

GOVERNMENT NOTIFICATION.—No. 434.

The following Bills, which were read a first time at a Meeting of the Legislative Council held yesterday, are published for general information.

ARATHOON SETH,
Clerk of Councils.

Council Chamber, Hongkong, 13th November, 1886.

A BILL

ENTITLED

An Ordinance to amend the Law relating to Wills.

(15 & 16 Vic.
c. 26.)

Short title.

Interpretation.

Interpretation of Wills.
(15 & 16 Vic.
c. 24, s. 3.)

Repeal.

When will shall be deemed valid as regards the position of the testator's signature.
(15 & 16 Vic.
c. 24, s. 1.)

Ordinance extend to certain wills already made.
(15 & 16 Vic.
c. 24, s. 2.)

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

1. This Ordinance may be cited for all purposes as "*The Wills Act Amendment Ordinance, 1886.*"

2. The expression "*Principal Act*" in this Ordinance shall mean An Act passed in the 7th year of the reign of His Majesty King WILLIAM the 4th, and the 1st year of the reign of Her Present Majesty Queen VICTORIA Chapter 26 entitled "*An Act for the Amendment of the Laws with respect to Wills,*" and

The word "*Will*" shall in the construction of this Ordinance be interpreted in like manner as the same is directed to be interpreted under the provisions in this behalf contained in the Principal Act.

3. So much of Ordinance No. 3 of 1854 as relates to the Act passed in the 15th and 16th years of Her Present Majesty Chapter 24 is hereby repealed, but such repeal shall not affect any past operation of the said Ordinance or any thing done or suffered thereunder.

4. Every will shall so far only as regards the position of the signature of the testator, or of the person signing for him as aforesaid, be deemed to be valid within the Principal Act as explained by this Ordinance, if the signature shall be so placed at or after, or following, or under, or beside, or opposite to the end of the will, that it shall be apparent on the face of the will that the testator intended to give effect by such his signature to the writing as his will; and no such will shall be affected by the circumstance that the signature shall not follow or be immediately after the foot or end of the will, or by the circumstance that a blank space shall intervene between the concluding word of the will and the signature, or by the circumstance that the signature shall be placed among the words of the testimonium clause or of the clause of attestation, or shall follow or be after or under the clause of attestation, either with or without a blank space intervening or shall follow or be after, or under, or beside the names or one or the names of the subscribing witnesses, or by the circumstance that the signature shall be on a side or page or other portion of the paper or papers containing the will whereon no clause or paragraph or disposing part of the will shall be written above the signature, or by the circumstance that there shall appear to be sufficient space on or at the bottom of the preceding side or page or other portion of the same paper on which the will is written to contain the signature; and the enumeration of the above circumstances shall not restrict the generality of the above enactment; but no signature under the Principal Act or this Ordinance shall be operative to give effect to any disposition or direction which is underneath or which follows it, nor shall it give effect to any disposition or direction inserted, after the signature shall be made.

5. The preceding provisions of this Ordinance shall extend and be applied to every will made prior to the 31st October, 1854, and taking effect in the Colony, administration to which or probate of which had not up to that date been granted or ordered by a Court of competent jurisdiction in consequence of the defective execution of such will, or where the property not being within the jurisdiction of the Supreme Court has not been possessed or enjoyed by some person or persons claiming to be entitled thereto in consequence of the defective execution of such will, or the right thereto shall not have been decided to be in some other person or persons than the persons claiming under the will, by a Court of competent jurisdiction in consequence of the defective execution of such will, and to every will made since the 31st of October, 1854.

A BILL

ENTITLED

An Ordinance relating to Bills of Lading.

WHEREAS it is expedient that Ordinance No. 2 of 1856 should be re-enacted with certain amendments: Be it enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited for all purposes as "The Bills of Lading Ordinance, 1886."

2. Ordinance No. 2 of 1856 is hereby repealed but such repeal shall not affect the past operation of the said Ordinance nor anything done or suffered thereunder.

3. Every consignee of goods named in a Bill of Lading, and every endorsee of a Bill of Lading to whom the property in the goods therein mentioned shall pass, upon or by reason of such consignment or endorsement, shall have transferred to and vested in him all rights of suit, and be subject to the same liabilities in respect of such goods, as if the contract contained in the Bill of Lading had been made with himself.

4. Nothing herein contained shall prejudice or affect any right of stoppage in transitu, or any right to claim freight against the original shipper or owner, or any liability of the consignee or endorsee by reason or in consequence of his being such consignee, or endorsee, or of his receipt of the goods by reason or in consequence of such consignment or endorsement.

5. Every Bill of Lading in the hands of a consignee or endorsee for valuable consideration representing goods to have been shipped on board a vessel, shall be conclusive evidence of such shipment as against the master or other person signing the same, notwithstanding that such goods or some part thereof may not have been so shipped, unless such holder of the Bill of Lading shall have had actual notice at the time of receiving the same that the goods had not been in fact laden on board: Provided that the master or other person so signing may exonerate himself in respect of such misrepresentation by showing that it was caused without any default on his part, and wholly by the fraud of the shipper, or of the holder, or some person under whom the holder claims.

Short title.

Repeal.

Rights under Bills of Lading to vest in consignee or endorsee. (18 & 19 Vic. c. 111, s. 1.)

Not to affect right of stoppage in transitu or claims for freight. (18 & 19 Vic. c. 111, s. 2.)

Bill of Lading in hands of consignee, &c., conclusive evidence of the shipment as against Master, &c. (18 & 19 Vic. c. 111, s. 3.)

Proviso.

GOVERNMENT NOTIFICATION.—No. 435.

The following Particulars and Conditions of Sale of Crown Land by Public Auction, to be held on the spot, on Monday, the 29th day of November, 1886, at 4 P.M., are published for general information.

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 13th November, 1886.

Particulars and Conditions of the letting by Public Auction Sale, to be held on Monday, the 29th day of November, 1886, at 4 P.M., by Order of His Excellency the Officer Administering the Government of Five Lots of Crown Land, in the Colony of Hongkong, for a term of 75 Years.

PARTICULARS OF THE LOTS.

No. of Sale.	Registry No.	LOCALITY.	Boundary Measurements.				Contents in Square ft.	Annual Rent.	Upset Price.
			N.W. & W.	S. & S.E.	E.	W.			
1	Rural Building Lots 37	Magazine Gap,	290	370	207	...	42,100	98	840
2	38	Do.,	256	120	310	207	44,800	104	900
3	39	Do.,	210	350	219	240	61,900	138	1,240
4	49	Do.,	350	300		237	36,100	84	720
5	50	Do.,	237	400	237	330	63,800	146	1,280