

On the motion of the Attorney General it was agreed to delete the words "by a willing seller" in the tenth line of section 2. In section 5 the words "owner or" were inserted between the words "any" and "co-owner" in the first line thereof, and before the word "co-owner" in the marginal note thereof.

The Attorney General moved a new section 6, as follows:—

Sub-section (1) of section 10 of the principal Ordinance is amended by the insertion of the words "and also in respect of damage to business due to removal," between the word "thereto" and the word "and" in the seventh line thereof, and by the insertion of the words "or damage" between the word "extinction" and the word "to" in the eighth line thereof. Amendment
of Ordinance
No. 10 of
1900, s. 10
(1).

Section 6 was re-numbered section 7.

On Council resuming, the Attorney General reported that the Bill had passed through Committee with amendments and moved that it be read a third time.

The Colonial Secretary seconded.

Question—put and agreed to.

Bill read a third time and passed.

ADJOURNMENT.—The Council then adjourned until 2.30 p.m. on Thursday, the 8th day of September, 1921.

R. E. STUBBS,
Governor.

Confirmed this 8th day of September, 1921.

S. B. B. McELDERRY,
Clerk of Councils.

No. 380.—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. 15 of 1921.—An Ordinance to authorize the Appropriation of a Supplementary Sum of One million four hundred and fifty-seven thousand seven hundred and eighty-seven Dollars and seventy-four Cents to defray the Charges of the year 1920.

Ordinance No. 16 of 1921.—An Ordinance to amend the General Loan and Inscribed Stock Ordinance, 1913.

Ordinance No. 17 of 1921.—An Ordinance to provide for the reclamation of the foreshore and sea bed off Praya East, Victoria, in the Colony of Hongkong.

Ordinance No. 18 of 1921.—An Ordinance to amend further the Bills of Exchange Ordinance, 1885.

Ordinance No. 19 of 1921.—An Ordinance to amend the Deportation Ordinance, 1917.

Ordinance No. 20 of 1921.—An Ordinance to amend the Tobacco Ordinance, 1916.

Ordinance No. 21 of 1921.—An Ordinance to amend the Stamp Ordinance, 1921.

Ordinance No. 22 of 1921.—An Ordinance to amend the Estate Duty Ordinance, 1915.

HONGKONG.

No. 15 OF 1921.

I assent to this Ordinance.

LS

R. E. STUBBS,
Governor.

9th September, 1921.

An Ordinance to authorize the Appropriation of a Supplementary Sum of One million four hundred and fifty-seven thousand seven hundred and eighty-seven Dollars and seventy-four Cents to defray the Charges of the year 1920.

[9th September, 1921.]

WHEREAS it has become necessary to make further provision for the public service of the Colony for the year 1920, in addition to the charge upon the revenue of the Colony for the service of the said year already provided for :

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

A sum of one million four hundred and fifty-seven thousand seven hundred and eighty-seven Dollars and seventy-four Cents is hereby charged upon the revenue of the Colony for the service of the year 1920, the said sum so charged being expended as hereinafter specified ; that is to say :—

Governor,.....	\$ 2,205.45
Colonial Secretary's Department and Legislature,.....	3,181.13
Treasury,.....	5,985.34
Harbour Master's Department,...	26,448.38
Royal Observatory,	2,294.53
Miscellaneous Services,	742,979.36
Judicial and Legal Departments,	18,510.65
Police and Prison Departments,..	378,103.67
Medical Department,	35,581.81
Sanitary Department,	26,658.44
Botanical and Forestry Dept.,	884.49
Education Department,	60,464.55
Public Works, Recurrent,.....	20,654.37
Kowloon-Canton Railway,	29,496.68
Charitable Services,	104,338.89
Total,.....	\$ 1,457,787.74

Passed the Legislative Council of Hongkong, this 8th day of September, 1921.

S. B. B. McELDERRY,
Clerk of Councils.

Assented to by His Excellency the Governor, the 9th day of September, 1921.

CLAUD SEVERN,
Colonial Secretary.

HONGKONG.

No. 16 OF 1921.

I assent to this Ordinance.

R. E. STUBBS,
Governor.

9th September, 1921.

An Ordinance to amend the General Loan and
Inscribed Stock Ordinance, 1913.

[9th September, 1921.]

