

HONGKONG.
 ANNO TRICESIMO SEPTIMO
 VICTORIÆ REGINÆ.

SIR ARTHUR EDWARD KENNEDY, K.C.M.G., C.B.,
Governor and Commander-in-Chief.

No. 1 OF 1874.

Title. An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to empower the Governor to exercise certain Powers under "The Merchant Shipping Act, 1873."

[5th March, 1874.]

Preamble. WHEREAS it is expedient to give similar Powers to the Governor of Hongkong to those which are exercised under Sections XII and XIII of "The Merchant Shipping Act, 1873," by the Board of Trade: Be it enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Survey of Ships suspected of being unseaworthy. [M. S. A. 73, Para. 12.]

I. Where the Governor has received a Complaint or has Reason to believe that any British Ship is, by reason of the defective Condition of her Hull, Equipments, or Machinery, or by reason of overloading or improper Loading, unfit to proceed to Sea without serious Danger to human Life, he may, if he thinks fit, appoint some competent Person or Persons to survey such Ship, and the Equipments, Machinery and Cargo thereof, and to report thereon to the Governor.

Any Person so appointed may, for the Purposes of such Survey, require the Unloading or Removal of any Cargo, Ballast, or Tackle and shall have all the Powers of an Inspector appointed under "The Merchant Shipping Act, 1854."

Any Person who (having Notice of the Intention to hold such Survey) wilfully does or causes to be done any Act by which the Person appointed to make such Survey is prevented from or obstructed in ascertaining the Condition of the Ship, her Equipments, Machinery and Cargo, shall be liable to a Penalty not exceeding Fifty Pounds.

The Governor may, if he thinks fit, order that any Ship be detained for the Purpose of being surveyed under this Section, and thereupon the Harbor Master may detain such Ship until her Release be ordered either by the Governor or by any Court to which an Appeal is given under this Ordinance.

Upon the Receipt of the Report of the Person making any such Survey, the Governor may, if in his Opinion the Ship cannot proceed to Sea without serious Danger to human Life, make such further Order as he may think requisite as to the Detention of the Ship, or as to her Release, either absolutely or upon the Performance of such Conditions with respect to the Execution of Repairs or Alterations, or the Unloading or Reloading of Cargo, as the Governor may impose. He may also, from Time to Time, vary or add to such Order.

A Copy of any such Order and of the Report upon which it was founded, and also of any Variation of, or Addition to, such Order, shall be delivered as soon as possible to the Owner or Master of the Ship to which it relates.

When a Ship has been detained under this Section, she shall not be released by reason of her British Register having been closed.

Costs of Survey. [M. S. A. 73, Para. 13.]

II. If upon the Survey of a Ship under this Ordinance, she is reported to have been at the Time of the Survey, having regard to the Nature of the Service for which she was then intended, unfit to proceed to Sea without serious Danger to human Life, the Expenses incurred by the Governor in respect of the Survey shall be paid by the Owner of the Ship to the Governor and shall, without Prejudice to any other Remedy, be recoverable by him in the same Manner as Salvage is recoverable.

If upon such Survey the Ship is not reported to have been unfit to proceed to Sea, having regard to the Nature of the Service for which she was intended, the Governor shall be liable to pay Compensation to any Person for any Loss or Damage which he may have sustained by reason of the Detention of the Ship for the Purpose of Survey, or otherwise in respect of such Survey.

Where a Complaint has been made to the Governor that a Ship is not fit to proceed to Sea, he may, if he thinks fit, before ordering a Survey of the Ship, require the Complainant to give or provide such Security as he may think sufficient for the Payment of the Costs and Expenses which he may incur in respect of the Survey of the Ship and of the Compensation which he may be rendered liable to pay for Loss or Damage caused by her Detention for the Purpose of such Survey, or otherwise in respect of such Survey.

Where a Ship has been surveyed under this Ordinance in consequence of a Complaint made to the Governor, if upon such Survey being made, it appear that such Complaint was made without reasonable Cause, the Expenses incurred by the Governor in respect of the Survey of the Ship and the Amount, if any, which the Governor may have been rendered liable to pay in respect of any Loss or Damage caused by her Detention, shall be recoverable by the Governor from such Complainant.

All Moneys payable by the Governor in respect, or by reason of the Survey or Detention of a Ship under this Ordinance, shall, subject to the Right by this Section provided of recovering such Moneys from the Complainant, be paid out of Moneys to be provided by the Imperial Parliament.

III. If the Owner of any Ship surveyed under this Ordinance is dissatisfied with any Order of the Governor made upon such Survey, he may apply to the Vice-Admiralty Court of Hongkong. The Court may, upon such Application, if it thinks fit, appoint one or more competent Persons to survey the Ship anew, and any Surveyor so appointed shall have all the Powers of the Person by whom the original Survey was made. Such Survey anew shall, if so required by the Governor or the Shipowner, be made in the Presence of any Person or Persons appointed by them respectively to attend at the Survey.

The Court to which such Application is made may make such Order as to the Detention or Release of the Ship, as to the Payment of any Costs and Damages which may have been occasioned by her Detention, as to the Payment of the Expenses of the original Survey, and of the Survey anew, and otherwise as to the Payment of any Costs of, and incident to, the Application, as to the Court may seem just.

Passed the Legislative Council of Hongkong, this 5th Day of March, 1874.

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

No. 44.

GOVERNMENT NOTIFICATION.

The following Annual Report on the state of the Government Schools in Hongkong for the Year 1873, is published for general information.

By Command,

J. GARDINER AUSTIN,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 5th March, 1874.

No. 14.

HONGKONG, 21st February, 1874.

SIR,—I have the honour to forward to you the Blue Book Returns and the Annual Report on Education for 1873.

2. With no increase in the number of Government Schools last year, there was a large increase of scholars. The number enrolled was greater by 358 than in 1872, while the expenditure on the whole of the schools was only \$290 more than for the previous year.

3. The Village Schools, a name which has been given to all the Government schools except the Central School, are 29 in number. Of these, 15 are supported solely by Government, and are under its complete control. The remaining 14 receive aid to the extent of \$60 a year, the villagers undertaking to provide a school-house and to pay the half of the master's salary. These aided schools are subject to the usual inspection, and Government puts a veto on the appointment of a master, if he is not able to pass the required examination.

4. Such is the theory, but the practice does not quite accord with it. There is no room for doubt that, in most cases, the master has to pay the rent out of the small grant given to the school; and the moiety of his salary which the village undertakes to provide is as often unpaid as not. In many of the villages the people are extremely poor, and the master passes rich with his five dollars a month. On no other ground can much of the reluctance of the people to contribute towards the education of their children be explained: but, as they cling strongly to what they consider their right to select a master, they are ready to promise whatever may be required of them; and then, when the school has been fairly started, and the master tires of paying the rent, the villagers plead poverty and request an additional allowance to provide a school-house.

5. Unsatisfactory as this state of things is, no immediate remedy can be applied, without incurring greater expense than the results would justify. If the schools were removed entirely from local control, they would, except perhaps in the more populous villages, be very badly attended, and, in some cases, they might be entirely deserted; for the parents, who have had little or no education,