

GOVERNMENT NOTIFICATION.—No. 4.

The following amendment of the Rules and Regulations made by the Governor in Council on the 28th March, 1899, is published for general information.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 3rd January, 1902.

PETROLEUM IN BULK.

The Rules and Regulations in relation to Petroleum in Bulk, made by the Governor in Council on the 28th day of March, 1899, under the provisions of the Dangerous Goods Ordinance, 1873, as amended by Ordinance 8 of 1892, are hereby, in accordance with Ordinance 39 of 1899 as amended by Ordinance 34 of 1901, amended as follows:—

Wherever in the above Rules and Regulations the figures and words "200° Fahrenheit" occur, the figures and words "150° Fahrenheit" are hereby substituted therefor.

COUNCIL CHAMBER,
HONGKONG.

R. F. JOHNSTON,
Acting Clerk of Councils.

GOVERNMENT NOTIFICATION.—No. 5.

His Excellency the Governor has been pleased to accept the resignation by Captain D. F. TULLOCH, R.G.A., of his Commission as Adjutant in the Hongkong Volunteer Corps.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 3rd January, 1902.

GOVERNMENT NOTIFICATION.—No. 6.

Notice is hereby given that Messrs. LEA & PERRINS, of Midland Road, near Shrub Hill, Worcester, England. Sauce Manufacturers, have complied with the requirements of Ordinance 18 of 1898, for the registration in this Colony of their Mark No. 179, as applied to Glass Bottles in Class 15; and that the same has been duly registered.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 31st December, 1901.

GOVERNMENT NOTIFICATION.—No. 7.

His Excellency the Governor has given his assent, in the name and on behalf of the KING, to the following Ordinance passed by the Legislative Council:—

Ordinance No. 37 of 1901.—An Ordinance to further amend the Chinese Emigration Consolidation Ordinance, 1889.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 31st December, 1901.

No. 37 OF 1901.

An Ordinance to further amend the Chinese Emigration Consolidation Ordinance, 1889.

(LS) HENRY A. BLAKE,
Governor.

[31st December, 1901.]

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 Emigration (Amendment) Ordinance, 1901, and it shall be read and construed as one with the Chinese Emigration Consolidation Ordinance, 1889 (as amended by Ordinance No. 25 of 1889 and Ordinance No. 22 of 1890) hereinafter called the principal Ordinance, and the said Ordinances together with this Ordinance may be cited as the Chinese Emigration Ordinances, 1889 to 1901. Short title and construction.

Emigration Boarding-houses.

2. No Chinese passenger shall without the sanction of the Emigration Officer be permitted to embark in this Colony (other than as a first or second class passenger) in any Chinese passenger ship on a voyage of more than seven days' duration unless he or she has been lodged in a boarding-house licensed under this Ordinance during a period of not less than 48 hours previous to the examination by the Emigration Officer, or Registrar General. Chinese emigrants to embark from licensed boarding-house.

Provided nevertheless that the provisions of this section shall not apply in the case of a Chinese female when the Registrar General certifies that he is satisfied that such lodging at a boarding-house as aforesaid may be dispensed with. Proviso.

3. It shall be lawful for the Registrar General to license a sufficient number of fit and proper persons to keep boarding-houses for Chinese emigrants or intending Chinese emigrants. Every such licence shall be granted for such period not exceeding twelve months and upon payment of such fee and upon such terms and conditions as may be prescribed by any bye-laws to be made under the immediately succeeding section of this Ordinance. Licensing of boarding-houses.

Every boarding-house keeper licensed under this Ordinance shall enter into a bond, in the sum of one thousand dollars, with two sufficient sureties to be approved by the Registrar General, for the due observance of such terms and conditions. Bond.

