

21ST MARCH, 1904.

PRESENT:—

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

HIS EXCELLENCY MAJOR-GENERAL VILLIERS
HATTON, C.B. (Commanding the Troops).

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

Hon. Sir HENRY S. BERKELEY, Kt. (Attorney-
General).

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

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

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

Hon. L.A. W. BARNES-LAWRENCE (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.

Hon. H. E. POLLOCK, K.C.

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

FINANCIAL.

The ACTING COLONIAL SECRETARY laid on the
table the Report of the Finance Committee (No.
3), 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 of the Inspector of Schools and
of the Acting Director of the Observatory for
1903.

FISH AND LEPROSY.

Hon. H. E. POLLOCK moved: "That, in view
of the letter which was recently addressed 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." He said—sir, there appeared
in the issue of the *Weekly Times* of the 29th
January of this year a long letter by Mr.
Hutchinson which I assume that most of the hon.
members of this Council will have read, dealing
with the question of the prevention of leprosy. I
do not of course propose to go through the
whole of that letter in detail, but I will just
mention, sir, one or two of the salient points
with which that letter deals. The hypothesis
which Mr. Hutchinson puts forward is that
l e p r o s y h a s b e e n a n d s t i l l

is due in the main to the consumption as food of decomposing or imperfectly cured fish; and he quotes, sir, various allegations in support of that hypothesis. Some of them appear to be more or less matters of theory, and he does not state the facts in support of his contention, but he does mention one or two specific facts which he submits in support of his contention that leprosy is connected with the consumption of fish, among people who live on a fish diet, by either decomposing or imperfectly-cured fish. Supporting the facts which he quotes in this letter in support of his theory, are first, that "in India those who profess vegetarianism are almost wholly free, those to whom it is a matter of indifference suffer in moderate degree, and those who observe fish-eating fast days in very remarkable excess." Mr. Hutchinson also points out that "in India, while the general prevalence is only three or four per 10,000, it rises on the Island of Minicoy, which is devoted to fishing, to 150, and in Kaligoan, which is also a fish-curing centre, to 500." He also goes on to say that "in several places (Cape Colony, the Sandwich Islands, etc.), the outbreak of leprosy followed directly on the introduction of fish-curing." Mr. Hutchinson candidly admits that this theory of his has not as yet secured the official support of the medical profession, but I think, sir, that the circumstances which are stated in his letter must lead any ordinary reader to the conclusion that he makes out a very good case for every Government, and especially a Government like the Hongkong Government, which has some of its citizens suffering from this same disease of leprosy, having it made incumbent on them to cause its medical officers to direct a very close enquiry to be made into this subject. Now, sir, in the same issue of the *Weekly Times* there was a letter by a correspondent signing himself "N," which also supports this theory of Mr. Hutchinson's as to leprosy being connected with the consumption of fish. The correspondent "N" writes as follows:—"There is no place in the world, I have reason to know, where the disease is so common as in Cumana, in the north of Venezuela. Very large quantities of fish are occasionally caught there—and fish is the staple food of the inhabitants, who are cut off by the mountains from the supply of fresh beef which is available in the central and western districts of the country. Salt is scarce, and fish is to a large extent 'suncured.' The climate is hot and putrefaction singularly speedy in that region. My informant is a well-known explorer and naturalist. He told me that no house in Cumana is without several leper inmates. This state of things does not exist at all up the valley of the Orinoco, where the staple food is beef, though the population and climate are exactly similar, as are the general habits of the people." I may also quote from a letter which appeared from a correspondent of the *Hongkong Telegraph* in the issue of that paper on Saturday last as showing that leprosy

is connected with the consumption of tainted fish. This correspondent says:—"When engaged on outpost duty in one of the Shan states, I halted at a village where there was a collection of various races, and I found that leprosy was very prevalent. Being able to converse with some of the people I soon learned something about the disease. In reply to my questions, I was informed that a black fish, caught in the muddy streams, was salted and covered for three weeks, after which it was eaten with tender mangoe leaves. This the inhabitants of the village considered a luxury. In many cases, however, the people partaking of the food were suddenly attacked with fever, they became depressed, and the skin began to bronze in patches, Subsequently these patches turned white, and the sufferer lost all sense of feeling, sores formed, and the body presented a loathsome sight." I think these extracts I have read will suffice to show there are at all events some grounds for believing that there may very likely be a connection between the consumption of decomposed fish or badly cured fish and leprosy; and I hope, sir, therefore, that this Government will accede to what I have asked for in this motion of mine and will order some enquiry to be made into this question by its medical officers. Your Excellency will see that I have put it in that general way because I feel in a matter of this sort it will be for the Government to state exactly what shape in which the enquiry should be made and I did not wish to limit myself to any particular form of enquiry. What I desire to bring about is that this Council should interest itself in what seems to me to be a very important question, considering that we have some 300,000 Chinese in this Colony and having regard to the fact that we have a constant stream of Chinese travelling to and from this Colony, amounting to some two or three millions of persons a year. I hope that one of my unofficial colleagues will second this motion.

Hon. Sir PAUL CHATER seconded.

