

By-law made under section 16 of the Public Health and Buildings Ordinance, 1903, on 4th September, 1930.

Notification under The Liquors Consolidation Ordinance, 1911.

Declaration under the Merchant Shipping Ordinance, 1899, Ordinance No. 10 of 1899, Table L, Quarantine Regulations, on 9th September, 1930.

Regulation made by the Governor in Council under section 39 (8) of the Merchant Shipping Ordinance, 1899, on 30th August, 1930.

Order made by the Governor in Council under section 12 of the Rope Company's Tramway Ordinance, 1901, on 5th September, 1930.

Regulations made by the Governor in Council under section 3 (2) of the Electricity Supply Ordinance, 1911, on 9th September, 1930.

Rescission of the Order made by the Governor in Council under the Merchant Shipping Ordinance, 1899, on 16th September, 1930.

Notification re General Bonded Warehouses.

Regulation made by the Governor in Council under section 3 of the Live Stock Import and Export Ordinance, 1903, on 23rd September, 1930.

Order made by the Governor in Council under section 7 of the Rating Ordinance, 1901, on 23rd September, 1930.

Administration Reports, 1929 :—

Part III.—Public Health :—

Report of the Head of the Sanitary Department.

#### REPORT OF THE FINANCE COMMITTEE.

4. The Colonial Secretary laid on the table the Report of the Finance Committee (No. 12), dated the 4th September, 1930, and moved its adoption.

The Colonial Treasurer seconded.

Question—put and agreed to.

#### MOTIONS.

5. The Colonial Secretary addressed the Council and moved the following resolutions :—

(a) That this Council approves the construction of Piers at Jubilee Street and Jordan Road in connection with the institution of a Ferry service which will include the transport of vehicles at an estimated total cost of \$1,300,000.

(b) That this Council authorises the sum of \$100,000 out of the said sum of \$1,300,000 to be charged to a future loan and sanctions an advance of this sum of \$100,000 during the financial year 1930 from the surplus balances of the Colony.

The Colonial Treasurer seconded.

Question—put and agreed to.

6. The Colonial Secretary addressed the Council and moved the following—

That the By-laws made by the Sanitary Board under section 16 of the Public Health and Buildings Ordinance, 1903, on the 19th day of August, 1930, be adopted.

The Attorney General seconded.

Question—put and agreed to.

7. The Hon. Mr. R. H. KOTEWALL, C.M.G., addressed the Council and moved the following resolution:—

That in the opinion of this Council steps should be taken by this Government to institute Juvenile Courts where offenders under the age of sixteen can be separately tried with a view to the early establishment of some training institutions where such offenders can be segregated after conviction.

The Hon. Mr. J. OWEN HUGHES seconded.

Question—put and agreed to.

8. *Gambling Amendment Bill*.—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Gambling Ordinance, 1891.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

9. *Life Insurance Companies Amendment Bill*.—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Life Insurance Companies Ordinance, 1907.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

10. *Fire and Marine Insurance Companies Deposit Amendment Bill*.—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Fire and Marine Insurance Companies Deposit Ordinance, 1917.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

11. *Colonial Treasurer Incorporation Bill*.—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to incorporate the Colonial Treasurer.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

12. *Pawnbrokers Bill*.—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the law relating to pawnbrokers.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

13. *Criminal Procedure Amendment Bill*.—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Criminal Procedure Ordinance, 1899.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

14. *Public Health and Buildings Amendment Bill.*—The Attorney General addressed the Council and moved the First reading of a Bill intituled “An Ordinance to amend the Public Health and Buildings Ordinance, 1903.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a first time.

15. *Appropriation Bill for 1931.*—The Colonial Secretary addressed the Council and moved the First reading of a Bill intituled “An Ordinance to apply a sum not exceeding Twenty-three million three hundred and sixty-five thousand three hundred and thirty-five Dollars to the Public Service of the year 1931.”

The Colonial Treasurer seconded.

Question—put and agreed to.

Bill read a first time.

16. *Pilots Bill.*—The Attorney General moved the Second reading of the Bill intituled “An Ordinance to provide for and regulate the employment of pilots.”

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

On Council resuming, the Attorney General reported that the Bill had passed through Committee without amendment and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

ADJOURNMENT.

17. The Council then adjourned until Thursday, the 16th day of October, 1930.

W. PEEL,  
*Governor.*

Confirmed this 16th day of October, 1930.

E. W. HAMILTON,  
*Deputy Clerk of Councils.*

**No. 639.**—His Excellency the Governor has given his assent, in the name and on behalf of His Majesty the KING, to the following Ordinances passed by the Legislative Council:—

Ordinance No. 12 of 1930.—An Ordinance to amend the Gambling Ordinance, 1891.

