

I. The said High Court shall be and is hereby empowered to try without the Intervention of a Jury all cases over which it hath or may hereafter have Jurisdiction. High Court empowered to act without a Jury.

II. 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. Supreme Court authorized to try and Governor in Council and Supreme Court to punish certain Offences relating to Piracy.

III. 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 before Supreme Court to be with a Jury.

IV. The several Provisions in the said recited Ordinance contained incident to or connected with the exercise of the Powers thereby given, so far as the same are not inconsistent with the Practice of the Supreme Court, shall be applicable to all Proceedings instituted under the authority of this Ordinance. Provisions of Ordinance No. 9 of 1866, applicable to Proceedings of Supreme Court under this Ordinance.

V. 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.

VI. 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.

Passed the Legislative Council of Hongkong, this 10th Day of September, 1867.

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

No. 6.

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 VI of Ordinance No. 12 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 Fourteenth Day of September now Instant.

By His Excellency's Command,

CECIL C. SMITH,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Given at Victoria, Hongkong, this 13th Day of September, 1867.

HONGKONG.

ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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

No. 13 OF 1867.

An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, for the more effectual Protection of Her Majesty's Naval and Victualling Stores, and for the Regulation of Pawnbrokers' Licenses.

Title.

[10th September, 1867.]

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 as "The Naval and Victualling Stores Ordinance, (Hongkong) 1867."
Interpretation of Terms.	II. In this Ordinance:—
"The Admiralty."	The Term "The Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, and shall be deemed to include the Officer in command of Her Majesty's Naval Forces on the China Station.
"Dealers in Marine Stores."	The Term "Dealer in Marine Stores" means a Person dealing in buying and selling Anchors, Cables, Sails, or Old Junk, Old Iron, or Marine Stores, of any description.
"Dealer in Old Metals."	The Term "Dealer in Old Metals" shall mean any Person dealing in buying and selling Old Metal, Scrap Metal, Broken Metal, or partly Manufactured Metal Goods, or Defaced or Old Metal Goods, and whether such Person deals in such articles only or together with second hand Goods or Marine Stores; and the Term "Old Metals" shall mean the said articles.
"In Her Majesty's Service."	The Term "in Her Majesty's Service," when applied to Persons, applies also to Persons in the Employment of the Admiralty.
"Stores."	The Term "Stores" includes any single Store or Article.
License to carry on the Trade of a Dealer in Marine Stores or Old Metal necessary.	III. No Person shall after the passing and coming into operation of this Ordinance use or exercise the Trade or Business of a Dealer in Marine Stores or a Dealer in Old Metals, unless he be the holder of a License for that purpose.
Licenses to be granted by the Governor subject &c.	IV. Every such License shall be granted by and held at the Discretion of the Governor on such Conditions as to Fees and subject to such Regulations as shall, from time to time, be framed by the Governor in Council.
Holder of License to keep Books, &c.	V. Every Dealer in Marine Stores to whom a License shall have been granted shall keep a Book or Books fairly written, and shall enter therein an account of all such Marine Stores or Old Metal, as he may, from time to time, become possessed of, stating in respect of each article the time at which and the Person from whom he purchased or received the same, adding in the case of every such last mentioned Person a description of his business and place of abode.
Inspection of Goods, Books, &c.	VI. Every Person to whom such License shall have been granted shall whensoever thereunto required by the Superintendent of Police or any Inspector of Police, or by any other Member of the Police Force, bearing a written Order in that behalf under the Hand of the said Superintendent, produce for the Inspection of the Party so requiring him all or any Marine Stores or Old Metal in his possession or subject to his control and all Books and Papers relating to the same.
Penalties.	VII. If any Person acts in contravention of the Provisions contained in Sections III, V, or VI, he shall be liable on Summary Conviction before a Magistrate to a Penalty not exceeding Two Hundred Dollars, or to be Imprisoned for any Term not exceeding Three Months, with or without Hard Labor.
Provisions of Section IV applicable to Pawnbrokers.	VIII. The Provisions of Section IV shall be applicable to all Licenses hereafter to be granted to Pawnbrokers.
Marks in Schedule appropriated for Her Majesty's Naval and Victualling Stores.	IX. The Marks described in the Schedule to this Ordinance may be applied in or on Her Majesty's Naval and Victualling Stores to denote Her Majesty's Property in Stores so marked. It shall be lawful for the Admiralty, their Contractors, Officers, and Workmen, to apply the said Marks or any of them in or on any such Stores as are described in the said Schedule.
Imitation a Misdemeanor.	If any Person, without lawful Authority (Proof of which Authority shall lie on the Party accused), applies any of the said Marks in or on any such Stores, he shall be guilty of a Misdemeanor, and shall be liable to be Imprisoned for any Term not exceeding Two Years, with or without Hard Labor.
Obliteration with Intent to conceal Her Majesty's Property, Felony.	X. If any Person, with Intent to conceal Her Majesty's Property in any Naval or Victualling Stores, takes out, destroys, or obliterates, wholly or in part, any such Mark as aforesaid, he shall be guilty of Felony, and shall be liable, in the Discretion of

