CAP. LXXX.

An Act for the better Government of Her Majesty's Subjects resorting to *China*. [22d *August* 1843.]

2 & 4 W. 4. c 93.

'WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty intituled *An Act to regulate the Trade to* China *and* India, whereby certain Powers were vested in Officers therein described as "Superintendents of the Trade of His Majesty's Subjects to and from the Dominions of the Emperor of *China*:" And whereas, for giving full Effect to the Purposes of the said Act, it is necessary that Provision be made for the Establishment from Time to Time of Regulations for the Government of Her Majesty's Subjects resorting to *China*, and it is expedient that such Regulations should originate with some local Authority cognizant of the actual Circumstances and Exigencies of such Her Majesty's Subjects, and of the Trade carried on by them in *China*: And whereas Her Majesty hath been pleased, by a Commission under the Great Seal of the United Kingdom, to establish a Legislative Council to make Laws for the Peace, Order, and good Government of Her Majesty's Subjects, being within Her Majesty's Island of *Hong Kong*, and to constitute and appoint as Governor of the said Island the Officer invested under the said recited Act with the Office of Chief Superintendent of the Trade of Her Majesty's Subjects to and from *China*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, by any Commission or Commissions under the Great Seal of the United Kingdom, or by any Instructions under Her Majesty's Signet and Sign Manual accompanying and referred to in any such Commission or Commissions, to authorize the Superintendent of the Trade of Her Majesty's Subjects in *China* (so long as such Superintendent shall be also the Governor of the said Island of *Hong Kong*) to enact, with the Advice of the Legislative Council of the said Island of *Hong Kong*, all such Laws and Ordinances as may from Time to Time be required for the Peace, Order, and good Government of Her Majesty's Subjects being within the Dominions of the Emperor of *China*, or being within any Ship or Vessel at a Distance of not more than One hundred Miles from the Coast of *China*, and to enforce the Execution of such Laws and Ordinances by such Penalties and Forfeitures as to him, by the Advice aforesaid, shall seem fit; and that it shall also be lawful for Her Majesty, by any such Commission or Commissions or Instructions as aforesaid, to impose upon the Exercise of the before-mentioned Legislative Authority all such Conditions and Limitations as Her Majesty shall see fit to prescribe; and that it shall also be lawful for Her Majesty to disallow, in the whole or in part, any Laws or Ordinances so to be enacted as aforesaid,

Her Majesty may authorize the Chief Superintendent of Trade to make Ordinances for Her Majesty's Subjects in China.

said, and, with the Advice of Her Majesty's Privy Council, to alter the same or any of them as to Her Majesty in Council shall seem meet.

Provision for temporary Vacancy in the Office of Superintendent.

II. And be it enacted, That it shall be lawful for Her Majesty, by any Commission or Warrant under Her Royal Sign Manual, to make such Provision as to Her Majesty may seem fit for the temporary Exercise of the Duties of the said Chief Superintendent in the event of a Vacancy occurring in that Office by Death, Resignation, or otherwise, and that the Provisions herein contained respecting the said Chief Superintendent shall be taken to apply to the Person or Persons for the Time being exercising the Duties of Chief Superintendent under such Commission or Warrant.

Her Majesty may make Ordinances for Her Majesty's Subjects in China.

III. And be it enacted, That it shall also be lawful for Her Majesty, by any Order or Orders made with the Advice of Her Majesty's Privy Council, to ordain, for the Government of Her Majesty's Subjects being within the Dominions of the Emperor of *China*, or being within any Ship or Vessel at a Distance of not more than One hundred Miles from the Coast of *China*, any Law or Ordinance which to Her Majesty in Council may seem meet, as fully and effectually as any such Law or Ordinance could be made by Her Majesty in Council for the Government of Her Majesty's Subjects being within the said Island of *Hong Kong*.

Commissions and Ordinances to be laid before Parliament.

IV. And be it enacted, That all such Commissions and Instructions and Orders in Council as aforesaid, and all Laws and Ordinances so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enacting thereof respectively.

Repeal of Part of 3 & 4 W. 4. c. 93.

V. And be it enacted, That when and so soon as any such Commission or Commissions as aforesaid shall have been received at the said Island of *Hong Kong* by the Superintendent and Governor aforesaid, or by the Officer for the Time being in the Administration of the said Superintendence and Government, so much of the said recited Act as relates to the Powers and Authorities to be exercised by the Superintendents therein mentioned over and in respect of the Trade and Commerce of Her Majesty's Subjects within any Part of the Dominions of the Emperor of *China*, or as relates to the making and issuing Directions and Regulations touching the said Trade and Commerce, and for the Government of Her Majesty's Subjects within the said Dominions, and as relates to the Imposition of Penalties, Forfeitures, or Imprisonments for the Breach of any such Directions or Regulations, or as relates to the Creation of a Court of Justice for the Trial of Offences committed by Her Majesty's Subjects, as therein mentioned, shall be repealed: Provided nevertheless, that all things theretofore done in pursuance of the said recited Act shall be of the same Validity and Effect as if this Act had not been passed.

Limitation of Actions.

VI. And be it enacted, That every Suit or Action which shall be brought against any Person for any thing done in pursuance of this Act shall be commenced within Six Calendar Months

Months after the Fact committed, and not afterwards, except where the Cause of Action shall have arisen in any Place not within the Jurisdiction of any of Her Majesty's Courts having Civil Jurisdiction, and then within Six Calendar Months after the Plaintiff and Defendant shall have been both within the Jurisdiction of any such Court; and every such Action or Suit shall be brought in the Place where the Cause of Action shall have arisen, and not elsewhere, except where the Cause of Action shall have arisen in any Place not within the Jurisdiction of any of Her Majesty's Courts having Civil Jurisdiction; and the Defendant shall be entitled to the like Notice, and shall have the like Privilege of tendering Amends to the Plaintiff, or his Agent or Attorney, as is provided in Actions brought against any Justice of the Peace for any Act done by him in the Execution of his Office.

Act may be amended, &c.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXXI.

An Act to make better Provision for the Appointment of a Deputy for the Chairman of the Sessions of the Peace in the County of *Dublin*, and to provide for the taking of an Oath by the said Chairman or Deputy; and to amend an Act of the First Year of Her present Majesty, to amend the Law for the Recovery of Small Debts by Civil Bill in *Ireland*.

[22d *August* 1843.]

'WHEREAS by an Act passed in the Parliament of *Ireland* in the Thirty-eighth Year of the Reign of King *George* the Third, intituled *An Act to enable the Chief Governor of this Kingdom to appoint One of His Majesty's Counsel learned in the Law to be Chairman of the Session of the Peace in the County of* Dublin *during good Behaviour*, it was amongst other things enacted, that if the Chairman so appointed should be at any Time absent from such Session, any of His Majesty's Counsel learned in the Law, to be by such Chairman appointed, might act as such Chairman during his Pleasure: And whereas it is expedient to repeal the said recited Enactment, and to make Provision for the Appointment of a Deputy to the Chairman of the said Session, similar to that now by Law made for the Appointment of Deputies to the several Assistant Barristers in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the herein-before recited Act as empowers the said Chairman of the Session of the Peace in the County of *Dublin* to appoint a Deputy

38 G. 3. (I.)

So much of recited Act as empowers the Chairman to