

No. 253.—His Excellency the Officer Administering the Government has given his assent, in the name and on behalf of His Majesty the King, to the following Ordinances passed by the Legislative Council :—

Ordinance No. 20 of 1910.—An Ordinance to amend the Marriage Ordinance, 1875.

Ordinance No. 21 of 1910.—An Ordinance to provide for the narrowing, stopping up, diversion, turning or alteration in levels of Highways.

HONGKONG.

No. 20 OF 1910.

An Ordinance to amend the Marriage Ordinance, 1875.

F. H. MAY,

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Officer Administering the Government.

[19th August, 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 Marriage Amendment Ordinance, 1910, and shall be read and construed as one with the Marriage Ordinance, 1875. Short title.

2. Section 37 of the Marriage Ordinance, 1875, is hereby repealed and the following sections shall be substituted therefor :— Repeals section 37 of Ordinance No. 7 of 1875 and substitutes other sections.

“ 37. Chinese persons may be permitted to contract marriage before the Registrar General under this Ordinance only on proving to the satisfaction of the said Registrar General :—

- (a.) that both parties were born in the Colony or are permanently resident therein ; and
- (b.) that a marriage has already been contracted or is about to be contracted between the parties according to the rites and customs observed in China ; and
- (c.) that neither of the parties has living an undivorced husband or wife other than the person with whom she or he desires to contract marriage under this Ordinance.

Provided always that the Governor shall have power where the circumstances appear to him to justify his so doing to grant a special licence under section 11 of this Ordinance to any person who desires to contract a marriage under this Ordinance and in such case this Ordinance shall apply to the marriage of the parties in respect of whom the special licence is granted.

38. Save as is provided by the last preceding section this Ordinance shall apply to all marriages where neither of the parties has living an undivorced husband or wife, except marriages between persons neither of whom professes the Christian religion duly celebrated according to the personal law and religion of the parties.” Application of the Ordinance.

Passed the Legislative Council of Hongkong, this 18th day of August, 1910.

C. CLEMENTI,
Clerk of Councils.

Assented to by His Excellency the Officer Administering the Government, the 19th day of August, 1910.

A. M. THOMSON,
Colonial Secretary.

HONGKONG.

No. 21 OF 1910.

An Ordinance to provide for the narrowing, stopping up, diversion, turning or alteration in levels of Highways.



F. H. MAY,

Officer Administering the Government.

[19th August, 1910.]

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

Short title. 1. This Ordinance may be cited as the Highways Ordinance, 1910.

Power of Governor-in-Council to narrow, etc., streets on Crown land. 2. Whenever, in the opinion of the Governor-in-Council, it shall be expedient to narrow, stop up, divert or turn any street on Crown land, or any portion of such street, either entirely or reserving a bridle way or foot way along the whole or any part or parts thereof or to alter the level of any such street or portion thereof, the Governor-in-Council may direct that a notification be published, in English and Chinese, in three successive numbers of the *Gazette*, specifying the locality and extent of the street which it is proposed to so narrow, stop up, divert, turn or alter the level of, and shall further direct that a notice in writing, in English and Chinese, in the form or to the effect of the Schedule to this Ordinance be affixed at each end of the said street, or of such portion of the said street as it is proposed to narrow, stop up, divert, turn or alter the level of.

Owner or occupier to send objection in writing to Colonial Secretary. 3. If any owner or occupier of property in the immediate vicinity of such street objects to such narrowing, stopping up, diversion, turning or altering the level of, such objection shall be sent in writing to the Colonial Secretary so as to reach his office not later than one week after the publication of the last of the aforesaid notifications in the *Gazette*. Such objection shall state the reasons and specify the property with regard to the ownership or occupation of which such objection is made and the interest therein of the objector.

Objection to be considered by Governor-in-Council. 4. Every such objection shall be considered by the Governor-in-Council, and the person objecting may, if he so desire, be heard in its support either by himself or by his representative, and the Governor-in-Council may uphold or disallow the objection and may in his discretion award such compensation as he may deem just in respect of the works proposed to be carried out.

Reference to arbitration. 5. If such objection is disallowed and the Governor-in-Council refuses to award compensation or if the person is dissatisfied with the compensation awarded the matter shall be referred to arbitration and determined in the manner hereinafter provided.

Appointment of arbitrators. 6.—(1.) Two arbitrators shall be appointed one to be nominated by the Governor and the other by the person objecting to the works proposed to be carried out.

(2.) The arbitrators shall determine whether compensation should be awarded and shall assess the amount of compensation, if any, to be paid in respect of the works proposed to be carried out.

(3.) In the event of their disagreement the arbitrators shall refer the matter to the Puisne Judge of the Supreme Court as umpire who shall assess the amount of compensation, if any, to be paid as aforesaid.

(4.) The award of the said arbitrators or umpire as the case may be shall be final and conclusive and shall be forwarded in writing to the Colonial Secretary.

7. Any compensation awarded under this Ordinance shall be paid out of the public revenue of the Colony. Compensation payable out of public revenue.

8. Subject to the provisions of the foregoing sections as to compensation, the Governor may at any time by an order in writing authorise the Director of Public Works to proceed with the works necessary for the narrowing, stopping up, diversion, turning or altering the level of such street, and no injunction shall be granted against the works so authorised as aforesaid nor shall any suit be brought for damages in respect of the same. Governor to authorise necessary works.

9. Nothing in this Ordinance shall affect the provisions of the Harbour of Refuge Ordinance, 1909, or any works commenced or to be commenced thereunder. Saving for Ordinance 39 of 1909.

Passed the Legislative Council of Hongkong, this 18th day of August, 1910.

C. CLEMENTI,
Clerk of Councils.

Assented to by His Excellency the Officer Administering the Government, the 19th day of August, 1910.

A. M. THOMSON,
Colonial Secretary.

SCHEDULE.

Notice is hereby given that the Governor-in-Council purposes to make an order under the Highways Ordinance No. 21 of 1910 for (here state the nature and extent of the works to be carried out in connection with the narrowing, stopping up, diversion, turning or alteration in the level of the street).

Any person objecting to the proposed order shall forward his objection in writing to the Colonial Secretary not later than the day of 19 .

(Note.—Three weeks from the earliest date of publication of the notice in the *Gazette*.)

Such objection must state the reasons and specify the property with regard to the ownership or occupation of which such objection is made and the interest therein of the objector.

Colonial Secretary.

Dated the day of 19 .