

No. 179.

GOVERNMENT NOTIFICATION.

Applications for the post of Shroff to the Magistracy are invited to be sent in to the Colonial Secretary's Office, at or before noon, on Friday, the 22nd instant.

The Salary of the post is \$30 per mensem. Security required for \$1,000.

By Command,

FREDERICK STEWART, Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 11th August, 1879.

No. 180.

GOVERNMENT NOTIFICATION.

The following Ordinance, with a translation in Chinese, is re-published for general information.

By Command,

FREDERICK STEWART, Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 11th August, 1879.

No. 8 OF 1873.

An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, for the Amendment of the Law with respect to the Carriage and Deposit of Dangerous Goods.

[9th July, 1873.]

WHEREAS it is expedient to amend the law with respect to the carriage and deposit of dangerous goods: Be it enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, as follows:—

I. This Ordinance may be cited as "The Dangerous Goods Ordinance, 1873."

II. In the construction of this Ordinance, if not inconsistent with the context, the expression "Dangerous Goods" shall mean any of the goods or substances specified in sections V and VI, or which for the time being may be declared to be "Dangerous Goods" by an order of the Governor in Council under section VII; the expression "Warehouse Owner" shall include all persons or bodies of persons owning or managing any warehouse, store, quay, pier, or other premises in which goods are deposited; and the term "Carrier" shall include all persons or bodies of persons carrying goods or passengers for hire by land or water.

III. Ordinance No. 12 of 1872 is hereby repealed.

IV. The provisions of this Ordinance shall not apply to Her Majesty's ships of war, or to the ships of war of any foreign nation, nor to any stores or depôts or other premises belonging to Her Majesty's Government, or to Her Majesty's Military or Naval Authorities within the Colony.

憲報第一七百七十九號

署理輔政使司史 為
曉諭事照得巡理府署現有
看銀一缺每月俸金三十六
圓但要覓人擔保立保券銀
壹千大圓凡欲補充此缺者
應在本署呈稟收稟日期限
至七月初五日即禮拜五日
正午止截為特此特諭俾眾週
知
已卯年 六月二十四日示

憲報第一八百八十號

署理輔政使司史 為
護理督憲 曉諭事照得
現將剛定 之則例譯
出華文再 行刊印俾
眾週知
己卯年六 月廿四日 示

癸酉年第八條則例

香港總督 部堂督 同定例 局員於 癸酉年 六月十 五日議 定將前 論危險 貨物遷 移貯 等則例 修改

照得現為 方便將前 論危險貨 物遷移貯 貯等則例 修改為 香港總督 部堂督同 定例局員 議定則例 特諭於後

第一款 此則例

第二款 解明此則例內除 上下所言指別意者外所有 字眼需註明其意茲將詳 列於後 危險貨物此言指 凡有貨物照下第五款第六 款開列者或照總督部堂督 同議政局依下第七款定為 危險貨物者 倉主此言指 凡有人或自己或代理所係 管理貨倉棧房埔頭等置貨 之處者 運貨者此言指凡 有人在水陸二處運貨物 與及客商因而獲利者

第三款 現將

第四款 此則例內 所定各款 與國家戰 艦及各國 戰艦無 關涉又凡 屬國家倉 庫等處及 水陸官軍 亦不關涉

V. The goods commonly known as Petroleum, Nitro-Glycerine or Glonoin Oil, Gun Cotton, Fulminating Mercury, Dynamite, Lithofracteur and Horsley's Patent Blasting Powder shall be deemed to be dangerous goods within the meaning of this Ordinance.

VI. For the purposes of this Ordinance, the term "Petroleum" includes Kerosene Oil, Rock Oil, Rangoon Oil, Burmah Oil, Oil made from Petroleum, Coal, Schist, Shale, Peat, or other bituminous substance, and any products of Petroleum, or any of the above mentioned oils.

VII. It shall be lawful for the Governor in Council from time to time to make, revoke, and vary orders declaring that any substances, other than those enumerated in section V, shall be deemed to be dangerous goods within the meaning of this Ordinance, and during the continuance of the order, this Ordinance shall apply to the substances specified therein, and shall be construed and have effect as if throughout it such substances had been included in the enumeration of dangerous goods contained in section V, subject to the following qualifications:—

- (1.) The quantity of any substance to which this Ordinance is directed by order of the Governor in Council to apply, which may be kept without a licence, shall be such quantity only as is specified in that behalf in such order, or if no such quantity is specified, no quantity may be kept without a licence;
- (2.) The label on the vessel or package containing such substance shall be such as may be specified in that behalf in the order:

Provided always that no such order of the Governor in Council, nor any revocation or variation thereof, shall come into force until the same shall have been published in the Gazette.

