

LEGISLATIVE COUNCIL.

No. S. 17.—The following Bills were read a first time at a Meeting of the Council held on the 22nd January, 1914 :—

A BILL

ENTITLED

An Ordinance to amend and consolidate the Law relating to "Chinese Passenger Ships" as defined by the Chinese Passengers Act, 1855, and concerning Asiatic Emigrants generally.

Be it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows:—

PART I.

Preliminary Provisions.

Short title.	1. This Ordinance may be cited as the Asiatic Emigration Ordinance, 1914.
Definitions and Interpretation of terms.	2.—(1.) In this Ordinance—
Act.	"The Act" means the Chinese Passengers Act, 1855 :
Assisted Emigrant.	"Assisted Emigrant" means any male labourer being a native of Asia who intends to labour for hire in some place beyond the limits of this Colony and who has received assistance in the way of payment of passage money, subsistence or otherwise in order to enable him to carry out his intention :
British Emigrant Ship.	"British Emigrant Ship" includes every British ship carrying from any port in China or within 100 miles of the coast thereof more than 20 passengers being natives of Asia :
Emigrant Ship.	"Emigrant Ship" includes every ship carrying from any port in the Colony more than 20 passengers being natives of Asia :
Emigration Officer.	"Emigration Officer" as regards this Colony means the Harbour Master and includes any person duly authorised by him to perform or assist in performing his duties and as regards other places includes every person lawfully acting as Emigration Officer, Immigration Agent or Protector of Emigrants and every person authorised by the Governor of any British Colony to carry out the provisions of the Act :
Free Asiatic Emigrant.	"Free Asiatic Emigrant" means an emigrant, being a native of Asia, who is not an assisted emigrant or under any contract of service whatever :
General Licence.	"General Licence" means a Licence granted under section 13 of this Ordinance :
Long voyage.	"Long voyage" means any voyage, within the meaning of the Act, which is declared by Proclamation by the Governor to be a voyage of more than 30 days duration :
Master.	"Master" in reference to any ship includes any person for the time being in command or charge of the same :
Outport Licence.	"Outport Licence" means a Licence granted under section 12 of this Ordinance :
Ship.	"Ship" includes all sea-going vessels :
Short voyage.	"Short voyage" means any voyage, within the meaning of the Act, of more than 7 days duration but not exceeding 30 days duration and any other voyage which may be declared by Proclamation by the Governor to be a short voyage :

“Special Licence” means a Licence granted under section 14 of this Ordinance. Special Licence.

(2.) Any emigrant ship or British emigrant ship clearing out or proceeding to sea on any voyage to any port for the purpose of commencing at or from such port any short or long voyage shall be deemed to have cleared out or proceeded to sea upon the said last mentioned voyage from the Colony or from a port in China or within 100 miles of the coast thereof, as the case may be. Voyage from Colony to other port whence emigration voyage commences.

3. Save in so far as the provisions of the Act are expressly modified by the provisions of this Ordinance nothing contained in the provisions of this Ordinance shall be deemed to effect the operation of the provisions of the Act. Chinese Passengers Act 1855 operative except where expressly modified by this Ordinance.

4.—(1.) The provisions of this Ordinance respecting ships carrying emigrants and respecting the treatment of such passengers therein while at sea shall be deemed to be regulations made under section 2 of the Act in substitution for the Regulations contained in Schedule A to the said Act. Legislation specially authorized by the Act. Substitution of provisions of Ordinance for Schedule A of Act: i.e., the regulations as to ships and passengers.

(2.) The form of Emigration Officer's Certificate contained in the 1st Schedule of this Ordinance shall in the case of any ship under special licence be substituted for the form of the Emigration Officer's Certificate contained in Schedule B to the Act. Substitution, in certain cases, of special form of Emigration Officer's Certificate for Schedule B of Act.

(3.) The form of Bond contained in the 2nd Schedule to this Ordinance shall be substituted for the form of Bond contained in Schedule C to the Act. Substitution, in certain cases, of special form of Bond for Schedule C of Act.

5. Nothing contained in the provisions of this Ordinance shall be deemed in the case of any ship under special licence to apply—

(a.) to passengers who being natives of Asia are travelling or are about to travel on the same terms as non-Asiatic passengers in the 1st class of any ship or in the 1st and 2nd class of any ship if such ship carries more than 2 classes of passengers. Exemption of Asiatics travelling 1st or 2nd class.

Provided however that all such 1st and 2nd class Asiatic passengers shall, in cases in which the ship upon which they are so travelling or are about so to travel carries or is about to carry other Asiatic passengers to whom the provisions of this Ordinance do apply, be counted in calculating for the purposes of this Ordinance the number of Asiatic passengers carried or to be carried by such ship.

(b.) to any ship of which all the Asiatic passengers travelling or about to travel thereon are 1st class saloon passengers or 1st and 2nd class saloon passengers if such ship carries more than one class of saloon passengers.

PART II.

Provisions relating to Ships carrying Emigrants.

6. The master of every ship arriving within the waters of the Colony with more than 20 Asiatic emigrants on board or intended for carrying from the Colony more than 20 Asiatic emigrants shall, within 24 hours from the arrival of his ship, report such arrival to the Emigration Officer. Master of emigrant ship to report ship's arrival in waters of Colony.

7. The owners or charterers of any emigrant ship or British emigrant ship about to proceed on any voyage, or, if they are absent, their respective agents, shall, as soon as such ship is laid on for the conveyance of emigrants, give notice in writing of the fact to the Emigration Officer. Notice of intended voyage to be given to Emigration Officer.

specifying in such notice the name, destination, and probable time of departure of such ship.

No emigrant ship to go to sea without certificate.

8.—(1.) No emigrant ship or British emigrant ship shall clear out or proceed to sea on any voyage without a certificate from the Emigration Officer.

Form of Certificate: 1st Schedule.

(2.) Such certificate shall be in the form required by the Act or in the case of a ship under a special licence in the form contained in the 1st Schedule to this Ordinance.

No certificate to be granted and no emigrant ship to go to sea without licence.

9. No emigrant ship or British emigrant ship shall clear out or proceed to sea on any voyage and the Emigration Officer shall not grant the certificate unless the master of such ship is provided with a licence under the hand of the Governor and the public seal of the Colony or under the hand and seal of an Emigration Officer, to be obtained in manner hereinafter mentioned.

Licence: Different kinds of.

10. A licence granted under the provisions of this Ordinance may be :—

General.

(a.) A General Licence granted under section 13 of this Ordinance.

Special.

(b.) A Special Licence granted under section 14 of this Ordinance.

Outport

(c.) An Outport Licence granted under section 12 of this Ordinance.

General or Special licence: time and mode of application for.

11. Whenever any emigrant ship is about to proceed to sea from the Colony on any long or short voyage the owners or charterers of such ship, or, if they are absent from the Colony, their respective agents, shall, before such ship is laid on for the conveyance of emigrants, apply in writing to the Colonial Secretary for a licence under the hand of the Governor and the public seal of the Colony for the conveyance of such emigrants.

Outport licence: time and mode of application for.

12. Whenever any British emigrant ship, which is not provided with a licence covering her intended voyage, is about to proceed with emigrants from any port in China, or within 100 miles of the coast thereof, on any short voyage, the owners or charterers of such ship, or, if they are absent, their respective agents, shall, before such ship is laid on for the conveyance of emigrants, apply in writing to the Emigration Officer at such port for a licence under his hand and seal for the conveyance of such emigrants on the intended voyage only.

General licence: power of Governor to grant.

13. The Governor may grant to any vessel a general licence for any period, or for any number of voyages or for voyages to and from any specified port, on the condition that the vessel provided with such licence shall carry only free Asiatic emigrants.

Special licence: power of Governor to grant.

14. The Governor may grant a special licence for any period not exceeding 12 months, or for any number of voyages to be performed within 12 months, to any ship which is being regularly employed in the conveyance of public mails under contract with the Government of the State or Colony for which such mails are carried, or to any other ship which is approved by the Governor as a 1st class ship.

General licence: conditions of grant of.

15. The grant of a general licence under the provisions of section 13 of this Ordinance shall be subject to the following conditions :—

(a.) The grant shall be in the absolute discretion of the Governor.

(b.) The master of the ship in respect of which application is made for a licence shall with 2 sufficient sureties to be approved by an Emigration Officer enter into a joint and several bond in the sum of 1,000 pounds to His Majesty, His Heirs and Successors in the form contained in the 2nd Schedule to this Ordinance.

(c.) The owners or charterers of the ship in respect of which application is made for a licence or, if they are absent from the Colony, their respective agents shall furnish all particulars, accord-

ing to the form in the 3rd Schedule to this Ordinance, as to the destination of the said ship and as to all other matters relating to the intended voyage and emigration which may be required of them by an Emigration Officer.

- (d.) The payment by the owners, or charterers of their respective agents or the master of the ship in respect of which application is made for a licence, of the sum of 15 dollars such payment to be made to an Emigration Officer.
- (e.) Such other conditions as may be from time to time prescribed by the Governor under instructions from the Secretary of State.

16. The grant of a special licence under the provisions of section 13 of this Ordinance shall be subject to the following conditions :—

Special Licence: conditions of grant of.

- (a.) The provisions of sub-sections (a), (b), (c) and (d) of section 15 of this Ordinance.
- (b.) The number of passengers to be carried on any steamer in respect of which application is made for a licence shall not exceed one passenger for every 10 tons of the registered tonnage of such steamer.
- (c.) Such other conditions as the Governor may think fit to impose provided that they are not contrary to or inconsistent with the provisions of the Act or of this Ordinance.
- (d.) Cancellation at any time at the absolute discretion of the Governor.

17. The grant of an outport licence under the provisions of section 12 of this Ordinance shall be subject to the following conditions :—

Outport Licence: conditions of grant of.

- (a.) The grant shall be in the absolute discretion of the Emigration Officer.
- (b.) The provisions of sub-sections (b) and (c) of section 15 of this Ordinance.
- (c.) The provisions of sub-section (d) of section 15 of this Ordinance save that in the case of an outport licence the fee shall be only 5 dollars.
- (d.) The ship in respect of which application is made for a licence is authorized to carry no emigrants other than free Asiatic emigrants.
- (e.) The ship in respect of which application is made for a licence is not authorized to undertake any voyage other than a short voyage.
- (f.) Such other conditions as the Emigration Officer may think fit to impose provided that they are not contrary to or inconsistent with any instructions which may have been prescribed in this Colony by the Secretary of State.