Ordinance No. 13 of 1930.—An Ordinance to amend the Life Insurance Companies Ordinance, 1907.

Ordinance No. 14 of 1930.—An Ordinance to amend the Fire and Marine Insurance Companies Deposit Ordinance, 1917.

Ordinance No. 15 of 1930.—An Ordinance to incorporate the Colonial Treasurer.

Ordinance No. 16 of 1930.—An Ordinance to amend the law relating to pawnbrokers.

Ordinance No. 17 of 1930.—An Ordinance to amend the Criminal Procedure Ordinance, 1899.

Ordinance No. 18 of 1930.—An Ordinance to amend the Public Health and Buildings Ordinance, 1903.

**HONG KONG.**

No. 12 OF 1930.

I assent.

(L.S.)

W. PEEL,  
*Governor.*

17th October, 1930.

An Ordinance to amend the Gambling Ordinance, 1891.

[17th October, 1930.]

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

1. This Ordinance may be cited as the Gambling Amendment Ordinance, 1930.

2. Section 2 of the Gambling Ordinance, 1891, is amended by the insertion after the word "contest" in paragraph (f) thereof of the words :—

other than sweepstakes conducted in accordance with the provisions of section 18 of this Ordinance,

3. The following new section shall be inserted in the Short title. Gambling Ordinance, 1891, as section 18 thereof :—

Club sweepstakes on horses and pony races.	18.—(1) Ordinary social or sporting clubs in the Colony may, with the approval in writing of the Inspector General of Police, conduct sweepstakes on horse or pony races provided that the following conditions are observed :—	Amendment of Ordinance No. 2 of 1891, s. 2.
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(a) Not less than ninety per cent., or in the case of a club organising the race not less than eighty per cent. of the total subscription shall be devoted to prizes for the subscribers.

(b) Except in the case of pari-mutuel or cash-sweep tickets sold by the club organizing the race on the premises of the race course during the meeting at which the race takes place to persons attending such meeting, no tickets shall be sold ; but, subject to the provisions of sub-section (2), the chances shall be allocated only to members or subscribers of the club conducting the sweepstakes, who shall sign their names to numbers on lists in the premises of the club to which they belong.

(c) No hawking of chances or advertisements of the sweepstakes shall be permitted.

(2) Ordinary social or sporting clubs in the Colony may with like approval and subject to the like conditions provide lists of numbers for their members and subscribers as agents for any other approved club or clubs, whether within the Colony or elsewhere.

Passed the Legislative Council of Hong Kong, this 16th day of October, 1930.

E. W. HAMILTON,  
*Deputy Clerk of Councils.*

HONG KONG.

No. 13 OF 1930.

I assent.



W. PEEL,  
*Governor.*

17th October, 1930.

An Ordinance to amend the Life Insurance  
Companies Ordinance, 1907.

[17th October, 1930.]

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

Short title.      **1.** This Ordinance may be cited as the Life Insurance Companies Amendment Ordinance, 1930.

Amendment of Ordinance No. 11 of 1907, s. 3.      **2.** Section 3 of the Life Insurance Companies Ordinance, 1907, is amended by the addition of the following sub-section at the end thereof :—

- (8) For the purposes of this Ordinance the office of Registrar shall have perpetual succession. All securities, other than bank deposits in the name of the Official Trustee, which are or may be deposited with the Registrar under this Ordinance shall be deemed to be vested in the Registrar for the time being and the person for the time being performing the duties of the office shall have power to deal with the legal estate without any further transfer or conveyance.

Passed the Legislative Council of Hong Kong, this  
16th day of October, 1930.

E. W. HAMILTON,  
*Deputy Clerk of Councils.*

HONG KONG.

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No. 14 OF 1930.

I assent.



W. PEEL,  
*Governor.*

17th October, 1930.

An Ordinance to amend the Fire and Marine  
Insurance Companies Deposit Ordinance,  
1917.

[17th October, 1930.]

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

1. This Ordinance may be cited as the Fire and Short title.  
Marine Insurance Companies Deposit Amendment  
Ordinance, 1930.

2. Section 5 of the Fire and Marine Insurance Amendment  
Companies Deposit Ordinance, 1917, is amended by of Ordinance  
the addition of the following sub-section at the end No. 32 of  
thereof :— 1917, s. 5.

- (7) For the purposes of this Ordinance the  
office of Registrar of Companies shall have  
perpetual succession. All moneys and  
securities which are or may be deposited  
with the Registrar of Companies under this  
Ordinance shall be deemed to be vested in  
the Registrar of Companies for the time  
being, and the person for the time being  
performing the duties of the office shall  
have power to deal with the legal estate  
without any further transfer or convey-  
ance.

