

XXXI. And it is further ordered, that it shall be lawful for any of the Commanders of Her Majesty's ships, or any other officer duly authorized in that behalf, to seize any ship or vessel under the British flag which may reasonably be suspected of having been engaged, or of being engaged, in any trade declared by the next preceding Article of this Order to be illegal, and to bring such ship or vessel, and the master, officers, supercargo, and crew thereof to Jeddo, and there to detain such ship or vessel, and the master, officers, supercargo, and crew thereof, until the said Consul-General shall have tried and determined the charge which may be brought against them, or any of them, in respect of such unlawful trade as aforesaid.

Vessels and persons engaged in unlawful trade may be seized and sent for trial.

XXXII. And it is further ordered, that all fines and penalties imposed by or under this Order may be enforced and levied by distress and seizure, and sale of ships, and goods, and chattels, and no bill of sale, mortgage, or transfer of any property whatsoever, made after the apprehension of any person for any offence against, or cognizable under any of the provisions of this Order, or with a view to security or indemnity against any such offence to be thereafter committed, shall be of any force or avail whatsoever to defeat or affect the operation of any of the provisions of this Order.

Enforcement of fines and penalties.

XXXIII. And it is further ordered that it shall be lawful for the Consul-General from time to time to establish rules of practice to be observed in proceedings before the said Consul, and to make regulations for defraying the expenses of witnesses in such proceedings, and the costs of criminal prosecutions, and also to establish rates of fees to be taken in regard to civil suits heard and determined before the said Consul, and it shall be lawful for the said Consul to enforce by distress and seizure and sale of goods, or if there be no goods by imprisonment, the payment of such established fees, and of such expenses as may be adjudged against the parties or any of them: Provided always, that a table specifying the rates of fees to be so taken shall be affixed and kept exhibited in the public office of the said Consul.

Rules of practice, and regulations for the expenses of witnesses, and rates of fees in civil suits to be established.

XXXIV. And it is further ordered, that all fees, penalties, fines, and forfeitures, levied under this Order, save and except such penalties as may by Treaty be payable to the Japanese Government, shall be paid to the public account, and be applied in diminution of the public expenditure on account of the Consular establishment in Japan: Provided always, that in the event of the Japanese authorities declining to receive any fine payable to the Japanese Government as aforesaid, the same shall be paid to the public account and applied in the manner last mentioned.

Appropriation of fees, penalties, &c.

XXXV. And it is further ordered, that it shall be lawful for any of Her Majesty's Consuls to grant probate of the will, or letters of administration of the intestate estate, of a British subject deceased and leaving property within the limits of the district within which such Consul shall exercise authority; and in the case of a party so deceased, either leaving a will or intestate, it shall be lawful for the Consul, provided that probate of the will, or letters of administration to the estate, of the party deceased, shall not have been applied for within thirty days by any person lawfully entitled thereto, to administer to such estate, and to reserve to himself, out of the proceeds of such estate, a commission not exceeding two and a-half per centum on such proceeds.

Consuls may grant probate, and administer to intestate estates.

XXXVI. And it is further ordered, that a register shall be kept by each and every of Her Majesty's Consuls, of all British subjects residing within the ports, places, or districts of Japan within his jurisdiction; and that every British subject now residing within the dominions of the Tycoon of Japan shall, within a reasonable time after the commencement and taking effect of this Order, to be specified in a notice to be affixed and publicly exhibited in the Consular Office, apply to the Consul of the district to be enrolled in such register; and every British subject who may arrive within the said dominions, save and except any British subject who may be borne on the muster-roll of any British ship or vessel arriving in a port of Japan, shall, within a reasonable time after his arrival, to be specified as aforesaid, apply to the Consul of the district to be enrolled in such register; and any British subject who shall refuse or neglect to make application so to be enrolled, and who shall not be able to excuse, to the satisfaction of the said Consul, such his refusal or neglect, shall not be entitled to be recognized or protected as a British subject in any difficulties or suits whatsoever in which he may be involved in the dominions of the Tycoon of Japan, within the time during which he shall not have been so enrolled.

Register of British subjects to be kept.

XXXVII. And it is further ordered, that the Consul within his Consular district may exercise any of the powers which by any Acts of the Imperial Parliament, now enacted or hereafter to be enacted, for the regulation of merchant seamen, or for the regulation of the mercantile marine, may be exercised by one or more justices of the peace within Her Majesty's dominions.

Consuls may exercise powers of justices of the peace for enforcement of Acts relating to seamen and mercantile marine.

XXXVIII. And it is further ordered, that nothing in this Order contained shall be taken or construed to preclude a British Consul within the dominions of the Tycoon of Japan from performing any act of administration or jurisdiction, or other act, which British Consuls within other States in amity with Her Majesty are, by law, usage, or sufferance, enabled to perform.

Consuls in Japan may perform all acts which may be performed by British Consuls elsewhere.

XXXIX. And it is further ordered, that any suit or action brought against any person by reason of anything done under the authority and in execution of the power or jurisdiction of Her Majesty, entrusted to him by this Order, or in execution of any of the provisions of this Order, shall be commenced within six calendar months after the fact committed, and not otherwise; and the defendant in every such action or suit shall be entitled to the benefit of the provisions made with respect to defendants in actions or suits in an Act passed in the sixth and seventh years of Her Majesty, entitled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty, within divers countries and places out of Her Majesty's dominions, and to render the same more effectual."

Limitation of actions and suits.

And the Right Honourable the Earl of Malmesbury, and the Right Honourable Sir Edward Bulwer Lytton, Bart., two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

WM. L. BATHURST.

No. 70.

GOVERNMENT NOTIFICATION.

The following Return of Notes in Circulation and Specie in Reserve at the Bank of the ORIENTAL BANK CORPORATION in Hongkong, is published for general information.

By Order,

W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 25th July, 1859.

Account of the Average Amount of Notes in Circulation at the Bank of the Oriental Bank Corporation in Hongkong, for the Month ending 30th June, 1859, rendered in accordance with the Terms of Her Majesty's Royal Charter of Incorporation.

NOTES ISSUED,	\$492,085.
SPECIE IN RESERVE,	\$300,000.

P. CAMPBELL,
Manager.

Oriental Bank Corporation, Hongkong, 1st July, 1859.

I inspected this day the Books and Treasure Vault of the Oriental Bank Corporation, and hereby certify, that the Specie in Reserve is in accordance with the Terms of the Royal Charter.

J. A. CARVALHO,
Accountant.

A. STUART BAYNES, D.A.C.G.,
for Colonial Treasurer.

Victoria, Hongkong, 22d July, 1859.

No. 71.

GOVERNMENT NOTIFICATION.

The following Return of Notes in Circulation and Specie in Reserve at the Bank of the CHARTERED MERCANTILE BANK OF INDIA, LONDON, AND CHINA, in Hongkong, is published for general information.

By Order,

W. T. MERCER,
Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 25th July, 1859.