

BILL ENTITLED AN ORDINANCE TO CONSOLIDATE AND AMEND THE LAWS RELATING TO CRIMINAL PROCEDURE IN THE SUPREME COURT.—The Acting Attorney General moved the second reading of the Bill.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

The Acting Attorney General moved that the Bill be referred to the Standing Law Committee.

The Colonial Secretary seconded.

Question—put and agreed to.

BILL ENTITLED AN ORDINANCE TO AMEND AND CONSOLIDATE THE LAW RELATING TO PRISONS.—The Acting Attorney General moved the third reading of the Bill.

The Colonial Secretary seconded.

His Excellency suggested the withdrawal of the motion for the third reading of the Bill in order that the amendments made in Committee might be embodied in a reprint of the Bill.

Motion withdrawn accordingly.

ADJOURNMENT.—The Council then adjourned till Monday, the 27th February, 1899, at 3 p.m.

HENRY A. BLAKE,
Governor.

Read and confirmed this 27th day of February, 1899.

J. G. T. BUCKLE,
Clerk of Councils.

GOVERNMENT NOTIFICATION.—No. 128.

The following Bye-laws made by the Sanitary Board under section 13, sub-section 14, of "The Public Health Ordinance, 1887," and approved by the Legislative Council this day, are published.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 27th February, 1899.

BYE-LAWS

Made under section 13, sub-section 14, of "The Public Health Ordinance, 1887."

1. The fee payable for each head of cattle shall be two cents for the day of entry into a Government depôt and a further sum of two cents for every day that each head of cattle remains in such depôt, not including the day of entry.

2. The Sanitary Board provides water only, for the use of the cattle, pigs, sheep, and goats housed in Government depôts. The owners of such animals must provide proper and sufficient food, and must send men in sufficient numbers, to look after, feed and water such animals.

Accommodation for such men is provided on the premises.

No cattle, pigs, sheep, or goats shall be removed from a Government depôt for any purpose except on a removal order signed by the inspector in charge. Such order shall be granted by the inspector in charge on the production and deposit of the receipt given on admission of the animals and in favour of the person therein named or of any other person on his order, and upon payment of a fee of five cents for each sheep or pig removed unless immediate payment is dispensed with.

Made by the Sanitary Board this 2nd day of February, 1899.

FRANCIS W. CLARK,
Acting Secretary.

Approved by the Legislative Council this 27th day of February, 1899.

J. G. T. BUCKLE,
Clerk of Councils.

GOVERNMENT NOTIFICATION.—No. 129.

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

J. G. T. BUCKLE,
Clerk of Councils.

Council Chamber, Hongkong, 27th February, 1899.

A BILL

ENTITLED

An Ordinance to provide for the Performance of Divine Worship and other Services in accordance with the Rites and Ceremonies of the Church of England at Saint John's Cathedral Church at Victoria and elsewhere in this Colony; for the Incorporation of a Church Body in which the said Cathedral Church shall be vested and by which it shall be administered; and for other purposes connected with the said Cathedral Church.

WHEREAS Saint John's Cathedral Church at Victoria in this Colony was erected on Crown land partly by means of private subscriptions and partly by means of public moneys, and has since been maintained and kept up and divine worship has been performed therein and elsewhere in this Colony in accordance with the provisions of certain Ordinances from time to time enacted for that purpose, and it is expedient to provide for a continuance of the performance of such divine worship and other services according to the rites and ceremonies of the Church of England; and whereas the said Cathedral Church is now vested in and administered by an incorporated Church Body, and it is expedient to provide for the continuance of the said Church Body, for the purposes and with the powers hereinafter mentioned, and for other purposes connected with the said Cathedral Church:

Be it therefore 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 as the Saint John's Cathedral Church Ordinance, 1899.

Interpretation of terms. **2.** In this Ordinance, unless the context otherwise requires,—

“The Church” means Saint John's Cathedral Church at Victoria in this Colony:

“The Church Body” means the Trustees of the Church hereinafter mentioned and described:

“The Regulations” means the regulations made under this Ordinance and for the time being in force.

The Church Body.

Constitution of the Church Body. **3.**—(1.) There shall be as heretofore, but subject to the provisions of this Ordinance, a Church Body for Saint John's Cathedral Church at Victoria in this Colony.

(2.) The Church Body shall consist of the Bishop of the Church of England for the time being residing and officiating at Victoria in this Colony, of the chaplain hereinafter mentioned for the time being holding office, and of six lay members of the Church for the time being duly elected or appointed and holding office in accordance with the Regulations.

Notification of changes in the constitution of the Church Body. **4.**—(1.) All changes in the constitution of the Church Body shall be notified by the Church Body to the Colonial Secretary and published in *The Gazette*, and such publication shall be deemed in all Courts and for all other purposes to be *prima facie* evidence of such changes.

(2.) The Church Body shall, when required by the Governor, furnish to him satisfactory proof of the succession, election, or appointment of any new member thereof.

