

No. S. 43.—The following bill, which it is proposed to introduce into the Legislative Council shortly, is published for general information.

[No. 12:—11.2.25.—2].

C.S.O. 2582/23.

A BILL

INTITULED

An Ordinance to provide for the incorporation of the Lord Bishop of Victoria in the Colony of Hongkong.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

1. This Ordinance may be cited as the Bishop of Short title. Victoria Incorporation Ordinance, 1925.

2. The Right Reverend Charles Ridley Duppy, Bishop of Victoria in the Colony of Hongkong, and his successors in the said office of Bishop, shall be a corporation sole, hereinafter called the corporation, and shall have the name of "The Bishop of Victoria, Hongkong", and in that name shall have perpetual succession, and shall and may sue and be sued in all courts in the Colony and shall and may have and use an official seal.

3.—(1) The corporation shall have power to acquire, accept leases of, purchase, take, hold and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and wheresoever situated, and also to invest moneys upon mortgage of any lands, buildings, messuages, or tenements, or upon the mortgages, debentures, stocks, funds, shares or securities of any government, municipality, corporation or company, and also to purchase, acquire and possess vessels and other goods and chattels of what nature and kind soever.

(2) The corporation shall further have power by deed under its seal to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, re-assign, transfer or otherwise dispose of any lands, buildings, messuages, tenements, mortgages, debentures, stocks, funds, shares or securities, vessels, or other goods and chattels, which are for the time being vested in or belonging to the corporation upon such terms as to the corporation may seem fit.

4. The legal estate in any property whatsoever, transferred to the corporation in any manner whatsoever, shall, in the event of the death of the Bishop of Victoria for the time being, or in the event of his ceasing to hold office as such Bishop, pass to his successor in such office when appointed.

5. All deeds and other instruments requiring the corporate seal of the corporation shall also be signed by the Bishop of Victoria for the time being.

6. Any instrument sealed with the corporate seal of the corporation shall not by reason only of the use of such seal be rendered liable to a higher stamp duty than if the corporation sole were a natural person.

7. The piece or parcel of ground registered in the Land Office as Inland Lot No. 76, now vested in the Most Honourable and Right Reverend Randall Thomas by Divine Providence Archbishop of Canterbury and Primate of all England, together with all rights, easements and appurtenances belonging or appertaining thereto or therewith usually held, occupied and enjoyed, is hereby transferred to and vested in the corporation, for the unexpired residue of the term of years created by the Crown lease thereof, subject to the payment of the rent and the performance of

the covenants and conditions reserved by and contained in the Crown lease of the same, and subject to a declaration of trust given to His Excellency the Governor, dated the 1st day of September, 1923, and registered in the Land Office by Memorial No. 87518, freed and discharged as to the Archbishop from all liability under or by virtue of the said lease and declaration of trust or either of them.

Saving of the rights of the Crown and of certain other persons.

8. Nothing in this Ordinance shall affect or be deemed to affect the rights of His Majesty the King, his heirs or successors, or the rights of any body politic or corporate or of any other person except such as are mentioned in this Ordinance and those claiming by from or under them.

Objects and Reasons.

1. The object of this bill is to incorporate the Bishop of Victoria in order to enable him to hold immovable property in perpetual succession, and in particular to enable him to hold the site of St Paul's College, which is being vested in him with the consent of His Grace the Archbishop of Canterbury, the present legal owner.

2. The Ordinance, in general, follows the usual form of incorporation Ordinances. Clause 4 is new. It appears that at common law a corporation sole cannot take a term in its corporate capacity, and therefore that a lease granted to a corporation sole passes to his personal representatives and not to his successors: see *Arundell's Case* (1615) 1 Roll. Abr. 515, cited in *Fulwood's Case* (1591) 4 Co. Rep. 65, note A, 76 E.R. (K.B.) 1032, note A. The rule is given in Halsbury's Laws of England, Vol. 8, p. 371. It is possible that this clause is unnecessary in view of the terms of clause 3, but it has been thought safer to deal with the matter expressly.

3. Clause 6 of the bill was suggested by a similar provision in section 1 (2) of the Public Trustee Act, 1906, 6 Edw. 7, c. 55.

J. H. KEMP,
Attorney General.

20th June, 1924.

NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. S. 44.—The following draft of a regulation to be made under the Advertisements Regulation Ordinance when amended, is published for general information.

**Draft of a regulation to be made under the
Advertisements Regulation Ordinance when amended.**

Regulation made by the Governor in Council under section 2 of the Advertisements Regulation Ordinance, 1912, Ordinance No. 19 of 1912, on the day of , 1925.

The following regulation is added at the end of the regulations made by the Governor in Council under the above Ordinance on the 4th March, 1920, and published in the Gazette of the 18th June, 1920:—

5. No person shall exhibit any occulting sign or allow any occulting sign to be exhibited on any premises occupied by him.

COUNCIL CHAMBER,

, 1925.

Clerk of Councils.