

I. Sections VII and VIII of the said Ordinance are hereby repealed. Repealing Clause.

II. Section VI of the said Ordinance is hereby amended by inserting therein after the Word "Custody" in the Third Line thereof, the Words following, that is to say, "without lawful Authority or Excuse (the Proof whereof shall lie on the Party accused.)" Amendment of Section 6.

Passed the Legislative Council of Hongkong, this 24th Day of September, 1869.

L. D'ALMADA E CASTRO,  
*Clerk of Councils.*

HONGKONG  
ANNO TRICESIMO TERTIO  
VICTORIÆ REGINÆ.

SIR RICHARD GRAVES MACDONNELL, Knight, C.B.,  
*Governor and Commander-in-Chief.*

No. 7 OF 1869.

An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to empower the Governor in Council to deal with Moral Claims to Funds confiscated for Colonial Purposes.

Title.

[24th September, 1869.]

WHEREAS Provision is made by Ordinance No. 1 of 1857, for the Recovery of Funds confiscated for Colonial Purposes under Ordinance No. 6 of 1854, by Persons duly proving their Legal or Equitable Claims thereto, upon Summary Petition to the Supreme Court; And whereas it is expedient that the Governor in Council should be empowered to deal with Moral Claims upon such Funds as distinguished from Legal or Equitable Claims: Be it enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Preamble.

I. The Governor in Council may entertain any Moral Claim as distinguished from any Legal or Equitable Claim which may be submitted to him by Petition in Writing by any Person praying for Payment of any Sum of Money which may have been confiscated for Colonial Purposes under Ordinance No. 6 of 1854, and upon such Petition, it shall be lawful for the Governor in Council, if he shall think fit, to order that such Sum or any Portion thereof, be paid by the Colonial Treasurer to such Petitioner; and all Monies in the Treasury forming Part of or arising from the General Revenue of the Colony, shall be applicable to any Payment ordered to be made in manner aforesaid.

The Governor in Council may deal with Moral Claims to confiscated Funds.

II. Any Order made by the Governor in Council under this Ordinance for the Payment of the Whole or of a Portion of any Sum of Money which may have been confiscated in Manner aforesaid, shall be a Bar to the Extent of any Payment made under such Order, to any Claim subsequently preferred to the same Sum under Ordinance No. 1 of 1857.

Payment under this Ordinance to be a Bar *pro tanto* to subsequent Claims under No. 1 of 1857.

Passed the Legislative Council of Hongkong, this 24th Day of September, 1869.

L. D'ALMADA E CASTRO,  
*Clerk of Councils.*