18.—(1.) Any outport or special licence shall specify :—

Licences: contents of.

- (a.) the period within which the ship referred to therein shall clear out and proceed to sea ;
- (2.) Any special licence shall specify :—
 - (a.) that the ship named therein is authorized to carry a fixed number of free Asiatic emigrants on any voyage ;
 - (b.) the names of the ports between which the ship named therein may ply by virtue of the licence.

19.—(1) It shall be lawful for the Governor to extend the period referred to in paragraph (a) of sub-section (1) of section 18 of this Ordinance in the case of any special licence.

Extension of period fixed for ship's clearance to sea.

(2.) It shall be lawful for an Emigration Officer to extend the period referred to in paragraph (a) of sub-section (1) of section 18 of this Ordinance in the case of any outport Licence granted by him.

Revocation of licence.
If particulars relative to ship untrue or conditions of licence violated.

If ship fails to proceed to sea within prescribed time.

If officially dismissed ship's officer not removed and new officer substituted.

Cancellation of special licence.

Power to remove master or other officer.

Ships under general or outport licence for short voyage subject to regulations in 4th Schedule.

Ships under special licence for short voyage subject to regulations in 5th Schedule.

Ships licensed for long voyage subject to regulations in 6th Schedule.

Power to Governor-in-Council to exempt wholly or partly from Part III approved assisted emigrants.

Power to Governor to appoint medical officers.

No ship to proceed to sea without medical certificate of health.

20.—(1.) In any of the following cases ; namely :—

(a.) If it appears to the satisfaction of the Governor granting any general licence or if it appears to the satisfaction of an Emigration Officer granting an outport licence at any time before the departure of the ship referred to in such licence that the particulars furnished to him in relation thereto are untrue or that any condition of the said licence has been violated ; or

(b.) if any such ship fails to clear out and proceed to sea within the period specified in the licence or within such period extended in manner hereinbefore provided ; or

(c.) if under the provisions of section 21 of this Ordinance the owners or charterers of any such ship fail forthwith to dismiss or remove any master, mate, or other officer ordered to be dismissed or removed and to appoint a master, mate, or other officer, to be approved as aforesaid ;

it shall be lawful for the Governor or the Emigration Officer as the case may be to revoke the licence granted by him in respect of such ship, and to order that the said ship be seized and detained until her emigration papers (if already granted) are delivered up to be cancelled.

(2.) A special licence may be cancelled at any time at the absolute discretion of the Governor.

21. In case it is shown, to the satisfaction of the Governor-in-Council, at any time before the departure of any emigrant ship or British emigrant ship proceeding on any voyage, that the master, mate, or any other officer of such ship is unfit for the proper discharge of his duties by reason of incompetency or misconduct or for any other sufficient cause, it shall be lawful for the Governor, by order under his hand, to direct the dismissal or removal of such master, mate, or other officer from the said ship, and thereupon the owners or charterers thereof, or their agents, shall forthwith dismiss or remove such master, mate, or other officer, as the case may be, and appoint another in his place, to be approved by an Emigration Officer, in the place of the one so dismissed or removed as aforesaid.

22.—(1.) All emigrant ships and British emigrant ships clearing out or proceeding to sea on any short voyage under a general or outport licence shall be subject to the regulations contained in the 4th Schedule to this Ordinance.

(2.) All emigrant ships and British emigrant ships clearing out or proceeding to sea on any short voyage under a special licence shall be subject to the regulations contained in the 5th Schedule to this Ordinance.

(3.) All emigrant ships and British emigrant ships clearing out or proceeding to sea on any long voyage shall be subject to the regulations contained in the 6th Schedule to this Ordinance.

PART III.

Provisions relating to Emigrants.

23. It shall be lawful for the Governor-in-Council to exempt from all or any of the provisions of this part of this Ordinance such, or such class or party of, assisted emigrants and upon such conditions and for such period as may be in the opinion of the Governor-in-Council desirable.

(a.)—Medical Inspection.

24. It shall be lawful for the Governor to appoint any duly qualified persons as medical officers for the purposes of the Act and of this Ordinance.

25. No emigrant ship or British emigrant ship shall clear out or proceed to sea on any voyage, until a duly appointed medical officer shall have certified to the Emigration Officer, and such Emigration Officer shall not grant

his certificate unless he is satisfied, that none of the emigrants or other passengers or crew appear, by reason of any bodily or mental disease, unfit to proceed or likely to endanger the health or safety of other persons about to proceed in such ship.

26. A medical inspection of the emigrants or passengers for the purposes of giving such certificate shall take place either on board such ship, or, at the discretion of the Emigration Officer, at such time and on shore, before embarkation, as he may appoint. Medical inspection : where and when held.

27. A medical inspection of emigrants other than free emigrants shall take place on shore before embarkation as well as on board the ship after embarkation and the Emigration Officer shall not grant his certificate unless he is satisfied that such double inspection has been duly made or has been dispensed with by the sanction of the Governor. Medical inspection of assisted emigrants.

28. The medical inspection of emigrants required to be made after their embarkation in any emigrant ship or British emigrant ship shall take place at such time as the Emigration Officer may appoint. Time for medical inspection after embarkation.

29. Any medical officer appointed under the provisions of this section for the inspection of intending emigrants and the supervision of matters and things relating to the comfort and well-being of such emigrants before their departure and on their voyage, shall be entitled to charge and the master, owner or charterer of the ship carrying or about to carry emigrants in respect of which or whom such inspection or supervision is effected shall pay to such medical officer such fees as may from time to time be prescribed by the Governor-in-Council. Fees of medical officer.

30. Any Chinese medical practitioner shall be eligible, with the approval of the Governor, for the office of surgeon of any ship for the purposes of the Act or of this Ordinance. Right of Chinese medical practitioner to be surgeon of ship.

(b.)—Provisions relating to Passage Brokers.

31.—(1.) No person shall act as a passenger broker or in procuring passengers for, or in the sale or letting of passages in, any emigrant ship or British emigrant ship proceeding on any voyage unless he has, with 2 sufficient sureties, to be approved by the Secretary for Chinese Affairs, entered into a joint and several bond in the sum of 5,000 dollars to His Majesty, his heirs and successors, according to the form in the 7th Schedule to this Ordinance, which bond shall be renewed on each occasion of obtaining such licence as hereinafter mentioned, and shall be deposited with the Secretary for Chinese Affairs; nor unless such person has obtained a licence to let or sell passages; nor unless such licence is then in force. Prohibition of person acting as passage broker without having entered into bond and obtained licence. 7th Schedule.

(2.) Where different members of the same firm act as passage brokers, each person so acting shall comply with the terms of this section.

32. Any person wishing to obtain a licence to act as a passage broker shall make application for the same to the Secretary for Chinese Affairs who is hereby authorized, if he thinks fit, to grant such licence, according to the form in the 8th Schedule to this Ordinance: Provided always that no such licence shall be granted unless such bond as is mentioned in the last preceding section has been first entered into: Provided, also, that any Magistrate who adjudicates on any offence committed by such broker against this Ordinance is hereby authorized to order the offender's licence to be forfeited, and the same shall thereupon be forfeited accordingly: and the said Magistrate making such order shall forthwith cause notice of such forfeiture, in the form in the 9th Schedule to this Ordinance, to be transmitted to the Secretary for Chinese Affairs, and such forfeiture shall be exclusive and independent of any other punishment which may be inflicted upon such offender under the provisions of this Ordinance. Mode of obtaining passage broker's licence, and forfeiture thereof. 8th Schedule. 9th Schedule.

Fee to be paid for licence.

33. Every person obtaining such licence as aforesaid shall pay to the Secretary for Chinese Affairs a fee of 200 dollars, or where the duration of the licence is short such reduced fee as the Governor-in-Council may authorise.

Duration of licence.

34. Such licence shall continue in force until the 31st day of December in the year in which such licence is granted, and for 14 days afterwards, unless sooner forfeited as hereinbefore mentioned.

Giving of notice of contract with emigrant to Secretary for Chinese Affairs and Emigration Officer.

35. Every passage broker who contracts with any intending emigrant for a passage in any ship shall forthwith give notice in writing to the Secretary for Chinese Affairs and to the Emigration Officer of every such contract, specifying the name, age, and sex of such emigrant and the name of such ship.

Giving of contract ticket for passage.

36.—(1.) Every passage broker who receives money from any person for or in respect of a passage in any emigrant ship or British emigrant ship proceeding on any voyage shall give to such person a passage ticket, under the hand of such passage broker and stamped with his seal or trade mark.

10th Schedule.

(2.) Every such ticket shall be printed in a plain and legible type, according to the form in the 10th Schedule to this Ordinance, and shall be accompanied with a translation thereof in the Chinese language, in plain and legible characters.

Production to Secretary for Chinese Affairs of certificate of chartering ship for carrying emigrants.

37. Every passage broker, before he receives or takes any money on account of any passage or for the sale or letting of the whole or any part of the accommodation of or in any such ship, shall produce to the Secretary for Chinese Affairs the certificate of the master or owner of the ship in respect of which a passage has been taken or the accommodation in which has been so sold or let, to the effect that such ship has been chartered for the purpose of carrying emigrants, and that such passage broker is authorized to receive payment for such passage or for the sale or letting of the accommodation in such ship; and such certificate shall be filed in the office of the Secretary for Chinese Affairs.

Attendance before Secretary for Chinese Affairs for purpose of delivering passage tickets to passengers.

38. On every occasion of the delivery to any passenger of such passage ticket as aforesaid, the passage broker who has engaged to provide such passenger with a passage shall:—

(a.) in the case of every male Asiatic passenger who is an assisted emigrant or under the age of 16 years and of every female passenger, attend, either personally or by his duly authorised representative, with him or her at the office of or other place appointed by the Secretary for Chinese Affairs, in whose presence the passage ticket shall be delivered to such passenger, and who shall explain to such passenger the true intent and meaning of such passage ticket with the object of ascertaining that he or she understands where he or she is going and that he or she is not acting under compulsion or being influenced to emigrate by false representations; and,

(b.) in the case of every other Asiatic passenger attend, either personally or by his duly authorised representative, with him at the medical inspection on board ship which inspection shall also be attended by the Secretary for Chinese Affairs in whose presence the true intent and meaning of the passage ticket shall be explained to such passenger with the object of ascertaining that he understands where he is going and that he is not acting under compulsion or being influenced to emigrate by false representations. Provided that whenever it may appear desirable the Governor-in-Council may direct that any of the provisions of this subsection may be dispensed with in the case of passengers travelling to any British possession.

