

The Council met pursuant to notice.

The Minutes of the last Meeting, held on the 29th ultimo, were read and confirmed.

VOTES PASSED BY THE FINANCE COMMITTEE.—The Colonial Secretary, by direction of His Excellency the Governor, laid on the table the Report of the proceedings of the Finance Committee (No. 5), dated the 29th ultimo, and moved that the following Votes referred to therein be passed, viz. :—

EXCESS OF THE ESTIMATES FOR 1889.

SERVICES EXCLUSIVE OF ESTABLISHMENTS.

Extraordinary Public Works.

Victoria College.

C.S.O. 786 of 1889.	Balance of Contractor's accounts in connection with the buildings,	\$ 5,500.00
C.S.O. 785 of 1889.	Extra works not included in Contract,	8,000.00
		\$13,500.00

ESTABLISHMENTS.

Surveyor General.

C. O. Desp. 221 of 1887.	Personal allowance to the Honourable J. M. PRICE as compensation for undrawn fees on Crown Land sales at \$480 per annum,	\$ 988.39
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The Acting Treasurer seconded.

Question—put and passed.

PAPER.—The Colonial Secretary, by direction of His Excellency the Governor, laid on the table the following paper, viz. :—

Report of the Director of the Observatory for 1888. (No. $\frac{8}{9}$).

BILL ENTITLED THE ARMS ORDINANCE, 1889.—The Acting Attorney General moved the second reading of this Bill.

The Colonial Secretary seconded.

Question—put and passed.

Bill read a second time.

The Council then went into Committee on the Bill.

Bill reported with a verbal amendment.

The Acting Attorney General then moved that the Bill be read a third time.

The Colonial Secretary seconded.

Question—put and passed.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed, and numbered as Ordinance 14 of 1889.

BILL FOR AMENDING THE LAWS RELATING TO THE CONSTRUCTION OF BUILDINGS IN THE COLONY OF HONGKONG.—On the motion of the Acting Attorney General, the Council resumed Committee on the Bill.

Bill reported with amendments.

ADJOURNMENT.—The Council then adjourned *sine die*.

G. WILLIAM DES VŒUX,
Governor.

Read and confirmed, this 18th day of April, 1889.

ARATHOON SETH,
Clerk of Councils.

GOVERNMENT NOTIFICATION.—No. 175.

The following Bill, which was read a first time at a Meeting of the Legislative Council held on the 18th instant, is published for general information.

ARATHOON SETH,
Clerk of Councils.

Council Chamber, Hongkong, 20th April, 1889.

A BILL

ENTITLED

An Ordinance to repeal the law relating to the compulsory medical examination of Women and to amend and consolidate the law relating to the protection of Women and young Girls and for other purposes.

WHEREAS it is expedient to repeal the law in force for the compulsory medical examination of women, and to amend and consolidate the law relating to the better protection of women and girls: Be it enacted:—

PRELIMINARY.

1. This Ordinance may be cited as *The Protection of Women and Girls Ordinance, 1889.*

2. In this Ordinance,—

The word *District* means any of the Districts of the City of Victoria mentioned in The Regulation of Chinese Ordinance, 1888, Section 6.

The word *Householder* means the actual tenant or occupant of the whole of any building or tenement in a district of Victoria, or in cases where there shall be no such person then the immediate landlord of the whole of such building or tenement, and in the case of Companies and Corporations or if the Company or Corporation is the immediate landlord, the Secretary or Manager thereof.

The word *Brothel* means a house or place occupied, frequented or used by any two or more women for the purpose of prostitution.

The expression *Registered Brothel* means any such brothel as aforesaid registered under this Ordinance.

The expression *Keeper of a Registered Brothel* means the keeper thereof registered under this Ordinance or any person acting or appearing to act as such during his absence therefrom.

The expression *Keeper of an Unregistered Brothel* includes besides the actual keeper any person acting or appearing to act as such, or the Tenant of the whole or part of a House used as a brothel and unregistered.

The expression *Inmate of a Registered Brothel* means any female residing in such Brothel.

3. The Ordinances mentioned in the 1st column of Schedule A hereto to the extent mentioned in the 3rd column of such Schedule are hereby repealed, but such repeal shall not affect the validity or invalidity of anything done or suffered before the commencement of this Ordinance, and shall not apply to or in respect of any offence, act or thing committed or done or omitted before the commencement of this Ordinance, and every such offence, act or thing shall, after and notwithstanding the commencement of this Ordinance have the same consequences and effect in all respects as if this Ordinance had not been passed.

PART I.

Offences.

4. Any person who—

(1.) Brings, takes, decoys, or entices into the Colony any woman or girl with intent to sell her either within or without the Colony, for the purpose of prostitution; or

(2.) Sells or purchases any woman or girl for the purpose aforesaid; or

(3.) Knowingly derives any profit from the sale or purchase of any woman or girl so sold or purchased as aforesaid,

shall be guilty of a misdemeanor, and on conviction thereof, shall be liable to the punishment hereinafter provided.