4. It shall be lawful for the Governor in Council to make bye-laws for the licensing, regulation and sanitary maintenance of such boarding-houses and by such bye-laws to require such register or other books to be kept as he deems expedient, with regard to Chinese emigrants or intended emigrants. All such bye-laws when made shall be published in the Gazette and when so published shall be as valid and binding as if contained in this Ordinance. Power to make bye-laws for boarding-houses.

Any person committing a breach of any bye-law made under this Ordinance shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding one hundred dollars. Penalty.

Return giving particulars of emigrants before embarkation.

5. In the case of every Chinese male inmate of a boarding-house under the age of sixteen years and in the case of every Chinese female inmate of a boarding-house who has declared to the keeper of such boarding-house his or her intention of emigrating, such keeper shall supply the Registrar General with a return giving the number, names, and descriptions of all such intending emigrants, the name of the Chinese passenger ship by which they intend to proceed and such further particulars concerning the said intending emigrants as the Registrar General may, from time to time, direct, and this return must be supplied at least 24 hours before the examination by the Registrar General and shall be in such form as he may direct. A similar return shall be supplied by such keeper to the Emigration Officer, at the time of their examination before him, of all emigrants other than males under the age of sixteen years and other than females.

Penalty for furnishing false returns, fraudulent shipment, etc.

6. The keeper of any boarding-house who shall knowingly furnish any false or incorrect return or other particulars required by this Ordinance or by any bye-law made thereunder, or who shall obtain or attempt to obtain by fraud, intimidation or force the shipment of any Chinese emigrant or intending emigrant, and any person aiding or abetting such keeper in so doing, shall be liable upon summary conviction before a Magistrate to a fine not exceeding five hundred dollars or to imprisonment with or without hard labour for a term not exceeding one year, and any such keeper and his sureties shall also be liable to the enforcement of his and their bond, and the licence of any such keeper may be suspended or cancelled by the Registrar General.

Photographs.

Photographs of female emigrants and boys.

7. The keeper of every licensed boarding-house from which any intending Chinese male emigrant under the age of sixteen years or any intending Chinese female emigrant is to be shipped shall attend at the Registrar General's Office or other place appointed for that purpose at the examination to be held by the Registrar General, and shall then furnish the Registrar General with two copies of the photograph of every such male emigrant and of every such female emigrant with the name, age and number of the said emigrants, the name of the ship by which they are going, and the date, entered on the back, as well as a list of such intending emigrants setting forth the name, sex, age, destination, occupation and such other particulars as may from time to time be required by the Registrar General.

Photographers.

8. It shall be lawful for the Registrar General to employ a certain number of fit and respectable photographers to furnish photographs of intending Chinese male emigrants under the age of sixteen years and of intending Chinese female emigrants.

Personation.

Personation. Penalty.

9. Every person who falsely and deceitfully personates or aids and abets in falsely and deceitfully personating an emigrant or intending emigrant at any attendance before or examination by the Emigration Officer or the Registrar General, required by any law or regulation for the time being in force relating to Chinese emigration, shall be guilty of a misdemeanor and shall be liable, upon summary conviction, to a fine not exceeding two hundred and fifty dollars or to imprisonment with or without hard labour for a period not exceeding six months or to both.

Amendments.

Amendment of sections 10, 11, 13 and 21 of Ordinance No. 1 of 1889. Substitution of new section 33 in Ordinance No. 1 of 1889. Contract ticket to be explained to passenger.

10. Sections 10, 11, 13 and 21 of the principal Ordinance are hereby amended by striking out the words "in Council" after the word "Governor".

11. Section 33 of the principal Ordinance is hereby repealed and the following new section is hereby substituted therefor:—

"33. On every occasion of the delivery to any passenger of any such contract ticket as aforesaid, the passage broker who shall have engaged to provide such passenger with a passage shall—

(a.) In the case of every male passenger under

the age of sixteen years and of every female passenger attend with him or her at the office of or other place appointed by the Registrar General, in whose presence the contract ticket shall be delivered to such passenger, and who shall explain to all such passengers the true intent and meaning of such contract ticket with the object of ascertaining that they understand where they are going and that they are not acting under compulsion nor being influenced to emigrate by false representations.

