

Surveyor General to amend Register.

II. The Surveyor General shall amend the Register in the presence and under the direction of the Colonial Secretary by cancelling therein all Matter in any way concerning or relating to the said Premises comprised in the said Indenture.

Burial not to take place after Commencement of Ordinance.

III. From and after the Commencement of this Ordinance it shall not be lawful to bury the Dead in any part of the Old Cemetery, and every Person who shall after such time as aforesaid bury any Body or in anywise act or assist in the Burial of any Body contrary to this Enactment shall be Guilty of a Misdemeanor and shall be liable to a Fine not exceeding \$100 or to be Imprisoned for any Term not exceeding Three Months.

The Mussulman Community to have free access to the Old Cemetery and to the Monuments and Gravestones.

IV. The Mussulman Community of Hongkong shall continue to have free access to the Old Cemetery and to the Monuments and Gravestones therein which (except under the Provision in that behalf hereinafter contained) shall not be disturbed or removed; Provided nevertheless that it shall be lawful for the Governor in Council from time to time to make alter and revoke any By-Laws or Rules and Regulations which may be deemed expedient for the preservation and security of the said Cemetery and for permitting or restricting access thereto and also for the punishment of Persons violating such By-Laws, Rules and Regulations.

Remains of any Body buried in the Old Cemetery may be removed to the New Cemetery.

V. The Remains of any Body buried in the Old Cemetery and any Monument or Gravestone therein may be removed upon application to and by leave of the Governor in Council.

Commencement of Ordinance.

VI. This Ordinance shall come into force on such Day as shall hereafter be fixed by Proclamation under the Hand of the Governor.

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

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

SCHEDULE.

All that Piece or Parcel of Ground situate lying and being in the Sub-District of Victoria called Sei-Ying-Poon in this Colony abutting on the North side thereof on Bonham Road and measuring thereon Three Hundred Feet; on the South side thereof on Ground now in the Possession of Government and measuring thereon Three Hundred and Fifty Feet, on the East side thereof on Ground now in the Possession of Government and measuring thereon Four Hundred and Sixty Five Feet and on the West side thereof on Ground now in the Possession of Government and measuring thereon Four Hundred and Sixty Seven and a Half Feet which said Piece or Parcel of Ground contains in the whole Three Acres Two Roods Thirty One Perches and Twenty Five Square Yards and is Registered in the Land Office as Inland Lot Number 582 in the names of Sheik Mosdeen, Mahomed Arab, and Seik Jumma.

HONGKONG.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

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

No. 9 OF 1867.

Title.

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.

[17th June, 1867.]

Preamble.

Whereas it is expedient to make further Provision for the Maintenance of Order and Cleanliness in the Colony of Hongkong: Be it enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Ordinance No. 8 of 1866 repealed.

I. Ordinance No. 8 of 1866 is hereby repealed.

II. It shall be lawful for the Governor to apply a certain proportion not exceeding three-fourths, of all Fines and Penalties recovered in any Court to payment of such Rewards, Bounties and Gratuities as he may from time to time to any Member of the Police Force or to any Constable, for meritorious conduct, zeal displayed, or injury sustained in the execution of his Duty, or to such private Persons or Informers, as the Governor may deem deserving of being rewarded for assisting in the detection of Crime, or the apprehension of Offenders.

Power given to the Governor to appropriate a certain amount of Fines for the payment of Rewards to the Police and to Informers.

III. It shall be lawful for the Governor in Council, from time to time, to frame such Regulations to be enforced by such Fines and Penalties as to him shall seem fit, for the removal of Night Soil and the Depositing of rubbish and for the more effectual carrying out of this Ordinance. Such Regulations shall be duly published in the *Gazette*, and from and after such publication to have the same force and effect as if the same had been enacted by an Ordinance duly passed to that effect.

Power given to the Governor to frame Regulations.

IV. Section XII of Ordinance No. 6 of 1862 is hereby amended by the addition of the words, "with or without Hard Labor" immediately after the words "Three Months" in the Fifth Line of the said Section.

Section XII of Ordinance No. 6 of 1862 amended.

V. Section XXI of Ordinance No. 9 of 1862 is hereby amended by substituting for the words "Three Months" at the end of the said Section, the words "Six Months with or without Hard Labor."

Section XXI of Ordinance No. 9 of 1862 amended.

VI. Every Male Person who, subsequently to the commencement of this Ordinance shall be charged with having committed, or having attempted to commit, or with having been an aider, abettor, counsellor, or procurer, in the Commission of any Offence which now is or hereafter may be by Law deemed or declared to be Simple Larceny, or punishable as Simple Larceny, and whose Age at the period of the Commission or attempted Commission of such Offence, shall not, in the Opinion of the Court before whom he shall be brought or appear, exceed the Age of Sixteen Years, shall on conviction thereof whether summarily or otherwise be liable by the Sentence of such Court to be once or twice privately whipped, either instead of, or in addition to any other Punishment which may now be inflicted for such Offence: Provided that such Sentence shall specify the number of Strokes which shall in no case exceed Twenty, and Provided that the Instrument used shall be a Rattan.

