

That the Attornies, Solicitors, and Proctors are the *general* practitioners, who are not expected to possess profound knowledge of any particular branch of Law, but to have a *general* knowledge of all, and to be expert in collecting and arranging facts with a view to the application of the Law to them in every branch, which latter duty devolves on the Barrister.

That there has been no public demonstration or expression of opinion, other than the above mentioned memorial,—no complaint has been made against your Petitioners' branch of the legal profession, and your Petitioners have been informed, and have good reason to believe, that the Memorial emanated from two individuals only, and that by means of house to house solicitation, and friendly persuasion, several of the Memorialists were induced to subscribe the Memorial, in the belief that the Solicitors of Hongkong were favourable to the amalgamation, and many who could know nothing of the effect of the proposed change, added their names for the simple reason that others had signed before them, and your Petitioners affirm that such Memorial is no reasonable or intelligent reflection of the matured opinion of any part of the Community possessing competent information on the subject upon which they solicit the interference of the Legislature, and that, moreover, but few of them have Law business of any magnitude to transact.

That your Petitioners submit, that even if such Memorial were a *bona fide* exposition of the sentiments of the Community, it was, having regard to the want of representation in the Colony, an unconstitutional course to adopt, with a view to such an important legislative measure as the destruction of the relative distinctions between Barristers and Solicitors, without reason or evidence, and without regarding the rights of those most interested in the question, and your Petitioners humbly but firmly remonstrate against the fact, that two Members of the Legislative Council were the first to sign a memorial to the Attorney General, himself a Member of the Council, and not a disinterested person in the present question, to solicit an alteration which they themselves would, in their Legislative capacity, be called upon to make,—the Signatures of those two Members of the Legislative Council being, as your Petitioners assert, the principal, if not sole cause of the signatures which followed, and tending materially to influence other Members of the Council.

That bearing in mind the fact, that the Barrister in this Colony has to undertake advising in *every* branch of the Law, your Petitioners submit that the necessity for a division of the profession is *greater* here than in England, and that the advocacy of "unrestricted competition" in legal knowledge between Barristers and Attornies, in the circumstances above detailed, merely shews that those who advocate it have not made themselves competent to form a judgment on the subject.

That your Petitioners believe the Memorial to have originated in a spirit hostile to their branch of the profession, covertly supported by certain members of the Bar, and that the real object of the Memorialists is to benefit those members of the Bar at the expense of your Petitioners,—a real and complete amalgamation being, as your Petitioners submit, simply impossible, and an imaginary one, being destructive of the rights and privileges of your Petitioners, to which they are entitled in exchange for their disabilities, the supervision by the Courts in which they practise of their conduct and charges, and a laborious and expensive training.

That your Petitioners doubt the competency of a Colonial Government to make the change proposed, but they humbly submit, that before any attempt should be made at legislation on the subject, your Honourable Council should appoint a Committee to take evidence, before which Committee the persons who signed the Memorial, and others could be examined, and state their views and grievances, and your Petitioners might be allowed to defend themselves against that which is intended to cause destruction to their branch of their profession, without giving them any compensation, and deprive them of the undoubted right of every Briton, that of being heard before being condemned.

That, as an additional reason for proceeding with all caution in such a proposed change, your Petitioners would beg respectfully to call the attention of the Council to the fact, that in Canada, where an amalgamation of the profession nominally, although not really, exists, a call is being made at the present time for a distinct *separation* of the two branches.

Your Petitioners therefore humbly pray that the said Memorial and this Petition may be referred to an independent Committee or Commission to take evidence, and report thereon, before any attempt be made to legislate on the subject of the memorial. And your Petitioners in duty bound will ever pray, &c.,

THE HONGKONG LAW SOCIETY.

By their Secretary,

EDWARD K. STACE.

June, 1858.

And the same having been read and received,—

It was moved by the Chief Justice, seconded by the Attorney General, and carried unanimously, that the said Memorial and Petition be printed in the *Government Gazette*.

