

VOTE OF MONEY PASSED BY THE FINANCE COMMITTEE.—The Acting Colonial Secretary moved the following Vote passed by the Finance Committee:—

(Finance Committee, 21st April, 1886.)

PAYMENT IN EXCESS OF THE ESTIMATES FOR 1886.

SERVICES EXCLUSIVE OF ESTABLISHMENTS.

Works and Buildings.

Erection of a mat-shed as a temporary Police Station at the Peak,\$ 700.00

The Colonial Treasurer seconded.

Question—put and passed.

BILLS READ A FIRST TIME.—On the motion of the Acting Attorney General, seconded by the Acting Colonial Secretary, the following Bills were read a first time:—

- (a.) A Bill entitled *The Opium Ordinance, 1886.*
- (b.) A Bill entitled *An Ordinance for preventing the sale or taking on board Ship of Spirituous or Fermented Liquors, and for punishing persons hovering about Ships for the purpose of selling such Liquors, or of conveying them on board.*
- (c.) A Bill entitled *The Vagrancy Ordinance, 1886.*
- (d.) A Bill entitled *The Reformatory Schools Ordinance, 1886.*

BILLS READ A THIRD TIME AND PASSED.—On the motion of the Acting Attorney General, seconded by the Acting Colonial Secretary, the following Bills were read a third time:—

- (a.) A Bill entitled *An Ordinance to amend the Law as to Sales of Land by Public Auction.*
- (b.) A Bill entitled *An Ordinance for the Incorporation of the Procurator, in Hongkong, for the Dominican Missions in the Far East.*

Question put—that these Bills do pass.

Bills passed.

NOTICE OF FIRST READING OF A BILL.—The Acting Attorney General gave notice that at the next meeting of Council he would move the first reading of a Bill entitled *The Harbour Regulations Ordinance, 1886.*

POSTPONEMENT OF THE OTHER ORDERS OF THE DAY.—On the motion of the Acting Attorney General, the other Orders of the Day were postponed.

ADJOURNMENT.—The Council then adjourned to Friday, the 30th instant, at 4 P.M.

W. H. MARSH,
Administering the Government.

Read and confirmed, this 30th day of April, 1886.

ARATHOON SETH,
Clerk of Councils.

GOVERNMENT NOTIFICATION.—No. 145.

The following Bills, which were read a first time at a Meeting of the Legislative Council held this day, are published for general information.

ARATHOON SETH,
Clerk of Councils.

Council Chamber, Hongkong, 28th April, 1886.

A BILL

ENTITLED

The Opium Ordinance, 1886.

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

1. This Ordinance and the Opium Ordinance 1884, hereafter called the principal Ordinance shall be construed together as one Ordinance to be called *The Opium Ordinances 1884 and 1886.*

Construction.

2. In the construction of the above named Ordinances: *Ship* shall include junks, sampans, boat and every kind of vessel used for the conveyance of persons or things.

Definition.

3. The powers given to Inspectors of Police by Section 27 of the principal Ordinance with reference to the searching of ships, and the seizure of opium on board of such ships may also be exercised by any Excise Officer.

Powers of Excise Officer.

4. The powers given to Magistrates by Section 28 of the principal Ordinance to issue search Warrants may be exercised by any Justice of the Peace.

Powers of Justices of the Peace.

5. All proceedings taken under this or the principal Ordinance and all Acts commanded or authorised to be done by such Ordinances may be taken or done as well on Sunday as on other days.

Sunday.

A BILL

ENTITLED

An Ordinance to prevent the sale or conveyance on board Ship of any Spirituous or Fermented Liquor, and to prohibit the hovering near or about Ship of any person in boats for the purpose of selling or taking on board Ship of such liquor.

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

Short title.

1. This Ordinance may be cited for all purposes as *The Board of Ship Liquor Sale Ordinance, 1886.*

Interpretation.

2. In this Ordinance unless the context indicates the contrary:

Ship shall mean any of Her Majesty's ships or vessels, and any description of vessel used in navigation not propelled by oars, but shall not include Chinese junks or lorchas not propelled by steam.

