

The Bill is then read a first time; and the Council agreeing to a suspension of the Standing Orders, the Bill is read a second time, committed and passed, bearing the Title of "*An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to make further Provision for the maintenance of Order and Cleanliness within the Colony of Hongkong,*" being "No. 9 of 1867."

His Excellency then adjourns the Council at 5 Minutes to 5 P.M. to Thursday, the 20th Instant, at half-past 3 o'clock.

RICHARD GRAVES MACDONNELL,  
Governor:

Read and confirmed, this 20th Day of June, 1867.

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

HONGKONG.  
ANNO TRICESIMO  
VICTORIÆ REGINÆ.

SIR RICHARD GRAVES MACDONNELL, Knight, C.B.,  
Governor and Commander-in-Chief.

No. 6 OF 1867.

Title. *An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, for better securing the Health of Emigrants in Chinese Passenger Ships clearing from Hongkong.*

[17th June, 1867.]

Preamble. Whereas it is expedient to make further Provision for better securing the Health of Emigrants in Chinese Passenger Ships clearing from Hongkong: Be it enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Short Title. I. This Ordinance may be cited for all purposes as the "Hongkong Emigration Ordinance 1867."

Interpretation of Terms. II. In the Interpretation of this Ordinance the expression "Chinese Passenger Ship" shall mean every Ship carrying from any Port in the Colony of Hongkong and its Dependencies more than 20 Passengers being natives of Asia on any voyage of more than Seven Days' duration within the meaning of the "Chinese Passenger Act 1855" as defined by Section III of Ordinance No. 9 of 1856.

Depôts to be provided for the lodgment of Emigrants. III. The Owners or Charterers of every Chinese Passenger Ship shall as soon as such Ship is laid on for the conveyance of Chinese Emigrants provide a Depôt or Depôts in the City of Victoria to be approved of by the Emigration Officer wherein every intending Emigrant by such Ship may lodge as hereinafter provided, and every such Depôt shall be maintained and every Emigrant lodging therein shall be supported at the expense of such Owners or Charterers.

Notice of Ship being laid on as a Chinese Passenger Ship to be given to Emigration Officer. IV. The Owners or Charterers of every Chinese Passenger Ship or if absent from the Colony their respective Agents shall as soon as such Ship is laid on for the conveyance of Chinese Emigrants give notice in writing of the fact to the Emigration Officer specifying in such notice the name destination and probable time of departure of such Ship and the Depôt or Depôts in which the intending Emigrants by such Ship are lodging or intended to be lodged before embarkation.

Emigrants to lodge in Depôt Three clear Days before embarkation. V. Every intending Emigrant in a Chinese Passenger Ship shall unless exempted by the Emigration Officer lodge at the least Three clear Days previously to his embarkation in the Depôt provided by the Owners or Charterers of such Ship with the approval of the Emigration Officer in pursuance of Section III.

VI. Every such Depôt as aforesaid shall be under the supervision of the Emigration Officer who may inspect the same at such times as he shall think fit and may from time to time with the approval of the Governor in Council make any Regulations which shall be deemed expedient to ensure the healthiness thereof and the proper treatment and control of the Emigrants lodging therein. Supervision of Depôts and control of Emigrants therein.

VII. The Owners or Charterers of every Chinese Passenger Ship or if absent from the Colony their respective Agents and every licensed Emigration Passage Broker who shall contract with any intending Emigrant for a passage in such Ship shall forthwith give notice in writing to the Emigration Officer of every such Contract specifying the name age and sex of such Emigrant and the name of such Ship. Notice of every Passage Contract made with an Emigrant to be given to Emigration Officer.

VIII. The Governor is hereby authorized to appoint at a Salary not exceeding \$2,000 per annum a Medical Officer whose Duty it shall be to inspect intending Emigrants and to supervise all matters and things in any way relating to the comfort and well-being of such Emigrants both before their departure and on their voyage and such Salary shall be in lieu of all Fees. Governor authorized to appoint a Medical Officer at a Salary not exceeding \$2,000 per annum.

IX. The Medical Inspection of intending Emigrants by a Chinese Passenger Ship required by Ordinance No. 6 of 1859 shall take place on shore before embarkation as well as on board the said Ship after embarkation and the Emigration Officer shall not grant the Certificate required by the "Chinese Passenger's Act 1855" unless he shall be satisfied that such double Inspection has been duly made. Medical Inspection.

X. It shall not be lawful for any Emigrant to embark in any Chinese Passenger Ship or for the Master or other Person in charge of a Chinese Passenger Ship to permit any Emigrant to embark therein, unless such Emigrant shall previously have received and shall produce an embarkation Permit from the Emigration Officer who shall not grant the same unless he shall be satisfied that such Emigrant has undergone on shore the Medical Inspection required by Law to be made before embarkation. No Emigrant to embark or be received on board without a Permit.

XI. The Medical Inspection of Emigrants required to be made after their embarkation in any Chinese Passenger Ship shall take place at such time as the Emigration Officer shall appoint. Emigration Officer to appoint time for Medical Inspection after embarkation.

XII. The Fees heretofore payable to the Medical Practitioner effecting such Inspection shall be paid in the first instance by the Charterer of such Ship to the Emigration Officer and by him paid into the Treasury. Fees how payable.