5. Any person who procures or attempts to procure any girl under 12 years of age to have, either within or without the Colony, carnal connexion with any other person, shall be guilty of a misdemeanor, and on conviction thereof shall be liable to the punishment hereinafter provided.

6. Any person who brings, leads, takes, decoys, or entices into the Colony for the purpose of prostitution, any woman or girl knowing that such woman or girl has been sold or purchased, shall be guilty of a misdemeanor, and on conviction thereof shall be liable to the punishments hereinafter provided.

Short title.

Interpretation of terms.

District.

Householder.

Brothel.

Registered Brothel.

Keeper of a Registered Brothel.

Keeper of an Unregistered Brothel.

Inmate of a Registered Brothel.

Repeal.

Abduction of a woman or female child with intent, &c. [Sec. 2 of Ord. 2 of 1875.]

Selling or purchasing.

Procuration. [48 & 49 Vic. c. 69 sec. 2.]

Bringing into the Colony women or children knowing them to have been sold for prostitution. [2 of 1875.]

Detaining a woman or female child for purpose of prostitution. [*Ibid.* Sec. 4, & 48 & 49 Vic. c. 69 s. 3 sub. 1.]

7. Any person who—

- (1.) Detains or attempts to detain any woman or girl in any place against her will with the intent that she may become a prostitute, or for any like purpose.
- (2.) By threats or intimidation procures or attempts to procure any woman or child to have any illicit carnal connexion either within or without the Colony; or
- (3.) By any false pretences, false representations, or other fraudulent means procures any woman or girl to have either within or without the Colony illicit carnal connexion,

shall be guilty of a misdemeanor, and on conviction thereof, shall be liable to the punishments hereinafter provided.

Receiving or harbouring with intent, &c. [Ord. 2 of 1875 sec. 5.]

8. Any person who receives, or harbours any woman or girl with intent that such woman or girl should be sold or purchased for the purpose of prostitution, either within or without the Colony, shall be guilty of a misdemeanor, and on conviction thereof, shall be liable to the punishments hereinafter provided.

Receiving or harbouring women or children knowing them to have been sold for prostitution. [*Ibid.* Sec. 6.]

9. Any person who receives or harbours any woman or girl knowing that such woman or girl has been sold or purchased, either within or without the Colony, for the purpose of prostitution and with a view to aid such purpose, shall be guilty of a misdemeanor, and on conviction thereof, shall be liable to the punishment hereinafter provided.

Unlawful imprisonment or detention. [*Ibid.* Sec. 7.]

10. Any person who by force, intimidation or fraud, imprisons or detains any woman or girl within the Colony, for the purpose of emigration, shall be guilty of a misdemeanor, and on conviction thereof, shall be liable to the punishment hereinafter provided.

Decoying persons into or away from the Colony. [*Ibid.* Sec. 8.]

11. Any person who by force, intimidation, or any fraudulent means brings, leads, takes, decoys, or entices any woman or girl into or away from the Colony, for the purpose of emigration, shall be guilty of a misdemeanor, and on conviction thereof, shall be liable to the punishments hereinafter provided.

Punishment for offences. [*Ibid.* Sec. 9.] (No. 8 of 88.)

12. Every person convicted of any offence against the provisions of any of sections 4 to 11 of this Ordinance, shall be liable to be imprisoned for any term not exceeding two years with or without hard labour: Provided always that if the case is determined by a single Magistrate he shall not impose a heavier sentence than one year's imprisonment with or without hard labour and that where there appears a necessity for a heavier sentence the case shall be determined by two Magistrates or in their discretion committed for trial at the Supreme Court.

Punishment of whipping on second and subsequent convictions.

13. Whenever any person shall be convicted either summarily or before the Supreme Court of any offence against the provisions of sections 4 to 11 of this Ordinance, if it shall be proved that the offender has been previously convicted either summarily or before the Supreme Court, of an offence under the same or any other of the said sections of this Ordinance, it shall be lawful for the Court, in its discretion, to direct that, in addition to the punishment hereinbefore prescribed, the offender, if a male, be once, twice, or thrice publicly or privately whipped, subject to the provisions contained in sections 3 and 4 of Ordinance No. 16 of 1887, and all the provisions of section XCIV of Ordinance No. 7 of 1865 relating to the form of information for a subsequent offence and proceedings thereon, shall apply to offences punishable under this Ordinance.

Form of information and proceedings.

PART II.

Protection of Women and Girls.

Registrar General may summon Custodian of any female. [Ord. 9 of 1887. Sec. 1.]

14. The Registrar General shall have and exercise the powers and authorities hereinafter provided whenever he shall have reason to believe,—

- (i.) That any woman or girl has been brought into the Colony by fraud, mis-representation or any false pretence,—
 - (a.) for immoral purposes, or
 - (b.) for purposes of emigration,
- (ii.) That any woman has been purchased with a view of being trained or disposed of as a prostitute, or is for the same purpose being detained against her will
- (iii.) That any girl between the age of six and sixteen years of age is in the custody or control of any person in the Colony with a view of being trained or disposed of as a prostitute

15. In any such case as aforesaid it shall be lawful for the Registrar General and he is hereby empowered to summon before him any person (hereinafter referred to as the custodian) who may appear to him to have been concerned in bringing into the Colony any such woman or girl, or purchasing any woman under the circumstances mentioned in sub-sections i. and ii., or to have the custody or control of any girl under sub-section iii. and to make full inquiry into the circumstances of the case.

