

The DIRECTOR OF PUBLIC WORKS.—The reply to the second question is as follows:—The area it is proposed to retain round “Mountain Lodge” is about 14 acres, most if not all of which was probably considered the policy of the former building. Fully 12 acres is within the Pokfulam drainage area and therefore unsaleable. The remainder is steep and rocky and may be valued at \$5,000.

COMMITTEE ON THE BILL ENTITLED AN ORDINANCE TO MAKE FURTHER PROVISION FOR THE SANITATION OF THE COLONY AND TO REPEAL CERTAIN ENACTMENTS OF THE CLOSED HOUSES AND INSANITARY DWELLINGS ORDINANCE, 1894.

Amendments were proposed and adopted in clauses 7 and 8.

Council resumed and Bill reported with amendments.

BILL ENTITLED AN ORDINANCE TO APPLY A SUM NOT EXCEEDING TWO MILLION SIX HUNDRED AND EIGHTY-ONE THOUSAND SIX HUNDRED AND FIFTY-ONE DOLLARS TO THE PUBLIC SERVICE OF THE YEAR 1900.—The Colonial Secretary moved that this Order of the Day be discharged.

The Colonial Treasurer seconded.

Question—put and agreed to.

ADJOURNMENT.—The Council then adjourned until Thursday, the 23rd November, 1899, at 3 p.m.

HENRY A. BLAKE,  
*Governor.*

Read and confirmed, this 23rd day of November, 1899.

R. F. JOHNSTON,  
*Acting Clerk of Councils.*

GOVERNMENT NOTIFICATION.—No. 648.

The following Return showing the Expenditure of the 1893 Loan, which was laid before the Legislative Council on the 23rd instant, is published.

By Command,

J. H. STEWART LOCKHART,  
*Colonial Secretary.*

Colonial Secretary's Office, Hongkong, 24th November, 1899.

LOAN WORKS.

From 1892 to 30th September, 1899.

	\$	c.
Praya Reclamation,.....	376,134.	40
Do., Reconstruction of Piers,.....	80,000.	00
Central Market,.....	222,729.	59
Slaughter-Houses, Pig and Sheep Depôts,.....	96,215.	04
Cattle Depôts,.....	15,049.	61
Water and Drainage Works,.....	752,897.	92
Gaol Extension,.....	159,361.	65
Total,.....	\$1,702,388.	21

Balance on 30th September = \$89,363.73.

A. M. THOMSON,  
*Treasurer.*

Treasury, 14th November, 1899.

GOVERNMENT NOTIFICATION.—No. 649.

The following Bills, which were read a first time at a Meeting of the Legislative Council held this day, are published.

R. F. JOHNSTON,  
*Acting Clerk of Councils.*

Council Chamber, Hongkong, 23rd November, 1899.

A BILL

ENTITLED

An Ordinance to amend and consolidate the law relating to the carriage and possession of arms and ammunition.

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 Arms and Ammunition Ordinance, 1899.

Repeals. **2.** Ordinances Nos. 8 of 1895 and 14 of 1895 are hereby repealed.

Interpretation. **3.** In this Ordinance, unless inconsistent with the context or subject matter,

(S of 1895, s. 3.) The expression "arms" shall include any cannon, gun, revolver, pistol, and any description of fire-arms, and any sword, cutlass, spear, pike, bayonet, dagger, fighting iron or other deadly weapon, also any part of any arms so defined:

The expression "vessel" shall include any ship or boat or any other description of vessel used in navigation.

Arms or ammunition on the body of or in the custody or under the control of any person shall be deemed to be in his "possession."

Licence to carry or possess arms and ammunition. (*Ibid.* s. 4.) **4.** The Captain Superintendent of Police may from time to time in his discretion grant to any person a licence either to carry arms and ammunition, or arms only, or ammunition only, or to have arms and ammunition, or arms only, or ammunition only in his possession, or to do both, subject to such conditions as the Captain Superintendent of Police may deem fit. Unless in any particular case the Captain Superintendent of Police shall otherwise direct, such licence shall be issued for a limited period only, shall be made out in the name of the grantee, shall bear a number and the dates of issue and expiry, and shall not be transferable.

