

No. 6.

PROCLAMATION.

[L.S.] G. WILLIAM DES VŒUX.

By His Excellency Sir G. WILLIAM DES VŒUX, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same.

Whereas by Article XX of the Letters Patent hereinafter following entitled "Letters Patent passed under the Great Seal of the United Kingdom, constituting the Office of Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies," it is directed and enjoined that the said Letters Patent shall be read and published at such place or places within the Colony as the Governor shall think fit:

Now, therefore, I, Sir G. WILLIAM DES VŒUX, Governor of the Colony of Hongkong and its Dependencies, and Vice-Admiral of the same, in pursuance of the said article, and by virtue of the authority in me vested, do hereby under my hand proclaim that the said Letters Patent be published in the *Hongkong Government Gazette*, and the same are hereby proclaimed and published for general information.

By Command,

FREDERICK STEWART,
Colonial Secretary.

GOD SAVE THE QUEEN.

Given at Government House, Hongkong, this 5th day of May, 1888.

HONGKONG.

LETTERS PATENT passed under the Great Seal of the United Kingdom, constituting the Office of Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies

Dated 19th January 1888. Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India: To all to whom these Presents shall come, Greeting.

Preamble.

Recites Charter of
5th April 1843.

WHEREAS, by Our Charter under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the Fifth day of April 1843, We did erect Our Island of Hongkong and its Dependencies into a separate Colony, to be known and designated as the Colony of Hongkong, and did make provision for the Government of Our said Colony:

Recites Order in
Council of 4th
February 1861.

And whereas by Our Order in Our Privy Council, bearing date the Fourth day of February 1861, in the Twenty-fourth year of Our reign, it was ordered that the Kowloon District therein described should be part and parcel of Our said Colony:

Recites Letters
Patent of 9th April
1877.

And whereas We did, by certain Letters Patent under Our said Great Seal, bearing date at Westminster the Ninth day of April 1877, constitute, order, and declare that there should be a Governor and Commander-in-Chief in and over Our Colony of Hongkong and its Dependencies:

And whereas We are minded to make further provision for the government of Our said Colony:

Revokes Charter and
Letters Patent
recited.
Office of Governor
constituted.

Now We do by these presents revoke Our said Charter and Our said Letters Patent, but without prejudice to anything lawfully done thereunder.

II. We do declare that there shall be a Governor and Commander-in-Chief in and over Our Colony of Hongkong and its Dependencies (herein-after called the Colony), and that appointments to the said Office shall be made by Commission under Our Sign Manual and Signet.

Governor's powers
and authorities.

III. We do hereby authorize, empower, and command Our said Governor and Commander-in-Chief (herein-after called the Governor) to do and execute all things that belong to his said Office, according to the tenor of these Our Letters Patent and of such Commission as may be issued to him under Our Sign Manual and Signet, and according to such Instructions as may from time to time be given to him under Our Sign Manual and Signet, or by Our Order in Our Privy Council, or by Us through one of Our Principal Secretaries of State, and to such laws as are now or shall hereafter be in force in the Colony.

Instructions.

IV. And We do by these Our Letters Patent declare Our will and pleasure as follows:—

V. Every person appointed to fill the office of Governor of the Colony shall with all due solemnity, before entering upon any of the duties of his office, cause the Commission appointing him to be Governor to be read and published in the presence of the Chief Justice or other Judge of the Supreme Court, and of such Members of the Executive Council of the Colony as can conveniently attend; which being done he shall then and there take before them the Oath of Allegiance in the form provided by an Act passed in the Session holden in the thirty-first and thirty-second years of Our reign, intituled "An Act to amend the Law relating to Promissory Oaths;" and likewise the usual Oath for the due execution of the office of Governor, and for the due and impartial administration of justice; which Oaths the said Chief Justice or Judge, or if they be unavoidably absent, the Senior Member of the Executive Council then present, is hereby required to administer.

Publication of Governor's Commission.

Oaths to be taken by Governor.

Imperial Act, 31 & 32 Vict., cap. 72.

VI. The Governor shall keep and use the Public Seal of the Colony for sealing all things whatsoever that shall pass the said Public Seal.

Public Seal.

VII. The Executive Council of the Colony shall consist of such persons as We shall direct by any Instructions under Our Sign Manual and Signet, and all such persons shall hold their places in the said Council during Our pleasure.

Constitution of Executive Council.

VIII. The Legislative Council of the Colony shall consist of such persons as We shall direct by any Instructions under Our Sign Manual and Signet, and all such persons shall hold their places in the said Council during Our pleasure.

Constitution of Legislative Council.

IX. The Governor, by and with the advice and consent of the Legislative Council, may make Laws for the peace, order, and good government of the Colony.

Governor, with advice and consent of Council, to make Laws.