The ACTING COLONIAL SECRETARY—Such an enquiry as is indicated involves protracted bacteriological investigation. Leprosy is not a disease that is prevalent in the Colony and it is considered that the time of the Government Bacteriologist will be better employed in prosecuting investigations into diseases which more readily affect the public health of the Colony. As far as present scientific knowledge goes the *Bacillus Leprae* does not grow outside the living human body, For these reasons the Government oppose the resolution.

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT—I might say that I made particular enquiries off the
G o v e r n m e n t

Bacteriologist, who is the only man who could conduct such an investigation, and I am satisfied that a great deal more of his time would be given to it than can really be spared by the Colony.

The ATTORNEY-GENERAL—I think hon. members must see that this is a question which could not be settled by any such enquiry in this Colony.

On a division there voted for the motion:—Hon. Messrs. Stewart, Dickson, Pollock, Wei Yuk, Ho Kai, Sir Paul Chater and the Harbour Master (7); and against the motion the Registrar-General, the Director of Public Works, the Acting Colonial Treasurer, the Attorney General, the Acting Colonial Secretary, the General Officer Commanding and the Officer Administering the Government (7).

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT gave his casting vote against the motion and it was therefore lost.

REPLIES TO QUESTIONS.

Hon. Mr. POLLOCK also moved—"That it is desirable that the replies to questions which are put by Unofficial Members of Council should be published in the *Gazette* in addition to the questions themselves. He said—Your Excellency, it has been the practice, I think for some time past, that the questions which are put by hon. unofficial members should be published in the *Government Gazette*. The questions are put *in extenso*, sometimes occupying about half a page of the *Government Gazette*, and the only information which is vouchsafed as to the answers is something like this:—"The Hon. Colonial Secretary replied." Well, sir, I think that such information is so brief indeed as hardly to be satisfying to the public. Of course I am aware that the answers to the questions are published in the local Press, but it seems to me, sir, that it would be a good thing as well that they should be published in the *Government Gazette* which is of course the official newspaper published by the Government of this Colony. It seems indeed, one might say, almost absurd that the questions should be published in full detail and yet that the answers should be of the nature I have stated. I think, sir, that the *Government Gazette* being the official newspaper of this Colony published under authority should publish not merely the questions as has been done for some time past but also the answers which are given to these questions. Then, sir, they will be on record in the official newspaper.

Hon. GERSHOM STEWART seconded.

The ACTING COLONIAL SECRETARY replied—The answers are recorded in *Hansard*. The present practice is correct. Therefore Government must oppose the resolution.

The ATTORNEY-GENERAL—The question as it appears on the paper will appear to be reasonable enough, but the fact is the hon. member has worded his motion in a manner which is not altogether justifiable. It really obscures the real question before the house. I myself was misled by the way in which the motion had been framed: until almost a few minutes ago I was under the impression that it was something other than it is. As the motion reads it would appear there is some publication in the *Government Gazette* of questions put in this house, the answers to which had been given but which were not published when the questions were published. What really happens is this. What appears in the *Government Gazette* is not the publication of the questions put in the house but it is the publication of the minutes of this house, the minutes of the proceedings of the Council; and they are printed in the *Government Gazette* as they are taken in this house. Now, according to the practice that has been followed in this Council for years past, and according to the practice, as I understand it, in all legislative bodies it is not customary to record in the minutes replies to question *ad literatim et verbatim*. The question has to appear in the minutes because it is sent in as a notice of a proceeding about to take place, but when the question has been put the mere fact that the question was put by Mr. ——— and Mr. ——— replies to it is published, but the answer is not put in; and hon. members will see at once that it would be impossible to keep the minutes within anything like reasonable dimensions if the answers were given. Take a parallel case, We find in the minutes the fact noted that, say, the Attorney-General introduced and read for the first time or moved the second reading of a Bill to do so and so. But the detail of the Bill is not given. Again we find in the minutes a note is made of the fact that certain amendments were made but the objections are not put down. The minute is merely a short statement of what takes place in the house and it would not be right to put the answers in. Everything that is said fully by way of answer to any question appears first of all in the daily papers and subsequently in *Hansard*; and *Hansard*, I may say, is a revised version of the *Daily Press* report; therefore members are not for a single moment in the dark as to the replies to any questions that are put. Therefore there is no reason to do what the hon. member asks to be done.

Hon. Mr. POLLOCK—Sir, I ask leave to say a few words in reply to what has fallen from the hon. Attorney-General. I submit in the first place his case which he put of a Bill is not a parallel case, because as every hon. member knows the Bill is published *in extenso* in the *Government Gazette*, and not merely the Bill with all marginal notes but also the objects and reasons which have induced the framer of the Bill to bring it forward, I would submit that as

regards the publication of the minutes of this Council in the *Government Gazette* there is absolutely no reason. if it is found necessary in that publication to publish the questions, why the answers should not be published. It seems to me the logical sequence, if it is thought the questions are of sufficient importance to publish them in the *Government Gazette*, that it is equally important that the answers should be published.

The ATTORNEY-GENERAL—The questions form part of the minutes.