No person to carry arms or ammunition without a licence. (*Ibid.* s. 5 modified.) **5.** No person, who has not a licence from the Captain Superintendent of Police for the purpose, shall either carry any arms or ammunition or have any arms or ammunition in his possession in this Colony: Provided that this prohibition shall not extend to any person in the Naval or Military or Civil Services of the Crown, or to any officer or volunteer as defined by Ordinance No. 6 of 1893 or by any Ordinance amending or substituted for the same, or to Justices of the Peace, or to Special Jurors, or to such persons as are exempted by law from serving on a jury on account of their avocation or profession, or to any person in the Police Force of the Colony, or to District Watchmen, or to any weapons of ceremony worn as part of his regular uniform by any Naval or Military or Civil Officer of any foreign nation: Provided also that this prohibition shall not apply so as to prevent the owner or master of any vessel from having on board such arms and ammunition as are reasonably necessary for the protection of such vessel, and provided that in the case of every junk or other Chinese vessel such arms and ammunition shall be described and enumerated in the licence or clearance issued by the Harbour Master: Provided also that this prohibition shall not apply to arms or ammunition which are consigned to a port other than Hongkong and are *in transitu* and on board of any vessel as *bona fide* cargo and have been entered upon the manifest of such vessel, or to arms or ammunition so consigned in course of transshipment in unbroken packages from one vessel to another, if notice of such transshipment has been sent to the Captain Superintendent of Police, or to ammunition which is being exported from the Colony direct from the Government Depot on Stonecutters' Island under a delivery order issued by the Harbour Master.

Licence to be presented for arms or ammunition: sold for use within the Colony. Export permit to be obtained for arms, etc. sold for **6.** No arms or ammunition shall be sold to any person (not exempted by the provisos in section 5 from the necessity of taking out a licence)—

(a.) for use within the Colony unless the purchaser presents at or before the time of purchase a valid licence either to carry or to have in his possession such arms or ammunition, or

(b.) for export from the Colony unless the vendor has obtained from the Captain Superintendent of Police an export permit which may be in the form given in

the schedule hereto annexed marked B, and shall be made out in Chinese as well as in English: Provided, nevertheless, that no export permit shall be required in respect of any ammunition which is being exported from the Colony direct from the Government Depôt on Stonecutter's Island under a delivery order issued by the Harbour Master.

Such export permit or such delivery order when granted shall be deemed equivalent to the licence of the Captain Superintendent of Police to carry or possess arms or ammunition; but in the case of an export permit it shall only operate as such a licence up to the time named in such permit for the return of such permit.

An application for such permit shall be in the form given in the schedule hereto annexed marked A, and shall be made out in Chinese as well as in English in cases where the applicant is a Chinaman, and shall be signed by the vendor of the said arms or ammunition and filed by him with the Captain Superintendent of Police. No fee shall be payable in respect of filing such application or granting such permit.

**7.** Every person, who obtains an export permit for any arms or ammunition under this Ordinance, shall obtain the receipt of the master or mate of the vessel named in such permit for the whole of the arms and ammunition specified in such permit, and shall return such receipt, together with the export permit, to the person and at the time and place named in such permit.

**8.** No person shall move, or cause or allow to be moved any arms or ammunition, within the Colony or the waters thereof, except for the purpose of export under an export permit, without having first obtained a removal permit, in the form of Schedule C hereto, from the Captain Superintendent of Police.

**9.** Subject to the provisos contained in section 5 of this Ordinance, if any arms or ammunition are found on board of any steam-launch, or on board of any junk, lorcha, or other Chinese vessel and the person in charge, or appearing or acting as the master or as in charge of such launch, junk, lorcha, or vessel does not produce a valid authority under this Ordinance or any Ordinance hereby repealed authorizing him or some other person or persons on board of such launch, junk, lorcha, or vessel to carry or have in his possession such arms or ammunition, such person and all other persons on board of such launch, junk, lorcha, or vessel shall be deemed to have possession of such arms or ammunition in contravention of this Ordinance, and shall be liable to the punishment prescribed by section 28 of this Ordinance.

**10.** Any person carrying or having in his possession or reasonably suspected of carrying or having in his possession any arms or ammunition in contravention of this Ordinance may be arrested without a warrant by any Police Officer or Constable, and shall be conveyed as soon as may be before a Magistrate to be dealt with according to law.

**11.** Every importer of, dealer in, or vendor of arms or ammunition shall take out a licence annually from the Captain Superintendent of Police and shall register his name and place of business for the time being and any godown, warehouse, or other place in which he stores or intends to store arms or ammunition, at the Office of the Captain Superintendent of Police. Any importer of, dealer in, or vendor of arms or ammunition not taking out such licence as aforesaid or not registering as aforesaid shall be liable, on summary conviction, to a fine not exceeding two thousand dollars or to imprisonment for a period not exceeding six months, with or without hard labour.

From and after the commencement of this Ordinance the fee payable for any such licence as aforesaid shall (except in the case of persons carrying on a retail business only as gunsmiths in fire arms and ammunition for sporting purposes only, who shall pay a fee of \$10 per annum, payable in advance) be \$1,200 per annum, payable in advance, but no person, who at the date of the commencement of this Ordinance possesses a valid and unexpired licence for importing or dealing in arms, need take out a new licence under this Ordinance until the expiration of his current licence.

export.  
(*Ibid.* s. 6  
modified.)

