

THE

Hongkong



Government

# GAZETTE.

NEW SERIES.

VICTORIA, SATURDAY, 8TH JANUARY, 1859.

VOL. IV. No. 190.

## 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**"

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.

## VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL OF HONGKONG.

No. 27 of 1858.

WEDNESDAY, 8th DECEMBER, 1858.

### PRESENT:

THE HONOURABLE THE ACTING GOVERNOR PRESIDING, AND ALL THE MEMBERS.

Council met to-day, pursuant to adjournment.

Minutes of the Council, held on the 4th instant, were read and approved.

Resolved into Committee of the whole Council for the further consideration of the Estimates for 1859,

Honourable The Acting Governor expressed himself in the following terms:—

"In resuming the adjourned Debate on the Estimates' Ordinance, I wish to lay down the course which the Government, after reflection on last Saturday's Proceedings, has come to the conclusion to adopt.

"Although concurring in the main with the wishes and intentions of the Council as expressed on Saturday, I feel that I cannot do more than sanction the amendment of Sir John Bowring's Ordinance, in so far as that amendment is necessary and imperative.

"I propose therefore to add a certain Sum to the Works and Buildings, which Sum may be stated in two divisions: 1st, a Sum of £5,653.1.9,—the Balances due on the Surveyor General's Works already in progress, and which will have to be paid in the ensuing Year. I presume the non-entry of this item in the Estimates to have been an oversight, for I find it distinctly laid down, that un-expended Balances at the end of One Year must be re-charged on the Estimates of the ensuing. This item therefore becomes a necessity; otherwise I should have shrunk from interference with the Estimates prepared under Sir John Bowring's direction.

"The next Sum is one of £5,000, which was agreed to by the Council for the reasons given by the Colonial Secretary, and supported by the Honourable Mr Lyall. It is an Expenditure that can no longer be delayed, as Government is pledged to perform its engagements to the Public without delay, and that portion of the Bowring Praya opposite the Lower Bazaar and Central Market must be at once carried out.

"In giving consideration hereafter to the Praya Ordinance, this special provision can always be borne in mind.

"The Lock Hospital Receipts and Expenditure must also appear, as all money passing through the Treasury (as this does by terms of Ordinance No. 12 of 1857) must be regularly brought into the Colonial Accounts of Revenue and Expenditure.

"These are the only alterations I can sanction, and the Ordinance as amended, I will now read to you."

Ordinance having been read and agreed to, His Honour resumed:—

"Before formally proposing the passing of this Ordinance, I wish to state that I am ready to adopt and support the Expenditure on Public Works which the Council agreed to on Saturday, but that I can only do this in my Despatch to the Secretary of State; and if the Secretary of State sanctions the Expenditure, I presume that the Council can entertain an amended Estimate. But as time presses, I am anxious to get over this Ordinance, too long delayed already, and I therefore move that this Ordinance as amended do pass, and that the Title be—'*An Ordinance to apply a Sum not exceeding Seventy-six Thousand Pounds to the Public Service of the Year, 1859.*'"

Resolved, and passed,—the Ordinance being numbered "No. 15 of 1858."

Ordered, that the said Ordinance be published in the next Government Gazette.  
It was moved by Mr Jardine, seconded by Mr Lyall, and carried unanimously,—

“That, (it being the opinion of The Honourable The Acting Governor and certain Members of the Council, that Officers appointed by the local Government and once approved by the Crown, as well as the Police Establishment, belong to the Fixed Establishments of the Colony,—in such a sense as to preclude Members of Council from voting on each and every item of Expenditure connected with them.)—it is the wish of this Council that the point thus in question be submitted to the decision of The Right Honourable The Secretary of State.”  
The Council then adjourned *sine die*.

Read and approved, this 4th Day of January, 1859.

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

W. CAINE,  
*Acting Governor.*

X. Whenever necessary for the possession of any land for the Government, the Surveyor General may be lawful for any Person entitled to Marine Lot-holds making such Assesment by the Sheriff of said Lands, Tenements to be made out of to take possession of or conveyance of the same forth, but thereof as aforesaid Premises so take the Land-office, Majesty and His Majesty and the Crown against the Crown payable for the same. And within the Sea below High Water Holders should Rent therefor: XI. It shall without grant or shall have been on between the parties cannot agree, to be charged in Assessment of purpose of making enter upon an Amount found it shall be lawful of which it shall the Holder of the same as aforesaid. of Ground by the adjoining in portion shall be in reclamation from before provided XII. Provisions carrying out of of the Survey date any Arrangements having committed

### GOVERNMENT NOTIFICATION.

The following Ordinance “to provide for the erection of a Public Way, along the Water Frontage of the City of Victoria,” having been read a first time at a Meeting of the Legislative Council held this day, is, in pursuance of Clause XXIX of the Standing Orders and Rules for the Legislative Council of Hongkong, published for the information of those whom it may concern.

