

17TH MARCH, 1904

PRESENT:—

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT, F. H. MAY, C.M.G.

His Excellency Major-General VILLIERS HATTON, C.B.

Hon. A. M. THOMSON (Acting Colonial Secretary).

Hon. Sir H. S. BERKELEY (Attorney-General).

Hon. L. A. M. JOHNSTON (Acting Colonial Treasurer).

Hon. W. CHATHAM (Director of Public Works).

Hon. A. W. BREWIN (Registrar-General).

Hon. L. A. W. BARNES-LAWRENCE, R.N. (Harbour Master).

Hon. Sir C. P. CHATER, C.M.G.

Hon. Dr. HO KAI, C.M.G.

Hon. WEI A YUK.

Hon. C. W. DICKSON.

Hon. GERSHOM STEWART.

Mr. R. F. JOHNSTON (Acting Clerk of Councils).

NEW MEMBER.

Capt. L. A. W. Barnes-Lawrence, R.N., Harbour Master, took the oath and assumed his seat as a member of the Council.

FINANCIAL.

The ACTING COLONIAL SECRETARY laid on the table Financial Minutes (Nos. 13 to 18), and moved that they be referred to the Finance Committee.

The ACTING COLONIAL TREASURER seconded, and the motion was agreed to.

The ACTING COLONIAL SECRETARY laid on the table the Report of the Finance Committee (No. 2) and moved its adoption.

The ACTING COLONIAL TREASURER seconded, and the motion was agreed to.

PAPERS.

The ACTING COLONIAL SECRETARY laid on the table the reports for 1903 on the Police, the Victoria Gaol, the Fire Brigade, the Widows' and Orphans' Pension Fund, the Tung Wa Hospital, Queen's College, and the plague epidemic.

SIR HENRY BLAKE'S SERVICES AS GOVERNOR.

The ACTING COLONIAL SECRETARY also laid on the table the following paper:—

Downing Street, 13th January, 1904.

SIR,—I have the honour to acknowledge the receipt of your despatch No. 543 of the 27th of November, forwarding extracts from the local press relating to the presentation of addresses to Sir H. A. Blake on his departure from the Colony to assume the Government of Ceylon.

2. I have read these reports with great interest and

have been much pleased to note the evidence which they afford of the esteem in which Sir H. A. Blake is held by all classes of the community. I cordially agree with all that has been said as to the ability and success with which he has administered the Government of Hongkong.

3. The period of his administration has been marked by events of such importance to the well-being of the Colony, such as the hoisting of the British flag in the territory leased by China under the Agreement of the 8th of June, 1898, and the inauguration of works for providing an additional and adequate water supply for the city of Victoria. It has, unfortunately, been marked by serious outbreaks of bubonic plague, and by no means the least part of the debt of gratitude which the Colony owes to its late Governor is due to the vigour and energy which he has displayed in the endeavour to check the mortality from this disease and to diminish, so far as possible, the danger of further outbreaks.—I have, &c.,

ALFRED LYTTTELTON.

The Officer Administering the
Government of Hongkong.

KOWLOON WATERWORKS.

The DIRECTOR OF PUBLIC WORKS laid on the table the following report of the proceedings of the Public Works Committee at a meeting held on 19th February:—

The Chairman explained that when the scheme for the water supply of Kowloon, which is at present being carried out, was prepared, plans showing the surrounding country were not available, and consequently the area from which water could be collected by means of a catchwater could not be definitely ascertained. It was assumed, however, that there would be no difficulty in arranging for an area of 400 acres, and the estimate submitted by the engineers (Messrs, Denison, Ram and Gibbs) was based upon that assumption. The estimate for the catchwater amounted to \$40,000. From plans which were now available and which he submitted to the Committee, it was found that it would be possible to construct a catchwater along the northern slopes of the Kowloon range of hills as far as the Shatin Pass Valley. This catchwater would be about 5 miles in length and would intercept the drainage from an area of about 1,000 acres. It was estimated that the cost of constructing the entire catchwater would be \$20,000, or, if the portion required to intercept the drainage from an area of 400 acres only were constructed of such dimensions as to admit of the complete scheme being carried out at some future time, the cost was estimated at \$95,000. It was not necessary to carry out the entire scheme at once so far as present requirements were concerned, but

there would be an economy in doing so, as it would be simpler for the contractor to carry out the whole work simultaneously than in two or more sections at different periods.

The Committee unanimously agreed to recommend that the entire scheme be carried out at once and, as it appeared likely that the storage reservoir would not be large enough to contain the water which would be rendered available, they also recommended that steps should be taken to increase its capacity.

DOMESTIC CLEANLINESS.

The ACTING COLONIAL SECRETARY laid on the table the following paper and moved its approval:—

The Bye-laws Nos. 2 and 3, under the heading "Domestic Cleanliness and Ventilation," and the whole of the Bye-laws under the heading "Scavenging and Conservancy," contained in Schedule "B" of the Public Health and Buildings Ordinance, 1903, are hereby repealed, and the following Bye-laws are hereby substituted therefor:

New Bye-laws made under Section 16 of the Public Health and Buildings Ordinance, 1903.—Scavenging and Conservancy.

