

(Q.)

(Notification in Gazette that a House is declared an Unlicensed Brothel.)

“THE CONTAGIOUS DISEASES ORDINANCE, 1867.”

It is hereby notified that the House [or part of a House] hereinafter mentioned that is to say [describe the same] was on the Day of 18, pursuant to Section XXIII of the above Ordinance, declared by me under my Hand and Seal of Office to be an Unlicensed Brothel.

Registrar General.

(R.)

(Certificate of Hospital Charges.)

“THE CONTAGIOUS DISEASES ORDINANCE, 1867.”

In pursuance of the above mentioned Ordinance, I do hereby certify that of Licensed Brothel No. _____ has been an Inmate of Certified Hospital of [_____] from the Day of _____ to the Day of _____ and that the charges hereto marked A. are in accordance with the scale of charges fixed by me with the approval of His Excellency the Governor pursuant to Section XLI of the above mentioned Ordinance.

Dated this Day of 18

Inspector of Hospitals.

HONGKONG.

ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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

No. 11 OF 1867.

An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to amend “The Police and Lighting Rate Ordinance, 1863.”

Title.

[23rd July, 1867.]

Whereas it is expedient to amend “The Police and Lighting Rate Ordinance, 1863” and to make better Provision for the Collection of the Rates, the Recovery of Arrears thereof, and other incidental Matters: Be it therefore enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Preamble.

I. “This Ordinance may be cited as “The Police and Lighting Rate Amendment Ordinance, 1867.”

Short Title.

II. Sections XIV, XV and XVI of “The Police and Lighting Rate Ordinance, 1863” shall be and the same hereby are repealed.

Sections XIV, XV and XVI of “The Police and Lighting Rate Ordinance, 1863,” repealed.

III. From and after the Commencement of this Ordinance the Police, Lighting and Water Rates though separately assessed shall be levied as One Tax, for the Payment of which, the Owners and Occupiers of Tenements shall be liable to the Crown but the same shall be deemed an Occupier’s Tax, and, as between the Owner and Occupier of a Tenement shall in the absence of any Agreement to the contrary be borne by the Occupier, and the amount thereof if paid by the Owner may be recovered by him from the Occupier in an action for money paid to his use or, in case he shall still be in Occupation of the Tenement, by Distress in like manner as for Rent at Common Law.

Owners and Occupiers to be liable to Crown but Occupiers liable in absence of agreement to Owners.

IV. If any Person assessed under “The Police and Lighting Rate Ordinance, 1863,” or rendered liable by the said Ordinance to the payment of any Assessment, shall neglect to pay the same or any part thereof, within the period appointed by the

Recovery of Rates.

Governor in Council and declared payable by Public Notice given on that behalf in the *Gazette*, the Colonial Treasurer may sue for and recover the same in the Court of Summary Jurisdiction together with interest at the rate of 12 per centum per annum payable from the expiration of Fifteen Days from the first day of the Quarter for which such Assessment shall be due; Provided always that no such Assessment shall be recovered from any Person unless it shall be made to appear by Affidavit, or otherwise to the satisfaction of the Court that at least Four Days before the entry of the Plaint, an application was made at the Dwelling-house of such Person for the amount of the said Assessment, and that a Notice in the Form in the Schedule *A* hereunto annexed, was left for him at such Dwelling-house.

How Rates to be refunded.

V. A proportionate Sum shall be refunded from the amount of Rates paid in advance for any Quarter or other period in respect of every entire Month of such Quarter or other period during which any Tenement for which such Rates shall have been paid, shall be proved to the satisfaction of the Court of Summary Jurisdiction, to have been uninhabited: Provided always:—

(1.) That the Person claiming such Sum to be refunded or some Person on his behalf shall within 10 Days after the expiration of such Quarter or other period file in the said Court, a Petition in the Form in the Schedule *B* hereunto annexed, verified by Affidavit of the facts therein stated, and shall also within such time as aforesaid give notice in writing to the Colonial Treasurer of the filing of such Petition.

(2.) That the Judge of the said Court shall cause to be endorsed upon such Petition and shall sign a Certificate in the Form in Schedule *C* hereunto annexed.

Court may entertain Petition above \$500.

VI. The Judge of the Court may adjudicate upon any such Petition, notwithstanding that the Sum claimed therein may exceed \$500, and for the purpose of such adjudication may receive any evidence which he shall think fit.

On Certificate of Court Colonial Treasurer to refund.

