

able to the circumstances of the Colony, have not yet found a place on its statute book. In short, the object aimed at has been to present a complete body of statute law on this important subject, whether the provisions of that law are operative by virtue of the enactment referred to in para. 2, or have been expressly enacted in the Colony, or are drawn from new sources.

4. In carrying out this design, the provisions of the local Ordinances have been reproduced with, for the most part, only immaterial verbal changes, and the same may also be said of the Imperial enactments which have been embodied.

5. Those parts of the Bill which are not to be found in local Ordinances or in express terms in Imperial Acts are principally drawn from an Ordinance passed in 1891 by the legislature of British Guiana and shortly entitled the Indictable Offences (Procedure) Ordinance, 1891. This Ordinance was only passed into law after the Bill on which it was founded had undergone much consideration at the hands of Judges, Magistrates, and others concerned in its future administration, and it was approved of by the Secretary of State without amendment. Besides incorporating the express provisions of existing English or local statute law on the subject of criminal procedure, this Ordinance contained various enactments taken from the Criminal Code (Indictable Offences) Bill which passed a second reading in the House of Commons in the session of 1878, and was afterwards referred to and settled by a Royal Commission composed of Lord BLACKBURN, Mr. Justice LUSH, Mr. Justice BARRY, and Mr. Justice STEPHEN. Unfortunately, Parliament has not found the time, or perhaps the inclination, to pass the measure, or one of a similar kind, into law.

6. It does not seem necessary to refer in detail to more than a few of the provisions of the Bill.

7. Clause 6 is intended to assign the duty of bringing prisoners before the Court for trial and the responsibility for their custody to the Keeper of the Prison in which they are confined. At present it seems difficult to ascertain to whom this duty and responsibility attach.

No. 13 of 1878.

8. Clauses 7 and 9 are intended to regulate the delivery of gaols. At present although the Supreme Court is a Court of Gaol Delivery—see section 9 of the Supreme Court Ordinance, 1873—it has not apparently been customary for it to discharge this function.

9. It is proposed to substitute the term “indictment” for the term “information.” In England an indictment is really a presentment by a grand jury, but it is not called a “presentment” on that account. So the fact that the Court is “informed” by the Attorney General as to the commission of the offence does not appear to be a sufficient reason for our abstaining from using the term “indictment,” which, it is believed, is of almost universal use in English-speaking countries.

10. Clauses 94-96 relating to the probation of first offenders are adapted from 50 and 51 Vict. c. 25—an Act which is said to have worked very well in the Mother Country.

GOVERNMENT NOTIFICATION.—No. 69.

It is hereby notified that Her Majesty has not been advised to exercise her power of disallowance with respect to the following Ordinances:—

Ordinance No. 13 of 1898, entitled—An Ordinance authorising the imposition of fees for the issue, by the Government of Hongkong, of certain certificates to certain Chinese desirous of proceeding to the United States of America.

Ordinance No. 29 of 1898, entitled—An Ordinance for the Naturalization of one ÜN CHUNG Wo alias ÜN OI Ü alias ÜN HI alias ÜN KWOK HI.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 9th February, 1899.