

GOVERNMENT NOTIFICATION.—No. 154.

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

Ordinance No. 11 of 1887.—*An Ordinance enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, for the more effectual Prevention of Crime.*

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 19th April, 1887.

(LS) W. H. MARSH.

No. 11 OF 1887.

An Ordinance enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, for the more effectual Prevention of Crime.

[19th April, 1887.]

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 Prevention of Crimes Ordinance, 1887.*

Licences.

Governor may grant licences to be at large under sentence of hard labour. (16 & 17 Vic. c. 99 s. 9.)

2. It shall be lawful for the Governor, by an order in writing under his hand and seal, to grant to any convict now under sentence of imprisonment with hard labour, or who may hereafter be sentenced to imprisonment with hard labour a licence to be at large in this Colony, or in such part thereof as in such licence shall be expressed, during such portion of his or her term of imprisonment, and upon such conditions in all respects as to the said Governor shall seem fit; and it shall be lawful for the said Governor to revoke or alter such licence by a like order at his pleasure.

Holder of licence not to be imprisoned by reason of his sentence. (16 & 17 Vic. c. 99 s. 10.)

3. So long as such licence shall continue in force and unrevoked, such convict shall not be liable to be imprisoned by reason of his sentence, but shall be allowed to go and remain at large according to the terms of such licence.

If licence revoked, the convict may be apprehended and committed to prison. (16 & 17 Vic. c. 99 s. 11.)

4. Provided always, that if it shall please the Governor to revoke any such licence as aforesaid it shall be lawful for him, by warrant under his hand and seal, to signify to a Magistrate that such licence has been revoked, and to require such Magistrate to issue his warrant under his hand and seal for the apprehension of the convict to whom such licence was granted, and such Magistrate shall issue his warrant accordingly, and such warrant shall and may be executed by the constable to whom the same shall be delivered for that purpose in any part of this Colony; and such convict when apprehended under such warrant shall be brought, as soon as he conveniently may be, before the Magistrate by whom the said warrant shall have been issued, or some other Magistrate of the said Colony, and such Magistrate shall thereupon make out his warrant under his hand and seal for the recommitment of such convict to the prison or place of confinement from which he was released by virtue of the said licence, and such convict shall be so recommitted accordingly, and shall thereupon be remitted to his or her original sentence, and shall undergo the residue thereof as if no such licence had been granted.

Forfeiture of licence. (27 & 28 Vic. c. 47 s. 4.)

5. A licence granted under this Ordinance may be in the form set forth in the schedule to this Ordinance annexed, and may be written, printed, or lithographed. If any holder of a licence granted in the form set forth in the said schedule is convicted, either by the verdict of a jury, or upon his own confession, of any offence, his licence shall be forthwith forfeited by virtue of such conviction,

6. If any holder of a licence granted in the form set forth in the said Schedule,—

Offences by holders of licence. (27 & 28 Vic. c. 47 s. 5.)

- (1.) Fails to produce his licence when required to do so by any Judge, Magistrate or Justice of the Peace before whom he may be brought charged with any offence, or by any constable or officer of the Police in whose custody he may be, and also fails to make any reasonable excuse why he does not produce the same; or
- (2.) Breaks any of the other conditions of his licence by an act that is not of itself punishable either upon information or upon summary conviction;

He shall be deemed guilty of an offence punishable summarily by imprisonment for any period not exceeding three months, with or without hard labour.

7. Any Police officer may, without warrant, take into custody any holder of such a licence whom he may reasonably suspect of having committed any offence, or having broken any of the conditions of his licence, and may detain him in custody until he can be taken before a Magistrate, and dealt with according to law.

Apprehension of holder of licence without warrant. (27 & 28 Vic. c. 47 s. 6.)

8. Where any licence granted in the form set forth in the said schedule is forfeited by a conviction of any indictable offence, or is revoked in pursuance of a summary conviction under this Ordinance or any other Ordinance the person whose licence is forfeited or revoked shall, after undergoing any other punishment to which he may be sentenced for the offence in consequence of which his licence is forfeited or revoked, further undergo a term of imprisonment with hard labour equal to the portion of his term of imprisonment with hard labour that remained unexpired at the time of his licence being granted, and shall, for the purpose of his undergoing such last mentioned punishment, be detained in any prison in which he may be confined, by a warrant under the hand and seal of a Magistrate, and shall be liable to be there dealt with in all respects as if such term of imprisonment with hard labour had formed part of his original sentence.

Effect of Forfeiture or revocation of licence. (27 & 28 Vic. c. 47 s. 9.)

9. Any constable in any police district may, if authorised so to do in writing by the chief officer of police of that district, without warrant take into custody any convict who is the holder of a licence granted under this Ordinance, if it appears to such constable that such convict is getting his livelihood by dishonest means, and may bring him before a Magistrate for adjudication.

Penalty on holders of licences getting their livelihood by dishonest means. (34 & 35 Vic. c. 112 s. 2.)

If it appears from the facts proved before such Magistrate that there are reasonable grounds for believing that the convict so brought before him is getting his livelihood by dishonest means, such convict shall be deemed to be guilty of an offence against this Ordinance, and his licence shall be forfeited.

10. Where in any licence granted under this Ordinance, any conditions different from or in addition to those contained in the schedule of this Ordinance, are inserted, the holder of such licence, if he breaks any such conditions by an act that is not of itself punishable, either upon information or upon summary conviction, shall be deemed guilty of an offence against this Ordinance, and shall be liable to imprisonment for any period not exceeding three months, with or without hard labour.

Penalty on breach of conditions of licence. (34 & 35 Vic. c. 112 s. 4.)