Ordered, that the said Ordinance be printed in the *Government Gazette*, for general information. The Council adjourned till Tuesday, the 15th instant, at 12 o'clock.

By Order of His Excellency The Governor,

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

No. 53.

PROCLAMATION.

JOHN BOWRING.

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.

Whereas the Commands of Her Most Gracious Majesty The QUEEN, conveyed through The Right Honourable The Lord Stanley, M.P., Principal Secretary of State for the Colonies, have been received, approving of and confirming

Ordinance No. 1 of 1858, entitled—

"An Ordinance for Criminal Procedure":—

Now therefore, it is hereby declared, that the said Ordinance has been so approved and confirmed as aforesaid.

By His Excellency's Command,

W. T. BRIDGES,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Given at Victoria, Hongkong, this 8th Day of June, 1858.

No. 54.

GOVERNMENT NOTIFICATION.

The following Admiralty Regulations respecting Lights to be carried by Sea-going British Ships, which are to come into operation on the 1st of October next, are published for the information of all Persons interested.

By Order,

W. T. BRIDGES,
Acting Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 8th June, 1858.

ADMIRALTY NOTICE RESPECTING LIGHTS AND FOG SIGNALS TO BE CARRIED AND USED BY SEA-GOING VESSELS, TO PREVENT COLLISION.

By the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, &c.

By virtue of the power and authority vested in us, we hereby revoke, as from and after the thirtieth day of September 1858, the Regulations made and published by us on the first day of May 1852, relating to the Lights to be carried by Sea-going Vessels to prevent collision: And we hereby make the following Regulations, and require and direct that the same be strictly observed and carried into effect on and after the first day of October, 1858.

STEAM VESSELS.

All Sea-going Steam Vessels, when under Steam, shall, between sunset and sunrise, exhibit the following Lights:

1. A bright White Light at the Foremast Head.
A Green Light on the Starboard side.
A Red Light on the Port side.
2. The Mast-head Light shall be so constructed as to be visible on a dark night, with a clear atmosphere, at a distance of at least 5 miles, and shall show an uniform and unbroken light over an arc of the horizon of 20 points of the compass, and it shall be so fixed as to throw the light 10 points on each side of the ship, viz: from right ahead to 2 points abaft the beam on either side.
3. The Green Light on the Starboard side and the Red Light on the Port side shall be so constructed as to be visible on a dark night with a clear atmosphere, at a distance of at least 2 miles, and show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, and they shall be so fixed as to throw the light from right ahead to 2 points abaft the beam on the Starboard and on the Port sides respectively.
4. The Side Lights are to be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent the lights from being seen across the bow.
5. Steam Vessels under Sail only are not to carry their Masthead Light.

Fog Signals.

All Sea-going Steam Vessels, whether propelled by paddles or screws, when their steam is up, and when under way, shall in all cases of Fog use as a Fog Signal a Steam Whistle, placed before the Funnel at not less than 8 feet from the deck, which shall be sounded once at least every five minutes; but when the steam is not up, they shall use a Fog Horn or Bell, as ordered for Sailing Ships.

SAILING VESSELS.

1. All Sea-going Sailing Vessels when under way or being towed shall between sunset and sunrise exhibit a Green Light on the Starboard side and a Red Light on the Port side of the vessel, and such Lights shall be so constructed as to be visible on a dark night, with a clear atmosphere, at a distance of at least 2 miles, and shall show an uniform and unbroken light over an arc of the horizon of 10 points of the compass, from right a-head to 2 points abaft the beam on the Starboard and on the Port sides respectively.
2. The Coloured Lights shall be fixed whenever it is practicable so to exhibit them; and shall be fitted with inboard screens projecting at least 3 feet forward from the Light, so as to prevent the Lights being seen across the bow.
3. When the Coloured Lights cannot be fixed (as in the case of small vessels in bad weather), they shall be kept on deck between sunset and sunrise, and on their proper sides of the vessel ready for instant exhibition, and shall be exhibited in such a manner as can be best seen on the approach of, or to, any other vessel or vessels, in sufficient time to avoid collision, and so that the Green Light shall not be seen on the Port side, nor the Red Light on the Starboard side.