the Court, to be kept in Penal Servitude for any Term not exceeding Four Years, or to be Imprisoned for any Term not exceeding Two Years, with or without Hard Labor, and with or without Solitary Confinement.

XI. If any Person, without lawful Authority (Proof of which Authority shall lie on the Party accused), receives, possesses, keeps, sells, or delivers any Naval or Victualling Stores bearing any such Mark as aforesaid, knowing them to bear such Mark, he shall be guilty of a Misdemeanor, and shall be liable to be Imprisoned for any Term not exceeding One Year, with or without Hard Labor.

Knowingly receiving, &c. marked Stores, a Misdemeanor.

XII. Where the Person charged with such a Misdemeanor as last aforesaid was at the Time at which the Offence is charged to have been committed a Dealer in Marine Stores, or a Dealer in Old Metals, or in Her Majesty's Service, Knowledge on his Part that the Stores to which the Charge relates bore such Mark as aforesaid shall be presumed until the contrary is shown.

Knowledge of Stores being marked presumed against Dealers, &c.

XIII. Any Person charged with such a Misdemeanor as last aforesaid in relation to Stores the Value of which does not exceed Twenty-five Dollars shall be liable on Summary Conviction before a Magistrate to a Penalty not exceeding One hundred Dollars, or, in the Discretion of the Magistrate, to be Imprisoned for any Term not exceeding Six Months, with or without Hard Labor.

Offenders may be summarily convicted in certain Cases.

XIV. In order to prevent a Failure of Justice in some Cases by reason of the Difficulty of proving Knowledge of the Fact that Stores bore such a Mark as aforesaid,— If any Naval or Victualling Stores bearing any such Mark are found in the Possession of any Person not being a Dealer in Marine Stores or a Dealer in Old Metals, and not being in Her Majesty's Service, and such Person, when taken or summoned before a Magistrate, does not satisfy the Magistrate that he came by the Stores so found lawfully, he shall be liable, on Conviction by the Magistrate, to a Penalty not exceeding Twenty-five Dollars; and if any such Person satisfies the Magistrate that he came by the Stores so found lawfully, the Magistrate, at his Discretion, as the Evidence given and the Circumstances of the Case require, may summon before him every Person through whose Hands such Stores appear to have passed, and if any such Person as last aforesaid who has had Possession thereof does not satisfy the Magistrate that he came by the same lawfully, he shall be liable, on Conviction by the Magistrate, to a Penalty not exceeding Twenty-five Dollars.

Persons not Dealers in Marine Stores, &c., found in possession of Naval or Victualling Stores, and not satisfactorily accounting for the same, liable to Penalty.

