

EXEMPTION OF CROWN LEASES FROM OPERATION OF FORESHORES AND SEA BED ORDINANCE, 1901, BILL.—The Acting Attorney General moved the first reading of a Bill entitled An Ordinance to exempt certain Crown Leases and Agreements for Crown Leases and permits granted by the Crown, from the operation of sections 3 and 4 of the Foreshores and Sea Bed Ordinance, 1901.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

WIDOWS AND ORPHANS' PENSION FUND AMENDMENT BILL.—The Acting Attorney General moved the first reading of a Bill entitled An Ordinance to amend the Law relating to the Widows and Orphans' Pension Fund Ordinance (15 of 1900).

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

NATURALIZATION OF HO NGOK LAU BILL.—The Acting Attorney General moved the first reading of a Bill entitled An Ordinance for the Naturalization of HO NGOK LAU, alias HO NGOK, alias HO SAN LAM.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

CLAIMS TO RENT OF LAND IN NEW TERRITORIES BILL.—The Acting Attorney General moved the first reading of a Bill entitled An Ordinance to facilitate the hearing and determination of claims to rent in respect of land in the New Territories.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

DANGEROUS GOODS AMENDMENT BILL.—The Acting Attorney General moved the first reading of a Bill entitled An Ordinance to further amend the Law relating to Dangerous Goods.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

TRAMWAY BILL.—The Acting Attorney General moved the third reading of the Bill entitled An Ordinance for authorizing the Construction of a Tramway within the Colony of Hongkong.

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

TRAMWAYS AMENDMENT BILL.—The Acting Attorney General moved the third reading of the Bill entitled An Ordinance to amend the scope of The Tramways Ordinance, 1883, (No. 6 of 1883), and the Tramways Ordinance Amendment Ordinance, 1883, (No. 18 of 1883).

The Acting Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

ADJOURNMENT.—The Council then adjourned *sine die*.

W. J. GASCOIGNE,

*Officer Administering the Government.*

Read and confirmed, this 4th day of June, 1902.

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

---

### GOVERNMENT NOTIFICATION.—No. 333.

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, 4th June, 1902.

## A BILL

ENTITLED

An Ordinance to amend The Marriage Ordinance,  
(14 of 1875).

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 Marriage Amendment Ordinance, 1902.** Short title.
2. This Ordinance shall be read and construed as one with **The Marriage Ordinance (14 of 1875)** as amended by Ordinance 14 of 1896. Construction.
3. Section 9 of Ordinance 14 of 1875 is hereby amended by striking out the words "Supreme Court House" and by inserting in lieu thereof the words "Registrar General's Office." Amendment of section 9 of Ordinance 14 of 1875.
4. The Registrar General may allow searches to be made amongst all certificates, licences, registers and indices in his possession and give a certified copy of any entry or entries therein, and issue a certificate to the effect that there is no record of a marriage between certain persons named having taken place. Searches to be made and certified copies granted.
5. The Table of Fees in the Schedule to Ordinance No. 14 of 1875 is hereby repealed, and the following New Table substituted in lieu thereof : Provided always that it shall be lawful for the Governor in Council to make such alterations in the said Table as shall be deemed advisable :— Repeal of Table of Fees in Ordinance 14 of 1875, and substitution of new Table.

*Table of Fees.*

Notice of Marriage, .....	Nil.
Certificate of Notice, .....	One dollar.
Search, .....	One dollar.
Certified Copy, .....	One dollar.
Certificate of absence of any record for a period not exceeding ten years, .....	Five dollars.
The same for period exceeding ten years, .....	Ten dollars.
Licence to Registrar General to issue his Certificate, .....	Ten dollars.
Special Licence, .....	Fifty dollars.
Marriage at the Office of the Registrar General, .....	Ten dollars.

6. The words "Marriage Licence" at the head of the licence Form B. in the schedule to Ordinance 14 of 1875 are hereby repealed and the words "Licence to Registrar General to issue Certificate" substituted in lieu thereof. Amendment of heading to Form B.

*Objects and Reasons.*

To meet the drop in the present value of the dollar, and also the fact that the Registrar General's Office is no longer in the same building as the Supreme Court.

To grant powers of search.

To alter a misleading heading.

A. G. WISE,  
*Acting Attorney General.*

## A BILL

ENTITLED

## An Ordinance to release certain premises situate at Victoria in the Colony of Hongkong from a Settlement dated the 31st day of March 1884 and made between MEYER ELIAS SASSOON of the one part and FREDERICK DAVID SASSOON, EDWARD ELIAS SASSOON and the said MEYER ELIAS SASSOON of the other part.