Prohibition of alteration of passage ticket.

39. No person shall fraudulently alter or cause to be altered, rendered useless, or destroyed, after it is once issued, or shall fraudulently induce any person to part with, or render useless, or destroy, any such passage ticket, until the termination of the passage which it is intended to evidence.

40. No licensed passage broker shall, as agent for any person, whether a licensed broker or not, receive money for or on account of the passage of any passenger on board an emigrant ship or British emigrant ship, without having a written authority to act as such agent, or, on the demand of the Emigration Officer, refuse or fail to exhibit his licence and such written authority.

Authority of passage broker to act as agent.

41.—(1.) It shall be lawful for the Secretary for Chinese Affairs or the Emigration Officer, at any time when he is satisfied that any emigrant who is unwilling to leave port has been obtained by any fraud, violence, or other improper means, to land such emigrant and procure him a passage back to his native place or that from which he was taken, and also to defray the cost of his maintenance whilst awaiting a return passage.

Power to land emigrant who is unwilling to leave port and who has been procured by fraud.

(2.) All such expenses, with all legal costs incurred, shall be recoverable by the Secretary for Chinese Affairs or Emigration Officer before any Magistrate from the emigration passage broker of the vessel in which such emigrant was shipped or intended to be shipped.

(c.)—Provisions as to Emigration Boarding-houses.

42. No assisted emigrant shall, without the sanction of the Secretary for Chinese Affairs, be permitted to embark in this Colony in any emigrant ship on any voyage unless he has been lodged in a hotel or boarding-house licensed under this Ordinance during a period of not less than 48 hours previous to the examination by the Secretary for Chinese Affairs.

Prohibition of emigrant embarking otherwise than from licensed boarding-house.

43.—(1.) It shall be lawful for the Secretary for Chinese Affairs to license a sufficient number of fit and proper persons to keep hotels and boarding-houses for assisted emigrants.

Licensing of boarding-houses.

(2.) Every such licence shall be granted for such period, not exceeding 12 months, and on payment of such fee, and on such terms and conditions as may be prescribed by any rules to be made under the next succeeding section.

(3.) Every hotel or boarding-house keeper licensed under this Ordinance shall enter into a bond in the sum of 1,000 dollars, with 2 sufficient sureties to be approved by the Secretary for Chinese Affairs, for the due observance of such terms and conditions.

44.—(1.) It shall be lawful for the Governor-in-Council to make rules for the licensing, regulation, and sanitary maintenance of such hotels or boarding-houses, and with regard to all emigrants residing therein, and by such rules to require such register or other books to be kept as he may deem expedient, with regard to all visitors to such hotels and boarding-houses and to assisted emigrants.

Power to make rules for boarding-houses.

(2.) All such rules, when made, shall be published in the *Gazette* and, when so published, shall be as valid and binding as if contained in this Ordinance.

45.—(1.) The keeper of every such hotel or boarding-house shall supply the Secretary for Chinese Affairs with a return of all emigrants who are inmates of the house, giving their number, names, descriptions and such other particulars as the Secretary for Chinese Affairs may direct together with the name of the emigrant ship by which they intend to proceed.

Furnishing return of particulars of emigrants before embarkation.

(2.) Such return must be supplied at least 24 hours before the examination by the Secretary for Chinese Affairs and shall be in such form as he may direct.

46.—(1.) The keeper of every licensed hotel or boarding-house from which any assisted emigrant is to be shipped or in the case of every male emigrant under the age of 16 years and of all female emigrants the passage broker who provides the passage shall attend at the Office of the Secretary for Chinese Affairs or other place appointed for the examination to be held by the Secretary for Chinese Affairs, and shall then furnish the Secretary for Chinese Affairs

Furnishing photographs of certain emigrants.

with 2 copies of the photograph of every such emigrant, with the names, ages and number of the said emigrants, numbered to correspond with a list containing the names, ages, sex, destination, occupation and any other particulars which may be required by the Secretary for Chinese Affairs concerning each person entered thereon together with the name of the ship by which each person intends to sail and the date of departure.

Employment of photographers. (2.) It shall be lawful for the Secretary for Chinese Affairs to employ fit and respectable photographers to furnish the photographs required by this section.

PART IV.

Penal Provisions.

Penalty for contravention of Ordinance. 47. Except where otherwise expressly prescribed under the provisions of this Ordinance any person contravening any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor.

Penalty for contravention of Regulations. 48. Any person contravening any of the provisions of any regulation contained in the Schedules to this Ordinance shall be deemed guilty of a misdemeanor.

Penalty for contravention of section 6. 49. The master of any ship failing or neglecting to comply with the provisions of section 6 of this Ordinance shall be liable on summary conviction to a fine not exceeding 100 dollars and to imprisonment for any term not exceeding 6 months.

Penalty for contravention of sections 15, 16 and 17. 50. Any person knowingly furnishing any untrue particular required to be furnished under the provisions of sections 15, 16 or 17 of this Ordinance shall be liable on summary conviction to a fine not exceeding 100 dollars and to imprisonment for any term not exceeding 6 months.

Penalty for contravention of section 58. 51. Any person who shall furnish upon oath or declaration under the provisions of section 58 of this Ordinance any untrue particulars required to be furnished under the provisions of sections 15, 16 or 17 of this Ordinance shall be deemed guilty of a misdemeanor.

Penalties for:—
fraudulent use of certificate;
counterfeiting certificate;
use of spurious certificate;
fraudulent inducement to emigrate;
false representation as to emigrant.
52. Any person who—
(a.) makes or attempts to make any fraudulent use of a certificate granted under the provisions of this Ordinance; or
(b.) forges, counterfeits, alters, or erases the whole or any part thereof; or
(c.) uses or attempts to use any spurious or fraudulent certificate, and every person aiding and abetting in such offence; or
(d.) by any fraud or false representation as to the size of a ship or otherwise or by any false pretence whatsoever induces any person to engage a passage in any emigrant ship or British emigrant ship; or
(e.) falsely represents any assisted emigrant to be a free emigrant;
shall be liable on indictment or on summary conviction to imprisonment for any term not exceeding one year and to a fine not exceeding 1,000 dollars.

Punishment for improperly obtaining emigrant. 53. Every person who—
(a.) unlawfully, either by force or fraud, takes away or detains against his will any emigrant with intent to put him on board any emigrant ship or British emigrant ship; or
(b.) with any such intent, receives, or harbours, or enters into any contract for foreign service with any emigrant so taken away or detained,
shall be guilty of felony, and, being convicted thereof, shall be liable, at the discretion of the Court, to imprisonment for any term not exceeding 7 years.

54. Every person who falsely and deceitfully personates, or aids and abets in falsely and deceitfully personating, an emigrant or intending emigrant at any attendance before or examination by the Secretary for Chinese Affairs or an Emigration Officer, required by this or any other enactment for the time being in force relating to Asiatic emigration, shall be guilty of a misdemeanor, and shall, on summary conviction, be liable to a fine not exceeding 250 dollars and to imprisonment for any term not exceeding 6 months.

Punishment for personation of emigrant.

55.—(1.) Every person who commits any contravention of any rule made under the provisions of section 44 of this Ordinance shall be guilty of an offence and shall be liable upon summary conviction to a fine not exceeding 100 dollars in respect of such contravention.

Penalty for furnishing false return, fraudulent shipment, etc.

(2.) The keeper of any hotel or boarding-house who knowingly furnishes any false or incorrect return or other particulars required of him, or who obtains or attempts to obtain by fraud, intimidation, or force, the shipment of any Asiatic emigrant or intending emigrant, and every person who aids or abets such keeper in so doing, shall, on summary conviction, be liable to a penalty not exceeding 500 dollars or to imprisonment for a term not exceeding one year.

(3.) Any such keeper and his sureties shall also be liable to the enforcement of his and their bond, and the licence of such keeper may be suspended or cancelled by the Secretary for Chinese Affairs.

56. The owners or charterers of any emigrant ship or British emigrant ship and any emigration passage broker, and any intending emigrant by any such ship, and any master or other person in charge of any such ship who fails to comply with or commits any breach of the provisions of this Ordinance so far as they may respectively be bound thereby, and any person granting or knowingly uttering any forged certificate, permit, notice, or other document under this Ordinance shall, without prejudice to any other proceeding, civil or criminal, be liable, on summary conviction, to a fine not exceeding 500 dollars or imprisonment for any term not exceeding 6 months.

General penalty.

PART V.

Miscellaneous.

57. It shall be lawful for the Governor-in-Council to apply the whole or any part of the penalties recoverable under section 5 of the Act for the non-observance or non-performance of the regulations made under this Ordinance or the Act towards the expenses of reconveying to their homes or transferring to another ship emigrants who were intending to proceed in any vessel whose licence has been revoked in manner hereinbefore provided.

Application of penalty for breach of the Ordinance recoverable under the Act.

58. Particulars or any of such required to be furnished under any of the provisions of sections 15, 16 or 17 of this Ordinance shall, if so ordered by an Emigration Officer, be verified upon oath or declaration before an Emigration Officer or Justice of the Peace who are hereby authorized to administer such oath or declaration.

Particulars under sections 15, 16 or 17 may be required to be given under oath.

59. The forms in the Schedules to this Ordinance or forms to the like effect, with such variations and additions as circumstances may require, may be used for the purposes therein indicated and according to the directions therein contained, and instruments in those forms shall (as regards the form thereof) be valid and sufficient.

Use of forms, Schedules.

60. The Chinese Emigration Ordinance, 1889, is hereby repealed.

Repeal.

Schedules.

Section 4 (2).

THE FIRST SCHEDULE.

FORM OF EMIGRATION OFFICER'S CERTIFICATE FOR SHIPS UNDER SPECIAL LICENCE.

I, A.B., Emigration Officer for do hereby certify as follows :—

1. That the ship , A.B., master, is specially licensed under the provisions of the Asiatic Emigration Ordinance, 1914.

2. That the said ship is licensed to carry adults, of whom none are to be under any contract of service whatever.

Dated this day of , 1 .

(Signed.)

Emigration Officer.

Section 4 (3).

THE SECOND SCHEDULE.

FORM OF BOND TO BE GIVEN BY THE MASTER OF A SHIP HOLDING A SPECIAL LICENCE.