Passed the Legislative Council of Hong Kong, this  
16th day of October, 1930.

E. W. HAMILTON,  
*Deputy Clerk of Councils.*

HONG KONG.

No. 15 OF 1930.

I assent.



W. PEEL,  
Governor.

17th October, 1930.

An Ordinance to incorporate the Colonial Treasurer.

[17th October, 1930.]

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

**1.** This Ordinance may be cited as the Colonial Treasurer Incorporation Ordinance, 1930.

**2.** The person for the time being performing the duties of the office of Colonial Treasurer shall be a corporation sole (hereinafter called the corporation), and shall have the name of "The Colonial Treasurer Incorporated", and by that name shall have perpetual succession, with a capacity to acquire, whether as purchaser, mortgagee, or otherwise, and hold in that name lands, Government securities, shares in any public company, debentures, stocks, funds, securities for money, and real and personal property of every description, to sue and be sued, to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, reconvey, reassign, transfer, or otherwise deal with and dispose of any property of any nature whatsoever, to execute deeds, using an official seal, to enter into engagements binding on himself and his successors in office, and to do all other acts necessary or expedient to be done in the execution of the duties of his office.

**3.** Notwithstanding any change in the occupant of the corporation, whether on account of death, departure on leave, return from leave, temporary employment elsewhere, resumption of duties, new appointment, or other cause whatsoever, and notwithstanding the nature of the property or rights, all property and rights whatsoever, transferred to the corporation, or to any occupant of the corporation as such, in any manner whatsoever, shall vest or remain vested in the corporation so as to be capable of being dealt with by the occupant of the corporation for the time being, and shall not vest in any occupant in his natural or personal capacity or pass to the personal representative of any occupant.

**4.** Any deed purporting to be sealed with the said official seal and to be signed by the occupant of the corporation for the time being, and any other documents, instruments and writings purporting to be so signed, shall be receivable in evidence of the particulars stated in such document.

Short title.

Incorporation of the Colonial Treasurer, and powers. 39 & 40 Vict. c. 18, s. 1.

Property and rights transferred to corporation to vest or remain vested in corporation and not to pass to personal representative of occupant.

Deeds, &c. to be receivable in evidence. 39 & 40 Vict. c. 18, s. 1.

5. If any question arises as to who is, or was at any time, the occupant of the corporation for the time being, a certificate under the hand of the Colonial Secretary shall be conclusive evidence for all purposes whatsoever as to the person who is or was the occupant. Evidence as to the identity of the occupant of the corporation.

6.—(1) Where, at any time, by reason of the death of any person, being a person to whom, as Governor or as an officer of the Government of this Colony, any property of any nature whatsoever has been transferred for and on behalf of the said Government, the legal estate or any interest in such property has passed or passes on such death to the personal representative of such person, it shall be lawful for the Governor, at any time, to declare such legal estate or interest vested in the corporation, and thereupon such legal estate or interest shall vest accordingly without any conveyance, assignment or transfer. Vesting of legal estate or interest in corporation in certain cases.

(2) In like manner where, at any time, the legal estate or any interest in any property of any nature whatsoever is held or possessed, for and on behalf of the said Government, by any person who, having held office in the Colony as a Governor or as a Government officer, has vacated his office otherwise than by death, it shall be lawful for the Governor, at any time, to declare such legal estate or interest vested in the corporation, and thereupon such legal estate for interest shall vest accordingly without any conveyance, assignment or transfer.

(3) A certificate under the hand of the Colonial Secretary shall be conclusive evidence for all purposes whatsoever as to the interest of the Government of this Colony, as to any such death or vacating of office, as to the making by the Governor of any such declaration, and as to the vesting of the legal estate or interest in the property therein mentioned in the corporation.

Passed the Legislative Council of Hong Kong, this 16th day of October, 1930.

E. W. HAMILTON,  
*Deputy Clerk of Councils.*



HONG KONG.

No. 16 of 1930.

I assent.

(L.S.)

W. PEEL,  
*Governor.*

17th October, 1930.

An Ordinance to amend the law relating to  
pawnbrokers.

[17th October, 1930.]

