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LEGISLATIVE COUNCIL, No. 13.

WEDNESDAY, 4TH OCTOBER, 1899.

PRESENT:

HIS EXCELLENCY THE GOVERNOR

(Sir HENRY ARTHUR BLAKE, G.C.M.G.).

The Honourable the Colonial Secretary, (JAMES HALDANE STEWART LOCKHART, C.M.G.).
" the Acting Attorney General, (HENRY EDWARD POLLOCK).
" the Harbour Master, (ROBERT MURRAY RUMSEY, R.N.).
" the Colonial Treasurer, (ALEXANDER MACDONALD THOMSON).
" the Director of Public Works, (ROBERT DALY ORMSBY).
" CATCHICK PAUL CHATER, C.M.G.
" HO KAI, M.B., C.M.
" THOMAS HENDERSON WHITEHEAD.
" EMANUEL RAPHAEL BELILIOS, C.M.G.
" JAMES JOHNSTONE KESWICK.
" WEI YUK.

ABSENT:

His Excellency Major-General WILLIAM JULIUS GASCOIGNE, C.M.G., General Officer Commanding.
The Honourable the Captain Superintendent of Police, (FRANCIS HENRY MAY, C.M.G.).

The Council met pursuant to summons.

The Minutes of the last Meeting, held on the 24th August, 1899, were read and confirmed.

PAPERS.—The Colonial Secretary, by command of His Excellency the Governor, laid on the table the following papers:—

1. English Translation of the Proclamations issued by the Magistrate of the San-On District and the Viceroy of Canton regarding the New Territory.
2. Statement of Expenditure (Actual and Estimated) for 1899 in connection with the New Territory.
3. Statement of Extra Expenditure under sub-head "Miscellaneous Services (Other)."
4. Statement of Expenditure on Plague.
5. Further papers relating to the Military Operations in connection with the Disturbance on the taking over of the New Territory.
6. Return of cases of Bubonic Plague.

FINANCIAL MINUTE.—The Colonial Secretary, by command of His Excellency the Governor, laid on the table the following Financial Minutes, (Nos. 13 to 15), and moved that they be referred to the Finance Committee:—

HENRY A. BLAKE.

C.S.O.
1962 of 1899.

The Governor recommends the Council to vote a sum of Two thousand and One hundred Dollars for the purchase of the old site of the Tung Wa Hospital Mortuary at Kennedytown.

Government House, Hongkong, 24th August, 1899.

HENRY A. BLAKE.C.S.O.
2249 of 1899.

The Governor recommends the Council to vote a sum of Ten thousand and Eight hundred Dollars (\$10,800) in aid of the vote for "Scavenging the City, Villages and Hill District."
Government House, Hongkong, 13th September, 1899.

HENRY A. BLAKE.C.S.O.
1942 of 1899.

The Governor recommends the Council to vote a sum of Five thousand Dollars (\$5,000) to defray the cost of the "Pokfulum Conduit Road."
Government House, Hongkong, 21st September, 1899.

The Colonial Treasurer seconded.

Question—put and agreed to.

REPORT OF THE FINANCE COMMITTEE.—The Colonial Secretary, by command of His Excellency the Governor; laid on the table the report of the Finance Committee dated the 24th August, 1899, (No. 4), and moved its adoption.

The Colonial Treasurer seconded.

Mr. WHITEHEAD addressed the Council.

His Excellency addressed the Council.

Question—put and agreed to.

REPORT OF THE PUBLIC WORKS COMMITTEE.—The Director of Public Works laid on the table the report of the Public Works Committee dated the 31st August, 1899, (No. 2).

RULES FOR THE TAXING OF COSTS IN THE SUMMARY JURISDICTION OF THE SUPREME COURT.—The Acting Attorney General moved that these Rules be approved of by the Council.

The Colonial Secretary seconded.

Question—put and agreed to.