1. The general surface scavenging of the City of Victoria, the Hill Districts and the larger villages in the Colony, and the removal of nightsoil and cognate matters from the Hill Districts, public buildings, and free and licensed latrines, shall be carried out by contractors in accordance with the terms and conditions of the contracts for the time being in force.

2. The servants of the various public sanitary contractors shall, while at work, wear such distinguishing badge as shall from time to time be directed by the Board.

3. The occupier of any premises, or if there be no occupier the immediate landlord, shall make due provision for the daily removal of all excretal matters, domestic waste, refuse or other objectionable matters, from his premises to the conservancy boats, and dust-casts or dust-boats.

4. Occupiers shall provide themselves with strong substantial movable dust-bins for the reception of the day's house refuse.

5. No excretal matters shall be placed in or upon or conveyed along or across any public road or street except between the hours of 1 a.m. and 6 a.m.

6. No pig-wash or other noxious or offensive waters shall be placed in or upon or conveyed along or across any public road or street except between the hours of midnight and 9 a.m.

7. No excretal matters, pig-wash, or other noxious or offensive waters shall be placed in or upon or conveyed along or across any public road or street except in strong substantial buckets with closely fitting covers and of such pattern as may from time to time be approved by the Board.

8. No excretal matters, or pig-wash or other noxious or

offensive waters shall be emptied, discharged, deposited, or placed in, over, or upon any gully, drain, or sewer or any inlet thereto or (after removal from any premises) in any place other than the conservancy boats provided for that purpose (except in the case of pig-wash, which may be conveyed to any licensed pig-stye).

9. In these Bye-laws the term "excretal matters" includes urine.

The ATTORNEY GENERAL seconded, and the motion was agreed to.

The ACTING COLONIAL SECRETARY also moved the approval of the following Amendment to No. 5 of the Domestic Cleanliness and Ventilation Bye-laws contained in Schedule "B" of the Public Health and Buildings Ordinance, 1903, made under Section 16 of the aforesaid Ordinance:—

No. 5 of the Domestic Cleanliness and Ventilation Bye-laws contained in Schedule "B" of the Public Health and Buildings Ordinance, 1903, is hereby amended by deleting the last sentence thereof and substituting therefor the following:— "and notice that such cleansing and limewashing has been completed shall be sent to the Secretary of the Board within three days after the date of completion."

The Note to No. 5 of the Domestic Cleanliness and Ventilation Bye-laws made by the Board on June 4th, 1903, and published in the Gazette as Government Notification No. 442 of 1903, is hereby repealed; and the following substituted therefor:—"The western boundary of the eastern division of the City is Gilman Street and Peel Street; the western boundary of the central division of the City is Tank Lane and Cleverly Street; the western division of the City lies to the west of Tank Lane and Cleverly Street. Kowloon is divided into eastern and western divisions by Robinson Road and a straight line drawn from the north end thereof through the Yaumati service reservoir to the northern boundary of Kowloon."

The ATTORNEY-GENERAL seconded and the motion was agreed to.

NEW TERRITORIES REGULATION ORDINANCE.

The ATTORNEY-GENERAL moved the following resolution:—"Whereas, by Section 6 of The New Territories Regulation Ordinance (No. 12 of 1899) it was enacted that the said Ordinance should remain in force for the period of one year from the date of its coming into operation, and for such further period or periods as might, from time to time, be determined by resolution of the Legislative Council: And whereas, by previous resolutions of the Legislative Council the said Ordinance has been continued in force until the 18th day of April, 1904, and it is expedient that the said Ordinance should have permanent effect given to it, it is hereby resolved that the New Territories Regulation Ordinance, 1899, shall remain in force until otherwise resolved by this Council." He said—The object of the resolution is to

make permanent Ordinance No. 12 of 1899, under which the Governor in Council has power to make rules for farming out or licensing the right to deal in spirits, opium, salt, and any other commodity in the New Territory, and to make rules for the collection by process of law of revenue and the custody and manner of keeping accounts relating thereto, and for the collection and recovery of rents, taxes and contributions generally for revenue purposes from the New Territory. For these purposes under this Ordinance the Governor in Council is authorised to make rules and regulations. The Ordinance as originally passed in 1899 was to remain in operation for one year only or for such further period as the Legislative Council by resolution from time to time should determine. Year by year resolutions have been passed, and the last resolution was passed two years ago to the effect that the Ordinance should remain in force until April of this year. It has been found inconvenient for many reasons to have this constant recurrence of application to the Council for keeping in force this most necessary Ordinance. Among other dangers there is the danger of omitting this resolution when the Ordinance would lapse and all the powers thereunder fail. It has been considered wise and expedient therefore that the Council should now be asked to pass a resolution which in its terms will keep the Ordinance in force until this Council shall otherwise determine. It will take the place of the annual or bi-annual resolution keeping the Ordinance in force for a limited period only.

