

Mr. Gray to the Under Secretary of State, Colonial Office.
(Colonial Certificates).

Board of Trade, Whitehall Gardens, 16th April, 1869.

SIR,—I am directed by the Board of Trade to state, for the information of the Secretary of State for the Colonies, that they have found it necessary to cancel certain Instructions issued by them in 1863, to the Superintendents of the Mercantile Marine Offices in the United Kingdom, under which a Colonial Vessel was allowed to clear without production of the Master's and Mate's Certificates for any intermediate Port or Ports, not situate in the Colony in which the Vessel was registered, provided her ultimate destination, as shown by the Ship's Papers, was a Port situate in that Colony.

Notification of this fact has been made public in this country, but as Colonial Shipmasters and Owners occasionally plead ignorance of the law on the subject, I am to suggest, for the consideration of Earl Granville, whether it might not be desirable to furnish the Officers administering the Governments of Her Majesty's several Possessions abroad with Copies of the accompanying Printed Notice, and to request them to take steps for giving publicity to its contents.—I have, &c.,

(Signed) THOMAS GRAY.

The Under Secretary of State, Colonial Office.

Circular No. 350.

BOARD OF TRADE, *March 1869.*

NOTICE

TO

MASTERS, MATES, BROKERS, AND OTHERS INTERESTED IN COLONIAL SHIPS.

With reference to Sections 109, 136, 230, and 234 of "The Merchant Shipping Act, 1854."

In consequence of the ignorance occasionally manifested by colonial ship-masters of the provisions of Colonial ships engaged the Merchant Shipping Act which affect colonial ships engaged in the trade of the United Kingdom, in the Trade of the United Kingdom, attention is hereby directed to the terms of the last clause of Section 109 of "The Merchant Shipping Act, 1854," viz., "The whole of the third part of this Act shall apply to (* * *) all ships registered in any British Possession, and employed in trading or going between any place in the United Kingdom and any place or places not situate in the Possession in which such ships are registered, and to the owners, masters, and crews of such ships respectively, wherever the same may be."

By Section 136 (one of the sections contained in the third part of the Act) it is provided as follows:—
"No foreign-going ship or home-trade passenger ship shall go to sea from any port in the United Kingdom unless the Master thereof, and in the case of a foreign-going ship the first and second mates or only mate (as the case may be), and in the case of a home-trade passenger ship the first or only mate (as the case may be), have obtained and possess valid certificates either of competency or service appropriate to their several stations in such ship, or of a higher grade; and no such ship, if of one hundred tons burden or upwards, shall go to sea as aforesaid unless at least one officer besides the master has obtained and possesses a valid certificate appropriate to the grade of only mate therein or to a higher grade; and every person who, having been engaged to serve as master or as first or second or only mate of any foreign-going ship, or as master or first or only mate of a home-trade passenger ship, goes to sea as aforesaid as such master or mate without being at the time entitled to and possessed of such a certificate as herein-before required, or who employs any person as master or first, second, or only mate of any foreign-going ship, or as master or first or only mate of a home-trade passenger ship, without ascertaining that he is at the time entitled to and possessed of such certificate, shall for each such offence incur a penalty not exceeding fifty pounds."

By Section 230 (another of the sections contained in the third part of the Act), it is provided that "The Board of Trade shall sanction forms of official log-books, which may be different for different classes of ships so that each such form contains blanks for the entries hereinafter required; and an official log of every ship (except ships employed exclusively in trading between ports on the coasts of the United Kingdom) shall be kept in the appropriate sanctioned form; and such official log may, at the discretion of the master or owner, either be kept distinct from the ordinary ship's log or united therewith so that in all cases all the blanks in the official log be duly filled up." And by Section 234 it is provided that if in any case an official log-book is not kept in the manner required by the Act, or if any entry directed by the Act to be made in any such log-book is not made at the time and in the manner thereby directed, the master shall, for each such offence, incur the specific penalty therein mentioned in respect thereof, or where there is no such specific penalty, a penalty not exceeding five pounds.

THOMAS GRAY,
Assistant Secretary.

N.B.—*This Notice should be freely circulated by the Superintendent amongst Brokers and others concerned with Colonial Shipping. A demand for the number of copies required should be made upon the usual form.*

No. 93.

GOVERNMENT NOTIFICATION.