Conveying liquors.

3. It shall not be lawful for any person to bring on board any ship any spirituous or fermented liquor of any description, without the previous consent of the Officer Commanding or the Master of the ship on board of which the same may be brought; and it shall be lawful for any Officer in Her Majesty's Service, any Master of any ship or Warrant or Petty Officer of the Navy or Non-commissioned Officer of Marines with or without seamen or persons under his command or orders to search any boat hovering about or approaching or which may have hovered about or approached any ship and if any spirituous or fermented liquor be found on board such boat to seize such spirituous or fermented liquor, and the same shall be forfeited to Her Majesty; and if any person shall bring any spirituous or fermented liquor on board any ship without such previous consent aforesaid, or shall approach or hover about any ship for the purpose of bringing any spirituous or fermented liquor on board the same, without such previous consent, or for the purpose of giving or selling, without such previous consent, spirituous or fermented liquor to men in Her Majesty's Service or on board of any ship, every such person shall, upon a summary conviction thereof before a Magistrate forfeit and pay any sum not exceeding fifty dollars for every such act or offence; and it shall be lawful for any Officer in Her Majesty's Service or any Master of any ship or any such Warrant or Petty Officer, or Non-commissioned Officer as aforesaid, or for any Constable, with or without any Warrant or other Process, to apprehend or cause to be apprehended any such offender or person so acting and to bring him or cause him to be brought before a Magistrate for the purpose of having the offender summarily convicted of the same.

A BILL

ENTITLED

The Vagrancy Ordinance, 1886.

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

Short title.

1. This Ordinance may be called *The Vagrancy Ordinance, 1886.* It shall come into force at once.

Interpretation.

2. In this Ordinance the term *Vagrant* means any person other than a Chinese found asking for alms or without any employment or visible means of subsistence.

Agent of a vessel includes any person who undertakes the agency of such vessel, though it may not have been consigned to him.

Courtenance before Magistrate.

3. Any Police Officer may require any person who is apparently a vagrant to accompany him or any other Police Officer to and to appear before a Police Magistrate.

Magistrate may declare a person to be a vagrant.

4. Such Police Magistrate shall in such case, or in any other case where a person apparently a vagrant comes before him, make a summary enquiry into the circumstances of such apparent vagrant and if satisfied that he is a vagrant shall declare him to be such.

5. If such Police Magistrate shall be further of opinion that such vagrant is not likely to obtain employment at once, or if he has reason to believe that a declaration of vagrancy has on any former occasion been recorded in respect of such vagrant, he shall require such vagrant to go to a Government work-house, and shall draw up an order to that effect.

Committal to work-house.

6. The vagrant shall then be placed in charge of the Police for the purpose of being forwarded to the work-house, and the said order shall be a sufficient authority to the Police for retaining him in their charge while he is on his way to the work-house and to the superintendent of the work-house for receiving and detaining such vagrant.

Power to detain.

7. Where the Police Magistrate dealing with such vagrant is of opinion that the vagrant is likely to obtain employment in the Colony, such Police Magistrate may in his discretion forward the vagrant in charge of the Police to the place where such employment is likely to be obtained and may draw up an order to that effect. Such order shall be a sufficient authority to the Police for retaining the vagrant in their charge whilst on his way to such place of employment, and afterwards, should he not succeed in obtaining such employment.

Magistrate may forward to place of employment.

8. The Police Magistrate dealing with any vagrant shall to the best of his ability, assist him in seeking employment, and may in the meantime if he think fit keep such vagrant in charge of the Police. Should the vagrant fail to obtain suitable employment within a reasonable time not exceeding at the most seven days, such Police Magistrate shall forward him to a Government work-house as provided in Section 5.

Magistrate to assist in seeking employment.

9. Every person while in charge of the Police under this Ordinance or whilst seeking employment shall be entitled to the same maintenance and subject to the same regulations as prisoners detained on remand.

To be treated as prisoners on remand.

10. The Governor in Council may provide a work-house with its necessary furniture and establishment at such place as he may think proper, for the temporary reception of vagrants, or may by notification in the *Gazette* certify any building or part of a building to be fit for a work-house for the purposes of this Ordinance; and until any such work-house be provided the Gaol at Victoria shall and is hereby declared to be such work-house.

