

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

Statement of Revenue and Expenditure for 1888. (No.  $\frac{8}{89}$ ).

C. O. Desp.  
56 of 1889. SALARIES.—The Governor intimated that, in reply to certain suggestions His Excellency had recently made to the Right Honourable the Secretary of State for the Colonies for a general increase to the salaries of the Members of the Civil Service on account of the decrease in the purchasing power of the Dollar, His Lordship had decided that a Commission should be appointed consisting of one or more Un-Official Members of Council, as well as one or more Officials, to enquire and report on the subject. His Excellency therefore proposed to appoint as members of the Commission the Colonial Secretary, and all the Un-Official Members of the Council, and enquired of the Hon. Members present whether they would serve.

The Honourable Members unanimously consented.

BILL ENTITLED AN ORDINANCE TO REPEAL ORDINANCE NO. 6 OF 1889, AND TO AMEND THE STATUTE LAW PRESERVATION ORDINANCE, 1889.—The Colonial Secretary moved the first reading of this Bill.

The Acting Treasurer seconded.

Question—put and passed.

Bill read a first time.

BILL ENTITLED THE PROTECTION OF WOMEN AND GIRLS ORDINANCE, 1889.—The Colonial Secretary moved the second reading of this Bill.

The Acting Treasurer seconded.

Question—put and passed.

Bill read a second time.

The Council then went into Committee on the Bill.

Progress reported.

(At this stage, the Honourable the Acting Attorney General, who had been absent by permission, arrived and took his seat.)

BILL ENTITLED THE PRAYA RECLAMATION ORDINANCE, 1889.—On the motion of the Acting Attorney General, the Council resumed Committee on this Bill.

Bill reported with amendments.

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 16 of 1889.

ADJOURNMENT.—The Governor then adjourned the Council till Thursday, the 2nd proximo, at 4 P.M.

G. WILLIAM DES VŒUX,  
*Governor.*

Read and confirmed, this 2nd day of May, 1889.

ARATHOON SETH,  
*Clerk of Councils.*

GOVERNMENT NOTIFICATION.—No. 203.

The following Bill, which was read a first time at a Meeting of the Legislative Council held this day, is published for general information.

ARATHOON SETH,  
*Clerk of Councils.*

Council Chamber, Hongkong, 2nd May, 1889.

DRAFT BILL

ENTITLED

An Ordinance to extend the provisions of the Passengers' Act, 1855 and the Passengers' Act, Amendment Act, 1863 for taking off passengers at sea and for forwarding to their destination passengers who have been brought to the Colony without their own neglect or default, and for defraying the cost thereof to voyages of a shorter distance and duration than mentioned in the said Acts.

Title.

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

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

Short title.

2. In this Ordinance unless the context be inconsistent therewith or repugnant thereto the words and expressions hereinafter mentioned shall have and include the following meanings (that is to say):—

Interpretation.

*Statute adult* shall signify any person of the age of twelve years and upwards or two persons between the ages of one and twelve years.

(18 & 19 Vic. c. 119 s. 2.)

*Passenger ship* shall signify every description of sea going vessel whether British Foreign or Colonial carrying upon any voyage to which this Ordinance applies, more than fifty passengers or a greater number of passengers than in the proportion of one statute adult to every thirty-three tons of the registered tonnage of such ship, if propelled by sails or than one statute adult to every 20 tons if propelled by steam.

(26 & 27 V. c. 51, s. 3.)

*Passengers* shall include all persons carried in any passenger ship exclusive of the master, officers, crew and employés thereof.

3. This Ordinance shall apply to voyages of any duration and distance from any of Her Majesty's Possessions to any other place.

Voyages to which Ordinance applies.

4. If the passengers of any passenger ship shall be taken off from any "passenger ship" or shall be picked up at sea from any boat raft or otherwise and if they shall be conveyed to the Colony, it shall be lawful for the Governor or for any other person authorised by him for the purpose to defray all or any part of the expenses thereby incurred.

Governor may pay expenses of taking off passengers at sea. (18 & 19 V. c. 119, s. 52.)