NOTICE OF QUESTIONS.—Mr. WHITEHEAD gave notice that at the next meeting of Council he would ask the following questions:—

- (1.) *With reference to the Honourable The Colonial Secretary's report, dated 8th October, 1898, on the extension of the Colony, which under Expenditure reads:—"The cost of administering the New Territory is estimated at \$125,000. The chief items are:—Police \$33,223, Surveyors \$14,400, Miscellaneous \$24,657, total \$72,280. When the work of survey has been completed such a large staff of surveyors will be unnecessary, but it is important, as has been pointed out, that the land under cultivation should be surveyed as quickly as possible. Miscellaneous expenditure has been estimated at a high figure, as unforeseen expenses are sure to be large when the territory is first taken over," will the Honourable Member inform the Council how and upon what basis the said estimate was arrived at, and state whether the Honourable The Captain Superintendent of Police was satisfied that the said estimate of \$33,223 per annum would be adequate to efficiently police the New Territory, seeing that in the statement of expenditure in connection with the New Territory for 1898 laid upon the table to-day the grand total of expenditure amounts to no less than \$346,629.17, of which the police expenditure, actual and estimated, for April to December, 1898, is \$88,972.10?*
- (2.) *Will the Honourable The Colonial Secretary lay upon the table a statement showing the expenditure incurred by the Colonial Government in consequence of the rebellious disturbances and the armed Chinese opposition to British occupation of the Territory leased by the Imperial Chinese Government per the June Convention of last year?*
- (3.) *With reference to Financial Minute No. 12 in which the Governor recommends the Council to vote a sum of \$91,500 to cover the cost of three steam launches required by the Police in the waters of the New Territory, will the Honourable The Harbour Master inform the Council:—*
 - (1.) *Whether tenders for the construction of the launches have been invited from the various shipbuilding institutions in the Colony?*
 - (2.) *If so, has any tender been accepted and if accepted what will be the cost of the respective launches?*
 - (3.) *What are the sizes of the hulls and the engines?*
 - (4.) *Will they be composite built or will the frames be of hard wood?*
 - (5.) *If of the latter will the curved frames be natural or cut from straight timber?*
 - (6.) *Whether launches with frames of wood are more costly than those with steel frames?*
- (4.) *Will His Excellency the Governor appoint a day for the election, by such Ratepayers as are included in the Special and Common Jury Lists and also by such Ratepayers as are exempted from serving on Juries on account of their professional avocations, of two Members to fill the vacancies in the Sanitary Board in accordance with Sections 4 and 5 of the Public Health Ordinance No. 24 of 1887, and will His Excellency the Governor appoint one European and two Chinese Members to the Sanitary Board in accordance with section 4 of the Public Health Ordinance No. 24 of 1887?*

QUESTIONS.—Mr. WHITEHEAD, pursuant to notice, asked the following questions:—

(1.) *Has the attention of the Honourable the Colonial Secretary been directed to a leading article in the "China Mail" of Wednesday, August 9th, and will the Honourable Member inform the Council:—*

- (1a.) *Is it the intention of the Government to appoint a Commission to enquire into and report on the alleged land jobbery in the Colony's recently acquired territory, referred to in the said article and widely and publicly spoken about?*
- (2.) *Was the late Tung Cheong entrusted by the Government on or about the 17th April last with certain Government Proclamations to be conveyed into the New Territory to be posted and placarded in the various villages and towns therein?*
- (3.) *If so, under whose direction did the deceased undertake the mission without an armed escort?*
- (4.) *Is it true that on the said mission at or near the village of Ün Long on 17th or 18th April last the said Tung Cheong was foully and brutally murdered?*
- (5.) *What remuneration, if any, has been paid to the deceased's family?*
- (6.) *Will the Government lay upon the table a copy in English of the Proclamations issued by the Canton and the Colonial Governments previous to the 17th April last and posted and placarded in the villages and towns throughout the New Territory informing the people and the inhabitants as to the effect the change of Government would have on their lives, liberties, and possessions, and state the dates when such proclamations, if any, were posted and placarded?*
- (7.) *What satisfaction, if any, has been obtained from the Chinese Government for the assault by the Chinese on the Honourable the Captain Superintendent of Police before our New Territory was taken over, and in respect of the resistance by thousands of armed Chinese to the British entering into possession of the area leased by the Imperial Chinese Government to Great Britain per the Convention of June, 1898, the quelling of which resistance resulted in considerable and lamentable loss of life and which forced upon the Colony substantial amount of extra and avoidable expenditure?*

Has the attention of the Honourable the Director of Public Works been directed to the "China Mail's" leading articles of 15th and 23rd August alleging the existence of jerry buildings in Hongkong; will the Honourable Member inform the Council whether the said allegation is well founded; and if so, will he state what powers his Department possesses to prevent the erection of such buildings; what action has been taken by his Department in the matter; and if his powers are insufficient, is he taking any steps to get increased powers?