VIII. It shall be lawful for the Governor to make, revoke and vary bye-laws for regulating the place or places at which ships carrying dangerous goods are to be moored in any of the harbours of the Colony, and are to land their cargo, and for regulating the time and mode of, and the precautions to be taken on such landing: Provided always that no such bye-law or any revocation or variation thereof shall come into force until the same shall have been published in the Gazette.

Where any ship or cargo is moored, landed, or otherwise dealt with in contravention of any bye-law for the time being in force, the owner and master of such ship, or the owner of such cargo, as the case may be, shall each incur a penalty not exceeding two hundred and fifty dollars for each day during which such contravention continues, and it shall be lawful for the Harbour Master or any other person acting under the orders of the Harbour Master to cause such ship or cargo to be removed at the expense of the owner thereof to such place as may be in conformity with the said bye-law, and all expenses incurred in such removal may be recovered in the same manner in which penalties are by this Ordinance made recoverable.

IX. The owner or master of every ship carrying a cargo any part of which consists of dangerous goods to which this Ordinance applies, on entering any harbour shall give notice of the nature of such cargo to the Harbour Master, and shall furnish him with a true copy of the manifest of such dangerous goods.

If such notice is not given, and manifest furnished, the owner and master of such ship shall each incur a penalty not exceeding the sum of two thousand dollars, unless it is shown to the satisfaction of the Court before which the case is tried that neither the owner nor the master knew the nature of the goods to which the proceedings relate, nor could with reasonable diligence have obtained such knowledge.

第五款 第六款 按此 第七款 香港總督部堂有權督同議政局員 第八款 總督有權創設撤除刪改附增議定 第九款 凡 船隻裝載貨物
平時 則例之意石腦 隨時創設撤除刪改張示除第五款 列各物 所有連載危險貨物之船隻在本港各灣應于 內有按此則例 船隻裝載貨物
所稱石油 一句包括火 外議定某貨屬此則例所稱危險貨物在該示 某處停泊起貨登岸又議定如此起貨登岸應者 初進港各埠時該船隻
腦油硝 水油石油冷宮 諭頒行期內凡此則例各款指該示諭所稱者 在何時應用何法及若何籌度預防免險但如 應即往船政廳報明此貨若干
油質呀 油緬甸油與及 俱應聲明頒行 一如該貨原屬 第五款開列者 此創設撤除刪改附增者均俟先在本港報 前應照實抄呈危險貨單一紙
嘴油火 各油凡用石腦 內但亦要分別 詳明 一致于此則例照 督 刊錄備示始得頒行倘若 如此頒行之時或有 倘本抄呈貨單報明貨數一經
棉火汞 油或煤炭或越 部督同議政局員張示所言各式危險貨物 船隻抵埠或起貨登岸或其 餘一切辦理凡犯 察督可將該船東舟師罰但
及各國 砒石或煤炭皮 准未領牌照者可貯幾許惟不得 越該示所限 此附增條例者則該 船東舟師或該貨東主均罰銀不過 二十大圓番訊該案
爆石火 或黑地膠另外 之數倘該示並未 聲明厥數則所有危險貨物 可擬罰但因犯此 附增條例之事每日罰銀 不之有 且 有權鑿證 據如果該
藥皆屬 一切瀝青油而 一些不得 藏貯 一致於各器皿所有 每裝如 過 百五十大圓船政廳及伊 差遣之人皆有 船東舟師 實實不 知 不明此案
此則例 製者或各樣由 此危險貨物者 號頭須照該示 所列但總督部 權將該船貨遷移別處 遵照該附增條例所定 內貨物幾許及 確盡心竭力亦
所稱危 石腦油生 出者 堂督同議政局員所創設 撤除刪改張示者 亦 者 致於所有費中 俱歸船主貨東支理 亦 可追 莫能 祭出該貨實數則可免罰
險貨物 上言各油皆是 必先 在本港報刊錄備示 然後 乃得頒行 繳此等費用 追繳此則例所定各罰項 無異

X. Where any dangerous goods to which this Ordinance applies:—

- (a.) Are sent or conveyed by land or water between any two places in the Colony; or,
- (b.) Are sold or exposed for sale;

the vessel or case containing such dangerous goods shall have attached thereto a label in conspicuous characters, in English and Chinese, stating the description of the goods with the addition "Dangerous," and with the addition:—

- (a.) In the case of a vessel or package sent or conveyed, of the name and address of the sender;
- (b.) In the case of a vessel or package sold or exposed for sale, of the name and address of the vendor.