Exporter of  
arms or am-  
munition to  
obtain mate's  
receipt.  
(*New.*)

No arms or  
ammunition  
to be moved  
without  
permit.  
(*New.*)

Penalty for  
arms, etc.  
found on  
vessel with-  
out licence.  
(8 of 1895,  
s. 7  
modified.)

Police may  
arrest with-  
out warrant  
any person  
either carry-  
ing arms,  
etc. or having  
them in his  
possession.  
(*Ibid.* s. 9.)

Importers,  
etc. to take  
out licence  
and register.  
(*Ibid.* s. 10  
modified.)

Fee payable.

Power to refuse, and cancel, licence.

It shall, however, be lawful for the Captain Superintendent of Police, for any cause which he may think fit, to refuse to grant a licence to import or deal in or sell arms and ammunition or arms only or ammunition only to any applicant for a licence, and it shall also be lawful for the Captain Superintendent of Police to cancel any arms or ammunition licence for any cause which he may think fit, and, after any such cancellation, it shall not be lawful, unless such cancellation is reversed, for the person named in such licence to import or deal in or sell arms or ammunition: Provided, nevertheless, that an appeal shall lie, in respect of any such refusal or cancellation by the Captain Superintendent of Police, to the Governor-in-Council who shall have power to confirm or reverse such refusal or cancellation: Provided also that, in the event of such cancellation, the holder of the cancelled licence may receive back from the Government, if the Governor-in-Council thinks fit, a proportionate part of the licence fee in respect of the unexpired portion of the term of such licence.

Importer, &c. not to store except in registered places. (New.)

12. No arms or ammunition shall be kept or stored by importers of or dealers in or vendors of arms or ammunition in any place or places other than in the place or places registered by him for that purpose.

Importers of or dealers in arms, etc. to furnish quarterly returns. (Ibid. s. 11.)

13. Every importer of or dealer in or vendor of arms or ammunition shall keep a book, to be called the Stock-book, in which the particulars of all the stocks of arms and ammunition in his possession shall be entered and shall on or before the sixth day of February, May, August, and November in each year furnish to the Captain Superintendent of Police a true return showing exactly the quantity and description of arms and ammunition remaining in his possession at the close of the last day of the preceding month.

Register to be kept by importer, &c. of arms or ammunition. (Ibid. s. 15 modified.)

14. Every importer of, dealer in, or vendor of arms or ammunition shall keep a book of sales in which he shall keep an account of all arms or ammunition sold or otherwise disposed of by him, together with a record of the name, occupation, and address given by every purchaser of arms or ammunition, the particulars of the arms or ammunition sold, the date of the sale, and the number and date of the licence presented in cases when such arms or ammunition are sold for use within the Colony, or, when such arms or ammunition are sold for export from the Colony, the date of the export permit granted by the Captain Superintendent of Police and the name of the vessel by which such purchaser states that he intends to export such arms or ammunition, and the port of destination of such arms or ammunition which is specified by such purchaser.

Importer, &c. of arms or ammunition to produce register to Police if requested. (New.)

15. Every importer of, dealer in, or vendor of arms or ammunition shall be bound, whensoever thereunto required by the Captain Superintendent of Police or any Inspector of Police, or by any other member of the Police Force bearing a written order in that behalf from the said Captain Superintendent, to produce the stock book and the book of sales which he is required to keep under sections 13 and 14 of this Ordinance, for the inspection of the party so requiring him for the purpose of comparing and balancing the same or for any other purpose.

Power of Magistrate to issue search warrant in certain cases, and punishment for certain offences.

16. Whenever it shall appear to a Magistrate, upon the oath of any person, that there is reasonable cause to suspect that any person has either furnished a false or incorrect return of arms or ammunition or has failed or refused to make a return, or has either not kept the books which he is required to keep under sections 13 and 14 of this Ordinance or else has kept such books in a false or incorrect manner, the Magistrate may, if he thinks fit, issue a warrant to arrest such person and to search any building, vessel (not being a ship of war or ship having the status of a ship of war), or place where the arms or ammunition are alleged to be kept or stored, and any Police Officer to whom the said warrant is directed may, with or without assistants, and using force (if necessary), enter any building, vessel, or place in the said warrant mentioned and may search for and make an inventory of all arms and ammunition found therein, and may arrest the person named in such warrant and also any other person who appears to have committed an offence against this Ordinance and may cause such person or persons and such arms and ammunition to be conveyed before a Magistrate.

