

TRUSTEE BILL.—The Attorney General addressed the Council and moved the second reading of the Bill entitled An Ordinance to consolidate and amend the Laws relating to Trustees.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

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

The Colonial Secretary seconded.

Question—put and agreed to.

LAW AMENDMENT BILL.—The Attorney General addressed the Council, and moved the second reading of the Bill entitled An Ordinance to amend and declare in certain respects the Law to be administered in the Supreme Court.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

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

The Colonial Secretary seconded.

Question—put and agreed to.

CODE OF CIVIL PROCEDURE BILL.—The Attorney General addressed the Council, and moved the second reading of a Bill entitled An Ordinance to establish a Code of Procedure for the Regulation of the Process, Practice, and Mode of Pleading in the Civil Jurisdiction of the Supreme Court of the Colony.

The Colonial Secretary addressed the Council, and seconded.

Question—put and agreed to.

Bill read a second time.

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

The Colonial Secretary seconded.

Question—put and agreed to.

CIVIL PROCEDURE (STATUTES REPEAL) BILL.—The Attorney General moved the second reading of the Bill entitled An Ordinance to repeal various Statutes relating to Civil Procedure or Matters connected therewith.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

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

The Colonial Secretary seconded.

Question—put and agreed to.

ADJOURNMENT.—The Council then adjourned till Wednesday, the 13th February, 1901, at 3 p.m.

HENRY A. BLAKE,
Governor.

Read and confirmed, this 14th day of February, 1901.

R. F. JOHNSTON,
Acting Clerk of Councils.

GOVERNMENT NOTIFICATION.—No. 93.

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, 14th February, 1901.

A BILL
ENTITLED

An Ordinance to amend the Law of Libel and Slander.

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 as the Law of Libel Amendment Ordinance, 1901.

Interpreta- **2.** In this Ordinance and in the Defamation and Libel
tion of terms. Ordinance, 1887, unless the context otherwise requires,—

No. 5 of 1887.
44 & 45 Vict.
c. 60 s. 1.

“Newspaper” means any paper containing public news, intelligence, or occurrences, or any remarks or observations therein printed for sale, and published in the Colony periodically or in parts or numbers at intervals not exceeding twenty-six days between the publication of any two such papers, parts, or numbers; also any paper printed in order to be dispersed and made public weekly or oftener, or at intervals not exceeding twenty-six days, containing only or principally advertisements:

“Proprietor” means and includes as well the sole proprietor of any newspaper as also, in the case of a divided proprietorship, the persons who, as partners or otherwise, represent and are responsible for any share or interest in the newspaper as between themselves and the persons in like manner representing or responsible for the other shares or interests therein, and no other person.

Privilege of newspaper report of proceedings in court.
51 & 52 Vict.
c. 64 s. 3.

3. A fair and accurate report in any newspaper of proceedings publicly heard before any court exercising judicial authority shall, if published contemporaneously with such proceedings, be privileged: Provided that nothing in this section shall authorize the publication of any blasphemous or indecent matter.

Privilege of newspaper report of proceedings of public meeting and of certain bodies and persons.
Ib. s. 4.

4.—(1.) A fair and accurate report published in any newspaper of the proceedings of a public meeting, or (except where neither the public nor any newspaper reporter is admitted) of any meeting of a body, board, or authority formed or constituted under the provisions of any Ordinance or of any committee appointed by any such body, board, or authority, or of any meeting of any commissioners authorized to act by letters patent, Act of Parliament, Ordinance, warrant under the Royal Sign Manual, or other lawful warrant or authority, select committees of the Legislative Council, and justices of the peace in licensing sessions assembled, and the publication, at the request of any Government office or department or of the Captain Superintendent of Police, of any notice or report issued by them or him for the information of the public, shall be privileged, unless it is proved that such report or publication was published or made maliciously: Provided that nothing in this section shall authorize the publication of any blasphemous or indecent matter: Provided, also, that the protection intended to be afforded by this section shall not be available as a defence in any proceedings if it is proved that the defendant has been requested to insert in the newspaper in which the report or other publication complained of appeared a reasonable letter or statement by way of contradiction or explanation of such report or other publication, and has refused or neglected to insert the same: Provided, further, that nothing in this section shall be deemed or construed to limit or abridge any privilege now by law existing, or to protect the publication of any matter not of public concern and the publication of which is not for the public benefit.

(2.) For the purposes of this section “public meeting” shall mean any meeting *bonâ fide* and lawfully held for a lawful purpose, and for the furtherance or discussion of any matter of public concern, whether the admission thereto be general or restricted.

Consolidation of actions.
Ib. s. 5.