All dangerous goods to which this Ordinance applies which are sent, conveyed, sold, or exposed for sale, in contravention of this section, shall, together with the vessel or package containing the same, be forfeited, and in addition thereto the person sending, selling, or exposing for sale the same, shall for each offence be liable to a penalty not exceeding twenty-five dollars.

XI. Save as hereinafter mentioned, after the passing of this Ordinance, dangerous goods to which this Ordinance applies shall not be kept except in pursuance of a licence by the Governor. Licences may be granted for a limited time and may be subject to renewal or not in such manner as the Governor may deem expedient.

There may be annexed to any such licence, such conditions as to the mode of storage, the nature and situation of the premises in which, and the nature of the goods with which such dangerous goods are to be stored, the mode of carrying such dangerous goods within the Colony, and generally as to the safe keeping of such dangerous goods as may to the Governor in Council seem expedient.

Any licensee violating any of the conditions of his licence shall be deemed to be an unlicensed person. There shall be charged, in respect of each licence granted in pursuance of this Ordinance one dollar.

All dangerous goods kept in contravention of this section shall, together with the vessels or packages containing the same, be forfeited, and in addition thereto the occupier of the place in which such goods are so kept shall be liable to a penalty not exceeding one hundred dollars a day for each day during which such goods are so kept.

This section shall not apply to any such goods (except Nitro Glycerine) kept either for private use or for sale, provided the following conditions are complied with:—

- (1.) That they are kept in separate glass, earthenware, or metal vessels or cases each of which contains not more than a pint or pound, and is securely stopped or fastened;
- (2.) That the aggregate amount kept, supposing the whole contents of the vessels to be in bulk, does not exceed in the case of Kerosene Oil fifty gallons, and in the case of Petroleum and the other articles specified three gallons, or fifteen pounds.

XII. Any dealer who refuses to show to any officer authorised by the Governor every or any place, or all or any of the vessels or packages in which dangerous goods to which this Ordinance applies in his possession are kept, or to give him such assistance as he may require for examining the same, or who wilfully obstructs any officer so authorised in the execution of this Ordinance shall incur a penalty not exceeding one hundred dollars.

XIII. Where any Magistrate is satisfied by information on oath that there is reasonable ground to believe that any dangerous goods to which this Ordinance applies are being kept, sent, conveyed, or exposed for sale within the Colony in contravention of this Ordinance, at any place, whether a building or not, or in any ship or vehicle, such Magistrate shall grant a warrant by virtue whereof it shall be lawful for any person named in such warrant to enter the place, ship, or vehicle named in such warrant, and every part thereof, and examine the same and search for such goods therein, and if any such goods be found therein, which are kept, sent, conveyed, or exposed for sale in contravention of this Ordinance, to seize and remove such

第十款 倘有人將此則例所稱之危險貨物在本港水陸各處運載遷移擺均應將載之該貨器皿不論箱裝包裹貨若干及書明危險字樣又凡有器皿箱裝包裹運載遷移者應寫明由某人付往某處某人及凡有器皿箱裝包裹擺賣發沽者又要增書買主姓名住止倘有貨物乃此則例稱爲危險貨物者託人付寄運載遷移發沽擺賣致干此款者則該貨物連器皿箱包全沒入官另可將付寄發沽擺賣之人擬罰但每次罰銀不過二十五大圓

第十一款 此則例經定頒行後除下開各款外未由總督領有憑照者不得運載此則例所稱之危險貨物而該憑照固有限期亦可隨時轉換註銷一任總督以爲方便凡領憑照之人若犯照內章程則視伊與未領憑照者無異又遵此則例給發憑照每照應輸費用銀一大員凡有危險貨物裝載有違此款者可將該貨物連器皿箱包全沒入官其餘在貯該危險貨物之處居住者亦可擬罰照在彼貯該貨日起計每日不過罰銀一百大圓倘有人用玻璃瓷瓦金銀等器分載該危險貨物每器僅載一磅及包網封固共計所有載在器內之火水油不過五十加倫抑或石油等貨僅三加倫即十五磅者可免此款所禁以便商民擺賣自用但確油質則斷不能免此款所定者

