

GOVERNMENT NOTIFICATION.—No. 535.

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, 5th December, 1888.

A BILL

ENTITLED

The Merchant Shipping Ordinance, Amendment Ordinance, 1888.

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

1. Ordinance 8 of 1879 is hereby amended as follows, viz.:—

In Section 16 by striking out Sub-section 5, and inserting in the place thereof the words following, viz.:—

Amendment of Section 16.

5. No seaman shall, except with the sanction of the Harbour Master, be shipped to do duty on board a British ship, or any foreign ship whose flag is not represented by a Consular Officer resident in the Colony, elsewhere than at the office of the Harbour Master, and the Harbour Master shall require such seaman to lodge with him his certificate of discharge from the last ship, and failing the production of such certificate, such seaman shall be bound to give satisfactory explanation to the Harbour Master of the cause of the non-production thereof.

Such fees not exceeding the sums specified in table G. in the Schedule hereto, as are from time to time fixed by the Governor in Council shall be payable upon all engagements and discharges effected before the Harbour Master or his Deputy, and the Harbour Master shall cause a scale of such fees to be prepared and to be conspicuously placed in the office of the Harbour Master and the Harbour Master or his Deputy may refuse to proceed with any engagement or discharge unless the fees payable thereon are first paid.

Every Owner or Master of a ship engaging or discharging any seamen or seaman at the Office of the Harbour Master shall pay to the Harbour Master the whole of the fees hereby made payable in respect of such engagement or discharge, and may, for the purpose of in part reimbursing himself, deduct in respect of each such engagement or discharge from the wages of all persons (except apprentices) so engaged or discharged and retain any sums not exceeding the sums specified in that behalf in the table marked H. in the Schedule hereto: Provided that, if in any cases the sums which the owner is so entitled to deduct exceed the amount of the fee payable by him, such excess shall be paid by him to the Harbour Master in addition to such fee.

In Section 21 by inserting between the words "waters of the Colony" and the words "or in case" the words "or in the course of a voyage to the Colony" and between the words "shall forthwith" and the words "report the same" the words "or on the arrival of such vessel in Hongkong as the case may be."

Amendment of Section 21.

In Section 42 by inserting at the end of Sub-section 8, the words following, viz.:—

Amendment of Section 42.

"and for securing within the Colonial waters the effectual enforcement of the Foreign Enlistment Act, (Imperial), 33 and 34 Victoria Chapter 90, and for the order and superintendence of shipping and traffic with a view thereto."

And in the Schedule by adding thereto the following words namely:—

Addition to Schedule.

Table G.

Fees to be charged and paid into the Treasury in pursuance of this Section.

1. ENGAGEMENT OF CREWS.

In ships under 100 tons,.....	\$ 5
100 to 400 tons,.....	10
400 to 700 tons,.....	15
700 to 1,000 tons,.....	20

and so on for ships of larger tonnage adding for every 300 tons or part of 300 tons, five dollars.

2. ENGAGEMENT OF SEAMEN.

Separately 80 cents each.

3. DISCHARGE OF SEAMEN.

In ships under 100 tons,	\$ 5
100 to 400 tons,	10
400 to 700 tons,	15
700 to 1,000 tons,	20

and so on for ships of larger tonnage adding for every 300 tons or part of 300 tons, five dollars.

4. DISCHARGE OF SEAMEN.

Separately 80 cents each.

Table H.

Sums to be deducted from wages by way of partial repayment of fees in table G.

1. In respect of engagements and discharges of crews, upon each engagement and each discharge.
 - From wages of any Mate, Purser, Engineer, Surgeon, Carpenter or Steward,.....50 cents.
 - All others, except apprentices,40 cents.
2. In respect of engagements and discharges separately, upon each engagement and each discharge.
 - From wages of any Mate, Purser, Engineer, Surgeon, Carpenter or Steward,.....50 cents
 - All others, except apprentices, 40 cents.

A BILL

ENTITLED

An Ordinance to Amend the Powers of Police Magistrates.

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

Recovery of penalty in summary manner.

1. From and after the passing of this Ordinance it shall be lawful for a Magistrate, in any case in which he has power by law to impose a pecuniary penalty, in his discretion to direct that such penalty shall be recovered in the manner provided for the recovery of penalties by Section 1 of Ordinance 10 of 1844.

Imprisonment in default of payment of penalty.

2. In case of default in payment of a penalty imposed under any Ordinance in which no term of imprisonment is authorized in case of such default, the Magistrate may order that the person making such default be imprisoned with or without hard labour for any term not exceeding six months.

Recovery of fines under §2.

3. Where an offender is fined a sum not exceeding two dollars, and the same is not paid forthwith, the Magistrate inflicting such fine may order the offender to be searched, and if the offender on being searched is found to have upon his person any sum of money equalling or exceeding the amount of his fine, it shall be lawful for the Magistrate upon oath made to him of the fact by any person who was present when the offender was searched to order that so much of the said sum of money as may be sufficient to satisfy the said fine be forfeited by the offender, and that the offender be thereupon discharged from custody.

One Magistrate may exercise powers of two Magistrates.

4. From and after the passing of this Ordinance all the powers conferred upon two Magistrates sitting together by Section 10 of Ordinance 2 of 1875 and Section 13 of Ordinance 16 of 1875 or either of them may be used and exercised by one Magistrate sitting alone.

Amendment of Sec. 10 of Ord. 2 of 1875.

Section 10 of Ordinance 2 of 1875 is hereby amended by striking out the words "The accused shall apply for a trial by jury or."

Amendment of Sec. 20 of Ord. 16 of 1875.

5. Section 20 of Ordinance 16 of 1875 is hereby amended by substituting for the words "any term not exceeding 3 months" the words "any term not exceeding 6 months."

Forfeiture of articles.

6. Whenever any person is arrested by the Police for hawking without a licence or for any offence against Part III. of *The Cattle Diseases, Slaughter-Houses, and Markets Ordinance, 1887*, or any Bye-laws made, or to be made, thereunder, or for causing any obstruction by hawking in a public thoroughfare, the Police shall be empowered and they are hereby required to convey or cause to be conveyed all the articles being hawked, and sold by the offender before a Magistrate who shall thereupon have power upon conviction of the offender to order the forfeiture of the said articles or any of them in addition to any other penalty which he may by law impose.