A copy of any conditions annexed to any licence granted under this Ordinance other than the conditions contained in the schedule of this Ordinance, shall be laid before the Legislative Council within twenty-one days after the making thereof, if the Council be then sitting, or if not, then within fourteen days after the commencement of the next session of Council.

11. Every holder of a licence granted under this Ordinance who is at large in the Colony shall notify the place of his residence to an Officer of police at the Central Police Station who shall then endorse on the licence the Station at which the said holder shall report himself.

Convict holding licence to notify residence to police. (34 & 35 Vic. c. 112 s. 5.)

And whenever the said holder changes his place of residence, he shall notify such change at the Police Station endorsed on his licence and the Police Officer shall endorse on his licence the Station nearest to his residence and the said holder shall report himself at the Police Station so directed by such endorsement.

Moreover every male holder of such licence shall, once in each month, report himself at such time as may be prescribed by the Officer in charge of the Station endorsed on his licence either to such Officer himself or to such other person as the said Officer may direct.

If any holder of a licence who is at large in the Colony remains in any place for forty-eight hours without notifying the place of his residence at the Station endorsed on his warrant, or fails to comply with the requisitions of this section on the occasion of any change of residence, or with the requisitions of this section as to reporting himself once in each month, he shall in every such case, unless he proves to the satisfaction of the Court or Magistrate before whom he is tried that he did his best to act in conformity with the law, be guilty of an offence against this Ordinance, and upon conviction thereof his licence may, in the discretion of the Court or Magistrate, be forfeited; or if the term of imprisonment with hard labour in respect of which his licence was granted has expired at the date of his conviction, it shall be lawful for the Court or Magistrate to sentence him to imprisonment, with or without hard labour, for a term not exceeding one year, or if the said term of imprisonment with hard labour has not expired, but the remainder unexpired thereof is a lesser period than one year, then to sentence him to imprisonment, with or without hard labour, to commence at the expiration of the said term of imprisonment with hard labour, for such a term as, together with the remainder unexpired of his said term of imprisonment with hard labour, will not exceed one year.

Register of Criminals.

12. The following enactments shall be made with a view to facilitate the identification of criminals:—

- (1.) Registers of all persons convicted of crime in the Colony shall be kept in such form and containing such particulars as may from time to time be prescribed by the Governor:
- (2.) The register shall be kept under the management of the Captain Superintendent of Police or such other person as the Governor may appoint:
- (3.) The Superintendent of Victoria Gaol shall make returns of the persons convicted of crime and coming within his custody; and such returns shall be in such form and contain such particulars as the Governor may require:
- (4.) The Governor may make regulations as to the photographing of all prisoners convicted of crime who may for the time being be confined in Victoria Gaol and may in such regulations prescribe the time or times at which and the manner and dress in which such prisoners are to be taken, and the number of photographs of each prisoner to be printed, and the persons to whom such photographs are to be sent:
- (5.) Any regulations made by the Governor as to the photographing of prisoners in any prison in the Colony shall be deemed to be regulations for the Government of that prison, and binding on all persons, in the same manner as if they were contained in the Rules made under section 17 of Ordinance 18 of 1885.
- (6.) Any prisoner refusing to obey any regulation made in pursuance of this section shall be deemed guilty of an offence against prison discipline within the meaning of section 16 of Ordinance 18 of 1885.
- (7.) The Governor may from time to time modify, repeal, or add to any regulations so made.

Passed the Legislative Council of Hongkong, this 7th day of April, 1887.

ARATHOON SETH,
Clerk of Councils.

Assented to by His Excellency the Officer Administering the Government, the 19th day of April, 1887.

FREDERICK STEWART,
Acting Colonial Secretary.

Register and
photographing
of criminals.
(34 & 85 Vic
c. 112 s. 6.)

SCHEDULE.

Order of Licence to a Convict made under Ordinance 11 of 1887.

[L.S.]

The Governor is pleased to grant to

who was convicted of

at the Criminal Sessions of the Supreme Court, for the Colony of Hongkong on the day of 188 , and was then and there sentenced to imprisonment with hard labour for the term of and is now confined in the his Licence to be at large from the day of his liberation under this Order during the remaining portion of his said term of imprisonment unless the said shall before the expiration of the said term be convicted of some indictable offence within the Colony, in which case such licence will be immediately forfeited by law, or unless it shall please the Governor sooner to revoke or alter such licence.

This licence is given subject to the Conditions indorsed upon the same, upon the breach of any of which it will be liable to be revoked, whither such breach is followed by a conviction or not.

And the Governor hereby orders that the said be set at liberty within thirty days from the date of this Order.

Given under my hand and seal at Victoria, Hongkong, this day of 188 .

By His Excellency's Command,

Colonial Secretary.

CONDITIONS.

1. The holder shall preserve his licence and produce it when called upon to do so by a Magistrate, Justice of the Peace or Police Officer.
2. He shall abstain from any violation of the law.
3. He shall not habitually associate with notoriously bad characters, such as reputed thieves and prostitutes.
4. He shall not lead an idle and dissolute life without visible means of obtaining an honest livelihood.

If his licence is forfeited or revoked in consequence of a conviction for any offence, he will be liable to undergo a term of imprisonment with hard labour equal to the portion of his term of years which remained unexpired when his licence was granted, viz., the term of years.

GOVERNMENT NOTIFICATION.—No. 155.

Notice is hereby given that Messrs. JARDINE, MATHESON & Co. have complied with the requirements of Ordinances 16 of 1873, and 8 of 1886, for the registration in this Colony of their Marks as applied to Piece Goods; and that the same have been duly registered.

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 18th April, 1887.

GOVERNMENT NOTIFICATION.—No. 156.

The following Returns of Deaths for the week ended the 16th April are published for general information.

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 23rd April, 1887.