Power to
summon.

16. If the custodian upon service of such summons as aforesaid shall without sufficient excuse fail to appear at the time and place named in such summons, or to produce the woman or girl named therein without sufficient excuse for such default, he shall on conviction thereof before a Magistrate be liable to a penalty not exceeding five hundred dollars, and in default of payment to be imprisoned with or without hard labour for a period not exceeding six months.

Penalty for
neglect of
summons, &c.

17. If the custodian shall obey such summons as aforesaid, the Registrar General shall associate with himself two or more Justices of the Peace or such other persons as may from time to time be designated by the Governor, and they shall thereupon proceed to enquire into the circumstances of the case, and shall hear and examine upon oath any person capable of giving evidence in respect thereof. Provided always that if the immediate urgency of the case so require the Registrar General may himself proceed with such inquiry alone.

Investigation.

18. It shall be lawful for the Registrar General prior to or during such inquiry by notice in writing under his hand to summon before him any person who he believes can give information respecting any woman or girl mentioned in section 14 and in respect of the treatment of such woman or girl and any person who upon service of such notice shall not appear at the time and place therein mentioned or who upon appearance shall refuse to give such information without reasonable excuse shall on conviction before a Magistrate be liable to a penalty not exceeding two hundred dollars or in default thereof to imprisonment with or without hard labour for a period not exceeding three months.

Notice to
person able
to give infor-
mation.

19. Upon any such inquiry as aforesaid the custodian may be represented by Counsel or Solicitor, and the custodian or the husband or wife of such custodian shall be competent but not compellable to give evidence thereat or at any subsequent inquiry and the Registrar General shall take a minute in narrative form of all evidence taken before him.

Proceedings
on investiga-
tion.

20. If upon any such inquiry as aforesaid, the Registrar General shall be satisfied that any offence has been committed by the custodian contrary to the provisions in the first part of this Ordinance contained, he shall subject as in the next section provided, either send the case before a Magistrate or commit the custodian for trial at the next Criminal Sessions of the Supreme Court. In case the Registrar General shall commit the case for trial it shall be lawful for the Registrar General to admit the custodian to bail in the same manner as a person committed for trial by a Magistrate at the Supreme Court may be admitted to bail, and in the case of the non-appearance of the custodian to take his trial at such sessions the recognizance may be estreated and payment of the moneys thereby secured may be enforced in the same manner as if made and entered into before a Magistrate. In case the custodian is committed for trial as aforesaid the Registrar General shall thereupon transmit the original minutes of the evidence taken upon such inquiry to the Registrar of the Supreme Court who shall cause a true copy thereof to be transmitted to the Crown Solicitor. The Registrar of the Supreme Court shall deal with such evidence in the manner in which Magistrate's depositions are dealt with.

Power to com-
mit for trial.

Bail.

Minute of
evidence.

21. If upon such inquiry as aforesaid the Registrar General is satisfied that any woman or girl has been brought into the Colony by fraud misrepresentation or false pretence for immoral purposes or for purposes of emigration or that any woman has been purchased and is being trained as a prostitute or for the same purpose is being detained against her will or that the custodian of any girl between the age of six and sixteen is training such girl as a prostitute or that it is his intention to dispose of her as a prostitute and the custodian consents to the case being investigated by the Registrar General, he may (subject to

Order for
safe custody
or security in
certain cases.

the provisions of Section 22) make an order for the proper custody of such woman or girl in a place of safety to be provided under this Ordinance hereinafter referred as the Asylum or if in his discretion he shall think fit he may require the custodian to furnish sufficient security with or without sureties that such purpose or intention shall not be carried out, and that such woman or girl be produced before him when required and may in addition thereto require the custodian to furnish him with a photograph of such woman or girl. Provided always that if at the commencement of such inquiry the custodian decline to have the case investigated as aforesaid the Registrar General shall send the case to be investigated by a Magistrate or Magistrates who shall adjudicate thereon and if satisfied that any offence has been committed within the meaning of this Ordinance shall have the same power of punishment and other the powers contained in section 12 hereof.

Order for safe custody generally.

22. (a.) If the custodian is committed for trial under Section 20 or

(b.) If the custodian fail to give any such security as is provided by Section 21 or

(c.) If the Registrar General under the same Section send the case to be investigated by a Magistrate or Magistrates.

