

Funds.

23. The Trustees shall collect all seat-rents and other moneys due or coming to the Church, and may at their discretion sue for the recovery of the same. The Trustees shall, out of the said sums, pay the salaries of all officers of the Church, and shall apply the surplus, if any, to such repairs and improvements of the Church and the Trust property as shall seem to them expedient.

Accounts.

24. The Trustees shall keep accounts of all money received and paid by them under the last Section, which accounts the Auditors or either of them may inspect at all reasonable times. Such accounts shall be brought down to the thirty-first day of March in each year, and then closed and audited by the Auditors. The audited account shall be laid before the Annual Meeting, and published as soon after such meeting as possible in the *Government Gazette*.

*Monuments.*

Monuments.

25. The Trustees may in their discretion permit the erection of any monument in the Church or in the enclosure surrounding it on payment of a fee of not less than one hundred dollars in each case. Any person having received permission to erect a monument shall be allowed to maintain the same.

Repairs.

26. The Trustees may order the removal of any monument which shall have become ruinous, dilapidated, or unsightly, if the owner thereof cannot be found or refuses to properly repair and maintain such monument.

*Crown Rights.*

Crown rights reserved.

27. Nothing herein contained shall affect or be deemed to affect the rights of Her Majesty the Queen, her heirs or successors, or of any bodies politic or corporate, or other person or persons, except such as are mentioned in this Ordinance and those claiming by, from, or under them.

*Repeal.*

Repeal.

28. Ordinances No. 2 of 1847 and No. 3 of 1850 are hereby repealed.

SCHEDULE.

GOVERNMENT NOTIFICATION.—No. 103.

His Excellency the Officer Administering the Government has given his assent, in the name and on behalf of the Queen, to the following Ordinances passed by the Legislative Council:—

Ordinance No. 6 of 1886.—*An Ordinance enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, to regulate the printing of Newspapers and Books and the keeping of Printing Presses within the Colony.*

Ordinance No. 7 of 1886.—*An Ordinance enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, to repeal the Usury Laws and to fix a legal rate of interest.*

By Command,

FREDERICK STEWART,  
*Acting Colonial Secretary.*

Colonial Secretary's Office, Hongkong, 24th March, 1886.

(LS) W. H. MARSH.

No. 6 OF 1886.

An Ordinance enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, to regulate the printing of Newspapers and Books and the keeping of Printing Presses within the Colony.

[24th March, 1886.]

BE it enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, as follows:—

PART I.—*Preliminary.*

1. This Ordinance may be cited for all purposes as *The Printers and Publishers Ordinance, 1886.*

Short Title.

2. Ordinances No. 2 of 1844 and No. 16 of 1860 are hereby repealed, provided that such repeal shall not affect the past operation of such Ordinances or either of them or anything done or suffered or any obligation or liability incurred thereunder.

Repeal.

3. In the construction of this Ordinance, unless there is anything in the subject or the context repugnant thereto, the several words and phrases hereinafter mentioned shall have and include the meanings following, that is to say:—

Interpretation.  
[44 and 45 V.  
c. 60, s. 1.]

The word *Registrar* shall mean the Registrar of the Supreme Court of Hongkong or either of the Deputy Registrars thereof for the time being.

The word *Newspaper* shall mean any paper containing public news, intelligence, or occurrences, or any remarks or observations thereon, printed for sale and published in the Colony periodically or in parts or numbers at intervals not exceeding twenty-six days between the publication of any two such papers, parts, or numbers, also any paper, printed in order to be distributed and made public weekly or oftener or at intervals not exceeding twenty-six days, containing only or principally advertisements.

The word *Book* shall mean every volume, part or division of a volume, pamphlet, sheet of letter press, sheet of music, map, chart, or plan, separately printed or published in the Colony, containing literary, scientific, artistic, or musical composition, matter or work.

[5 and 6 V.  
c. 45, s. 2.]

The word *Proprietor* shall mean and include as well the sole proprietor of any newspaper as also, in the case of a divided proprietorship, the persons who as partners or otherwise represent and are responsible for any share or interest in the newspaper as between themselves, and the persons in like manner representing or responsible for the other shares and interest therein and no other person.