X. We do hereby reserve to Ourselves, Our heirs and successors, full power and authority to disallow, through One of Our Principal Secretaries of State, any such Law as aforesaid. Every such disallowance shall take effect from the time when the same shall be promulgated by the Governor in the Colony.

Disallowance of Laws.

XI. We do also reserve to Ourselves, Our heirs and successors, Our and their undoubted right, with the advice of Our or their Privy Council, to make all such Laws as may appear necessary for the peace, order, and good government of the Colony.

Power of Legislation reserved to the Crown.

XII. The Governor, in Our name and on Our behalf, may make and execute, under the Public Seal of the Colony, grants and dispositions of any lands which may be lawfully granted or disposed of by Us. Provided that every such grant or disposition be made in conformity either with some law in force in the Colony or with some Instructions addressed to the Governor under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State, or with some regulations in force in the Colony.

Land grants.

XIII. The Governor may constitute and appoint all such Judges, Commissioners, Justices of the Peace, and other necessary Officers and Ministers in the Colony, as may lawfully be constituted or appointed by Us, all of whom, unless otherwise provided by law, shall hold their offices during Our pleasure.

Governor empowered to appoint Judges and other Officers.

XIV. When any crime has been committed within the Colony, or for which the offender may be tried therein, the Governor may, as he shall see occasion, in Our name and on Our behalf, grant a pardon to any accomplice in such crime who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders, if more than one; and further, may grant to any offender convicted in any Court, or before any Judge, or other Magistrate within the Colony, a Pardon either free or subject to lawful conditions, or any remission of the sentence passed on any such offender, or any respite of the execution of such sentence for such period as the Governor thinks fit, and may remit the payment of any fines, penalties, or forfeitures due or accrued to Us. Provided always that the Governor shall in no case, except when the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from or shall absent himself or be removed from the Colony.

Grant of pardon.

And remission of fines.

Political offences.

Proviso. Banishment prohibited.

XV. The Governor may, upon sufficient cause to him appearing, suspend from the exercise of his Office any person holding any Office within the Colony, whether appointed by any Commission or Warrant from Us or in Our name, or by any other mode of appointment. Every such suspension shall continue and have effect only until Our pleasure therein shall be signified to the Governor. In proceeding to any such suspension the Governor is strictly to observe the directions in that behalf given to him by any Instructions as aforesaid.

Suspension of Officers.

Succession to
Government.

XVI. Whenever the Office of Governor is vacant, or if the Governor become incapable, or be absent from the Colony, Our Lieutenant Governor of the Colony, or if there shall be no such Officer therein, then such person or persons as We have appointed or may hereafter appoint under Our Sign Manual and Signet, and in default of any such appointment, the person lawfully discharging the functions of Colonial Secretary, shall, during Our pleasure, administer the government of the Colony, first taking the Oaths herein-before directed to be taken by the Governor and in the manner herein prescribed; which being done, We do hereby authorize, empower, and command Our Lieutenant Governor, or any other such Administrator as aforesaid, to do and execute, during Our pleasure, all things that belong to the office of Governor and Commander-in-Chief, according to the tenor of these Our Letters Patent, and according to Our Instructions as aforesaid, and the Laws of the Colony.

Proviso. Oaths of
Office.

Powers, &c., of
Administrator.

Officers and others to
obey and assist
Governor.

XVII. And We do hereby require and command all Our Officers and Ministers, Civil and Military, and all other the inhabitants of the Colony, to be obedient, aiding and assisting unto the Governor and to any person for the time being administering the government of the Colony.

Term "Governor"
explained.

XVIII. In these Our Letters Patent the term "the Governor" shall include every person for the time being administering the government of the Colony.

Power reserved to
Her Majesty to re-
voke, alter, or amend
present Letters
Patent.

XIX. And We do hereby reserve to Ourselves, Our heirs and successors, full power and authority, from time to time, to revoke, alter, or amend these Our Letters Patent as to Us or them shall seem meet.

Publication of
Letters Patent.

XX. And We do further direct and enjoin that these Our Letters Patent shall be read and proclaimed at such place or places within the Colony as the Governor shall think fit.

In witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster, the nineteenth day of January, in the Fifty-first year of Our Reign.

By Warrant under the Queen's Sign Manual,

MUIR MACKENZIE.

LETTERS PATENT constituting the Office of
Governor and Commander-in-Chief of the Colony of
HONGKONG.

GOVERNMENT NOTIFICATION.—No. 181.

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

Ordinance No. 15 of 1888.—*An Ordinance enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, entitled The Rating Ordinance, 1888.*

Ordinance No. 16 of 1888.—*An Ordinance enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, for the reservation of a European District in the City of Victoria.*

By Command,

FREDERICK STEWART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 5th May, 1888.