Know all men by these presents that we, A.B., of , and C.D., of , are held and firmly bound unto Our Sovereign Lord King George V in the sum of 1,000 pounds of good and lawful money of Great Britain, to be paid unto Our said Sovereign Lord the King, His Heirs and Successors; to which payment well and truly to be made we bind ourselves and every of us jointly and severally for and in the whole, our heirs, executors, and administrators, and every of them, firmly by these presents, sealed with our seals.

Dated this day of , 1 .

Now the condition of this obligation is that if (in respect of the ship whereof is master) all and every the requirements of the Chinese Passengers Act, 1855, and of the Asiatic Emigration Ordinance, 1914, and of the regulations contained in the Schedules to the said Ordinance shall be well and truly performed [in like manner as the same ought to be observed and performed in case the said ship were a British ship, and the said were a British subject] (a) then this obligation to be void, otherwise to remain in full force and effect.

Signed, sealed, and delivered by the above bounden and in the presence of

(a) The words within brackets to be inserted only in the case of a non-British ship.

Sections 15, 16 and 17.

THE THIRD SCHEDULE.

PARTICULARS REQUIRED ON APPLICATION FOR A LICENCE FOR THE CONVEYANCE OF ASIATIC EMIGRANTS.

- Name of Ship, Tonnage, How propelled..
Nationality of Ship
Destination of Ship
Whether it is intended that the Ship should call or station at or near any Port or Place between and
If so, at what Ports or Places

Whether it is intended that the Ship should call or station at or near such Port or Place with the object of taking on Board any Cargo ^{and} _{or} Passengers

If not, then with what object

Proposed Date of Departure from

Name of Master.....

Names and Address of the Shipowners.

Names of Charterers

Names of Agents

Number of Asiatic Passengers to be conveyed { Free / Assisted

I, the undersigned, hereby apply for a Licence under Section 9 of the Asiatic Emigration Ordinance, 1914, for (a)..... [and I do solemnly swear that the above particulars are true]. (b) (a) Here insert period. (b) Insert if required.

The Surveyor's Certificate is herewith attached.

(Signed.)

Agent or Charterer of.....Ship.....

[Sworn by the abovenamed

this day of , 1 .

Before me,

(Signed.)

Justice of the Peace.] (c)

(c) Insert if required.

THE FOURTH SCHEDULE.

Section 22.

REGULATIONS RESPECTING SHIPS UNDER GENERAL OR OUTPORT LICENCE ON SHORT VOYAGES.

1. No emigrant ship or British emigrant ship licensed under general or outport licence under the provisions of this Ordinance shall clear out or proceed to sea on any short voyage unless the master thereof has received from an Emigration Officer a copy of these Regulations and a certificate in the form in the Schedule to these Regulations, nor until the master has entered into the bond in the form set out in the 2nd Schedule to the said Ordinance. Prohibition of ship departing without certificate.

2. No Emigration Officer shall be bound to give such certificate until 7 days after receiving from the owners or charterers of the ship, or, if they are absent, from their respective agents, an application in writing for the same and a notice that the ship is laid on for the conveyance of Asiatic emigrants. Application for certificate and notice.

3. After receiving such application, the Emigration Officer, and any person authorized by him in that behalf, shall be at liberty at all times to enter and inspect the ship, and the fittings, provisions, and stores therein; and any person impeding such entry or inspection, or refusing to allow the same, shall be liable to a penalty not exceeding 100 dollars for each offence. Inspection of ship.

4. The following conditions as to the accommodation of passengers shall be observed to the satisfaction of the Emigration Officer:— Accommodation of passengers.

- (1.) that the ship is in a state of perfect cleanliness and if necessary has been disinfected;

- (2.) that the space appropriated to the passengers between decks is clean, properly lighted and ventilated, and contains at the least 9 superficial and 54 cubic feet on the upper between decks and 18 superficial and 126 cubic feet of space on the lower between decks for every adult on board, that is to say, for every passenger above 12 years of age and for every 2 passengers between the ages of one and 12 years; and that the height between decks is at least 6 feet;
- (3.) that the accommodation for female passengers between decks is separate from that provided for male passengers;
- (4.) that a space of 4 superficial feet per adult is left clear on the upper deck for the use of the passengers;
- (5.) that sufficient latrines, both as to condition and number, are provided in suitable parts of the ship;
- (6.) that a reasonable space is set apart, properly divided and fitted up, as a sick-bay or hospital;
- (7.) in the measurement of the passenger decks, for the purpose of determining the number of passengers to be carried in any such ship, the space for the sick-bay or hospital shall be included.

Stowage
of cargo,
provisions,
etc.

5. No part of the cargo or of the provisions, water, or stores shall be carried on the upper deck, or on the passenger decks, unless, in the opinion of the Emigration Officer, the same is so placed as not to impede light or ventilation or to interfere with the comfort of the passengers nor unless the same is stowed and secured to the satisfaction of the Emigration Officer; and the space thereby occupied or rendered unavailable for the accommodation of the passengers shall be deducted in calculating the space by which the number of passengers is regulated.

Conditions
as to carriage
of deck
passengers.

6. The Emigration Officer may, in his discretion, permit deck passengers to be carried, on such conditions as may from time to time be prescribed under instructions from one of His Majesty's Principal Secretaries of State, and, until and subject to such instructions, on the conditions following:—

- (1.) a suitable awning with screen shall be provided on deck, sufficient for the protection of the passengers from the sun and from rain;
- (2.) the space appropriated to such deck passengers shall contain at the least 16 superficial feet for every adult, that is to say, for every passenger above 12 years of age and for every 2 passengers between the ages of one and 12; and
- (3.) in case deck passengers are carried in addition to other passengers for whom accommodation between decks is provided, the space to be appropriated for deck passengers shall be reckoned exclusively of the space of 4 superficial feet per adult required to be left clear on the upper deck for the use of such other passengers.

Conditions as to provisions. 7. The following conditions as to provisions shall be observed, to the satisfaction of the Emigration Officer:—

- (1.) provisions, fuel, and water shall be placed on board, of good quality, properly packed, and sufficient for the use and consumption of the passengers, over and above the victualling of

the crew, during the intended voyage, according to the following scale :—

for every passenger per diem not less than—

- Rice or bread stuffs 1½ lbs.
- Dried ^{and}_{or} salt fish 0½ lbs.
- Chinese condiment and curry stuffs 1 oz.
- Fresh vegetables, which will keep for short voyages such as sweet potatoes, turnips, carrots, and pumpkins } 1½ lbs.
- Firewood 2 do.
- Water (to be carried in tanks or sweet casks) 1 gallon.

(2.) the last preceding condition as to provisions shall be deemed to have been complied with in any case where, by the special authority of the Emigration Officer, any other articles of food have been substituted for the articles enumerated in the foregoing scale, as being equivalent thereto ; and

(3.) the passengers may supply their own provisions for the voyage, and proper accommodation for the stowage and sufficient cabooses for the cooking of such provisions must be allowed.

8. The Emigration Officer shall not give his certificate unless he is satisfied :— Conditions precedent to grant of certificate.

- (1.) that the ship is seaworthy, clean, and properly manned, equipped, fitted, lighted, and ventilated, and has not on board any cargo likely, from its quality, or mode of stowage, to prejudice the health or safety of the passengers ;
- (2.) that suitable medicines and medical stores, provisions, fuel, and water have been placed on board, of good quality, properly packed, and sufficient in quantity to supply the passengers on board during the intended voyage ;
- (3.) that all the requirements of the Asiatic Emigration Ordinance, 1914, have been complied with ; and
- (4.) that the intending passengers who are males under the age of 16 years or females have been passed by the Secretary for Chinese Affairs.

9. The Emigration Officer may at any time enter and inspect the ship and the accommodation, provisions, and stores provided for the Asiatic passengers, and may require the master or any other person to produce the licence and the ship's papers for his inspection, and, if he thinks necessary after inspecting the ship's papers, he may muster and inspect the Asiatic passengers. Power of Emigration Officer.

10. The Emigration Officer may in all cases if any of the passengers are in bad health or insufficiently provided with clothing, or if there is reason to suspect that fraud or violence has been practised in their collection or embarkation, detain the ship, and, if he thinks fit, order all or any of the passengers to be re-landed. Detention of ship if any emigrants ill or under certain other circumstances.

11. The Emigration Officer may, if he thinks fit, before granting his certificate, employ any duly qualified medical practitioner, master mariner, marine surveyor, or other person whose professional assistance and advice he may require for the purpose of ascertaining whether the requirements of the Asiatic Emigration Ordinance, 1914, have been duly complied with, and the costs and charges of obtaining such assistance and advice shall be defrayed by the owners or charterers of the ship, whether the Emigration Officer grants his certificate or not. Power to employ medical men, marine surveyors, and others.

Fees of professional persons employed.

12. The Governor-in-Council shall from time to time fix a reasonable scale of fees and charges, to be approved by one of His Majesty's Principal Secretaries of State, for the remuneration of any professional persons who may be employed under the last preceding Regulation, and, pending the approval or disapproval of such scale, the fees and charges therein specified shall be payable, as if the same had been approved in manner aforesaid.

Fees of Emigration Officer

13. The owners or charterers of every ship shall pay such fees for the remuneration of the Emigration Officer as may, from time to time, be ordered under instructions from one of His Majesty's Principal Secretaries of State, and, until and subject to such instructions, the following fees shall be payable in addition to all fees and charges payable under the last preceding Regulation:—

1. upon every application for a certificate\$25 :
Provided that for an Emigration Officer's certificate delivered at a 2nd port on the same voyage for a ship which has already received a certificate at the first port the fee shall be only \$12.50 : Provided, also, always that no fees shall be payable to the Emigration Officer of this Colony, but in lieu thereof the following stamp duties are hereby imposed : that is to say :—

- 1. upon every application for a certificate under Regulation 2, a stamp duty of.....\$ 1
- 2. upon every certificate granted under Regulation 1, a stamp duty of.....\$ 1

and any Ordinance for the time being in force relating to stamps shall be read as if the stamp duties hereby imposed were inserted in the schedule thereof.

Power to detain ship for non-payment of fees, etc.

14. In case default is made by the owners or charterers of the ship in the payment of any fees, costs, or charges to which they may be liable under the Asiatic Emigration Ordinance, 1914, and these Regulations the ship may be detained by the British Consul, or if in this Colony by the Governor, until such fees, costs and charges shall have been paid.