Hon. Mr. POLLOCK—But surely the answers are of equal importance with the questions. I recognise that *Hansard* is the official publication, but I think *Hansard* is not so readily accessible to most people as the *Government Gazette* is. One knows that the *Government Gazette* is not only available by those who take it personally in their offices but in such places as the Hongkong Club and probably some other clubs in this Colony; and it is more or less an available and accessible publication; and I think *Hansard* is not nearly so available as it is.

H.E. THE OFFICER ADMINISTERING THE GOVERNMENT.—I would like to mention one point not referred to by the Attorney-General and that is that motions and resolutions are exactly in the same category as questions. If you had the answers to questions incorporated in the minutes, by a parity of reasoning you would have to have the speeches in reply to motions and in reply to resolutions also published in the minutes. It is evident therefore that the minutes would be swelled to enormous bulk. The minutes of this Council as drawn at present were found on close investigation into the matter some time ago to be absolutely correct; and I see no special reasons for exchanging a method which is correct for one which would not be correct.

On a division there voted for the motion Hon. Messrs. Stewart, Dickson, Pollock, Ho Kai, Wei Yuk and Sir Paul Chater (6) and against the motion the Harbour Master, the Registrar-General, the Director of Public Works, the Acting Colonial Treasurer, the Attorney-General, the Colonial Secretary and the General Officer Commanding (7).

The motion was lost.

SCAVENGING AND LIGHTING OF STREETS.

Hon. GERSHOM STEWART asked the following questions:

1. Will the Government take into consideration the advisability of improving as far as possible the present means of maintaining and scavenging the public roads, as these are often very unsightly from pieces of paper, banana-skins, and chewed sugar-cane lying about?
2. In view of the heavy fogs and the difficulties and dangers of transport on the Peak roads at night, will the Government take into consideration some scheme for lighting the roads after dark, either by gas,

or by strong oil lamps, such as the Kitson light, and prepare an estimate of the cost?

The ACTING COLONIAL SECRETARY replied—

1. Under No. 2 of the conditions of the Scavenging Contract the contractor must "twice daily sweep and cleanse the surface of all the public and private streets and roads with their foot-paths, side channels and steps, and also all courts, lanes, alleys, and passages within the City of Victoria." It would not be possible to sweep the streets more frequently without causing some inconvenience and complaints have been recently received concerning the nuisance caused in the busy parts of the City by the streets being swept between the hours of 8 a.m and 10 a.m. and 12 a.m. and 8 p.m. when many persons cross the streets to and from their offices. Professor Simpson at page 114 of his final report states "The general scavenging of the streets is the best in the East, and is remarkably good considering the conditions under which it has to be carried out." The attention of the Acting Captain Superintendent of Police has been drawn to nuisances caused by hawkers and others in throwing rubbish on the streets.
2. Government is not prepared to consider the question of lighting the Peak District at present owing to the considerable expense involved after deducting the revenue derived from the usual increase of rates.

NEW TERRITORIES LAND COURT ORDINANCE.

The ATTORNEY-GENERAL moved the second reading of the Bill entitled An Ordinance to further amend The New Territories Land Court Ordinance, No. 18 of 1904. He said—The object of this Bill is to enlarge the numbers of the Land Court, and to give each member sitting alone the power to decide matters brought before him. The Bill will, it is believed, enable the work of settling titles in the New Territory to be got through with that desired rapidity which owing to the enormous amount of work to be done hitherto could not be achieved.

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

The Council then went into Committee and considered the Bill *in seriatim*.

No amendments were made.

On the Council resuming,

The Bill was read a third time on the motion of the ATTORNEY-GENERAL, seconded by the ACTING COLONIAL SECRETARY, and passed.

SUGAR CONVENTION.

The ATTORNEY-GENERAL moved the second 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.

He said:—In asking that this Bill be read a second time it is hardly necessary to say anything, as from the title of the Bill hon. members will see what the principle involved in the Bill is. Hon. members are aware that comparatively recently after many years of attempts in that direction a number of the great Powers of Europe have agreed on certain terms in a Convention for the object of putting an end to what is known as the unfair bounty system with regard to sugar. The agreements have been arrived at by the Convention and the object of this Ordinance is to give effect as far as this portion of His Majesty's dominions goes to that Convention and agreement. The Bill is short and provides for whatever may be necessary for the purpose of giving effect to the agreement to which His Majesty's Government have come under the Convention with other countries. The Governor in Council may from time to time when necessary make such rules and regulations as are require. That seems to me to be the most

efficient and best way in which we could deal with the matter. It is impossible for us just now to embody in the Bill the various provisions which may from time to time be found necessary to adopt. In adopting this mode of legislation—namely a Bill giving authority to another body to pass rules and regulations—the example of the mother country has been followed. There an Act has been passed by which authority is given to the proper authorities, the King in Council, to pass such regulations, as may from time to time become necessary. In fact, it may be said that this Bill now before the Council is an adaptation of the Act of the Imperial Parliament recently passed for that purpose. I move that the Bill be read a second time.

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

The Bill was left in the Committee stage till next meeting.

The Council adjourned till next Monday at 3 p.m.
