

PAPERS.—The Acting Colonial Secretary, by direction of His Excellency the Officer Administering the Government, laid upon the table the following papers:—

(a.) Letter from the Crown Agents in connection with the Loan. (No. $\frac{28}{87}$).

(b.) Report of the Director of the Observatory for 1886. (No. $\frac{29}{87}$).

BILL ENTITLED AN ORDINANCE FOR THE BETTER REGULATING OF THE TRADE IN OPIUM.—Debate on the motion for the second reading of this Bill was resumed.

The Officer Administering the Government addressed the Council.

The Acting Attorney General addressed the Council.

Mr. CHATER addressed the Council.

The Acting Chief Justice addressed the Council.

Question—put and passed.

Bill read a second time.

The Acting Attorney General moved that the Council do now go into Committee on this Bill.

Mr. MACEWEN moved, at the request of the Chamber of Commerce, for a short delay to enable certain suggested amendments to be formulated.

Mr. CHATER seconded.

The Acting Attorney General asked to be informed, before next meeting, of any modifications in the Bill, in order that they may be considered.

The Officer Administering the Government wished the Council to understand that His Excellency had lost no time in acquainting the Council and the Chamber of Commerce of the approval by the Secretary of State of the proposals that had been previously made by them.

ADJOURNMENT.—The Acting Attorney General then moved that the Council be adjourned to Friday, the 27th instant, at 4 P.M.

The Acting Colonial Secretary seconded.

Question—put and passed.

W. G. CAMERON, *Major-General,*
Administering the Government.

Read and confirmed, this 27th day of May, 1887.

ARATHOON SETH,
Clerk of Councils.

GOVERNMENT NOTIFICATION.—No. 223.

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. 22 of 1887.—*An Ordinance enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, for the better regulating of the trade in Opium.*

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 28th May, 1887.

LS

W. G. CAMERON.

No. 22 OF 1887.

An Ordinance enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, for the better regulating of the trade in Opium.

[27th May, 1887.]

WHEREAS it is expedient to regulate and control the movement of Raw Opium within the Colony and the waters thereof: 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 of 1884, hereinafter called the principal Ordinance, shall be construed together as one Ordinance to be called *The Opium Ordinances 1884 and 1887.*

Construction.

2. *Opium* in this Ordinance means raw, crude, or unprepared Opium.

Interpretation.

Chest of Opium means the package, with the opium therein, such as is usually imported by merchants in the Colony.

Ship in this Ordinance and in the principal Ordinance shall be construed so as to include any steam-vessel, junk, boat, sampan, or any kind of craft used for conveyance of persons or things by water.

3. No person shall bring into the Colony or the waters thereof, or receive therein Opium in quantities less than one chest so brought into the Colony or its waters.

Import of Opium less than one chest prohibited.

4. It shall be lawful for the Colonial Treasurer on such terms and conditions as may be approved by the Governor in Council, to grant licences for the sale of Opium intended for export in quantities less than one chest, and no person except the holders of such licences shall be permitted to sell or barter within the Colony or its waters Opium in quantities less than one chest. The purchase, sale, or barter of quantities less than one ball of Bengal Opium or three catties of Malwa, Persian, or Turkish Opium is hereby forbidden.

Sale of Opium in quantities less than one chest.

5. It shall be the duty of holders of licences to attach to all parcels of Opium sold by them in quantities less than one chest, a certificate in the following form:—

Sale certificates granted by licensees.

No.	Date,	188
Sold this day to		
balls Bengal.	catties Malwa or	
to be exported by him to		
per ship		

This certificate shall not be valid after noon of the

Chop.

6. No person except the Opium Farmer or the licensed retail dealers shall have in his possession or under his custody or control Opium in quantities less than one chest without a certificate of purchase from a Licensee except he can show to the satisfaction of a Magistrate:—

What persons may have Opium in quantities less than one chest.

(a.) That the said Opium is covered by a certificate of one of the Licensees.