Any person convicted of failing or refusing to make a return of arms or ammunition shall be liable to the punish-

ment prescribed by section 28 of this Ordinance, and any arms or ammunition found upon his premises may, if the Magistrate thinks fit, be forfeited to the Crown, and any person convicted of furnishing a false or incorrect return of arms or ammunition and of either not keeping the said books or else of keeping the said books in a false or incorrect manner, shall be liable to the same punishment and to the same forfeiture of arms and ammunition, and shall also, in addition thereto, be liable to a fine not exceeding ten dollars in respect of every arm which was at the date referred to in such return or books in excess of or below the quantity specified in such return or books.

**17.** Any purchaser of arms or ammunition furnishing any false information to any importer of, dealer in, or vendor of arms or ammunition concerning any particulars which such importer, dealer or vendor is required to record under section 14 of this Ordinance shall, upon summary conviction before a Magistrate, be liable to the penalties specified in section 28 of this Ordinance. Punishment of purchaser furnishing false information for registration. (New.)

**18.** No arms or ammunition shall be imported into the Colony except at the port of Victoria. Arms, &c. only to be imported at Victoria. (New.)

**19.** All arms and ammunition (except such as are carried by a person who has either taken out a licence under section 4 of this Ordinance or is exempted from taking out such a licence, and except ammunition which is being exported from the Colony direct from the Government Depôt on Stone-cutters' Island under a delivery order issued by the Harbour Master) shall, when being carried or conveyed within the Colony or the waters thereof, be enclosed in secure wooden boxes and shall be distinctly labelled with the words "arms" or "ammunition," as the case may be, in the English and Chinese languages. In the event of any arms or ammunition being so carried or conveyed without being so enclosed or without being so labelled as aforesaid, then any person so carrying or conveying such arms or ammunition and also any person causing such arms or ammunition to be so carried or conveyed shall, upon summary conviction before a Magistrate, be liable to the penalties specified in section 28 of this Ordinance. Labelling of arms and ammunition. (New.)

**20.** It shall be lawful for any member of the Police Force to open and search any box or package containing or suspected to contain arms or ammunition. Power to Police to open box. (New.)

**21.** Whenever it shall appear to a Magistrate, upon the oath of any person, that there is reasonable cause to suspect that any arms or ammunition are in any building, vessel (not being a ship of war or ship having the status of a ship of war), or place without a proper licence or permit having been obtained for them under this Ordinance, such Magistrate may, by warrant directed to any member of the Police Force, empower such member with such assistants as may be necessary, by day or by night—

(1) To enter (and, if necessary, to break into) such building, vessel, or place, and to search for and take possession of any arms and ammunition found there and to carry the same before a Magistrate, and

(2) To arrest any person or persons who appear to have such arms or ammunition in his or their possession, custody, or control.

**22.** (1) Whenever any vessel (not being a ship of war or ship having the status of a ship of war) whether under way or not is about to leave the waters of the Colony it shall be lawful for the Master or Officer in charge thereof for the time being, without any warrant for the purpose, to search or cause to be searched all passengers, their luggage, baggage, and goods for arms or ammunition, and for that purpose, where necessary, to use force or to break open any cases, boxes or other receptacles wherein any arms or ammunition are or may be reasonably suspected to be concealed. Power to search for arms, &c., on vessel about to leave waters of the Colony. [Ibid. s. 18, subs. (1).]

(2) Any person being in possession or having the control of such arms or ammunition may be arrested forthwith by the master or any other officer of the vessel, and unless such person shall satisfactorily account for such arms or ammunition he shall be liable on summary conviction before a Magistrate to the punishment prescribed by section 28 of this Ordinance. Possession of arms, &c. [Ibid. subs. (2).]

**23.** Any person who shall obstruct, hinder or resist or assist in obstructing, hindering or resisting any search or arrest authorised by this Ordinance shall be liable to a fine Penalty for obstructing authorised

searches. not exceeding one hundred dollars or to imprisonment for  
 [Ibid. s. 19.] any term not exceeding three months with or without hard  
 labour in addition to any other penalty or punishment he  
 may be liable to by law or under this Ordinance.

Governor may es- 24. The Governor may establish a central store or  
 tablish magazine for the safe keeping and storing of all arms and  
 central store ammunition, and notice shall be given in the *Government*  
 for arms, &c. *Gazette* of such selection and of the situation of the said  
 [Ibid. s. 20.] store or magazine.