Governor in Council may provide work-house; in the meantime Victoria Gaol declared as such.

11. Every vagrant detained in such work-house shall be allowed the same scale of diet for his support as is allowed to adult long-sentence prisoners whose conduct is good.

Scale of diet.

12. Every work-house shall be under the immediate charge of a Superintendent who shall be appointed, and may be suspended or removed by the Governor in Council, and until any other appointment is made the Superintendent of Victoria Gaol shall be the Superintendent of the work-house in such Gaol.

Governor in Council to appoint Superintendent. Mean-time Superintendent of Victoria Gaol to be Superintendent.

13. Every Vagrant admitted to any work-house shall be subject to the same regulations as are prisoners in Gaol with respect to

Vagrants subject to certain regulations.

- (a.) Search of his person, clothing, and effects.
- (b.) Custody of his clothing and effects.
- (c.) The wearing of a distinctive dress.
- (d.) Personal cleanliness.
- (e.) Hours, meals, labour (other than penal labour) and general conduct. Always provided that such regulations may be specially modified in relation to vagrants by any Code of Rules approved by the Governor in Council and that any money or effects of any vagrant may be applied towards the expense of carrying this Ordinance into execution for his benefit.

14. Any vagrant who knowingly disobeys any rule applicable to him or made under the previous section of this Ordinance shall be liable to the same punishment, and such punishment shall be awarded as if he were a misdemeanant in Gaol.

Punishment for misconduct.

15. The Superintendent of every work-house shall forward weekly to the Harbour Master a list of such vagrants under his charge as are seamen, and shall otherwise use his best endeavours to obtain suitable employment outside the work-house for the vagrants admitted thereto.

Superintendent to forward weekly list to Harbour Master.

- Penalty for refusing employment.**
- 16.** When such employment is obtained, any vagrant refusing or neglecting to avail himself thereof shall, on conviction before a Magistrate, be liable to imprisonment with hard labour for a term not exceeding one month.
- Removal from Colony.**
- 17.** If, after the lapse of a reasonable time no suitable employment is obtainable for any such vagrant, the Superintendent of the work-house in which he is detained may either (when such vagrant has entered into an agreement as hereinafter mentioned) cause him to be removed from the Colony, or he may cause Section 26 of this Ordinance to be read to such vagrant and may then release him.
- Cost of removal.**
- 18.** The cost of the removal from the Colony of any vagrant under this Ordinance shall be defrayed by the Government subject to the provisions hereinafter contained for their refund.
- Agreement to leave the Colony.**
- 19.** Any vagrant or other person other than a Chinese may enter into an agreement in writing with the Superintendent of any work-house or with the Colonial Secretary, binding himself to embark on board such ship and at such time as may be named in such agreement for the purpose of being removed from Hongkong at the expense, if any, of the Government of this Colony, to remain on board such ship until she has arrived at her port of destination, and not to return to Hongkong within five years.
- Form of agreement.**
- 20.** Every such agreement may be on unstamped paper and shall be in the form set forth in the Schedule to this Ordinance or as near thereto as may be.
- Persons landing vagrants in the Colony to pay cost of removal, &c.**
- 21.** Whenever any person, not a Chinese, lands in this Colony or being a non-commissioned officer or soldier in Her Majesty's Army leaves that army in this Colony under an engagement to serve any person, company, or association, or body of persons in any capacity, and whenever any sailor other than a Chinese sailor but not being a British subject is discharged from his ship in this Colony and such person, non-commissioned officer, soldier or sailor becomes chargeable to the Colony as a vagrant within one year after his arrival here or after his leaving the Army or discharge from his ship as the case may be, then the person, company, association or body to serve whom he has so landed in Hongkong, left the Army, or, in the case of a sailor, the person who was at the date of his discharge the owner or agent of the ship from which such sailor has been so discharged, shall be liable to pay to the Government the cost of his removal under this Ordinance and all other charges incurred by the Colony in consequence of his becoming a vagrant.
- Shipmasters landing destitutes liable to defray expenses.**
- 22.** Every master of a ship landing or allowing to land in this Colony any person other than a Chinese who at the time of his landing is obviously destitute of means of subsistence or is likely speedily to become so shall be liable to repay to the Government of this Colony all costs and charges incurred by the Colony in consequence of such persons becoming a vagrant unless such Master satisfy the Court that he made due enquiry as to the person so landed or allowed to land, and that he had reason to believe such person was possessed of means of subsistence.
- Owner, &c. liable in the absence of Shipmaster.**
- 23.** In the absence of such master of a vessel the owner, agent, or consignee of such vessel at the time the person who subsequently became a vagrant was allowed to land shall be liable to pay the said costs and charges on his behalf.
- Recovery of costs.**
- 24.** Such costs and charges shall be recoverable by suit as if an express agreement to repay them had been entered into with the Colonial Secretary by the person, company, association, body, owner, agent, or consignee chargeable.
- Evidence.**
- 25.** In any proceeding under this Ordinance a certified copy of the declaration recorded under Section 4 shall be *prima facie* evidence that the person named therein has been and that he was a vagrant at the date of such declaration.
- Arrest without warrant.**
- 26.** Any person apparently a vagrant refusing or failing to accompany a Police Officer to or to appear before a Police Magistrate when required to do so for the purposes of this Ordinance may be arrested without warrant and shall be liable on conviction to imprisonment with hard labour for a period not exceeding one month.
- Penalty for escape.**
- 27.** Any vagrant who escapes from the Police whilst committed to their charge under this Ordinance or who leaves a work-house without permission from the Superintendent, or who, having with such permission left a work-

