

GOVERNMENT NOTIFICATION.—No. 433.

With reference to Government Notification No. 209 of 1897, notice is hereby given that Messrs. J. & J. COLMAN have by assignment transferred their Trade Marks to Messrs. J. & J. COLMAN, LIMITED, as applied to Mustard in Class 42; and that the same have been duly registered.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 9th August, 1901.

GOVERNMENT NOTIFICATION.—No. 434.

In accordance with Section 62 of Ordinance 13 of 1901, it is hereby notified that the Government proposes to erect a Public Latrine on Crown land situated at the corner of Kennedy Street and Market Street, Yaumati, to the East of Kennedy Street and to the South of Market Street.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 5th August, 1901.

GOVERNMENT NOTIFICATION.—No. 435.

The following List of Copyright Works, which has been publicly exposed at the Court House pursuant to Section 952 of the Act 39 and 40 Vic., Chapter 36, is published.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

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

LIST OF COPYRIGHT WORKS.

Issued by the Board of Customs, London.

Name of Work.	Name of Author.	Name of the Proprietor of the Copyright.	Date when Copyright will expire.
"Indispensable" Manuscript Music Book, The	George Kett	George Kett	7 May, 1943.

GOVERNMENT NOTIFICATION.—No. 436.

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. 14 of 1901.—An Ordinance to amend and consolidate the Law relating to Reformatory Schools.

Ordinance No. 15 of 1901.—An Ordinance for the Naturalization of LAU YAT Ts'ÜN, alias LAU NG, alias LAU MAN KWONG, alias LAU NG WO, alias LAU HOK WAI.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 9th August, 1901.

No. 14 OF 1901.

An Ordinance to amend and consolidate the Law relating to Reformatory Schools.

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HENRY A. BLAKE,
Governor.

[7th August, 1901.]

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 Reformatory Schools Ordinance, 1901.

2. In this Ordinance and in any rules made thereunder, unless the context otherwise requires:—

“Magistrate” means a Police Magistrate.

“Expenses” (when used with reference to a child detained in a Reformatory School) includes the expenses of the custody, industrial training, education, and maintenance of a child.

“Order of detention” means an order of detention made in pursuance of this Ordinance.

“Parent” (when used in relation to a child) includes guardian and every person who is by law liable to maintain the child.

“School” means Reformatory School.

“Superintendent” means Superintendent of Reformatory Schools.

3. The Governor may, from time to time, make, and when made, alter or revoke, orders for any of the following purposes, namely:—

(a.) to set apart any available site and buildings for the purpose of a school.

(b.) to appoint fit persons to be respectively superintendent, masters, chaplains, and surgeons of schools, and also such subordinate officers for the service of schools as the Governor may think necessary.

(c.) to discontinue the use of any school and appropriate the site and buildings thereof to any other lawful purpose.

(d.) to remove children from one school to another.

(e.) Upon the recommendation of the Registrar General, to send a male child, who appears to the Governor to be less than fourteen years of age, to a school in any instance where such child is not and does not appear liable to be brought before a Magistrate for the purpose of being dealt with under the provisions of section 5 of this Ordinance.

4. The site and buildings which are now known as The Belilios Reformatory, shall be deemed to have been set apart by the Governor as a school under section 3 of this Ordinance.

5.—(1.) In any of the following cases; namely:—

(i.) where a child is brought before a Magistrate having been found under any of the following circumstances; that is to say:—

(a.) habitually begging or receiving alms (whether actually or under the pretext of selling anything or offering anything for sale), or being habitually in any street or public place for the purpose of so begging or receiving alms; or

(b.) habitually wandering and not having any house or settled place of abode; or

(c.) found repeatedly in the company of reputed thieves; or

(ii.) where a child is charged with any offence, whether previously convicted or not;

the Magistrate may, in addition to, or in lieu of, sentencing such child according to law, if satisfied on enquiry that the child was so found as aforesaid or committed any such offence;

in the case of a male child;

(a.) if of opinion that the child is less than fourteen years of age, by an order of detention, order that the child be sent to a school; or

Interpretation.

The Governor or may make orders in certain matters.

The Belilios Reformatory.