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

- Short title.** 1. This Ordinance may be cited as the Pawnbrokers Ordinance, 1930.
2. In this Ordinance:—
- Interpreta-  
tion.** (a) "Month" means a Chinese moon.
- (b) "Pawnbroker" includes every person who carries on the business of taking goods and chattels in pawn, or who purchases, receives, or takes in any goods or chattels, and pays money for or advances money upon the same, with or under any undertaking, agreement or condition, express, implied or reasonably to be inferred from the nature or character of the dealing or the usage in respect thereof, that the said goods or chattels in whole or in part may be afterwards redeemed or repurchased upon any terms whatsoever.
- Regulations.** 3.—(1) It shall be lawful for the Governor in Council to make regulations for the following purposes:—
- (a) for prescribing the conditions under which pawnbrokers licences shall be granted or renewed or revoked;
  - (b) for prescribing the fees to be paid for such licences and for the renewal of such licences;
  - (c) for prescribing the forms of such licences;
  - (d) for prescribing the books and documents to be kept by pawnbrokers, and the particulars to be noted therein;
  - (e) for prescribing and altering the maximum rates of interest to be charged by pawnbrokers;
  - (f) for prescribing and limiting the number of pawnbrokers shops that may be allowed in any area;
  - (g) for prescribing the form of the pawnticket and the particulars to be stated therein;
  - (h) for prescribing the forms to be used under the Ordinance;

- (i) for prescribing the hours during which the business of pawnbroking may be carried on ;
- (j) for the storage and safe keeping of pledges ; and
- (k) generally for more effectively carrying out the provisions of this Ordinance.

(2) All regulations made under this Ordinance shall be laid on the table of the Legislative Council at the first meeting thereof held after the publication in the Gazette of the making of such regulations, and if a resolution is passed at the first meeting of the Legislative Council held after such regulations have been laid on the table of the said Council resolving that any such regulation shall be rescinded, or amended in any manner whatsoever, the said regulation shall, without prejudice to anything done thereunder, be deemed to be rescinded or amended, as the case may be, as from the date of publication in the Gazette of the passing of such resolution.

(3) The regulations in the Schedules shall be in force, as if made by the Governor in Council, until rescinded by the Governor in Council.

4. For the purposes of this Ordinance anything done or omitted by the servant or agent of a pawnbroker in the course of or in relation to the business of the pawnbroker shall be deemed to be done or omitted (as the case may be) by the pawnbroker ; and anything by this Ordinance authorised to be done by a pawnbroker may be done by his servant, or agent.

Servant,  
agent, etc., of  
pawnbrokers.

5. The rights, powers, and benefits by this Ordinance reserved to and conferred on pawners shall extend to and be deemed to be reserved to and conferred on the assigns of pawners, and to and on the executors or administrators of deceased pawners ; but any person representing himself to a pawnbroker to be the assign, executor, or administrator of a pawner shall, if required by the pawnbroker, produce to the pawnbroker the assignment, probate, letters of administration, or other instrument under which he claims.

Assigns,  
executors,  
etc., of  
pawners.

6. Nothing in this Ordinance shall apply to a loan by a pawnbroker of above five hundred dollars, or to the pledge on which the loan is made, or to the pawnbroker or pawner in relation to the loan or pledge ; and, notwithstanding anything in this Ordinance, a person shall not be deemed a pawnbroker by reason only of his paying, advancing, or lending on any terms any sum or sums of above five hundred dollars.

Non-  
application  
to loans  
above \$500.

7. No person shall carry on the trade or business of a pawnbroker in any premises except under and in accordance with a valid pawnbroker's licence in respect thereof on which any fees then due shall have been paid.

Licence.

8.—(1) Every such licence shall (subject to a right of appeal to the Governor in Council) be granted or renewed by and at the discretion of the Inspector General of Police on such conditions touching fees or otherwise as may be prescribed by the Governor in Council, and, in the meanwhile, subject to the payment of the fees set forth in the scale of fees in the First Schedule hereto.

Grant and  
duration of  
licence.

(2) A licence shall be valid for one year only commencing on the date on which it is issued ; but it may be renewed at the like discretion from year to year.

First  
Schedule.

(3) All such fees 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 it in quarterly instalments in advance on finding security for such instalments to the satisfaction of the Secretary for Chinese Affairs.

9. No pawnbroker shall, during the continuance of his licence, carry on any trade or occupation, in his place of business as such pawnbroker, except that of pawnbroking and the sale of pledges forfeited under the provisions of this Ordinance.

Restriction  
of trade to  
pawnbroking.

Notification of name and nature of business. 10. Every pawnbroker shall cause to be painted and kept painted in large and legible English letters and Chinese characters, over the door of his said place of business, his or his firm's name at length, with the addition of the word "Pawnbroker" after the English name and of the word 押 after the Chinese name.

Inspection of goods, books, etc. 11. Every pawnbroker shall, whenever required by the Inspector General of Police or by any police officer not below the rank of sergeant, or by any constable authorised thereto in writing by such Inspector General either generally or for a particular occasion, or for particular premises, produce for the inspection of the person so requiring him all or any goods pawned or deposited with him, and all books and papers relating to the same.