Withholding of certificate, etc., in case of false particulars furnished.

15. The Emigration Officer may withhold his certificate or revoke the same at any time before the departure of the ship, if it appears, to his satisfaction, that any particulars contained in the application in writing which has been made for the same, or any other particulars which may have been furnished to him by or on behalf of the owners, charterers, or master of the ship in relation thereto, are untrue, or that the requirements of the Asiatic Emigration Ordinance, 1914, have not been complied with ; and in every such case it shall be lawful for the British Consul, or if in this Colony for the Governor, to seize and detain the ship until the certificate, if already granted, has been delivered up to be cancelled.

Treatment of passengers at sea.

16. The master of every such British emigrant ship as defined by the said Ordinance shall, during the whole of the intended voyage, make issues of provisions, fuel, and water, according to the aforesaid dietary scale, to all the passengers except such as have supplied themselves therewith, and shall not make any alteration, except for the manifest advantage of the passengers, in respect of the space allotted to them as aforesaid or in respect of the means of ventilation, and shall not ill-use the passengers or require them (except in case of necessity) to help in working the ship ; and shall issue medicines and medical comforts, as may be requisite ; and shall call at such ports as may be mentioned in the Emigration Officer's clearing certificate for fresh water and other necessaries ; and shall carry the passengers without unnecessary delay to the destination to which they are bound.

Mustering of passengers by master.

17. Before the arrival of any such British ship at the port for which the passengers have embarked, the master shall cause the passengers to be mustered for the purpose of ascertaining that there are none on board who are not in possession of an emigration passage ticket and included in the Emigration Officer's certificate and detailed list of passengers ; if any such are found, it shall be duty of the master to hand them over to the proper authority to be dealt with according to law.

18.—(1) The master of every such British ship shall, within 24 hours after his arrival at the port of destination and at any port of call, produce his emigration papers to the British Consul, if any, at such port, or if such port is in His Majesty's dominions, then the master of such ship shall produce the said papers to any officer appointed or authorized by the local Government in that behalf.

Production of emigration papers at port of destination.

(2.) It shall be lawful for such Consul or other officer to enter and inspect such ship, and in case the master obstructs or refuses to assist him in the discharge of such duty, or without reasonable cause fail, to produce his emigration papers as aforesaid, he shall be liable to a fine of 500 dollars, and the ship may be detained by the British Consul, or, if in His Majesty's dominions, by the local Government, until such fine has been paid and the emigration papers have been given up.

19. In all ports and places where no Emigration Officer has been appointed, the British Consul shall, until such appointment and at all times during the vacancy of such office, be deemed to be the Emigration Officer for the purposes of these Regulations.

British Consul deemed Emigration Officer where no such Officer is appointed.

SCHEDULE.

Regulation No. 1.

Form of Emigration Officer's Certificate.

I, A. B., Emigration Officer at the Port of do hereby certify as follows:—

- (1.) that the ship, C. D., Master, of the port of is within the provisions of an Ordinance of the Legislature of Hongkong, entitled the Asiatic Emigration Ordinance, 1914, and that the said ship is authorized to proceed to sea from the port of for the port of ;
- (2.) that the ship is authorized to carry adults and that there are on board passengers [if any are deck passengers, add: of whom are deck passengers] making in all adults, namely, men, women male children, and female children, such children being between the ages of one and 12 years;
- (3.) that the ship is in a state of perfect cleanliness [and has been disinfected];
- (4.) that the space set apart and to be kept clear for the use of such passengers is as follows:—on the upper deck superficial feet, being [describe space] and in the between deck superficial feet, being [describe space];
- (5.) that the ship is seaworthy, and properly manned, equipped, fitted, lighted, and ventilated, and has not on board any cargo likely, from its quality, quantity, or mode of stowage, to prejudice the health or safety of the passengers. The means of ventilating the passengers' accommodation between decks are as follows:— [describe space];
- (6.) that suitable medicines and stores, provisions, fuel, and water have been placed on board, of good quality, properly packed, and sufficient in quantity to supply the passengers on board during the intended voyage;
- (7.) that all the conditions and requirements of the said Ordinance have been duly complied with;
- (8.) that none of the said passengers are under any contract of service whatever, and that no fraud appears to have been practised in collecting such emigrants;
- (9.) that the intending passengers who are females or males under the age of 16 years have been passed by the Secretary for Chinese Affairs; and
- (10.) that the master of the ship is to put into water and fresh vegetables. for

Dated the day of , 19

(Signed.) A. B.,

Emigration Officer at the Port of

Section 22.

THE FIFTH SCHEDULE.

REGULATIONS RESPECTING SHIPS UNDER SPECIAL LICENCE ON SHORT VOYAGES.

Prohibition of ship departing without certificate.

1. No ship licensed under special licence under the provisions of this Ordinance shall clear out or proceed to sea until the master thereof has received from the Emigration Officer a copy of these Regulations, and a certificate in the form contained in the First Schedule to the Asiatic Emigration Ordinance, 1914, which copy and certificate, with any documents to be attached thereto, shall be signed by the Emigration Officer, nor until the master has, with 2 sufficient sureties to be approved by the Emigration Officer, entered into a joint and several bond in the sum of 1,000 pounds to His Majesty, His Heirs and Successors, in the form contained in the 2nd Schedule to the Ordinance.

Accommodation of passengers.

2. The following conditions as to the accommodation of passengers shall be observed :—

- (1.) the space appropriated to the passengers between decks shall be properly ventilated and shall contain at the least 9 superficial and 54 cubic feet of space for every adult on board, that is to say, for every passenger above 12 years of age and for every 2 passengers between the ages of one and 12 years; the height between decks shall be at least 6 feet;
- (2.) the accommodation for female passengers between decks shall be separate from that provided for male passengers;
- (3.) a space of 4 superficial feet per adult shall be left clear on the upper deck for the use of passengers; and
- (4.) a reasonable space shall be set apart as a sick bay, and sufficient latrines, both as to condition and number, shall be provided in suitable parts of the ship.

Conditions as to carriage of deck passengers.

3. Deck passengers may be carried, at seasons allowed by law, on such conditions as may from time to time be prescribed under instructions from one of His Majesty's Principal Secretaries of State, and, until and subject to such instructions, on the conditions following :—

- (1.) a suitable awning with screens shall be provided on deck, sufficient for the protection of the passengers from the sun and from rain;
- (2.) the space appropriated to such deck passengers shall contain at the least 16 superficial feet for every adult, that is to say, for every passenger above 12 years of age and for every 2 passengers between the ages of one and 12 years; and
- (3.) in case deck passengers are carried in addition to other passengers for whom accommodation between decks is provided, the space to be appropriated for deck passengers shall be reckoned exclusively of the space of 4 superficial feet per adult required to be left clear on the upper deck for the use of such other passengers.

Conditions as to provisions.

4. The following conditions as to provisions shall be observed :—

Provisions, fuel, and water shall be placed on board, of good quality, properly packed, and sufficient for the use and consumption of the passengers, over and above the victualling of the crew, during the intended voyage, according to the following scale :—

For every passenger per diem not less than—

Rice or bread stuffs,	1½	lbs.
Dried ^{or} salt fish,	0½	do.
Chinese condiments and curry stuff,	1	oz.
Fresh vegetables, which will keep for short voyages, such as sweet potatoes, turnips, carrots, and pumpkins,	1½	lbs.

Firewood,2 lbs.
Water, (to be carried in tanks or
sweet casks),1 gallon,
or according to a scale at least equivalent to
the foregoing.

5.—(1.) The Emigration Officer may at any time enter and inspect the ship and the accommodation, provisions, and stores provided for the Asiatic passengers, and may require the master or any other person to produce the licence and the ship's papers for his inspection, and, if he thinks necessary after inspecting the ship's papers, he may muster and inspect the Asiatic passengers. Powers of Emigration Officer.

(2.) If in any such case the Emigration Officer discovers that the number of passengers on board or intended to be carried upon that voyage exceeds the number authorized by the licence, or that any condition of the licence or any of these Regulations has been broken, he may detain the ship until the passengers in excess of the legal number are landed or until the condition of the licence or the regulation in question is fully complied with, and he shall forthwith report the circumstances to the Governor.

6. The master of every British ship shall, on demand, produce his emigration papers to the British Consul at any port to which the licence extends, or, in case such port is in His Majesty's Dominions, to any officer appointed or authorized by the local Government in that behalf. Production of emigration papers at port of destination.

THE SIXTH SCHEDULE.

Section 22 (3).

REGULATIONS RESPECTING SHIPS UNDER LICENCE ON LONG VOYAGES.

1. No emigrant ship or British emigrant ship licensed under the provisions of this Ordinance shall clear out or proceed to sea on any long voyage unless the master thereof has received from an Emigration Officer a copy of these Regulations and a certificate in the form provided in Schedule B to the Act, nor until the master has entered into a Bond in the form provided in Schedule C to the Act. Prohibition of ship departing without certificate.

2. No Emigration Officer shall be bound to give such certificate until 7 days after receiving from the owners or charterers of the ship, or, if they are absent, from their respective agents, an application in writing for the same and a notice that the ship is laid on for conveyance of Asiatic emigrants and of her destination and date of sailing nor unless there are on board a medical officer and interpreter duly approved of by such Emigration Officer. Application for certificate and notice requisite.

3. After receiving such application and notice, the Emigration Officer and any person authorized by him in that behalf, shall be at liberty at all times to enter and inspect the ship and the fittings, provisions and stores therein, and any person impeding such entry or inspection or refusing to allow the same, shall be liable to a penalty not exceeding 100 dollars for each offence. Inspection of ship.

4. The following conditions as to the accommodation of passengers shall be observed to the satisfaction of the Emigration Officer :— Accommodation of passengers.