[44 and 45 V.  
c. 60, s. 1.]

The phrases *Place of Residence*, *Place of Business* shall include the street, square, or place, where the person to whom it refers shall reside or shall carry on business as the case may be, and the number (if any) or other designation of the house in which he shall so reside or carry on business.

The words *Newspaper Register* shall mean the books to be kept by the Registrar for the purpose of making and registering all Declarations required or permitted to be made by this Ordinance and such books shall contain printed copies of the forms prescribed by this Ordinance to be filled up by the Registrar and signed by the party making the Declaration.

PART II.—*Printers, Publishers, and Proprietors.*

4. From and after the expiration of seven days from the coming into operation of this Ordinance no newspaper shall be printed or published within the Colony except in conformity with the provisions hereinafter contained.

- (1.) The Printer and Publisher of every newspaper shall appear before the Registrar and shall make and subscribe in the Newspaper Register a Declaration according to the form No. 1 in the Schedule hereunto annexed.
- (2.) As often as the place of printing or publication is changed, a new Declaration shall be necessary.
- (3.) As often as the printer or publisher who shall have made the aforesaid Declaration shall leave the Colony permanently or temporarily, a Declaration from another Printer or Publisher resident within the Colony shall be necessary.

5. Whoever shall print or publish any newspaper without conforming to the provisions in Section 4, or whoever shall print and publish or cause to be printed or published any newspaper knowing that the said provisions have not been complied with, shall on conviction be liable to a penalty of not exceeding \$1,000 or to imprisonment for a term not exceeding six months.

6. If any person, who has made and subscribed the Declaration prescribed by Section 4, ceases to be the printer or publisher of the newspaper mentioned in such Declaration, he may appear before the Registrar and may make and subscribe a Declaration in the Newspaper Register according to the form No. 2 in the Schedule hereunto annexed.

7. Upon every change of the proprietor of any newspaper, or upon every transfer or transmission of or dealing therein whereby any person ceases to be a proprietor or any new proprietor is introduced, it shall be the duty of the printers and publishers for the time being of such newspaper within 21 days from the time of such change, transfer or transmission as aforesaid, to appear before the Registrar and subscribe a Declaration in the Newspaper Register according to the form No. 3 in the Schedule hereunto annexed.

8. If within the said period of twenty-one days such Declaration shall not be made, then each printer and publisher of such newspaper shall on conviction be liable to a penalty not exceeding \$150.

9. Any party to a transfer or transmission of or dealing with any share of or interest in any newspaper whereby any person ceases to be a proprietor or any new proprietor is introduced, may at any time make or cause to be made the Declaration prescribed by Section 7 of this Ordinance.

10. Where in the opinion of the Governor in Council inconvenience would arise or be caused in any case from making a Declaration of the names of all the proprietors of the newspaper (either owing to minority, coverture, absence from the Colony, minute subdivision of shares or other special circumstances) it shall be lawful for the printers or publishers of such newspaper, upon the order of the Governor in Council, to make such declaration with the name or names of some one or more representative proprietors.

11. The provisions hereinbefore contained in reference to the proprietor of any newspaper shall not extend or apply to any newspaper which belongs to a Joint-stock Company duly incorporated under the Ordinances relating to Joint-stock Companies.

12. Every person who shall print any newspaper, paper, or book for hire, reward, gain or profit, shall carefully preserve and keep one copy (at least) of every newspaper, paper, or book so printed by him, on which he shall write or print or cause to be written or printed in legible characters the name and place of residence of the person or persons by whom he is employed to print the same and shall keep and preserve the same for the space of six months after the printing thereof and shall produce and show the same to a Police Magistrate of the Colony if required to do so within the said six months, and every person who shall omit or neglect any of the provisions of this Section shall on conviction be liable to a penalty not exceeding one hundred Dollars.

No Newspaper to be published save in accordance with the provisions herein. [Re-enactment No. 2 of 1844, s. 1.]  
Declaration. [2 of 1844, s. 6.] [44 and 45 V. c. 60, s. 9.]