VII. Upon production of a copy of such Certificate under the Seal of the said Court, it shall be lawful for the Colonial Treasurer to refund the amount specified therein to the Petitioner who shall deliver such copy to him with a receipt for the said amount endorsed thereon.

Governor may order Rates to be refunded.

VIII. In all cases where from any cause whatever any Person claiming any refund of Rates shall not have received the same it shall be lawful for the Governor if he shall think fit to order the whole or any part of the Sum claimed to be refunded by the Colonial Treasurer.

By whom Treasurer may appear.

IX. In all matters under this Ordinance the Colonial Treasurer shall sue as Colonial Treasurer but may be represented in the Court of Summary Jurisdiction by any Person whom he shall appoint in that behalf.

Ordinances to be construed together.

X. This Ordinance, Ordinance No. 12 of 1860, Ordinance No. 9 of 1862 and so much of the "Police and Lighting Rate Ordinance, 1863" as is not repealed hereby shall be construed together and for all requisite Purposes be deemed and taken as One Ordinance.

Commencement of Ordinance.

XI. 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 23rd Day of July, 1867.

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

SCHEDULE
A.

To A. B.

Take notice that I have this day called upon you to demand payment of the rates as under [*specifying the amounts and the times when the same became payable.*]

If you fail to pay the above amount together with the interest thereon at 12 per cent from the time when the same became payable, application will on the _____ Day of _____, instant [*or as the case may be, but the day must be fixed*] at 10 o'clock in the forenoon be made to the Court of Summary Jurisdiction for a Warrant against you for the recovery thereof.

Dated this

Day of

Collector of Rates.

B.

IN THE COURT OF SUMMARY JURISDICTION.

The Day of 186 .

In the matter of A. B. and "The Police and Lighting Rates Amendment Ordinance, 1867."
Petition of A. B.

Sheweth:

[State briefly the grounds on which a refund is claimed.]

And your Petitioners will, &c.

I, A. B. make oath and say [or declare as the case may be] that the matters above contained are true in substance and in fact.

Sworn [or Declared] before me.

C.

IN THE COURT OF SUMMARY JURISDICTION.

The Day of 186 .

In the matter of A. B. and "The Police and Lighting Rates Amendment Ordinance, 1867."

I hereby certify that A. B. has proved to my satisfaction that he is entitled to a refund of the Rates paid by him amounting to \$

C. D.,

Judge of the Court of Summary Jurisdiction.

GOVERNMENT NOTIFICATION.

The following Bill, which was read a first time at a Meeting of the Legislative Council held this day, is published for general information.

By Order,

L. D'ALMADA E CASTRO,
Clerk of Councils.Council Chamber, Hongkong, 23rd July, 1867.

An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof; to extend the Powers of the Supreme Court for Suppression of Piracy.

Title.

[1867.]

Whereas by The Ordinance for the Suppression of Piracy No. 9 of 1866, there was constituted a Court of Record styled "The High Court of Hongkong for the "Suppression of Piracy"; And whereas by Section VII of the said Ordinance there was conferred upon the said Court, Jurisdiction to try certain Special Offences therein defined, and to inflict the punishment attached thereto respectively; And whereas it is expedient that the Supreme Court should have concurrent Jurisdiction with the said High Court to try such Offences, and inflict such punishments as aforesaid: Be it enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Preamble.

I. The Supreme Court shall have Jurisdiction to try all Offences which by the said Ordinance No. 9 of 1866 for the Suppression of Piracy the High Court thereby constituted is authorized to try, and the Governor in Council and the said Supreme Court respectively shall have full power and authority to inflict such Punishments in respect of the said Offences as the said Court by the Ordinance aforesaid has power and authority to inflict.

II. Provided that nothing herein contained shall authorize the Supreme Court to try any such Offences aforesaid without the intervention of a Jury or without such proceedings as are now used and approved in the said Court with respect to Criminal Cases ordinarily heard and determined therein.

Trial to be with a Jury in accordance with practice of Supreme Court.

III. The several Provisions in the said recited Ordinance contained incident to or connected with the exercise of the Powers thereby given shall, so far as the same are not inconsistent with the Practice of the Supreme Court, be applicable to all Proceedings instituted under the authority of this Ordinance.

Provisions of Ordinance No. 9 of 1866, applicable to Proceedings under this Ordinance.

IV. Every Person who might under Ordinance No. 9 of 1866, Section XIX, be committed for trial before the said High Court shall be committed for trial before the Supreme Court, unless the Attorney General shall otherwise direct.

Trial may take place before Supreme Court.

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

Commencement of Ordinance.