Modes of dealing with children according to age.

(b.) if of opinion that the child is less than ten years of age, order that he be placed in charge of the Superintendent for the purpose of his being boarded out; and

in the case of a female child, may order that she be placed in charge of the Registrar General for the purpose of being boarded out, and, in the case of female children, all the powers which are conferred upon the Superintendent by this Ordinance or by any rules made thereunder shall be vested in and may be exercised by the Registrar General.

(2.) The Magistrate shall, in any such order as aforesaid, specify, so far as is possible, the religious persuasion to which such child appears to belong.

(3.) The Magistrate may require the parent of any child alleged to have been found under any of the circumstances aforesaid to produce the child before the Court.

Remand of case and notice to parent.

6.—(1.) Before making an order under this Ordinance with regard to a child, the Magistrate before whom the child is brought, in order that enquiries may be made as to the circumstances and antecedents of the child and as to the circumstances of the parent of the child and his ability to contribute to the maintenance of the child, and in order that enquiries may be made with a view to ascertaining whether the parent has rendered himself liable to be prosecuted under section 22 of this Ordinance, shall remand the proceedings for a time not less than seven and not exceeding fourteen days, and without prejudice to any other powers of the Court, direct that the child be taken to a school or to any other place, not being a prison, which the Magistrate thinks fit, and the occupier of which is willing to receive him, and be detained therein until an order is made for his being brought again before the Court, or for his discharge, or for his being sent to a school, or otherwise dealt with under this Ordinance, and the master of such school and any such occupier as aforesaid are hereby required and empowered to detain the child accordingly, and if the child escapes he may be apprehended without warrant and brought back to the place of detention.

(2.) The Magistrate shall also, before making any such order, unless it appears to him impracticable so to do, summon the parent of the child to appear before the Court or if necessary issue his warrant for apprehending such parent and bringing him before the Court, for the purpose of enabling the parent to make any representations which he may think fit as to the making or terms of the order or the amount to be paid by the parent on account of the child while the child is being detained in a school or boarded out.

Replacing child in charge of parent.

7.—Whenever proceedings have been instituted respecting a child under this Ordinance and the Magistrate is of opinion that such child is less than fourteen years of age and ought to be dealt with under this Ordinance, he may, in lieu of ordering him to be sent to a school or to be placed in charge of the Superintendent for the purpose of being boarded out, direct that such child be replaced in the charge of his parent and may require the parent to give security with or without sureties for the good behaviour of the child and in such a sum and for such term as the Magistrate may think fit.

Grounds of proceedings and evidence.

8. In the case of any proceedings instituted under this Ordinance with a view to having a child placed in a school or in charge of the Superintendent for the purpose of his being boarded out, the grounds of such proceedings shall be formulated and recorded in the Court and all evidence tendered respecting the circumstances under which such child was found, or respecting the charge brought against him, and, so far as possible, all evidence tendered respecting the surroundings and antecedents of such child, shall be given on oath.

Report as to detention or boarding out of child and as to proceedings against parent.

9. Whenever a Magistrate orders a child to be detained in a school or placed in charge of the Superintendent for the purpose of being boarded out, he shall report the fact to the Governor and shall also state whether any criminal proceedings have been directed to be taken against the parent under section 22 of this Ordinance.

Enquiry and presumption as to age of child.

10. A Magistrate shall, before making any order under this Ordinance with respect to a child, make due enquiry as to the age of the child, and for that purpose take such evidence as may be forthcoming at the hearing of the case,

and, failing such evidence, the Magistrate may presume the child to be of such age as such child appears to the Magistrate to be; but the order, when made, shall not be invalidated by any subsequent proof that the age of the child had not been correctly ascertained or presumed by the Magistrate; and the age presumed or declared by the Magistrate to be the age of the child shall for the purposes of this Ordinance be deemed to be the true age of the child.

11.—(1.) Where a Magistrate makes an order for the detention of a child in a school, the Magistrate shall specify in the order the cause for which and the school in which the child is to be detained; and the child shall be delivered, with the order, into the custody of the master or other person in charge of the school.

Conveyance of child to school and detention therein.

