

4. In cases where the right of reply depends upon the question whether evidence has been called for the defence the fact that the person charged has been called as a witness shall not of itself confer on the prosecution the right of reply. Right of reply. (Ibid s. 3).

5. (1) The wife or husband of a person charged with an offence under any enactment mentioned in the Schedule to this Ordinance may be called as a witness either for the prosecution or defence and without the consent of the person charged. Calling of wife or husband in certain cases. (Ibid s. 4).

(2) Nothing in this Ordinance shall affect a case where the wife or husband of a person charged with an offence may at common law be called as a witness without the consent of that person.

6. This Ordinance shall apply to all criminal proceedings, notwithstanding any enactment in force at the commencement of this Ordinance. Provision as to previous Ordinances. (Ibid s. 6).

SCHEDULE.

Enactments referred to. [s. 5 (1).]

| No. of Ordinance. | Short Title.  | Enactments referred to. |
|-------------------|---|-------------------------|
| (1) 4 of 1897.    | The Protection of Women and Girls Ordinance, 1897.                    | The whole Ordinance.    |
| (2) 10 of 1905.   | The Married Women (Maintenance in case of Desertion) Ordinance, 1905. | Do.                     |
| (3) 5 of 1906.    | The Married Women's Property Ordinance, 1906.                         | Sec. 16 and sec. 21.    |

*Objects and Reasons.*

The object of this Ordinance is to introduce into the law of this Colony relating to evidence in Criminal Cases the amendment made in the law of England by the Imperial enactment 61 & 62 Victoria Cap. 36, by which in all Criminal proceedings an accused person and the wife or husband, as the case may be, of such person are made competent witnesses for the defence at every stage of the proceedings whether the accused is charged solely or jointly with some other person.

The wife or husband can be called only on the application of the accused, except in the case of offences against the Ordinances specified in the Schedule: in cases coming under those ordinances the husband or wife of an accused can be called either for the prosecution or for the defence without the consent of such accused.

HENRY S. BERKELEY,  
*Attorney General.*

**No. 821.**—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. 9 of 1906.—An Ordinance to amend the Lunacy Ordinance, 1906.

Ordinance No. 10 of 1906.—An Ordinance to amend the New Territories Land Ordinance, 1905.

Ordinance No. 11 of 1906.—An Ordinance to transfer to the General Revenue certain sums forming part of the Praya Reclamation Fund.

Ordinance No. 12 of 1906.—An Ordinance to amend the Regulation of Chinese Ordinance, 1888.

Ordinance No. 13 of 1906.—An Ordinance to apply a sum not exceeding Five million two hundred and two thousand one hundred and thirty-five Dollars to the Public Service of the year 1907.

HONGKONG.

No. 9 OF 1906.

An Ordinance to amend the Lunacy Ordinance,  
1906.

LS

M. NATHAN,  
*Governor.*

[28th September, 1906.]

Be it enacted by the Governor of Hongkong, with the  
advice and consent of the Legislative Council thereof, as  
follows:—Short title  
and con-  
struction.1. This Ordinance may be cited as the Lunacy Amend-  
ment Ordinance, 1906, and shall be read and construed as  
one with the Lunacy Ordinance, No. 3 of 1905, hereinafter  
called the Principal Ordinance.Amendment  
of section 3  
of the Prin-  
cipal Ordin-  
ance.2. Section 3 of the Principal Ordinance shall be read as  
if the word "Supreme" appeared in the sixth line thereof  
instead of the word "High" appearing therein.Passed the Legislative Council of Hongkong, this 27th  
day of September, 1906.A. G. M. FLETCHER,  
*Clerk of Councils.*Assented to by His Excellency the Governor, the 28th  
day of September, 1906.T. SERCOMBE SMITH,  
*Colonial Secretary.*HONGKONG.

No. 10 OF 1906.

An Ordinance to amend the New Territories  
Land Ordinance, 1905.

LS

M. NATHAN,  
*Governor.*

[28th September, 1906.]

Be it enacted by the Governor of Hongkong, with the  
advice and consent of the Legislative Council thereof, as  
follows:—Short title  
and con-  
struction.1. This Ordinance may be cited as the New Territories  
Land (Amendment) Ordinance 1906 and shall be read and  
construed as one with the New Territories Land Ordinance  
1905 hereinafter called the Principal Ordinance.Repeal of  
sub-section 2  
of section 2  
of the  
Principal  
Ordinance  
and new  
sub-section  
substitute  
therefor.2. Sub-section 2 of section 2 of the Principal Ordinance  
is hereby repealed and the following sub-section is sub-  
stituted instead thereof:—“(2) “Land” includes land covered by water or  
within the flow of the sea, and houses and other  
buildings, and any undivided share in land and  
every estate and interest in land, and also includes  
any rent and any profit issuing out of land and  
any easement affecting land.”Passed the Legislative Council of Hongkong, this 27th  
day of September, 1906.A. G. M. FLETCHER,  
*Clerk of Councils.*Assented to by His Excellency the Governor, the 28th  
day of September, 1906.T. SERCOMBE SMITH,  
*Colonial Secretary.*

HONGKONG.

No. 11 OF 1906.

An Ordinance to transfer to the General Revenue certain sums forming part of the Praya Reclamation Fund.

LS

M. NATHAN,

*Governor.*

[28th September, 1906.]

WHEREAS the scheme for the reclamation of the Fore-shore opposite the City of Victoria authorized by the Praya Reclamation Ordinance, 1889, has been brought to completion: And whereas for the purpose of such scheme a Fund known as "The Praya Reclamation Fund" was created by contributions from the Marine Lot holders including the Colonial Government: And whereas it is expedient to close the accounts of such Fund: And whereas a sum has been set apart out of such Fund for the payment of pensions to officers employed on such reclamation; And whereas there is a balance due by the said Fund to the Colonial Government on account of contributions paid in excess out of General Revenue to the said Fund:

BE it therefore 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 Praya Reclamation Fund Transfer Ordinance, 1906. Short title.

