

THE



Hongkong Government
GAZETTE.

NEW SERIES.

VICTORIA, SATURDAY, 5TH JULY, 1856.

VOL. I. No. 54.

GOVERNMENT NOTIFICATION.

The Contract for publishing this *Gazette*, entered into on the 24th September, 1853, was terminated on the 30th ultimo; and notice is hereby given, that a **NEW SERIES** of this *Gazette* will be published hereafter, to commence from the 7th instant, under a New Contract, and that

“*THE HONGKONG GOVERNMENT GAZETTE*”

will, as before, be the only Official Organ for PROCLAMATIONS, NOTIFICATIONS, and PUBLIC PAPERS, of this Government.

By Order,

W. T. MERCER, *Colonial Secretary.*

Colonial Secretary's Office, Victoria, Hongkong, 2d July, 1855.

No. 75.

GOVERNMENT NOTIFICATION.

His Excellency The Governor is pleased to direct the publication for general information, of the subjoined Ordinance, which it is proposed to submit to the consideration of the Legislative Council.

By Order,

W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 5th July, 1856.

HONGKONG.

ANNO VIGESIMO 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 Fees and Costs.

[July, 1856.]

Whereas no Provision hath been hitherto made by the Legislature of this Colony for the ascertaining of Court and other Fees and Costs in Equity Proceedings, and some of the said Fees, as hitherto levied, are illegal: And whereas the late reformation in procedure at Law, and in Equity, and practice in general, maketh further Legislation with respect to Fees, Costs, and Taxation desirable:

Preamble.

Be it enacted and ordained by His Excellency the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:

I. The Three Schedules to this Ordinance annexed shall be deemed to be incorporated therewith, and (except where otherwise expressed) shall be interpreted in manner following, that is to say: The First and Third Schedules respectively, as relating exclusively to Proceedings on the Equity side of the Supreme Court of Hongkong, or to Business done or to be done in the practice of Conveyancing: And the Second Schedule, as relating to all Proceedings whatsoever at Law or in Equity in the said Court, not being Proceedings before the Summary Jurisdiction thereof, nor Proceedings by way of Appeal in Rating Cases;—and also to Business done or to be done in the practice of Conveyancing:—Yet so as that, where any of the Particulars in the said Three Schedules severally entered shall appear to be thereby respectively extended to other matters or occasions, or limited to some special matters or occasions, the same shall be so interpreted accordingly.

The Three Schedules to be incorporated with the Ordinance or and to be interpreted as herein mentioned.

II. From and after the passing of this Ordinance, it shall not be lawful to ask or receive, in respect to any proceedings in Equity or Conveyancing Business, any Fees or Payments of Court or of Office other than according to the rates and conditions in the said Schedule expressed, save that the Registrar of the said Court is hereby empowered to remit or reduce all or any of such Fees or Payments, in any case where good and sufficient ground shall have been shewn to his satisfaction for such Remission or Reduction.

Court Fees not to exceed the rates in the First Schedule.

III. The Rates, Conditions, and Limitations, contained in the said Second and Third Schedules respectively, shall be strictly obeyed and enforced at the Taxation of Costs and Charges; and no allowance shall be granted of any Costs or Charges otherwise than in conformity to the said Rates, Conditions, and Limitations, respectively.

Costs, &c. not to exceed the rates in the Second and Third Schedules.

IV. The distinctions of Costs as between Party and Party, and of Costs as between Attorney, or Solicitor, or Proctor, and Client, are henceforward abolished at Law, in Equity, and elsewhere; and all Costs and Charges hereafter to be taxed shall be taxed upon one uniform Scale, and according to the same conditions, and without regard to the distinctions aforesaid; and the Costs of Interlocutory Proceedings shall in all cases be forthwith paid, and shall in no case be made to abide the event of the cause wherein such proceedings shall have been taken.

One uniform Rule of Taxation.