

OATHS BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to regulate the Law as to Oaths.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

Council resumed, and Bill reported with amendments.

The Attorney General moved that the Bill be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

OFFICIAL SIGNATURES FEES BILL.—The Attorney General addressed the Council and moved the Second reading of the Bill entitled An Ordinance to amend the Official Signatures Fees Ordinance, 1888.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a second time.

Council in Committee on the Bill.

Council resumed, and Bill reported without amendment.

The Attorney General moved that the Bill be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time.

Question put—that this Bill do pass.

Bill passed.

CODE OF CIVIL PROCEDURE AMENDMENT BILL.—The Second reading of the Bill entitled An Ordinance to amend the Code of Civil Procedure, was not proceeded with.

TRAMWAY (AMENDMENT) BILL.—The Second reading of the Bill entitled An Ordinance to amend the Tramway Ordinance, 1902, was not proceeded with.

ADJOURNMENT.—The Council then adjourned *sine die*.

F. D. LUGARD,
Governor.

Read and confirmed this 14th day of April, 1910.

C. CLEMENTI,
Clerk of Councils.

No. 105.—His Excellency the Governor has given his assent, in the name and on behalf of His Majesty the King, to the following Ordinance passed by the Legislative Council :—

Ordinance No. 5 of 1910.—An Ordinance to regulate the Law relating to Crown Suits.

HONGKONG.

No. 5 OF 1910.

An Ordinance to regulate the Law relating to
Crown Suits.

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F. D. LUGARD,
Governor.

[15th April, 1910.]

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 Crown Suits Short title Ordinance, 1910.

2. The Attorney General may lawfully commence and prosecute in his own name any action or other civil proceedings in respect of any claim made by the Crown, or by the Governor or Government of Hongkong, or by any officer of the said Government in his official capacity against a defendant whether the cause of action has already arisen or hereafter arises out of contract or tort or otherwise:

Crown suits to be in the name of the Attorney General.

Provided always that this section shall not affect the commencement or prosecution of any proceedings in respect of which any law or Ordinance has provided or hereafter shall provide that such proceedings shall be taken in the name of some public officer other than the Attorney General.

3. In all contracts or other documents hereafter signed, executed or made by the Governor or by any public officer of the Colony on behalf of the Governor or Government or of the Public Service it shall not be necessary to name such Governor or officer; it shall be sufficient to name the office he holds; and the Governor or officer for the time being administering the Government, or performing the duties of the office named shall (unless the contrary intention appears) be deemed to be a party thereto as if the office of such Governor or officer was a corporation sole with perpetual succession for this purpose.

Contracts by public officers.

4. Every contract and other document heretofore signed, executed or made by any Governor or other public officer on behalf of the Governor or Government of the Colony or of the Public Service shall (unless the contrary intention appears) be deemed to have been made by such Governor or officer on behalf of himself and his successors in office, and shall be enforceable by the Governor or officer for the time being administering the Government or performing the duties of the office named, or in cases not coming within the proviso to section 2 of this Ordinance, by the Attorney General on behalf of such Governor or officer as if the office of such Governor or officer had, at the time of such execution or making, been a corporation sole with perpetual succession for this purpose.

Effect of contracts already made by public officer.

5. Contracts made, or to be made, in England, for the Government of the Colony or for the Public Service of the Colony by the Crown Agents, shall, so far as the same come within the jurisdiction of the Courts of the Colony, be deemed to have been made by the Governor.

Contracts by Crown Agents.

6. The omission to add the title of the public office held by any Governor or public officer signing or executing any such contract or other document as aforesaid after the signature of such officer shall not exclude such contract or other document, whether made before or after the commencement of this Ordinance, from the operation of this Ordinance.

Omission of title after signature of public officer.

Passed the Legislative Council of Hongkong, this 14th day of April, 1910.

C. CLEMENTI,
Clerk of Councils.

Assented to by His Excellency the Governor, the 15th day of April, 1910.

F. H. MAY,
Colonial Secretary.