Change of place, printing or publishing. [*Ibid.*]  
Printer or Publisher leaving Colony. [*Ibid.*]

Penalty for non observance of s. 5. [*Ibid.* s. 2.]

Declaration on person ceasing to be Printer, &c. [*Ibid.* s. 5.]

Change of proprietorship. [44 and 45 V. c. 60, s. 9.]

Penalty for omission to make the Declaration in s. 7. [44 and 45 V. c. 60, s. 10.] (25.)

Power for party on change of proprietorship to make Declaration. [44 and 45 V. c. 60, s. 11.]

Authority to make Declaration of some only of proprietors. [44 and 45 V. c. 60, s. 7.]

Exception as to Newspapers and Papers of Companies. [44 and 45 V. c. 60, s. 18.]

Printers to keep copy of Newspapers and Books and to produce on request of Magistrate. [39 Geo. III c. 79, s. 29, 32 and 33 V. c. 24.]

[Month means Calendar, s. 1 of 67.]

Penalty.

(20.)

13. Every person who shall print any newspaper, paper, or book, intended to be distributed or made public, shall print upon the front of every such newspaper or paper, if the same shall be printed on one side only, or upon the first or last leaf of every newspaper, paper, or book, which shall consist of more than one leaf, in legible characters his name and usual place of residence or business, and every person who shall distribute or publish or assist to distribute or publish any such newspaper, paper, or book, without fulfilling the requirements of this Section, shall upon conviction be liable to a penalty not exceeding \$25, for every copy of such newspaper, paper or book, so printed distributed or published by him.

14. Every person who shall print or publish or cause to be printed or published any newspaper, shall prior to such printing or publishing enter into a Bond before the Registrar, together with two sufficient sureties to the satisfaction of the Registrar, such printer or publisher or printer and publisher in the sum of twelve hundred dollars and such sureties jointly in a like sum, conditioned that such printer or publisher or printer and publisher shall pay every fine or penalty as may at any time be imposed upon or adjudged against him or any person acting for him in his absence by reason of any conviction for printing or publishing or printing and publishing any Libel at any time after the entering into such Bond and also all costs of such conviction; and further conditioned that every such printer or publisher or printer and publisher shall pay all such damages and costs as may be recovered or arise in any action for Libel published in such newspaper; and every person not covered by such bond who shall print or publish or cause to be printed or published any newspaper without having entered into such Bond with such sureties as aforesaid shall upon conviction for every such offence be liable to a penalty not exceeding \$100 together with the costs of conviction.

15. Every Bond so given as aforesaid may be sued upon in the name of the Attorney General of the Colony in cases of indictment or information and of the Plaintiff or Plaintiffs in any action for Libel in which damages may be recovered.

16. In every case in which any surety in any such Bond as aforesaid shall have been required to pay and have paid the whole or any part of the sum for which he shall have become Surety; or in case he shall become Bankrupt or shall cease to reside in the Colony, then and in every such case the person for whom such Surety shall have been bound shall not print or publish any newspaper until he shall have entered into a new Bond with sufficient Sureties in the manner and to the amount aforesaid; and in case he shall print or publish any such newspaper without having executed such new Bond as aforesaid, he shall be liable on conviction for every such offence to a penalty not exceeding \$100 together with the costs of conviction.

17. If any Surety as aforesaid shall be desirous of withdrawing from such Bond, it shall be lawful for him to do so upon giving twenty days' previous notice in writing to the Registrar and also to his principal; and in every such case such Surety shall upon the expiration of such notice cease to be liable upon such Bond except for any penalty or penalties damages or costs for or in respect of any Libel which may have been printed or published in such newspaper previous to the expiration of such notice and for which he would otherwise have been liable under such Bond; and in every such case the person for whom such Surety shall have been bound shall not print or publish any newspaper until he shall have executed a new Bond with sufficient Sureties in the manner and to the amount aforesaid; and in case he shall print or publish any such newspaper without having entered into such new Bond as aforesaid, he shall be liable on conviction for every such offence to a penalty not exceeding \$100, together with the costs of conviction.