Juvenile Offenders to be privately whipped in certain cases.

VII. From and after the First Day of August, 1867, it shall not be lawful for any Chinese to act as a Money-Changer in the Colony of Hongkong, unless he has previously obtained a License to do so from the Registrar General, which License shall remain in force for One Year, and for which the Sum of Five Dollars shall be annually paid to the Registrar General, who shall account therefor to the Colonial Treasurer.

Chinese Money-Changers to be Licensed.

VIII. Any Chinese who shall carry on the business of or act as a Money-Changer in the Colony of Hongkong without having obtained such a License, or after the expiration of the same, or who shall violate any of the Conditions contained in the said License shall on conviction thereof before a Justice of the Peace, be liable to a Fine not exceeding Twenty-five Dollars and not less than Ten Dollars, and in default of payment to be Imprisoned, with or without Hard Labor, for any Term not exceeding Three Months.

Penalty on an Unlicensed Person acting as Money Changer.

IX. The Provisions of Ordinance No. 9 of 1857 so far as they relate to Night Passes shall be deemed and taken to be applicable to Chinese Women, except so far as the same may authorize the infliction of any Corporal punishment, or exposure in the stocks.

Ordinance No. 9 of 1857 so far as it relates to Passes to be applicable to Women.

X. The keeping of Pigs, or of other Animals likely to be injurious to the public health within the city of Victoria without a Special License from the Registrar General is strictly prohibited, and any Person who shall be convicted before a Justice of the Peace of keeping a Pig or other such Animal in the said City of Victoria, shall be liable to a Fine not exceeding Five Dollars, and in default of payment shall be Imprisoned for any Term not exceeding Fourteen Days, and the said Pig or other Animal shall also be forfeited.

No Pigs or other Animals injurious to the public health to be kept within the City of Victoria.

XI. Any Person who shall expose or proffer for sale in any House or Shop in the Colony of Hongkong, any liquor, meat, provisions, condiments, or other article of food in any tainted, noxious, adulterated, or unwholesome state, shall on conviction thereof before a Justice of the Peace, be liable to a Fine not exceeding One hundred Dollars, and in default of payment to be Imprisoned, with or without Hard Labor, for any Term not exceeding Six Months; and in case the Person convicted shall be a licensed Spirit Dealer, or Boarding-house Keeper, he shall in addition forfeit his License.

Adulterated and unwholesome Food or Liquor, &c. may be seized; Penalty on Persons selling the same.

Warrants to search Houses and Shops may be granted in certain Cases.

XII. On Information duly made before any Justice of the Peace by any Constable or credible Person that there is good reason to believe that any such tainted, noxious, adulterated or unwholesome liquor, meat, provisions, condiments, or other article of food, is exposed, or for sale, in any House or Shop in the said Colony, it shall be lawful for such Justice in his Discretion, to grant a Warrant to any Constable to enter and search any such House or Shop by day, and such Constable may, if necessary, break open the Doors of such House or Shop, and seize such liquor or provisions as aforesaid, and detain the same until the Owner thereof shall appear before any Justice, and if it shall appear to the said Justice that the said liquor or provisions are tainted, noxious, adulterated or unwholesome, he shall adjudge the same to be condemned and destroyed, but if otherwise they shall forthwith be restored to the proper Owner. And in case of a conviction, the said Justice shall have power to order the Offender to pay in addition to any Fine that may be imposed, the Costs which have been incurred in the execution of the said Warrant.

Power to the Governor to appoint a Medical Inspector.

XIII. It shall be lawful for the Governor to appoint a duly qualified Medical Practitioner to be the Medical Inspector of the Colony, who shall perform such Duties connected with the sanitary state of the Colony as the Governor shall direct, and who shall receive such annual Salary as may be voted.

Overcrowded Lodging Houses.

XIV. Whenever the Colonial Surgeon, the Medical Inspector, or any Two resident Medical Practitioners, shall certify to any Justice of the Peace that any House, occupied by more than One family, is so overcrowded, or is in such a filthy and unwholesome state as to be dangerous or prejudicial to the health of the inhabitants of the neighbourhood, it shall be lawful for the said Justice and he is hereby required to issue a Summons against the Householder or his Agent within the meaning of the "Victoria Registration Ordinance 1866," by Notice affixed to the House, to appear before the said Justice who shall thereupon make such Order as he may think fit; and in case any Order so made shall not be complied with by such Householder, or Agent as aforesaid, within Seven Days from the making thereof, the said Justice may thereupon impose on the Person so refusing or neglecting to obey the said Order, a Fine not exceeding Fifty Dollars and not less than Ten Dollars, and in default of payment the Person so refusing or neglecting to obey the said Order may be Imprisoned for any Term not exceeding Three Months.

Penalty on Persons refusing to permit their Houses to be inspected.

