



The Hongkong Government Gazette Extraordinary.

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PROCLAMATIONS.

No. 3.

[L.S.] FRANCIS HENRY MAY,
Governor.

By His Excellency Sir FRANCIS HENRY MAY, K.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same.

I, Sir FRANCIS HENRY MAY, K.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same being satisfied thereof by information received by me do hereby proclaim that war has broken out between His Majesty and Germany.

Given under my hand and the Public Seal of the Colony at Victoria, Hongkong, this 5th day of August, 1914.

By Command,

CLAUD SEVERN,
Colonial Secretary.

GOD SAVE THE KING.

No. 4.

[L.S.] FRANCIS HENRY MAY,
Governor.

By His Excellency Sir FRANCIS HENRY MAY, K.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same.

Whereas by Section 189 of the Army Act it is enacted that where the Governor of a Colony in which any of His Majesty's forces are serving declares at any time or times that by reason of the imminence of active service it is necessary for the public service that the forces in the Colony should be temporarily subject to the said Act as if they were on active service then on the publication in general orders of any such declaration the forces to which the declaration applies shall be deemed to be on active service for the period mentioned in the declaration so that the period mentioned in any one declaration do not exceed three months from the date thereof:

Now, therefore, I, Sir FRANCIS HENRY MAY, K.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same do hereby declare that by reason of the imminence of active service it is necessary for the public service that His Majesty's forces in this Colony be subject to the said Act for the period of three months from the date hereof as if they were on active service.

Given under my hand and the Public Seal of the Colony at Victoria, Hongkong, this 5th day of August, 1914.

By Command,

CLAUD SEVERN,
Colonial Secretary.

GOD SAVE THE KING.

No. 5.

[L.S.] FRANCIS HENRY MAY,
Governor.

By His Excellency Sir FRANCIS HENRY MAY, K.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same.

Whereas by Section 13 of the Volunteer Ordinance, 1893, it is enacted that the Governor may in case of great national emergency or in case of actual or apprehended invasion of or attack on the Colony by Proclamation call out any Volunteer Corps for actual military service, and whereas it is also enacted by the aforesaid section that the period of such service shall continue so long as the Governor-in-Council shall consider necessary and shall end only by order of the Governor.

Now, Therefore, I, Sir FRANCIS HENRY MAY, K.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same acting with the advice of the Executive Council to the effect that such calling out is necessary and should be continued for the present do by this Proclamation call out the Hongkong Volunteer Corps for actual military service until my further order.

A Magistrate or Justice of the Peace will be in attendance at the Supreme Court and at the Magistracy to enrol members of the Hongkong Volunteer Reserves as members of the Hongkong Volunteer Corps, and to enrol additional members for that corps.

Given under my hand and the Public Seal of the Colony at Victoria, Hongkong, this 5th day of August, 1914.

By Command,

CLAUD SEVERN,
Colonial Secretary.

GOD SAVE THE KING.

No. 6.

[L.S.] FRANCIS HENRY MAY,
Governor.

By His Excellency Sir FRANCIS HENRY MAY, K.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same.

Whereas a state of war exists between His Majesty the King and Germany.

This Proclamation is issued to inform the inhabitants of Hongkong that His Majesty's navy will guard the Colony from an attack by the enemy in force, and that the present strength of the defences and garrison of the fortress make unlikely a raid by predatory cruisers.

All necessary measures to defeat such a raid are, however, being taken, and the Government trust that the confidence of the people will be shown by their proceeding with their ordinary business as in time of peace.

In the event of hostile vessels being sighted, three guns will be fired from the "Tamar" and the red British ensign will be hoisted on that vessel and at the masthead of the flagstaff on the Peak, and will be kept hoisted as long as the enemy is in sight.

While this signal remains hoisted the public should avoid collecting in thoroughfares and any other action likely to cause excitement or confusion.

On the retirement of the enemy the Colonial flag will be hoisted.

Further Proclamations will be issued as necessary from time to time.

Given under my hand and the Public Seal of the Colony at Victoria, Hongkong, this 5th day of August, 1914.

By Command,

CLAUD SEVERN,
Colonial Secretary.

GOD SAVE THE KING.

No. 7.

[L.S.] FRANCIS HENRY MAY,
Governor.

By His Excellency Sir FRANCIS HENRY MAY, K.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same.

Whereas by sub-clause 13 of Clause III of the Order of the late Queen in Council of the 26th day of October, 1896, it is provided as follows:—

"For the purpose of determining the amount of any remuneration or compensation payable under this Order, and the prices at which any grain, article of food, coal or other fuel taken under sub-clause 9 of this Order may be sold to inhabitants, the Governor shall appoint a Board consisting of five persons, of whom one shall be a Judge or Stipendiary Magistrate, two shall be officers either in the service of the Civil Government of the Colony or in His Majesty's naval or military service, and the other two shall be inhabitants of the Colony."