(b.) That he has received it under an official export permit. Provided always that it shall be in the absolute discretion of the officer charged with issuing export permits to grant or withhold the same, and that this section shall not apply to samples not exceeding two taels covered by a certificate of the importer.

Register to be kept by licensees.

7. It shall be the duty of the Licensees to keep a Register of the particulars of purchase and sale in such form as the Governor may from time to time order.

Penalties.

8. Any person offending against the provisions of sections 3, 4 and 6 shall, on conviction before a Magistrate, be liable to a fine not exceeding one thousand dollars and the forfeiture of the Opium or in default imprisonment with or without hard labour for a period not exceeding three months, or the Magistrate may order a period of imprisonment with or without hard labour in lieu of a portion of the fine, provided the whole imprisonment do not exceed six months; and notwithstanding the penalty for the breach of conditions to which licensees are subject, it shall be lawful for a Magistrate to impose on a Licensee a penalty not exceeding five hundred dollars for a breach of any such conditions in case it may not be deemed advisable to proceed for the full penalty under the licensee's bond.

Permits for landing of chests of Opium.

9. Every person importing into the Colony any Opium shall forthwith report the same to an Officer to be appointed by the Governor to be named the Superintendent of Imports and Exports, hereinafter called the Superintendent, giving the number of chests, and shall, before landing such Opium or any part thereof, send or cause to be sent to such Superintendent a requisition in the form of Schedule *A* giving the particulars therein required, whereupon the Superintendent shall furnish a permit in the form of Schedule *B* authorising the Opium to be landed and stored, and such permit shall be exhibited to the Opium Farmer or his Agent and shall be signed by him or his Agent and shall not be used or acted upon until it is so signed.

Movement and export of chests of Opium.

10. Every person moving Opium for exportation in chests shall, before doing so, send to the Superintendent a requisition in form of Schedule *C* furnishing the particulars therein required, whereupon the Superintendent shall grant an export permit in the form of Schedule *D* authorising the said Opium to be exported. The owner or shipper shall cause such permit to be exhibited to the Opium Farmer or his Agent, and such permit shall be signed by him or his Agent, and shall not be used or acted upon until it is so signed.

Removal and transshipment of Opium.

11. Every person moving a chest or chests of Opium from one place to another within the Colony or transshipping such chest or chests within the waters thereof shall before doing so, furnish to the Superintendent a requisition properly filled up in the form of Schedule *E*, whereupon the Superintendent shall furnish a permit in the form of Schedule *F* authorising the transshipment or removal of the said Opium, which permit shall be exhibited to the Opium Farmer or his Agent, and shall be signed by him or his agent, and shall not be used or acted upon until it has been so signed.

Steamers arriving out of Office hours.

12. In the event of the arrival at or departure from the Colony of any steamer carrying Opium when the Superintendent's Office is closed or may be closed before application for a permit can be made, it shall be lawful for the Agent of such steamer to land or ship any Opium without a permit, and to deliver any Opium so landed to the owner or consignees thereof, or to keep the same in his own custody, but so soon thereafter as the Superintendent's Office is opened the said Agent shall apply for the necessary permit, and furnish the particulars requisite.

Permit to be obtained afterwards.

Penalty.

13. Any person offending against or not complying with any of the provisions of sections 9, 10, 11, 12 shall be liable on conviction to a penalty not exceeding five hundred dollars, and any Opium imported or exported or stored or moved or attempted to be imported or exported or stored or moved contrary to the provisions of the foregoing sections shall be seized and may be forfeited.

Forfeiture.

Register to be kept by importer.

14. Every importer of Opium shall keep a Register shewing the number of chests imported by him and how and to whom it was disposed of. Marks and Government numbers in the case of the Bengal drug shall be given, and such other marks or numbers in the case of other sorts of Opium as the Superintendent may require to be placed upon it.

Every offence for non-compliance with the requirements of this section shall be punishable with a fine not exceeding five hundred dollars.