Governor may order 25. It shall be lawful for the Governor in Council during  
 removal the continuance of any Proclamation issued under the pro-  
 to central visions of the Peace Preservation Ordinance, 1886, to  
 store of all order the removal to the said central store of all arms and  
 arms, and ammunition in the possession of any importers or dealers in  
 close arm or vendors of arms, or of such arms and ammunition only  
 shops, &c. as in the opinion of the Governor-in-Council are not in safe  
 [Ibid. s. 21.] keeping or custody, or to order the closing of all arm shops  
 or stores and the suspension of the sale of all arms and  
 ammunition during the continuance of such Proclamation  
 as aforesaid. All orders made under this section shall forth-  
 with be published in the *Government Gazette*.

Penalty for 26. Any person refusing after the publication of such  
 refusing to deliver up arms. order to deliver up any arms or ammunition, the removal  
 [Ibid. s. 22.] of which to the said central store shall have been ordered  
 under the provisions of the last preceding section, and any  
 person omitting or refusing otherwise to comply with any  
 order published as aforesaid 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.

Power of 27. The Governor in Council may from time to time  
 Governor to make regulations necessary for carrying out this Ordi-  
 make rules. nance, and may revoke, alter or add to the forms contained  
 [Ibid. s. 23.] in the schedule to this Ordinance, and such regulations  
 and forms shall have the force of law when published in the  
*Government Gazette*, and shall have the same effect as if  
 they were incorporated in this Ordinance.

Penalties for 28. Except when otherwise specially provided by this  
 breach of Ordinance or Regulations. Ordinance, any person committing any breach or infringe-  
 [Ibid. s. 18, subs. (2).] ment or contravention of any of the provisions contained in  
 this Ordinance or of any regulation made thereunder, or  
 failing to perform any duty imposed upon him by this  
 Ordinance or by any such regulation, shall be liable for every  
 such offence, upon summary conviction before a Magis-  
 trate, to a fine not exceeding two hundred and fifty dollars  
 with or without imprisonment for any period not exceeding  
 six months with or without hard labour; and in default of  
 payment of such fine, such Magistrate may order that the  
 offender be imprisoned for any period not exceeding six  
 months, with or without hard labour, unless the fine be  
 sooner paid.

Forfeiture of 29. Any arms or ammunition in connection with which  
 arms and ammunition connected with offence. an offence has been committed under this Ordinance may,  
 [New in part.] if a Magistrate thinks fit, be forfeited to the Crown.

Forfeiture of 30. Any arms or ammunition which are found in any  
 arms and ammunition in certain cases. building, vessel or place without any apparent owner, or  
 [New.] any arms or ammunition which are found on board of any  
 merchant vessel and are not entered in the manifest, may,  
 whether any person is charged with or convicted of any  
 offence or not, be ordered by a Magistrate, if he thinks fit,  
 to be forfeited to the Crown.

SCHEDULE

(A)

*The Arms and Ammunition Ordinance, 1899, (sec. 6).*

APPLICATION FOR EXPORT PERMIT.

Hongkong, 1

To the Captain Superintendent of Police.

Sir,

Please issue a permit for the export of the undermentioned Arms  
 and Ammunition now stored at \_\_\_\_\_ street, to be shipped on  
 board the \_\_\_\_\_ named the \_\_\_\_\_ at present at  
 anchor at \_\_\_\_\_ and about to proceed to \_\_\_\_\_

The period for which this permit is desired is \_\_\_\_\_ days,  
 and it will be returned together with the master's or mate's receipt  
 for all the arms and ammunition named below to (person)  
 at (place) \_\_\_\_\_ on or before \_\_\_\_\_ o'clock in the  
 noon of the \_\_\_\_\_ day of \_\_\_\_\_ 1 .

[Particulars of Arms and Ammunition.]

I am,  
 Sir,  
 Your obedient Servant,

[Signature.]  
 Licensed Dealer in Arms.

SCHEDULE

(B)

*The Arms and Ammunition Ordinance, 1899, (sec. 6).*

PERMIT.

The bearer is hereby authorised to export by the \_\_\_\_\_ the  
 named the \_\_\_\_\_ at present anchored at \_\_\_\_\_  
 undermentioned Arms and Ammunition:—

[Particulars of Arms and Ammunition.]

This permit together with a master's or mate's receipt for the  
 whole of the arms and ammunition herein referred to must be  
 returned to (person) \_\_\_\_\_ at (place)

\_\_\_\_\_ on or before \_\_\_\_\_ o'clock in the  
 noon of the \_\_\_\_\_ day of \_\_\_\_\_ 1 .  
 Dated at Victoria, Hongkong, this \_\_\_\_\_ day of \_\_\_\_\_ 1 .

[Signature.]  
 Captain Superintendent of Police.

SCHEDULE

(C)

*The Arms and Ammunition Ordinance, 1899, (sec. 8a.).*

REMOVAL PERMIT.

