

2. The Court shall admit Joseph Horsford Kemp Esquire, Barrister-at-law, to practise as solicitor in the Court; and thereafter, subject to the provisions of this Ordinance, the said Joseph Horsford Kemp shall have all the rights and powers of a person duly admitted to practise as a solicitor under the Legal Practitioners Ordinance, 1871.

Admission of J. H. Kemp Esq. as solicitor.

3.—(1.) Nothing in this Ordinance shall be deemed to confer on the said Joseph Horsford Kemp the right to practise as a solicitor after he shall have ceased to be a public officer.

Limitation.

(2.) The said Joseph Horsford Kemp shall not be entitled to practise as a barrister as long as he continues to perform the duties of a solicitor.

4. Subject to the provisions of this Ordinance and notwithstanding any professional rule of etiquette or custom to the contrary the status of the said Joseph Horsford Kemp as a barrister shall be preserved.

Professional status preserved.

5. Nothing in this Ordinance shall confer any rights on the said Joseph Horsford Kemp against the Crown.

Saving of Crown rights.

6.—(1.) If in any cause or proceeding before any court or tribunal any party, for whom any Crown Solicitor or Assistant Crown Solicitor appears or acts as solicitor, obtains an order for costs against any other party, such costs shall be taxed against and payable by the losing party.

Costs of section 2 of Ordinance No. 24 of 1903.

(2.) If by reason of any custom, rule, regulation or arrangement any Crown Solicitor or Assistant Crown Solicitor so appearing or acting as aforesaid is not allowed to retain such costs, the costs so taxed when recovered shall be paid into the General Revenue of the Colony.

7. This Ordinance shall come into operation on the 1st day of September, 1911.

Commencement.

Objects and Reasons.

This Bill is necessary owing to the appointment as Crown Solicitor of Mr. Kemp who will be an English barrister by the time he arrives in the Colony. Section 6 is analogous to section 2 of the Crown Counsel's Fees Ordinance, 1903, which deals with the Attorney General's costs. The arrangement with the present Acting Crown Solicitor expires on the 31st August.

C. G. ALABASTER,
Attorney General.

No. 209.—The following Bill to amend the Code of Civil Procedure will be introduced at the meeting of the Legislative Council to be held on the 17th August, and is published for public information :—

A BILL

ENTITLED

An Ordinance to amend the Code of Civil Procedure.

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 Code of Civil Procedure Amendment Ordinance, 1911, and the references to chapters and sections in this Ordinance are to chapters and sections in the Code of Civil Procedure.

Ordinance No. 3 of 1901. Repeals section 3.

2. In section 3, the words "Subject to the provisions of any statute, rule, or order relating thereto" are repealed.

Ib. Amends section 4.

3.—(1) Section 4 shall be renumbered section 4 (1) and shall be amended by the deletion of the words "for the time being in force in the Supreme Court in England" and the substitution therefor of the words "in force in the Supreme Court in England on 31st December, 1911"; and by the addition of the following proviso:—

"Provided that where any subject dealt with in such Rules of Practice is provided for wholly or in part in this Code, the English rule shall be deemed not to be in force in the Court."

(2.) There shall be added to section 4 so amended as aforesaid the following new sub-section:—

"(2.) It shall be lawful for the Judges to amend the rules contained in this Code and make other rules as occasion may require, provided that every such amended rule or new rule shall not have effect until approved by the Legislative Council."

Ib. Amends section 36.

4. In section 36, the words "a British Corporation" shall be deleted and there shall be substituted therefor the words "a company or corporation created by Charter, Letters Patent or Ordinance which has its principal office or its principal place of business or registered office in the Colony".

Ib. Amends section 49.

5. In section 49, the words "to serve notice of motion" shall be deleted and there shall be substituted therefor the words "to apply by summons".

Ib. Amends section 52.

6. In section 52, the words from "But it shall not be obligatory" to the end shall be deleted.

Ib. Adds a new sub-section to section 83.