Fog Signals.

All Sea-going Sailing Vessels when under way, shall, in all cases of Fog, use when on the Starboard Tack a Fog Horn, and when on the Port Tack shall Ring a Bell. These signals shall be sounded once at least every five minutes.

SAILING PILOT VESSELS are to carry only a white Light at the Mast-head, and are to exhibit a Flare-up Light every 15 minutes, in accordance with Trinity House regulation.

VESSELS AT ANCHOR.

All Sea-going Vessels when at anchor in roadsteads or fairways shall, between sunset and sunrise, exhibit where it can best be seen, but at a height not exceeding 20 feet above the hull, a White Light in a Globular Lantern of 8 inches in diameter, and so constructed as to show a clear, uniform, and unbroken light all round the horizon, at a distance of at least 1 mile.

Given under our hands this 24th day of February 1858.

CHARLES WOOD.
R. S. DUNDAS.

By Command of their Lordships,
W. G. ROMAINE,
Secretary.

The following Diagrams are intended to illustrate the use of the Lights carried by vessels at sea, and the manner in which they indicate to the vessel which sees them the position and description of the vessel which carries them:—

FIRST.—When both Red and Green Lights are seen —

A sees a Red and Green Light ahead;—A knows that a vessel is approaching her on a course directly opposite to her own, as B;



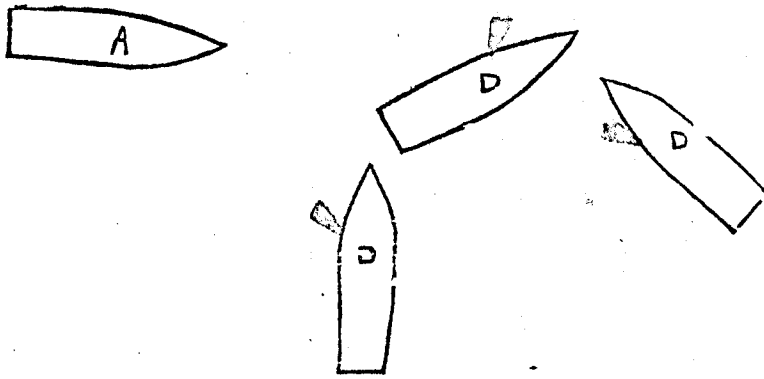
If A sees a White Mast-head Light above the other two, she knows that B is a steam-vessel.

SECOND.—When the Red, and not the Green light, is seen:

A sees a Red Light ahead or on the bow;—A knows that either, 1, a vessel is approaching her on her port bow, as B;



or, 2, a vessel is crossing in some direction to port, as D D D.

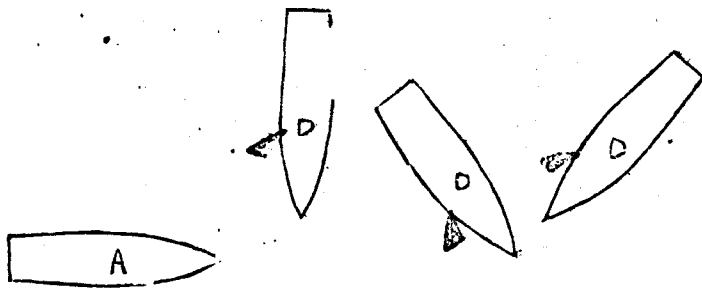


If A sees a White Mast-head Light above the Red Light, A knows that the vessel is a steam-vessel, and is either approaching her in the same direction, as B, or is crossing to port in some direction, as D D D.

THIRD.—When the Green, and not the Red Light, is seen :
A sees a Green Light ahead or on the bow ;—A knows that either,
1, a vessel is approaching her on her starboard bow, as B ;



or, 2, a vessel is crossing in some direction to starboard, as D D D.