5.—(1.) It shall be competent for the Supreme Court, on an application by or on behalf of two or more defendants in actions in respect to the same, or substantially the same, libel brought by one and the same person, to make an order for the consolidation of such actions, so that they shall be tried together; and after such order has been made, and before the trial of the said actions, the defendants in any

new actions instituted in respect to the same, or substantially the same, libel shall also be entitled to be joined in a common action on a joint application being made by such new defendants and the defendants in the actions already consolidated.

(2.) In a consolidated action under this section the jury shall assess the whole amount of the damages, if any, in one sum, but a separate verdict shall be taken for or against each defendant in the same way as if the actions consolidated had been tried separately; and if the jury have found a verdict against the defendant or defendants in more than one of the actions so consolidated, they shall proceed to apportion the amount of damages which they have so found between and against the said last-mentioned defendants; and similar provisions shall apply if the trial is before a Judge without a jury. The Judge at the trial, if he awards to the plaintiff the costs of the action, shall thereupon make such order as he may deem just for the apportionment of such costs between and against such defendants.

6. At the trial of an action for a libel contained in any newspaper the defendant shall be at liberty to give in evidence in mitigation of damages that the plaintiff has already recovered (or has brought actions for) damages or has received or agreed to receive compensation in respect of a libel or libels to the same purport or effect as the libel for which such action has been brought.

Power to defendant to give certain evidence in mitigation of damages.
51 & 52 Vict. c. 64 s. 6.

7. It shall not be necessary to set out in any indictment or other judicial proceeding instituted against the publisher of any obscene libel the obscene passages, but it shall be sufficient to deposit the book, newspaper, or other document containing the alleged libel with the indictment or other judicial proceeding, together with particulars showing precisely by reference to pages, columns, and lines in what part of the book, newspaper, or other document the alleged libel is to be found, and such particulars shall be deemed to form part of the record, and all proceedings may be taken thereon as though the passages complained of had been set out in the indictment or judicial proceeding.

Obscene matter need not be set forth in indictment or other judicial proceeding.
Ib. s. 7.

8.—(1.) No criminal prosecution shall be commenced against any proprietor, publisher, editor, or any person responsible for the publication of a newspaper for any libel published therein without the order of a Judge at Chambers being first had and obtained.

Order of Judge required for prosecution of newspaper proprietor, etc.
Ib. s. 8.

(2.) Such application shall be made on notice to the accused person, who shall have an opportunity of being heard against such application.

9. Every person charged with the offence of libel before any court of criminal jurisdiction, and the wife or husband of the person so charged, shall be competent, but not compellable, witnesses on every hearing at every stage of such charge.

Competency as witness of person proceeded against criminally.
Ib. s. 9.

10. Words spoken and published after the commencement of this Ordinance which impute unchastity or adultery to any woman or girl shall not require special damages to render them actionable: Provided that in any action for words spoken and made actionable by this Ordinance, a plaintiff shall not recover more costs than damages, unless the Judge at the trial certifies that there was reasonable ground for bringing the action.

Words imputing unchastity to woman or girl *per se* actionable.
54 & 55 Vict. c. 51 s. 1.

11. Sections 14 and 15 of the Defamation and Libel Ordinance, 1887, are hereby repealed.

Repeal of enactments.
No. 5 of 1887.

Objects and Reasons.

In the course of preparing the Defamation and Libel Ordinance, 1887, for the proposed new edition of the Statute Laws of the Colony, it was found that the Imperial legislation on which the Ordinance was based has been modified by recent Acts of Parliament, and it has been thought desirable, for the purposes of the new edition, to bring this branch of the law into conformity with the present English law. This object is effected by the present Bill, taken in conjunction with the Ordinance of 1887.

Newspaper Libel and Registration Act, 1881, 44 & 45 Vict. c. 60.

Law of Libel Amendment Act, 1888, 51 & 52 Vict. c. 64.

The Slander of Women Act, 1891, 54 & 55 Vict. c. 51.

A BILL

ENTITLED

An Ordinance to repeal all Ordinances for the Naturalization of Persons as British Subjects within this Colony and to make provision for the Preservation of the Rights of such Persons.

WHEREAS numerous Ordinances have been passed for the naturalization of persons as British subjects within this Colony; and whereas in view of the preparation and publication of a new edition of the Statute Laws of the Colony it is expedient that all such Ordinances should be repealed, while at the same time the rights of such persons are preserved:

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 as the Naturalized Persons Ordinance, 1901.
- Repeal of Naturalization Ordinances. 2. All Ordinances for the naturalization of persons as British subjects within this Colony are hereby repealed.
- Preservation of rights of persons naturalized by Ordinance as British subjects within the Colony. 3. Notwithstanding such repeal, the persons for whose naturalization as British subjects within this Colony Ordinances have been passed, and whose names are set forth in the first column of the Schedule to this Ordinance, and whose Ordinances of Naturalization are set forth in the second column of the said Schedule, shall respectively be deemed to have been, from the dates set opposite to their names in the third column of the said Schedule, or, where no dates are stated, from the respective dates of their taking the oath of allegiance in pursuance of the said Ordinances, and shall respectively continue to be, naturalized British subjects within this Colony, and shall enjoy therein, but not elsewhere, all the rights, advantages, and privileges of British subjects.
- Schedule.