It shall be lawful for the Registrar General to make an order for the custody of such woman or girl in the Asylum: Provided always that,—

(i.) Every order made for the custody of any woman or girl under this part of the Ordinance if such person is under the age of sixteen years, shall provide for her detention until she attain that age, or if such girl be within 3 months of such age for any period beyond not exceeding 3 months or if such person be over the age of sixteen years shall provide for her detention for three months only from the date thereof—

(ii.) From and after such age and time respectively, no woman or girl shall be detained in such place of safety against her will—

(iii.) Every such order if purporting to be signed by the Registrar General shall be sufficient authority for the detention of any woman or girl

Provided further that if after hearing the case any Court or Magistrate is satisfied that such woman or girl has not been brought into the Colony by fraud misrepresentation or false pretence for immoral purposes or for purposes of emigration or that any woman has not been purchased and is not being trained as a prostitute or that the custodian of any girl between the age of six and sixteen is not training such girl as a prostitute or does not intend to dispose of such girl as a prostitute, and that there is no further cause for her detention in a place of safety the Court or Magistrate may make an order for her release.

Registrar General may apply for Habeas Corpus. [Ibid. Sec. 6.]

23. Whenever the Registrar General shall have reason to believe that any girl between the ages of six and sixteen years is in the custody, power, or possession of any person who has no legal right to such custody, and that it is prejudicial to the interests and liberty of such girl that she should continue in the custody of such person, it shall be lawful for the Registrar General to make application to a Judge in chambers for a writ of *Habeas Corpus*.

On the return of the said writ the said Judge shall make such order respecting the custody, education, and bringing up of the said girl, and on such conditions as he shall deem best in the interest of the said girl.

In dealing with such cases no parent who has voluntarily parted with such girl for the purpose of adoption into another family, or who has received money for the parting with the custody of the girl for any other purpose shall be deemed to be entitled as of right to the custody of such girl as its natural guardian.

Place of safety law provided.

24. It shall be lawful for the Governor in Council out of moneys to be provided by the Legislative Council for that purpose to provide a suitable building or buildings for the purposes of temporarily housing and maintaining women and girls detained under the provisions of this part of the Ordinance and as the Asylum for them during such detention,

25. (1) The Governor in Council shall have power to make rules and regulations for the Asylum including rules and regulations for all women or girls detained under the provisions of this Ordinance and every such woman or girl who contrary to such rules and regulations leaves any place in which she is detained may be arrested and taken back to such place by any Police Officer or by any Officer appointed under this Ordinance and specially authorised by the Registrar General in writing in that behalf.

Rules, &c for detention of woman, &c.

(2) Any person who induces or assists any woman or girl so detained as aforesaid to leave contrary to such rules and regulations as aforesaid the place in which she is detained or knowingly harbours any such woman or girl shall upon conviction before a Magistrate be liable to a fine not exceeding one hundred dollars or to imprisonment with or without hard labour not exceeding three months.

26. In any suit or action which may hereafter be entered for the recovery of any sum due on any promise or agreement which before the 13th April, 1887, (being the date of Ordinance No. 9 of 1887), has been entered into before the Registrar General with respect to the custody, maintenance or giving in marriage of any female child, it shall not be necessary for the plaintiff in such suit or action to allege or to prove that any consideration was given for the said promise or agreement, and it shall not be competent for the said defendant to allege in defence that the Registrar General had no authority or power to require such promise or agreement from him, or that no consideration was given for the same.

Recovery of sums due on promise or agreement already entered into. [*Ibid.* Sec. 7.]

PART III.

REGISTRATION AND INSPECTION OF BROTHELS,
FOR THE SUPPRESSION OF BROTHEL SLAVERY
AND FOR OTHER PURPOSES.

Registered Brothels.

27. (1.) No brothel shall be kept nor shall any place be kept as a brothel unless the same shall be registered in manner hereinafter prescribed.

No brothel without license.

(2.) The Governor may from time to time by notification in the *Gazette* prescribe one or more districts within which all brothels shall be unlawful and no brothel shall be allowed to be registered within such district or districts.

(3.) The Registrar General may at any time refuse to register or may at any time cancel or suspend the registration of any brothel.

28. Every keeper of a registered brothel shall enter into a bond in such a sum and with such securities as the Registrar General shall think fit for the due observance by such keeper of all the requirements of this Ordinance or of any rules and regulations which shall be made thereunder. The Registrar General may at any time require the said keeper to renew any of the sureties to the said Bond.

Bond of keeper.

29. No Brothel shall be permitted to be kept in any house in which any trade or business is carried on nor in any house communicating by any passage door or otherwise with any house or room in which any trade or business is carried on.

No Registered Brothel to be kept in a house, &c., where any trade is carried on. [*Ibid.* Sec. 8.]

30. A Register of Brothels shall be kept in the Office of the Registrar General who shall cause to be entered therein:—

A Register of Registered Brothels to be kept. [*Ibid.* Sec. 10.]

- (1.) The name and address of every Keeper of such Brothel.
- (2.) The address of every House whereof the whole or any part shall be occupied or used as a Brothel.
- (3.) The name and address of the Householder of every such House or of the Tenant of every part of such House.
- (4.) Any other particulars which the Registrar General may from time to time deem expedient to be entered in the said Register, subject nevertheless to such Regulations as the Governor in Council may make.

