

## GOVERNMENT NOTIFICATION.—No. 139.

The following Bills, which were read a first time at a Meeting of the Legislative Council held yesterday, are published for general information.

ARATHOON SETH,  
Clerk of Councils.

Council Chamber, Hongkong, 30th March, 1889.

## DRAFT BILL.

ENTITLED

*An Ordinance to amend and Consolidate the Law  
relating to the carriage and possession  
of deadly weapons.*

Title.	<b>B</b> E it enacted by the Governor of Hongkong, by and with the advice and consent of the Legislative Council thereof, as follows:—
Short title.	<b>1.</b> This Ordinance may be cited for all purposes as <i>The Arms Ordinance, 1889.</i>
Repeal.	<b>2.</b> Ordinances No. 6 of 1887 and No. 4 of 1889 are hereby repealed, but such repeal shall not affect the past operation of the said Ordinances or either of this or anything done or suffered thereunder, not to be taken to revive any Ordinance thereby repealed.
Interpretation.	<b>3.</b> In this Ordinance the expression <i>arms</i> , includes any description of fire arms, also any sword, cutlass, spear, pike, bayonet, dagger, fighting iron or other deadly weapon, also any part of any arms so defined.
Licence to carry "arms."	<b>4.</b> The Governor in Council may from time to time in his discretion grant to any person a licence to carry arms, subject to such conditions as may seem fit, and may from time to time in his discretion revoke any such licence.
No person to carry arms without a licence.	<b>5.</b> No person, who has not a licence from the Governor in Council for the purpose, shall carry any arms in this Colony: Provided that this prohibition shall not apply to any persons in the Naval or Military or Civil Services of the Crown or of any foreign power, or, to Justices of the Peace, or to Special or Common Jurors, or to District Watchmen appointed under Ordinance 13 of 1888, and provided also that this prohibition shall not apply to prevent the owner of any trading or fishing junk who has given security to the Harbour Master under section 38 of Ordinance 8 of 1879 from having without licence on board of his junk such arms as are reasonably necessary for the protection of such junk on the high seas.
Exceptions.	<b>6.</b> If any arms are found on board of any junk or other Chinese vessel and the person in charge, or appearing or acting as the master or as in charge of such junk or vessel, does not produce a licence under this Ordinance authorizing him or some other person or persons on board of such junk or vessel to carry such arms, or does not shew that such arms come within the second proviso of the last preceding section, such person and all other persons on board of such junk or vessel shall be deemed to be persons carrying arms contrary to this Ordinance.
Arms found on junks, &c.	<b>7.</b> Every person carrying arms contrary to the provisions of this Ordinance shall on summary conviction thereof before a Magistrate be liable to a fine not exceeding one hundred dollars or to imprisonment with or without hard labour for any period not exceeding six months, and such arms if captured shall be forfeited to the Crown.
Punishment.	<b>8.</b> Any person carrying or reasonably suspected of carrying any arms in contravention of this Ordinance may be arrested without warrant by any Police Officer, and conveyed as soon as reasonably can be, before a Magistrate in order to his being dealt with according to law.
Police may arrest without warrant any person carrying arms. [Ordinance 22 of 1884, sec. 4.]	<b>9.</b> All importers of, and dealers in arms shall be bound to register their names and places of business at the Registrar General's Office, and shall take out a licence, for which an annual sum of five dollars shall be charged; and all importers of, or dealers in arms not registering their names and taking out such licence shall be liable, on summary conviction thereof, to a fine not exceeding one hundred dollars, or to imprisonment not exceeding one month.
Importers or dealers in arms to register themselves.	

10. All importers of, and dealers in arms shall be bound on or before the sixth day of February, May, August and November in each year to furnish to the Captain Superintendent of Police a statement shewing the number and description of arms remaining in their possession on the last day of the preceding months.

All importers of or dealers in arms to furnish return quarterly.

11. Any person making a false return of arms under this Ordinance, shall on conviction thereof before a Magistrate, be liable to a fine not exceeding fifty dollars or to imprisonment not exceeding ten days.

