Compensation for hurt or damage. *

49. Every person who, by committing any offence herein forbidden has caused any hurt or damage to any person or property may be apprehended, with or without warrant, by any constable, and if he does not, on demand, make amends for such hurt or damage to the satisfaction of the person aggrieved, he shall be detained by such constable in order to be taken before a Magistrate, and on conviction shall pay such sum, not exceeding 100 dollars, as may appear to the Magistrate to be reasonable amends to the person aggrieved, besides any penalty to which he may be liable for the offence.

Saving of liability of offender to indictment or action.

50. Nothing in this Ordinance shall be construed to prevent any person from being indicted or being proceeded against by indictment or information for any indictable offence made punishable on summary conviction by this Ordinance, or to prevent any person from being liable to be proceeded against by action for any hurt or damage caused by him: Provided, nevertheless, that no person be punished twice for the same offence, and provided that no compensation has been awarded for such hurt or damage.

Recovery of penalties. †

51. The penalties imposed by this Ordinance shall be recovered in a summary manner according to the provisions of any Ordinance regulating the summary jurisdiction of Magistrates.

— 1851. —

No. 1 of 1851.

To regulate the jurisdiction of the Civil Courts in certain cases.

[5th April, 1851.]

WHEREAS, from the vicinity of this Colony to the dominions of China, it is of frequent occurrence that Chinese persons visiting the Colony for a limited time and for the purposes of trade implead and cause each other to be arrested for causes of action arising within the said dominions: AND WHEREAS such proceedings are not only inconvenient from the difficulty of procuring proper evidence and for other reasons, but are frequently resorted to for the purpose of extortion, and likewise tend to the injury of traffic within the Colony:— **

* As amended by No. 50 of 1911.

† As amended by No. 50 of 1911 and No. 51 of 1911; *see* No. 3 of 1890 ss. 57 and 91.

** As amended by the Final Revision Ordinance 1912.

Short title.

1. The Chinese Persons (Civil Proceedings) Ordinance, 1851.

Prohibition of civil proceedings between Chinese persons, except in certain cases

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†

2. No Court within the Colony shall have or exercise jurisdiction in any civil proceeding as between Chinese persons born within the dominions of China where the cause of action has originated out of the Colony, unless the defendant has been a resident therein for 6 consecutive months prior to the time of commencing any action, suit, or proceeding grounded on such cause of action: Provided always that it shall be lawful for any such Court to have and exercise jurisdiction in any such civil proceeding if only it is made to appear, to the satisfaction of the Judge, that such jurisdiction may be had and exercised without the mischief contemplated by this Ordinance.

— 1852. —

No. 1 of 1852.

To increase the powers of Magistrates as regards publicans, boarding-house keepers, and others, with the view of suppressing desertion in His Majesty's Forces, naval and military. [18th May, 1852.]

§

WHEREAS the offence of desertion from His Majesty's Forces, naval and military, serving in this Colony, has of late considerably increased; AND WHEREAS such offence has heretofore had inception in, and facility of commission from, public and boarding-houses and other places:—

Short title.

1. The Suppression of Desertion Ordinance, 1852.

Interpretation.

**

2. In this Ordinance, "sailor" shall be deemed to extend to every person serving for the time being in any ship then under the orders of the Commander-in-Chief of His Majesty's ships and vessels employed on the China Station.

Penalty on publican or boarding-house keeper inducing soldier or sailor to desert.

‡

3. Any publican or keeper of a boarding-house, or any other person whatsoever, who—

(1) by words or by any other means whatsoever, directly or indirectly procures any soldier, sailor, or marine to desert; or

(2) by words or by any other means whatsoever, attempts to procure or persuade any soldier, sailor, or marine to desert; or

* As amended by the Final Revision Ordinance 1912.
† As amended by No. 50 of 1911, No. 51 of 1911 and the Final Revision Ordinance 1912.
§ As amended by No. 50 of 1911 and No. 51 of 1911.
** As amended by No. 51 of 1911.
‡ As amended by No. 50 of 1911 and No. 22 of 1912.