18. All Bonds entered into in pursuance of this Ordinance shall upon execution be deposited with the Registrar for safe custody.

PART III.—*Printing Presses.*

19. From and after the expiration of seven days from the coming into operation of this Ordinance no person shall within the Colony keep in his possession any press for the printing of newspapers books or papers who shall not have made and subscribed before the Registrar in the Newspaper Register a Declaration according to the form No. 4 in the

Printers to print their names and addresses on Newspapers and Books. [2 and 3 V. c. 12, s. 2; 32 and 33 V. c. 24 sch.]

Penalty. (£25.)

Bond to be given by Printer or Publisher [No. 16 of 1860 69 Geo. III c. 9, I. W. 4 c. 73, repealed by 32 and 33 V. c. 24.] (£250.)

Attorney General or Plaintiff to sue upon Bonds. [S. 2, No. 16 of 1860.]

New Sureties in certain cases. [*Ibid.* s. 3.]

Withdrawal of Sureties. [*Ibid.* s. 4.]

Custody of Bonds. [S. 6 of No. 16 of 1860 altered.]

Declaration by possessor. [S. of No. 2 of 1844.]

Schedule hereunto annexed, such Declaration to be made in like manner as is prescribed for the Declarations hereinbefore mentioned, and whoever shall keep in his possession any such press without making such Declaration shall on conviction be liable to a penalty not exceeding \$1,000, or imprisonment for a term not exceeding six months.

PART IV.—General.

20. All persons shall be at liberty to search and inspect the Newspaper Register from time to time during the hours of business of the Supreme Court on payment of \$1, for every such search and inspection, and any person may require a copy of any entry or an extract from the said book to be certified by the Registrar under the seal of the Court on payment of \$2 for every such copy.

21. Every copy of an entry in or extract from the Newspaper Register as aforesaid purporting to be certified by the Registrar under the seal of the said Court shall be received as conclusive evidence of the contents of the said Register so far as the same appear in such copy or extract without proof of the signature thereto or of the seal of the Court affixed thereto and every such certified copy or extract shall in all proceedings civil or criminal be accepted as sufficient *prima facie* evidence of all the matters and things thereby appearing unless and until the contrary thereof be shown.

22. If any person shall knowingly and wilfully make or cause to be made any Declaration by this Ordinance required or permitted to be made in which there shall be any untruth or misrepresentation or from which there shall be any omission in respect of any of the particulars by this Ordinance required to be contained therein whereby such Declaration shall be misleading, or if any proprietor of a newspaper shall knowingly and wilfully permit any Declaration under Sections 4 and 7 of this Ordinance to be made which shall be misleading with reference to his own name, occupation, place of business (if any) or place of residence, every such offender being convicted thereof shall be liable to a penalty not exceeding \$500.

23. This Ordinance shall not extend or apply to the impression of any engraving or to the printing by letter press of the name or of the name and addresses or business or profession of any person or of the article in which he deals or of any paper containing an advertisement of the sale of any estates or goods by auction or otherwise or of ordinary business notices or advertisements.

24. All penalties under this Ordinance may be recovered summarily before a Police Magistrate according to the Laws for the time being in force within the Colony regulating Summary Procedure.

25. No person shall be prosecuted or sued for any penalty imposed by this Ordinance unless such prosecution shall be commenced or such action shall be brought within 6 months next after such penalty shall have been incurred; nor unless such prosecution or action be commenced, prosecuted, entered, or filed in the name of the Attorney General for the time being of the Colony and with his assent.

26. This Ordinance shall commence and come into operation on a day to be proclaimed by the Governor.

ARATHOON SETH,  
Clerk of Councils.

THE SCHEDULES ABOVE REFERRED TO.

Form I.

I, [full name and address] declare that I am the Printer [or Publisher or Printer and Publisher as the case may be] of the Newspaper entitled \_\_\_\_\_ and Printed [or Published or Printed and Published as the case may be] at Hongkong, the premises where such printing [or Publication or Printing and Publication] is carried on are situate at [here describe them precisely] and I further declare that [here state the full name of the proprietor or proprietors or "representative proprietors," (see s. 10),] is (or are) the proprietor [or proprietors or "representative proprietors"] of the said Newspaper [here state their respective occupations, places of business (if any) and places of residence.]