XV. For the Purposes of this Ordinance, Stores shall be deemed to be in the Possession or Keeping of any Person if he knowingly has them in the actual Possession or Keeping of any other Person, or in any House, Building, Lodging, Apartment, Matshed, or Place, open or enclosed, whether occupied by himself or not, and whether the same are so had for his own Use or Benefit or for the Use or Benefit of another.

Criminal Possession explained.

XVI. It shall not be lawful for any Person, without Permission in Writing from the Admiralty, or from some Person authorized by the Admiralty in that Behalf, to creep, sweep, dredge, or otherwise search for Stores in the Harbor of Victoria within One hundred Yards from any Vessel belonging to Her Majesty or in Her Majesty's Service, or from any Mooring Place or Anchoring Place appropriated to such Vessels, or from any Moorings belonging to Her Majesty, or from any of Her Majesty's Wharves, or Dock, Victualling, or Steam Factory Yards, or without Permission from the Governor within One Hundred Yards of the boundary wall of the Mint.

No unauthorized Person to creep, sweep, &c. for Stores within 100 Yards of any of Her Majesty's Vessels, Mint, &c., &c.

If any Person acts in contravention of this Provision, he shall be liable, on Summary Conviction before a Magistrate, to a Penalty not exceeding Twenty-five Dollars, or to be Imprisoned for any Term not exceeding Three Months, with or without Hard Labor.

XVII. The following Sections of Ordinance No. 7 of 1865 being "An Ordinance to consolidate and amend the Enactments in Force in this Colony relating to Larceny and other similar Offences," shall be incorporated with this Ordinance, and shall for the Purposes of this Ordinance be read as if they were here re-enacted, namely, Sections LXXXI to LXXXIII, LXXXVI, LXXXVIII, and XC to XCIX all inclusive; and for this Purpose the Expression "this Ordinance," when used in the said incorporated Sections, shall be taken to include the present Ordinance.

Sections 81, 82, 83, 86, 88, 90 to 99 of Ordinance No. 7 of 1865, incorporated with this Ordinance.

XVIII. Nothing in this Ordinance shall prevent any Person from being indicted under this Ordinance or otherwise for any indictable Offence made punishable on Summary Conviction by this Ordinance, or prevent any Person from being liable under any other Ordinance or otherwise to any other or higher Penalty or Punishment than is provided for any Offence by this Ordinance so that no Person be punished twice for the same Offence.

Not to prevent Persons being indicted under this Ordinance, &c.

Ordinance No. 3 of 1860 repealed in part.

XIX. So much of Ordinance No. 3 of 1860 as is inconsistent with the Provisions of this Ordinance shall be and the same hereby is repealed.

Commencement of Ordinance.

XX. 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 10th Day of September, 1867.

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

SCHEDULE.

Marks appropriated for Her Majesty's Use in or on Naval and Victualing Stores.

STORES.	MARKS.
Hempen Cordage and Wire Rope	White, Black, or Colored Worsted Threads laid up with the Yarns and the Wire respectively.
Canvas, Fearnought, Hammocks, and Seamen's Bags.	A Blue Line in a Serpentine Form.
Buntin	A Double Tape in the Warp.
Candles	Blue or Red Cotton Threads in each Wick, or Wicks of Red Cotton.
Timber, Metal, and other Stores not before enumerated.	The Broad Arrow.

No. 7.

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 XX of Ordinance No. 13 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 October now next ensuing.

By His Excellency's Command,

CECIL C. SMITH,
Acting Colonial Secretary.

GOD SAVE THE QUEEN.

Given at Victoria, Hongkong, this 13th Day of September, 1867.

HONGKONG.

ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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

No. 14 OF 1867.

An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to apply a Sum not exceeding Eight hundred and Ninety-five thousand Dollars to the Public Service of the Year 1868.

Title.

[10th September, 1867.]

Whereas the Expenditure required for the Service of this Colony for the Year 1868 has been estimated at the Sum of Eight hundred and Ninety-four thousand One hundred and Ninety-two Dollars and Sixty Cents: Be it enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Preamble.