house for a limited time or a specified purpose, fails to return on the expiration of such time or when such purpose has been accomplished or proves to be impracticable, shall for every such offence be punishable on conviction before a Magistrate with hard labour for a period not exceeding six months.

28. Any person entering into an agreement under Section 17 of this Ordinance and wilfully violating that agreement in any respect shall for every such offence be punishable on conviction before a Magistrate with hard labour for a period not exceeding six months.

Breach of agreement.

29. Any person asking for alms in a threatening or insolent manner, or continuing to ask for alms of any person after he has been required to desist shall be punishable on conviction before a Magistrate with hard labour for a period not exceeding three months.

Penalty for asking alms.

30. The Governor in Council may from time to time make rules consistent with this Ordinance for the guidance of officers in matters connected with it. All such rules shall be published in the *Government Gazette*, and shall thereupon have the force of law.

Governor in Council may make rules.

SCHEDULE.

(See Section 17.)

ARTICLES OF AGREEMENT made this day of between the Colonial Secretary of Hongkong of the one part and A.B. of, &c. (*the vagrant*) of the other part: Each of the parties hereto (so far as relates to the acts on his own part to be performed) hereby agrees with the other of them as follows:—

1. The said A.B. shall embark on board such ship, and at such time as an Officer appointed in this behalf by the Government of Hongkong shall direct.
2. The said A.B. shall remain on board such ship until she shall have arrived at her port of destination.
3. The said A.B. shall not return to Hongkong until five years shall have elapsed from the date of such embarkation unless specially permitted to return by the Governor of Hongkong.
4. The said Colonial Secretary of Hongkong shall contract with the owner of the said ship or his agent for the passage of the said A.B. on board the said ship, and for his subsistence during the voyage for which he shall embark as aforesaid.
5. In witness whereof the said Colonial Secretary of Hongkong and the said A.B. have hereunto set their hands the day and year first above written.

A BILL

ENTITLED

The Reformatory Schools Ordinance, 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 as *The Reformatory Schools Ordinance, 1886.*

Title.

2. In this Ordinance the word *Manager* shall include any person or persons having the management or control of any School to which this Ordinance applies.

Certified Reformatory Schools.

3. The Governor may, upon the application of the Managers of any School for the better training of youthful offenders, direct the Superintendent of Victoria Gaol to examine into the condition and regulations of the School, and to report to him thereon; and if satisfied with such report, the Governor may, by writing under his hand, certify that such School is fitted for the reception of such youthful offenders as may be sent there in pursuance of this Ordinance and the same shall be deemed a certified Reformatory School.