WHEREAS by a Settlement dated the 31st day of March 1884 made between MEYER ELIAS SASSOON of Victoria in the Colony of Hongkong Merchant of the one part and FREDERICK DAVID SASSOON of Victoria aforesaid Merchant EDWARD ELIAS SASSOON of Shanghai in the Empire of China Merchant and the said MEYER ELIAS SASSOON of the other part and registered at the Land Office by Memorial No. 12,914 on the 1st day of April 1884 After

reciting that by a Crown Lease dated the 19th day of May 1866 and made between Her late Majesty Queen Victoria of the one part and CHOW YUEN of the other part Her said Majesty demised unto the said CHOW YUEN his executors administrators and assigns All that piece or parcel of ground therein more particularly described and registered in the Land Office as Inland Lot Number 450 except and reserved as was therein excepted and reserved from the 24th day of December 1865 for the term of 999 years at the rent and subject to the covenants therein reserved and contained and after also reciting that all that portion thereafter more particularly described of the said premises was then vested for the residue of the said term of 999 years in or belonged to the said MEYER ELIAS SASSOON who was desirous of settling the same for the purposes of worship in manner thereafter appearing. It was by the now reciting settlement witnessed that in order to effectuate the said desire and in consideration of the premises the said MEYER ELIAS SASSOON did thereby assign unto the said FREDERICK DAVID SASSOON EDWARD ELIAS SASSOON and MEYER ELIAS SASSOON their executors administrators and assigns all that piece or parcel of ground situate at Victoria aforesaid therein more particularly described and registered in the Land Office as the Remaining Portion of Inland Lot Number 450 together with the buildings thereon then used as a Synagogue for Jewish worship and known as Ohel Leah and together also with all and singular other the erections and buildings thereon and the appurtenances to hold the said premises unto the said FREDERICK DAVID SASSOON EDWARD ELIAS SASSOON and MEYER ELIAS SASSOON their executors administrators and assigns for the residue then to come of the said term of 999 years Subject nevertheless as was therein expressed to be subject nevertheless upon the trusts and with under and subject to the powers provisoes declarations and agreements thereafter declared and contained of and concerning the same that was to say Upon trust that they the said FREDERICK DAVID SASSOON EDWARD ELIAS SASSOON and MEYER ELIAS SASSOON and the Survivors or Survivor of them or the executors or administrators of such Survivor their or his assigns or other the Trustees or Trustee for the time being of those presents [who were all thereafter (and are hereinafter) intended to be referred to by the expression "the Trustees" where that expression was (and is) used] should stand possessed of the said premises during the residue of the said term upon trust to permit and suffer the same premises to be used and enjoyed by the Jewish community of the said Colony of Hongkong as a place of worship at such time or times in such manner and subject to such rules and regulations in writing as the Trustees should in their absolute and uncontrolled discretion from time to time think fit and proper to make and impose with full power and authority to the Trustees to nominate and appoint all such persons for the purpose of carrying out those presents and to do all such acts deeds matters and things and sign and execute all such deeds documents contracts agreements and writings whatsoever as they might consider necessary or advisable And it was by the said Settlement provided (*inter alia*) that the Trustees might in their absolute and uncontrolled discretion at any time or times during the residue of the said term of years sell and absolutely dispose of all or any part or parts of the said premises either together or in parcels and either by Public Auction or private contract and subject to such stipulations as to title or otherwise as they might think fit and might enter into and execute and do all such agreements assurances and things for effectuating any such sale as they should think fit And it was thereby declared (*inter alia*) that the Trustees should at such discretion as aforesaid lay out the money received upon any such sale as aforesaid in the purchase of other lands hereditaments and premises in the said Colony of Hongkong and should settle such lands hereditaments and premises upon such and the like trust and with under and subject to such and the like powers provisoes delarations and agreements as were therein contained of and concerning the hereditaments and premises thereinbefore expressed to be thereby assigned And Whereas by an Assignment dated the 11th day of April 1899 made between the said FREDERICK DAVID SASSOON EDWARD ELIAS SASSOON and MEYER ELIAS SASSOON of the one part and WONG TSUK YAU of the other part and registered at the Land Office by Memorial No. 25,426 on the 20th

