ORDINANCES No. 7 AND 8 OF 1871.

Auxiliary Police Forces. Chinese Emigration.

4. Sections 9, 11, and 23 of Ordinance No. 9 of 1862, and the provisions of Ordinance No. 8 of 1869 as to the grant of a bonus or free passage and of pensions shall not apply to constables enrolled under this Ordinance.

5. The forms contained in schedule B of Ordinance No. 9 of 1862 may be varied for the purposes of this Ordinance, so as to meet the circumstances of each particular case.

6. All the provisions of Ordinance No. 9 of 1862 not hereinbefore specially excepted, shall so far as the same may not be inconsistent with the special terms and conditions agreed upon, or with the provisions herein contained, be deemed to apply to constables enrolled under this Ordinance.

7. In case any constable enrolled in the auxiliary Police Force established under this Ordinance, shall be subsequently by enrolled in the Police Force established under Ordinance No. 9 of 1862, the whole of his time of service in the auxiliary Police Force, shall be reckoned in the computation of his service for the purposes of the bonus and pensions to which he may become entitled under Ordinance No. 8 of 1869.

8. This Ordinance and Ordinance No. 9 of 1862, (subject to the exceptions hereinbefore contained as to the application thereof to constables enrolled under this Ordinance,) shall be read together and construed as one Ordinance.

[Repealed by Ordinance No. 14 of 1887.]

No. 8 of 1871.

An Ordinance to modify the Regulations of the "Chinese Passengers' Act, 1855," in respect of Chinese Passenger Ships proceeding upon Short Voyages.

[11th September, 1871.]

WHEREAS by section 2 of the "Chinese Passengers' Act, 1855," it is enacted that it shall 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 shall be in force; And whereas it is expedient, by an Ordinance of the said Legislature, to relieve Chinese passenger ships proceeding upon voyages of not more than thirty days' duration, from the regulations of the said schedule, and to provide in lieu thereof modified regulations for such ships, subject nevertheless to the proviso in the said Act contained as to Her Majesty's confirmation thereof: Be it enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, as follows:—
ORDINANCE No. 8 of 1871.

Chinese Emigration.

1. This Ordinance may be cited for all purposes as "The Chinese Passengers' Ordinance, 1871."

2. In the interpretation of this Ordinance, the terms and expressions following, that is to say: "Chinese Passenger Ship," "Governor," "British Consul," "Emigration Officer," and "Master," shall be construed respectively in the manner prescribed by section 1 of the "Chinese Passengers' Act, 1855."

3. The application of this Ordinance is hereby expressly limited to:
   
   Firstly,—Chinese passenger ships, being British vessels, which shall clear out or proceed to sea upon any voyage, declared to be a voyage of not more than thirty days' duration, by section 4 of this Ordinance.

   Secondly,—Chinese passenger ships, being British vessels, which shall clear out and proceed to sea from Hongkong or from any port in China or within one hundred miles of the coast thereof, upon a voyage to any port to the eastward of the 90th degree of east longitude, declared to be a voyage of not more than thirty days' duration by any proclamation in force for the time being issued by the Governor of Hongkong, under section 3 of the "Chinese Passengers' Act, 1855."

   Thirdly,—Chinese passenger ships of whatever nationality which shall clear out or proceed to sea from any port in Hongkong upon any such voyages as are hereinbefore firstly and secondly mentioned.

   Provided always, that nothing in this Ordinance contained shall be deemed to affect any Chinese passenger ship which shall clear out or proceed to sea upon a voyage of not more than seven days' duration, within the meaning of the "Chinese Passengers' Act, 1855," and of section 3 of Ordinance No. 9 of 1856, or any ship to which the provisions of the said Act do not apply.

4. The voyages specified in schedule A to this Ordinance annexed, are hereby declared to be voyages of not more than thirty days' duration, subject as regards steamers to the conditions as to their rate of speed and as regards sailing vessels to the conditions as to the periods of the year during which the voyage shall be performed, in the said schedule respectively expressed and contained.