Section 3.

SCHEDULE.

LIST OF PERSONS NATURALIZED.

COLUMN I.	COLUMN II.	COLUMN III.
Name of Person naturalized.	Number and Year of Ordinance.	Date of Naturalization.
Ernest John Eitel.....	No. 4 of 1880.	31st August, 1880.
Fung Ming-shán	No. 5 of 1881.	14th September, 1882.
Wong Shé-tái	No. 6 of 1881.	24th March, 1883.
Shi Shang-kái	No. 7 of 1881.	24th March, 1883.
P'áng Im	No. 8 of 1881.
Ip Him-kwong	No. 9 of 1881.	24th March, 1883.
Ūn Man-ts'oi.....	No. 10 of 1881.	24th March, 1883.
Chan Teng Cho	No. 2 of 1882.	6th December, 1883.
'Ng Li Hing	No. 3 of 1882.	6th December, 1883.
Yau Chong Peng	No. 4 of 1882.	6th December, 1883.
Chan Mun Wing	No. 5 of 1882.	6th December, 1883.
William Quincey	No. 10 of 1882.	24th March, 1883.
Hū Wa	No. 11 of 1882.
Ho Shun	No. 12 of 1882.	15th May, 1883.
Lai Fong	No. 13 of 1883.	4th January, 1884.
Jauuario Antonio de Carvalho	No. 14 of 1883.	31st December, 1883.
Wong Shing.....	No. 15 of 1883.	31st December, 1883.
Henrique Joaquim Rodrigues	No. 16 of 1883.	4th January, 1884.
William Doberck.....	No. 2 of 1884.	13th August, 1884.
Tséung Sz-kái	No. 5 of 1884.	27th August, 1884.
Ch'an Kwok Ying	No. 20 of 1887.	20th September, 1887.
Fritz Adolph Friccius Grobien	No. 6 of 1888.	21st February, 1888.
Hillune Loo Ngawk otherwise Loo Kiu Fung.....	No. 7 of 1888.	5th March, 1888.
Lai Shang otherwise Lai Chek Kūn	No. 8 of 1888.	28th February, 1888.
Lai Kit otherwise Lai Cheuk	No. 9 of 1888.	21st February, 1888.
John Wong Chūn otherwise Wong Yiu Shang.....	No. 20 of 1888.	16th November, 1888.
T'ám Lu-ts'ūn otherwise T'ám Fuk-siu	No. 21 of 1888.	16th November, 1888.

SCHEDULE,— *Continued.*

LIST OF PERSONS NATURALIZED.

