

An Ordinance for Her Majesty's Subjects within the Dominions of the Emperor of China, or within any Ship or Vessel at the Distance of not more than One Hundred Miles from the Coast of China.

ANNO DECIMO NONO VICTORIÆ REGINÆ.

No. 2 of 1856.

By His Excellency SIR JOHN BOWRING, Knight, LL.D., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same, Her Majesty's Plenipotentiary and Chief Superintendent of the Trade of British Subjects in China, with the Advice of the Legislative Council of Hongkong.

An Ordinance to explain the Law as to Removals of Prisoners.

[29th May, 1856.]

Be it enacted and ordained, by His Excellency The Governor of Hongkong and Chief Superintendent of the Trade of Her Majesty's Subjects in China, with the Advice of the Legislative Council of Hongkong, in manner following:

Escaped Offenders against Treaties may be removed to the District of their offence. I. The Chief Superintendent or Consul within whose jurisdiction any party charged with having committed an Offence in any Consular District in China against the Treaties, Rules, or Regulations to which the Order of Her Majesty in Council dated the 13th Day of June 1853 refers, and further charged with having escaped or departed out of the said last mentioned District, shall happen to be found, may lawfully, if the said Chief Superintendent or Consul shall think fit, cause the said party to be removed to the Consular District out of which he shall have so escaped or departed.

General provision with respect to all Removals. II. All Removals whatsoever of Prisoners or parties from or to any Port in China under any Act of Parliament or Order in Council, or under this or any other Ordinance, shall be effected, and the respective expenses thereof shall be defrayed in like manner as, by Articles Twenty, Twenty-one, Twenty-two, and Twenty-three, of the said Order in Council of the 13th day of June 1853, is provided with respect to the embarking, conveying, delivering, commitment, and expenses of persons deported under the authority of the said Articles respectively, so far as the provisions thereof respectively shall be found applicable to the circumstances of each particular case.

JOHN BOWRING.

Passed the Legislative Council of Hongkong, this 29th Day of May, 1856.

L. D'ALMADA E CASTRO, Clerk of Councils.

HONGKONG.

ANNO DECIMO NONO VICTORIÆ REGINÆ.

No. 9 of 1856.

By His Excellency SIR JOHN BOWRING, Knight, LL.D., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice Admiral of the same, Her Majesty's Plenipotentiary and Chief Superintendent of the Trade of British Subjects in China, with the Advice of the Legislative Council of Hongkong.

An Ordinance to explain certain Enactments relating to Shipping.

[29th May, 1856.]

Preamble. Recites "The Merchant Shipping Act 1854," and "The Chinese Passengers' Act 1855." Whereas by "The Merchant Shipping Act 1854," and "The Chinese Passengers' Act 1855," the Power to amend the said Acts in their application to this Colony is, under certain Conditions, reserved to this Legislature, and it is desirable to exercise the aforesaid Power in manner hereinafter appearing: Be it enacted and ordained by His Excellency The Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Chinese Residents may use the British Flag in colonially registered vessels. I. The British Flag may be lawfully used by any Chinese Resident within the meaning of Ordinance No. 4 of 1855, on board of any Ship or Vessel registered in this Colony in the name of the said Resident under the Ordinance aforesaid.

Colonial Registers, &c., may be proved by production of Originals or Copies. II. Every Register, Certificate, Endorsement, Declaration, or Bond authorised or required by the said Ordinance, may be proved in any Court of Justice, or before any person having by law or by consent of parties authority to receive Evidence, either by the production of the Original, or by an examined Copy thereof, or by a Copy thereof purporting to be certified under the hand of the Colonial Secretary or other person who for the time being shall happen to have charge of the Original, which certified Copy he is hereby required to furnish to every person applying at a reasonable time for the same, and paying therefor the sum of One Dollar for every such certified Copy; and every Document, when so proved as aforesaid, shall be received as prima facie Evidence of all the matters therein recited, stated, or appearing.