Penalty for making false return.

12. All importers of, and dealers in arms failing or refusing to make such return shall be deemed to be in possession of all arms found in their house, store or godown contrary to the provisions of this Ordinance, and shall be liable on summary conviction thereof to a fine not exceeding one hundred dollars or to imprisonment not exceeding one month.

Penalty for refusing to make such returns.

13. Upon the hearing of any information for furnishing such false return the Magistrate may if he thinks fit, issue a warrant to search any house, store or place where such arms are alleged to be kept or stored, and any Police Officer to whom the said warrant is directed may with or without assistance and using force if necessary enter any house, store or place in the said warrant mentioned and search for such arms.

Power of Magistrate to issue warrant to search for arms.

14. A Magistrate may by warrant authorise any person named in such warrant to search in any houses, buildings, ships, vessels or places for any arms suspected to be therein in contravention of this Ordinance.

Magistrate may issue warrant for search of arms [Ibid. sec. 5 altered.]

The person so named in such warrant with such constables and other persons as he calls to his assistance, may at any time enter into any house, building, ship, vessel or place and there execute the warrant, and in case admittance is refused or is not obtained within a reasonable time after it is first demanded, such persons may enter by force in order to execute such warrant. The person executing such warrant shall before executing the same if so desired produce the said warrant.

Any arms, carried, had or found under circumstances which contravene this Ordinance, may be forthwith seized and shall be forfeited to Her Majesty.

Arms found or carried to be forfeited.

15. The Governor may establish a central store or magazine for the safe keeping and storing of all arms and ammunitions, and shall give notice in the *Government Gazette* of such selection and of the situation of the said store or magazine.

Governor may establish central store for arms, &c.

16. It shall be lawful for the Governor in Council during the continuance of any Proclamation issued under the provisions of *The Peace Preservation Ordinance* of 1886, to order the removal to the said central store of all arms in the possession of any importers or dealers in arms, or of such arms only as in the opinion of the said Governor in Council are not in safe keeping or custody. All orders made under this section shall forthwith be published in the *Government Gazette*.

Governor may order removal to central store of all arms.

17. Any person refusing after the publication of such order to deliver up any arms, the removal of which to the said central store shall have been ordered by the last preceding section, shall on conviction before a Magistrate be liable to a fine not exceeding five hundred dollars, or to imprisonment for any period not exceeding six months with or without hard labour.

Penalty for refusing to deliver up arms.

18. The Governor in Council may from time to time make and when made, revoke, alter or add to all rules or regulations necessary for carrying out this Ordinance, and such rules and regulations shall have the force of law when published in the *Gazette*.

Power of Governor to make rules.

## DRAFT BILL

ENTITLED

Title. *An Ordinance for making compulsory the practice of Infant Vaccination in the Colony of Hongkong and to provide for the registration of all persons vaccinated by a Public Vaccinator.*

WHEREAS it is expedient to make compulsory the practice of infant vaccination within this Colony, be it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows:—

Short title.

1. This Ordinance may be cited for all purposes as *The Vaccination Ordinance, 1889.*

Repeal.

2. The Vaccination Ordinance 1888, is hereby repealed but such repeal shall not affect the past operation of the said Ordinance or anything done or suffered or any appointment made thereunder.

Interpretation of terms. (Ord. 1 of 88 s. 2.)

3. In this Ordinance and in any Rules and Regulations made thereunder the following words and expressions shall have the meanings hereinafter set against them, unless such meanings be repugnant to or inconsistent with the context:—

*Parent.*—The father of any child, or in the event of the death, illness, or inability of the father, then the mother.

*Guardian.*—The person who shall, for the time being, have the care, nurture, or custody of any child.

*Medical Practitioner.*—Any surgeon, physician, or medical practitioner registered as such under Ordinance No. 6 of 1886.

*Public Vaccinator.*—Any person authorized and appointed by the Governor under the provisions of this Ordinance for the special purpose of vaccinating persons.

*Child.*—Any person under fourteen years of age.

Public Vaccinators. (*Ibid* 3.)