31. Every Keeper of a Registered Brothel shall cause a list of the names and ages of the Inmates thereof in the English language and also in such other language as the Registrar General may direct, to be affixed in some conspicuous place in such Brothel and the said keeper shall cause the said list to be altered from time to time as occasion may require, and shall furnish the Registrar General with a copy of such list and of all alterations made therein, together with a photograph of every inmate whose name is on such list.

Keeper of Licensed Brothel to exhibit and to furnish to the Registrar General a list of inmates. [*Ibid.* Sec. 11.]

Notice to be posted up in Brothel.

32. Every Keeper of a Registered Brothel shall keep posted up in some conspicuous place in such brothel in English and in such other language as the Registrar General may direct a notice stating that every inmate of such brothel may at any time leave the said brothel and may at all times make complaint to the Registrar General or to any Police Officer of detention or ill-treatment on the part of the said keeper, or of any person in the said brothel.

Inmates of Brothel to be registered.

33. No keeper of a Registered Brothel shall be permitted to have in her house any woman or girl who has not been duly registered or her photograph deposited at the Registrar General's Office.

Penalty for allowing any child under the age of 15 to be in a Registered Brothel. [Ibid. Sec. 14.]

34. If any child being in the opinion of a Magistrate above Six and under Sixteen Years of age be found in any Registered Brothel, the Keeper thereof shall upon 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 term not exceeding one month for the first offence, three months for the second offence, and six months for the third or any subsequent offence.

Inspection of Registered Brothel. [Ibid. Sec. 15.]

35. Every Registered Brothel shall be liable to be inspected at all times by the Registrar General, the Colonial Surgeon, the Captain Superintendent of Police and by any officer specially appointed by the Governor for the purposes of such inspection, and every Keeper of such Brothel and every other person whomsoever who shall offer any obstacle or resistance to such inspection shall be liable to imprisonment with or without hard labour for any term not exceeding six months or to a fine not exceeding Two hundred dollars.

Keeper of Registered Brothel to reside therein and appoint substitute during absence. [Ibid. Sec. 16.]

36. Every Keeper of a Registered Brothel shall reside therein and shall not absent himself from the Colony without giving notice to the Registrar General and appointing some person to act as Keeper thereof during his absence, and in every case where the Keeper of a Licensed Brothel shall fail to comply with the requirements of this Section, the permission granted to keep such Brothel shall become *ipso facto* void.

Recovery of fines on Keeper of Registered Brothel. [Ibid. Sec. 17.]

37. The provisions of section 13 of The Regulation of Chinese Ordinance, 1888, in relation to the recovery of fines shall apply to the recovery of any fine or penalty imposed upon a keeper of a Registered Brothel under this Ordinance.

Un-registered Brothels.

Power to enter or break into houses suspected of being Unlicensed Brothels. [Ibid. Sec. 20.]

38. Whenever the Registrar General or the Captain Superintendent of Police shall have reason to suspect that any house or portion of a house is used as a Brothel and has not been registered as hereinbefore provided, it shall be lawful for them or either of them and for any person specially deputed by them or either of them in writing for the purpose, at any time without warrant to enter and if necessary to break into such house or portion of a house and to take into custody any person who shall appear, act, or behave himself as the person having the care or management of such house or portion of a house so suspected as aforesaid and such person shall be brought forthwith before a Magistrate to be dealt with according to law.

Investigation by Registrar General as to suspected Brothel. [Ord. 10 of 1887 Sec. 21.]

39. It shall be lawful for the Registrar General whenever he shall have reason to suspect that a house or a portion of a house is used as a Brothel and has not been registered as such, to institute an investigation with reference thereto, and for such purpose or for the purpose of any appeal under Section 42 to summon in writing before him the householder or his agent, and any tenant or occupier of any portion of such house and all other persons capable of giving evidence in such matter, and to examine them upon oath touching the subject of such investigation, and any person who shall neglect or refuse to appear before the Registrar General at the time and place specified in such summons, or to answer all questions which may be put to him in the course of such examination shall upon conviction thereof before a Magistrate be liable to a fine not exceeding Five hundred dollars or to imprisonment with or without hard labour for any term not exceeding six months, and in the event of his giving false testimony in the course of such examination he shall be liable to be tried and punished for perjury and for that purpose every such investigation shall be deemed a Judicial Proceeding.

40. The Registrar General shall give notice of such investigation by advertisement in the *Gazette*, and also to the persons interested in the land whereon such house shall be situate so far as they can be ascertained by reference to the records of the Land Office, but the want of such notice shall not invalidate any proceedings.

Notice of such investigation.
[*Ibid.* Sec. 22.]

41. The Registrar General shall take notes of the evidence given during such investigation and if he shall be of opinion that such house or part of a house as aforesaid is a Brothel and has not been registered as such he shall declare the same to be an Unregistered Brothel under his hand and seal of Office, and a Notification of such declaration shall be inserted in the *Gazette* as soon as practicable after the making thereof. A copy of the *Gazette* containing such Notification shall be conclusive evidence of such declaration, and of the fact that such house or part of a house is an Unregistered Brothel subject nevertheless to appeal as hereinafter provided.