7. Section 83 shall be renumbered section 83 (1) and there shall be added thereto the following sub-section:—

"(2.) 'Estate' in this and the following sections shall have the same meaning as in the Probates Ordinance, 1897."

Ib. Amends sections 117, 120 and 149.

8.—(1) The first part of section 117 down to the proviso shall be deleted and there shall be substituted therefor the words:—

"Nothing in this Code shall affect the right of any defendant to plead not guilty by statute or Ordinance: and every such defence shall have the same effect as a plea of 'not guilty by statute' has in England."

(2.) In section 120, after the words "by statute" there shall be inserted the words "or Ordinance".

(3.) In section 149, after the words "by statute" there shall be inserted the words "or by Ordinance, as the case may be".

9. Section 133 is repealed. *Ib.* Repeals Section 133.
10. In section 135, the third sub-section is repealed and replaced by the following :—
“(3.) Where leave to defend is given under section 23 or 24, it shall not be necessary to file a further statement of claim, unless otherwise ordered at the hearing of the summons for judgment.” *Ib.* Amends section 135.
11. Sections 331, 332 and 333 are repealed. *Ib.* Repeals sections 331, 332 and 333.
- 12.—(1.) Section 347 shall be repealed and there shall be substituted therefor the following section :—
“347. If the judgment of the Court is reserved at the trial the Court shall, either then or on some subsequent day cause the parties to be informed of the day on which judgment will be delivered.” *Ib.* Amends sections 347 and 348. Reserved Judgment.
- (2.) In sub-section (2) of section 348 the words “served with notice to attend and hear judgment” shall be deleted and there shall be substituted therefor the words “informed of the day on which judgment will be delivered”.
13. In section 349, after the words “Provided that the Court may” there shall be inserted the words “on good cause shown”. *Ib.* Amends section 349.
14. In section 368, the second sub-section is repealed and the figure “(1)”. *Ib.* Amends section 368.
15. In section 386, the second sub-section is repealed and replaced by the following :—
“(2.) The order for immediate execution shall be in writing and shall be sufficient authority to the bailiff to proceed at once to execution of the judgment by seizure of the person of the party against whom judgment is given: provided that the party obtaining the order shall, as soon thereafter as practicable, comply with the requirements of the following section: Provided further that if the party against whom the order has been made satisfies the Judge that he has sufficient means and intends to satisfy the judgment, the Judge may discharge the order for immediate execution.” *Ib.* Amends section 386.
16. Section 389 is repealed. *Ib.* Repeals section 389.
17. Section 443 shall be amended as follows :— *Ib.* Amends section 443.
- (a.) in sub-section (1) thereof by the deletion of the word “apply” and the substitution therefor of the words “make written application”;
- (b.) in sub-section (2) thereof by the insertion after the word “affidavit” at the end thereof of the words “and shall be forwarded by the applicant’s solicitor, or, if he have no solicitor, by the Superintendent of the Gaol, to the Registrar”;
- (c.) in sub-section (3) thereof by the deletion of the words “On the application being made”, and by the substitution therefor of the words “On the application being received, the Registrar shall forthwith bring it to the notice of the Court and”;
- (d.) in sub-section (3) thereof by the deletion of the words “appear on the hearing of” and the substitution therefor of the words “signify his intention of appearing and opposing”;
- (e.) by the addition at the end of sub-section (3) thereof of the following proviso :—
“Provided always that the judgment creditor shall not be allowed to appear and oppose the application unless within the period fixed as aforesaid he shall have signified in writing to the Registrar his intention of so appearing and opposing the application”;

(f.) in sub-section (4) thereof by the deletion of the words "it shall make an order to that effect" and the substitution therefor of the words "or if the judgment creditor shall not have signified his intention as aforesaid, it shall order the release of the judgment debtor".

Ib. Amends section 479. 18. In section 479, after the word "service" there shall be inserted the words "of a sealed copy".

