

Superintendent of Trade; and that the term "crew" shall be taken and held to include all persons employed in navigating any ship or vessel which may be proceeded against for a breach of the provisions of the present Order.

III. And it is further ordered, that the Chief Superintendent, or Consul in the port, place, or district in which he may reside, shall have full power and authority to carry into effect, and to enforce by fine or imprisonment, as hereinafter provided, the observance of the stipulations of treaties now existing or which may hereafter be made between Her Majesty, her heirs and successors, and the Emperor of China, his heirs and successors, and to make, and enforce by fine or imprisonment, rules and regulations for the observance of the stipulations of such treaties, and 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 British ship or vessel at a distance of not more than one hundred miles from the coast of China, and to enforce in like manner such rules and regulations as have heretofore been made and continue unrepealed at the time of the passing of the present Order.

IV. And it is further ordered, that all rules and regulations heretofore made and continuing unrepealed, or to be hereafter made by the Chief Superintendent or Consul, as aforesaid, shall forthwith be printed, and a copy of the same be affixed and kept affixed and exhibited in some conspicuous place in the public office of the said Chief Superintendent or Consul; and printed copies of the said rules and regulations shall be provided by the said Chief Superintendent or Consul, and sold at a price not exceeding one dollar for each copy, and for the purpose of convicting any person offending against the said rules and regulations, and for all other purposes of law whatsoever, a printed copy of the said rules and regulations, certified under the hand of the said Chief Superintendent or Consul to be a true copy thereof, shall be taken as conclusive evidence of such rules and regulations; and no penalty shall be incurred, or shall be enforced, for the breach of any such rules or regulations to be hereafter made, until the same shall have been so affixed and exhibited for one calendar month in the public office of the Consular district within which the breach of such rules or regulations shall be alleged to have been committed: Provided always, that no rule or regulation to be hereafter made by any of Her Majesty's Consuls, and to be enforced by a penalty, shall take effect until it has been submitted to, and approved by, the Chief Superintendent, and has thereupon been printed, and a copy of the same has been affixed and exhibited as aforesaid for one calendar month in the public office of the Consular district.

V. And it is further ordered, That it shall be lawful for the Chief Superintendent or Consul as aforesaid, upon information, or upon the complaint of any party, that a British subject has violated any of the stipulations of treaties between Her Majesty and the Emperor of China, or has disregarded or infringed any of the rules and regulations for the observance of the stipulations of such treaties, affixed and exhibited according to the provisions of the next preceding article of this present Order, to summon before him the accused party, and to receive evidence and examine witnesses as to the guilt or innocence of such party in regard to the offence laid to his charge; and to award such penalty of fine or imprisonment to any party convicted of an offence against the said treaties or the said rules and regulations, as may be specified in the said treaties or in the said

rules and regulations; and any charge against a British subject for a breach of treaties, or for a breach of the rules and regulations for the observance of such treaties, shall be heard and determined by the Chief Superintendent or Consul without assessors: Provided always, that in no case shall the penalty to be attached to a breach of the said rules and regulations exceed five hundred dollars, or three months' imprisonment.

VI. And it is further ordered, That any charge against a British subject for a breach of rules and regulations other than those relating to the observance of treaties, shall in like manner be heard and determined by the Chief Superintendent or Consul; and in all cases in which the penalty shall not exceed two hundred dollars or one month's imprisonment, the Chief Superintendent or Consul shall hear and determine the charge summarily without the aid of assessors; but where the penalty attached to a breach of the rules and regulations, other than those relating to the observance of treaties, shall amount to more than two hundred dollars or to imprisonment for more than one month, it shall be obligatory upon the Consul, but not upon the Chief Superintendent, before he shall proceed to hear the charge, to summon two British subjects of good repute residing within his district to sit with him as assessors, which assessors shall however have no authority to decide on the innocence or guilt of the party charged, or on the amount of fine or imprisonment to be awarded to him on conviction; but it shall rest with the Consul to decide on the guilt or innocence of the party charged, and on the amount of fine or imprisonment to be awarded to him: Provided always, that in no case shall the penalty to be attached to a breach of rules and regulations other than those for the observance of treaties exceed five hundred dollars or three months' imprisonment; and provided further, that in the event of the said assessors or either of them dissenting from the conviction of the party charged, or from the penalty of fine or imprisonment awarded to him by the Consul, the Consul shall take a note of such dissent, with the grounds thereof, and shall require good and sufficient security for the appearance of the party convicted at a future time, in order to undergo his sentence or receive his discharge; and the Consul shall within twenty days report his decision, with all the particulars of the case, together with the dissent of the assessors or either of them, and the grounds thereof, to the Chief Superintendent; and the Chief Superintendent shall have authority to confirm, or vary, or reverse the decision of the Consul, as to him may seem fit: Provided always that if an appeal shall be entered against the decision of the Consul, no such report shall be made to the Chief Superintendent on the ground of the dissent of the assessors, or either of them, but the appeal shall be prosecuted in the manner hereinafter ordered.

VII. And it is further ordered, that in any question relating to the observance of treaties, or of rules and regulations for the observance of treaties, or of rules and regulations other than those for the observance of treaties, a report of any or every decision made by a subordinate Consular officer, with or without the aid of assessors, shall be sent in to the superior Consular officer of the district, and that on the receipt of such report, the superior Consular officer of such district shall proceed, without assessors, to revise such decision as to him may seem fit, and such revision shall have, for the purposes of this Order, the same effect as if the case had been originally heard and determined by such superior Con-