day of April 1899 in consideration of the sum of \$14,500 paid by the said WONG TSUK YAU to the said FREDERICK DAVID SASSOON EDWARD ELIAS SASSOON and MEYER ELIAS SASSOON the said FREDERICK DAVID SASSOON EDWARD ELIAS SASSOON and MEYER ELIAS SASSOON did assign unto the said WONG TSUK YAU the said Remaining Portion of Inland Lot No. 450 with the appurtenances for the residue of the said term of 999 years subject as therein mentioned And Whereas by an Assignment dated the 1st day of December 1899 made between SOTHEBY GODFREY BIRD CHARLES LENA MAY and AGNETA ELIZA HUGHES the wife of JOSEPH COLEMAN HUGHES of the one part and ABRAHAM JACOB RAYMOND of the other part and registered at the Land Office by Memorial No. 26,554 on the 11th day of December 1899 in consideration of the sum of \$16,000 paid to the said SOTHEBY GODFREY BIRD (as such administrator as therein mentioned) CHARLES LENA MAY and AGNETA ELIZA HUGHES in the proportions therein mentioned by the said ABRAHAM JACOB RAYMOND the said SOTHEBY GODFREY BIRD (as such administrator as aforesaid) as to one equal undivided third part or share of the premises the said CHARLES LENA MAY as to one other equal undivided third part or share thereof and the said AGNETA ELIZA HUGHES with the concurrence of the said JOSEPH COLEMAN HUGHES as to the remaining equal undivided third part or share thereof did by that deed intended to be acknowledged by the said AGNETA ELIZA HUGHES under or in pursuance of the Married Women's Disposition of Property Ordinance 1885 assign and the said JOSEPH COLEMAN HUGHES as regarded the said share of the said AGNETA ELIZA HUGHES and so far as he lawfully could or might did assign and confirm unto the said ABRAHAM JACOB RAYMOND First all that piece or parcel of ground situate lying and being at Victoria aforesaid therein more particularly described and delineated on the plan thereto annexed and thereon coloured Pink and registered in the Land Office as Section B of Inland Lot No. 577 And Secondly all that piece or parcel of ground situate lying and being at Victoria aforesaid therein more particularly described and delineated on the said plan and thereon coloured Yellow and registered in the Land Office as Section A of Inland Lot No. 589 And Thirdly all that piece or parcel of ground situate lying and being at Victoria aforesaid therein more particularly described and delineated on the said plan and thereon coloured Blue and intended to be (and now) registered in the Land Office as Section A of the Addition to Inland Lot No. 589 Together with all messuages erections and buildings thereon respectively and together with a right of way for the said ABRAHAM JACOB RAYMOND his servants and agents and such persons as he might from time to time authorize over along and upon all that portion of the said Inland Lot No. 577 and of the said Inland Lot No. 589 as was more particularly delineated on the said plan thereto annexed and thereon coloured Green and together also with all other rights and all privileges easements and appurtenances thereto respectively belonging or appertaining or therewith at any time used held occupied or enjoyed and all the estate right title interest property claim and demand of the said SOTHEBY GODFREY BIRD CHARLES LENA MAY and AGNETA ELIZA HUGHES in and to the said thereby assigned premises respectively except and reserved as was therein excepted and reserved To hold the said first secondly and thirdly thereby assigned premises unto the said ABRAHAM JACOB RAYMOND for the respective residues then to come of the therein mentioned respective terms of 999 years subject as therein mentioned And Whereas the said sum of \$16,000 in the said recited Assignment of the 1st day of December 1899 purported to be paid to the said SOTHEBY GODFREY BIRD CHARLES LENA MAY and AGNETA ELIZA HUGHES by the said ABRAHAM JACOB RAYMOND was not the money of the said ABRAHAM JACOB RAYMOND but was and consisted of the said sum of \$14,500 so as aforesaid realised by the sale of the said Remaining Portion of Inland Lot No. 450 and a sum of \$1,500 belonging to the Jewish Community of the said Colony of Hongkong for the purposes of their Synagogue and (so far as regarded the said sum of \$14,500 and the premises purchased therewith) the said ABRAHAM JACOB RAYMOND entered into the said Assignment of the 1st day of December 1899 for and on behalf of and as a Trustee for the said FREDERICK DAVID SASSOON EDWARD ELIAS SASSOON and MEYER ELIAS SASSOON as Trustees of the said settlement of the 31st day of March 1884

but no assurance of the said premises comprised in the same Assignment hath ever been made to the said FREDERICK DAVID SASSOON EDWARD ELIAS SASSOON and MEYER ELIAS SASSOON And Whereas the said FREDERICK DAVID SASSOON EDWARD ELIAS SASSOON MEYER ELIAS SASSOON and ABRAHAM JACOB RAYMOND have requested the Governor to release the said premises comprised in the said Assignment of the 1st day of December 1899 from the Trusts of the said Settlement of the 31st day of March 1884 and have satisfied the Governor that it will be beneficial to the Jewish Community of the said Colony of Hongkong if the same premises are so released :-

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

Release of premises from Settlement.

1. The said Pieces or Parcels of ground messuages erections and buildings right of way and other rights privileges easements and appurtenances and all other (if any) the premises mentioned or comprised in and expressed to be assigned by the hereinbefore recited Assignment dated the 1st day of December 1899 shall henceforth be held possessed and enjoyed by the said ABRAHAM JACOB RAYMOND, FREDERICK DAVID SASSOON, EDWARD ELIAS SASSOON and MEYER ELIAS SASSOON and the Survivors and Survivor of them and the executors or administrators of such Survivor their or his assigns freed released and discharged from the hereinbefore recited Settlement dated the 31st day of March 1884 and from all the trusts powers provisions declarations and agreements in the same Settlement contained.

Reservation of rights of the Crown and others.

2. The powers and privileges given by this Ordinance are so given saving and reserving always the rights of His Majesty His Heirs and Successors and of all bodies politic and corporate and of all other persons and those claiming by from or under Him or them except as is herein otherwise provided.

## A BILL

ENTITLED

An Ordinance for the Naturalization of KU FAI SHAN, alias KU TING KWONG, alias KU PAK TAI, alias KU CHONG TSUNG, alias KU YUK TSING.

