

LEGISLATIVE COUNCIL.

No. S. 191.—The following Bill was read a first time at a meeting of the Council held on the 15th July, 1925:—

C.S.O. 626/1925.

[No. 11 :—15.7.25.—3.]

A BILL

INTITULED

An Ordinance relating to the postponement of the June Settlement and to the facilitation of the carrying out of the June and July Settlements.

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

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| Short title.  | 1. This Ordinance may be cited as the June and July Settlement Ordinance, 1925.  |
| Interpretation.   | 2. In this Ordinance,<br>(a) "Buyer" means buyer of shares for the June Settlement day or July Settlement day.<br>(b) "Due date" means in the case of the June Settlement the 23rd day of July, 1925, and in the case of the July Settlement the 28th day of July, 1925.<br>(c) "Flat rate" means the quotation for shares which is set out in the Schedule and, in the case of shares which are not included in the Schedule, such quotation as may be fixed by the Governor.<br>(d) "June settlement day" means the 23rd day of June, 1925.<br>(e) "July Settlement day" means the 28th day of July, 1925.<br>(f) "Seller" means the signatory of the contract for the sale to the buyer.<br>(g) "Shares" include any shares in any stocks or funds transferable at the Bank of England or at the Bank of Ireland, and India promissory notes, and any bonds or debentures and any shares in the stocks or funds of any foreign or colonial state or government, or in the capital, stock or funded debt of any county council, corporation, company, or society in the United Kingdom, or in the Colony, or of any foreign or colonial corporation, company or society. |
| Extension of contracts for June settlement day.<br>Rate of interest chargeable. | 3. Every contract for the purchase or sale of shares for the June settlement day and every contract for the carrying over of shares until the June settlement day shall be construed in every court of law as if, prior to the June settlement day, a duly stamped agreement for valuable consideration had been made between all the parties to every such contract <i>inter se</i> for the extension of the time for the performance of the said contracts until and including the 23rd day of July, 1925, and as if all the parties to every such contract had agreed <i>inter se</i> that interest at the rate of eight per cent. per annum should be paid, from the June settlement day till the 23rd day of July, 1925, or other earlier date of payment, in respect of every sum of money due and payable under the said contracts on the June settlement day.  |

4. Every contract, which is referred to in section 3, shall be deemed at all times to have been and is hereby declared to be valid and enforceable by legal proceedings notwithstanding that the same was not performed on the June settlement day or on any other date prior to the 23rd day of July, 1925.

Validation of contracts in section 3.

5. No person shall be allowed to claim or plead in any legal proceedings, whether instituted before or after the commencement of this Ordinance, that any of the contracts which are referred to in section 3 became or is invalid or otherwise unenforceable by legal proceedings by reason of the non-performance of any such contract on the June settlement day or on any other date prior to the 23rd day of July, 1925.

Claim or plea of invalidity etc. barred.

6.—(1) In the event of a buyer not intending to take delivery of shares on due date at the contract price, such buyer may, if he thinks fit, make, on or before the 21st day of July, 1925, a request in writing to the seller to carry such shares for such buyer until and including the 22nd day of September, 1925, or until such earlier date (if any) on which such buyer shall redeem such shares by payment of the moneys due thereon together with interest on such moneys at the rate of twelve per cent. per annum. Upon any such request as aforesaid such shares shall become the property of the buyer as between the buyer and the seller and the seller shall carry the said shares at the rate of interest at twelve per cent. per annum: Provided always that such request shall not be effective unless concurrently with the making of it the buyer pays to the seller all interest, brokerage and stamp duty which will be due from the buyer on due date and also (where the price at which the buyer has bought is greater than the flat rate) the difference between the flat rate and the contract price.

Option to buyer to have his shares carried on certain terms.

(2) The provisions of sub-section (1) shall apply also to every existing arrangement whereby shares are being carried for the June or July Settlement day as though every such arrangement were a contract for the purchase and sale of shares for the June or July Settlement, as the case may be, and shall be construed accordingly.

7. Whenever and so long as a seller is by the provisions of this Ordinance required to carry shares, a pledgee, chargee or mortgagee of such shares from such seller shall not be entitled to call in any loan made by him to such seller.

Pledgee to be seller not to call in loan.

8. If a buyer fails to redeem on or before the 22nd day of September, 1925 shares which are being carried for him in pursuance of the provisions of section 6 the seller shall be at liberty to sell and absolutely dispose of such shares in such manner as he may think fit without any reference to or consent of such buyer, and shall not be responsible for any loss occasioned to such buyer thereby. Such seller shall also have the right to recover from such buyer any difference between the price realised by such sale and the amount due from such buyer to such seller.

Power of sale on default in redemption.