COLUMN I.	COLUMN II.	COLUMN III.
Name of Person naturalized.	Number and Year of Ordinance.	Date of Naturalization.
Li Ó Mi otherwise Li Tai Fung	No. 22 of 1888.	16th November, 1888.
Elias Isaac Elias otherwise Elias Isaac Elias Zachariah.....	No. 28 of 1888.	12th August, 1889.
Tsü Tak-piu otherwise Ching Ü	No. 5 of 1889.
Li Man Hi otherwise Pokshan	No. 20 of 1889.	25th July, 1889.
Leung Shü otherwise Leung Ün or Leung Yuk or Yuk Shang	No. 31 of 1889.	5th January, 1891.
Lam Neung-shing otherwise Lam Yuk Po.....	No. 2 of 1890.	29th March, 1890.
Lai Sui Tong	No. 1 of 1891.	20th October, 1897.
Choi Wai otherwise Choi Tsun	No. 2 of 1891.	24th February, 1891.
Edward Jean Max Paquin ...	No. 3 of 1891.
Lau Sai alias Lau Wai Ch'ün	No. 5 of 1891.
Meyer Fredericks	No. 8 of 1893.	4th July, 1893.
Samuel Donnenberg	No. 15 of 1895.	June, 1895.
Lee Shew	No. 9 of 1896.	22nd July, 1896.
Ho Mui Sz alias Ho Lin Shing.....	No. 14 of 1897.	13th September, 1897.
U Hoi Chau alias U Chiu Tsun	No. 20 of 1897.	22nd November, 1897.
Wong Chuk-yau alias Wong Mau alias Wong Sün-in	No. 2 of 1898.	18th May, 1898.
Leung P'ui Chi alias Leung Chak Ch'ang alias Leung Chung	No. 5 of 1898.	18th May, 1898.
Chau Tung Shang	No. 7 of 1898.	22nd August, 1898.
Tong Yuk alias Tong Lai Ts'ün	No. 8 of 1898.	15th August, 1898.
Chan Li Choy alias Chan Chun Chuen	No. 19 of 1898.	8th September, 1898.
Lo Chung Pak alias Lo Yuen Poon alias Lo Shau Ü... ..	No. 23 of 1898.	24th September, 1898.
Leung Luk alias Leung Cheung Soy.....	No. 25 of 1898.	27th September, 1898.
Li Chung alias Li Chan Shing	No. 26 of 1898.	22nd September, 1898.
Ün Chung Wo alias Ün Oi Ü alias Ün Hi alias Ün Kwok Hi	No. 29 of 1898.
Wong Shu Tong alias Wong Ka Yau alias Wong Wing Kwan	No. 31 of 1898.	9th January, 1899.
Mak Ngán Wan alias Mak Chiu K'i alias Mak Sui Nin alias Mak Yat Wo alias Mak Sun	No. 5 of 1899.	7th March, 1899.
Ts'oi Yeuk-shán	No. 14 of 1899.	12th August, 1899.
Fan Nang alias Fan Sau alias Fan Pat Shan alias Fan Tun Shin	No. 15 of 1899.	11th August, 1899.
Wong Ping Lam alias Wong Ü K'ai	No. 18 of 1899.
Yeung Cheuk Hin alias Yeung Shun Kong	No. 19 of 1899.
Sin Hip Pan alias Sin Shü Fan alias Sin Shiu Kin alias Sin Ping Kim	No. 24 of 1899.	9th November, 1899.
Kwok Yung Kam alias Kwok T'ò K'ai alias Kwok Ying	No. 25 of 1899.	6th November, 1899.
Ho Shun T'ò alias Ho Kwan Yuk alias Ho Ping Ün alias Ho Tsoi	No. 26 of 1899.	6th November, 1899.
Hü Choo alias Hü Shun Ts'ün alias Hü Ping Fong alias Hü Nai Kwai	No. 27 of 1899.	6th November, 1899.
Lò Kún T'ing alias Lò Fo alias Lò Ching Chiu alias Lò Tin Fui	No. 28 of 1899.	6th November, 1899.
Wan Kam Tsung alias Wan Tsing Kai alias Wan Ming Kap	No. 1 of 1900.	19th April, 1900.
Capitolino João Xavier	No. 3 of 1900.	19th April, 1900.

SCHEDULE,—*Continued.*
LIST OF PERSONS NATURALIZED.

COLUMN I.	COLUMN II.	COLUMN III.
Name of Person naturalized.	Number and Year of Ordinance.	Date of Naturalization.
Foo Sik alias Foo Yik Pang Leung Shek Chiu alias Leung Foon Man alias Leung Kin.....	No. 4 of 1900.	19th April, 1900.
Wei Lun Shek alias Wei Chü alias Wei Shiu Wing alias Wei Yau Ying	No. 13 of 1900.	9th July, 1900.
Chan Ping Hung alias Chan Shek Shan.....	No. 22 of 1900.	4th September, 1900.
	No. 34 of 1900.	31st January, 1901.

Objects and Reasons.

The objects and reasons for this Bill are sufficiently set forth in the preamble.

GOVERNMENT NOTIFICATION.—No. 94.

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

Ordinance No. 1 of 1901.—An Ordinance to repeal and re-enact with amendments The Defence Contribution Ordinance, 1896.

Ordinance No. 2 of 1901.—An Ordinance to further amend the Bankruptcy Ordinance, 1891.

Ordinance No. 3 of 1901.—An Ordinance to amend the Criminal Law as regards certain indecent outrages and assaults.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 8th February, 1901.

No. 1 OF 1901.

An Ordinance to repeal and re-enact with amendments The Defence Contribution Ordinance, 1896.

(LS) HENRY A. BLAKE,
Governor.

[8th February, 1901.]

WHEREAS it is expedient to repeal and re-enact with amendments The Defence Contribution Ordinance, 1896:

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 as The Defence Contribution Ordinance, 1901.

Yearly appropriation for defence of Colony.

2. From the first day of January, 1901, a sum equivalent to twenty per centum of the Colonial Revenues shall be appropriated yearly to the Imperial Government as a contribution for the defence of the Colony. Such sum shall be in lieu of that mentioned in The Defence Contribution Ordinance, 1896.

Definition of Colonial Revenues.

3. The Colonial Revenues, for the purposes of this Ordinance, shall include the gross receipts by the Colony from all sources of revenue, but shall not include the proceeds of land sales and premia on leases or statutory land grants.