XV. The said Medical Inspector shall have power at any reasonable time to enter any House in the Colony and to inspect the condition of the same: any Person refusing to permit the said Medical Inspector to enter and examine any such House shall on conviction thereof before a Justice of the Peace be liable to a Fine not exceeding Ten Dollars and not less than Five Dollars, or in default of payment to be Imprisoned for any Term not exceeding Fourteen Days.

Penalty on Chinese Licensed Spirit Dealers allowing the instalments of their License Fees to be in arrear.

XVI. Whenever the Holder of any License for the sale of Spirituous Liquors granted under Ordinance No. 7 of 1858 shall permit any Instalment of his License Fee to be in arrear and unpaid, he shall, on conviction thereof before a Justice of the Peace, be liable to a Fine not exceeding Twenty-five Dollars and not less than Ten Dollars, and in default of payment, may be Imprisoned for any Term not exceeding One Month.

Penalty on Persons knowingly harboring Chinese under Sentence of Deportation.

XVII. Any Person who shall knowingly harbor or conceal, in the Colony of Hongkong, any Person under Sentence of Deportation, shall on conviction thereof before a Justice of the Peace be liable to a Fine not exceeding Fifty Dollars and not less than Ten Dollars or in default of payment, to be Imprisoned, with or without Hard Labor, for any Term not exceeding Six Months.

Gambling—Governor in Council to frame Rules for Limitation and Control of.

XVIII. And whereas the Evils of Gambling in the Colony are found to be on the increase notwithstanding the application of the Penal Laws in force for their Prevention, and it is expedient to devise and adopt further measures for the gradual Control and ultimate Suppression thereof; Be it therefore enacted that it shall be lawful for the Governor in Council from time to time to frame and pass such Rules, Regulations and Conditions as may be deemed expedient for the total Suppression or in the meanwhile for the better Limitation and Control of Gambling in this Colony, with Power from time to time to alter and amend such Rules and Regulations or repeal the same or any part thereof.

Penalty for violating Rules of Governor in Council.

XIX. Any Person violating any of the Rules, Regulations or Conditions to be from time to time framed and passed by the Governor in Council and published in the *Gazette* in pursuance of this Ordinance, or any of the Conditions imposed thereunder for the better limitation and control of Gambling, shall be liable upon

summary conviction before a Magistrate of Police to a Penalty not exceeding Two hundred Dollars and not less than Twenty Dollars, and to Imprisonment, with or without Hard Labor, for any Period not exceeding Six Calendar Months and not less than One Calendar Month.

XX. It shall be lawful for any Justice of the Peace or Constable, and also for any Person authorized thereto by the Governor to enter any House, Room, Vessel, Boat, and Place, either on Land or Water within the limits of this Colony, and to arrest therein any Person violating or suspected of having within Twenty-four Hours previous to such arrest violated any such Rules, Regulations or Conditions as aforesaid, and to seize all Instruments of Gaming, Tables, Dice or other Implements used in Gambling, and also all Monies and Securities for Money found on such Persons or in such House, Room, Boat, Vessel and Place aforesaid, and all such Implements of Gambling, Monies and Securities for Money if proved to the satisfaction of a Magistrate of Police to have been used or kept for purposes of Gambling shall be forfeited to the Crown; and all Persons convicted of violating the Rules, Regulations and Conditions aforesaid shall in addition to the forfeitures specified in this Section be liable to be fined in any Sum or Imprisoned for any Period named in the Rules to be framed by the Governor in Council under Section XVII.

XXI. The Word "Gambling" as used in this Ordinance shall apply to and include Lotteries, as well those known as Wai-Sing, Pak-Kop-Piu, Tsze-Fa, as all others.

XXII. All Ordinances or portions of Ordinances inconsistent with the Provisions of this Ordinance are hereby repealed.

XXIII. All Penalties imposed under this Ordinance shall be recovered and may be distributed in the manner provided by Ordinance No. 10 of 1844.

XXIV. This Ordinance shall commence and take effect on such Day as shall hereafter be fixed by Proclamation under the hand of the Governor.

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

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

No. 4.

PROCLAMATION.

[L.S.] RICHARD GRAVES MACDONNELL.

By His Excellency SIR RICHARD GRAVES MACDONNELL, Knight, and Companion of the Most Honorable Order of the Bath, Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same.

Whereas by Section XXIV of Ordinance No. 9 of 1867, it is enacted as follows:—

"This Ordinance shall commence and take effect on such Day as shall hereafter be fixed by "Proclamation under the hand of the Governor:"

Now, therefore, I, SIR RICHARD GRAVES MACDONNELL, Governor of the Colony of Hongkong, in pursuance of the said Section and by virtue of the Authority thereby in me vested, do hereby under my hand Proclaim, that the said Ordinance shall commence and take effect on the First Day of July, now next ensuing.

By His Excellency's Command,

HENRY JOHN BALL,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Given at Victoria, Hongkong, this 21st Day of June, 1867.

No. 96.

GOVERNMENT NOTIFICATION.

The following Rules and Regulations, made by the Governor in Council, under Ordinance No. 9 of 1867, are published for general information.

By Command,

HENRY JOHN BALL,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 22nd June, 1867.