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

WHEREAS KU FAI SHAN (古輝山), alias KU TING KWONG (古廷光), alias KU PAK TAI, (古北帶), alias KU CHONG TSUNG (古蒼松), alias KU YUK TSING (古玉清), a native of Ning Mung Po (檸檬埔村) village, in the District of Heung Shan (香山), in the Prefecture of Kwong Chow (廣州), in the Province of Kwong Tung (廣東), in the Empire of China, is the Managing Partner of the Po Lung (寶隆) firm at No. 243 Des Vœux Road, Victoria, in this Colony, and is a Director of the I On Insurance Company, Limited, and Shiu On Steamship Company, Limited, Victoria aforesaid, and has continuously resided and done business in this Colony for the last thirty-two 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 :

Naturalization of KU FAI SHAN.

1. KU FAI SHAN (古輝山), alias KU TING KWONG (古廷光), alias KU PAK TAI (古北帶), alias KU CHONG TSUNG (古蒼松), alias KU YUK TSING (古玉清), 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.

## A BILL

ENTITLED

## An Ordinance to provide for the Incorporation of the Church Body of the Chinese Anglican Church in Hongkong.

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 Chinese Anglican Church Body Incorporation Ordinance, 1902. Short title.

2. In this Ordinance unless the context otherwise requires:— Definition.

“The Bishop” means the Bishop of the Church of England for the time being residing and officiating at Victoria in this Colony: The Bishop.

“Chinese Church Body” means the Church Body of the Chinese Anglican Church in Hongkong constituted as follows: (1) The Bishop, who shall be Chairman; (2) A Vice-Chairman of the Church Body of the Chinese Anglican Church appointed by the Bishop by writing under his hand; (3) All ordained Pastors and Clergy of Chinese race officiating in Chinese Anglican Churches and Chapels in the Colony of Hongkong and its Dependencies with the licence of the Bishop, and all Clergy of non-Chinese race who are acting Pastors of such Churches and Chapels with such licence as aforesaid; (4) The Delegates appointed by the Vestries of the Chinese Churches and Chapels in the Colony of Hongkong and its Dependencies; (5) So long as the Chinese Anglican Church in Hongkong uses buildings belonging in whole or in part to the Society known as the Church Missionary Society, or is dependent on the help of that Society in educational or other work, the Secretary in Hongkong of the Church Missionary Society: Chinese Church Body.

“Vestry” means the Body constituted in manner provided by the Regulations from time to time made and adopted by the Chinese Church Body for the management of each place of worship established by the Chinese Church Body: Vestry.

“Delegates” means the delegates elected by the Vestries in manner provided by the Regulations from time to time made and adopted by the Chinese Church Body. Delegates.

3. A certificate under the hand of the Bishop, or (in the absence of the Bishop from the Colony) of the Vice-Chairman of the Chinese Church Body that any persons therein named are the persons for the time being constituting the Chinese Church Body, or that any Regulations of the Chinese Church Body annexed to such certificate are the Regulations of the Chinese Church Body for the time being in force, shall be accepted for all purposes as sufficient proof of the fact that such persons are the persons constituting such Body, or that such Regulations were duly made and are in force. Proof of the constitution of the Church Body and of its Regulations.

4.—(1.) The Chinese Church Body as constituted from time to time shall be a Body Corporate under the name of “Church Body of the Chinese Anglican Church in Hongkong” (hereinafter referred to as the Corporation). Incorporation.

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

(3.) The Corporation shall have power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and wheresoever situated and also to invest moneys upon mortgage of any lands, buildings, messuages or tenements, or upon the mortgages, debentures, stocks, funds, shares or securities of any corporation or company, and also to purchase, acquire and possess goods and chattels of what nature and kind soever. Power to hold property.

- Power to dispose of property. (4.) The Corporation shall further have power by deed under its seal to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, re-assign, transfer or otherwise dispose of any lands, buildings, messuages, tenements, mortgages, debentures, stocks, funds, shares, or securities, or goods and chattels, which are for the time being vested in or belonging to the Corporation, upon such terms as to the Corporation may seem fit.
- Use of seal. 5. All deeds, documents and other instruments requiring the seal of the Corporation shall be sealed with the seal of the Corporation in the presence of the Bishop, or (in the event of the Bishop being absent from the Colony) of the Vice-Chairman of the Chinese Church Body, and shall also be signed by the Bishop or by such Vice-Chairman, in whose custody the seal shall be kept.
- Saving of rights of Crown, &c. 6. Nothing herein contained shall affect or be deemed to affect the rights of his Majesty the King, his Heirs or Successors, or of any bodies politic or corporate, or other persons except such as are mentioned in this Ordinance and those claiming by, from or under them.

## A BILL

ENTITLED

An Ordinance to provide for and regulate the Supply of Water in the Colony of Hongkong and for the Maintenance and Repair of the Works in connection therewith.

Preamble. WHEREAS large sums have from time to time been expended and may hereafter be expended in the establishment and maintenance of water-works to secure a proper and adequate supply of water for the inhabitants of the Colony and it is expedient to provide for and regulate the supply of water from such works as well as the maintenance and repairs of all works in connection therewith and also to make provision for the payment of all such sums as aforesaid not otherwise provided for and for the repayment of any loans in connection therewith and of the interest to accrue thereon:

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 Water-works Consolidation Ordinance 1902.

