

No. 193.—His Excellency the Governor 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. 10 of 1915.—An Ordinance to provide for the incorporation of the Mother Superior in this Colony of the Society of the “*Sœurs de Saint Paul de Chartres*” by which the institution known as the *Asile de la Sainte Enfance* and as the French Convent is carried on.

Ordinance No. 11 of 1915.—An Ordinance to amend the Alien Enemies (Winding up) Ordinance, 1914, and to give power to stay actions against alien enemies.

HONGKONG.

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An Ordinance to provide for the incorporation of the Mother Superior in this Colony of the Society of the “*Sœurs de Saint Paul de Chartres*” by which the institution known as the *Asile de la Sainte Enfance* and as the French Convent is carried on.

I assent to this Ordinance.

LS

F. H. MAY,
Governor.

[7th May, 1915.]

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 *Sœurs de Saint Paul de Chartres Incorporation Ordinance, 1915.*

Incorporation of the Mother Superior in Hongkong of the Society of the *Sœurs de Saint Paul de Chartres.* 2. The Mother Superior in this Colony of the Society of the *Sœurs de Saint Paul de Chartres* shall be a body corporate (hereinafter called the corporation) and shall have the name of “The Mother Superior of the *Sœurs de Saint Paul de Chartres (Hongkong)*” and by that name shall and may sue and be sued in all courts in this Colony and shall may have and use a common seal.

Powers of the Corporation.

3. The corporation shall have full power:—

- (a.) Subject to the licence of the Governor having been previously obtained in each case to acquire accept leases of purchase take hold and enjoy any lands buildings messuages or tenements of what nature or kind soever and wheresoever situate in this Colony.
- (b.) To purchase and acquire all manner of goods and chattels whatsoever.
- (c.) To invest moneys on mortgage of any lands buildings messuages or tenements in this Colony or in or upon such other securities or investments as it may think expedient.
- (d.) By deed under its seal or otherwise to grant sell convey assign surrender and yield up mortgage demise reassign transfer or otherwise deal with or dispose of any lands buildings messuages or tenements mortgages debentures securities shares goods and chattels for the time being vested in it on such terms as may seem expedient to it.

4. The pieces or parcels of ground registered in the Land Office at Victoria aforesaid as Marine Lot No. 23 Marine Lot No. 24 and Inland Lot No. 1698 together with all rights easements and appurtenances (including all reclamation rights if any) belonging or appertaining thereto or therewith usually held occupied and enjoyed and together with any encroachments or rights respecting encroachments in respect thereof are hereby transferred to and vested in the corporation subject to the payment of the rents and the performance of the covenants and conditions reserved by and contained in the Crown leases and extension of Crown leases thereof or in any licences relating thereto.

5. All deeds and other instruments requiring the seal of the corporation shall be sealed in the presence of the person who is for the time being Mother Superior in this Colony of the said Society or of her Attorney duly authorised and such deeds and instruments and all other documents instruments and writings requiring the signature of the corporation shall be signed by such Mother Superior or her Attorney.

6.—(1.) Sister Felicie the present Mother Superior in this Colony of the said Society having furnished to the Governor satisfactory evidence of her appointment to that office shall for the purposes of this Ordinance be deemed to be the Mother Superior in this Colony of the said Society until the appointment in her stead of some other person as such Mother Superior.

(2.) When any other person is appointed to the office of Mother Superior in this Colony of the said Society such person shall within three weeks after her appointment or within such further time as may be allowed by the Governor furnish to the Governor satisfactory evidence of her appointment.

(3.) A notification in the *Gazette* under the hand of the Colonial Secretary that such evidence has been furnished to the Governor by such person shall be conclusive evidence of such appointment.

7. Nothing in this Ordinance shall affect or be deemed to affect the rights of His Majesty the King his heirs and successors, or the rights of any body politic or corporate or of any other person except such as are mentioned in this Ordinance and those claiming by from and under them.

Passed the Legislative Council of Hongkong, this 6th day of May, 1915.

A. G. M. FLETCHER,
Clerk of Councils.

Assented to by His Excellency the Governor, the 7th day of May, 1915.

CLAUD SEVERN,
Colonial Secretary.