- (1.) that the ship is seaworthy and properly manned, equipped, fitted, lighted and ventilated, that she is in a state of perfect cleanliness and that she has if necessary been disinfected ;
- (2.) that the space appropriated to the passengers between decks contains at the least 12 superficial and 72 cubic feet of space for every adult on board, that is to say, for every passenger above 12 years of age, and for every 2 passengers between the ages of one year and 12 years ; and that the height between decks is at least 6 feet ;
- (3.) that the accommodation for female passengers between decks is separate from that provided for male passengers ;

- (4.) that a space of 5 superficial feet per adult is left clear on the upper deck for the use of passengers ;
- (5.) that sufficient latrines, both as to condition and number, are provided in suitable parts of the ship ;
- (6.)—(a.) that there is a sufficient space, properly divided off and located to the satisfaction of the Emigration Officer at the port of clearance, to be used exclusively as a hospital and shall in no case be of less dimensions than 18 clear superficial feet for every 50 passengers whom the ship carries ;
 (b.) that every such hospital shall be fitted with bed places and supplied with proper beds, bedding and utensils, to the satisfaction of the Emigration Officer at the port of clearance, and shall throughout the voyage be kept so fitted and supplied ;
- (7.) in the measurement of the passenger decks, for the purpose of determining the number of passengers to be carried in any such ship, the space for the sick-bay or hospital shall be included ;
- (8.) that provision, fuel and water have been placed on board, of good quality, properly packed, and sufficient to supply the passengers on board during the declared duration of the intended voyage according to the following scale :—

DIETARY SCALE.

Rice,.....	lb. 1	per diem.
Salt Beef,	}	,, ½ on alternate days.
Salt Pork,		
Salt Fish,.....		
Fresh Beef or Mutton, in tins,		
Salted Vegetables,	}	,, ½ "
Pickles,		
Fresh Vegetables, as Yams, Pumpkins, &c.,		
Water,.....	Imperial qts. 3	a day.
Firewood,	lbs. 2	"
Tea,.....	oz. 0½	"
Lime or Lemon Juice, and Sugar,	"	2 a week.

NOTE.—Fresh Vegetables to be issued during the 1st month of the voyage only, unless the Master shall obtain a fresh supply *en route* when these articles may be again supplied in the above proportion.

(9.) that medicines and medical comforts have been placed on board according to the following scale:—
SCALE OF MEDICINES FOR CHINESE PASSENGER SHIPS.

Name of Medicines.	For 100 Men.	For 200 Men.	For 300 Men.	For 400 Men.	For more than 400 Men.
Acid Hydrochloric dil,	4 oz.				
Acid Sulphuric dil,	4 "	6 oz.	8 oz.	12 oz.	16 oz.
Acid Nitric fort,	1 "	6 "	8 "	12 "	16 "
Acid Carbolic liq.,	4 "	2 "	2 "	4 "	6 "
Ammonia Carb.,	8 "	6 "	8 "	12 "	16 "
Argent Nitras,	4 "	3 "	4 "	6 "	8 "
Beine Liquid Extract,	4 "	4 "	4 "	4 "	4 "
Chlorodyne (Collis Brown's),	1 "	2 "	4 "	6 "	8 "
Chloroform (Duncan and Flockhart's),	4 "	4 "	4 "	4 "	4 "
Copper Sulphate,	1 "	6 "	8 "	12 "	16 "
Ergotae Extract Liquid,	1 "	1 "	1 "	1 "	2 "
Glycerine,	1 "	2 "	2 "	4 "	6 "
Hydrarg Subchlorid,	8 "	10 "	12 "	12 "	16 "
Iodoforn,	2 drs.	4 drs.	6 drs.	8 drs.	12 drs.
Linseed Meal,	4 "	4 "	1 oz.	1 oz.	1 1/2 oz.
Liquor Atrop. Sulphatis,	1 oz.	1 oz.	2 "	3 "	4 "
Liquor Ammonia fort.,	4 lbs.	6 lbs.	8 lbs.	12 lbs.	16 lbs.
	2 drs.	4 drs.	4 drs.	4 drs.	6 drs.
	1 oz.	2 oz.	4 oz.	4 oz.	6 oz.

SCALE OF MEDICINES FOR CHINESE PASSENGER SHIPS,—Continued.

Name of Medicines.	For 100 Men.	For 200 Men.	For 300 Men.	For 400 Men.	For more than 400 Men.
Liquor Morp. Hydrochlor,	1 oz.	2 oz.	2 oz.	4 oz.	6 oz.
Liquor Plumbi Subacetatis (Goulard's Extract),	2 "	2 "	3 "	4 "	6 "
Liquor Strych. Hydrochlor,	1 "	2 "	2 "	4 "	6 "
Liquor Epispasticus (Blistering Fluid),	4 "	4 "	8 "	8 "	10 "
Magnes Sulphatis (Epsom Salts),	2 lbs.	4 lbs.	6 lbs.	8 lbs.	10 lbs.
Mist. Sennae Co. (Black Draught),	4 pts.	6 pts.	8 pts.	12 pts.	16 pts.
Oleum Carbolis,	1 pt.	2 "	2 "	4 "	6 "
Oleum Crotonis,	1 dr.	2 drs.	2 drs.	4 drs.	6 drs.
Oleum Ricini,	1 pt.	2 pts.	2 pts.	4 pts.	6 pts.
Oleum Olivae,	8 oz.	8 oz.	16 oz.	16 oz.	20 oz.
Oleum Terebinth,	8 "	8 "	12 "	12 "	12 "
Phenacetin,	4 drs.	4 drs.	1 "	2 "	3 "
Paraffinum Molic (Vaseline),	8 oz.	8 oz.	8 "	12 "	16 "
Pil. Colocynth Co.,	2 doz.	3 doz.	4 doz.	4 doz.	6 doz.
Pil. Hydrag (Blue Pill),	2 "	3 "	4 "	4 "	5 "
Pil. Saponis Co. (2½ grs.),	4 "	4 "	6 "	6 "	6 "
Pil. Plumbi e. Opio,	1 "	2 "	2 "	4 "	6 oz.
Potassii Bromid,	1 oz.	2 oz.	2 oz.	4 oz.	6 "

SCALE OF MEDICINES FOR CHINESE PASSENGER SHIPS,—Continued.

Name of Medicines.	For 100 Men.	For 200 Men.	For 300 Men.	For 400 Men.	For more than 400 Men.
Pulv. Cretae Aromat,	2 oz.	3 oz.	4 oz.	4 oz.	6 oz.
Pulv. Ipecacuanhae,	4 drs.	1 "	1½ "	2 "	3 "
Pulv. Ipecac Co. (Dover's Powder),	4 "	1 "	1½ "	2 "	3 "
Pulv. Jalapae Co.,	1 oz.	2 "	2 "	4 "	6 "
Quinine,	2 "	3 "	4 "	4 "	6 "
Sp. Ether Nit,	4 "	4 "	6 "	6 "	8 "
Sp. Menth. Pip,	1 "	2 "	2 "	4 "	6 "
Sp. Ammonia Aromat,	4 "	4 "	6 "	6 "	8 "
Tinct. Opi,	2 "	3 "	4 "	4 "	6 "
Tinct. Scillae,	1 "	1 "	2 "	4 "	6 "
Tinct. Iodine,	2 "	2 "	3 "	4 "	6 "
Tinct. Zingiber,	2 "	2 "	3 "	4 "	6 "
Tinct. Camph. Co.,	2 "	3 "	4 "	4 "	6 "
Tinct. Ferri Perchlor.,	4 "	4 "	6 "	6 "	10 "
Tinct. Catechu,	4 "	4 "	6 "	8 "	10 "
Ungt. Boric Acid,	8 "	12 "	1 lb.	1 lb.	1 lb.
Ungt. Sulphuris,	12 "	12 "	16 oz.	16 oz.	20 oz.
Vin. Ipecac,	1 "	2 "	3 "	4 "	6 "
Zinci Sulphatis,	1 "	2 "	2 "	4 "	6 "

Disinfectants, &c.

	galls.	galls.	galls.	galls.	galls.
Commercial carbolic acid or in lieu of this equal quantities of Jeyes' fluid or Esset's fluid,	10	15	15	20	25
Chloride of Lime,	28 lbs.	42 lbs.	56 lbs.	56 lbs.	60 lbs.
Sulphur for fumigation,	14 "	18 "	18 "	20 "	25 "
Lint,	2 "	2 "	4 "	4 "	6 "
Absorbent Cotton Wool,	2 "	2 "	4 "	4 "	6 "

Instruments and Appliances.

- *One complete amputating case of instruments.
- *One pocket dressing case of instruments.
- One Hypodermic Syringe.
- *One silver catheter.
- One case of gum elastic or rubber catheters.
- Two pairs of dressing scissors.
- One Higginson's Enema Syringe.
- One Stomach tube with glass funnel.
- One Macintyre Splint.
- One set of Cline's Splints.
- Bandages, leg and arm, 2 doz.
- Bandages, flannel, 2 "
- Bandages, triangular, 1 "
- Calico for Bandages, 3 yards.
- Flannel for Bandages, 3 "
- Three 2 oz., 4 oz., and 8 oz. measure glasses.
- Two dozen medicine bottles, 6 oz. and 10 oz.
- Scales and weights (grain), dispensing, one set.
- One brass dressing syringe.
- Two small glass syringes.
- One Pestle and Mortar (Wedgewood).
- One Spatula.
- Two metal or earthenware bed pans.
- One spirit lamp.
- One set of test tubes.
- Litmus paper, 4 books.
- Dispensary paper, one quire.
- Blank labels, 6 dozen.
- †One set of midwifery instruments including long forceps.
- †One female catheter and one set of tracheotomy instruments.

NOTES.

1. All volatile medicines and acids shall be put in strong stoppered bottles, and the acids shall be carefully packed in a small case with sand or sawdust.
2. Chloroform should be in blue glass bottles or covered from light by dark paper.
3. All the drugs, &c., shall be properly labelled and the quantities clearly marked on each article.
4. Poisons shall be specially distinguished.
- *5. Only to be provided if there is any person on board competent to use them.
- †6. Only required if women and children accompany the coolies.

MEDICAL COMFORTS.

	For 100 Men.	For 200 Men.	For 300 Men.	For 400 Men.	For more than 400 Men.
	½ lb. tins.	½ lb. tins.	½ lb. tins.	½ lb. tins.	½ lb. tins.
Condensed milk of approved quality,	20	20	30	30	40
Brandy,	1 gal.	1 gal.	2 gals.	2 gals.	3 gals.
Lime Juice,	2 "	3 "	4 "	4 "	5 "
Arrowroot,	7 lbs.	7 lbs.	10 lbs.	10 lbs.	14 lbs.

(10.) that all the requirements of the Asiatic Emigration Ordinance, 1914, have been complied with;

(11.) that the intending passengers who are males under the age of 16 years or females have been passed by the Secretary for Chinese Affairs.

Stowage of cargo, provisions, etc.