(2.) The order shall be a sufficient authority for the conveyance of the child to the school, and for his detention therein or in any other place to which he is transferred in pursuance of this Ordinance during the period for which he is liable to be detained.

12. A minister of the religious persuasion specified in the order as that to which the child appears to belong, may visit the child at the school on such days, at such times, and on such conditions, as may be fixed by the Governor, for the purpose of affording religious assistance to the child, and also for the purpose of instructing him in the principles of his religion; and every child detained in a school shall have reasonable facilities, so far as circumstances admit, for attending the religious services of his creed.

Provision as to religious assistance.

13. When a child is ordered to be detained in a school the order shall be in force until the child attains the age of eighteen years. Provided as follows:—

Period of detention and discharge from school.

- (1.) The child on attaining the age of sixteen years shall be entitled to be discharged from the school, and may, if the Governor so orders, be discharged from the school at any previous time.
- (2.) It shall be the duty of the Superintendent to apply for the discharge of a child detained in a school or to grant him a licence to live out of such school at the earliest lawful date which is, in the opinion of the Superintendent, consistent with the welfare of the child.
- (3.) Where a child is discharged from a school in pursuance of this Ordinance, he may be so discharged either absolutely or conditionally, that is to say, on such conditions as to the disposal of the child on his discharge, and as to his conduct thereafter and otherwise, as the Governor may, by general or special order, direct.
- (4.) Where a child has been conditionally discharged from a school in pursuance of this Ordinance and fails to conform with any one or more of the conditions on which he was discharged, the Governor may, on being satisfied of the failure, revoke the order of discharge and order the child to return to the school and there remain for any period specified in the order (so however that he be not detained in the school after attaining the age of eighteen years) and if the child disobeys the order he may be dealt with as if he had escaped from the school.
- (5.) On the revocation of an order of discharge any obligation to contribute to the expenses of the child shall revive and be in force during the period for which the child is detained.

Licence to Children to live out of School.

14.—(1.) The Superintendent may, at any time after a child has been detained in a school for eighteen months, permit him by licence to live out of the school, with any trustworthy and respectable person named in the licence, who is willing to receive and take charge of him.

Licence for living out of school.

(2.) Any such licence shall be in force for a period specified in the licence not exceeding three months but may at any time before the expiration of that period be renewed for a further period not exceeding three months to commence from the expiration of the previous period and so from time to time until the child is discharged.

(3.) The Superintendent may also, at any time, by order in writing, revoke any such licence and order the child to return to the school in which he was detained previously to his being licensed.

(4.) A child escaping from the person with whom he is placed in pursuance of this section, or refusing to return to the school at the expiration or on the revocation of his licence, may be apprehended and otherwise dealt with in like manner as if he had escaped from the school.

Boarding out of Children.

Boarding out of children.

Rules may be made by the Governor.

15.—(1.) The Governor may make rules consistent with this Ordinance for the boarding out of children and for the management of children when boarded out in pursuance of this Ordinance and for the duties of the Superintendent with respect to such children, and for the inspection of such children.

(2.) While a child is under the charge of the Superintendent for the purpose of being boarded out he shall continue under the control of the Superintendent and of any person with whom he is boarded out under the supervision of the Superintendent notwithstanding that he may be claimed by his parent; and the order of the Magistrate shall be a sufficient authority to the Superintendent and to such person as aforesaid for retaining the child under his control.

Transfer to or from a school from or to place of boarding.

16. The Governor may, at any time, order the Superintendent to transfer to a school any child boarded out in pursuance of this Ordinance, or to board out any child ordered to be sent to a reformatory school, and, in either of these cases, the provisions of this Ordinance shall apply as if the child had been in the first instance sent to a school or boarded out as the case may be.

Application of provisions of this Ordinance in the case of a child boarded out.

17. The provisions of this Ordinance with respect to a child detained in a school shall, so far as applicable, apply in the case of a child boarded out in pursuance of this Ordinance, as if the place where the child is boarded out were a school; provided that the Governor in Council may make such further modifications of those provisions as may appear to him to be necessary or proper for adapting those provisions to the case of children boarded out in pursuance of this Ordinance.

Apprenticing, enlistment or emigration of Children.

Disposition by apprenticing or otherwise, of well conducted child.