Interpretation. 2. In this Ordinance and in any Regulations made thereunder unless there be something in the context repugnant to or inconsistent with such construction, the following words and expressions shall have or shall include the meanings respectively set against them, viz.:—

*Colony.*—The Colony of Hongkong and its dependencies, including the New Territories as defined by section 2 of Ordinance 30 of 1900.

*Water-works.*—All reservoirs, dams, weirs, tanks, cisterns, tunnels, filter beds, conduits, aqueducts, mains, pipes, fountains, sluices, valves, pumps, steam engines, and all other structures or appliances used or constructed for the storage, conveyance, supply, measurement or regulation of water which are so used or have been constructed by or on behalf of the Government and are the property thereof or which shall hereafter be used or constructed by the Water Authority.

*Water Authority.*—The Director of Public Works or such other person or persons or body corporate as the Governor-in-Council may from time to time appoint to manage or supervise the water-works or water supply of the Colony.

*Service.*—All pipes, valves, cisterns, cocks, fittings, and other appliances (excepting any meter as hereinafter defined) by or through which water flows or is intended to flow from the water-works or which are or may be used for the purpose of supplying any tenement from the water-works and which service is the property of the owner or occupier of such tenement.

*Public fountain.*—Any fountain, stand-post, valve, tap or appliance used or intended to be used for or in connection with the supply of water to the public from the water-works and erected or hereafter to be erected by the Water Authority and which is the property of the Government.

*Meter.*—Any appliance used to measure ascertain or regulate the amount of water taken or used from the water-works by means of any service as well as any orifice or gauge or other appliance used in estimating the flow of water in or from any part of the water-works.

*Owner.*—The holder of any tenement direct from the Crown whether under lease, licence or otherwise or the immediate landlord of any tenement or the agent of any such holder or landlord who is absent or under disability or if there is no such agent the occupier of the tenement.

*Tenement.*—Any land with or without buildings which is held or occupied as a distinct or separate holding or tenancy or any wharf or pier in the waters of the Colony.

*Excess Consumption.*—Any quantity of water ascertained by meter as having been used in a tenement in excess of a quarterly allowance, which, at 50 cents per 1,000 gallons, would be equal to  $\frac{1}{3}$  per centum on the Rating Valuation of the said tenement.

*Gathering ground.*—Any surface of land or otherwise which collects the rainfall for the purposes of the water-works.

*General rates.*—Rates determined pursuant to the Rating Ordinance No. 8 of 1901 or by any Resolution of the Legislative Council under section 31 of such Ordinance.

#### *Custody of Waterworks.*

3. The Water Authority shall have the custody and administration of the water-works and of the water therein and the management of the supply or distribution of such water subject however to the general authority of the Governor.

Custody and administration of water-works.

4. The Governor-in-Council shall appoint suitable officers to carry out the provisions of this Ordinance, such officers to be under the control of the Water Authority, subject however to the general authority of the Governor.

Appointment of officers.

#### *Powers of Water Authority.*

5. It shall be lawful for the Water Authority to disconnect the service to any tenement and to refuse to reconnect the same unless the owner shall give an undertaking to pay quarterly to the Colonial Treasurer the amount due for excess consumption and for meter rent as ascertained in accordance with the provisions of any Regulations made hereunder. If any owner declines or neglects to give such undertaking within a period of fourteen days from the date of notice in writing to that effect having been served on such owner by the Water Authority or such extended period as may be conceded by the Water Authority it shall be lawful for the said Water Authority to disconnect the service of the said tenement as aforesaid: Provided always that the said Water Authority shall not disconnect any such service as aforesaid until in his opinion there shall be established an adequate provision of public fountains.

Power to disconnect services.

6. It shall be lawful for the Water Authority or any person duly authorized in writing by him at any time between the hours of 6 a.m. and 6 p.m. or in the case of urgency at any other time for the purposes hereinafter mentioned to enter into and upon any tenement into or upon which any service has been laid or into or upon which water from the water-works is supplied or flows.

Powers of entry.

- (1.) To inspect any service and to ascertain whether there is any waste, leakage, obstruction or damage to any service or meter therein and anything in connection therewith contrary to the provisions of this Ordinance or any Regulations made thereunder.
- (2.) To regulate, repair, alter or make additions to any service or meter.



(3.) To read or take the register of any meter for the purpose of ascertaining the amount of water taken or used.

(4.) To disconnect the service of water to any tenement or to diminish, withhold or suspend, stop, turn off or divert the supply of water to any tenement through or by means of any service either wholly or in part.

Power to suspend, etc., supply of water.