Now, therefore, I, Sir FRANCIS HENRY MAY, K.C.M.G., Governor of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same do hereby in pursuance of the powers vested in me as aforesaid appoint a Board consisting of five persons namely :—

FRANCIS ARTHUR HAZELAND, Puisne Judge,
 EDWIN RICHARD HALLIFAX, Secretary for Chinese Affairs,
 GEORGE HERBERT WAKEMAN, Land Officer,
 HENRY EDWARD POLLOCK, K.C., (senior European Unofficial member of the
 Legislative Council), and

WEI YUK, (senior Chinese Unofficial member of the Legislative Council),

for the purpose of the said Board determining the amount of any remuneration or compensation payable under the Order of the Queen in Council above referred to, and the prices at which any grain, article of food, coal or other fuel taken under sub-clause 9 of Clause III of the said Order in Council may be sold to the inhabitants of the Colony of Hongkong and its Dependencies.

Given under my hand and the Public Seal of the Colony at Victoria, Hongkong, this 5th day of August, 1914.

By Command,

CLAUD SEVERN,
Colonial Secretary.

GOD SAVE THE KING.

No. 8.

[L.S.] FRANCIS HENRY MAY,
Governor.

By His Excellency Sir FRANCIS HENRY MAY, K.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same.

Whereas by an Order of Her late Majesty Queen Victoria in Council made on the 26th day of October, 1896, it is provided that the said Order shall apply to and have effect in all or any of the Colonies specified in the schedule thereto in which it shall be proclaimed by the Governor of the Colony and shall come into operation in each such Colony on being so proclaimed therein and shall continue in operation until the Governor shall by proclamation declare that it has ceased to be in operation therein.

And Whereas the Colony of Hongkong is specified in the said Schedule.

Now Therefore, I, Sir FRANCIS HENRY MAY, K.C.M.G., Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same Do Hereby Proclaim the said Order in this Colony.

ORDER-IN-COUNCIL.

AT THE COURT AT BALMORAL,

THE 26TH DAY OF OCTOBER, 1896.

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY.

LORD PRIVY SEAL. DUKE OF FIFE, K.T.

Sir FLEETWOOD EDWARDS.

It is hereby ordered by Her Majesty, by and with the advice of Her Privy Council, as follows :—

I. This Order shall apply to and have effect in all or any of the Colonies specified in the schedule hereto in which it shall be proclaimed by the Governor of the Colony, and shall come into operation in each such Colony on being so proclaimed therein, and shall continue in operation therein until the Governor shall by Proclamation declare that it has ceased to be in operation therein.

II. In this Order the words "the Colony" mean any Colony specified in the schedule hereto and its Dependencies, and the term "Governor" means the person for the time being administering the Government of the Colony.

III. So long as this Order shall be in operation in any Colony the following provisions shall have effect:—

1. Every person who shall for the time being be within the limits of the Colony shall be subject to military law for the purposes of the Army Act, and the said Act shall, subject to the provisions of this Order, be deemed to apply to such person in the same manner as if such person had been a person accompanying His Majesty's troops or some portion thereof when employed in active service beyond the seas, and such person shall, for the purposes of the said Act, be deemed to be under the command of the Officer Commanding His Majesty's troops.

Provided that a person who is by virtue of this Order subject to military law shall, unless the Governor directs otherwise, be tried by a competent Civil Court, and not by Court Martial, for any offence for which he would be triable if he were not subject to military law.

Provided also that a person who is by virtue of this Order subject to military law may, if the Governor so directs, be tried for any offence punishable under the Army Act by a Civil Court—that is to say, by a Court of Summary Jurisdiction, in a summary manner—if the offence is not punishable by death or penal servitude, and if the Court considers that it would be adequately punished by imprisonment for a term not exceeding six months, and in all other cases by the same Court and in the same manner as if the offence with which such person is charged were an offence against the civil law not triable by a Court of Summary Jurisdiction.

2. Any declaration made by the Governor under Section 189 of the Army Act shall be deemed to apply to every military force raised in the Colony.

3. The Governor may order any person to quit the Colony or any part of or place in the Colony to be specified in such order, and if any person shall refuse to obey any such order the Governor may cause him to be arrested and removed from the Colony or from such part thereof or place therein, and for that purpose to be placed on board of any ship or boat.

4. The Governor may make any regulations or orders respecting any port or harbour, in the Colony and the movement or location of ships and boats therein or in any waters of the Colony, and any provision of any law of the Colony which may be inconsistent with any regulation or order made by the Governor under this sub-clause shall be suspended and of no effect during the continuance of such regulation or order. Provided that no such regulation or order shall be put in force in such a manner as to be prejudicial to the action of His Majesty's naval or military forces.

5. The Governor may require any person to do any work or render any personal service which the Governor may think necessary to order in aid of or in connection with the defence of the Colony.

6. The Governor may require any person to supply any animals, vehicles, ships, boats, or other personal property belonging to or under the control of such person to the Government, if such property be required in aid of or in connection with the defence of the Colony, and, in default of the person supplying the same, may seize and take possession of and retain any such animals, vehicles, boats, or other personal property for such purposes.