Ib. Repeals section 565. 19. Sections 565 is repealed.

Ib. Amends section 570. 20. Section 570 shall be renumbered as section 570 (1) and a new sub-section shall be added as follows:—

"(2.) The surety or sureties for the appearance of the defendant or either or any of them may at any time apply to a Judge to be discharged from his or their obligation.

On such application being made the Judge shall summon the defendant to appear: or, if necessary, he may issue a warrant for his arrest in the first instance.

On the appearance of the defendant pursuant to the summons or warrant, or on his voluntary surrender, the Court shall direct the surety or sureties making application under this section to be discharged from his or their obligation, and shall call upon the defendant to find fresh security, whereupon the provisions of section 569 (2) shall again apply."

Ib. Amends section 595. 21. In section 595, sub-section (2) is repealed, and the figure "(1)".

Ib. Repeals Chapter XXIX. 22. Chapter XXIX (section 623) is repealed.

Ib. Renumber Chapters XXX and XXXI. 23. Chapters XXX and XXXI shall be re-numbered XXIX and XXX respectively.

Ib. Adds a proviso to section 624. 24. In section 624, the following is added:—
"Provided that he shall not be allowed his costs in respect of counsel's fees, unless the Judge certifies that the case is fit for counsel."

Ib. Amends section 627. 25. In section 627, in paragraph (7) the words "the determination of" shall be deleted.

Ib. Repeals section 693. 26. Section 693 is repealed.

And whereas it is expedient to introduce the procedure of serving a "notice of writ" instead of a "writ" where the defendant is out of the jurisdiction and is not a British subject: Be it therefore enacted as follows:—

Ib. Adds a new heading to and amends section 42. 27.—(1.) Before section 42 there shall be inserted the heading "*Service out of the Jurisdiction*".

(2.) The following paragraphs shall be added to section 42:—

"(4.) When the defendant is neither a British subject nor in British dominions, notice of writ, and not the writ itself, is to be given to him.

(5.) Where leave is given under this section to serve notice of a writ of summons out of the jurisdiction, such notice shall be given in the manner in which writs of summons are served; and whenever in any section of this Code a writ of summons and service of a writ of summons out of the jurisdiction is referred to, it shall be held to apply, *mutatis mutandis*, where the defendant is not a British subject, to notice of a writ and the giving of notice of writ of summons respectively."

(3.) Section 13 is repealed and replaced by the following:— *Ib. Amends section 13.*

“No writ for service out of the jurisdiction, or of which notice is to be given out of the jurisdiction, shall be issued without leave of the Court.”

(4.) Section 25 (2) is repealed and replaced by the following:— *Ib. Amends section 25.*

“A writ for service within the jurisdiction may be issued and marked as a concurrent writ with one for service (or whereof notice in lieu of service is to be given) out of the jurisdiction, and a writ for service (or whereof notice in lieu of service is to be given) out of the jurisdiction, may be issued and marked as a concurrent writ with one for service within the jurisdiction.”

(5.) In section 42, after the words “service out of the jurisdiction” there shall be inserted the words “of a writ of summons”. *Ib. Amends section 42.*

(6.) In section 42 (2), after the words “probably may be found”, there shall be inserted the words “and whether such defendant is a British subject or not”. *Do.*

28. The following further paragraphs shall be added to section 42:— *Do.*

“(6.) This section shall apply to writs of summons in Probate actions.

(7.) The Court or a Judge may direct that any summons, order or notice shall be served on any party or person in a foreign country and the procedure prescribed by this section with reference to giving notice of writ of summons shall apply to the service of any summons, order or notice so directed to be served.