15. No junk or other Chinese craft, whether licensed or not, shall leave her anchorage, unless the safety of the vessel (through stress of weather) shall render it necessary, between the hours of 6 P.M. and 6 A.M. from October to March inclusive, nor between the hours of 7 P.M. and 5 A.M. from April to September inclusive, under a penalty, on conviction before two Stipendiary Magistrates, not exceeding five hundred dollars, or the forfeiture of junk and cargo.

Chinese craft only to leave Colonial waters between certain hours.

Special Permits or Night Clearances hitherto grantable under Ordinance 8 of 1879, section 38, sub-sections 8 and 9 shall be no longer allowed, except in the case of Hongkong specially licensed fishing boats.

16. On the coming into operation of this Ordinance, every person having in his possession, custody, or control any Opium within the Colony or its waters shall furnish to the Superintendent an account of all such Opium, and in case of chests the numbers and marks on such chests, and the Superintendent or his deputy shall be at liberty at any time, and as often as he shall think fit, to demand in writing from every person having any Opium in his possession, custody, or control, an account in writing of the Opium so held at the time of such demand, and in case of chests the marks and numbers, and the said Superintendent or his deputy shall be at liberty at any time, to enter the premises where such Opium is, and to inspect the same, and any person refusing to give such account, or without reasonable cause shewn to permit such entry, or giving a false or incorrect account shall be liable, on conviction, to a penalty not exceeding five hundred dollars, in addition to any other penalty which may be recoverable under the terms and conditions of section 4 of this Ordinance.

Holders to give account of stocks.

Superintendent may require account of stocks.

Penalty.

17. If any Opium is found, on search authorised under this Ordinance, to have been imported contrary to the provisions of this Ordinance, or to be missing from the place in which it was stored on importation, or from the place where, according to the permits, it ought to be found stored, the person in whose possession such Opium so imported may be found, or in whose name such Opium so missing shall have been so stored, shall be liable, on conviction, to a penalty not exceeding five hundred dollars for every chest of Opium which shall be found to have been so imported, or to be so missing.

Search for Deficiencies.

Penalty.

18. If the Opium Farmer shall neglect or refuse, or shall without sufficient cause unreasonably delay to do any of the acts or things hereinbefore provided and required to be done by him, he shall be liable to a penalty for each such offence not exceeding five hundred dollars.

Penalty on Farmers.

19. Every person who shall under the provisions of this Ordinance make any application, or supply any particulars, Return, or Account, or other written Statement required by this Ordinance to be made or supplied, shall sign the same himself, unless he be absent from the Colony or unable, from sickness, to attend to business, in which case the same may be signed by his Agent for him; and if any such application, particulars, Return, Account, or other Statement shall be false or incorrect, either in whole or in part, to the knowledge of the person so making or supplying the same, whether the same be signed by himself or by his Agent, such person shall, in every case not otherwise provided for by this Ordinance, be liable on conviction to a penalty not exceeding one thousand dollars for the first offence, and two thousand for every subsequent offence: and such Agent shall also and in like manner if offending be liable to penalties of the like amount.

Penalty for giving false particulars.

20. Any Justice of the Peace may, by his warrant directed to any Police Officer, not under the rank of a Sergeant, empower him by day or by night to enter and search any dwelling house, shop, or other building or place, or any ship not being a man-of-war or ship having such status, lying or being within the waters of the Colony, in any case in which it shall appear to such Justice of the Peace, upon the oath of any person, that there is good and sufficient cause to believe that in any such dwelling house, shop, or other building or place, or on board any such ship is concealed or deposited any Opium subject to forfeiture under this Ordinance, or as to which an offence has been committed against any of the provisions of this Ordinance, and to take possession of any such Opium found to be concealed, or deposited therein, and of the ship in which the same may

Search Warrant may be issued by Justice of the Peace.

When satisfied on oath that there is good cause.

Officer may
take possession
of articles
found.

Power to
break open
doors.

May detain
persons.

Sundays.

Excise Officers,
appointment
of

Arrest without
warrant.

Searching
ships.