[Signature of Printer and Publisher, &c.]

Declared, &c.  
[Signature of Registrar and  
Seal of the Court.]

Search, Inspection, Certified copy.  
[No. 2 of 1844, s. 3, 5, 41 and 45 V. c. 60 s. 13.]

Copies of entries, &c. in Register to be evidence of contents.  
[44 and 45 V. c. 60, s. 15, substituted for No. 2 of 1844, ss. 3, 5 in part.]

[This covers s. 6 of No. 2 of 1844.]

Penalty for making wilful misrepresentation in Declarations.  
[S. 9 of No. 2 of 1844, s. 12 of 44 and 45 V. c. 60.]

(£100.)

General exceptions.  
[31 Geo. III c. 79, s. 1, re-enacted in 32 and 33 V. c. 24 sch.]

Recovery of Penalties.  
[44 and 45 V. c. 60, s. 16.]

Limitation of prosecution of action.  
[39 Geo. III c. 79, s. 34.]

Commencement of Ordinance.

Form of Declaration by Printer and/or Publisher under s. 4.

**Form II.**

I, [then follows as in last form] declare that I have ceased to be the Printer [*or* Publisher *or* Printer and Publisher] of the Newspaper entitled [here insert name of paper.]

Form of Declaration under s. 6.

[Signature and Declaration as in last form.]

**Form III.**

I, [then follows as in Form I] the Printer [*or* Publisher *or* Printer and Publisher] of the Newspaper entitled [state name] declare that [state full name] has ceased to be the proprietor [*or* a proprietor] of the said Newspaper entitled [state name] and that [state full names with his or their occupation, place of business (if any) and place of residence] is [*or* are] now the proprietor [*or* proprietors] thereof.

Form of Declaration under ss. 7, 9.

[Signature of Person making Declaration.]

Declared as in Form I.

**Form IV.**

I, [state name and place of residence] declare that I have a Press for Printing at [here state the place where the Press is kept giving a true and precise description of the premises.]

Form of Declaration under s. 19.

[Signature and Declaration as in Form I.]

LS W. H. MARSH.

No. 7 OF 1886.

An Ordinance enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof to repeal the Usury Laws and to fix a legal rate of interest.

[24th March, 1886.]

BE it enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited for all purposes as *The Usury Ordinance, 1886.*

Short Title.

2. Ordinance No. 7 of 1844, and so much of Ordinance No. 5 of 1856 as relates to the Act of the 17th and 18th years of Her Majesty the Queen Victoria, chapter 90, are hereby repealed. Notwithstanding the repeal of the said Ordinances, the Acts and part of Acts repealed by the said Act of the 17th and 18th year of Her said Majesty shall have no force in this Colony.

Repeal of No. 7 of 1844, No. 5 of 1856, in part and Exclusion of English Law.

[Re-enactment of No. 7 of 1844, s. 1.]

3. Where interest is payable upon any contract, express or implied, for payment of the legal or current rate of interest, or where upon any debt or sum of money interest is payable by any rule of law, such rate of interest shall be recoverable, as if this Ordinance had not been passed.

Recovery of interest.

4. Where interest is payable on any contract, express or implied, or on any debt or sum of money, but the rate of such interest is not fixed by the contract or by the parties or rule of law, the rate thereof shall not exceed \$8 per cent. per annum. Provided always that it shall be lawful for the Supreme Court of Hongkong and every other Court having jurisdiction within the Colony, in awarding interest in any action, suit or matter, to allow a lower rate of interest, if the circumstances of the case render it just and expedient.

Rate of interest where no agreement, &c. [17 and 18 V. c. 90 s. 2.]

5. Nothing herein shall be taken to affect or repeal any Ordinance relating to Pawnbrokers.

Not to affect Ordinances relating to Pawnbrokers. [Ibid. s. 3.]

ARATHOON SETH,  
Clerk of Councils.