The bearer is hereby authorised to remove from \_\_\_\_\_  
 to \_\_\_\_\_ the undermentioned  
 Arms and Ammunition, between the hours of \_\_\_\_\_ and  
 on the \_\_\_\_\_ instant.

This permit must be returned to \_\_\_\_\_ at \_\_\_\_\_ before  
 o'clock \_\_\_\_\_ on the \_\_\_\_\_ instant.

[Signature.]  
 Captain Superintendent of Police.

*Objects and Reasons.*

The trade in arms and ammunition in this Colony has increased so much of late that it is thought desirable that it should be subjected to strict supervision, and the recent increase of armed robberies and piracies in the adjacent provinces of the Chinese Empire, to the detriment of our trade, has demonstrated the necessity for such strict supervision.

The present Bill, therefore, while it practically re-enacts many of the provisions of Ordinances 8 and 14 of 1895, which it repeals, includes certain entirely new provisions (marked *new* in the margin) which will now be briefly discussed.

This Bill amends the existing law by rendering the possession of ammunition, as well as of arms, without a proper authority, illegal. (See clause 5.)

By clause 4 of this Bill the issue of, and conditions to be attached to, licences to carry arms are vested in the Captain Superintendent of Police instead of as heretofore in the Governor. See too clause 11 of the Bill which substitutes the Captain Superintendent of Police for the Registrar General in the case of licences to deal in arms and which gives power to the Captain Superintendent of Police (subject to an appeal to the Governor-in-Council) to refuse to grant or to cancel a licence.

It has been thought expedient to re-enact section 6 of Ordinance 8 of 1895 in a somewhat modified form so as to make the question whether a licence or export permit is required depend not upon the residence of the purchaser or the value of arms or ammunition sold, but upon the question whether the arms or ammunition are sold for use within the Colony or for export from the Colony.

It has been found by experience that purchasers and sellers of arms do not always export those arms by the vessel named in the export permit, but sometimes divert the arms to other secret purposes, and it has, therefore, been thought expedient to check this practice by the following new provisions:—

- (1) By compelling a vendor of arms or ammunition for the purposes of export to procure a mate's receipt for them. (Clause 7.)
- (2) By providing for the registration of places where arms or ammunition are stored or to be stored. (Clause 11.)
- (3) By compelling dealers to keep a stock book and a sales book and by empowering the Police to inspect and compare these books. (Clauses 13, 14, and 15.)
- (4) By rendering a purchaser of arms or ammunition, who supplies false particulars to a vendor liable to punishment. (Clause 17.)

The following very necessary new provisions are also included in this Bill, namely:—

- (1) The prohibition of the movement of arms or ammunition within the Colony or the waters thereof (except for the purpose of export under an export permit) without a removal permit. (Clause 8);
- (2) The prohibition of the storing of arms or ammunition except at the places registered for that purpose. (Clause 12);
- (3) The prohibition against the importation of arms or ammunition except at the port of Victoria. (Clause 18);
- (4) The labelling of arms and ammunition. (Clause 19);
- (5) The power of the Police to open boxes or packages. (Clause 20);
- (6) An extended power of forfeiting arms and ammunition in respect of which an offence has been committed (Clause 29); and
- (7) An entirely new power of forfeiting arms and ammunition which are without any apparent owner. (Clause 30.)

Clause 11 of the Bill raises the annual licence fee of dealers in arms to \$1,200 per year instead of \$10 (except in the case of retail dealers for sporting purposes only who are to pay the same licence fee as heretofore), because it is thought that, in a responsible business like this, a substantial licence fee ought to be paid.

A very necessary proviso is introduced to the effect that arms or ammunition moved by land or water in the Colony should be enclosed in secure boxes and labelled (clause 19).

It may be mentioned that penalties for breaches of the law are in some instances rendered more severe, (compare section 28 with section 2 of Ordinance 14 of 1895, and section 16 with sections 12 and 13 of Ordinance 8 of 1895).

In conclusion, it may be noted that officers of a foreign nation are restricted, if they have no licence, to the carriage of weapons of ceremony worn as part of their regular uniform, and that the privilege of carrying arms without a licence has been taken away from Common Jurors. A case occurred in which a Common Juror abused that privilege.

HENRY E. POLLOCK,  
*Acting Attorney General.*



A BILL

ENTITLED

The New Territories Land Court Ordinance, 1899.