7. The Governor may take and retain, for such period as he may think necessary, possession for public purposes any land or building or other property, including gasworks and works for the supply of electric light, waterworks, wells, and springs of water, tanks and other receptacles of rain water, and may, if he think it necessary for the purposes of the defence of the Colony, cause any buildings to be pulled down and removed, and any property to be removed from one place to another or to be destroyed.

8. The Governor may direct that all the resources of any railway in the Colony shall be placed at his disposal for any purpose which he considers necessary in connection with the defence of the Colony, and no liability whatever shall be incurred on account of any interference with the regular traffic which may thus be occasioned.

9. The Governor may seize and take possession of any grain, article of food, coal or other fuel and mineral oils within the limits of the Colony, and may sell any grain, article of food, coals, fuel, and oils so seized and taken at such prices as may be determined by the Board hereinafter mentioned, and the moneys to be received for such sales shall be paid into the treasury of the Colony.

10. The Governor may, by proclamation, prescribe the maximum price for which any article of food may be sold by retail, and any person who after such proclamation, and until it shall have been revoked, shall sell any article of food at a higher price than the price so prescribed shall be deemed guilty of an offence against this Order, and shall, on conviction thereof, be liable to a fine not exceeding 50 dollars, or to imprisonment for a term not exceeding three months.

11. The Governor may take any steps he may consider necessary in the interests of the defence of the Colony for controlling the trade in beer, wine, or spirits.

12. The Governor shall, out of the public funds of the Colony, pay to every person who shall be required to do any personal service by virtue of this Order such remuneration, and to every person whose property shall be taken, including any grain, article of food, coals, or other fuel taken by virtue of sub-clause 9 of this clause, or temporarily taken possession of or removed or destroyed by virtue of this Order, such compensation as shall be agreed on between the Governor and such person, and in default of agreement, such remuneration or compensation as shall be awarded by the Board hereinafter mentioned, whose award shall be final.

13. For the purpose of determining the amount of any remuneration or compensation payable under this Order and the prices at which any grain, article of food, coal or other fuel taken under sub-clause 9 of this clause may be sold to the inhabitants, the Governor shall appoint a Board consisting of five persons, of whom one shall be a Judge or Stipendiary Magistrate, two shall be officers either in the Civil Government of the Colony or in His Majesty's naval or military service, and the other two shall be inhabitants of the Colony. All questions referred to the said Board shall, in case of a difference of opinion, be decided by the votes of the majority of the members. The Judge or Stipendiary Magistrate shall be the Chairman of the Board.

14. The said Board, in fixing the price to be paid for articles taken under sub-clause 9 of this clause, shall not make any addition on account of the purchase being compulsory, and they shall fix the prices at which such articles shall be sold at such rates as will, except under special circumstances, recoup to the Government the cost of purchasing the same and other expenses incidental thereto.

15. Any person authorised by the Governor in writing in that behalf may enter upon and into any land, house, or other building in the Colony, and examine and inspect such land or building and every or any part thereof, and, in case of opposition or obstruction, may use force to effect such entry, examination, and inspection, and shall not be liable for any damage directly or indirectly occasioned by such forcible entry.

16. Every person who refuses or neglects to obey or comply with any order or requisition made under this Order, or does anything whereby the execution of any such order or requisition is prevented or hindered, or with intent to prevent or hinder the execution of any such order or requisition shall be guilty of an offence against this Order, and shall, on summary conviction thereof, be liable to a fine not less than 20 dollars and not more than 100 dollars, or to imprisonment for a term not exceeding one month.

17. If any person shall, by obeying any order or requisition made under this Order, be prevented from fulfilling any contract, such person shall not be deemed to have thereby committed a breach of contract, but such contract shall be deemed to be suspended by such order or requisition so far as its fulfilment is thereby rendered impossible.

18. The Governor may by Proclamation postpone for such period as he may think necessary or just and expedient the time at which any rent or other moneys shall become due and payable, and particularly may so extend the period of maturity of bills or other negotiable instruments payable in the Colony, and may suspend for such time as he may think right the execution of the judgment of any Court of Civil Judicature and the enforcement of any process of eviction or other process for the recovery of the possession

of property in default of payment of rent if he shall consider that, owing to circumstances arising out of the state of war or the immediate apprehension of war, the immediate execution of such judgments or enforcement of such process would be inequitable or inexpedient.

19. Sub-clauses 1, 3, 4, 5, 6, 7, 9, and 15 of Clause III of this Order shall not apply to any person in His Majesty's naval or military service, or to any of His Majesty's ships, or to any property belonging to the Lords Commissioners of the Admiralty or to the Secretary of State for War.

Given under my hand and the Public Seal of the Colony at Victoria, Hongkong, this 5th day of August, 1914.

By Command,

CLAUD SEVERN,
Colonial Secretary.

GOD SAVE THE KING.