Declaration by Registrar General that a house or part of a house is an Unregistered Brothel.
[*Ibid.* Sec. 23.]

42. Any person aggrieved or affected by any such declaration may within ten days from the date of the Notification thereof in the *Gazette*, or at any time by leave of a Judge of the Supreme Court appeal from the decision of the Registrar General to the said Court, and the Registrar General shall upon notice of such appeal forthwith transmit to the said Judge the notes of the evidence taken by him during such investigation, and upon which such declaration shall have been made, and for the purpose of such appeal shall take and transmit in manner aforesaid such further evidence as the said Judge shall direct, and the said minutes and further evidence if any shall be laid before the said Judge who may confirm the said declaration or may order in writing the same to be cancelled.

Appeal from such declaration to Judge of Court of Summary Jurisdiction.
[*Ibid.* Sec. 24.]

43. Any person who shall appear, act, or behave himself as the person having the care or management of any Unregistered Brothel shall be deemed and taken to be the keeper thereof and shall be liable to be punished as such notwithstanding he may not in fact be the keeper thereof.

Who shall be deemed keeper of an Unregistered Brothel.
[*Ibid.* Sec. 25.]

44. Every keeper of an Unregistered Brothel shall be liable for the first offence of keeping such Brothel to a fine not exceeding One hundred dollars or to imprisonment with or without hard labour for a term not exceeding three months, for the second offence to a fine not exceeding two hundred dollars or to imprisonment with or without hard labour for a term not exceeding six months, and for a third and any subsequent offence to a fine not exceeding five hundred dollars or to imprisonment with or without hard labour for a term not exceeding twelve months: Provided always that it shall be lawful for a Magistrate to punish such offender both by fine and imprisonment if he shall think fit.

Penalty for keeping Unregistered Brothel.
[*Ibid.* Sec. 27.]

45. Whenever any house or part of a house shall have been twice declared by the Registrar General to be an Unregistered Brothel it shall be lawful for him by Warrant under his hand to close up the same, and such house or part of a house shall not be re-inhabited unless the Registrar General shall be satisfied that the same will be occupied in a proper and legal manner and not as an Unregistered Brothel, or unless the Governor shall otherwise direct; and every person knowingly re-inhabiting any house or part of a house so closed up as aforesaid without the permission of the Registrar General or without the permission of the Governor in case of appeal to him shall upon conviction thereof before a Magistrate be liable to a fine not exceeding two hundred dollars or to imprisonment with or without hard labour for any term not exceeding six months.

Premises twice declared to be used as an Unregistered Brothel may be closed up.
[*Ibid.* Sec. 28.]

46. The Registrar General or any Officer appointed under this Ordinance and specially authorised for that purpose in writing by the Registrar General shall have power without warrant to search any ship, boat, house, building or other place where he has reasonable cause to suspect that there is any woman or girl who is or may be liable to be dealt with under the provisions of Part II. of this Ordinance and may remove any such woman or girl to the Asylum safety to be there detained until her case be enquired into.

Power to search ship.

47. Nothing herein contained shall as regards Unregistered Brothels affect any other remedies applicable by the laws in force in the Colony for the time being for the suppression thereof.

Saving of other remedies.
[*Ibid.* Sec. 29.]

PART IV.

Lock Hospital, &c.

Inspector of
Hospital &c.
(s. 34 10 of 67.)

48. (1.) There shall be as heretofore an Inspector of Hospitals and Visiting Surgeons who shall be appointed and whose respective duties shall from time to time be defined by the Governor. Until the Governor shall otherwise direct and during any vacancy the Colonial Surgeon shall be Inspector of Hospitals, and the Inspector and Visiting Surgeons holding office under the Contagious Diseases Ordinance, 1867, at the coming into operation of this Ordinance shall be continued under this Ordinance.

Provision for
Hospitals.
[*Ibid* Sec. 33.]

49. The Governor may from time to time provide any Buildings or parts of Buildings as Hospitals for the purposes of this Ordinance and the fact of such Buildings or parts of Buildings being so provided shall be notified in the *Gazette*. A copy of the *Gazette* containing any such Notification shall be conclusive evidence thereof and until otherwise provided the Hospital or Hospitals provided under the Contagious Diseases Ordinance, 1867 shall continue to be the Hospital or Hospitals under this Ordinance.

Superinten-
dent.
[*Ibid* Sec. 36.]

50. A Superintendent shall be appointed by the Governor for each Hospital who shall have the control and management thereof, subject nevertheless to the directions of the Inspector of Hospitals and to any Regulations made and approved under this Ordinance in respect thereof, but any Superintendent appointed under the Contagious Diseases Ordinance, 1867 shall be continued under this Ordinance.

Free admis-
sion for
women.

51. Every woman suffering from contagious or venereal disease or desiring to be medically examined in respect thereof shall have free admission for medical treatment into any hospital provided under this Ordinance.

Treatment of
women.
[*Ibid* Sec. 39.]