(8.) Where leave is given to serve notice of a writ of summons, or other document, in any foreign country to which Order XI rule 8 of the Rules of the Supreme Court in England has by order of the Lord Chancellor been applied, the following procedure shall be adopted:—

(i.) The notice to be served shall be sealed with the seal of the Court and shall be forwarded by the Judge to the Colonial Secretary, for transmission to the Secretary of State, together with a copy thereof translated into the language of the country in which service is to be effected, and with a request that the necessary steps be taken for the further transmission of the same to the Government of the country in which leave to serve notice of the writ has been given. Such request shall be in form 2c in the schedule, with such variations as circumstances may require.

(ii.) The party bespeaking a copy notice of writ for service under this section shall, at the time of bespeaking the same, file a *præcipe* in form 2c in the schedule.

(iii.) An official certificate, or declaration upon oath, or otherwise transmitted through the diplomatic channel by the Government or Court of a foreign country to which this section applies, to the Supreme Court, shall, provided that it certifies or declares the notice of the writ to have been personally duly served upon the defendant in accordance with the law of such foreign country, or words to that effect, be deemed to be sufficient proof of such service, and shall be filed of record as, and be equivalent to, an affidavit of service within the requirements of this section in that behalf.

- (ix.) Where an official certificate or declaration, transmitted to the Supreme Court in manner provided in the last sub-section, certifies or declares that efforts to serve a notice of writ have been without effect, the Court or a Judge may, upon the *ex parte* application of the plaintiff, order that the plaintiff be at liberty to bespeak a request for substituted service of such notice. Such order shall be in form 2*g* in the schedule with such variations as the circumstances may require.
- (x.) A request for substituted service of a notice of writ under this section may be bespoken by the plaintiff at the Registry upon filing a *præcipe* in form 2*c* in the schedule, and the notice of writ and copy of the same, and the order shall be sealed and transmitted to the Colonial Secretary in manner aforesaid together with a request in form 2*f* in the schedule.
- (9.) Where in any civil or commercial matter pending before a Court or Tribunal of a foreign country a letter of request from such Court or Tribunal for service on any person in this Colony of any process or citation in such matter is transmitted to the Supreme Court by the Colonial Secretary with an intimation that it is desirable that effect should be given to the same, the following procedure shall be adopted :—
- (i.) The letter of request for service shall be accompanied by a translation thereof in the English language, and by two copies of the process or citation to be served, and two copies thereof in the English language.
- (ii.) Service of the process or citation shall be effected by the bailiff.
- (iii.) Such service shall be effected by delivering to and leaving with the person to be served one copy of the process to be served, and one copy of the translation thereof, in accordance with the practice of the Court regulating service of process.
- (iv.) After service has been effected the bailiff shall return to the Registrar one copy of the process, together with an affidavit of service verified by notarial certificate, and particulars of charges for the cost of effecting such service.
- (v.) The Registrar shall certify the correctness of the charges, or such other amount as shall be properly payable for the cost of effecting service. A copy of such charges and certificate shall be forwarded to the Colonial Secretary.
- (vi.) The Registrar shall send to the Colonial Secretary the letter of request for service received from the foreign country, together with the affidavit of service, with a certificate appended thereto duly sealed with the seal of the Court. Such certificate shall be in form 2*h* in the schedule.
- (vii.) Upon the application of the Crown Solicitor with the consent of the Attorney General, the Court or a Judge may make all such orders for substituted service or otherwise as may be necessary to give effect to this section."

//. Adds forms to the schedule.

29. The forms in the schedule shall be added to the schedule of the Code of Civil Procedure, according to the numbers given to them.

SCHEDULE OF FORMS.

FORM No. 2a.

WRIT FOR SERVICE OUT OF THE JURISDICTION, OR WHEN NOTICE IN LIEU OF SERVICE IS TO BE GIVEN OUT OF THE JURISDICTION.

(Title, &c.) (a)

GEORGE THE FIFTH, by the grace of God, &c.
To C. D., of

We command you, C. D., That within [here insert the number of days directed by the Court or Judge ordering the service or notice] after the service of this writ [or notice of this writ, as the case may be] on you, inclusive of the day of such service, you do cause an appearance to be entered for you in the Jurisdiction of the Supreme Court of Hongkong in an action at the suit of A. B.; and take notice, that in default of your so doing the plaintiff may proceed therein, and judgment may be given in your absence. Witness, &c.

