

GOVERNMENT NOTIFICATION.—No. 112.

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

R. F. JOHNSTON,
Acting Clerk of Councils.

Council Chamber, Hongkong, 25th February, 1901.

A BILL

ENTITLED

An Ordinance to consolidate and amend the Laws relating to the Punishment of Flogging.

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

1. This Ordinance may be cited as the Flogging Ordinance, 1901. Short title.
2. In this Ordinance, unless the context otherwise requires,— Interpretation of terms.

“Flogging” includes whipping :
“Flogged” includes whipped.
3. Where any person is convicted before the Supreme Court— Power to the Supreme Court to award punishment of flogging in certain cases.
 - (1.) of any crime, who, at the time of the commission thereof, was armed with any offensive weapon or instrument; or
 - (2.) of any felony not punishable with death, committed after two previous convictions for felony, and the sentence for each of which has been at least six months' imprisonment with hard labour; or
 - (3.) of any crime made punishable under section 19 of Ordinance No. 4 of 1865; or
 - (4.) of the crime of stealing any chattel, money, or valuable security from the person of any woman or child; or
 - (5.) of any crime made punishable under any of the following enactments, namely, sections 31 to 36 of Ordinance No. 7 of 1865; or
 - (6.) of piracy; or
 - (7.) of indecent assault,

the Court may, in addition to any other punishment awarded for such crime, direct that the offender, if a male, be flogged once, twice, or thrice.
4. In every case where the punishment of flogging is awarded by the Supreme Court or by a Magistrate the following provisions shall have effect, that is to say,— Conditions subject to which punishment of flogging may be awarded and inflicted.
 - (1.) the sentence shall prescribe the number of strokes to be inflicted at each flogging;
 - (2.) in the case of an offender whose age does not exceed sixteen years, the number of strokes at each such flogging shall not exceed twelve;
 - (3.) in the case of any other offender the number of strokes at each such flogging shall not exceed twenty; and
 - (4.) the flogging shall be inflicted with the birch on the breech, privately, in prison, and within six months of the sentence.
5. Where, by any Ordinance in force save in so far as it is modified by this Ordinance, the Supreme Court or any Magistrate is authorized to sentence an offender to flogging with a rattan or any instrument other than the birch or to any number of strokes exceeding twenty at any one flogging, such Ordinance shall be construed and have effect as if the instrument of flogging therein specified had been the birch and the maximum number of strokes therein specified had been twenty. Construction of other Ordinances authorizing punishment of flogging.
6. The Ordinances mentioned in the Schedule to this Ordinance are hereby repealed. Repeal of enactments.

Section 6.

SCHEDULE.

TABLE OF ORDINANCES REPEALED.

Number and Year of Ordinance.	Title and Date of Ordinance.
No. 12 of 1865.	An Ordinance for the further Security of the Residents in this Colony from personal Violence. [14th June, 1865.]
No. 3 of 1881.	The Penal Ordinances amendment Ordinance, 1881. [24th June, 1881.]
No. 9 of 1884.	An Ordinance to amend Ordinance 3 of 1881. [10th April, 1884.]
No. 16 of 1887.	An Ordinance empowering the Courts to award Whipping as a further punishment for certain Crimes. [24th June, 1887.]
No. 5 of 1897.	The Flogging Ordinance, 1897. [28th May, 1897.]

Objects and Reasons.

In view of the preparation of a new edition of the Statute Laws of the Colony, it is thought desirable to repeal the various Ordinances relating to flogging and whipping and to re-enact their provisions in a simpler and clearer form.

GOVERNMENT NOTIFICATION.—No. 113.

Notice is hereby given that THE MITSUI BUSSAN KAISHA, of Hongkong, have complied with the requirements of Ordinance 18 of 1898, for the registration in this Colony of their Mark No. 116, as applied to Matches, in class 47, and that the same has been duly registered.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 26th February, 1901.

GOVERNMENT NOTIFICATION.—No. 114.

Notice is hereby given that THE AMERICAN TOBACCO COMPANY, of the United States of America, and of Hongkong, have complied with the requirements of Ordinance 18 of 1898, for the registration in this Colony of their Marks No. 117, as applied to Tobacco, Cigars, Cigarettes, Cheroots, and Snuff, in class 45, and that the same have been duly registered.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 27th February, 1901.

GOVERNMENT NOTIFICATION.—No. 115.

His Excellency the Governor has been pleased to appoint Sergeant J. W. GRAHAM, Hongkong Volunteer Corps, to be a Supernumerary Lieutenant, with effect from the 25th February, 1901.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 1st March, 1901.