(b.) In the case of every passenger, other than a male passenger under the age of sixteen years or a female passenger, attend with him at the office of the Emigration Officer, in whose presence the contract ticket shall be delivered to such passenger, and who shall explain to all such passengers the true intent and meaning of such contract ticket with the object of ascertaining that they understand where they are going and that they are not acting under compulsion nor being influenced to emigrate by false representations."

12. Section 90 of the principal Ordinance is hereby amended by striking out the words "under section 80" and substituting the words "under section 74".

Amendment of section 90 of Ordinance No. 1 of 1889.

13. Schedule I of the principal Ordinance is hereby repealed and the following new Schedule is hereby substituted therefor:—

Substitution of new Schedule for Schedule I of Ordinance 1 of 1889.

(I.)

Regulations referred to in section 46 respecting Chinese Passenger Ships proceeding on voyages of not more than 30 days' duration.

1. No Chinese passenger ship shall clear out or proceed to sea on a voyage of more than seven days' duration unless the master thereof shall have received from an Emigration Officer a copy of these regulations and a certificate in the form contained in schedule K, (modified where necessary to comply with these Regulations) nor until the master shall have entered into the bond prescribed by section IV of "The Chinese Passengers Act, 1855."

No ship to depart without certificate.

2. No Emigration Officer shall be bound to give such certificate till seven days after receiving from the owners or charterers of the ship, or if absent, from their respective agents, an application in writing for the same and a notice that the ship is laid on for the conveyance of Chinese emigrants.

Application for same and notice.

3. After receiving such application the Emigration Officer and any person authorized by him in that behalf shall be at liberty at all times to enter and inspect the ship, and the fittings, provisions, and stores therein, and any person impeding such entry or inspection, or refusing to allow the same, shall be liable to a fine not exceeding one hundred dollars for each offence.

Inspection of ship.

4. The following conditions as to the accommodation of passengers shall be observed to the satisfaction of the Emigration Officer:—

Accommodation of the passengers.

(1.) That the ship is in a state of perfect cleanliness and if necessary has been disinfected.

Cleanliness.

(2.) That the space appropriated to the passengers between decks is clean, properly lighted and ventilated, and contains at the least 9 superficial and 54 cubic feet on the upper between decks and on the lower between decks 18 superficial and 126 cubic 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.

Ventilation, lighting space, and height between decks.

(3.) That the accommodation for female passengers between decks is separate from that provided for male passengers.

Male and female passengers.

(4.) That a space of four superficial feet per adult is left clear on the upper deck for the use of the passengers.

Space on upper deck.

(5.) That a reasonable space is set apart properly divided and fitted up as a sick-bay or hospital, and that sufficient latrines, both as to condition and number, are provided in suitable parts of the ship.

Sick-bay, &c.