5. No part of the cargo or of the provisions, water, or stores shall be carried on the upper deck or on the passenger decks, unless, in the opinion of the Emigration Officer, the same is so placed as not to impede light or ventilation or to interfere with the comfort of the passengers nor unless the same is stowed and secured to the satisfaction of the Emigration Officer; and the space thereby occupied or rendered unavailable for the accommodation of the passengers shall be deducted in calculating the space by which the number of passengers is regulated.

6. The master of any emigrant ship or British emigrant ship proceeding on a long voyage shall during the whole of the intended voyage, make issues of provisions, fuel and water, according to the aforesaid Dietary Scale, and shall not make any alteration, except for the manifest advantage of the passengers, in respect of space allotted to them as aforesaid, or in respect of the means of ventilation, and shall not ill-use the passengers, or require them (except in case of necessity) to help in working the vessel; and shall issue medicines and medical comforts, as shall be requisite, to the best of his judgment, and shall call at such ports as may be mentioned in the Emigration Officer's clearing certificate for fresh water and other necessaries; and shall carry them without unnecessary delay to the destination to which they are bound. Treatment of passengers at sea.

7. The Emigration Officer shall not give his certificate until he shall have mustered the passengers and have ascertained to the best of his power that they understand whither they are going. If any of the passengers are in bad health or insufficiently provided with clothing or if there is reason to suspect that fraud or violence have been practised in their collection or embarkation he may detain the ship and, if he shall think fit, may order all or any of the passengers to be re-landed. Mustering of passengers by master.

8. All emigrant ships or British emigrant ships must be provided with boats and life saving appliances in accordance with the provisions of Table "A" of the Merchant Shipping Ordinance, 1899, (Ordinance No. 10 of 1899), and every emigrant ship or British emigrant ship shall carry a fire engine or force pump with sufficient hose to reach fore and aft and at least three dozen fire buckets. Life saving appliances.

9. Each emigrant ship or British emigrant ship shall carry the following small stores:— Small stores.

SMALL STORES.

Brooms,	24	for every 100 passengers.
Lanterns with Locks,	2	" "
Cooking Spades,	3	" "
Meat Choppers,	3	" "
Chopping Boards,	3	" "
Wood Choppers,	1	" "
Rice Baskets,	10	" "
Iron Dishes, 18 inches,	10	" "
Rubbish Tubs,	4	" "
A Bed, Blanket and Pillow for each person the Hospital can accommodate.		
12 Blue Lights, and 12 Rockets.		

10. Before the Emigration Officer can muster the passengers, he must be furnished with a passenger list in the form following:— List of passengers.

List of Chinese Passengers on board the Ship
 of the burden of tons, of which is Master
 for the present voyage..... which belongs to the Port
 of..... is to sail from Hongkong on the.....
 day of..... 19 , and is bound to the final Port of
 consisting of..... male adults
 female adults..... male children and female
 children under 12 years age, making a total of
 Chinese Passengers, said Steamer being entitled, under
 "The Chinese Passengers Act, 1855," to carry
 Chinese Passengers.

Name of Surgeon,.....
 Name of Interpreter,.....

No. of Ticket.	Names and Surnames of Passengers.	Male.	Female.	Profession, Occupation or Calling of Passenger.	Native Place, Village & District.	Port for which the Passengers are bound.
		Age.	Ago.			

SUMMARY.

	<i>Chinese.</i>	Adults.		Children.		Total.
		Male.	Female.	Male.	Female.	
Adults,						
First Class	{ European,					
	{ Chinese,					
Second Class	{ European,					
	{ Chinese,					
Steerage,	European,					

Crew, including Master and all Persons on Ship's Articles,

Total number of souls on board,

Victoria, Hongkong, the.....day of.....19 ..

MasterShip ..

Section 81.

THE SEVENTH SCHEDULE.

FORM OF EMIGRATION PASSAGE BROKER'S ANNUAL
BOND, WITH TWO SURETIES TO BE APPROVED BY
THE SECRETARY FOR CHINESE AFFAIRS.

Know all men by these presents, that we, *A.B.*,* of
, *C.D.*, of , and *E.F.*, of ,
are held and firmly bound unto Our Sovereign Lord King
George V in the sum of 5,000 dollars, to be paid to Our
said Sovereign Lord the King, His Heirs and Successors;
to which payment well and truly to be made we bind
ourselves, and every of us jointly and severally, our heirs,
executors and administrators, and the heirs, executors,
and administrators of each of us, and each and every of
them, firmly by these presents, sealed with our seals.

Dated this day of , 1 ..

Whereas by the Asiatic Emigration Ordinance, 1914, it
is amongst other things enacted that no person shall carry
on the business of a passage broker in Hongkong, in respect
of any emigrant ship, or shall be in anywise concerned in
the sale or letting of passages in any such ship, unless
such person has, with 2 good and sufficient sureties to
be approved of by the Secretary for Chinese Affairs,
previously entered into a joint and several bond to His
Majesty, His Heirs and Successors, in the sum of 5,000
dollars; and whereas the said *C.D.* and *E.F.* have been
approved of by the Secretary for Chinese Affairs as sureties
for the said *A.B.* :

Now the condition of this obligation is that if the above-
bounden *A.B.* shall well and truly observe and comply
with all the requirements of the said recited Ordinance, so
far as the same relate to passage brokers, and further, shall
well and truly pay all fines, forfeitures, and penalties, and
also all sums of money, by way of subsistence money, or of
return passage money, and compensation to any passenger,
or on his account, and also all costs which the above-
bounden *A.B.* may at any time be adjudged to pay under
or by virtue of any of the provisions of the said recited
Ordinance or of the Chinese Passengers Act, 1855, of the
Imperial Parliament, then and in such case this obligation
to be void, otherwise to remain in full force.

Signed, sealed, and delivered,
by the above-bounden *A.B.*, *C.D.*,
and *E.F.*, in the presence of †

* Insert personal and family names in full, with the occupation
and address of each of the parties.

† Insert the names and addresses in full of the witnesses.

THE EIGHTH SCHEDULE.

Section 32.

FORM OF EMIGRATION PASSAGE BROKER'S LICENCE.

A.B.,* of _____ having shown, to the satisfaction of me, the undersigned, that he has given bond to His Majesty, as by the Asiatic Emigration Ordinance, 1914, is required: I, the undersigned, do hereby license and authorize the said *A.B.* to carry on the business of a Passage Broker in Hongkong, in respect of passengers on board emigrant ships proceeding from Hongkong, until the end of the present year and 14 days afterwards, unless this licence is sooner determined by forfeiture for misconduct on the part of the said *A.B.* as in the aforesaid Ordinance is provided.

Given under my hand and seal this _____ day of _____, 1 _____.

(Signed)

[L.S.]

Secretary for Chinese Affairs.

* The personal and family names in full of the person applying for the licence, with his address and trade or occupation, must be correctly inserted.

THE NINTH SCHEDULE.

Section 32.

FORM OF NOTICE TO BE GIVEN TO THE SECRETARY
FOR CHINESE AFFAIRS OF THE FORFEITURE
OF A LICENCE.

Hongkong, _____, 1 _____.

SIR,—This is to give you notice that the licence granted on the _____ day of _____, 1 _____, to *A.B.*,* of _____ to act as an Emigration Passage Broker, was on the _____ day of _____, 1 _____, duly declared by me the undersigned Magistrate to be forfeited.†

(Signed.)

To the Hon. Secretary for Chinese Affairs.

Victoria, Hongkong.

* The personal and family names in full, with the address and trade or occupation of the party to be here inserted.

† Here state severally the reasons of forfeiture.

THE TENTH SCHEDULE.

Section 36.

FORM OF PASSAGE TICKET.

I hereby engage that the Asiatic named at foot hereof shall be provided with a passage to, and shall be landed at, the port of _____ in _____, in the ship or vessel called the "_____" with not less than 72 cubic feet and 12 superficial feet for berth accommodation, [or, in the case of a ship under section 16, 54 cubic feet and 9 superficial feet], and shall be victualled according to legal requirements during the voyage, and the term of detention at any place before its determination, for the sum of _____ dollars, and I hereby acknowledge to have received the sum of _____ dollars in full payment.

Name and Surname of Passenger.	Male.	Female.	Occupation.	Native Place, Village, and District.
	Age.	Age.		

Victoria, Hongkong, the _____ day of _____, 1 _____.

(Signed.)

Passage Broker.

I hereby certify that I have explained and registered the above passage ticket.

Victoria, Hongkong, the day of , 1 ,

(Signed.)

Secretary for Chinese Affairs.

Note.—Should the above-named ship not be able to proceed on the proposed voyage, a passage is to be provided in some other vessel licensed for the conveyance of Asiatic passengers.

Objects and Reasons.

This Bill should, it is proposed, repeal and supersede the Chinese Emigration Ordinance, 1889, and its amending Ordinances.

There are many circumstances connected with Chinese Emigration which, although important at the time of the Chinese Passengers Act, 1855, are now not of practical consequence; there have been also since the date of the Chinese Emigration Ordinance, 1889, great changes in the conditions under which Asiatic Emigration is permitted from places or in vessels under British control.

The scheme of this Bill is to endeavour to simplify and compress the rather disconnected provisions of the Chinese Emigration Ordinance, 1889, and its amending Ordinances; to connect it more sharply and clearly with its mother Act (The Chinese Passengers Act, 1855), to omit such portions as seem to be at the present day obsolete, unnecessary or forbidden and to bring it up to a stage of modern requirements.

It is difficult, therefore, owing to the much altered features of the Bill when it is compared with those of the existing Ordinances to give a tabulated comparison which may be of complete service without entering into a great mass of detail.

A general summary of the Bill itself and a general comparative analysis of its divergences from the existing Law seems at any rate desirable. The present Bill is divided into the following parts:—

- Part I, Preliminary Provisions.
- „ II, Provisions relating to ships carrying emigrants.
- „ III, Provisions relating to emigrants:—
 - (a.) Medical Inspection.
 - (b.) Provisions relating to Passage Brokers.
 - (c.) Provisions as to Emigration Boarding Houses.
- Part IV, Penal Provisions.
- „ V, Miscellaneous.

Part I. Preliminary Provisions.—The preliminary provisions consist of “definitions” and “explanatory clauses” indicating where departure has been made from the provisions of the Chinese Passengers Act, 1855, and contain certain exemptions from the provisions of the Act in cases in which Asiatic passengers who cannot be classified properly as emigrants are being carried.