Memoranda to be subscribed on writ.

A.B.—This writ is to be served within twelve calendar months from the date hereof, or, if renewed, within six calendar months, including the day of such date, and not afterwards.

The defendant (or defendants) may appear hereto by entering an appearance (or appearances) either personally or by a solicitor at the Registry of the Supreme Court, Hongkong.

Indorsements to be made on the writ before issue thereof.

The plaintiff's claim is for, &c. (b)

The writ was issued by the plaintiff who resides or, this writ was issued by E. F. of whose address for service is Solicitor for, the said plaintiff, who resides at or, this writ was issued by G. H. of whose address for service is agent for of Solicitor for the said plaintiff, who resides at (mention the city, town, or village, also the name of the street and number of the house of the plaintiff's residence, if any).

A.B.—This writ is to be used where defendant or all the defendants or one or more defendant or defendants is or are out of the jurisdiction.

When the defendant to be served is not a British subject, and is not in British dominions, notice of the writ, and not the writ itself, to be served upon him.

Indorsements to be made on the writ (c) before issue thereof.

This writ was served by me at on the defendant on the day of 19 Indorsed the day of 19 (Signed) (Address)

- Notes. --(a.) If the action is for administration the writ must be headed "In the matter of the Estate of deceased". If it is a debenture holder's action the writ must be headed in the matter of Company. (b.) If the claim is for a debt or liquidated demand only the indorsement, even though not special, must include a claim for four-day costs. (c.) Within three days.

[Note.—The above indorsement "A.B." must be on any concurrent writ for service out of the jurisdiction, or of which notice is to be served out of the jurisdiction. The indorsement "A.B." need not be made on a writ against defendants domiciled abroad, but whom it is intended to serve within the jurisdiction.]

Form No. 2b.

SPECIALY ENDORSED WRIT FOR SERVICE

OUT OF THE JURISDICTION.

(Title.)

GEORGE THE FIFTH, by the grace of God, &c., to
, of , in the of .

We command you, That within* days after service† of this writ on you, inclusive of the day of such service, you cause an appearance to be entered for you in an action at the suit of .

And take notice, that in default of your so doing the plaintiff may proceed therein, and judgment be given in your absence.

Witness, &c.

N.B.—This writ is to be used, &c. [as in Form No. 2a, supra.]

Appearance is to be entered at the Registry of the Supreme Court, Hongkong.

Statement of Claim :

The plaintiff's claim is

Particulars :—

Place of trial

(Signed)

And \$ [or such sum as may be allowed on taxation] for costs. If the amount claimed is paid to the plaintiff or his solicitor or agent within* days from service† hereof, further proceedings will be stayed.

This writ was issued, &c. [see Form 5 supra.]

This writ [or notice of this writ] was served, &c.

N.B.—This writ is to be used, [as in Form No. 1 supra.]

Form No. 2c.

NOTICE OF WRIT IN LIEU OF SERVICE TO BE

GIVEN OUT OF THE JURISDICTION.

(Title, &c.)

To G.H., of

Take notice, that A.B., of , has commenced an action against you, G.H., in the Jurisdiction of the Supreme Court of Hongkong by writ of that Court, dated the day of , A.D. 19 ; which writ is indorsed as follows [copy in full the indorsements], and you are required within days after the receipt of this notice, inclusive of the day of such receipt, to defend the said action, by causing an appearance to be entered for you in the said Court to the said action : and in default of your so doing, the said A.B. may proceed therein, and judgment may be given in your absence.

You may appear to the said writ by entering an appearance personally or by your Solicitor at the Registry of the Supreme Court Hongkong.

(Signed) A.B. of &c.

or N.Y. of &c.