52. Every such woman shall during such time as she shall be or reside in such Hospital be carefully provided for and furnished free of expense to her with lodging, clothing, and food, and no fees whatever shall be charged for her treatment whilst in the Hospital, but she shall be liable to immediate removal for disorderly conduct or disobedience to or neglect of the Regulations of such Hospital.

Regulations
[*Ibid* Sec. 37.]

53. The Inspector of Hospitals shall make Regulations for the management and government of every Hospital as far as regards such women being therein under Medical Treatment for a Contagious or venereal Disease or for Medical examination such Regulations not being inconsistent with the Provisions of this Ordinance and may from time to time alter any such Regulations; but all such Regulations and all alterations thereof shall be subject to the approval in writing of the Governor in Council and publication in the *Gazette*.

Evidence of
[*Ibid* Sec. 38.]

54. A printed copy of Regulations purporting to be Regulations of a Hospital so approved such copy being signed by the Inspector of Hospitals shall be evidence of the Regulations of the Hospital and of the due making and approval thereof for the purposes of this Ordinance.

PART V.

Appointment of Officers, Regulations, &c.

Power to
Governor to
appoint all
Officers.
[*Ibid* Sec. 67.]

55. The Governor shall, from time to time, appoint all Officers employed in carrying out the provisions of this Ordinance and the duties and salaries of all such Officers shall be regulated from time to time by the Governor in Council. All officers appointed under this Ordinance for any of the purposes mentioned in part III of this Ordinance shall be under the immediate control of the Registrar General.

Power to
Governor in
Council to
make Bye-
Laws.
[*Ibid* Sec. 68.]

56. The Governor in Council may, from time to time, make such Rules and Regulations as may be deemed necessary for the control of registered brothels, for the prevention of overcrowding therein, and for providing means of safety in case of fire, and also for the regulation of Appeals under section 42.

Bye-Laws to
take effect
seven days
after publica-
tion in *Gazette*
[*Ibid* Sec. 69.]

57. No such Rules or Regulations shall take effect until seven days after the publication thereof in the *Gazette*, and a copy of the *Gazette* containing such publication shall be conclusive evidence of such Rules or Regulations.

Service of
documents.

58. All summonses, notices or other documents required to be served under this Ordinance on behalf of the Registrar General shall be deemed validly and sufficiently served if served on or left with the person intended to be served or if he cannot be found, if left at his last known place of business or abode by any person authorised in that behalf by the Registrar General.

59. The place in which the Registrar General shall sit in discharge of his duties shall be such place as may, from time to time, be appointed for that purpose by the Governor.

Place of Proceeding before Registrar General to be fixed by Governor. [Ibid. Sec. 70.]

60. Every person violating the provisions of Part III of this Ordinance or of any Rules or Regulations made under Section 56 (except any regulations made for the purpose of appeal under section 42) shall be guilty of a misdemeanor, and except where otherwise provided by this Ordinance, or by any Rules or Regulations made as aforesaid, shall be liable on summary conviction before a Magistrate to a fine not exceeding two hundred dollars, or to imprisonment with or without hard labour for any term not exceeding six months.

Every offence against this Ordinance a Misdemeanor. [Ibid. Sec. 71.]

61. The forms given in the Schedule B hereto, or forms to the like effect with such variations and additions as circumstances require may be used for the purposes therein indicated and according to the directions therein contained, and instruments in those forms shall (as regards the form thereof) be valid and sufficient.

Forms in Schedule may be used. [Ibid. Sec. 72.]

62. In any proceeding under this Ordinance, every notice, order, copy of regulations, or other instrument shall be presumed to have been duly signed by the person by whom and in the character in which it purports to be signed until the contrary is shown.

Presumption in favour of authenticity of signatures, &c. [Ibid. Sec. 73.]

63. Any suit, action or prosecution against any person for anything done in pursuance or execution or intended execution of this Ordinance or of any Rules or Regulations made in pursuance thereof shall be commenced within three months after the thing done and not otherwise.

Limitation of suits, &c.

Notice in writing of every such suit or action and of the cause thereof, shall be given to the intended defendant one month at least before the commencement of the suit or action.

In any such suit or action the defendant may plead generally or set up by way of special defence that the act complained of was done in pursuance or execution or intended execution of this Ordinance or of any such Rules or Regulations as aforesaid and may give this Ordinance and such Rules or Regulations and the special matter in evidence at any trial to be had thereupon.

The plaintiff shall not recover if tender of sufficient amends is made before suit or action brought or if after suit or action brought a sufficient sum of money is paid into Court by or on behalf of the defendant.

If a verdict passes, or decree is given for the defendant or the plaintiff becomes non-suit or discontinues the suit or action after issue joined or if on demurrer or otherwise judgment is given against the plaintiff, the defendant shall recover his full costs and shall have the like remedy for the same as any defendant has by law for costs in other cases.

Though a verdict or decree is given for the plaintiff, he shall not have costs against the defendant unless the Judge before whom the trial is had certifies his approbation of the suit or action.

64. The provisions of section 66 of Ordinance No. 4 of 1865 shall apply to every summary conviction under this Ordinance.

No summary conviction to be quashed for want of form. [Sec. 11 of Ord. 2 of 1875.]