The ACTING COLONIAL SECRETARY seconded-and the motion was agreed to.

MOTIONS POSTPONED.

In the absence of Hon. H. E. Pollock, the following motions of which he had given notice were meantime withdrawn:—"That, in view of the letter which was recently adressed by Mr. Jonathan Hutchinson, F.R.S., to the *Times* newspaper on the subject of leprosy being caused by tainted fish, it is desirable that the Hongkong Government should cause some enquiry to be made into the question by its medical officers. That it is desirable that the replies to questions which are put by Unofficial Members of Council should be published in the *Government Gazette* in addition to the questions themselves.

NEW TERRITORIES LAND COURT ORDINANCE.

The ATTORNEY-GENERAL moved the first reading of a Bill entitled An Ordinance to further amend the New Territories Land Court Ordinance, No. 18 of 1891.

The ACTING COLONIAL SECRETARY seconded, and the motion was agreed to.

The object of this Bill is to provide for the reconstruction of the Land Court constituted under Ordinance No. 18 of 1900 and for a modification of its procedure for the purpose of facilitating the work of settling claims to land in the New Territories. With this object in view the Bill provides, *inter alia*, that each member of the Court shall have power sitting alone to hear and determine any claim. By the appointment of additional

members to the Court the work of settling titles, which for various reasons has been progressing slowly, will, it is expected, be rapidly and satisfactorily accomplished.

PREPARED OPIUM ORDINANCE.

The next item on the agenda was the second reading of a Bill entitled an Ordinance to amend the Prepared Opium Ordinance, 1891.

The ATTORNEY-GENERAL stated that he did not propose to proceed with this Bill at present as he wished to consider some objections and recommendations which had been made to him on the subject.

SUGAR CONVENTION.

The ATTORNEY-GENERAL moved the first reading of a Bill entitled an Ordinance to enable effect to be given in this Colony to a Convention signed the fifth day of March, Nineteen hundred and two, in relation to Sugar.

The ACTING COLONIAL SECRETARY seconded, and the motion was agreed to.

This Ordinance is intended to enable this Colony to give effect to the Brussels Sugar Convention.

The Council adjourned till the 21st inst.

FINANCE COMMITTEE.

A meeting of the Finance Committee was held after the Council, the Acting Colonial Secretary (Hon. A. M. Thomson) presiding.

GRANTS TO OFFICIALS.

The Officer Administering the Government recommended the Council to vote sums of \$2,000 each for remuneration to Hon. W. Chatham, D.P.W., and to Mr. Bruce Shepherd, Land Officer, on account of work done by them in connection with the Praya Reclamation

The vote was agreed to.

COMPENSATION FOR SLAUGHTER OF COWS

The Officer Administering the Government recommended the Council to vote a sum of \$6,050.55 for compensation on the valuation of the Colonial Veterinary Surgeon, for the slaugh-of Kennedy's cows and destruction of utensils, &c., necessitated by the recent outbreak of disease:—

32 sick cows and bull, @ \$100 each = \$3,200.00		
1 healthy calf	=	\$ 75
1 " cow	=	300
1 " "	=	300
1 " calf	=	100
1 " cow	=	350
1 " "	=	375
5 " calves	=	600
4 " ,	=	<u>300</u>
		2,400.00
Utensils, foodstuff, &c.,	=	450.55
Total		<u>\$6,050.55</u>

The CHAIRMAN explained that on account of an outbreak of disease in the dairy the whole lot of the cows had to be slaughtered. Under the Ordinance the compensation for each cow was limited to \$100, but it was proposed to pay rather more in respect of the cows that were not attacked by disease and yet had to be killed.

The vote was passed.

COMPENSATION VOTE.

The Officer Administering the Government recommended the Council to vote a sum of \$6,50 in aid of the vote Public Works, Extraordinary, being compensation to Mr. See Kok Shan, executor of See Sang Kai, deceased, for the resumption of Inland Lot No. 509.

The vote was passed.

FILLING IN A SWAMP.

The Officer Administering the Government recommended the Council to vote a sum of \$3,000 in aid of the vote Public Works, Extraordinary, for filling in and draining the swamp near the Starling Inlet Police Station and

forming a catchwater drain round the hill which borders the area.

The DIRECTOR OF PUBLIC WORKS stated that apart from sanitary considerations this improvement would provide the police with a level piece of ground for parade, exercise, etc.

The vote was approved.

LIGHTHOUSE EXPENSES.

The Officer Administering the Government recommended the Council to vote a sum of \$3,600 in aid of the vote Harbour Master's Department, Lighthouse, under Other Charges, for the following:—

Value of the apparatus for converting fixed lights at Cape D'Aguilar and Green Island, £300 @ 1/8=\$3,600.

The DIRECTOR of PUBLIC WORKS stated in reply to a question by H.E. General Hatton that the Cape D'Aguilar lighthouse was to be abolished altogether. The apparatus mentioned was for converting a fixed into an occulting light.

The vote was passed.

The was all the business.