HONGKONG.

No. 11 OF 1915.

An Ordinance to amend the Alien Enemies (Winding up) Ordinance, 1914, and to give power to stay actions against alien enemies.

I assent to this Ordinance.

LS

F. H. MAY,
Governor.

[7th May, 1915.]

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 Alien Enemies (Winding up) Amendment Ordinance, 1915, and shall be read and construed as one with the Alien Enemies (Winding up) Ordinance, 1914, (hereinafter called the Principal Ordinance), and with the Alien Enemies (Winding up) Amendment Ordinance, 1914.

Leave necessary for legal proceedings.

2.—(1.) No action or other legal proceeding shall without the permission of the Governor be brought by or against any liquidator appointed under the Principal Ordinance in respect of the trade or personal affairs which such liquidator was appointed to wind up, or against any alien enemy whose trade or personal affairs a liquidator has been appointed to wind up.

(2.) Any such permission may be limited to the taking of such proceedings only as may be necessary in order to prevent the operation of any enactment whereby the commencement of the action or legal proceeding might be limited.

(3.) No further proceeding of any kind whatsoever shall without the permission of the Governor be taken in any action or other legal proceeding which was begun before the commencement of this Ordinance by or against any such liquidator in respect of the trade or personal affairs which he was appointed to wind up, or against any alien enemy whose trade or personal affairs a liquidator has been appointed to wind up.

(4.) No further proceeding of any kind whatsoever shall without the permission of the Governor be taken in any action or other legal proceeding which was or shall have been begun against any such alien enemy before the appointment of a liquidator to wind up the trade or personal affairs of such alien enemy.

(5.) Where by the law and practice of the Supreme Court or by any special order any limited time from and after any date or event is appointed or allowed for the doing of any act or the taking of any proceeding in any such action or other legal proceeding as is referred to in this section any time which elapses between the date of the commencement of this Ordinance and the date on which any permission of the Governor to take further proceedings in the said action or other legal proceeding shall be served on the other party or parties by the party obtaining such permission, both dates inclusive, shall not be reckoned in the computation of such limited time.

(6.) No execution of any kind whatsoever shall without the express permission of the Governor issue against any such liquidator or any such alien enemy in any such action or other legal proceeding as is referred to in this section, whether any general permission to begin the action or other legal proceeding or to take further proceedings therein shall have been obtained from the Governor or not.

(7.) No plaintiff in any such action or other legal proceeding as is referred to in this section shall be deemed to be a secured creditor by reason only of any order or judgment made or given in such action or other legal proceeding before the commencement of this Ordinance or by reason only of such order or judgment and of any steps taken thereunder.

3. Every order and judgment duly made or given in any action or other legal proceeding brought by or against any liquidator appointed under the Principal Ordinance in respect of the trade or personal affairs which such liquidator was appointed to wind up shall for all purposes and in all respects be as binding on the alien enemy whose trade or personal affairs such liquidator was appointed to wind up and on all the persons entitled to the profits of such trade as if the action or other legal proceeding had been brought by or against, and the order or judgment had been made or given for or against, such alien enemy and persons as well as by, against, or for such liquidator.

Action by or against liquidator to bind alien enemy and others.

4. The Supreme Court shall have power to stay any action or other legal proceeding brought against any liquidator appointed under the Principal Ordinance in respect of the trade or personal affairs which such liquidator was appointed to wind up in any case in which it shall seem to the Court to be desirable to do so in the interests of justice on account of the liquidator being unable to obtain proper instructions from the alien enemy whose trade or personal affairs such liquidator was appointed to wind up.

Court to have power to stay action against liquidator.

5. The Supreme Court shall have power, of its own motion or at the application of any party or on the representation of the Crown, to stay any action brought against any alien enemy in any case in which it may seem to the Court to be desirable to do so in the interests of justice on account of the impossibility of obtaining proper instructions from such alien enemy owing to the state of war which exists between His Majesty and the State to which such alien enemy belongs.

Court to have power to stay action against alien enemy.

6.—(1.) Any liquidator appointed under the Principal Ordinance shall with the permission of the Governor be entitled to apply to the Court for directions on any matter arising out of the winding up.