SCHEDULES.

A.

Repeals.

No. 10 of 1867,	Contagious Diseases,	All, except ss. 30, 31, 32, 33.
No. 2 of 1875,	Emigration Abuses,	All.
No. 2 of 1876,	Contagious Diseases,	All.
No. 7 of 1887,	Protection of Women,	All.
No. 9 of 1887,	Protection of young Girls,...	All.

B.

1.

Summons under Section 15.

IN THE COLONY OF HONGKONG.

Registrar General's Office.

In the matter of The Women and Girls' Protection Ordinance, 1889,

and

In the matter of C.D., [describe her.]

To A.B., [add address if known.]

You are hereby summoned to be and appear before me, the undersigned, at _____ at _____ o'clock on the _____ to answer a complaint that you the said A.B., [here state nature of complaint] and you are hereby further required to produce the said C.D., at the time and place aforesaid.

Dated this _____ day of _____

18

[Signed] _____,

Registrar General.

Note.—If you neglect to appear at the time and place aforesaid and then and there to produce the said C.D., you will be liable to a penalty not exceeding five hundred dollars or to imprisonment with or without hard labour for a period not exceeding six months.

2.

Notice under Section 18.

IN THE COLONY OF HONGKONG.

Registrar General's Office.

In the matter of The Women and Girls' Protection Ordinance, 1889,

and

In the matter of C.D., [describe her.]

To A.B.

These are to require you the said A.B. to be and appear before me at my office situate in _____ on _____ to give information respecting C.D.

Dated this _____ day of _____

18

[Signed] _____,

Registrar General.

Note.—If you do not attend you are liable to a fine not exceeding two hundred dollars, and in default of payment of the same to be imprisoned for any period not exceeding three months.

3.

Minutes of Inquiry, Section 20.

IN THE COLONY OF HONGKONG.

Registrar General's Office.

In the matter of The Women and Girls' Protection Ordinance, 1889,

and

In the matter of C.D., [describe her.]

Minutes of evidence taken before me, the undersigned, on the _____ day of _____ 18 _____, at _____

[Here state nature of complaint.]

[Then state the name and evidence of each witness in narrative form and whether sworn or declared, &c.]

[If so, at end state.]

Committed for trial at the next Criminal Sessions of the Supreme Court. [And if admitted to bail state the amount of bail and number of sureties.]

[Signed] _____,

Registrar General.

4.

Order under Sections 21, 22.

Registrar General's Office.

In the matter of The Women and Girls' Protection Ordinance, 1889,

and

In the matter of C.D., [describe her.]

Complaint having been made to me that A.B., of _____ has in his custody or control the said C.D., and that the said C.D. is being trained as a prostitute [or as the case may be] and the said A.B. having consented to the investigation by me of the said matter of complaint; Now, I, the undersigned, being satisfied that the said C.D. is being trained as a prostitute [or as the case may be.]

Do order the said C.D. to be detained at _____ for her safety. [Here state until what time, &c.]

[Signed] _____,

Registrar General.

5.

Form of Security under Section 21.

Know all men by these presents that we, A.B. and _____ of
and _____ are held and firmly bound
unto the Queen's Most Excellent Majesty, Her Heirs and Successors
in the sum of \$ _____ to be paid to the Treasurer for the time
being of the Colony of Hongkong to which payment we bind our-
selves and each of us our and each of our Heirs, Executors and
Administrators firmly by these presents.

Dated this _____ day of _____ 188 _____

Signed, sealed and delivered }
by the above-named A.B. and }
In the presence of _____

[L.S.]

[L.S.]

[L.S.]

Registrar General.

Now the condition of the within Bond is that if one C.D., now
residing at _____ is not hereafter trained as a prostitute
[or as the case may be] and is produced before the Registrar General
when required this obligation to be void but otherwise to remain in
full force.

6.

Summons under Section 39.

IN THE COLONY OF HONGKONG.

Registrar General's Office.

To A.B., [the householder, agent, &c., as the case may be, or witness.]

You are hereby required to appear before me at _____ on
the _____ day of _____ next, at _____ o'clock _____ and
to answer all questions that may be put to you concerning [here des-
cribe house] suspected to be an Unregistered Brothel.

[Signed] _____,

Registrar General.

Note.—If you neglect or refuse to appear at the time and place
specified above, you will be liable to a fine not exceeding five
hundred dollars or imprisonment for a period not exceeding
six months.

7.

Notification under Section 41.

It is hereby notified that the House [or part of a House] herein-
after mentioned, that is to say, [describe the same] was, on the
_____ day of _____ 188 _____ pursuant to Section
_____ of the above Ordinance, declared by me under my Hand and Seal of
Office to be an Unregistered Brothel.

[Signed] _____,

Registrar General.

GOVERNMENT NOTIFICATION.—No. 176.

The following Bill now before the Legislative Council, which has been revised and corrected since
last Meeting, is published for general information.

By Command,

ARATHOON SETH,
Clerk of Councils.

Council Chamber, Hongkong, 20th April, 1889.