5. If any passenger of any passenger ship shall without any neglect or default of his own find himself within the Colony such place not being that for which the ship was originally bound nor at which he or the Emigration Commissioners or any public officer or other person on his behalf may have contracted he should land, it shall be lawful for the Governor or for any person authorised by him for the purpose to forward such passenger to his intended destination unless the master of such ship shall within 48 hours of the arrival of such passenger give to the Governor a written undertaking to forward or carry on within six weeks thereafter such passenger to his original destination and unless such master shall accordingly forward or carry him on within that period.

Governor may forward passengers if master of ship fail to do so. (26 & 27 V. c. s. 15.)

6. All expenses incurred under the two last sections or either of them by or by the authority of the Governor or other person as appointed, including the cost of maintaining the passengers until forwarded to their destination, and of all necessary bedding, provisions, and stores, shall become a debt to Her Majesty and her successors from the owner, charterer, and master of such ship jointly and severally, and shall be recoverable from them, or from any one or more of them, at the suit and for the use of Her Majesty, in like manner as in the case of other Crown debts; and a certificate in the form in schedule (A) hereto annexed, or as near thereto as the circumstances of the case will admit, purporting to be under the hand of the Governor stating the total amount of such expenses, shall in any suit or other proceeding for the recovery of such debt be received in evidence without proof of the handwriting or of the official character of the Governor, and shall be deemed sufficient evidence of the amount of such expenses, and that the same were duly incurred, nor shall it be necessary to adduce on

Expenses to be a Crown debt. (*Ibid.* s. 16.)

behalf of Her Majesty any other evidence in support of the claim, but judgment shall pass for the Crown with costs of suit, unless the defendant shall specially plead and duly prove that such certificate is false or fraudulent, or shall specially plead and prove any facts showing that such expenses were not duly incurred under the provisions of this Ordinance, provided nevertheless that in no case shall any larger sum be recovered on account of such expenses than a sum equal to twice the total amount of passage money received or due to and recoverable by or on account of the owner, charterer, or master of such passenger ship, or any of them, for or in respect of the whole number of passengers who may have embarked in such ship, which total amount of passage money shall be proved by the defendant, if he will have the advantage of this limitation of the debt; but if any such passengers are forwarded or conveyed to their intended destination under the provisions of the last preceding section, they shall not be entitled to the return of their passage money, or to any compensation for loss or passage under the provisions of the said *Passengers Act, 1855*.

### Schedule (A.)

#### *Form of Governor's Certificate of Expenditure.*

I hereby certify that acting under and in conformity with the *Passengers Relief Ordinance, 1889*, I have defrayed the expenses incurred in rescuing, maintaining, supplying with necessary bedding, provisions and stores alter according to circumstances, and in forwarding to their destination passengers, who were proceeding from \_\_\_\_\_ to \_\_\_\_\_ in the passenger ship \_\_\_\_\_ which was wrecked at sea, &c. (*state nature of disaster and where it occurred.*) Passengers left behind according to circumstances.

And I further certify that the total amount of such expenses is \$ \_\_\_\_\_ and such expenses were duly incurred by me under the said Ordinance.

Given under my hand the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_

Signed), \_\_\_\_\_  
Governor of Hongkong.

## GOVERNMENT NOTIFICATION.—No. 204.

The following Bill, which will be read on an early date in the Legislative Council, is published for general information.

By Command,

ARATHOON SETH,  
Clerk of Councils.

Council Chamber, Hongkong, 4th May, 1889.

## DRAFT BILL

### ENTITLED

Title. *An Ordinance to amend the law relating to the Extradition of Chinese Criminals.*

Preamble. **W**HEREAS by Article XXI. of the Treaty between Her Majesty and the Emperor of China done at Tientsin on the 26th June, 1858, it was agreed and concluded that if criminals, subjects of China, shall take refuge in Hongkong, or on board the British ships there they shall, upon due requisition by the Chinese authorities, be searched for, and on proof of their guilt, be delivered up; and whereas it is expedient to amend the law for the more effective carrying out of the said treaty in relation to the surrender of criminals, subjects of China, who take refuge in Hongkong, or on board the British ships there: Be it enacted by the Governor of Hongkong by and 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 Chinese Extradition Ordinance, 1889*.