7. It shall be lawful for the Water Authority to diminish, withhold or suspend, stop, turn off or divert the supply of water through or by means of any service or public fountain either wholly or in part or whenever such Water Authority may think fit and without prejudice to any water rate, meter rent or other sums due or to become due under this Ordinance or any Regulations made thereunder:—

(1.) Whenever the available supply of water from the water works shall in the opinion of the Water Authority be insufficient; or

(2.) Whenever it may be expedient or necessary for the purpose of extending, altering or repairing the water-works or for the purpose of the connection of services; or

(3.) Whenever any public fountain is damaged or the waters thereof are polluted or wasted and the person by whose act, neglect or default such damage, pollution or waste has occurred cannot be found; or

(4.) If the construction or laying of any service by the owner of any tenement is not made, altered or readjusted in accordance with the provisions of this Ordinance or any Regulations made thereunder; or

(5.) If default be made in the payment of any moneys due under this Ordinance or any Regulations made thereunder from the owner of any tenement, or so long as such default continues or at the request of the owner of the tenement; or

(6.) In case of fire; or

(7.) If any act or thing be done or omitted contrary to the provisions of this Ordinance or any Regulations made thereunder in relation to any damage, waste, pollution or abuse of the water-works or any service meter or public fountain.

Power to construct fountains in private streets.

8. It shall be lawful for the Water Authority to construct public fountains and connections with the mains in or over any lane or street over land held under lease from the Crown.

#### *Construction of Services.*

Construction and connection of services.

9. It shall be lawful for all persons owning or occupying any tenement to construct services for the supply of water from the water-works. The construction of the service and the nature, size and quality of the materials and fittings shall be in accordance with the provisions of any Regulations made hereunder and on the completion of the service to the satisfaction of the Water Authority it shall be connected by the Water Authority to the water-works subject to payment of the fee specified for such connection in the aforesaid Regulations and to the owner giving an undertaking in the form specified in section 5.

Provided always that in the case of Chinese houses situate outside the City of Victoria or situate in Kowloon or the New Territories the Water Authority shall be under no obligation to connect the service with the water-works where in the opinion of the Water Authority there is an adequate provision of public fountains.

Expenses by whom borne.

10. The expenses of constructing, altering or readjusting all services shall be borne by the owner of the tenement to which such services are laid.

Services may be constructed by Water Authority, Costs thereof.

11. The Water Authority may in his discretion construct, alter and repair any service at the request of the owner or occupier and on completion thereof the person so requesting shall pay the cost and expenses thereof at such time and place as may be prescribed by any Regulations made under this Ordinance.

Stop-cocks and connections to be the property of the Government.

12. In the case of any existing service or of any service that may hereafter be constructed, the stop-cock and length of piping between such stop-cock and the main shall be the property of the Government.

*Meters.*

13. Water will only be supplied to any tenement in the Colony through any service, provided it is measured by meter. Such meter shall be kept in repair by the Water Authority.

Water only supplied by meter.

14. All payments for excess consumption shall be final and no person shall be entitled to set off an excess consumption in one quarter against a less amount used in any other quarter.

Payments for excess consumption to be final.

15. Any sum of money paid by any person before the passing of this Ordinance for connecting to the water-works a service for the supply of water or for fixing meters shall be deemed to have been legally and properly paid by such person and no action or other proceeding whatever shall lie for the recovery of any such sum.

No action to lie for sums previously paid.

*Water Account.*

16. All moneys received under the authority of this Ordinance or which under the authority of sections 29 and 31 of Ordinance 8 of 1901 may be disposed of to defray the expenses of the water supply shall be carried to the credit of an account which shall be kept by the Water Authority and be called the Water Account and such moneys shall be disposed of to defray all or any of the expenses of or in connection with or for the maintenance and repair of the water-works or for the future extension thereof or in or towards the payment of all or any sums of money expended and remaining unpaid or to be expended in respect thereof or in the payment of any existing or future loan or any portion thereof or the interest accruing thereon or for the formation of a reserve fund for the purpose of meeting the cost of extensions of the water works or if so resolved by the Legislative Council to purposes connected with sanitation.

Water account. Application thereof. Reserve fund, etc.

All sums so disposed of shall be debited to the Water Account and a balance sheet of the Water Account shall be laid before the Legislative Council and published annually in the Gazette.

*Gathering Grounds.*

17. As soon as practicable after the passing of this Ordinance the Governor shall cause the limits or areas of all gathering grounds of the then existing water-works to be marked out and defined by boundary stones or in some conspicuous and permanent manner and thereafter no land not then already leased by the Crown shall be granted, demised or sold within such limits or areas for any purpose whatsoever. A map showing clearly such limits and areas shall be made and kept for public reference in the office of the Water Authority.

Demarcation of gathering grounds.

18. Whenever the Governor in Council decides that a gathering ground is required for the purpose of extending or augmenting the water supply of the Colony the Water Authority shall cause the limits or area thereof to be marked out, defined and mapped as in the last preceding section and thereafter no land not then already leased by the Crown shall be granted, demised or otherwise disposed of within such limits or area for any purpose whatsoever except upon the express condition that such land may be resumed by the Crown at any time upon three years' notice of such intention having been first given to the owner thereof without any compensation whatever for such resumption.

Reservation of gathering ground.