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

1. This Ordinance shall be called the Land Court Ordinance, 1899, and shall only apply to the owners and occupiers of land in the New Territories, that is to say, in the additional territories acquired by this Colony under the provisions of a Convention, dated the 9th day of June, 1898, between Her Majesty Queen Victoria and His Imperial Majesty the Emperor of China for the enlargement of the limits of this Colony. Short title and application.
2. Claims by owners and occupiers of land in the New Territories to titles or certificates of title from the Crown shall, subject to the provisions of this Ordinance, be heard and determined by a Land Court hereinafter referred to as the Court which shall consist of the persons respectively filling the offices of Puisne Judge, Director of Public Works and Deputy Land Officer for the time being. Claims to titles to be heard by Court. Composition of Court.
3. The Puisne Judge, or, in his absence, the Director of Public Works shall be the president of the Court and two members thereof shall form a quorum. In the case of an equal division of opinion the president shall have a casting vote. There shall be a Registrar to the Court to be appointed by the Governor (hereinafter referred to as the Registrar), whose duty it shall be to keep a record of all proceedings and decisions of the Court, to receive all claims and communications to the Court, and to issue all orders and directions of the Court. President. Quorum. Governor to appoint Registrar.
4. The Court shall, for the purposes of this Ordinance, have the following powers:—
  - (1.) To determine within what time claims to land in any specified village or district in the New Territories shall be presented to the Court, and in what form and manner such claims are to be presented. Powers of Court. Time, form, and manner of presenting claims.
  - (2.) To cause to be notified in any village or district in the New Territories and in such manner as the Court may direct, notice of the time within which claims to land must be made, and the form and manner of making such claims. Notification to be made in village.
  - (3.) To fix the dates and times and places for the hearing of such claims to land, and to cause notice of such dates and times and places to be notified to claimants in such manner as the Court may direct. Time and place of hearing claims.
5. If in any case it shall appear to the Deputy Land Officer before the hearing that a title or certificate of title to land can be admitted or granted to any claimant without further investigation, he shall report the same to the Court accordingly and it shall not be necessary for the claimant or his witnesses to appear before the Court unless the Court shall so order. Deputy Land Officer may report title can be admitted.
6. For the purpose of the hearing of any claim to land the Court shall have powers similar to those vested in the Supreme Court of this Colony on the occasion of any suit or action in respect of the following matters, viz.:—
  - (1.) Enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise.
  - (2.) Compelling the production of documents.
  - (3.) Punishing persons guilty of contempt of the Court or of any order of the Court.
  - (4.) Ordering inspection of property.
  - (5.) Making and enforcing any order which may be necessary to the proper hearing and determination of any question before the Court, and the Court may exercise all or any of such powers for the purposes of any claim before the Court to the same extent as the Supreme Court might exercise them or any of them for the purposes of any suit or action. Further powers of Court respecting witnesses, the production of documents and enforcing any order of Court.
7. Any member of the Court shall, for the purposes of any enquiry made by the Court, have power to enter and view any premises or property, and the Court shall have power to authorize any person nominated by the Court to enter and view any premises or property for the like purpose. Power of entry.

Power of Court with respect to any witness committing perjury.	<p>8. If in any claim to land it shall appear to the Court that any witness has committed wilful and corrupt perjury the Court may, for the purpose of punishing such perjury, exercise powers similar to and to the same extent as those conferred on the Supreme Court by section 23 of Ordinance 12 of 1873 for the punishment of perjury in any cause, suit, or action.</p>
Summons, warrant, etc. to be signed by Registrar.	<p>9. Any summons, order, warrant, or direction of the Court shall be deemed to be duly made with the authority of the Court if signed by the Registrar, and any such summons, order, warrant, or direction so issued in connection with and for the purposes of any claim to land shall be equivalent to any form of summons, order, warrant, or direction issued in any action or suit in the Supreme Court for enforcing the attendance of witnesses, or compelling the production of documents or otherwise for the purposes of any suit or action.</p>
Court may allow or disallow claim.	<p>10. The Court may allow or disallow any claim to land or allow the same as to part of the claim or subject to such conditions as it may think fit.</p>
When claim allowed title or certificate to be granted.	<p>11. In cases where the Court allows the claim or part of the claim a title or certificate of title in such terms as the Court shall order shall be admitted or granted by the Governor within such time as may be convenient.</p>
Occupier when to be deemed trespasser.	<p>12. After the passing of this Ordinance occupation by any person without licence, or certificate of title, or without any grant of any estate or interest from the Crown, of land a certificate of title for which has been disallowed by the Court or for which no claim has been made under this Ordinance shall be deemed to be a trespass, and the person so occupying without having such licence, certificate of title or grant as aforesaid may be dealt with as a trespasser accordingly.</p>
Appeal.	<p>13. An appeal shall lie within fourteen days to the Full Court (and from thence to the Privy Council) from any decision of the Court in any case where the value of the land in dispute is certified by the Court to be over ten thousand dollars.</p> <p>In any case, however, where the value of the land in dispute is certified by the Court under the hand of the Registrar to be under ten thousand dollars, no appeal shall lie from its decision, nor shall its proceedings in such case be liable to revision or removal to the Supreme Court of the Colony by writ of <i>certiorari</i>, or other legal process.</p>
Form of certificates of title.	<p>14. Certificates of title to be granted under this Ordinance shall be in such form or forms as may from time to time be directed by the Court, and shall be signed by the Registrar and countersigned by the Governor.</p>
Payment of rent in money instead of in produce.	<p>15. In any case of any land in the New Territories, being held under an agreement to pay rent in produce, it shall be lawful for the tenant of such land to pay a rent in money instead of such rent in produce, according to a rate, which shall be fixed each year by the Court, and published in the <i>Government Gazette</i> during the month of January in each year, as the fair commutation price of such produce.</p>
Redemption of rent in produce.	<p>16. In any case where land in the New Territories is held under an agreement to pay a rent in produce in perpetuity, it shall be lawful for the person who is liable to pay such rent, with the consent of the Court, to redeem his liability to pay such rent by paying to such person as the Court may direct such capital sum of money as the Court may, under all the circumstances of the case, consider to be fair and reasonable.</p>
No rent in produce to be reserved after certain date.	<p>17. On and after the 31st day of January, 1900, no rent in produce shall be reserved in any agreement for the occupation of land in the New Territories. If any rent in produce is so reserved after the said date, then such rent shall not be recoverable in any Court of law or by any legal process or proceedings.</p>
Rents may be fixed by Court where ownership disputed.	<p>18. In any case of disputed ownership of any land in the New Territories where no rent has been fixed, it shall be lawful for the Court to order that a certain rent for such land, being such rent as the Court considers under all the circumstances of the case to be fair and reasonable, shall, from such date as the Court thinks fit, be paid in respect of such land. Every order made by the Court under this section shall be final and conclusive upon every person whatever and without appeal.</p>