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

- Short title and construction. Ordinance No. 7 of 1913. 1. This Ordinance may be cited as the General Loan and Inscribed Stock Ordinance, 1921, and shall be read and construed as one with the General Loan and Inscribed Stock Ordinance, 1913, hereinafter called the principal Ordinance, and the said Ordinance and this Ordinance may be cited together as the General Loan and Inscribed Stock Ordinances, 1913 and 1921.
- Amendment of Ordinance No. 7 of 1913, s. 6. 2. Section 6 of the principal Ordinance is amended by the deletion of the words “, and shall bear interest at a rate not exceeding five per centum per annum” in the third and fourth lines thereof.
- Amendment of Ordinance No. 7 of 1913, s. 13. 3. Section 13 of the principal Ordinance is amended by the addition of the following words at the end thereof:—
“Debentures shall not be deemed to be outstanding for the purpose of this Ordinance by reason only that one or more of the debentures have not been presented for payment on the day appointed for payment and have, in consequence, not been paid.”
- Amendment of Ordinance No. 7 of 1913, s. 14. 4. Section 14 of the principal Ordinance is amended by the deletion of the words “an additional sum for the formation of a sinking fund of not less than ten shillings sterling per hundred pounds on” in the fifth, sixth and seventh lines thereof, and by the substitution therefor of the words “for the formation of a sinking fund an additional sum equal to one half of the annual contribution specified in the prospectus, or, in the case of a loan not issued publicly, in the terms of issue relating to the loan, and the said contribution shall be in respect of”.
- Amendment of Ordinance No. 7 of 1913, s. 25. 5. Section 25 of the principal Ordinance is amended by the deletion of the words “, provided that the interest on such inscribed stock shall not exceed four pounds per centum per annum” in the seventh, eighth and ninth lines thereof.
- Amendment of Ordinance No. 7 of 1913, s. 28. 6. Section 28 of the principal Ordinance is amended by the deletion of the words “an additional sum for the formation of a sinking fund of not less than ten shillings per centum on” in the fifth, sixth and seventh lines thereof, and by the substitution therefor of the words “for the formation of a sinking fund an additional sum equal to one half of the annual contribution specified in the prospectus, or, in the case of a loan not issued publicly, in the terms of issue relating to the loan, in respect of”.

Passed the Legislative Council of Hongkong, this
8th day of September, 1921.S. B. B. McELDERRY,
*Clerk of Councils.*Assented to by His Excellency the Governor, the
9th day of September, 1921.CLAUD SEVERN,
Colonial Secretary.

HONGKONG.

No. 17 of 1921.

I assent to this Ordinance.

LS

R. E. STUBBS,
Governor.

9th September, 1921.

An Ordinance to provide for the reclamation of the foreshore and sea bed off Praya East, Victoria, in the Colony of Hongkong.

[9th September, 1921.]

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 Praya East Short title. Reclamation Ordinance, 1921.

2.—(1.) It shall be lawful for the Governor to carry out the following works :— Authorised works.

- (a) the reclamation of the foreshore and sea bed off Praya East in accordance with the plan dated the 1st June, 1921, signed by the Director of Public Works, and deposited in the Land Office; and
- (b) all accessory works which may be necessary or desirable for or on account of the construction of the said reclamation and the adaptation of the adjoining areas.

(2.) Such accessory works shall include the following :—

- (a) closing, or diverting, narrowing, widening, raising, lowering or otherwise altering, permanently or temporarily, drains, sewers, and public thoroughfares;
- (b) diverting, raising, lowering or otherwise altering, permanently or temporarily, tram lines, water mains, gas mains, and overhead and underground electric lines and cables;
- (c) obtaining material for the purpose of constructing the said reclamation, and conveying such material to the reclamation area in any manner whatsoever;
- (d) constructing, maintaining and running temporary construction tramways, whether aerial or on the ground level, or on staging, or otherwise, and constructing, maintaining and running such tramways over, under or across the lines of the Hongkong Tramway Company Limited;
- (e) erecting temporary buildings and piers, and setting up and running mechanical contrivances of all kinds for the purpose of constructing the said reclamation;
- (f) reclaiming the areas marked X and Y on the plan referred to in paragraph (a) of subsection (1) of this section;

- (g) demolishing and reconstructing certain buildings and boundary walls and other contingent works rendered necessary by the surrender to the Colonial Government of a portion of the Royal Naval Arsenal Yard as shown on the said plan;
- (h) forming, kerbing, channelling and surfacing the new portions of roadway west of Anton Street;
- (i) all such kerbing, channelling and surfacing, the construction of all such drains, sewers, water mains and fittings, and the carrying out of all such other works as may be required in order to render the areas allotted to the Marine Lot Owners or to the Government of Hongkong available for the erection of buildings;
- (j) removing and permanently or temporarily altering piers and landing places, and building new piers and landing places;
- (k) filling in Bowrington Canal; and
- (l) any other work whatsoever which the Governor in his discretion may consider to be, or to have been, necessary or desirable for the purpose of effecting the general intention of this Ordinance.