By Order,

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

Council Room, Victoria, Hongkong, 4th January, 1858.

## HONGKONG.

ANNO VIGESIMO SECUNDO VICTORIÆ REGINÆ.  
No. of 1859.

By The Honourable Lieutenant-Colonel WILLIAM CAINE, Acting Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same, with the Advice of the Legislative Council of Hongkong.

An Ordinance to provide for the erection of a Public Way along the Water Frontage of the City of Victoria.

[ January, 1859.]

Preamble.

Whereas it is desirable that a Public Way should be erected continuously along the Water Frontage of the City of Victoria: Be it enacted and ordained by The Honourable the Acting Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Power to construct Praya.

I. It shall be lawful for the Governor to give authority to the Surveyor General to procure to be constructed, one uniform and continuous Quay or Praya, and all Works connected therewith along the Water Frontage of the City of Victoria, extending from Navy Bay at the extreme West to Wong-nei-choong at the extreme East thereof.

Name of Praya.

II. The said Quay or Praya shall be called the Bowring Praya.

Praya to be erected according to Plans previously published.

III. The said Quay or Praya and Works connected therewith shall be erected from Designs and Plans prepared by the Surveyor General; and the Ground Plan thereof shall be exhibited for Public inspection in the Office of the Surveyor General during Office-hours for a period of Two Weeks, before any Work shall be commenced by him under the authority of this Ordinance.

Prolongation of Boundary Lines of Lots affected.

IV. In the event of any difficulty occurring in the prolongation of the “Boundary Lines” of Marine Lots through Land reclaimed or to be reclaimed from the Sea, it shall be lawful for the Surveyor General to fix and determine the direction and extent of such prolonged Boundary Lines, provided that he do insert the same on the Plans of the said Praya and Works so open to Public inspection as aforesaid.

Power to give effect to compromises between the Crown and Holders of Marine Lots affected.

V. It shall be lawful for the Governor, on the recommendation of the Surveyor General, to authorize and give effect to any Compromise to be come to, between the Governor on behalf of the Crown, and the Holder of the Crown Lease of any Marine Lot, by which the Claims of such Holder and the Claims of the Crown respectively, may be adjusted equitably and to the advantage of the Colony. And for this purpose it shall be lawful for the Governor to sanction the erection, by any such Marine Lot-holder, of the portion of the said Praya to be erected immediately in front of his own Lot: Provided only that the Erection of such portion of the said Praya shall be carried on and completed under the inspection and to the satisfaction of the Surveyor General, and in accordance with the Plan by him prepared or approved.

Estimates to be annually submitted by Surveyor General.

VI. The Surveyor General shall in every ensuing Year, at some time before the Month of June, submit to the Governor a Statement of the portion of the Works proposed by him to be carried out under this Ordinance within the Year next following, and Estimates of the Expenditure to be incurred on account thereof. And it shall be lawful for the Governor to propose such Estimates, or any of them, in any other manner, making Provision for the Contingent Expenditure of the Colony to be dealt with in like manner as other Estimate to be so proposed.

Power of Entry to Surveyor General.

VII. It shall be lawful for the Surveyor General, and all Officers, Servants, and Workmen employed by or under him, at all times, and with all necessary means and appliances, to enter upon all or any Lots adjacent or approaching to the site of the said Praya, in the course of its erection, and to do thereon that shall be necessary for carrying out the Works provided for by this Ordinance.

Penalty for obstruction, &c.

VIII. If any Person shall wilfully obstruct any Person acting under the authority of this Ordinance, or destroy, remove, or injure any Timber, Stone, or other Materials to be employed in or about the erection of the said Praya, or shall deface any Marks which shall have been made for the purposes of this Ordinance, he shall forfeit for every such Offence a Sum not exceeding Fifty Dollars.

Provision for assessment of Damage hereby occasioned to Holders of Marine Lots.

IX. Every Holder of the Crown Lease of a Marine Lot who shall sustain any Loss or Damage by reason of any Work, Matter or Thing done under the authority of this Ordinance, on the Area occupied by the Tenant and set forth in the Lease aforesaid, shall be entitled to Compensation; and the Amount to be assessed by the Sheriff and a Common Jury, in the same manner as in the case of Land where Judgment has been suffered to go by default by a Defendant in an Action-at-Law. And on the amount made by the Sheriff of the Amount assessed as such Compensation as aforesaid, it shall be lawful for the Governor to direct such Amount to be paid by the Colonial Treasurer to the Person entitled to receive the same.

The two days, are published

Council

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By The Honorable the Legislative

When deposed by the Honorable as follows:

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