Incorporation and general powers of the Church Body. **5.**—(1.) The Church Body as constituted from time to time shall be as heretofore and is hereby declared to be a body corporate under the name of “The Trustees of Saint John's Cathedral Church in Hongkong.”

(2.) The Church Body by that name shall have perpetual succession and shall and may sue and be sued in all Courts of Justice and before all Magistrates in this Colony, and shall and may have and use a common seal, and may from time to time break, change, alter, and make anew the said seal as to the Church Body may seem fit.

(3.) The Church Body shall have power to acquire, accept leases of, purchase, take, hold, and enjoy any lands, buildings, messuages, or tenements, of what nature or kind soever and wheresoever situate, for the purposes of this Ordinance or of the Church Body, and also to invest moneys

upon mortgage of any lands, buildings, messuages, or tenements, or upon the mortgages, debentures, stocks, funds, shares, or securities of any corporation or company, and also to purchase, acquire, and possess goods and chattels of what nature or kind soever.

(4.) The Church Body shall further have power by deed under its seal to grant, sell, convey, assign, surrender, yield up, mortgage, demise, re-assign, transfer, or otherwise dispose of any lands, buildings, messuages, tenements, mortgages, debentures, stocks, funds, shares, or securities, or goods and chattels, which are for the time being vested in or belong to the Church Body, upon such terms as to the Church Body may seem fit: Provided always that the power of sale hereby granted shall not extend to the Church or the precincts thereof without the consent in writing of the Governor.

6. The Church and the precincts thereof (a plan of which signed by the Director of Public Works and sealed with the Seal of the Colony was deposited at the Land Office of this Colony on the 29th day of April, 1892), together with all rights, easements, and appurtenances thereunto belonging, and together with all the estate, right, title, and interest of the Church Body constituted under the Ordinance hereby repealed, shall continue to be vested in the Church Body for the sole and express purpose of a Church and to the intent that divine worship and the services usual in the Church of England shall be therein performed and carried on in accordance with the rites and ceremonies of the said Church, subject, nevertheless, to the road and right of way delineated and coloured red on the said plan, which road shall be maintained as heretofore by the Government of the Colony: Provided always that if at any time the Church shall cease to be used as a Church or divine worship and the services usual in the Church of England shall cease to be performed and carried on therein in accordance with the said rites and ceremonies, the Church and the precincts thereof shall revert to and become the absolute property of the Crown, unless the same shall be sold or otherwise disposed of with the consent in writing of the Governor.

Vesting of the Church and precincts in the Church Body, and object thereof.

7.—(1.) All books, deeds, papers, and other documents hitherto kept at the Church or belonging and appertaining thereto, and all moneys belonging to or due or owing to the Church or to the Church Body constituted under the Ordinance hereby repealed shall be the property of the Church Body for the purposes aforesaid.

Vesting of other property in the Church Body.

(2.) All monuments, tablets, and memorials in or about the Church shall be under the care and custody of the Church Body.

Administration.

8.—(1.) The Church Body may appoint, as occasion may require, a chaplain and one or more assistant chaplains to perform and carry on divine worship and the services usual in the Church of England according to the rites and ceremonies of the said Church.

Appointment of chaplains and officers.

(2.) The Church Body may also appoint such other officers and servants as may be necessary or expedient, upon such terms and conditions as it may think fit.

9. All matters connected with the religious services of the Church or the rites and ritual thereof shall be under the immediate direction and management of the chaplain for the time being, subject, nevertheless, to the control of the said Bishop for the time being.

Direction of religious services.

10. The temporal affairs of the Church shall be managed, directed, and governed by the Church Body: Provided, however, that the members of the Church Body shall not be deemed personally liable for any payments of money in excess of that provided or available for the purposes of the Church.

Management of temporal affairs.

11. So long as an annual sum of not less than five hundred dollars shall be paid to the Church Body for the use of the Church by the troops for the time constituting the garrison of this Colony the Church Body shall allow and arrange for the use of the Church by the said troops for one service at least on every Sunday in the year, but shall not be bound to provide any clergyman to perform the same.

Right of the troops to use the Church on payment of certain sum.

12. It shall be lawful for the Governor to appropriate such proportion of any sum which may be voted by the Legislative Council for general ecclesiastical or religious purposes as he may deem proper to the Church Body, and thereupon the chaplain or the senior chaplain for the time

Government grant for services at Prison and Hospitals.

being, as the case may be, if such sum is accepted by the Church Body, shall be bound, when so required, to provide for all requisite religious services and ministrations of the Church of England at Victoria Gaol and the Government Civil Hospital.

Regulations.