5. From and after the commencement of this Ordinance, the regulations contained in schedule A of the "Chinese Passengers' Act, 1855," the "Chinese Passengers' Health Ordinance," (No. 6 of 1859), "The Hongkong Emigration Ordinance, 1870," (No. 4 of 1870), and all proclamations now in force, issued by the Governor of Hongkong under section 3 of the "Chinese Passengers' Act, 1855," shall cease to be in force in respect of Chinese passenger ships to which this Ordinance applies, and as respects such ships, the regulations contained in schedule B to this Ordinance annexed, shall be in force in lieu thereof.

6. Nothing herein contained shall be deemed to relieve Chinese passenger ships to which this Ordinance applies from the provisions of the "Chinese Passengers' Act, 1855," except so far as the said provisions are hereby expressly modified and varied under the power in that behalf in the said Act contained.
7. This Ordinance shall not come into operation until Her Majesty's confirmation thereof shall have been proclaimed in the Colony by the Governor.

SCHEDULE A.

Voyages referred to in section 4.

FOR STEAMERS

whose steam power shall be sufficient without the aid of sails to propel them at the rate of five statute miles in the hour.

Voyages from Hongkong, Swatow, Amoy, Foochow, Ningpo, Shanghai, and any port in Formosa to

Calcutta, Pega, Sumatra, Java, The Straits Settlements, Labuan.

Sarawak, Manila, Bangkok, Saigon, Hac, Japan.

FOR SAILING VESSELS.

Voyages from Hongkong, Swatow, Amoy, Foochow, Ningpo, Shanghai, and any port in Formosa to

From October to March, both inclusive. From April to September, both inclusive.

Sumatra, Java, The Straits Settlements, Labuan, Manila, Bangkok, Saigon, Hac.

Labuan, Manila, Bangkok, Saigon, Hac.

SCHEDULE B.

Regulations referred to in section 5 respecting Chinese passenger ships to which this Ordinance applies.

1. No ship shall clear out or proceed to sea unless the master thereof shall have received from an emigration officer a copy of this Ordinance, for which a fee of $1 shall be payable, and a certificate in the form contained in schedule C annexed thereto, nor until the master shall have entered into the bond prescribed by section 4 of the "Chinese Passengers' Act, 1855."

2. No emigration officer shall be bound to give such certificate till seven days after receiving an application in writing from the same from the owners or charterers of the ship, or if absent, from their respective agents, specifying the name of the ship, her tonnage, the port of destination, the proposed day of departure, the number of passengers intended to be carried, and whether such passengers or any of them are under contracts of service.
ORDINANCE No. 8 OF 1871.

Chinese Emigration.

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 of the same, shall be liable to a fine not exceeding $100 for each offence.

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

1. The space appropriated to the passengers between decks shall be properly ventilated, and shall contain at the least 9 superficial and 84 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.

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 properly divided and fitted up as a sick bay, and sufficient cisterns both as to condition and number shall be provided in suitable parts of the ship.

5. 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 Her Majesty's Principal Secretaries of State, and until subject to such instructions, upon the conditions following:—

1. A suitable saving with screens shall be provided on deck, sufficient for the protection of the passengers from the sun and from rain.

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.

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.

6. The following conditions as to provisions shall be observed to the satisfaction of the emigration officer:—

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 victualing of the crew during the intended voyage, according to the following scale:

   For every passenger per diem:—

<table>
<thead>
<tr>
<th>Item</th>
<th>Min. Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rice or bread stuffs</td>
<td>lbs. 1 1/2</td>
</tr>
<tr>
<td>Dried salt fish</td>
<td>n. 2 1/4</td>
</tr>
<tr>
<td>Chinese condiments and curry stuff</td>
<td>oz. 2</td>
</tr>
<tr>
<td>Fresh vegetables, which will keep for short voyages, such as sweet potatoes, turnips, carrots, and pumpkins</td>
<td>lbs. 1 1/4</td>
</tr>
<tr>
<td>Fire wood</td>
<td>n. 2</td>
</tr>
<tr>
<td>Water (to be carried in tanks or sweat casks)</td>
<td>gallon 1</td>
</tr>
</tbody>
</table>

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.
ORDINANCE No. 8 OF 1871.

Chinese Emigration.

3. The passengers may supply their own provisions for the voyage and proper accommodation for the stowage, and sufficient caboses for the cooking of such provisions must be allowed.