Interest on loans. 12. Every pawnbroker may demand, receive and take simple interest, over and above the principal paid or advanced by him upon any goods pawned with him, from the person applying to redeem the said goods, before redelivering the same, at the following rates or at such other rates as may from time to time be prescribed by the Governor in Council :

	First month.	Succeeding months.
On any sum—		
not exceeding \$1.....	10%	3%
exceeding		
\$1 { and not } \$7	8%	3%
{ exceeding }		
\$7     ,,     \$14	5%	3%
\$14    ,,     \$42	3%	2%
\$42    ,,     \$140	2%	2%
\$140.....	2%	1½%

Second Schedule. Provided that, in the case of the special classes of goods set forth in the Second Schedule the special rates of interest set forth in such Schedule may subject to alteration by the Governor in Council be charged by the pawnbroker in lieu of the foregoing rates.

The first month's interest shall be deemed to be due on the first day of the first month of the loan and shall be deducted from the amount of the loan.

The principal and interest shall be accepted by the pawnbroker in full satisfaction of all charges for, or incidental to the loan to which the same relate, and no pawnbroker shall demand interest in excess of the authorised rate or shall charge compound interest.

List of rates to be exposed in the shop. Every pawnbroker shall expose in a conspicuous place in his shop a clearly legible list, to be furnished by the Secretary for Chinese Affairs, of the rates chargeable under this section, in English and Chinese.

Loans and interest must be in local currency. No loans shall be made by any pawnbroker, and no interest on loans shall be charged by him, in any currency other than the currency of the Colony.

Book to be kept by pawnbroker. 13. Every pawnbroker shall, before advancing any money on loan, enter or cause to be entered in a book to be kept by him for that purpose, and to be called the General Book, a legible statement according to Form No. 1 in the Third Schedule or its equivalent in Chinese or such other form as may hereafter be substituted by the Governor in Council. If a Chinese form is used the rate of interest shall be denoted by a chop.

Ticket to be given to borrower. Third Schedule Form No. 2. 14. Every pawnbroker shall, at the time of making any loan, deliver to the borrower a ticket containing a true and legible statement according to Form No. 2 in the Third Schedule or its equivalent in Chinese or such other form as may hereafter be substituted by the Governor in Council. If a Chinese form is used the rate of interest shall be denoted by a chop.

15. In order to entitle any person to redeem from the pawnbroker the goods pawned, the ticket must be returned to the pawnbroker by the person applying to redeem the goods, except as provided for in section 18.

Return of ticket on re-delivery of goods.

16. On the tender of any such ticket, together with the full amount then due for principal and simple interest, if made within eight months from the day of making of the loan in the case of goods pawned in the Island of Hong Kong, Kowloon or New Kowloon, or if made within twelve months from the day of making the loan in the case of goods pawned in any part of the New Territories other than New Kowloon, the pawnbroker shall deliver up to the person tendering the ticket the goods described therein.

Delivery of goods on production of ticket and repayment.

17. Section 16 shall not apply to cases where, at or previously to such tender, the pawnbroker has had from the borrower or the owner of the goods notice not to deliver the same, or has had knowledge or notice that the same have been, or are suspected to have been, unlawfully obtained from or lost by the owner, or to tickets as to which the borrower has taken such proceedings as are provided by section 18, in all which cases the pawnbroker shall withhold the goods.

Exceptions to duty to deliver goods.

18.—(1) On the application of any person representing himself to be the borrower or the owner of the goods or ticket, as the case may be, and to have lost or been unlawfully deprived of the same, the pawnbroker shall, if the goods are still unredeemed or unsold, forthwith deliver to such applicant a copy of the entry in the General Book, and the said applicant shall immediately thereupon proceed to a magistrate and shall verify such representation by written information on oath before such magistrate.

Protection of owners and of pawners not having pawntickets.

(2) If the said applicant verifies such representation to the satisfaction of the magistrate, and obtains a certificate to that effect, indorsed upon the said copy, the pawnbroker shall, on the copy so indorsed being delivered by the said applicant, deliver to him, according to the circumstances of the case and as the magistrate may order, another ticket or the goods, either with or without payment of the principal or interest, or both principal and interest, as the magistrate may direct.

19. A magistrate shall, upon written information on oath being laid before him that there are probable grounds for believing that any goods have been pawned without the privity of their owner, issue his warrant for searching any place where the goods may appear to him to be; and, if any of the goods are discovered upon such search, the person executing the warrant shall take them or cause them to be taken into safe keeping to abide the order of a magistrate.

Issue of search warrant for goods pawned without privity of owner.