The COLONIAL SECRETARY.—The answer to the first question is in the negative.

In reply to Question 1A, I beg to refer the Honourable Member to paragraph 52 of the correspondence laid upon the table at the last meeting of Council.

The answer to the second question is, "that at the instance of the Colonial Secretary one of the gentry of the New Territory undertook to have copies of the Proclamation posted and he entrusted the duty of posting some of them to Tang Cheong."

In reply to the third question, I beg to refer the Honourable Member to the answer to the last question.

The answer to the fourth question is in the affirmative. The murderers have been convicted and have suffered the extreme penalty of the law.

In answer to the fifth question, I beg to state that the Government is taking care of one of the sons of the deceased.

In reply to the sixth question, I beg to refer the Honourable Member to page 21 of the published correspondence for a translation of the Proclamation issued by his Excellency the Governor, and I now lay upon the table a translation of the Proclamations issued by the Magistrate of the San On District and the Viceroy of the Two Kwang Provinces. So far as can be ascertained the dates of posting the Proclamations were as follows:—

The Proclamation of the San On Magistrate was posted between the 27th and 30th March; the Proclamation of the Viceroy was posted about the 5th April; the Proclamation of His Excellency the Governor was posted between the 10th and 15th April.

The answer to the seventh question is, "I cannot say."

The DIRECTOR OF PUBLIC WORKS.—With reference to the eighth question, I have read the articles referred to and think there is foundation for the allegations. The powers possessed by my department are defined in the Ordinances 15 of 1889 and 25 of 1891. An officer of the department, assisted by an overseer, inspects building works in progress. The exceptional amount of such work in the Colony at present makes an increase in the staff necessary if this work of supervision is to be thoroughly performed. The matter is engaging the attention of the Government.

MOTION.—The Director of Public Works moved, with the permission of His Excellency the Governor, that the following proposed works be referred to the Public Works Committee for report, viz. :—

- (1.) Extension telephone to Pingshan and Ün Loong ;
- (2.) Police Stations (permanent) at Starling Inlet, Saikung, Tsun Wan and Shatin.

The Colonial Secretary seconded.

Question—put and agreed to.

BILL ENTITLED AN ORDINANCE FOR THE NATURALIZATION OF SIN HIP PAN, alias SIN SHÜ FAN, alias SIN SHIU KIN, alias SIN PING KIM.—The Acting Attorney General moved the first reading of the Bill.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED AN ORDINANCE FOR THE NATURALIZATION OF KWOK YUNG KAM alias KWOK Tò KAI alias KWOK YING.—The Acting Attorney General moved the first reading of the Bill.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED AN ORDINANCE FOR THE NATURALIZATION OF HO SHUN T'ò, alias HO KWAN YUK, alias HO PING ÜN, alias HO TSOI.—The Acting Attorney General moved the first reading of the Bill.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED AN ORDINANCE FOR THE NATURALIZATION OF HÜ CHOO, alias HÜ SHUN Ts'ÜN, alias HÜ PING FONG, alias HÜ NAI KWAI.—The Acting Attorney General moved the first reading of the Bill.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED AN ORDINANCE FOR THE NATURALIZATION OF LÒ KÜN TING, alias Lò Fo, alias LÒ CHING CHIU, alias LÒ TIN FUI.—The Acting Attorney General moved the first reading of the Bill.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED AN ORDINANCE TO AMEND THE VAGRANCY ORDINANCE, 1897.—The Acting Attorney General moved the first reading of the Bill.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED AN ORDINANCE TO AMEND THE RATING ORDINANCE, 1888.—The Acting Attorney General moved the first reading of the Bill.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED AN ORDINANCE TO AMEND THE CROWN LANDS RESUMPTION ORDINANCE, 1889.—The Acting Attorney General moved the first reading of the Bill.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

BILL ENTITLED AN ORDINANCE TO AMEND "THE PROTECTION OF WOMEN AND GIRLS ORDINANCE, 1897."—Council in Committee on the Bill.

Council resumed and Bill reported with amendments.

ADJOURNMENT.—The Council then adjourned till Wednesday, the 11th October, 1899, at 3 p.m.

HENRY A. BLAKE,
Governor.

Read and confirmed, this 11th day of October, 1899.

R. F. JOHNSTON,
Acting Clerk of Councils.