The following Regulation, made by His Excellency The GOVERNOR under Ordinance No. 8 of 1858, Section XVII, is published for general information. The fine provided by that Ordinance for infraction of such Rule is a sum not exceeding Twenty Dollars.

By Command,

J. GARDINER AUSTIN,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 7th August, 1869.

From and after the date of this Notification the only Jetties or Piers within District No. 5 of the City of Victoria, at which public Boats shall be permitted to ply for hire after 8 P.M., shall be the Government Wharf, and the Wharves known as Pedder's Wharf, and Gibb's Wharf.

RICHARD GRAVES MACDONNELL,
Governor.

Victoria, Hongkong, 7th August, 1869.

NOTICE.

An attempt will be made from this date to enforce the ordinary "Rule of the Road" amongst Street Chairs in Queen's Road, more especially in the evening. It is requested that all Persons riding in Chairs or driving vehicles will co-operate with the Police by observing the Rule of keeping the left side.

ALFRED LISTER,
Acting Registrar General.

Registrar General's Office, 7th August, 1869.

No. 89.

GOVERNMENT NOTIFICATION.

The following Act of the Imperial Parliament, relative to the Transportation of Convicts from the Colonies, is published for general information.

By Command,

J. GARDINER AUSTIN,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 30th July, 1869.

CHAPTER 10.

A.D. 1869. *An Act for authorizing the Removal of Prisoners from one Colony to another for the purposes of Punishment.*

[13th May 1869.]

Whereas it is expedient to amend the law relating to the removal of prisoners from one Colony to another for the purposes of punishment:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Colonial Prisoners Removal Act, 1869."

Definition of terms:
"Colony:"

2. For the purposes of this Act—

The term "colony" shall not include any place within the United Kingdom, the Isle of Man, or the Channel Islands, or within such territories as may for the time being be vested in Her Majesty by virtue of any Act of Parliament for the government of India, but shall include any plantation, territory, or settlement situate elsewhere within Her Majesty's dominions, and subject to the same local government; and for the purposes of this Act all plantations, territories, and settlements under a central legislature shall be deemed to be one colony under the same local government:

"Governor:"

The term "governor" shall include the officer for the time being administering the government of any colony:

"Legislative body."

The term "legislative body" shall mean any house of assembly or other body of persons having legislative powers in the colony, and where such body of persons consists of two separate houses it shall include both houses, and where there are local legislative bodies as well as a central legislative body shall mean the central legislative body only.

Sect. 4. of 6 G. 4. c. 69 repealed.

3. The fourth section of the Act passed in the sixth year of the reign of His late Majesty King George the Fourth, intituled "An Act for punishing offences committed by transports kept to labour in the Colonies, and better regulating the powers of justices of the peace in New South Wales," is hereby repealed, except so far as may be necessary for supporting or continuing any proceedings taken thereunder.

Prisoners may be removed from one colony to another for purposes of punishment.

4. Any two colonies may, with the sanction of an order of Her Majesty in Council, agree for the removal of any prisoners under sentence or order of transportation, imprisonment, or penal servitude from one of such colonies to the other for the purpose of their undergoing in such other colony the whole or any part of their punishment, and for the return of such prisoners to the former colony at the expiration of their punishment, or at such other period as may be agreed upon, upon such terms and subject to such conditions as may seem good to the said colonies.

The sanction of the order of Her Majesty in Council may be obtained, in the case of a colony having a legislative body, on an address of such body to Her Majesty, and in the case of any colony not having a legislative body, on an address of the governor of such colony; and such sanction shall be in force as soon as such order in council has been published in the colony to which it relates.

The agreement of any one colony with another shall for the purposes of this Act be testified by a writing under the hand of the governor of such colony.

Removal of prisoners to be by warrant.

5. Where the sanction of Her Majesty has been given to any such agreement as aforesaid relating to the removal of prisoners from one colony to another for the purpose of undergoing their punishment, any prisoners under sentence or order of transportation, imprisonment, or penal servitude may be removed from such one colony to the other under the authority of a warrant signed by the governor, and addressed to the master of any ship, or any other person or persons; and the person or persons to whom such warrant is addressed shall have power to convey the prisoner therein named to such other colony, and to deliver him when there into the custody of any authority designated in such warrant, or empowered by the governor of such last-mentioned colony to receive such prisoner.