Suspending
clause.

be found, and to arrest and take any person, or persons being in such dwelling house, shop, or other building, or place, or on board any such ship, in whose possession, custody, or control any such Opium may be found, or whom the said Officer may have good and sufficient reason to suspect to have concealed or deposited therein or thereabouts any such Opium, and any Officer to whom such warrant shall be directed may, in case of obstruction or resistance, break open any outer or inner doors of such dwelling house, shop, or other building, or place, and enter therein, and forcibly enter such ship, and every part thereof, and remove by force any obstruction to such entry, search, seizure, and removal as aforesaid, and may detain every person found in such place until the said place shall have been searched, and all informations to be laid and all warrants to be issued, and all arrests and seizures to be made under this Ordinance, may be had or done on a Sunday as well as on any other day.

21. Excise Officers duly appointed under the principal Ordinance shall be deemed to be Excise Officers for the purposes of this Ordinance, and shall have the like powers, duties, rights and liabilities with reference to Opium under this Ordinance as they have with reference to prepared Opium under the principal Ordinance.

22. It shall be lawful for any Police or Excise Officer to arrest without warrant any person within the Colony whom he reasonably suspects to be conveying or to have concealed on his person any Opium in contravention of the requirements of this Ordinance and to take him before a Magistrate to be dealt with according to law.

23. It shall be lawful for any Inspector of Police or an Excise Officer, having reasonable ground for believing that there is Opium in any ship within the waters of the Colony in contravention of the provisions of this Ordinance (such ship not being a ship of war or vessel having such status) to proceed without warrant on board such ship, and search for such Opium, and seize any so found, and it shall be lawful for such Inspector to take the Opium so found, together with the person in whose custody, possession or control it is found, before a Magistrate, to be dealt with according to law.

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

Passed the Legislative Council of Hongkong, this 27th day of May, 1887.

ARATHOON SETH,
Clerk of Councils.

Assented to by His Excellency the Officer Administering the Government, the 27th day of May, 1887.

FREDERICK STEWART,
Acting Colonial Secretary.

SCHEDULES.

(A.)

Bill of Particulars.

To the Superintendent of Imports and Exports,
Hongkong.

Sir,
Please issue a permit to land from the _____ which
arrived on _____ chests of Opium, numbered and
marked as below.
To be landed on _____ at _____ wharf
and stored at (godown or shop or house).

Date, 18 _____
Importer.

(B.)

Permit to Land.

_____ is authorised
to land from the _____ chests of Opium with
numbers and marks as noted below, and is authorised to store the
same in the (godown, shop or house) of
at _____

Date, 18 _____
Superintendent.

A copy of this permit has
been served on me.

Opium Farmer.

(C.)

Application to Export.

To the Superintendent of Imports and Exports.
Sir,

Please issue a permit to export by
_____ chests of _____ Opium, numbered and marked as
below, on the _____ day of _____ 18 _____
to destination _____ the said Opium having been
purchased by me from _____ in whose (godown, house
or shop) it is now stored (or the same being now stored in my
godown, shop or house) at _____
or sold by me to _____ who is desirous of exporting it.

Date, 18 _____

(D.)

Permit to Export.

_____ is authorised to export by
_____ to _____ chests of
Opium, marked and numbered as below, on the
having been purchased by the Exporter from
and now stored in _____
situated at _____
and sold to _____
who is required to export in terms of this permit.

Date, 18 _____
Superintendent.

A copy of this permit has
been served on me.

Opium Farmer.

Received this Opium.

Exporter.

(E.)

Application to remove.

To the Superintendent of Imports and Exports.

Sir,
Please issue a permit for the removal of _____ chests of (Malwa)
Opium, numbered and marked as below, from _____ and
from the custody and in the possession of G.H. to the custody or
possession of J.K.
Time of removal, _____

Date, 18 _____
*Owner or Shipper or
Purchaser.*

(F.)

Removal Permit.

A.B. is authorised to move _____ chests of (Benares) Opium,
marked and numbered as below, from _____
and from the custody or possession of G.H. to the custody or posses-
sion of J.K.

Date, _____
Superintendent.

A copy of this per-
mit has been served on
me.

Opium Farmer.

Received this Opium.

Purchaser.