Liquidator to be entitled to apply for directions.

(2.) Any such application shall be heard and determined in such manner as the Court may direct, and it shall be lawful for the Court to hear such parties and persons as it may think fit.

(3.) The costs of any such application shall be in the discretion of the Court.

(4.) No claim for any costs awarded against such liquidator on any such application shall have any priority over any other claim against such liquidator in respect of the winding up.

7. Any liquidator appointed under the Principal Ordinance shall with the permission of the Governor be entitled to discharge out of the assets in his hand any liability of the alien enemy whose trade or personal affairs such liquidator was appointed to wind up, although such liability may have arisen out of a transaction entered into by such alien enemy on behalf of a branch of his trade outside the Colony and may not be a liability which would ordinarily have been discharged by such alien enemy within the Colony.

Power to discharge liabilities incurred outside the Colony.

8.—(1.) In sub-sections (11), (12) and (13) of section 5 of the Alien Enemies (Winding up) Ordinance, 1914, as enacted by section 7 of the Alien Enemies (Winding up) Amendment Ordinance, 1914, the total assets realised or brought to credit by the liquidator shall be deemed to include all credit balances in any bank in any account formerly operated by the alien enemy whose trade or personal affairs such liquidator was appointed to wind up, and all sums of money due and payable to any such alien enemy by his comrade immediately before the appointment of such liquidator, but no liquidator shall be entitled to any remuneration on any such balance or sum of money without the express permission of the Governor.

Cash balances, and the remuneration thereon.

(2.) It shall be within the absolute discretion of the Governor to determine whether any remuneration on any such balance or sum of money shall be drawn.

(3.) Any remuneration on any such balance or sum of money drawn by any liquidator before the commencement of this Ordinance shall, unless the Governor otherwise

direct, forthwith be repaid or placed to the credit of the alien enemy whose trade or personal affairs such liquidator was appointed to wind up.

Goodwill
and trade
marks.

9. No liquidator shall without the express permission of the Governor assign away the goodwill of the trade or of any part of the trade which he was appointed to wind up, or any trade mark used in connection therewith.

Passed the Legislative Council of Hongkong, this 6th day of May, 1915.

A. G. M. FLETCHER,
Clerk of Councils.

Assented to by His Excellency the Governor, the 7th day of May, 1915.

CLAUD SEVERN,
Colonial Secretary.

APPOINTMENTS, &c.

No. 194.—His Excellency the Governor has been pleased to approve of Lieutenant ARTHUR MONTAGU PRESTON, 4th Battalion Cheshire Regiment, being attached to the Hongkong Volunteer Corps.

3rd May, 1915.

No. 195.—His Excellency the Governor has been pleased to appoint Mr. ALEXANDER MACKENZIE to be a Visiting Justice to the Po Leung Kuk, *vice* Mr. JAMES FRANCIS WRIGHT, resigned.

4th May, 1915.

No. 196.—His Excellency the Governor has been pleased to appoint Dr. WILFRID WILLIAM PEARSE to act as Medical Officer of Health, Sanitary Superintendent and Superintendent of Statistics, during the absence on leave of Dr. FRANCIS WILLIAM CLARK or until further notice, with effect from the 28th April, 1915.

5th May, 1915.

No. 197.—His Excellency the Governor has been pleased to appoint Mr. ARTHUR DYER BALL to act as Assistant District Officer for the Southern District of the New Territories, with effect from the 13th May, 1915.

6th May, 1915.

No. 198.—It is hereby notified that His Excellency the Governor has been pleased to appoint Mr. ARTHUR DYER BALL to be a Magistrate, under the provisions of Section 7 of the Magistrates Ordinance, 1890, (Ordinance No. 3 of 1890), with effect from the 13th May, 1915.

His Excellency the Governor has further been pleased to authorise Mr. ARTHUR DYER BALL, under the provisions of Section 58 of the New Territories Regulation Ordinance, 1910, (Ordinance No. 34 of 1910), to hold a Small Debts Court in the New Territories at the following places:—

Tsün Wan, Tai O, Tung Chung, Cheung Chau, and Yeung Shu Wan,

with effect from the same date.

6th May, 1915.