18. If a child who is detained in or living out on licence from a school or is being boarded out conducts himself well, the Superintendent may, if the child consents thereto, apprentice him to or dispose of him in any trade, calling, or service, or by enlistment in His Majesty's Naval or Military forces, or by emigration, notwithstanding that his period of detention has not expired; and such apprenticing or disposition shall be as valid as if the Superintendent was the parent of the child.

Provided that where the child is to be disposed of by emigration or by enlistment, and in any case unless the child has been detained for twelve months, the consent of the Governor shall also be required to the exercise of any power under this section.

Liability of Parent for Expenses of Child.

Order on parent to contribute towards expenses.

Enforcement of order.

19.—(1.) The parent of a child detained in a reformatory school shall be liable to pay for his expenses therein.

(2.) At the time of making the order of detention, the Magistrate shall also make an order on the parent to contribute such sums towards the expenses of the child during his detention as shall seem proper, after due examination into the ability of the parent to pay and after consideration of all the circumstances of the case, but the sum to be contributed shall not exceed the expenses of the child. It shall be the duty of the Magistrate to re-consider the amount of the contribution on receipt of an application from the Superintendent or from the parent for a revision of the order.

(3.) The parent shall pay the sum named in the order monthly to the Captain Superintendent of Police, who may sue the parent for payment, and shall pay any sum received by him from the parent into the Colonial Treasury for the use of the Government of the Colony.

(4.) A Magistrate may at any time, on just cause being shown, revoke or vary any order made under this section.

Offences in relation to Schools.

Apprehension in case of escape.

20. If a child who is ordered to be detained in a school or is living out on licence from a school or is being boarded out escapes from the school or from the person with whom he is living out on licence or is being boarded out he may

at any time before the expiration of his period of detention be apprehended without warrant and brought back to the school.

21. If any person commits any of the following offences that is to say :—

(a.) Knowingly assists or induces, directly or indirectly, a child who is detained in or living out on licence from a school or is boarded out to escape from the school or from any person with whom he is living out on licence or is boarded out; or

(b.) Knowingly harbours, conceals or prevents from returning to school or to any person with whom he is placed on licence or is boarded out a child who has so escaped or knowingly assists in so doing;

he shall on summary conviction be liable to a fine not exceeding two hundred dollars or at the discretion of the Court to be imprisoned for any term not exceeding two months with or without hard labour.

Assisting
escape or
harbouring
escaped
child.

22. The parent of any child who has been found under such circumstances or has committed such an offence as has rendered him, in the opinion of a Magistrate, liable to be dealt with under section 5 of this Ordinance, shall be liable to be prosecuted as for a criminal offence, and shall, if the Magistrate is satisfied that such child has rendered himself liable to be dealt with under the said section, either wholly or in part through the neglect of his parent, be sentenced to pay a fine not exceeding one hundred dollars and, in default of payment, to be imprisoned with or without hard labour for a period not exceeding one month. In case of any loss or damage to any person resulting from such action of the said child as shall have rendered him liable to be dealt with under the said section, the Magistrate may, in his discretion, further direct that the parent of such child shall pay in compensation for such loss or damage a sum not exceeding fifty dollars.

Parent liable
to prosecu-
tion in cer-
tain cases.

Supplementary Provisions.

23. The Governor may, from time to time, appoint, with their consent, fit persons to constitute an Advisory Committee to the Superintendent for periods to be specified in such appointments. Members of the Advisory Committee shall during the period for which they are appointed, from time to time, at frequent intervals, visit the reformatory schools and bring to the notice of the Superintendent anything which they consider deserving of comment, and shall generally assist the Superintendent with their advice on all matters connected with the schools. They shall also assist the Superintendent in finding suitable persons under whose charge to place those children whom it is desired to license to live out of school, or those placed by a Magistrate in charge of the Superintendent for the purpose of their being boarded out and shall help in exercising a constant supervision over such children.

Advisory
Committee.
Duties and
powers.

24. Every officer of a school authorized by the Superintendent to take charge of any child ordered to be detained under this Ordinance, for the purpose of conveying him to or from the school, or of apprehending and bringing him back to the school, in case of his escape or refusal to return, shall for that purpose and while engaged in that duty have all the powers, protection, and privileges of a Police Constable.