20. Subject to the provisions of this Ordinance, goods pawned shall, from and after the expiration of the authorised period mentioned in section 16, become, if the same are unredeemed, the property of the pawnbroker absolutely: Provided nevertheless that if before the expiration of any such period the borrower is desirous of continuing the loan for a further period not exceeding eight months, or twelve months, as the case may be, the pawnbroker shall allow him to do so on his paying the interest then due. In any such case a new ticket shall be issued and a new entry shall be made in the General Book.

Unredeemed goods to become the property of pawnbroker.

21.—(1) Every person applying to borrow shall, at the time of his application, give to the pawnbroker to whom such application is made true information so as to enable him to comply with the requirements of sections 13 and 14.

Information to be given by applicant.

(2) Every person applying to redeem goods or for a copy of an entry shall, at the time of his application, give to the person to whom such application is made a full and true account of himself, his name, his place of abode, the name and place of abode of the owner, and the circumstances under which his application is made.

Unlawful pawning.      22. No person shall pawn, or attempt to pawn, the goods of any other person without being duly authorised or employed in that behalf.

Pawnbroker to seize applicant suspected of unlawful conduct.      23. Every pawnbroker to whom any application is made to borrow or redeem, or for a copy of an entry, who has reasonable cause to suspect any unlawful conduct on the part of the applicant in any of the above cases, is hereby required to seize and detain such applicant, and is empowered to call in the aid of any other person for that purpose; and every person so seized shall, with all reasonable speed, be delivered into the custody of a police constable who shall convey him before a magistrate.

Liability of pawnbroker in respect of loss or damage.      24.—(1) A pawnbroker shall make good all loss or damage accruing to a borrower in the following cases:—

(a) where the goods pawned have been stolen, embezzled, lost, or otherwise improperly disposed of, before the period for the redemption thereof has elapsed; and

(b) where the goods, before the said period has elapsed, have by the default, neglect, or misfeasance of the pawnbroker been destroyed, damaged, or impaired in value.

(2) In any of the said cases a magistrate shall allow and award an amount in satisfaction of such loss or damage, from which shall be deducted the amount of principal and interest then due in respect of such goods.

(3) A pawnbroker shall not be responsible for damage caused by fire, rats, insects or other causes not attributable to his default.

Pawning by children.      25. No pawnbroker shall receive any goods in pawn from any person under the age of ten years.

Taking in pawn goods with certain marks.      26. It shall not be lawful for any pawnbroker to receive in pawn any goods having upon them any mark or sign denoting them to be or to have been the property of the Crown or of any public department.

Hours of business.      27. Subject to any regulation made under this Ordinance by the Governor in Council, no goods shall be pawned or redeemed before 6 a.m. or after 8 p.m.

Delivery to owner of property unlawfully pawned, with or without compensation to pawnbroker.      28.—(1) In each of the following cases, that is to say:—

(a) if any person is convicted of feloniously taking or fraudulently obtaining any goods, and it appears to a court or magistrate that the same have been pawned with a pawnbroker, or

(b) if, in any proceedings before a court or magistrate, it appears that any goods brought before such court or magistrate have been unlawfully pawned with a pawnbroker,

the court or magistrate, on proof of the ownership of the goods, may order either the delivery or the non-delivery thereof to the owner, either on payment to the pawnbroker of the amount of the loan advanced by him thereon, and the interest due, or on payment of any part of such loan or interest, or without payment of any part of such loan or interest, as to the court or magistrate, according to the conduct of the owner and pawnbroker and the other circumstances of the case, may seem just and fitting.

(2) No such order shall be made by the court or magistrate unless the pawnbroker and the owner shall have been given an opportunity of being heard.

Ordinance No. 5 of 1865.  
Ordinance No. 4 of 1896.      (3) Notwithstanding anything contained in section 88 of the Larceny Ordinance, 1865, or in section 24 of the Sale of Goods Ordinance, 1896, any such order made by the court or magistrate shall bar any civil remedy which the owner would have had for the recovery of the goods, and the owner shall not be entitled to claim the return of the goods from the pawnbroker except in accordance with the terms of such order.

29.—(1) Every person who contravenes any of the Penalties. provisions of section 22 of this Ordinance shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars and to imprisonment for any term not exceeding six months.

(2) Every person who contravenes any of the other provisions of this Ordinance, or who contravenes the provisions of any regulation made under this Ordinance or in force as if made under this Ordinance, shall upon summary conviction be liable to a fine not exceeding two hundred and fifty dollars.

30. Nothing in sections 27, 28, 39, and 40 of the Pawnbrokers Summary Offences Ordinance, 1845, shall affect pawn- not affected by certain provisions of Ordinance No. 1 of 1845. brokers.