- Stowage of cargo, provisions, etc. 5. No part of the cargo or of the provisions, water or stores shall be carried on the upper deck, or on the passenger decks, unless in the opinion of the Emigration Officer the same is so placed as not to impede light or ventilation or to interfere with the comfort of the passengers nor unless the same is stowed and secured to the satisfaction of the Emigration Officer, and the space thereby occupied or rendered unavailable for the accommodation of the passengers shall be deducted in calculating the space by which the number of passengers is regulated.
- Deck passengers. 6. The Emigration Officer may, in his discretion, permit deck passengers to be carried, upon such conditions, as may, from time to time, be prescribed under instructions from one of His Majesty's Principal Secretaries of State, and until and subject to such instructions, upon the conditions following:—
- Awning. (1.) A suitable awning with screen shall be provided on deck, sufficient for the protection of the passengers from the sun and from rain.
- Space. (2.) The space appropriated to such deck passengers shall contain at the 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.
- Reserved space. (3.) In case deck passengers shall be carried in addition to other passengers 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.
- Provisions. 7. The following conditions as to provisions shall be observed to the satisfaction of the Emigration Officer:—
- Scale. (1.) Provisions, fuel and water shall be placed on board of good quality, properly packed and sufficient for the use and consumption of the passengers, over and above the victualling of 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 stuffs, 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. |
- (2.) The last preceding condition as to provisions shall be deemed to have been complied with, in any case where, by the special authority of the Emigration Officer, any other articles of food shall have been substituted for the articles enumerated in the foregoing scale, as being equivalent thereto.
- Passengers' own supplies. (3.) The passengers may supply their own provisions for the voyage, and proper accommodation for the stowage and sufficient cabooses for the cooking of such provisions must be allowed.
- Conditions precedent to grant of certificate. 8. The Emigration Officer shall not give his certificate unless he shall be satisfied:—
- (1.) That the ship is sea-worthy, clean, and properly manned, equipped, fitted, lighted and ventilated; and has not on board any cargo likely, from its quality, quantity, or mode of stowage, to prejudice the health or safety of the passengers.
- (2.) That suitable medicines and medical stores, provisions, fuel and water have been placed on board, of good quality, properly packed and sufficient in quantity to supply the passengers on board during the intended voyage.
- (3.) That all the requirements of this Ordinance have been complied with.
- (4.) That the intending passengers who are females or males under the age of sixteen years have been passed by the Registrar General.

9. The Emigration Officer may, at any time, enter and inspect the ship and the accommodation, provisions, and stores provided for the Chinese passengers, and may require the master or any other person to produce the licence and the 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.

Powers of Emigration Officer.

10. Where the intended passengers or any of them are under contract of service the Emigration Officer shall take care that a copy of the form of any such contracts, or an abstract of their substance, signed by himself, is appended to the said certificate, and in all cases if any of the passengers are in bad health, or insufficiently provided with clothing, or if there is reason to suspect that fraud or violence has been practised in their collection or embarkation, he may detain the ship, and, if he shall think fit, order all or any of the passengers to be re-landed.

Contract or abstract to be appended to certificate. Detention of ship in certain cases.

11. The Emigration Officer may, if he shall think fit, before granting his certificate, employ any duly qualified medical practitioner, master mariner, marine surveyor, or other person whose professional assistance and advice he may require for the purpose of ascertaining whether the requirements of this Ordinance have been duly complied with, and the costs and charges of obtaining such assistance and advice shall be defrayed by the owners or charterers of the ship, whether the Emigration Officer shall grant his certificate or not.

Emigration Officer may employ medical men, marine surveyors, and others.

12. The Emigration Officer shall, from time to time, fix a reasonable scale of fees and charges to be approved by one of His Majesty's Principal Secretaries of State, for the remuneration of any professional persons who may be employed by him under the last preceding regulation, and pending the approval or disapproval of such scale, the fees and charges therein specified shall be payable, as if the same had been approved in manner aforesaid.

Fees of professional persons employed.

13. The owners or charterers of every ship shall pay such fees for the remuneration of the Emigration Officer as may, from time to time, be ordered under instructions from one of His Majesty's Principal Secretaries of State, and until and subject to such instructions, the following fees shall be payable in addition to all fees and charges payable under regulation 12 of these regulations:—

Fees of Emigration Officer.

Upon the application for a certificate, \$25.00

Provided that for an Emigration Officer's certificate delivered at a second port on the same voyage for a ship which has already received a certificate at the first port the fee shall be only \$12.50, and provided always that no fees shall be payable to the Emigration Officer of Hongkong, but in lieu thereof the following stamp duties are hereby imposed, that is to say:—

Upon every application for a certificate under regulation 2 contained in this schedule, a stamp duty of.....\$ 1
 Upon every certificate granted under regulation 1 of this schedule, a stamp duty of.....\$ 1

And *The Stamp Ordinance, 1901*, shall be read as if the stamp duties hereby imposed were inserted in the schedule thereof.