第十二款 凡有商賈抗拒總督派委之官員不得在伊各處察驗不拘包箱各器裝載本則例所言之危險貨物者或不肯助該員稽察或故意抗拒有權頒行此則例之官員者皆可擬罰但罰銀不過壹百大圓

第十三款 若有人以發誓其言如此在巡理府署稟稱有人將此則例所稱之危險貨物在本港內某處某屋某船某車自己保守運載擺賣犯此則例若巡理府信以爲真則應發票准承票人有權入該票所言之處即該屋該船該車徧察尋該危險貨物倘若尋獲有將危險貨物保守遷運擺賣犯

則例之官員者皆可擬罰但罰銀不過壹百大圓

goods or articles, and the vessels or packages containing the same, and to detain such goods and vessels or packages until a Magistrate has determined whether the same are or not forfeited, the proceedings for which forfeiture shall be commenced forthwith after the seizure.

Any person seizing any dangerous goods to which this Ordinance applies, in pursuance of this section, shall not be liable to any suit for detaining the same, or for any loss or damage incurred in respect of such goods, otherwise than by any wilful act or neglect while the same are so detained.

Any person who, by himself or by any one in his employ or acting by his direction, or with his consent, refuses or fails to admit into any place occupied by or under the control of such person, any person demanding to enter in pursuance of this section, or in any way obstructs or prevents any such person in or from making any such search, examination, or seizure as authorised by this section, shall be liable to a penalty not exceeding one hundred dollars, and to forfeit all such dangerous goods to which this Ordinance applies, which are found in his possession or under his control.

XIV. No person shall deliver any dangerous goods to which this Ordinance applies to any warehouse owner or carrier, or send or carry, or cause to be sent or carried any such goods to or from any part of the Colony, or deposit such goods in or on any warehouse, wharf, or quay, unless the true name or description of such goods, with the addition of the word "Dangerous," in English and Chinese, is distinctly written, printed, or marked on the outside of the package, nor in the case of delivery to or deposit with any warehouse owner or carrier, without also giving notice in writing to him of the name or description of such goods, and of their being dangerous. And any person who commits a breach of the provisions of this section shall be liable to a penalty not exceeding two thousand dollars, or at the discretion of the Court to imprisonment with or without hard labour for any term not exceeding two years.

XV. Provided always as follows:—

- (1.) Any person convicted of a breach of the last foregoing section shall not be liable to imprisonment, or to a penalty of more than one thousand dollars, if he shows to the satisfaction of the Court and Jury before whom he is convicted that he did not know the nature of the goods to which the information relates;
- (2.) Any person accused of having committed a breach of the said section shall not be liable to be convicted thereof if he shows to the satisfaction of the Court and Jury before whom he is tried that he did not know the nature of the goods to which the information relates, and that he could not, with reasonable diligence, have obtained such knowledge.

XVI. Where goods are delivered, sent, carried, or deposited in contravention of section XIV, the same shall be forfeited, and shall be disposed of in such manner as the Governor directs, whether any person is liable to be convicted of a breach of the said section or not.

XVII. No warehouse owner, or carrier shall be bound to receive or carry any dangerous goods to which this Ordinance applies.

XVIII. All offences and penalties under this Ordinance, (excepting those specified and imposed by section XIV,) may be prosecuted and recovered summarily before a Police Magistrate in manner provided by Ordinance No. 10 of 1844.

此則例者可將該貨扣留拿解待巡理府訊斷或將歸官或將釋放但如此封貨案件拿解日理宜迅即頒行凡有拿封此則例所言之危險貨物者乃遵此款所定而行不得因扣留該貨致有失漏損傷控追賠補但若故將該貨損失或誤將該貨扣留亦可控告惟除此外則斷不能又凡有人不親自抑或主使縱容手下人役抗拒遲滯所有遵從此款欲入屬伊管轄之處抑或阻止該員查察圖免緝獲此款所言之貨如是者可擬罰但罰銀不過一百大圓及將該危險貨物照此則例所言察覺果屬該人所有或伊管理者便可全沒入官