*Recovery of Moneys.*

19. All moneys other than penalties or fines payable or recoverable under this Ordinance or any Regulations made thereunder shall be recoverable at the suit of the Colonial Treasurer in the summary jurisdiction of the Supreme Court together with interest thereon at a rate not exceeding eight per centum per annum and any judgment given or order made shall be enforced in the same manner in which any judgment or order may be enforced in any other action in the Supreme Court.

Recovery of moneys.

20. In any such action a certificate under the hand of the Water Authority that any sum of money is due shall in the absence of evidence to the contrary be conclusive evidence of such debt and of the non-payment thereof.

Proof of moneys due.

*Regulations.*

21. It shall be lawful for the Governor-in-Council from time to time to make, alter and repeal Regulations for the

Government Regulations.

better carrying out of the provisions of this Ordinance in respect of all or any of the following matters, viz. :—

- (1.) The price of water supplied by meter such price not to exceed 50 cents per 1,000 gallons.
- (2.) The method and manner in which water may be taken from the public fountains.
- (3.) The amount of rent to be paid for meters.
- (4.) The price to be paid for all services constructed or laid by the Water Authority.
- (5.) The time, and place for the payment of all moneys due or to become due under this Ordinance or under any Regulations made thereunder.
- (6.) The suspension of the water supply.
- (7.) The construction, laying, fitting, alteration or readjustment of services and the nature, quality, size and pattern thereof and of meters used therewith.
- (8.) The prevention of waste of water.
- (9.) The duties of the officers and servants of the Water Authority, their proper behaviour and conduct and the means of summarily enforcing the same if necessary by penalties not exceeding in any case \$25 for neglect of duty.
- (10.) The forms of all notices required to be given or sent under this Ordinance and the issuing and service thereof.
- (11.) In respect of all such other matters not hereinbefore specifically mentioned as may conduce to the better and more effective carrying out of this Ordinance.

No such Regulations nor any alterations or repeal thereof shall have any force or effect until they have been published in the Gazette.

#### *Offences and Penalties.*

Injury, pollution, etc.

**22.** Whoever shall wilfully and negligently injure the water-works, public fountains, services or meters or shall unlawfully draw off, divert or take water from the same or from any streams or waters by which the water-works are supplied and whoever shall pollute any such water or shall allow any foul liquid gas or other noxious or injurious matter to enter into the water-works or any services connected therewith shall for every such offence be liable to a penalty not exceeding \$100 and a further penalty not exceeding \$5 for each day whilst the offence continues.

Waste, etc.

**23.** Any person who shall wilfully or negligently misuse or waste or cause or allow to be misused or wasted any water passing into, through or upon or near any tenement from the water-works shall be liable to a penalty not exceeding \$25. The liability to such penalty shall not prejudice the remedy by suspension of supply or otherwise as provided by section 7 of this Ordinance.

Altering service.

**24.** Every person who shall alter or cause or permit to be altered any service without the consent of the Water Authority or contrary to any Regulations made hereunder shall be liable to a penalty not exceeding \$50.

Fraudulent measurement.

**25.** Whoever shall alter or cause or permit to be altered any service with intent to avoid the accurate measurement or register of water by means of any meter or to obtain a greater supply of water than he is entitled to and to avoid payment therefor or who shall wilfully or negligently injure any meter shall be liable to a penalty not exceeding \$200 and any service so altered or meter so injured shall be replaced or repaired by the Water Authority at the expense of the person convicted and may be recovered upon the order of a Magistrate in the same manner as any penalty herein provided may be recovered upon conviction.

Foul accumulation of earth.

**26.** Whoever shall put or allow to be put or to remain or to accumulate on any tenement occupied or owned by him or his servants or who shall not remove or cause to be removed or take such steps as may be necessary to prevent upon notice in writing from the Water Authority any foul, noisome or injurious matter or any earth deposit or excavated material in such manner or place that it may be washed, fall or be carried into the water-works or the gathering grounds thereof shall be liable to a penalty not exceeding \$100 and for every day during which such matter, earth, deposits or excavated materials are allowed to remain after notice in writing from the Water Authority requiring the same to be removed a further penalty of \$10 per diem.

**27.** Any person—

- (1.) who bathes in any part of the water-works; or Bathing, washing, etc.
- (2.) who washes, throws or causes to enter therein any horse, dog, goat, pig or any other animal or any clothes, material or thing; or
- (3.) who wrongfully opens or closes any cock, valve, sluice belonging to the water works;
- shall be liable to a penalty not exceeding \$100.

**23.** All breaches of any Regulations made under this Ordinance the penalty for which is not otherwise hereby specially provided shall be punishable by penalties not exceeding \$25. Penalties for breaches not otherwise provided for.

**29.** All penalties under this Ordinance or any Regulations made thereunder may be recovered on summary conviction before a Magistrate and shall be in addition to any other remedy or proceeding whether civil or criminal which may be taken pursuant to any statute Ordinance or law now or hereafter in force in the Colony. Recovery of penalties.

**30.** The references to Ordinance No. 16 of 1890 in Ordinance No. 8 of 1901 shall be deemed to be references to this Ordinance. Explanation.