Mode of certifying Reformatory Schools. (29 & 30 V. c. 117, s. 4.)

4. Every certified Reformatory School shall from time to time, and at least once in every year, be visited by the said Superintendent or by any two Justices of the Peace appointed for that purpose by the Governor, and the Governor if dissatisfied with the condition of such School as reported to him, may withdraw the certificate, and may, by notice under his hand addressed and sent to the Managers of such School, declare that the certificate is withdrawn as from a time specified in the notice, being not less than six months after the date of the notice.

Inspection of Schools. Certificates may be withdrawn. (29 & 30 V. c. 117, s. 5.)

Resignation of certificate by Manager. (29 & 30 V. c. 117, s. 7.)

5. The Managers of any certified Reformatory School may upon giving six months' and the executors or administrators of a deceased Manager (if only one) of any certified Reformatory School may, upon giving one month's previous notice in writing of their intention so to do, resign the certificate given to such School; and accordingly at the expiration of six months or one month (as the case may be) from the date of the notice (unless before that time the notice is withdrawn), the certificate shall be deemed to be resigned.

Liabilities of Managers as to youthful offenders received in Reformatory Schools. (29 & 30 V. c. 117, s. 8.)

6. The Managers of any certified Reformatory School may decline to receive any youthful offender proposed to be sent to them under this Ordinance, but when they have once received him they shall be deemed to have undertaken to educate, clothe, lodge, and feed him during the whole period for which he is liable to be detained in the School, or until the withdrawal or resignation of the certificate takes effect, or until the contribution out of money provided by the Colony towards the custody and maintenance of the offenders detained in the School is discontinued, whichever shall first happen.

Nothing in this Ordinance shall be deemed to limit, or interfere with the right of any Manager of a certified Reformatory School to receive into such School other inmates than those sentenced under this Ordinance to be detained therein.

Effect of withdrawal of certificate. (29 & 30 V. c. 117, s. 9.)

7. Whenever the certificate is withdrawn from or resigned by the Managers of a Reformatory School, no youthful offender shall be received into such School after the date of the receipt by the Managers of the School of the notice of withdrawal, or after the date of the notice of resignation (as the case may be); but the obligation of the Managers to educate, clothe, lodge and feed any youthful offenders in the School at the respective dates aforesaid shall, excepting so far as the Governor may otherwise direct, be deemed to continue until the withdrawal or resignation of the certificate takes effect, or until the contribution out of money provided by the Colony towards the custody and maintenance of the offenders detained in the School is discontinued, whichever shall first happen.

Disposal of inmates on withdrawal or resignation of certificate. (29 & 30 V. c. 117, s. 10.)

8. When the withdrawal or resignation of the certificate of a Reformatory School takes effect, the youthful offenders detained therein shall be, by the order of the Governor either discharged or transferred to some other certified Reformatory School.

Publication of grant, withdrawal or resignation of certificate. (29 & 30 V. c. 117, s. 11.)

9. A notice of the grant of any certificate to a Reformatory School, or of the withdrawal or resignation of such a certificate, shall within one month be advertised by order of the Governor in the *Hongkong Government Gazette*.

Power to make rules, &c. (29 & 30 V. c. 117, s. 12.)

10. The Managers of any certified Reformatory School may from time to time make necessary rules for the management and discipline of the School under their charge; but such rules shall not be contrary to the provisions of this Ordinance, and shall not be enforced until they have been submitted to and approved in writing by the Governor; and no alteration shall be made without the approval in writing of the Governor in any rules so approved.

Officers authorized to convey or bring back offenders to School to have privileges, &c. of Constables. (29 & 30 V. c. 117, s. 13.)

11. Every officer of a certified Reformatory School authorized by the Managers of the School, in writing, to take charge of any youthful offender sentenced to detention under this Ordinance for the purpose of conveying him to or from the School, or of bringing him back to the School in case of his escape or refusal to return, shall, for such purpose and while engaged in such duty, have all such powers, authorities, protection and privileges, for the purpose of the execution of his duty as a reformatory officer, as any constable duly appointed has within this Colony, by common law, ordinance, or custom.