4. The Governor shall appoint such duly qualified persons as he may deem fit, to be Public Vaccinators within the Colony, and shall appoint such local stations or places within the City of Victoria and in the Villages of Hongkong and Kowloon as he may deem expedient for the purposes of public vaccination, and such Public Vaccinators shall vaccinate *gratis* all persons who may come to them at such local stations or places for that purpose, and at such times and subject to such Rules and Regulations as may, under the provisions of this Ordinance, be issued by the Governor in Council in that behalf.

Rules and Regulations.

5. The Governor in Council shall have power from time to time to make rules and regulations for the purpose of this Ordinance and when made to alter, amend or cancel the same, but such rules and regulations and any alteration, amendment or cancellation thereof shall have no force or effect until published in the Gazette.

Children of 6 months and more to be vaccinated. (*Ibid* 4.)

6. Every Parent or Guardian of a child resident within the Colony, after the passing of this Ordinance, if such child be six months or more than six months old, and has not been already successfully vaccinated, shall cause such child to be vaccinated by a Medical Practitioner or Public Vaccinator, and such Medical Practitioner or Public Vaccinator shall, upon personal inspection of the successful vaccination of such child, furnish the Parent or Guardian with a certificate of the successful vaccination of such child in the form of Schedule *A* hereto, and such Parent or Guardian shall, within three days after the date thereof, lodge such Certificate with the Registrar General. For the purpose of this section, a parent or guardian of a child shall be deemed to be at any time resident within the Colony, if he has had his habitual place of abode in the Colony for 6 months then next preceding.

Certificate of unfitness for successful vaccination. (*Ibid* 5.)

7. If any Medical Practitioner or Chinese Doctor previously approved by the Governor shall be of opinion that any child is not a fit and proper subject to be successfully vaccinated, he shall thereupon deliver to the Parent or Guardian of such child, a Certificate under his hand in the form of Schedule *B*, that such child is unfit for successful vaccination and such Certificate shall remain in force for two months from its delivery as aforesaid, and if such child be not vaccinated at the termination of such period of two months, then the Certificate on the application of such person or such Parent or Guardian shall be renewed by such

Medical Practitioner or Chinese Doctor during each succeeding period of two months until such child shall have been successfully vaccinated, and such renewal shall be endorsed on the certificate and dated as of the date of such renewal and shall be signed by the Medical Practitioner or Chinese Doctor granting the same, and the production of such Certificate of unfitness for successful vaccination shall be a sufficient defence against any complaint which may be brought against such Parent or Guardian for non-compliance with the provisions of this Ordinance.

It shall be lawful for the Governor to appoint some Medical Practitioner or Chinese Doctor whose duty it shall be to examine gratuitously children on whose behalf are claimed certificates of unfitness for successful vaccination under this section and to grant or withhold such certificate in his discretion.

8. Every certificate granted under the preceding section shall immediately on the granting or any renewal thereof be brought by the Parent or Guardian of the child to the Registrar General for registration and he shall enter the particulars of the same in a book to be kept by him for that purpose.

Registration of Certificate under s. 7.

9. In the event of a Medical Practitioner or Public Vaccinator, being of opinion after three successive vaccinations made by himself that any child is insusceptible of the vaccine disease, he shall furnish the Parent or Guardian of such child, with a Certificate under his hand in the form of Schedule C, that such child is insusceptible of vaccine disease, and such Parent or Guardian shall, within three days after the date of such Certificate, lodge the same with the Registrar General.

Certificate of insusceptibility to vaccine disease. (Ibid 6.)

10. The Registrar General shall enter in the Registry of Births kept by him the word *Vaccinated* opposite the name of every child whose vaccination has been certified, and the word *Insusceptible* opposite the name of every child who has been certified, as herein provided, to be insusceptible of vaccine disease.

Registration of infant vaccination. (Ibid 7.)