**31.** The Ordinances mentioned in the first Schedule hereto to the extent mentioned in the second column of such Schedule are hereby repealed, but such repeal shall not affect anything lawfully done or suffered thereunder nor be taken to revive any Ordinance thereby repealed. Repeals.

## SCHEDULE 1.

*Enactments repealed.*

Number and Year of Ordinance.	Short Title.	Extent of Repeal.
No. 16 of 1890.	The Waterworks Ordinance, 1890.	The whole.
No. 5 of 1892.	The Waterworks Amendment Ordinance, 1892.	The whole.
No. 6 of 1895.	The Waterworks Amendment Ordinance, 1895.	The whole.
No. 19 of 1897.	The Waterworks Ordinance, 1897.	The whole.
No. 30 of 1898.	The Waterworks Ordinance, 1898.	The whole.

*Objects and Reasons.*

To amend and consolidate the existing law as to the supply of water in the Colony with a view to prevent a recurrence of the late water famine by regulating such supply and reducing waste to a minimum.

It is proposed to effect these objects by enacting that in the case of every tenement supplied with water from the water-works such supply shall be regulated by meter and that excess consumption (as defined under section 2 of this Ordinance) shall be paid for by the owner or occupier.

In the case of tenements not supplied from the water-works public fountains will be erected at suitable places to meet such demand.

As the waste principally occurs in Chinese tenement houses and the cost of excess consumption in nine cases out of ten will have to be paid by the owner, it is conceived that such owners will elect to disconnect their services and allow their tenants to have recourse to the public fountains, a system which used to be universal in the case of such tenements. At the same time any person who prefers to be connected can be so.

Provision is made for conferring on the Water Authority the necessary powers to enable him to carry out the above-mentioned proposals.

A. G. WISE,  
*Acting Attorney General.*

## A BILL

ENTITLED

## An Ordinance to further amend The Pawnbrokers Ordinance, No. 3 of 1860.

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 Pawnbrokers Amendment Ordinance, 1902.

Construction. 2. This Ordinance shall be read and construed as one with The Pawnbrokers Ordinance No. 3 of 1860 as amended by Ordinances No. 4 of 1892 and No. 10 of 1890.

Amendment of sec. 3 of Ordinance 3 of 1860. 3. Section 3 of the Pawnbrokers Ordinance No. 3 of 1860 is hereby amended by adding the following paragraph to the end thereof, viz.:—

“All such fees payable under the said section or any Regulations made thereunder shall be paid in advance: Provided always that if any licensee is unwilling to pay the whole fee in advance it shall be lawful for him to pay in quarterly instalments in advance on finding security for such instalments to the satisfaction of the Registrar General.”

Repeal of sec. 7 of Ordinance 3 of 1860 and substitution therefor. Interest on loans. 4. Section 7 of Ordinance No. 3 of 1860 is hereby repealed and the following section is substituted in lieu thereof:—

“Over and above the principal moneys lent upon any goods pawned or pledged with the lender he may demand receive and take from the person applying to redeem the said goods before redelivering the same, interest after the following rates:—

	1st month.	Succeeding months.
“On any sum not exceeding 5 taels, ..	8%	3%
“Exceeding 5 and under 10, .....	5%	3%
“Exceeding 10 and under 30, .....	3%	2%
“Exceeding 30 and under 100, .....	2%	2%
“Exceeding 100, .....	2%	1½%

“Provided always that special rates may be charged for cotton quilts, shoes, leather trunks, copper, iron, lead, tin, gold and silver watches, jade and precious stones.

“Such principal moneys and interest shall be taken in full satisfaction of all charges for or incident to the loan to which the same relate: Provided also that the first month's interest shall be deemed to be due on the first day of the first month and may be deducted from the amount of loan agreed upon.”

A list of rates to be exposed in the shop. 5. Every such lender shall expose in a conspicuous place in his shop a list of the rates chargeable under the last section, in English and Chinese, such list to be furnished by the Registrar General.

Penalty. Every lender failing to expose such list as aforesaid, shall be liable to a penalty not exceeding fifty dollars together with the forfeiture of his licence if considered necessary.

Repeal of sec. 15 of Ordinance 3 of 1860 and substitution therefor. Unredeemed goods to become the property of lender. 6. Section 15 of Ordinance No. 3 of 1860 is hereby repealed and the following section is substituted in lieu thereof:—

“Subject to the provisions hereinbefore contained goods pawned as aforesaid shall from and after the expiration of eight months in Hongkong and Kowloon including New Kowloon and twelve months in the rest of the Colony if the same are still unredeemed, become and be the property of the lender or his representatives absolutely.”

*Objects and Reasons.*

This is an amending Ordinance providing—

Section 3. That all fees shall be payable yearly in advance, but allowing licensees under certain circumstances to pay quarterly.

Section 4. Amending the rates of interest.

Section 6. Altering the time at the expiration of which the goods pawned shall become the property of the lender, and in the case of the New Territory assimilating it to the time already prescribed in the neighbouring Chinese province.

A. G. WISE,  
Acting Attorney General.