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ANNO QUADRAGESIMO-PRIMO

VICTORIÆ REGINÆ.

JOHN POPE HENNESSY, C.M.G.,
Governor and Commander-in-Chief.

No. 1 OF 1878.

An Ordinance enacted by the Governor of Hongkong, Title.
with the advice of the Legislative Council thereof,
to relieve a certain class of Passenger Steamers
from the Regulations of Schedule *A* of "The Chinese
Passengers' Act, 1855," and from the Regulations
of Schedule *E* of "The Chinese Emigration
Consolidation Ordinance 1874," and to substitute
other Regulations in regard thereto.

[29th April, 1878.]

WHEREAS by section 2 of "The Chinese Passengers' Act, Preamble.
1855," it is enacted that it should be lawful for the
Legislature of Hongkong, by any Ordinance to be by them enacted
for that purpose, to make regulations respecting Chinese
passenger ships, and, in the case of British ships, respecting the
treatment of passengers therein while at sea, and that until such
enactment, the regulations contained in schedule *A* to the said
Act annexed should be in force.

And whereas by the VIII section of "The Chinese Emigration
Consolidation Ordinance, 1874," it is provided that all ships
clearing out or proceeding to sea upon voyages of not more than
thirty days' duration shall be subject to the modified regulations
contained in schedule *E* of that Ordinance, which, as regards
such ships, shall be substituted for those contained in schedule
A of "The Chinese Passengers' Act, 1855," but that nothing in
the said section shall be deemed to relieve Chinese passenger
ships from the operation of the said Act, except so far as the same
is by the said schedule expressly modified.

And whereas it is expedient by means of this Ordinance to relieve
the passenger steamers hereinafter mentioned from the regulations
in the said schedule *E*, and to substitute other regulations in
regard thereto: Be it enacted by the Governor of Hongkong,
with the advice of the Legislative Council thereof, as follows:—

I. This Ordinance may be cited for all purposes as "The Chinese Short title.
Passengers' Ordinance, 1877, (Special Licences.)"

II. In the construction of this Ordinance and of the regulations Interpretation.
in the schedule hereto, the terms and expressions following, that clause.
is to say, "Chinese Passenger Ships," "Governor," "British
Consul," "Emigration Officer," and "Master" shall have the
meaning assigned to them respectively by section I of "The
Chinese Passengers' Act, 1855."

"Voyage of not more than thirty days' duration" shall mean and
include any voyage which, in pursuance of the third section of "The
Chinese Passengers' Act, 1855," is for the time being declared to be
a voyage of not more than thirty days' duration.

Grant of special licence to mail steamers, &c., subject to regulation in schedule.

III. The Governor in Council may, at his discretion, and on payment of a fee of five dollars, grant a special licence for any period not exceeding twelve months, or for any number of voyages to be performed within twelve months, to any steamer which is regularly employed in the conveyance of public mails under an existing contract with the Government of the State or Colony for which such mails are carried, or to any other steamer which is approved by the Governor as a first class steamer. Such special licence shall authorize the steamer named therein to carry a limited number of free Chinese passengers upon voyages of not more than thirty days' duration between ports to be specified in the licence under and subject to the regulations contained in the schedule to this Ordinance.

The number of passengers to be carried shall be inserted in the licence, and shall in no case exceed one passenger for every ten tons of the registered tonnage of such steamer.

Power to annex special conditions to grant of licence.

IV. The Governor in Council may, if he think fit, annex any special conditions to the granting of any special licence applied for under this Ordinance, and may cause such special conditions to be specified in the licence.

Cancellation of licence.

V. A special licence granted under this Ordinance may, at any time, be cancelled by the Governor in Council at his discretion.

Licensed steamers relieved from other regulations.

VI. Every steamer to which a special licence is granted under this Ordinance shall, during the continuance of such licence, be relieved from the regulations contained in schedule A annexed to "The Chinese Passengers' Act, 1855," and from the regulations contained in schedule E annexed to "The Chinese Emigration Consolidation Ordinance, 1874," but nothing herein contained shall be deemed to relieve such steamer from the operation of any part of "The Chinese Passengers' Act, 1855," except the regulations in the said schedule A.

Breach of regulations or conditions.

VII. The breach of any regulation contained in the schedule hereto, or of any condition of a special licence, shall be deemed to be a breach of a regulation respecting Chinese passenger ships within the meaning of "The Chinese Passengers' Act, 1855."

Whosoever impedes the Emigration Officer in the execution or performance of any of the powers or duties vested in or imposed upon him by this Ordinance, or any regulation thereunder, shall be liable, on conviction in a summary way, to a penalty not exceeding five hundred dollars for each offence.

Form of Emigration Officer's certificate of the master's bond. Suspending clause.

VIII. For the purposes of this Ordinance, the forms of Emigration Officer's certificate and of the master's bond contained in the schedule hereto shall be substituted for the forms respectively contained in schedule C to "The Chinese Passengers' Act, 1855," annexed.

IX. This Ordinance shall not come into operation until Her Majesty's confirmation thereof is proclaimed in the Colony by the Governor.

Passed the Legislative Council of Hongkong, this 29th day of April, 1878.

H. E. WODEHOUSE,
Clerk of Councils.

SCHEDULE.

Regulations for Passenger Steamers licensed under this Ordinance.

[See Imperial Act, par. 4.]

1. No steamer licensed under this Ordinance shall clear out or proceed to sea until the master thereof shall have received from the Emigration Officer a copy of these regulations, and a certificate in the form annexed hereto, which copy and certificate, with any documents to be attached thereto, shall be signed by the Emigration Officer, nor until the master shall, with two sufficient sureties to be approved by the Emigration Officer, have entered into a joint and several bond in the sum of £1,000 to Her Majesty, Her Heirs and Successors, in the form hereinafter contained.