4. When the ship shall be destined to call at any port mentioned in the emigration officer's clearing certificate for fresh water or provisions, a supply of fresh water and provisions according to the scale hereinbefore contained for every day of the average voyage to such port shall, unless the emigration officer shall otherwise direct, be deemed to be in compliance with this Ordinance.

7. The emigration officer shall not give his certificate unless he shall be satisfied:
1. That the ship is sea-worthy, and properly manned, equipped, fitted, 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.

8. The emigration officer may, in his discretion (subject to a appeal to the Governor) withhold his certificate in cases where the intended passengers or any of them are under contracts of service; and he shall in no case give his certificate until he shall have mastered the passengers, and have ascertained to the best of his power that they understand whether they are going, and in case they shall have made any contracts of service that they comprehend the nature thereof; he shall also take care that a copy of the form of any such contract, or an abstract of their substance, signed by himself, is appended to the said certificate: If any of the passengers are in bad health, or insufficiently provided with clothing, or if any such contracts are unfair, or if there is reason to suspect that fraud or violence have been practised in their collection or embarkation, he may detain the ship, and if he shall think fit, may order all or any of the passengers to be re-landed.

9. 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.

10. The emigration officer shall from time to time fix a reasonable scale of fees and charges to be approved by one of Her 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.

11. 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 Her Majesty's Principal Secretaries of State, and until and subject to such instructions, the following fees shall be payable in addition to all fees chargeable under regulation 10:

Upon the application for a certificate, ....................................... $25.
Upon the granting of the certificate, ....................................... $25.

[See order in Council 9th April, 1878. (Gazette 12th April, 1878.)]

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

14. The master of every British 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 shall 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 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.

15. The master of every British ship shall within 24 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 in case such port shall be in Her Majesty's dominions to any officer appointed or authorised 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 $500, and the ship may be detained by the British Consul, or if in Her Majesty's dominions, by the Local Government, until such fine shall have been paid, and the emigration papers shall have been given up.

16. 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.

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**SCHEDULE C.**

**Emigration Officer's Certificate.**

1. [A. B.] the emigration officer at the port of

2. That the said ship is authorized to carry adults and that there are on board

3. That the space set apart and to be kept clear for the use of such passengers is as follows:—

   On the upper deck

   superficial feet being **describe space** and in the between decks

   superficial feet being **describe space.**
ORDINANCES Nos. 8 AND 9 OF 1871.

Chinese Emigration. Revenue.

4. That the ship is sea-worthy, and properly manned, equipped, fitted, 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. The means of ventilating the passengers' accommodation between decks are as follows: [describe means.]

5. 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.

6. That all the conditions and requirements of the said Ordinance of the Legislature of Hong-kong have been duly complied with.

7. That the aforesaid passengers [or in case of a part only, state the number.] are emigrants under contracts of service and that I have inspected the contracts between them and their intended employers (the terms of which are annexed to this certificate) and consider them reasonable; and that no fraud appears to have been practised in collecting such emigrants.

8. That the master of the ship is to put into

for water and fresh vegetables.

A. B.,

Emigration Officer at the port of

Dated the 18 day of

N.B.—Where none of the passengers are emigrants under contracts of service, the following paragraph shall be substituted for paragraph 7.

"7. That the whole of the said passengers are free passengers under no contract of service whatever."

[Confirmation proclaimed 20th January, 1872. Repealed by Ordinance No. 5 of 1874. See also Ordinance No. 3 of 1874.]

NOTE.—For scale of fees and charges for the remuneration of professional persons employed under the Ordinance, see Gazette 25th June, 1872.

No. 9 of 1871.

An Ordinance to apply a Sum not exceeding Six hundred and Eighty-eight thousand Dollars to the Public Service of the Year 1872.

[22nd September, 1871.]

WHEREAS the expenditure required for the service of this Colony for the year 1872, has been estimated at the sum of six hundred and eighty-seven thousand two hundred and ninety-six dollars and seventy cents: Be it enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, as follows:—

1. A sum not exceeding six hundred and eighty-eight thousand dollars shall be, and the same is hereby charged upon the revenue of this Colony for the service of the year 1872, and the said sum so charged shall be expended as hereinafter specified; that is to say:—