Definition of a Voyage of more than Seven Days' duration. Ordinance not to come into operation until confirmed and proclaimed. III. Any Chinese Passenger Ship clearing out or proceeding to sea from any Port in this Colony, or in China, or within a Hundred Miles of the Coast thereof, on any Voyage or Voyages to any other Port or Ports, for the purpose of commencing at or from any such Port or Ports as last aforesaid a Voyage of more than Seven Days' duration, shall be deemed to have cleared out or proceeded to sea upon the said last-mentioned Voyage from the said first-mentioned Port within the meaning of the "Chinese Passengers' Act 1855."

IV. This Ordinance shall not come into operation until Her Majesty's confirmation thereof shall have been proclaimed in this Colony by His Excellency the Governor.

JOHN BOWRING.

Passed the Legislative Council of Hongkong, this 29th Day of May, 1856.

L. D'ALMADA E CASTRO, Clerk of Councils.

HONGKONG.

ANNO DECIMO NONO VICTORIÆ REGINÆ.

No. 10 of 1856.

By His Excellency SIR JOHN BOWRING, Knight, LL.D., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same, Her Majesty's Plenipotentiary and Chief Superintendent of the Trade of British Subjects in China, with the Advice of the Legislative Council of Hongkong.

An Ordinance for Lis Pendens and Purchasers.

[29th May, 1856.]

Be it enacted and ordained by His Excellency The Governor of Hongkong, with the Advice of the Legislative Council thereof, in manner following; that is to say:—

I. The Provisions of the Ordinance No. 3 of 1844, respecting Judgments, (subject to the Provisions hereinafter contained) shall extend to "Lites Pendentes," within the intent and meaning of the Acts of Parliament passed in the Second and Third Years of Her Majesty, Chapter Eleven, and the Thirteenth and Fourteenth Years of Her said Majesty, Chapter Thirty-five.

II. The memorial of any such "Lis Pendens" shall be sufficient for the purposes of the said Ordinance, and contain the Names and Additions of the said persons, and of the Defendants or persons whose Estate is intended to be affected thereby, and the Day when the Bill, Information, or special Case was filed, and the Sum of Money thereby claimed or in controversy, yet so as that the said Memorial shall be verified in all other respects as by the said Ordinance is in the case of Judgments provided.

III. Notwithstanding the said Acts of Parliament, no "Lis Pendens" shall be registered in the Registry of the Supreme Court, or elsewhere than in the Land Office, under this Ordinance; and a "Lis Pendens" not registered in the said office, and in due conformity with this Ordinance, shall not bind a Purchaser or Mortgagee of the Estate intended to be thereby affected.

IV. So much of the said Acts of Parliament and of the Acts of Parliament passed in the Third and Fourth Years of Her said Majesty, Chapter Eleven, and the Eighteenth and Nineteenth Years of Her said Majesty, Chapter Fifteen, as require the Re-registering of Judgments and Lites Pendentes after every successive period of Five Years beginning from the entry thereof respectively, shall extend to all Judgments, Lites Pendentes, and Orders, now or hereafter to be registered in the said Land Office, and by which it is intended to affect any Estate.

V. Subject to the provisions of Section Eleven of the said Act of the Eighteenth and Nineteenth Years of Her said Majesty, Chapter Fifteen, for the Relief of Purchasers and Mortgagees for valuable Consideration, against the Judgments, Crown Debts, and Liabilities, of paid-off Mortgagees (and which Provisions are hereby extended to this Colony,) every Lis Pendens, Registered or Re-registered, and also every Order or Judgment Re-registered in manner aforesaid, shall have the same Force and Effect as a Judgment registered in conformity with the said Ordinance No. 3 of 1844, and not further or otherwise.

A "Lis Pendens" may be registered as a Judgment.

Form of Memorial.

No other Registry to be made, and an unregistered "Lis Pendens" not to bind a Purchaser, &c.