(3.) All such works, including all accessory works, are hereinafter referred to as the authorised works.

(4.) Any work carried out before the commencement of this Ordinance, which either was, in the opinion of the Governor, carried out in contemplation of an intended reclamation of the foreshore off Praya East, or is hereafter adopted by the Governor and made use of for the reclamation contemplated by this Ordinance, is hereby legalised and validated for all purposes as if it had been carried out under this Ordinance.

(5.) Except as in this Ordinance provided, no person whatsoever shall be entitled to any reduction of Crown rent, or to any damages or compensation whatsoever, in respect of any depreciation or injurious affecting of his property or business resulting directly or indirectly from the carrying out of any of the authorised works.

(6.) The powers conferred by this Ordinance shall be in addition to, and not in derogation of, any other powers possessed by the Governor, or Governor in Council, or any public officer.

Control and
prosecution
of works.

3.—(1.) The Governor shall decide from what sources the materials required in carrying out the said reclamation are to be obtained, and shall have full control over the execution of all the authorised works and over all persons employed in connection therewith, and may appoint such persons as he may think fit to execute such works, and may determine the remuneration and conditions of employment of such persons.

(2.) The carrying out of the said reclamation when begun shall as far as may be practicable be proceeded with continuously until all the works in connection therewith shall have been completed, and the financial embarrassment of any of, or of all, the parties concerned shall not be considered by the Governor as a reason for delaying or in any way interfering with the progress of the whole or any portion of the said works.

(3.) In carrying out the said reclamation it shall be lawful for the Governor to deviate in respect of details to any extent that shall not materially alter or affect the general design set forth in the said plan.

4.—(1.) Subject to the provisions of sub-sections (2) Persons and (3) of this section, and to the rights of the Govern- entitled to ment of Hongkong, the only persons entitled to partici- participate pate in the reclamation scheme herein set forth shall be in scheme. the following persons:—

- (a) Those persons who are registered in the Land Office at the commencement of this Ordinance as the owners of Marine Lots abutting on Praya East or of such portions of Marine Lots abutting on Praya East as themselves abut on that street, provided that the persons who are so registered, and their predecessors in title, shall not before the commencement of this Ordinance have parted with the right to participate in any such reclamation scheme as that herein set forth.
- (b) Those persons who, though not registered in the Land Office at the commencement of this Ordinance as the owners of Marine Lots abutting on Praya East or of any portions thereof so abutting, shall, before the commencement of this Ordinance, have reserved to themselves on the sale of such lots or such portions thereof the right to participate in any such reclamation scheme as is herein set forth, and shall not before the commencement of this Ordinance have parted with the said right to any other person.
- (c) Those persons who, before the commencement of this Ordinance, shall have acquired the right to participate in any such reclamation scheme as is herein set forth by purchase from the owners of Marine Lots abutting on Praya East or of portions thereof so abutting, and who shall not before the commencement of this Ordinance have parted with the said right to any other person.

(2.) Every person who is entitled to participate in the reclamation scheme herein set forth under the provisions of paragraphs (b) and (c) of sub-section (1) of this section shall in the carrying out of the said scheme be treated throughout as if he had been at the commencement of this Ordinance registered as the owner of the Marine Lot or portion thereof, on the sale of which the right of participation was reserved, or from the owner of which the right of participation was acquired, as the case may be.

(3.) If before the expiration of three months from the commencement of this Ordinance any person who is entitled to participate in the said reclamation scheme under the provisions of paragraph (a) of sub-section (1) of this section, and who has not entered into the agreement referred in sub-section (5) of this section, ceases to be the owner of the area on which his qualification so to participate rests, or of any part of such area, the person who for the time being is entitled forthwith to become or, if there be no such person, the person who for the time being actually is, the registered owner of such area or portion thereof shall be entitled to participate in the said reclamation scheme, provided that the area of which he is, or is entitled to be, the registered owner, actually abuts on Praya East.

(4.) If before the expiration of the said period of three months any person who was at the commencement of this Ordinance entitled to participate in the said reclamation scheme under the provisions of paragraph (b) or paragraph (c) of sub-section (1) of this section, and who has not entered into the agreement referred to in sub-section (5) of this section, parts with the said right of participation to any other person, the person to whom the said right of participation shall for the time being belong shall thereupon be entitled to participate in the said scheme in all respects as if he had reserved or acquired the said right before the commencement of this Ordinance.