Part II. Provisions relating to Ships carrying Emigrants.—The general scheme of this Part of the Bill is that all ships to which the Bill applies must be possessed of some form of Licence. Licences are in the Bill divided into three classes designated as “General”, “Outport” and “Special”.

The “Outport” licence is that capable of being granted by an Emigration Officer to a ship about to proceed with emigrants from a port outside the Colony.

The "General" licence and the "Special" licence are Licences capable of being granted by the Governor to ships which are about to proceed with emigrants from a port in the Colony. The "General" licence is as its name implies under no restriction of period; a "Special" licence is referable only to Mail Ships and is limited in period. In this part are also laid down other formalities which have to be complied with by these ships and the conditions under which each class of licence may be granted.

Voyages are divided into two categories, namely, "long" and "short" voyages; a "long" voyage is a voyage declared to be of more than 30 days duration; a "short" voyage is a voyage of more than 7 and not more than 30 days duration or any other voyage declared to be a short voyage.

There are three Schedules of Regulations respecting the internal accommodation, comfort and treatment of passengers on voyages. Of these schedules the Sixth prescribes what is necessary on long voyages; the Fourth what is necessary on short voyages on ships under "General" or "Outport" licence; the Fifth what is necessary on short voyages on ships under "Special" licence. The requirements on long voyages are naturally more elaborate than those for short voyages. The requirements on short voyages on ships under "Special" licence are slightly less rigorous than those on short voyages on ships under "General" or "Outport" licences, the reason being that "Special" licences are restricted to ships of that superior class which carries Mails.

Part III. Provisions relating to Emigrants:—

- (a.) Medical Inspection.—The provisions relative to medical inspection are all brought together in sections 24 to 30.
- (b.) Provisions relating to "Passage Brokers".—There is little difference between these provisions and those which existed under the Asiatic Emigration Ordinance, 1889, and its amending Ordinances.
- (c.) Provisions as to Emigration Boarding Houses.—The same remarks apply here as are made with regard to paragraph (b) above.

Part IV. Penal Provisions.—The Penal provisions of the Bill have all been brought together in sections 47 to 56.

Part V. Miscellaneous.—These are more or less Formal sections.

The principal differences which exist between the provisions of the Bill and of the Chinese Emigration Ordinance, 1889, and its Amending Ordinances are as follows:—

- (a.) All references to contract emigrants are omitted in the Bill because Contract Emigration is now a thing of the past.
- (b.) A number of sections of the Chinese Emigration Ordinance, 1889, relative to illegal or prohibited fittings are omitted in the Bill because it is thought that these provisions are now unnecessary and out of date.
- (c.) The classification of voyages is clearly marked by their division into two simple categories, namely, "long" and "short". The obligations which a ship is compelled to undertake towards emigrants depend primarily upon whether she is proceeding on the "long" or "short" voyage.
- (d.) The provisions of the Bill relative to Medical requirements and the Penal provisions are grouped respectively in a more convenient form than in the Chinese Emigration Ordinance, 1889.

JOHN A. BUCKNILL,
Attorney General.

A BILL

ENTITLED

An Ordinance to amend Ordinance No. 9 of 1910 as incorporated in the Pharmacy Ordinance, 1908.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows:—

Short title. 1. This Ordinance may be cited as the Pharmacy Ordinance, 1914, and shall be read and construed as one with the Pharmacy Ordinance, 1908, and with Ordinance No. 9 of 1910 as incorporated in the Pharmacy Ordinance, 1908, and this Ordinance and the said Ordinances may be cited together as the Pharmacy Ordinances, 1908-1914.

Amendment of Ordinance No. 9 of 1910. 2. Ordinance No. 9 of 1910 as incorporated in the Pharmacy Ordinance, 1908, is hereby amended as follows:—

Amendment of section 3 sub-section (1).

(a.) by the deletion of the words "officer of police" in the 9th line of sub-section (1) of section 3, and by the substitution therefor of the words "police or revenue officer".

Repeal of section 3 sub-section (2).

(b.) by the deletion of sub-section (2) of section 3.

Re-numbering section 4 as section 3 sub-section (2).

(c.) by re-numbering section 4 as sub-section (2) of section 3.

Addition of new section 4.

(d.) by the insertion of the following new section 4:—

Search of dwelling house, shop, place or ship without warrant by European officer for poison illegally therein in cases of urgency.

"4. Whenever it appears to any European police or revenue officer that there is reasonable cause to believe that in any dwelling house, shop, or other building or place, or on board any ship (not being or having the status of a ship of war), within the Colony, there is concealed or deposited any poison as defined by section 2 in respect of which an offence has been committed against Ordinance No. 12 of 1908 or any regulations made thereunder, and he shall have reasonable ground for believing that by reason of the delay in obtaining a search warrant the poison is likely to be removed, the said officer in virtue of his office may exercise in; upon and in respect of such dwelling house, shop or other building or place, or on board any ship, all the powers mentioned in the preceding section in as full and ample a manner as if he were empowered to do so by warrant issued under the said section."

Amendment of section 6.

(e.) by the deletion of the words "or in default of payment" in the 8th line of sub-section (1) of section 6 and by the substitution therefor of the words "or ten times the market value of the poison in respect of which the offence was committed and".

Addition of new sub-section to section 6.

(f.) by the addition to section 6 of the following new sub-section:—

Certificate of Government Analyst conclusive evidence of market value of poison.

"(4.) A certificate signed by the Government Analyst shall be conclusive evidence in any proceedings under and for any purpose in connection with this Ordinance of the market value of any poison in respect of which any offence has occurred."

Objects and Reasons.

As under the provisions of the Bill now before the Legislative Council entitled "An Ordinance to amend and consolidate the laws relating to Opium", that part of the existing Opium Ordinance, 1909, which refers to Morphine and Compounds of Opium is cut out from the purview of the new Opium Bill, it becomes necessary, as is indicated in the Objects and Reasons attached to the new Opium Bill, to make provision with regard to Morphine and Compounds of Opium by including such substances within the ambit of the Pharmacy laws.

This inclusion it is proposed should be effected partly by Order of the Governor-in-Council and partly by resolution of the Legislative Council under the provisions of the Pharmacy Ordinances; and partly by the provisions of the present Bill substantively amending the Pharmacy Ordinances. It is proposed in the first place that under the provisions of section 9 of the Pharmacy Ordinance, 1908, Schedule "A" of that Ordinance should be amended by the introduction into Part II thereof of a new definition of "Morphine and its compounds"; this step being effected by Order of the Governor-in-Council.

Secondly, it is proposed to insert as a "poison" in the Schedule to Ordinance No. 9 of 1910 (which is incorporated in the Pharmacy Ordinance, 1908,) a similar new definition of the same substances; this change being effected by resolution of the Legislative Council under section 2 of Ordinance No. 9 of 1910.

Thirdly, by the present Bill, it is proposed to make some slight alterations in the existing Ordinance No. 9 of 1910 as incorporated in the Pharmacy Ordinance, 1908. These alterations will be found in section 2 of the present Bill and the features of these alterations which deserve remark are as follows:—

- (a.) in section 3 of Ordinance No. 9 of 1910 the powers given to a Police officer of search for poisons, under warrant issued by a Justice of the Peace, are extended to Revenue officers;
- (b.) by giving power in cases of urgency to European Police or Revenue officers to search without warrant for poisons believed to be illegally concealed or deposited in any place;
- (c.) by altering the pecuniary penalty for contravention of the Ordinance so as to give as an alternative to the present maximum fine of 2,000 dollars a pecuniary penalty of ten times the market value of the poison in respect of which an offence has been committed;
- (d.) it is also provided that the market value of any poison in respect of which any offence has been committed against the Ordinance shall be determined by a certificate of the Government Analyst.

JOHN A. BUCKNILL,
Attorney General.

A BILL

ENTITLED

An Ordinance to amend the Arms and Ammunition Ordinance, 1900.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the Arms and Ammunition (Amendment) Ordinance, 1914, and shall be read and construed as one with the Arms and Ammunition Short title.

Ordinance, 1900, (hereinafter called the Principal Ordinance), and this Ordinance and the said Ordinance may be cited together as the Arms and Ammunition Ordinances, 1900-1914.

Amendment of section 28 of Ordinance No. 2 of 1900.

2. Section 28 of the Principal Ordinance is hereby amended as follows :—

- (a.) by the deletion of the figures "250" in the 6th line thereof and by the substitution of the figures "1,000" therefor ;
- (b.) by the deletion of the figure "3" in the 7th line thereof and by the substitution of the figures "12" therefor.

Objects and Reasons.

The existing penalties with regard to the contravention of the Arms and Ammunition Ordinance, 1900, relative to smuggling of arms and ammunition appear unfortunately to have little, if any, deterrent effect.

It has been observed with regret that the illicit introduction of weapons and cartridges continues rife, and the object of this Ordinance is to increase the penalty in order to endeavour to check in some measure this dangerous traffic.

JOHN A. BUCKNILL,
Attorney General.

No. S. 18.—The following Bill, which will be read a first time at the next meeting of the Legislative Council, is published for general information.

A. G. M. FLETCHER,
Clerk of Councils.

COUNCIL CHAMBER,
22nd January, 1914.

A BILL

ENTITLED

An Ordinance to amend the Foreign Silver and Nickel Coin Ordinance, 1913.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title.
No. 15 of 1913.

1. This Ordinance may be cited as the Foreign Silver and Nickel Coin (Amendment) Ordinance, 1914, and shall be read and construed as one with the Foreign Silver and Nickel Coin Ordinance, 1913, (hereinafter called the Principal Ordinance), and this Ordinance and the said Ordinance may be cited together as the Foreign Silver and Nickel Coin Ordinances, 1913 and 1914.

Power to Governor-in-Council to suspend operation of sections 4 and 6 of Principal Ordinance.

2. It shall be lawful for the Governor-in-Council to order by notification published in the *Gazette* that the whole or any part of the provisions of sections 4 and 6 of the Principal Ordinance shall be suspended for such period and in such parts of the Colony as may in the opinion of the Governor-in-Council be desirable.

Objects and Reasons.

The object of this Bill is to give power to the Governor-in-Council to suspend temporarily any of the provisions of sections 4 and 6 of the Foreign Silver and Nickel Coin Ordinance, 1913.

Section 4 of that Ordinance refers to the importation into the Colony of Foreign Silver or Nickel Coin and section 6 relates to the being in possession of such coinage.

JOHN A. BUCKNILL,
Attorney General.