

The Acting Governor put the Question,—That this Bill as amended do pass, and that the Title be
*“An Ordinance to repeal Ordinance No. 1 of 1853 and to provide Gaols and Debtors’ Wards,
 and for the due control of Prisoners therein.”*

Question put and carried, the Ordinance being numbered “No. 4 of 1863.”

The second reading of the Bill concerning the Police and Lighting Rate Assessment was deferred till the next Meeting.

The Council adjourned to Tuesday, the 2nd Proximo, at noon.

W. T. MERCER,
Acting Governor.

Read and approved this 2nd Day of June, 1863.

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

GOVERNMENT NOTIFICATION.

The following Bill, now under consideration by the Legislative Council, is published for general information.

By Order,

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

Council Chamber, Hongkong, 2nd June, 1863.

HONGKONG.

ANNO VICESIMO SEXTO VICTORIÆ REGINÆ.

No. of 1863.

By His Excellency WILLIAM THOMAS MERCER, Esquire, 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.

Title. *An Ordinance to provide for the regulation of Public Vehicles and their Drivers and Bearers within Victoria.*

[January, 1863.]

Preamble. Whereas it is expedient to provide for the regulation of Public Chairs within the City of Victoria and its neighbourhood in this Colony and for that purpose that Public Chairs and the Owners and Bearers of Chairs should be licensed and subject to Rules and Regulations: Be it therefore enacted and ordained by His Excellency the Acting Governor of Hongkong with the Advice of the Legislative Council thereof as follows:—

No Vehicle to ply for hire in Victoria, and neighbourhood until License obtained. Penalty for breach. I. No Vehicle shall be allowed to ply for hire or to be hired within the City of Victoria and its neighbourhood unless and until the Owner or one of the Owners thereof shall have obtained a License for the same, which License the Registrar General of this Colony is hereby required to grant subject to such Rules and Regulations as are hereby ordained and authorized. Every Person being Owner or part Owner of a Vehicle or Chair, which shall ply for hire within the limits aforesaid without such License and every Driver or Bearer of such Vehicle or Chair who shall ply for hire without such License as is hereby required shall be subject to a penalty of not exceeding Dollars.

Licenses to be taken out and to be renewed half-yearly and sums payable for licenses ordinary and special. II. Every such License shall be taken out Half-yearly or for the residue of the current Half-year and shall expire on the Thirtieth Day of June and on the Thirty-first Day of December respectively in each Year. Upon the taking out of every such License there shall be paid to the Registrar General for the use of the Public Treasury of this Colony the following Fee:—

For an Ordinary License for a Vehicle drawn by one Horse or more Dollars.

For a Special License for a Vehicle drawn by one Horse or more Dollars.

For an Ordinary License for a Chair Dollars.

For a Special License for a Chair

Dollars.

For every Driver of a Vehicle or Bearer of a Chair

Dollar.

III. Every Driver of a Vehicle and every Bearer of a Chair, which shall be licensed by an Ordinary License shall be privileged to ply for hire from Five O'clock in the Morning until Hours within which Vehicles may ply for hire and number of special licenses. O'clock at Night. Every Driver of a Vehicle and every Bearer of a Chair, which shall be specially licensed, shall be privileged to ply for hire from Five O'clock in the Morning until Twelve O'clock at Night. The number of Special Licenses shall be in the discretion of the Registrar General in the absence of and subject to any direction he may receive from His Excellency the Governor.

IV. No holder of a License shall ply for hire at any other Hour than the Hours above authorized, but every Holder of a License may drive or carry a fare within unauthorized Hours, provided he has been *bonâ fide* engaged within the Hours within which he is hereby authorized to ply for hire, the evidence of such engagement being either the evidence of the Person engaging him or the written Certificate by such Person thereof. Every Driver or Bearer plying for hire or carrying a fare at an unauthorized Hour save as aforesaid shall be subject to a penalty of not exceeding No holder of License to ply out of Hours unauthorized by his license but he may carry a fare if engaged within authorized hours. Dollars.

V. Every Vehicle or Chair licensed shall have affixed thereto in such conspicuous place as the Registrar General shall direct the Number of its License in figures not less than Two Inches in length, and each Driver of a Vehicle or Bearer of a Chair shall wear in such manner as the Registrar General shall direct two distinguishing Badges, the one being his own Number of License and the other being the Number of the Vehicle or Chair which he shall be driving or carrying. Numbers and Badges to be fixed on Vehicles and Chairs and worn by Drivers or Bearers.

VI. All Vehicles or Chairs shall upon the renewal of the License of the same be shewn and submitted to the inspection of the Registrar General, who is hereby authorized to refuse a License in respect of any Vehicle or Chair which shall not in his estimation be either as to repairs or cleanliness in a state fit for public use. Vehicles and Chairs to be inspected by Registrar General and his power to refuse License.

VII. Every Person obtaining a License for a Vehicle or Chair under this Ordinance shall find and give upon receiving his License Security in the Sum of Fifty Dollars for a Special License and Twenty-five Dollars for an Ordinary License by the Bond of himself and of some Person or Persons to the satisfaction of the Registrar General for the appearance at any time of the Person obtaining such License from time to time when he shall be thereunto required and for his duly paying all Fines, which shall be imposed in respect of the Vehicle or Chair or the Driver or Bearer thereof and all damages which Persons hiring such Vehicle or Chair shall recover in respect of the Vehicle or Chair or the Driver or Bearer thereof the Bond to be in such form as the said Registrar General shall require. On License Security to be given.