Defining the Extension of certain Imperial Enactments.

Effect of Registry and Re-registry, and Extension of 18 and 19 Vict. c. 15, (S.11.)

JOHN BOWRING.

Passed the Legislative Council of Hongkong, this 16th Day of April, 1856.

L. D'ALMADA E CASTRO,
Clerk of Councils.

GOVERNMENT NOTIFICATION.

The subjoined Draft Ordinances, namely:—

- An Ordinance for Lighting the City of Victoria;
- An Ordinance to regulate Chinese Burials, and to prevent certain Nuisances, within the Colony of Hongkong;
- An Ordinance for the Admission of Candidates to the Rolls of Practitioners in the Supreme Court;

which were read a first time before the Legislative Council on the 19th Instant, are hereby published for general information.

By Order,

L. D'ALMADA E CASTRO,
Clerk of Councils.

Council Room, Victoria, Hongkong, 29th May, 1856.

HONGKONG.

ANNO DECIMO NONO VICTORIÆ REGINÆ.

No. of 1856.

By His Excellency SIR JOHN BOWRING, Knight, LL.D., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same, Her Majesty's Plenipotentiary and Chief Superintendent of the Trade of British Subjects in China, with the Advice of the Legislative Council of Hongkong.

An Ordinance for Lighting the City of Victoria.

[May, 1856.]

Whereas it is desirable that a system of Public Lighting should be introduced into this City: Be it enacted and ordained by His Excellency The Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Preamble.

I. For defraying the Expenses of and incident to the execution of this Ordinance, there shall be levied "The Lighting Rate." Quarterly, together with and in addition to the Police Rate or Rates for the year, a further Rate to be called "The Lighting Rate," and estimated at _____ on the gross amount of the Property included in the Police Rate Assessment for the current year; and all the Provisions of the Ordinances No. 1 of 1845 and No. 3 of 1851 touching Valuation, Assessment, Levy, and Appeal, shall extend and apply to the said "Lighting Rate."

II. The Surveyor-General shall from time to time cause a sufficient number of Irons or Posts for the Lighting of the Streets, Roads, Ways, and Public Thoroughfares of the City of Victoria to be provided, and the same to be set up, fixed, or erected, in all suitable Situations for such lighting, and either in any of the said Streets, Roads, Ways, and Thoroughfares, or in any Close adjacent thereto, or upon or against the Wall of any House or Building, or the Side of any Wall or Fence, or elsewhere, as he shall think proper; and he shall also from time to time cause to be provided, and put, and affixed upon the said Irons and Posts, and to be lighted with Oil for any number of hours in every twenty-four hours, such a number of Lamps, and of such Sizes and Sorts respectively, as shall be found requisite for the Lighting of the said Streets, Roads, Ways, and Thoroughfares respectively.

The Surveyor-General to provide and fix Lamps, &c., and keep them lighted.

III. The Laws relating to the removing, taking, carrying away, or stealing of Fixtures and Chattels respectively, shall be interpreted to apply to the removing, taking, carrying away, or stealing of the said Irons, Posts, Lamps, and Oil respectively, by any persons whomsoever; and the Property of and in all such articles shall be deemed to be vested in the Surveyor-General for all the purposes of any Action, Suit, or Information brought or preferred against any person for or in respect of the same, or for or in respect of any Trespass, Injury, Misdemeanor, or Felony done or committed in respect of any of the said articles.

Laws relating to Removal or Felony of Fixtures and Chattels, extended to Lamps, Irons, &c.

IV. If any person shall wilfully extinguish the Light of any such Lamp, or wilfully injure, displace, or damage any such Lamp or any other of the said articles, every such offender shall, upon conviction thereof before any Justice of the Peace, forfeit and pay for every such Offence a sum not exceeding Fifty Dollars or less than Five Dollars, and shall further forfeit and pay the full amount of the Damage by him so done as aforesaid, and all incidental Costs and Expenses.

Wilful Damage, how punishable.