Commitment of Offenders to and their Status at a certified Reformatory School.

Offenders under 16 years of age convicted and sentenced to imprisonment may be sentenced to be sent either at time of sentence on expiration of period of imprisonment to certified Reformatory Schools. (29 & 30 V. c. 117, s. 14.)

12. Whenever any offender who, in the judgement of the Court, or Magistrate before whom he is charged, is under the age of sixteen years, is convicted on criminal information or in a summary manner, of an offence punishable with penal servitude or imprisonment, and is sentenced to be imprisoned for the term of ten days or a longer term, the Court, or Magistrate may in addition to his sentence or in lieu thereof, either at once or at the expiration of his period of imprisonment sentence him to be sent to a certified Reformatory School, and to be there detained for a period of not less than two years and not more than five years,

13. The Governor may at any time order any offender to be discharged from a certified Reformatory School, or to be removed from one certified Reformatory School to another, but so that the whole period of detention of the offender in a Reformatory School shall not be increased by such removal.

Discharge or removal by order of the Governor. (29 & 30 V. c. 117, s. 17.)

14. The Managers of a certified Reformatory School may, at any time after the expiration of eighteen months of the period of detention allotted to a youthful offender, by licence under their hands, permit him to live with any trustworthy and respectable person named in the licence willing to receive and take charge of him.

Placing offenders out on licence. (29 & 30 V. c. 117, s. 18.)

Any licence so granted shall not be in force for more than three months, but may at any time before the expiration of such three months be renewed for a further period not exceeding three months, to commence from the expiration of the previous period of three months, and so from time to time until the youthful offender's period of detention is expired.

Duration of licence.

Any such licence may also be revoked by the Managers of the School, by writing under their hands, at any time before the expiration of such period of three months, and thereupon the youthful offender to whom the licence related may be required by the Managers, by writing under their hands, to return to the School.

Revocation of licence.

The time during which a youthful offender is absent from a certified Reformatory School in pursuance of a licence under this section shall, except where such licence has been forfeited by his misconduct, be deemed to be part of the time of his detention in the School, and at the expiration of the time fixed by his licence he shall be taken back to School.

Any youthful offender escaping from the person with whom he is placed in pursuance of this section, or refusing to return to the School at the expiration of the time fixed by his licence, or any renewal thereof, or when required to do so on the revocation of his licence, shall be liable to the same penalty as if he had escaped from the School itself.

15. The Managers of a certified Reformatory School may, at any time after an offender has been placed out on licence as aforesaid, if he conducted himself well during his absence from the School, bind him, with his own consent, apprentice to any trade, calling, or service, notwithstanding that his period of detention has not expired; and every such binding shall be valid and effectual to all intents.

Power to apprentice offenders. (29 & 30 V. c. 117, s. 19.)

Offences in relation to Reformatory Schools.

16. If any offender detained in a certified Reformatory School wilfully neglects or wilfully refuses to conform to the Rules thereof, he shall, upon summary conviction before a Magistrate having jurisdiction in the place, or district where the School is situate, be imprisoned, with or without hard labour, for any term not exceeding three months; and at the expiration of the term of his imprisonment he shall, by and at the expense of the Managers of the School, be brought back to the School from which he was taken, there to be detained during a period equal to so much of his period of detention as remained unexpired at the time of his being sent to prison.

Refusal to conform to rules. (29 & 30 V. c. 117, s. 20.)

17. If any offender sentenced to be detained in a certified Reformatory School escapes therefrom, he may at any time before the expiration of his period of detention, be apprehended without warrant, and, if the Managers of the School think fit, but not otherwise, may (any other Ordinance to the contrary notwithstanding) be then brought before Magistrate having jurisdiction in the place or district where he is found, or in the place or district where the School from which he escaped is situate; and he shall thereupon be liable, on summary conviction before such Magistrate, to be imprisoned, with or without hard labour, for any term not exceeding three months; and at the expiration of such term he shall, by and at the expense of the Managers of the School, be brought back to the School from which he escaped, there to be detained during a period equal to so much of his period of detention as remained unexpired at the time of his escaping.