Solicitor for A.B.

N.B.—This notice is to be used where the person to be served is not a British subject, and is not in British dominions.

LETTER FORWARDING REQUEST FOR
SERVICE ABROAD.

The Chief Justice of the Supreme Court of Hongkong presents his compliments to the Colonial Secretary and begs to enclose a notice of a writ of summons issued in an action of *versus* in [name of country] pursuant to order out of the Supreme Court of Hongkong in order that necessary steps may be taken to ensure its transmission to the [name of defendant to be served] against whom proceedings have been taken in the said Supreme Court, and with the further request that such evidence of the service of the same upon the said defendant may be officially certified to the said Supreme Court, or declared upon oath, or otherwise, in such manner as is consistent with the usage or practice of the Courts of the [name of country] in proving service of legal process.

The Chief Justice begs further to request that in the event of efforts to personal service of the said notice of writ proving ineffectual the Government or Court of the said country be requested to certify the same to the said Supreme Court.

FORM No. 2c.

REQUEST FOR SERVICE OF NOTICE ABROAD.

(Title, &c.)

I (or we) hereby request that a notice of writ of summons in this action be transmitted through the proper channel to [name of country] for service on the defendant [naming him] at [address of defendant] or elsewhere in [name of country].

And I (or we) hereby personally undertake to be responsible for all expenses incurred by the Colonial Secretary in respect of the service hereby requested, and on receiving due notification of the amount of such expenses I (or we) undertake to pay the same to the Chief Clerk at the Colonial Secretary's Office, and to produce the receipt for such payment to the proper officer of the Supreme Court.

Dated, &c.

(Signature of Solicitor.)

FORM No. 2f.

LETTER FORWARDING REQUEST FOR
SUBSTITUTED SERVICE.

(Title, &c.)

The Chief Justice of the Supreme Court presents his compliments to the Colonial Secretary and begs to enclose a notice of a writ of summons in the case of *versus* in which the plaintiff has obtained an order of the Supreme Court (which is also enclosed) giving leave to bespeak a request that the said notice of writ may be served by substituted service on the defendant at

in the [name of country].

The Chief Justice requests that the said notice of writ and order may be forwarded to the proper authority in [name of country] with the request that the same may be transmitted by post addressed to the defendant at

(the last known place of abode or the place of business) of the said defendant, or there delivered in such manner as may be consistent with the usage or practice of the Courts of [name of country] for service of legal process where personal service cannot be effected; and with the further request that the same may be officially certified to the Supreme Court of Hongkong or declared upon oath, or otherwise, in such manner as is consistent with the practice of the Courts of the [name of country] in proving service of legal process.

FORM No. 2g.

ORDER TO BESPEAK REQUEST FOR SERVICE ABROAD.

(Title, &c.)

Upon reading the [certificate, declaration, or, as the case may be, describing the same.]

It is ordered that the plaintiff be at liberty to bespeak a request for substituted service of notice of the writ of summons herein on the defendant _____ at _____, or elsewhere in the [name of country] and that the said defendant have _____ days after such substituted service within which to enter appearance.

Dated this _____ day of _____, 19 _____.

FORM No. 2h.

CERTIFICATE OF SERVICE OF FOREIGN PROCESS.

I _____ Master of the Supreme Court of Judicature in England hereby certify that the documents annexed hereto are as follows:—

- (1.) The original letter of request for service of process received from the Court or Tribunal at _____ in the _____ of _____ in the matter of _____ versus _____ and :
- (2.) The process received with such letter of request, and :
- (3.) The evidence of service upon _____ the person named in such letter of request, together with the verification of a Notary Public.

And I Certify that such service so proved, and the proof thereof, are such as are required by the law and practice of the English Supreme Court regulating the service of English legal process in England, and the proof thereof.

And I Certify that the cost of effecting such service, as duly certified by the Taxing of the English Supreme Court, amounts to the sum of _____.