- Making of regulations.** 13. The Church Body may make regulations relating to all or any of the following matters, namely,—
- (1.) The qualification, election, and tenure of office of the lay members of the Church Body and the mode of filling up casual vacancies among the said members;
 - (2.) The holding of meetings of the Church Body and the conduct of business thereat;
 - (3.) The election and tenure of office of an auditor, and the appointment and tenure of office of a treasurer and secretary, and the mode of filling up casual vacancies among such officers;
 - (4.) The appointment, tenure of office, salaries, and duties of a chaplain and assistant chaplains, an organist, a vergier, and such other officers and servants as the Church Body may think necessary or expedient;
 - (5.) The keeping of registers of the seatholders and subscribers of the Church, and of baptisms, marriages, and burials;
 - (6.) The holding of meetings of the seatholders and subscribers of the Church, the right of voting and the taking and recording of the votes at such meetings, and the conduct of business generally thereat;
 - (7.) The appropriation, allotment, arrangement, and use of the sittings in the Church;
 - (8.) The rents and subscriptions, if any, to be paid for the sittings in the Church and the mode of collection thereof; the fees to be taken for baptisms, marriages, and burials or other services; and the collection and disposition of money offerings, offertories, and donations;
 - (9.) The keeping of accounts of moneys received and expended by the Church Body;
 - (10.) The erection and maintenance of monuments, tablets, or other memorials in the Church or in the precincts thereof, and the fees to be taken therefor; and
 - (11.) All other matters relating to the affairs of the Church or of the Church Body.

- Approval and publication of regulations.** 14.—(1.) No regulations made by the Church Body shall be valid until they have been approved at an annual or special meeting of the seatholders and subscribers of the Church.
- (2.) All such regulations when so approved shall be published in *The Gazette*.

Miscellaneous Provisions.

- Power to sue for moneys due.** 15. The Church Body shall in its discretion have power to sue for all rents, subscriptions, fees, and moneys due or owing under the Regulations or otherwise.

- Power to declare sitting vacant in certain cases.** 16. It shall be lawful for the Church Body to declare any sitting in the Church vacant—
- (1.) If the person entitled thereto for the time being fails to pay the rent of such sitting within three months from the time when demand for payment thereof has been made upon him personally or in writing; or
 - (2.) If such person, after a like period and demand, fails to pay any moneys due from him to the Church Body; or
 - (3.) If such person is convicted under the next succeeding section.

- Punishment of person disturbing divine worship, etc.** 17. Every person who wilfully and maliciously, either within or from without the Church, disturbs the performance of divine worship or any service therein, or in any way during such time molests any of the congregation, shall be guilty of a misdemeanour, and shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding one hundred dollars, and, in default of payment, to imprisonment with or without hard labour, for any term not exceeding three months.

- Prohibition of burial, etc.** 18. No burial shall take place within the Church or the precincts thereof.

19. The Church Body may order the removal of any monument, tablet, or other memorial in the Church or in the precincts thereof which has become ruinous, dilapidated, or unsightly, if the owner thereof cannot be found or refuses to properly repair and maintain such monument, tablet, or memorial to the satisfaction of the Church Body: Provided always that three months' notice of such intended removal shall be given in writing to the owner if he can be found, and if he cannot be found a notice signifying such intended removal shall be posted for three months in the western porch of the Church.

Power to
remove
ruinous mo-
nument, etc.

20. Nothing in this Ordinance shall affect or be deemed to affect the rights of Her Majesty, her heirs and successors, or of any body politic or corporate, or other person, except such as are mentioned in this Ordinance and those claiming by, from, or under them.

Saving of
certain
rights.

21. The existing lay members of the Church Body shall, subject to the vacation of their offices by death or otherwise, continue in office until the next annual meeting of the seatholders and subscribers of the Church.

Existing lay
members of
the Church
Body.

22. The St. John's Cathedral Ordinance, 1892, is hereby repealed, but the regulations made under that Ordinance shall remain in force until altered or repealed by regulations made under this Ordinance.

Repeal of
Ordinance
No. 11 of
1892.

Objects and Reasons.

At the annual meeting of seatholders and subscribers of St. John's Cathedral Church which was held in January, 1898, a wish was expressed that the Church Body should procure an amendment of the St. John's Cathedral Ordinance, 1892, by making the tenure of office of lay members of the Church Body annual instead of permanent. But when a draft Bill for this purpose was about to be prepared it was thought better to endeavour to procure the repeal of the existing Ordinance and the re-enactment of a new one. Accordingly the present Bill has been prepared by the Church Body and approved by the seatholders and subscribers at the annual meeting held in January last.

Beyond the amendment already referred to, the only alterations made by the Bill on the existing law are those of arrangement and phraseology.

HENRY E. POLLOCK,
Acting Attorney General.

GOVERNMENT NOTIFICATION.—No. 130.

Notice is hereby given that on and after the 1st day of May, 1899, the provisions of Ordinance No. 6 of 1899 by which lights must be carried on private vehicles between sunset and sunrise will be enforced by the Police in respect of jinrickshas, chairs, trucks and trollies.

Bicycles, tricycles and carriages will be required to carry lights as above from the date of this notice.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 1st March, 1899.

GOVERNMENT NOTIFICATION.—No. 131.

His Excellency the Governor has given his assent, in the name and on behalf of the QUEEN, to the following Ordinance passed by the Legislative Council:—

Ordinance No. 6 of 1899.—An Ordinance for the Regulation of Vehicles.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 20th February, 1899.