Escaping from School. (29 & 30 V. c. 117, s. 21.)

18. Every person who commits any of the following offences, that is to say:—

- (1.) Knowingly assists directly or indirectly an offender detained in a certified Reformatory School to escape from the School;
- (2.) Directly or indirectly induces such an offender to escape from the School;

Penalty on persons assisting or inducing offenders to escape from certified Reformatory Schools. Or harbouring offenders who have escaped. (29 & 30 V. c. 117, s. 22.)

(3.) Knowingly harbours, conceals or prevents from returning to the School, or assists in harbouring, concealing, or preventing from returning to the School, any offender who has escaped from a certified Reformatory School, shall, on summary conviction before a Magistrate, be liable to a penalty not exceeding one hundred dollars, or at the discretion of the Magistrate to be imprisoned for any term not exceeding two months, with or without hard labour.

Conditional Pardons.

Power to Governor to send offenders to Reformatory Schools on Conditional Pardon. (29 & 30 V. c. 117, s. 32.)

19. Where before or after the passing of this Ordinance a youthful offender has been sentenced to Penal Servitude, or Imprisonment, and has been pardoned by Her Majesty on condition of his placing himself under the care of some charitable Institution for the reception and reformation of youthful offenders, the Governor may direct him, if under the age of sixteen years, to be sent to a certified Reformatory School, the Managers of which consent to receive him for a period of not less than two years and not more than five years; and thereupon such offender shall be deemed to be subject to all the Provisions of this Ordinance, as if he had been originally sentenced to detention in a certified Reformatory School.

Evidence.

Rules respecting Evidence under this Ordinance. (29 & 30 V. c. 117, s. 33.)

20. The following Rules shall be enacted with respect to Evidence under this Ordinance:—

- (1.) The Production of the *Hongkong Government Gazette* containing a Notice of the grant or withdrawal of a Certificate by the Governor to or from a Reformatory School or of the resignation of any such Certificate, shall be sufficient Evidence of the fact of the publication of such Notice and also of the fact of a Certificate having been duly granted to or withdrawn from the School named in the Notice, or resigned by the Managers thereof.
- (2.) The grant of a Certificate to a certified School may also be proved by the production of the Certificate itself, or of a copy of the same, purporting to be signed by the Colonial Secretary.
- (3.) The production of the Warrant or other Document in pursuance of which a youthful offender is directed to be sent to a certified Reformatory School, with a statement endorsed thereon or annexed thereto, purporting to be signed by the Manager or other person in charge of the School, to the effect that the offender therein named was duly received into and is at the date of the signing thereof detained in the School, or has been otherwise dealt with according to Law, shall in all proceedings relating to such offender be Evidence of the identity of and of the due conviction and detention and imprisonment of the offender named in the warrant or other document.
- (4.) A copy of the Rules of a certified Reformatory School, purporting to be signed by the Superintendent of the Victoria Gaol, shall be Evidence of such Rules in all Legal Proceedings whatever.
- (5.) A School to which any youthful offender is directed to be sent in pursuance of this Ordinance shall, until the contrary is proved, be deemed to be a certified Reformatory School within the meaning of this Ordinance.

Legal Proceedings.

Service of notice on Managers of School. (29 & 30 V. c. 117, s. 35.)

21. Any Notice may be served on the Managers of a certified Reformatory School by delivering the same personally to any one of them, or by sending it by Post or otherwise, in a letter addressed to them or any of them at the School, or at the usual or last known place of abode of any Manager, or of their Secretary.

Forms.

Use of Forms in Schedule. (29 & 30 V. c. 117, s. 36.)

22. No Summons, Notice, or Order made for the purpose of carrying into effect the Provisions of this Ordinance shall be invalidated for want of Form only; and the Forms in the Schedule to this Ordinance annexed, or Forms to the like effect, may be used in the cases to which they refer, with such variations as circumstances require and when used shall be deemed sufficient.