

Draft Bill.

No. S. 131.—The following bill, which will be introduced into the Legislative Council at an early date, is published for general information.

C.S.O. 615/25.

[No. 8.—24.4.25.—1]

A BILL

INTITULED

An Ordinance to provide for the incorporation of the Mother Superior in this Colony of the Society of the "Petites Soeurs des Pauvres, St. Pern, Bretagne", commonly known as The Little Sisters of the Poor.

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 "Petites Soeurs des Pauvres, St. Pern, Bretagne" Incorporation Ordinance.

2. The Mother Superior for the time being in this Colony of the Society of the Petites Soeurs des Pauvres, St. Pern, Bretagne, shall be a corporation sole (hereinafter called the corporation), and shall have the name of "The Mother Superior of the Petites Soeurs des Pauvres, St. Pern, Bretagne" and by that name shall and may sue and be sued in all courts in this Colony and shall and may have and use a common seal.

3.—(1) Subject to the licence of the Governor having been previously obtained in each case, 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 in this Colony, 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 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, reassign, transfer or otherwise dispose of any lands, buildings, messuages, tenements, mortgages, debentures, stocks, funds, shares or securities, or other goods and chattels whatsoever, 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 Mother Superior for the time being, or in the event of her ceasing to hold office as such Mother Superior, pass to her successor in such office when appointed.

5. All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of the person who is for the time being Mother Superior in this Colony of the corporation or of her attorney duly authorised and such deeds and instruments and all other documents instruments and writings requiring the signature of the corporation shall be signed by such Mother Superior or her attorney.

6.—(1) Sister Bernadette, the present Mother Superior in this Colony of the corporation, having furnished to the Governor satisfactory evidence of her appointment to that office, shall for the purposes of this Ordinance be deemed to be the Mother Superior in this Colony of the corporation until the appointment in her stead of some other person as

Incorporation of the Mother Superior in Hongkong of the Society of the Petites Soeurs des Pauvres, St. Pern, Bretagne.

Powers of corporation.

Property transferred to corporation to pass to successors.

Execution of documents.

Appointment of Mother Superior.

(2) When any other person is appointed to the office of Mother Superior in this Colony of the corporation, such person shall, within three weeks after her appointment or within such further time as may be allowed by the Governor, furnish to the Governor satisfactory evidence of her appointment.

(3) A notification in the Gazette under the hand of the Colonial Secretary that such evidence has been furnished to the Governor by such person shall be conclusive evidence of such appointment.

7. Nothing in this Ordinance shall affect or be deemed to affect the rights of His Majesty the King his heirs and 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. Saving of rights of the Crown and others.

Objects and Reasons.

1. The object of this bill is to incorporate the Petites Soeurs des Pauvres, St. Pern, Bretagne, in order to enable them to hold immovable property in perpetual succession.

2. The Bill, in general, follows the usual form of incorporation Ordinances. Clause 4 is similar to clause 4 of the Bishop of Victoria Incorporation Ordinance, 1925. 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 personal representatives and not to successors: see *Arundell's Case* (1615) 1 Roll. Abr. 515, cited in *Fulwood's Case* (1591) 4 Co. Rep. 65a, 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.

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Attorney General.

1st April, 1925.

NOTICES.

No. S. 132.—Statement of Sanitary Measures adopted by Hongkong.

Disease.	Port or Place.	Restrictions in Force.	Authority.
Small-pox.	Hoihow.	Medical examination; quarantine at the discretion of the Health Officer.	Notification No. 152 of 18th March, 1925.