Officers to
have in
certain cases
powers of a
constable.

25.—(1.) The production of a copy of the Government Gazette containing a notice of the setting apart of a site and buildings for the purpose of a school, or of any site and buildings having ceased to be a school, shall be sufficient evidence of a site and buildings having been duly set apart as a school or having so ceased, as the case may be.

Evidence.

(2.) A certificate purporting to be signed by the Superintendent or by the master or other person in charge of a school to the effect that the child therein named was duly received into and is, at the date of the signing thereof, detained in the school, or has been otherwise dealt with according to law, shall in all proceedings relating to the child be evidence of the matters therein stated.

(3.) A copy of rules purporting to be the rules of a school and to be signed by the Superintendent shall be evidence of the rules of the school.

(4.) A school to which any child is directed to be sent in pursuance of this Ordinance shall, until the contrary is proved, be deemed to be a Reformatory School under this Ordinance.

- Superintendent may make rules. **26.** The Superintendent may, subject to the approval of the Governor, make rules, consistent with this Ordinance, for the management and discipline of any school.
- Orders and notices. **27.**—(1.) An order or other act of the Governor under this Ordinance may be signified under the hand of the Colonial Secretary.
(2.) Any notice may be served on the Superintendent by being delivered personally to him, or by being sent by post or otherwise in a letter addressed to him at his office.
- Forms. **28.**—The Governor may from time to time prescribe the forms to be used in cases under this Ordinance, and any form so prescribed may be used in the case to which it refers, with such variations as circumstances require, and when used shall be sufficient; but a summons, notice, or order, made for the purpose of carrying into effect the provisions of this Ordinance, shall not be invalid for want of form only.
- Repeal. **29.** Ordinances No. 19 of 1886 and No. 10 of 1889 are hereby repealed.

Passed the Legislative Council of Hongkong, this 29th day of July, 1901.

R. F. JOHNSTON,
Acting Clerk of Councils.

Assented to by His Excellency the Governor, the 7th day of August, 1901.

J. H. STEWART LOCKHART,
Colonial Secretary.

No. 15 OF 1901.

AN Ordinance for the Naturalization of LAU YAT TS'ÜN, alias LAU NG, alias LAU MAN KWONG, alias LAU NG WO, alias LAU HOK WAI.

LS

HENRY A. BLAKE,
Governor.

[7th August, 1901.]

WHEREAS LAU YAT TS'ÜN (劉日泉), alias LAU NG (劉五), alias LAU MAN KWONG (劉文光), alias LAU NG WO (劉五和), alias LAU HOK WAI (劉學偉), a native of Sba Ch'ung (沙冲) village, in the district of San Ui (新會), in the prefecture of Kwong Chau (廣州), in the Province of Kwong Tung (廣東), in the Empire of China, is and has been for the last 34 years one of the managing partners of the Kung Yuen firm carrying on business as Rice Merchants at No. 112 Wing Lok Street, Victoria, in this Colony, and is also a Director of The Po On Marine Insurance and Godown Company Limited of Victoria aforesaid, and has continuously resided in this Colony for over 38 years, and has declared his intention of residing here permanently, and has petitioned to be naturalized as a British subject within the limits of this Colony, and whereas it is expedient that he should be so naturalized:

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

Naturalization of LAU YAT TS'ÜN.

1. LAU YAT TS'ÜN (劉日泉), alias LAU NG (劉五), alias LAU MAN KWONG (劉文光), alias LAU NG WO (劉五和), alias LAU HOK WAI (劉學偉), shall be, and he is hereby, naturalized as a British subject, within this Colony, and shall enjoy therein, but not elsewhere, all the rights, advantages and privileges of a British subject, on his taking the Oath of Allegiance under the Promissory Oaths Ordinance, 1869.

Passed the Legislative Council of Hongkong, this 29th day of July, 1901.

R. F. JOHNSTON,
Acting Clerk of Councils.

Assented to by His Excellency the Governor, the 7th day of August, 1901.

J. H. STEWART LOCKHART,
Colonial Secretary.