9. At any time after the commencement of this Ordinance a buyer shall be applied, on his request, by the person who signed the contract for the sale of shares to him, with the scrip number or numbers of the shares which are being carried for him by such person.

Scrip numbers to be supplied to buyers.

**SCHEDULE**

Stock	Price	Stock	Price
<b><u>Banks</u></b>		<b><u>Lands, Hotels &amp; Bldgs.</u></b>	
Hongkong Bank.....	\$1275	H. & S. Hotels (old)	13
„ London.....	£136	„ (new)	...
Chartered Bank.....	£20½	Hongkong Lands	88½
Mercantile Bank, A. & B.	£29½	Hk. Realty.....	4.60
Do., O.	£13½	H.K. Territorials..	2½
P. & O. Bank.....	£11¾	Humphreys.....	19½
East Asia.....	97½	Princes Building	150
<b><u>Marine Ins.</u></b>		Rural Lands.....	10
Canton Ins.....	750	<b><u>Cotton Mills</u></b>	
China Underwriters..	4	Ewo Cottons.....	T10½
North China Ins. ...	T140	Oriental.....	T3½
Union Ins. ....	287	S'hai Cottons (old)	T57
Yangtze Ins. ....	50	„ (new)	T31
<b><u>Fire Insurances</u></b>		<b><u>Miscellaneous</u></b>	
China Fire Ins. ....	200	Canton Ices ...	7½
Hk. Fire Ins. ....	670	Cements (comb) ..	26½
<b><u>Shipping</u></b>		„ (old) ..	20
Douglases.....	54	„ (new) ..	9
Hk. Steamboats.....	36½	China Buses.....	\$14½
Hk. Tugs.....	4¾	China Lig. (comb)	30½
Indo-Chinas (Pref.)..	38	„ (old) ...	21
„ (Def) L'd	90	„ (new)...	20
„ „ Hk	90	China Prov.(comb)	47
Shell Transports....	84/-	„ (old)	15
Star Ferries... ..	81	„ (new)	13½
Water-boats.....	17½	Const. uctions ..	4½
Oriental Navigation..	255	Dairy Farms.....	26½
<b><u>Refineries</u></b>		Der A Wing (f.p.)	10
China Sugars.....	47½	„ (p.p.)	5
Malabon Sugars.....	51	Ele trics, H'kong	72½
<b><u>Mining</u></b>		„ Macao..	42
Benguets.....	2.40	Hk. Developments	80c.
Kailan Mining Ad..	60/-	H.K.Ropes (comb)	52
Langkats Combined.	T26½	„ (old)..	18
„ Single.....	T12.85	„ (new)...	10.20
S'hai Exploration ...	T5	Hk. Tramways ..	37¼
„ Loan.....	T7	Singapore Trams.	22
Ranbs.....	2¾	Lae Crawford ...	17
Tronoh Mines.....	60/-	Mac kintosh.....	21½
Ural Caspians.....	8/-	Peak Trams (old)	22½
<b><u>Docks, Wharves, Godowns &amp;c.</u></b>		„ (new)	9.35
Hk & K Wharf.....	190	Sinceres.....	13½
Hk. & W Docks.....	105	Taxis.....	6¼
Hongkewo.....	T200	United Asbestos...	20
N. Engineering.....	T9¼	Watsons (old) ...	21
Shanghai Docks.....	T132	„ (new) ...	20
.....	.....	Wm Powells.....	14

*Objects and Reasons.*

The object of clauses 3 to 5 of this Bill is to provide for the postponement of the date of the June Settlement from the 23rd day of June till the 23rd day of July, 1925, and to validate notwithstanding such postponement "every contract for the purchase or sale of shares for the June settlement day and for every contract for the carrying over of shares until the June settlement day". The Bill also provides for the payment of interest at the rate of 8% per annum, during such period of postponement, in respect of every sum of money due and payable under the above contracts on June settlement day.

Clause 6 (1) of the Bill affords certain facilities to buyers of shares for the June and July settlement days for getting them carried till the September Settlement day, but such carrying is made dependent on the buyer giving certain notice and making certain payments.

Clause 6 (2) gives similar facilities in respect of contracts carried over from previous settlements.

Clause 7 binds a pledgee from a seller not to call in his loan for the time being.

Clause 8 confers the usual power of sale on default.

Clause 9 enables a buyer to ask for the scrip numbers of shares which are being carried for him.

H. E. POLLOCK,  
*Attorney General.*

14th July, 1925.

NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. S. 192.—Statement of Sanitary Measures adopted against Hongkong.

Place or Port.	Nature of Measures.	Date.	Reference to Government Notification.
Manila.	Inspections outside Manila harbour from 20th April. Third class passengers and new crew must comply with the vaccination requirements.	16th April, 1924.	—

CLAUD SEVERN,  
*Colonial Secretary.*

17th July, 1925.