31. The Pawnbrokers Ordinance, 1860, is repealed. Repeal of Ordinance No. 1 of 1860.

Passed the Legislative Council of Hong Kong, this 16th day of October, 1930.

E. W. HAMILTON,  
*Deputy Clerk of Councils.*

**FIRST SCHEDULE.** [s. 8.]

**SCALE OF LICENCE FEES.**

There shall be paid in respect of every pawnshop licence fees according to the following scale:—

	Per annum.
In Victoria between Jackson Street and Western Street .....	\$1,500
Elsewhere on the Island of Hong Kong and its dependencies and in Kowloon and New Kowloon .....	\$1,000
Elsewhere in the New Territories .....	\$ 400

**SECOND SCHEDULE.** [s. 12.]

**SPECIAL RATES CHARGEABLE FOR SPECIAL CLASSES OF GOODS.**

- (1) Clocks, curios, pictures, earthen ware, procelain, glass, copper, lead, iron and tin wares, mirrors, ivory and bone articles, furniture, bedding, fans, socks, umbrellas, handkerchiefs, hats, shoes, actors' clothing, rain-coats and leather belts.

For the above, 10 cents will be deducted on every \$1 in advance as interest for the first month.

Interest for every subsequent month—6 cents.

(2) For watches—10 cents will be deducted on every \$1 in advance as interest for the first month.

Interest for every subsequent month—4 cents.

(3) For pearls, jade, diamonds, precious stones and furs :—

If the value exceeds \$40—not more than 10 cents will be deducted on every \$1 as interest for the first month.

Interest for every subsequent month—not more than 2 cents.

If the value is less than \$40—not more than 10 cents will be deducted on every \$1 as interest for the first month.

Interest for every subsequent month—not more than 3 cents.

THIRD SCHEDULE. [s. 13.]

FORM No. 1.

ENTRY IN GENERAL BOOK.

The ..... day of the.....moon of the... .....year, 19.....

No. of loan	Date.	Name of borrower.	Place of abode of borrower.	Description of article.	Rate of interest.	Amount of loan.

NOTE.—Numbers of loans to continue through one moon, and to commence anew with each succeeding moon.

FORM No. 2. [s. 14.]

PAWN TICKET.

A.B., (or A.B. & Co.) No. ....Street,  
 .....Pawnbroker (or Pawnbrokers.)

The ..... day of the.....moon of the.....year, 19.....

No. of loan.	Date.	Description of article.	Amount of loan.	Rate of interest.	Name and abode of borrower.

NOTE.—The pawnbroker is not responsible for damage caused by fire, rats, insects or other causes not attributable to his default.

**HONG KONG.**

No. 17 OF 1930.

I assent.



W. PEEL,  
*Governor.*

17th October, 1930.

An Ordinance to amend the Criminal Procedure Ordinance, 1899.

[17th October, 1930.]

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

1. This Ordinance may be cited as the Criminal Procedure Amendment Ordinance, 1930. Short title.

2. Section 5 of the Criminal Procedure Ordinance, 1899, is amended by the addition of the following sub-section thereto:— Amendment of Ordinance No. 9 of 1899, s. 5.

(2) The Chief Justice may direct a special session of the court to be held, in addition to the ordinary sessions, whenever it may appear to him necessary or expedient to do so.

3. Section 14 (3) of the Criminal Procedure Ordinance, 1899, is amended by the addition of the following words at the end thereof:— Amendment of Ordinance No. 9 of 1899, s. 14 (3).

A copy of any such direction shall also be transmitted by the Attorney General to the Superintendent of Prisons.

4. Section 17 (2) of the Criminal Procedure Ordinance, 1899, is amended by the addition after the word "thereupon" in lines 4 and 5 thereof, of the following words:— Amendment of Ordinance No. 9 of 1899, s. 17 (2).

, unless the person in question has been admitted to bail,

5. Section 30 of the Criminal Procedure Ordinance, 1899, is repealed and the following section is substituted therefor:— Amendment of Ordinance No. 9 of 1899, s. 30.

30. The Registrar shall deliver or cause to be delivered to the bailiff, for service on the accused person, a copy of the indictment, with the notice of trial indorsed on the same or annexed thereto; and, if there are more accused persons than one, then as many copies as there are persons. The Registrar shall also deliver or cause to be delivered to the bailiff another copy for the information of the Superintendent of Prisons.

Delivery of copies of the indictment for service and for information.



