; an Ordinance to regulate the Admiralty procedure at the Supreme Court; an Ordinance to amend the Marriage Ordinance, 1875; an Ordinance to alter the titles of prison officers employed in this colony.

BILLS PASSED.

The Bill entitled an Ordinance for the naturalization of Lee Shew was read a second time, committed, and passed. The Ordinance to provide for the issue of search warrants in the case of suspected coinage offences was read a second time, committed, and passed. An Ordinance to supplement the provisions of the Licensing Consolidation Ordinance, 1887, also went through all the stages and was passed.

THE REGISTRATION OF BIRTHS AND DEATHS.

Council went into Committee on the Bill entitled an Ordinance to amend and consolidate the law relating to the registration of births and deaths.

Amendments were made in accordance with the report of the Law Committee appointed to consider the Bill, and the Ordinance was passed.

HIS EXCELLENCY THANKED.

Hon. C. P. CHATER—Sir, I am aware I am out of order in rising now, but with your Excellency's permission I should like to make a few remarks. The information which your Excellency gave us at the opening of Council and more especially the latter part of it, namely, the appointment of two new members to the Executive Council, took me somewhat by surprise, for it was somewhat different from what we had expected to hear, and indeed I may say was wholly unexpected. Though
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rather late in the day, I beg now to thank your Excellency for the honour you have done me in nominating me to fill one of these seats, and in accepting it I need hardly say that I will do the utmost in my power to promote the interests and the welfare of the colony, where I have resided for so long a period. (Applause.)

Hon. J. J. BELL-IRVING—Sir, I also desire to say that it affords me very great pleasure to accept a seat on the Executive Council, and I shall also, like the hon. the senior unofficial member, do my utmost to further the interests of the colony. (Applause).

ADJOURNMENT.

The Council then adjourned for a fortnight.