14. In case default shall be made by the owners or charterers of the ship in the payment of any fees, costs or charges to which they may be liable under this Ordinance and this schedule, the ship may be detained by the British Consul, or if in Hongkong by the Governor, until such fees, costs and charges shall have been paid.

Power to detain ship for non-payment of fees.

15. The Emigration Officer may withhold his certificate or revoke the same at any time before the departure of the ship, if it shall appear to his satisfaction that any particulars contained in the application in writing which shall have been made for the same, or any other particulars which may have been furnished to him by or on behalf of the owners, charterers, or master of the ship in relation thereto, are untrue, or that the requirements of this Ordinance have not been complied with; and in every such case it shall be lawful for the British Consul, or if in Hongkong for the Governor, to seize and detain the ship until the certificate, if already granted, shall have been delivered up to be cancelled.

In case of false particulars, etc., ship may be detained and certificate cancelled.

16. The master of every British Chinese passenger ship shall, during the whole of the intended voyage, make issues of provisions, fuel and water, according to the aforesaid dietary scale, to all the passengers except such as

Treatment of passengers at sea.

have supplied themselves therewith, and shall not make any alteration except for the manifest advantage of the passengers, in respect of the space allotted to them as aforesaid, or in respect of the means of ventilation, and shall not ill-use the passengers, or require them (except in case of necessity) to help in working the vessel; and shall, in cases where a Medical Officer is not carried, issue medicines and medical comforts, as shall be requisite, to the best of his judgment, and shall call at such ports as may be mentioned in the Emigration Officer's clearing certificate for fresh water and other necessaries; and shall carry the passengers without unnecessary delay to the destination to which they have contracted to proceed.

Mustering
of passengers
by master.

17. Before the arrival of any British Chinese passenger ship at the port for which the passengers have embarked the master shall cause the said passengers to be mustered for the purpose of ascertaining that there are none on board who are not in possession of an emigration contract ticket and included in the Emigration Officer's certificate and detailed list of passengers: if any such are found it shall be the duty of the master to hand them over to the proper authority to be dealt with according to law.

Production
of emigra-
tion papers
at port of
destination.

18. The master of every British Chinese passenger ship shall, within twenty-four hours after his arrival at the port of destination and at any port of call, produce his emigration papers to the British Consul (if any) at such port, or where such port shall be in His Majesty's dominions then the master of every Chinese passenger ship shall produce the said papers to any officer appointed or authorized by the local Government in that behalf. It shall be lawful for such Consul or other officer to enter and inspect such ship, and in case the master shall obstruct or refuse to assist him in the discharge of such duty, or shall without reasonable cause fail to produce his emigration papers as aforesaid, he shall be liable to a fine of five hundred dollars, and the ship may be detained by the British Consul, or if in His Majesty's dominions, by the local Government, until such fine shall have been paid and the emigration papers shall have been given up.

British Con-
sul deemed
Emigration
Officer where
no such
Officer is
appointed.

19. In all ports and places where no Emigration Officer shall have been appointed, the British Consul shall, until such appointment, and at all times pending the vacancy of such office, be deemed to be the Emigration Officer for the purposes of these regulations."

Amendment
of Schedule
N. of Ord.
No. 1 of
1889.

14. Schedule N. of the principal Ordinance is hereby amended by striking out the words "the above section" and substituting the words "section 74".

Suspending
clause.

15. This Ordinance shall not come into operation unless and until the Governor notifies by proclamation, which shall be published in the Gazette, that it is His Majesty's pleasure not to disallow the same and it shall come into operation upon the date of such publication.

Passed the Legislative Council of Hongkong, this 27th day of December, 1901.

R. F. JOHNSTON,
Acting Clerk of Councils

Assented to by His Excellency the Governor, the 31st day of December, 1901.

J. H. STEWART LOCKHART,
Colonial Secretary.