11. There shall be kept at each local vaccination station or place appointed under the Ordinance hereby repealed or under this Ordinance a register of all persons vaccinated by a Public Vaccinator. The entries in such Register to be called the "The Public Vaccinators' Register" shall be made at the time of vaccination by the Public Vaccinator according to the form and particulars in Schedule D hereto. And the Public Vaccinator at each station shall once in every month cause a return to be made to the Registrar General of all entries in the Public Vaccinators' Register at his station and the Registrar General shall carefully preserve the same.

Registration of all persons vaccinated Publicly.

12. In every case where after the expiration of six months from the birth of any child whether born in the Colony or not the Parent or Guardian of such child has failed to exhibit to the Registrar General a certificate of the Vaccination or of the unfitness for or of the insusceptibility to Vaccination of such child, the Registrar General shall serve on such Parent or Guardian, as the case may be, a written notice in the form of Schedule E, and if within ten days after his receipt of such notice such Parent or Guardian shall not have presented to the Registrar General, for registration any of such Certificates, such Parent or Guardian shall on conviction before a Magistrate forfeit a sum not exceeding Five Dollars or be liable to imprisonment for a term not exceeding ten days, and should the Parent or Guardian of such child then refuse to cause such child to be vaccinated, such Parent or Guardian shall on conviction before a Magistrate forfeit a sum not exceeding Fifty Dollars or be liable to imprisonment for a term not exceeding three months. Provided always that no Parent or Guardian shall be liable to any penalty or punishment for not having his child vaccinated at any time between the 1st May and the 30th of September in any year.

Penalty for neglect to register. (Ibid 8.)

13. Any person who shall produce or attempt to produce in himself or in any other person by inoculation with variolous matter, or by wilful exposure in variolous matter, or who shall wilfully by any other means whatsoever produce the disease of Small-pox, shall on conviction before a Magistrate forfeit a sum not exceeding Five hundred dollars or be liable to imprisonment for a term not exceeding twelve months.

Penalty for inoculation.

Recovery of penalties.

14. All proceedings under this Ordinance shall be in the name of the Registrar General, and all penalties imposed by this Ordinance may be recovered in a Summary manner before a Magistrate.

Service of Notices.

15. The service of any notice under this Ordinance shall be deemed sufficient and valid if left or served by any person generally authorised by the Registrar General in that behalf at the last known place of abode or business of the person intended to be effected thereby, and all acts and things required by this Ordinance to be executed and done by the Registrar General may under his control and supervision be executed and done by any person permanently employed in the Registrar General's Office.

SCHEDULES.

(A.)

I, the undersigned hereby certify that  
of  
has been successfully vaccinated by me.  
Dated this            day of            188  
(Signed)            A. B.,  
(Medical Practitioner or Public  
Vaccinator as the case may be.)

(B.)

I, the undersigned hereby certify that I am of opinion that  
of            aged  
is not now in a fit and proper state to be successfully vaccinated for  
the following reasons, viz. :  
and that I have recommended the post-  
ponement of the vaccination until the            day of  
188  
(Signed)            A. B.,  
Medical Practitioner Chinese Doctor  
or Certifying Officer appointed by  
the Governor, as the case may be.)

(C.)

I, the undersigned hereby certify that I am of opinion that  
is insusceptible of Vaccinic Disease.  
Dated this            day of            188  
(Signed)            A. B.,  
(Medical Practitioner or Public  
Vaccinator.)

(D.)

Public Vaccinator's Register at the            Station,  
Public Vaccinator.

1. No. of Case.	2. Date of Vaccination.	3. Name and Address of person, or parent or guardian.	4. In case of re-vaccination of persons of 14 and upwards successfully vaccinated in early life, mark R.	5. Age.		6. Initials of Operator.	7. Result.	
				Years.	Months		Successful.	Unsuccessful.

(E.)

To [insert name of Parent or Guardian.]

Take Notice that [insert name of child], must be vaccinated under the provisions of Ordinance No. 1 of 1888, and unless you produce to me a certificate of the vaccination of, or of the unfitness of, or of insusceptibility of [insert name of child], for vaccination within ten days from the receipt of this notice you are liable to a penalty of five dollars or imprisonment for ten days.  
Dated this            day of            188

Registrar General.