XIII. Any Chinese Medical Practitioner properly qualified to the satisfaction of the Colonial Surgeon shall be eligible with approval of the Governor for the office of Surgeon of a Chinese Passenger Ship within the terms of Schedule A of the "Chinese Passenger's Act 1855." Chinese Medical Practitioners approved by Colonial Surgeon may be Surgeons of Chinese Passenger Ships.

XIV. In all cases where a Chinese Medical Practitioner shall be appointed Surgeon of a Chinese Passenger Ship the whole or any portion of the Medicines and Medical Comforts required to be placed on board by the said Schedule may be dispensed with provided that in lieu thereof suitable and sufficient Medicines and Medical Comforts adapted to the method of treatment pursued by the Chinese shall be placed on board according to a scale to be approved by the Colonial Surgeon. Chinese Medicines and Medical Comforts.

XV. The Order of Her Majesty the Queen in Council dated the 5th Day of December 1865 relating to the quantity of Water to be carried by Passenger Ships having a certain description of Condensing Apparatus shall apply to Chinese Passenger Ships. Order in Council of the 5th Day of December 1865 to apply to Chinese Passenger Ships.

XVI. The Owners or Charterers of any Chinese Passenger Ship and any Emigration Passage Broker and any intending Emigrant by a Chinese Passenger Ship and any Master or other Person in charge of a Chinese Passenger Ship who shall fail to comply with or commit any Breach of the Provisions of this Ordinance or any Regulations and Bye-Laws to be framed under this Ordinance in pursuance of Sections VI and XVIII so far as they may respectively be bound thereby and any Person granting or knowingly uttering any forged Certificate, Permit, Notice, or other Document under this Ordinance shall without prejudice to any other Proceeding Civil or Criminal be liable upon summary conviction before a Magistrate to a Fine not exceeding \$500 or to Imprisonment with or without Hard Labor for any Term not exceeding Six Months. Punishment of Persons committing any Breach of this Ordinance.

XVII. No Chinese Passenger Ship bound to any Port Westward of the Cape of Good Hope shall be permitted to clear from any Port in the Colony between the Months of May and September inclusive. No Chinese Passenger Ship to clear between May and September.

The Governor in Council may make By-Laws.

XVIII. The Governor in Council may from time to time make alter and revoke any Bye-Laws for Regulating the Fees payable on account of Medical Inspection and Supervision under the "Chinese Passenger's Act 1855" and may also make alter and revoke any Bye-Laws and Regulations for giving effect to this or any other Ordinance of the Colony in force for the time being relating to Chinese Passenger Ships, and generally for better carrying into effect the Provisions and objects of the said Act and Ordinances respectively.

Forms in Schedules of "Chinese Passenger Act 1855" may be varied.

XIX. For the purpose of this Ordinance the Forms prescribed by Section IV of the "Chinese Passenger Act 1855" and contained in Schedules B and C of the said Act may be varied by the Emigration Officer with the approval of the Governor in Council and the said Forms so varied as aforesaid may be substituted in lieu thereof.

Regulations of Schedule A of "Chinese Passenger Act 1855" to be in force except as altered by this Ordinance.

XX. No Chinese Passenger Ship shall clear out or proceed to Sea without strictly conforming with the Regulations contained in Schedule A of the "Chinese Passenger's Act 1855" except so far as the said Regulations are modified or altered by any of the Provisions of this Ordinance or may be inconsistent therewith; and except as aforesaid the said Regulations shall be and continue in full force and effect.

Ordinance not to extend to Mail Steamers.

XXI. This Ordinance shall not extend to any Steam Vessel regularly employed in the Conveyance of the Public Mails, under a Contract with the Government of the State or Colony to which such Steam Vessel may belong.

Suspending Clause.

XXII. This Ordinance shall not come into operation until Her Majesty's confirmation thereof shall have been proclaimed in the Colony by the Governor.

Passed the Legislative Council of Hongkong, this 17th Day of June, 1867.

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

HONGKONG.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

SIR RICHARD GRAVES MACDONNELL, Knight, C.B.,  
*Governor and Commander-in-Chief.*

No. 7 OF 1867.

Title.

*An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to amend the Law of Partnership.*

[17th June, 1867.]

Preamble.

Whereas it is expedient to extend to this Colony the Provisions of an Act of the Imperial Parliament passed in the 28th and 29th Years of the Reign of Her Majesty Queen Victoria intituled "An Act to amend the Law of Partnership:" Be it therefore enacted and ordained by the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

The advance of money on contract to receive a share of profits not to constitute the lender a Partner.

I. The advance of money by way of Loan to a Person engaged or about to engage in any Trade or Undertaking upon a contract in writing with such Person that the Lender shall receive a rate of interest varying with the profits, or shall receive a share of the profits arising from carrying on such Trade or Undertaking, shall not, of itself, constitute the Lender a Partner with the Person or the Persons carrying on such Trade or Undertaking or render him responsible as such.

The remuneration of Agents, &c., by share of profits not to make them Partners.

II. No contract for the remuneration of a Servant or Agent of any Person engaged in any Trade or Undertaking by a share of the profits of such Trade or Undertaking shall, of itself, render such Servant or Agent responsible as a Partner therein, nor give him the rights of a Partner.

Certain Annuitants not to be deemed Partners.

III. No Person being the widow or child of the deceased Partner of a Trader, and receiving by way of annuity a portion of the profits made by such Trader in his business, shall, by reason only of such receipt, be deemed to be a Partner of or to be subject to any liabilities incurred by such Trader.