第十四款 凡有人欲將此則例所言之危險貨物交倉主或運貨者或交他人搬運無論親自抑或託人將該貨物由本港付寄或置於各處倉棧店舖埔頭等處者皆必用英字華字在該箱包上面先將該貨實名目書明然後加以危險字樣不論印粘刻畫皆可又凡有人將如此之貨交與倉主及運貨之人必先詳書聲明該貨名目及特書報明乃危險貨物倘有人犯此款所定者擬罰任由巡理府裁酌減增但罰銀不得過二千大員而訊斷監禁苦工則不得過兩年之外

第十五款 雖則第十四款如款此而言及人經被定以犯第十四款之罪但倘蒙臬司及陪審人員定此案者察有十足證據該犯委確不知該案之貨物乃危險者可免監禁而罰銀則不得過壹千大圓又凡有人被控犯第十四款在案倘蒙臬司及陪審人員定此案者察有十足證據該犯委確不知該案之貨物若干及雖竭力稽查亦莫能知此事則不得斷案定罪

第十六款 若有人將貨物移交運貯倉致犯第十四款所言之人不論有無判人刑罪均可任由總督定奪將該貨物入官

第十七款 凡有倉主及運貨之人概不得勉強接收遷運此則例稱

第十八款 除第十四款所開列之罪外凡有此則例所定之罪刑統歸巡理府遵照甲辰年第十條則例所定之法當堂頒行追究

XIX. All offences and penalties specified and imposed by section XIV may be prosecuted and recovered summarily before two Magistrates sitting together, who shall constitute a Court for this purpose: Provided that if at the close of the investigation, the accused shall apply for a trial by Jury, or the Magistrates shall be of opinion that the case ought to be so tried, they may commit the accused for trial at the Supreme Court.

XX. Nothing in this Ordinance contained shall be deemed to affect the provisions of Ordinances No. 1 of 1848, and No. 4 of 1867.

第十九款 凡有 第廿款
罪刑在第十四款 此則例
開列定者皆可 內所載
由二位巡理府同 者斷不
堂會審當堂頒行 得與戊
追究但訊斷時若 申年第
被告人稟請陪審 一則
人員再訊如果巡 例及丁
理府見有緣故可 卯年第
請陪審人員再訊 四條則
則可將該案申詳 例關涉
臬司衙門訊斷

No. 181.

GOVERNMENT NOTIFICATION.

The following Notice to Mariners is published for general information.

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office,
Hongkong, 12th August, 1879.

Government of China.

NOTICE TO MARINERS.

[No. 103.]

CHINA SEA.

CANTON RIVER AND DISTRICT.

Tai-shek Barrier Beacons.

A Spar Beacon, shewing 25 feet above high water, painted in bands, the lower one black, the middle one white, and the upper one red, and surmounted by a wooden disc, has been erected 325 feet north-west of the more westerly of the old Beacons, to mark the western extremity of the Tai-shek Barrier. A fixed red light is exhibited on this Beacon during the night.

The round wooden frame has been removed from the present centre Beacon, and the light formerly exhibited thereon has been discontinued. No alteration has been made to the eastern Beacon or in its red light.

By order of the Inspector General of Customs,

DAVID M. HENDERSON,
Engineer-in-Chief.

IMPERIAL MARITIME CUSTOMS,
ENGINEERS' OFFICE,
SHANGHAI, 29th July 1879.

憲報 第一八十一號

署輔政 使司史 奉 護理督 憲諭將 以下告 示抄印 俾眾週 知 己卯年 六月廿 五日示

稅務營造處總營造司韓 為通行曉諭事照得本總營造司前奉 總稅務司赫 憲劄行以沿海沿江建造燈塔浮樁等事或係創設或宜改移 或有增添或須裁撤營造既有變更務即隨時彰明出示通曉各處便行江 海船隻周知備喻等因茲本總營造司查粵海關稅務司所屬界內番禺縣 大石杉大山口杉之北向所設警船木樁 棟現將西邊者撤去不用在此 左近改設新樁 根合將其情勢開列於左 計開
一廣州府番禺縣 大石杉大山口杉之北向來所有指明大石瀾江沙西角 原設警船木樁二根現於西邊原樁再向西北二十七丈之處添設十紅 中白下黑三色相間新木樁一根潮足時出水面高二丈一尺上有圓形 直豎木牌夜間置有紅光常明燈至原設 樁向所用圓形木架及舊照 之燈一併移撤不用其東邊之木樁並該紅光之燈仍舊照設毫無更改 為此台即遵行出示通曉各處船隻其務宜留心詳記以免疎虞勿忘勿忽 切切特示 己卯年 六月 十一日 第一百零二號示