Accommodation of passengers. Ventilation space and height between decks.

2. The following conditions as to the accommodation of passengers shall be observed:—

Male and female passengers. Space on upper deck. Sick bay, &c.

- (1.) The space appropriated to the passengers between decks shall be properly ventilated and shall contain at the least nine superficial and fifty-four cubical feet of space for every adult on board, that is to say, for every passenger above twelve years of age, and for every two passengers between the ages of one and twelve years; the height between decks shall be at least six feet.
- (2.) The accommodation for female passengers between decks shall be separate from that provided for male passengers.
- (3.) A space of four superficial feet per adult shall be left clear on the upper deck for the use of the passengers.
- (4.) A reasonable space shall be set apart as a sick bay, and sufficient latrines, both as to condition and number, shall be provided in suitable parts of the ship.

3. Deck passengers may be carried at seasons allowed by law, upon such Deck passengers. conditions as may, from time to time, be prescribed under instructions from one of Her Majesty's Principal Secretaries of State, and until and subject to such instructions upon the conditions following:—

- (1.) A suitable awning with screens shall be provided on deck, sufficient for Awning. the protection of the passengers from the sun and from rain.
- (2.) The space appropriated to such deck passengers shall contain at the Space. least sixteen superficial feet for every adult, that is to say, for every passenger above twelve years of age, and for every two passengers between the ages of one and twelve years.
- (3.) In case deck passengers shall be carried in addition to other passengers Reserved space. for whom accommodation between decks shall be provided, the space to be appropriated for deck passengers shall be reckoned exclusively of the space of four superficial feet per adult required to be left clear on the upper deck for the use of such other passengers.

4. The following conditions as to provisions shall be observed:— Provisions.

(1.) Provisions, fuel and water shall be placed on board of good quality, Scale. properly packed and sufficient for the use and consumption of the passengers, over and above the victualling of the crew during the intended voyage according to the following scale:—

For every passenger per diem not less than,—

Rice or bread stuffs,	1½ lbs.
Dried and/or salt fish,	0½ „
Chinese condiments and curry stuff,	1 oz.
Fresh vegetables, which will keep for short voyages, such as, sweet potatoes, turnips, carrots, and pumpkins,	1½ lbs.
Firewood,	2 „
Water, (to be carried in tanks or sweet casks),	1 gallon.

or, according to a scale at least equivalent to the foregoing.

5. The Emigration Officer may, at any time, enter and inspect the ship and Powers of the accommodation, provisions, and stores provided for the Chinese passengers, Emigration and may require the master or any other person to produce the licence, and the Officer. ship's papers for his inspection, and, if he thinks necessary after inspecting the ship's papers, he may muster and inspect the Chinese passengers.

If in any such case the Emigration Officer discovers that the number of passengers on board or intended to be carried upon that voyage exceeds the number authorised by the licence, or any condition of the licence, or any regulation contained in this schedule, or the legal number, he may detain the ship until the passengers in excess of the number are landed, or until the condition of the licence or the regulations be fully complied with, and he shall forthwith report the circumstances to the Governor.

6. The master of every British ship to which demand, produce his emigration Production of papers at port of destination. papers at port of destination. such port shall be in Her Majesty's dominions the licence extends, or in case to any officer appointed or authorised by the local Government in

Emigration Officer's Certificate
Form of Emigration Officer's Certificate.
of Hongkong

I, *A.B.*, Emigration Officer for the Colony, do hereby certify

1. That the Chinese passenger ship, *_____*, licensed under the provisions of an Ordinance of the Legislature of Hongkong, entitled "The Chinese Passengers' Ordinance, 1877, (Special Licences)."
2. That the said ship is licensed to carry *_____* adults, of whom none are to be under any contract of service whatever.

Form of Bond to be given by the Master of Chinese Passenger Ships holding Special Licences.

Know all men by these presents that we, *A.B.*, of *_____* and *C.D.*, of *_____* are held and firmly bound unto our Sovereign Lady Queen Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, in the sum of one thousand pounds of good and lawful money of Great Britain, to be paid unto our said Sovereign Lady the Queen, Her Heirs and Successors; to which payment well and truly to be made, we bind ourselves and every of us jointly and severally for and in the whole, our heirs and executors and administrators, and every of them, firmly by these presents.

Sealed with our Seal.
Dated this *_____* day of *_____* 18 *_____*

Whereas by "The Chinese Passengers' Act, 1855," it is enacted that before any Chinese passenger ship shall clear out or proceed to sea on a voyage of more than seven days' computed duration, the master thereof shall, with two sufficient sureties to be approved by an Emigration Officer, enter into a bond to Her Majesty, Her Heirs and Successors in the sum of £1,000.

Now the condition of this obligation is this, that if (in respect of the steamship whereof *_____* is master) all and every the requirements of the said Chinese Passengers Act, and of an Ordinance of the Legislature of Hongkong, entitled "The Chinese Passengers' Ordinance, 1877, (Special Licences)," and of the regulations contained in the schedule to the said Ordinance annexed shall be well and truly performed [in like manner as the same ought to be observed and performed in case the said steamship were a British ship, and the said *_____* a British subject]* then this obligation to be void, otherwise to remain in full force and effect.

Signed, sealed and delivered by the above bounden *_____* and *_____* in the presence of *_____*

* The words within brackets to be inserted only in the case of a foreign Chinese passenger ship.