If A sees a White Mast-head Light above the Green Light, A knows that the vessel is a steam-vessel, and is either approaching her in the same direction as B, or is crossing to starboard in some direction, as D D D.

The following are the Enactments having Reference to the above Regulations :

“ THE MERCHANT SHIPPING ACT, 1854,”
(17 & 18 Vict. Cap. 104.)

Lights and Fog Signals, and Meeting and Passing.

- CCXCV. The following Rules shall be observed with regard to Lights and Fog Signals; (that is to say,)
- (1) The Admiralty shall from Time to Time make Regulations requiring the Exhibition of such Lights, by such Classes of Ships, whether Steam or Sailing Ships, within such Places, and under such Circumstances as they think fit, and may from Time to Time revoke, alter, or vary the same :
 - (2) The Admiralty may, if they think fit, make Regulations requiring the Use of such Fog Signals, by such Classes of Ships, whether Steam or Sailing Ships, within such Places and under such Circumstances as they think fit, and may from Time to Time revoke, alter, or vary the same :
 - (3) All Regulations, made in pursuance of this Section shall be published in the *London Gazette*, and shall come into operation on a Day to be named in the Gazette in which they are published ; and the Admiralty shall cause all such Regulations to be printed, and shall furnish a Copy thereof to any Owner or Master of a Ship who applies for the same, and Production of the Gazette containing such Regulations shall be sufficient Evidence of the due making and Purport thereof :
 - (4) All Owners and Masters shall be bound to take notice of the same, and shall, so long as the same continue in force, exhibit such Lights, and use such Fog Signals, at such Times, within such Places, in such Manner, and under such Circumstances as are enjoined by such Regulations, and shall not exhibit any other Lights or use any other Fog Signals, and in case of Default the Master or the Owner of the Ship, if it appears that he was in fault, shall for each Occasion upon which such Regulations are infringed incur a Penalty not exceeding Twenty Pounds.

Rules as to Lights, Meeting and Passing.
Regulations as to Lights and Fog Signals

CCXCVI. Whenever any Ship, whether a Steam or Sailing Ship, proceeding in One Direction, meets another Ship, whether a Steam or Sailing Ship, proceeding in another Direction, so that if both Ships were to continue their respective Courses they would pass so near as to involve any Risk of a Collision, the Helms of both Ships shall be put to Starboard so as to pass on the Port Side of each other ; and this Rule shall be obeyed by all Steam Ships and by all Sailing Ships whether on the Port or Starboard Tack, and whether close-hauled or not, unless the Circumstances of the Case be such as to render a Departure from the Rule necessary in order to avoid immediate Danger, and subject also to the Provision that due Regard shall be had to the Dangers of Navigation, and, as regards Sailing Ships on the Starboard Tack close-hauled, to the keeping such Ships under Command.

Rules as to Ships meeting each other.

CCXCVII. Every Steam Ship, when navigating any narrow Channel, shall, whenever it is safe and practicable, keep to that Side of the Fairway or Mid-channel which lies on the Starboard Side of such Steam Ship.

Rule for Steamers in narrow Channels.

CCXCVIII. If in any Case of Collision it appears to the Court before which the Case is tried that such Collision was occasioned by the Non-observance of any Rule for the Exhibition of Lights or the Use of Fog Signals issued in pursuance of the Powers herein-before contained, or of the foregoing Rule as to the passing of Steam and Sailing Ships, the Owner of the Ship by which such Rule has been infringed shall not be entitled to recover any Recompense whatever for any Damage sustained by such Ship in such Collision, unless it is shown to the Satisfaction of the Court that the Circumstances of the Case made a Departure from the Rule necessary.

If Collision ensues from Breach of the above Rules, Owner not to be entitled to recover.

CCXCIX. In case any Damage to Person or Property arises from the Non-observance by any Ship of any of the Rules, such Damage shall be deemed to have been occasioned by the wilful Default of the Person in charge of the Ship at the Time, unless it is shown to the Satisfaction of the Court that the Circumstances of the Case made a Departure from the Rule necessary.

Breaches of such Rules to imply wilful Default.