*Objects and Reasons.*

This Bill is framed to a considerable extent upon the lines of the Squatters' Ordinance, 1890, (Ordinance 27 of 1890), which has been found to work satisfactorily.

The chief aim of this Bill is to provide owners and occupiers of land in the New Territories with a tribunal to which they can appeal, without incurring the expense of resorting to the Supreme Court, and to arrange amicably questions of disputed title and land and rent disputes generally.

It is proposed by this Bill to substitute a certificate of title for a Crown lease, because it has been ascertained that the ordinary holding of land in the New Territories is a tenancy in perpetuity, and this Government could not, under the terms of the Convention with China, grant a lease for more than 99 years from the date of the Convention.

Clause 15 of the Bill contains special provisions for the commutation of rent in produce into a payment of rent in money, calculated upon the fair price of such produce. Provision for such commutation appears to be necessary in order to avoid friction between landlord and tenant and to induce the tenant to cultivate the land to the best advantage.

Clause 16 of the Bill provides for the redemption of rent in produce, when such rent is payable in perpetuity, by the payment of a capital sum of money.

Clause 17 provides that, in any agreement made on and after the 31st day of January, 1900, (which is the first day of the next Chinese year), no rent in produce shall be reserved.

The object of clause 18 is to settle disputes in cases (*inter alia*) where a man, who is adjudged to have no proper title, has been occupying and improving land and where he appears to be equitably entitled to continue to occupy such land upon his paying such a rent as is fair and reasonable, having regard to such improvements.

HENRY E. POLLOCK,  
*Acting Attorney General.*

GOVERNMENT NOTIFICATION.—No. 650.

The following Order-in-Council is published.

By Command,

J. H. STEWART LOCKHART,  
*Colonial Secretary.*

Colonial Secretary's Office, Hongkong, 24th November, 1899.

ORDER

*Made by the Governor-in-Council under section 8 of "The Post Office Ordinance, 1887," on the 23rd day of November, 1899.*

It is hereby ordered by the Governor-in-Council that any correspondence, which is sent to the Colony from any place outside the Colony for the purpose of being posted in the Colony, shall be charged, upon being posted at the General Post Office of the Colony, with the same rates of postage as if such correspondence had been posted at any office other than in the Colony.

COUNCIL CHAMBER,  
HONGKONG.

R. F. JOHNSTON,  
*Acting Clerk of Councils.*

GOVERNMENT NOTIFICATION.—No. 651.

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. 35 of 1899.—An Ordinance to apply a sum not exceeding Two million Six hundred and Eighty-one thousand Six hundred and Fifty-one Dollars to the Public Service of the Year 1900.

By Command,

J. H. STEWART LOCKHART,  
*Colonial Secretary.*

Colonial Secretary's Office, Hongkong, 24th November, 1899.