Amendment of Ordinance No. 9 of 1899, s. 31.      6. Section 31 of the Criminal Procedure Ordinance, 1899, is amended as follows,—

(a) by deleting from the marginal note the following words :—

of copy

(b) by the repeal of sub-section (1) thereof and by the substitution therefor of the following sub-section :—

(1) The bailiff shall, as soon as may be after having received the same, deliver to a gaoler the copy and notice for the information of the Superintendent of Prisons and to the accused himself the copy and notice for service on the accused.

Amendment of Ordinance No. 9 of 1899, s. 52.      7. Section 52 of the Criminal Procedure Ordinance, 1899 is amended by the addition after the word "malice" in line 2 thereof, of the following words :—

or pleads guilty to a charge of murder or other capital offence

Amendment of Ordinance No. 9 of 1899, s. 79.      8. Section 79 of the Criminal Procedure Ordinance, 1899, is amended as follows :—

(a) Sub-section (1) is repealed and the following sub-section is substituted therefor :—

Ordinance No. 16 of 1930.

(1) Subject to the provisions of the Pawnbrokers Ordinance, 1930, where any person is convicted of an indictable offence, any property found in his possession, or in the possession of any other person for him, may be ordered by the court or magistrate to be delivered to the person who appears to the court or magistrate to be entitled thereto.

(b) Sub-section (2) is repealed.

(c) Sub-section (3) is renumbered as sub-section (2).

Insertion of new s. 89A in Ordinance No. 9 of 1899.

9. The following heading and section are inserted immediately after section 89 of the Criminal Procedure Ordinance, 1899 :—

*Coercion by husband.*

Abolition of presumption of coercion of married woman by husband, 15 & 16 Geo. 5, c. 86, s. 47.

89A. Any presumption of law that an offence committed by a wife in the presence of her husband is committed under the coercion of the husband is hereby abolished, but on a charge against a wife for any offence other than treason or murder it shall be a good defence to prove that the offence was committed in the presence of, and under the coercion of, the husband.

Amendment of Ordinance No. 9 of 1899, Schedule, Form No. 5.

10. Form No. 5 in the Schedule to the Criminal Procedure Ordinance, 1899, is repealed and the following form is substituted therefor :—

[ s 82 ]

Form No. 5.

CERTIFICATE OF SENTENCES.

IN THE SUPREME COURT OF HONG KONG.

To the

This is certify that the undermentioned persons were sentenced this day to undergo the undermentioned punishments, namely,—

A.B.,	months	with	the	day of	19	being the opening date of the	Session.
	years	without	the	day of	19		
C.D.,	months	with	the	day of	19	being the opening date of the	Session.
	years	without	the	day of	19		

Dated this.....day of....., 19.....

(Signed).....  
Registrar.

Passed the Legislative Council of Hong Kong, this 16th day of October, 1930.

E. W. HAMILTON,  
Deputy Clerk of Councils.

## HONG KONG.

No. 18 OF 1930.

I assent.

(L.S.)

W. PEEL,  
*Governor.*

17th October, 1930.

An Ordinance to amend the Public Health and Buildings Ordinance, 1903.

[17th October, 1930.]

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

Short title.

**1.** This Ordinance may be cited as the Public Health and Buildings Amendment Ordinance, 1930.

Amendment of Ordinance No. 1 of 1903, s. 8 (1) as amended by Ordinance No. 30 of 1929, s. 2.

**2.** Sub-section (1) of section 8 of the Public Health and Buildings Ordinance, 1903, as amended by section 2 of the Public Health and Buildings Amendment Ordinance, 1929, is further amended by the substitution of the words "Medical Officer of Health" for the words "Director of Medical and Sanitary Services" in the fourth line thereof.

Repeal of Ordinance No. 1 of 1903, s. 121 and substitution of new section.

**3.** Section 121 of the Public Health and Buildings Ordinance, 1903, is repealed and the following section is substituted therefor:—

Rules as to construction of staircases.

121.—(1) Every staircase hereafter erected shall be so arranged as to have a tread of not less than eight inches, measured from the face of one riser to the face of the next, and no riser shall be of greater height than eight and a half inches.

(2) No staircase hereafter erected shall be constructed with a soffit so as to form any enclosed space between the treads, the risers and such soffit, except with the permission of the Building Authority as signified by the approval of the plan required under the provisions of this Ordinance.

(3) At every storey on every staircase hereafter erected adequate light and ventilation shall be provided to the satisfaction of the Building Authority.

(4) Every building hereafter provided with stairs shall have a staircase giving egress to a street or lane, or to an open space leading thereto, to the satisfaction of the Building Authority, and in the case of a building of more than two storeys in height, or in which any floor is more than twenty-three feet above the level of the street, there shall be provided to the satisfaction of the Building Authority an additional staircase giving egress on the roof of the building or some other satisfactory means of escape in the event of fire.