VIII. Public Vehicles and Chairs shall when unengaged stand ready for hire in and on any such Streets and Wharves and Places not being the Queen's Road and at and within such Vehicle and Chair stand in single rank and within such line as the Registrar General shall by order to be set up in some conspicuous place in his Office from time to time direct, a Copy whereof shall be inserted in every License to be granted under this Ordinance. Vehicle and Chair stands.

IX. The Fares to be charged for Public Vehicles and Chairs shall be such Sums by the Day, Half-day, Hour, Half-hour, or Job as the Registrar General shall by an order to be set up in some conspicuous place in his Office from time to time direct, a Copy whereof shall be inserted in every License to be granted under this Ordinance. Fares to be according to a scale to be fixed by Registrar General.

X. Every Vehicle and Chair on meeting any other Vehicle or Chair shall pass the other by keeping on the left side of the Road and when going in the same direction with and overtaking such Vehicle or Chair shall pass on the right leaving the Vehicle or Chair overtaken on the left. Rule of Road for Vehicles and Chairs meeting and passing defined.

XI. All Property left in any Vehicle or Chair shall be taken forthwith to the Central Police Station and handed over to the Police Authorities who shall cause the Goods to be publicly advertised in the usual manner, and, if claimed, the same shall be handed over to the Owner claiming it subject to a deduction of Five per cent on the value to be given to the Driver or Bearer bringing the same to the Police to be ascertained in case of difference by the Captain Superintendent of Police, and if the same shall be unclaimed at the expiration of Three Months from the date of the loss the Police Authorities shall hand over the Article to the Driver or Bearer, who shall have brought the Property in Vehicle or Chair to be taken to the Police Office, and disposal thereof.

Penalty for non-compliance. same; and in case the Address of such Driver or Bearer cannot be found for Six Months next after the expiration of the said Three Months then the said proceeds shall be paid into the Public Treasury; and in case any Driver or Bearer shall omit from any cause whatever to comply with the regulation contained in this Section he shall be subject to a Fine of not exceeding Dollars or to a revocation of his License for a period not exceeding Two Years over and besides any Punishment for Larceny or other crime of which he may be convicted. Every Driver or Bearer who shall not comply with the provisions of this Section shall be subject to a penalty of not exceeding Dollars for each non-compliance.

Penalties on Drivers of Vehicles and Chairs. XII. Every Driver of a Public Vehicle or Bearer of a Public Chair who shall be guilty of either of the Offences following, that is to say:—

1. Concealing from or preventing any Person taking the Number of himself or of his Vehicle or Chair;
2. Or using any Public Vehicle or Chair without having the Registered Number and according to Regulation properly affixed thereto;
3. Or without having his said two Badges on his Person according to Regulation;
4. Or transferring the use of any License to any other Person without first having such transfer sanctioned and recorded by the Registrar General;
5. Or failing within Forty-eight Hours after the discontinuance or revocation of such License to deliver up the same to the Registrar General;
6. Or carelessly driving any Vehicle or carrying any Chair to the danger of any Person or Property whatsoever;
7. Or using any insulting Language or being guilty of any rude Behaviour whilst employed;
8. Or not keeping the proper side of the Road whilst passing or overtaking another Vehicle or Chair.
9. Or refusing to accept hire when unemployed;
10. Or exacting more than the regular Fare according to the List of Fares authorized for the time being to be received;
11. Or not travelling with proper expedition;
12. Or leaving his Fare before the engagement shall have been completed;
13. Or refusing to wait for a Passenger when so required unless for some good and sufficient reason;
14. Or when unemployed allowing his Chair to remain in any other Place than at one of the Stands hereby appointed so as to obstruct the Public Thoroughfare;

And being convicted thereof shall be subject to a penalty of not exceeding Dollars for each and every Offence.

Penalty on Persons engaging Vehicle or Chair and not paying fare or injuring Vehicles or Chairs or ill-treating or abusing Driver or Bearer. XIII. In case any Person having engaged a Vehicle or Chair shall refuse or neglect to pay the Fare for the same forthwith upon the termination of the hiring, or in case any Person whatever shall wilfully injure or damage any Public Vehicle or Chair or shall beat, illtreat or use abusive Language towards the Driver or Bearer of any Public Vehicle or Chair, every such Person shall be liable to a penalty of not exceeding

Dollars and to pay and make good to the Driver or Bearer double the Fare unpaid or double the Amount of Damage done or a proper Compensation to be adjudged by the Magistrate for Blows inflicted as the case may be and Compensation for the loss of time of the Driver or Bearer and his Witnesses.

Limits of Victoria and neighbourhood to be hereby affected. XIV. For the purposes of this Ordinance the Harbour in the North-side Sookum-poo, on the East the Police Station No. 7 on the West side and the Robinson Road on the South Side shall be taken to be the Boundaries of Victoria and its neighbourhood.

Mode of recovering Penalties. XV. All Penalties imposed hereby shall be sued for and recovered under Ordinance No. 10 of 1844.