Dated this _____ day of _____, 19 _____.

Objects and Reasons.

Clause 2 authorises a verbal alteration which does not affect the legal meaning. *Clause 3* amends section 4 of the Principal Ordinance which is in the following terms: "In all cases in respect to which no provision is made by this Code, the Rules of Practice for the time being in force in the Supreme Court in England shall be deemed to be in force in the Court, subject to their applicability and with such modifications as the circumstances may require." The principal object of the amendment is to give the Legislative Council a greater measure of control than they have at present over the introduction into the Code (which is a legislative patchwork of the English Practice and the old repealed Hongkong Code) of new English rules of procedure. *Clause 4* carries out the evident intention of section 36, not effected owing to an error in drafting. Companies registered in Great Britain are foreign so far as Hongkong is concerned and are dealt with by section 37, and companies like the Basel Mission (see Ordinance No. 2 of 1896) are clearly intended to be governed by the procedure under section 36. *Clause 5* substitutes procedure by summons for procedure by motion in applications to set aside writs and thereby saves costs. *Clause 6* authorises the deletion of unnecessary words without effecting a change in the law. *Clause 7* gives the word "estate" the meaning assigned to it by the

Probates Bill, 1911, and by the Stamp Bill, 1911. *Clause 8* is necessary because it is not intended that the word "statute" shall include Ordinance. It did so under section 16 of Ordinance No. 8 of 1897 (the old Interpretation Ordinance) which is being repealed by the Interpretation Bill now before the Council. *Clause 9* repeals a section which was founded on the old Chancery practice of verifying pleadings by oath and which is obsolete. *Clause 10* repeals the third sub-section of section 135 which is contradictory to section 700 and substitutes a useful sub-section. *Clause 11* repeals three sections the purport of which is already contained in the Evidence Ordinance, 1889. *Clause 12* modifies the language of section 347 so as to bring the law into conformity with the actual practice of the Court, which is a convenient practice. *Clause 13* makes a slight amendment in section 349 with a view to checking frivolous applications. *Clause 14* repeals a sub-section which is no longer necessary since legal tender was established in the Colony. *Clause 15* states clearly what the existing practice is as to orders for "immediate execution", an expression which was left rather vague in the Principal Ordinance. *Clause 16* repeals a section which is considered contradictory to section 394 and which is not to be found in the English Practice. *Clause 17* is intended to make the presence of debtors in custody in Court or Chambers unnecessary in purely formal cases and to facilitate their discharge in cases where there is no opposition thereto. *Clause 18* makes a verbal alteration in accordance with the practice. Section 479 required "the filing of a statement of claim and the service thereof on the Crown Solicitor", which is a self contradictory requirement. *Clause 19* repeals a provision of the Code, the effect of which has expired. *Clause 20* makes provision for the discharge of sureties, the discharge of the defendant being already provided for. *Clause 21* repeals a sub-section the effect of which is spent. *Clause 22* repeals a merely declaratory section, which is deemed superfluous. *Clause 23* is consequential. *Clause 24* adds a proviso to section 624 declaratory of the existing practice both at home and in the Colony. *Clause 25* makes a grammatical correction in section 627. *Clause 26* repeals a section which has never been and is never likely to be acted upon. *Clauses 27 and 28* make additions, based on the English Practice, to section 42 which is not at present complete and the latter part of *Clause 28* introduces portions of the said practice which the Government has been instructed to introduce by the Secretary of State in the despatch dated the 8th May, 1911.

C. G. ALABASTER,
Attorney General.

NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. S. 210.—Statement of Sanitary Measures adopted by Hongkong.

Disease.	Port or Place.	Restrictions in Force.	Authority.
Cholera.	Bangkok.	Medical examination; quarantine at the discretion of the Health Officer.	Proclamation No. 1 dated 6th May, 1910.
Plague and Cholera.	Amoy.	Do.	Proclamation No. 7 dated 5th July, 1911.