2. Such moneys forming part of the Praya Reclamation Fund as at the date of the passing of this Ordinance have been set apart for the payment of pensions to officers employed on the Praya Reclamation, and such moneys as are required to defray the sums due to the General Revenue on account of contributions paid in excess to the said Fund by the Colonial Government, are hereby transferred to and shall form part of the General Revenue of the Colony free from any deduction by way of contribution for the defence of the Colony notwithstanding the provisions of The Defence Contribution Ordinance, 1901. Moneys set apart for payment of pensions to officers transferred to General Revenue.

Passed the Legislative Council of Hongkong, this 27th day of September, 1906.

A. G. M. FLETCHER,  
*Clerk of Councils.*

Assented to by His Excellency the Governor, the 28th day of September, 1906.

T. SERCOMBE SMITH,  
*Colonial Secretary.*

HONGKONG.

No. 12 of 1906.

An Ordinance to amend the Regulation of Chinese Ordinance, 1888.

LS

M. NATHAN,  
*Governor.*

[28th September, 1906.]

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

Short title and construction.

1. This Ordinance may be cited as the Regulation of Chinese (Amendment) Ordinance, 1906, and shall be read and construed as one with the Regulation of Chinese Ordinance, 1888, hereinafter called the Principal Ordinance.

Extension of Part III of the Principal Ordinance to any part of the Colony.

2. The Governor may from time to time by Order-in-Council extend the provisions of Part III of the Principal Ordinance to any part of the Colony. Any part of the Colony to which Part III of the Principal Ordinance shall be so extended shall thereupon constitute a district for the purposes of the registration of householders under the provisions thereof: Provided that the Governor-in-Council may from time to time alter any district or the boundaries thereof.

Boundaries.

3. The boundaries for the time being of every district shall be set out in a map to be kept at the Office of the Registrar General, a duplicate of which shall be kept at the Office of the Director of Public Works.

Passed the Legislative Council of Hongkong, this 27th day of September, 1906.

A. G. M. FLETCHER,  
*Clerk of Councils.*

Assented to by His Excellency the Governor, the 28th day of September, 1906.

T. SERCOMBE SMITH,  
*Colonial Secretary.*

HONGKONG.

No. 13 of 1906.

An Ordinance to apply a sum not exceeding Five million two hundred and two thousand one hundred and thirty-five Dollars to the Public Service of the year 1907.

LS

M. NATHAN,  
*Governor.*

[28th September, 1906.]

WHEREAS the expenditure required for the service of this Colony for the year 1907 has, apart from the contribution to the Imperial Government in aid of Military Expenditure, been estimated at the sum of Five million two hundred and two thousand one hundred and thirty-five Dollars :

Be it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title.

1. This Ordinance may be cited as the "Appropriation Ordinance for 1907."

2. A sum not exceeding Five million two hundred and two thousand one hundred and thirty-five Dollars shall be and the same is hereby charged upon the revenue of the Colony for the service of the year 1907, and the said sum so charged may be expended as hereinafter specified, that is to say :—

| EXPENDITURE.                                     | \$                  |
|--|---------------------|
| Charge on account of Public Debt, - - -          | 192,680             |
| Pensions, - - - - -                              | 214,600             |
| Governor, - - - - -                              | 74,512              |
| Colonial Secretary's Department and Legislature, | 66,577              |
| Registrar General's Department, - - -            | 38,332              |
| Audit Department, - - - - -                      | 14,783              |
| Treasury, - - - - -                              | 57,152              |
| Post Office, - - - - -                           | 414,698             |
| Hongkong Post Office,—Special Expenditure,       | 4,100               |
| Harbour Master's Department, - - -               | 163,234             |
| Observatory, - - - - -                           | 20,530              |
| Judicial and Legal Departments, - - -            | 196,720             |
| Police and Prison Departments, - - -             | 689,490             |
| Fire Brigade,—Special Expenditure, -             | 9,200               |
| Medical Departments,- - - - -                    | 235,175             |
| Sanitary Department,- - - - -                    | 454,229             |
| Botanical and Forestry Department, - -           | 46,751              |
| Education, - - - - -                             | 181,484             |
| Ecclesiastical and Charitable Services, -        | 17,925              |
| Transport, - - - - -                             | 10,000              |
| Miscellaneous Services, - - - - -                | 143,712             |
| Military Expenditure,—                           |                     |
| Volunteers, - - - - -                            | 47,015              |
| Public Works,—                                   |                     |
| Public Works Department, - - - - -               | 261,036             |
| Public Works, Recurrent, - - - - -               | 437,500             |
| Public Works, Extraordinary, - - - -             | 1,210,700           |
| Total, - - - - -                                 | <u>\$ 5,202,135</u> |

Passed the Legislative Council of Hongkong, this 27th day of September, 1906.

A. G. M. FLETCHER,  
*Clerk of Councils.*

Assented to by His Excellency the Governor, the 28th day of September, 1906.

T. SERCOMBE SMITH,  
*Colonial Secretary.*

## APPOINTMENTS, &C.

**No. 822.**—His Excellency the Governor has been pleased, with the approval of the Secretary of State for the Colonies, to appoint LAWRENCE BOLTON to be an Assistant Land Surveyor in the Public Works Department with effect from the 20th September, 1906.

*22nd September, 1906.*

**No. 823.**—With reference to Government Notification No. 276 of the 28th March, 1906, His Excellency the Governor has been pleased to appoint THOMAS KIRKMAN DEALY and YOUNG HEE to be members of the Board of Examiners.

*26th September, 1906.*