

14. THE Governor in Council may make such Rules and Regulations, not inconsistent with this Act, as may be necessary for carrying out the provisions of this Act. Rules and Regulations.

15. FOR the purposes of any proceeding under the provisions of this Act, the burden shall lie on the defendant of proving that he is exempt from the operation of any of such provisions, and it shall not be necessary in any information, complaint, summons, or conviction, or other document, to state or negative any exception in or exemption under this Act. Burden of proof.

16. IT shall be lawful for the Collector of Customs or any Sub-Collector of Customs, by writing under his hand, to authorise any Customs or Police Officer to detain any vessel the master whereof shall, in the opinion of such Collector or Sub-Collector, have committed an offence or be a defaulter under this Act. Such detention may be either at the port or place where such vessel is found or at any port or place to which the Collector or Sub-Collector may order such vessel to be brought. For the purposes of such detention the officer so authorised shall be entitled to obtain in the customary manner such writ of assistance or other aid and assistance in and about the detention of or other lawful dealing with such vessel as are by law provided under the Ordinances and Acts regulating the Customs with reference to seizure of vessels or goods. But such detention shall be for safe custody only, and shall cease and be discontinued if a bond with two sufficient sureties be given by such master for the payment of the amount of such penalty or penalties and costs as may be adjudged to be paid, and such other sums as he shall be liable to pay under the provisions of this Act. Provided that if default be made in payment of any penalty incurred by such master in terms of any conviction adjudging the payment thereof, or if default shall be made by such master in payment of any other sum or sums which he shall be liable to pay under the provisions of this Act, it shall be lawful for such officer to seize such vessel, and for him and any other person duly authorised or empowered in that behalf to take all such proceedings for the purpose of procuring the condemnation and sale of such vessel as are provided by law in case of condemnation or forfeiture of a vessel for a breach of the Customs laws of the said Colony. Provided that the proceeds of sale of any such vessel shall be paid to the Colonial Treasurer of the Colony for the public use thereof; and after payment of the amount of such penalty or penalties and of all sums which such master shall be liable to pay under the provisions of this Act, and of all costs and expenses incurred in and about such sale and the proceedings leading thereto by virtue of this section, the balance shall be placed by the Colonial Treasurer to a trust account and be held in trust for the owners of or other persons lawfully entitled to the vessel so condemned and sold. Collector or Sub-Collector of Customs may detain vessel in certain cases. Such detention to cease on security being given. On default by master in payment of penalties, &c., vessel may be seized and sold. Proceeds of sale how dealt with.

17. ANY vessel on board which Chinese shall be transhipped from another vessel and be brought to any port or place in this Colony shall be deemed to be a vessel bringing Chinese into the said Colony from parts beyond the Colony, and shall be subject to the provisions of this Act, and all Chinese so transhipped and brought to such port or place shall be deemed to be Chinese arriving from ports beyond Western Australia. Chinese transhipped from one vessel to another.

18. ALL sums of money payable under this Act and all penalties imposed by this Act may be sued for, prosecuted, and recovered before two or more Justices of the Peace in Petty Sessions, in accordance with the provisions of the Ordinances and Acts regulating proceedings on summary conviction, in the name of some Officer of Customs or other person thereunto authorised by the Governor. Penalties, &c., how recoverable.

In the name and on behalf of the Queen I hereby assent to this Act.

F. NAPIER BROOME,
Governor.

GOVERNMENT NOTIFICATION.—No. 479.

Tenders will be received at this Office until Noon of Friday, the 17th instant, for the construction of a sewer in Cadogan Street, Kennedy Town.

For form of tender apply at this Office.

For specification and further particulars apply at the Surveyor General's Office.

The Government does not bind itself to accept the lowest or any tender.

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 11th December, 1886.