(5.) Every person who is entitled to participate in the said reclamation scheme, and who desires to do so, shall within three months after the commencement of this Ordinance attend at the Land Office and enter into an agreement in the form of the agreement in the Schedule to this Ordinance.

Schedule.

(6.) If any person who was entitled to participate in the said reclamation scheme shall have failed to execute the said agreement within the said period of three months, such person shall cease to have any right to participate in any way in the said reclamation scheme, and such person shall have no claim to any damages or compensation either in respect of his former participation rights or in respect of any depreciation or injurious affecting of his property or business resulting directly or indirectly from the carrying out of any of the authorised works: provided that the Governor in Council may award to such person such sum of money as he may in his absolute discretion think fit by way of compensation for any such depreciation or injurious affecting.

(7.) All persons who are entitled to participate in the said reclamation scheme and who execute the said agreement are in this Ordinance referred to as Marine Lot Owners.

Defraying of cost of reclamation.

5.—(1.) The cost of the reclamation shall be defrayed from a fund to be provided by the Marine Lot Owners and the Government of Hongkong.

(2.) The Government of Hongkong shall contribute to the said fund a sum which shall bear the same proportion to the total cost as the areas allotted to the Government of Hongkong shall bear to the total area allotted.

(3.) Each Marine Lot Owner shall contribute to the said fund a sum which shall bear the same proportion to the total cost as the areas allotted to him shall bear to the total area allotted.

(4.) For the purposes of this section the following shall not be deemed to be areas allotted to the Government of Hongkong:—

- (a) Thoroughfares, piers, and landing places; and
- (b) Any area which is to the southward of Praya East.

What cost includes.

6.—(1.) The cost of the reclamation which is to be defrayed out of the said fund shall include the following:—

- (a) the cost of the authorised works (including the salaries and wages of the staff and workmen, payments to contractors, and also including any extraordinary expense due, in the opinion of the Governor, to any storm, unforeseen difficulty, legal proceeding, or other cause whatsoever), in so far as such cost is not borne by the owners of any tram line, gas main, or electric line or cable, which may be diverted or altered;
- (b) the following sums expended by the Government of Hongkong before the commencement of this Ordinance:—

Raising of level of Praya East roadway	\$ 56,993.79
Cost of surveys	7,703.05
Diversion and alteration of certain drains.....	2,903.03
Raising of certain ground floors and footpaths	10,543.35
	\$ 78,143.22

- (c) any further sums which, in the opinion of the Governor, have been expended by the Government of Hongkong before the commencement

of this Ordinance on salaries or wages paid, or on payments for work executed, or for buildings taken over, in anticipation of and for the purpose of the said reclamation.

7.—(1.) The land reclaimed under this Ordinance shall be laid out as nearly as possible as set forth on the plan referred to in paragraph (a) of sub-section (1) of section 2 of this Ordinance. Allotment of reclaimed land.

(2.) The areas allotted to the respective Marine Lot Owners shall be as nearly as possible as set forth in the statement to accompany the said plan which is dated the 1st June, 1921, signed by the Director of Public Works, and deposited in the Land Office: provided that if any area which forms the qualification for a right to participate in the said reclamation scheme shall have been sub-divided before the ascertainment of the respective Marine Lot Owners, the reclaimed areas shown in the said plan and statement as to be allotted in respect of such first mentioned area shall be sub-divided in proportion to the frontage on Praya East of the sub-divisions of such first mentioned area.

(3.) The areas coloured red on the said plan and marked thereon "1, 2 and 3", "28A", and "15A and 41A", and the area margined in red on the said plan, and the streets coloured yellow on the said plan, shall be allotted to the Government of Hongkong.

(4.) If the Government of Hongkong shall acquire the participation rights of any person who is entitled to participate in the said scheme the reclamation areas which would have been allotted to such person shall be allotted to the Government of Hongkong, and the proportion of cost attributable to such areas, and the amount of any compensation which may be paid to such person, shall be borne and paid by the Government of Hongkong.

(5.) Upon the due performance by a Marine Lot Owner and his successors in title (if any) of all the obligations imposed upon him and them by the said Ordinance, the Governor shall grant to the Marine Lot Owner or to his successor in title a Crown lease of the reclamation areas allotted to the said Marine Lot Owner or his successor in title, provided that if there be any variation in superficial area between the said plan and statement and the areas available and actually allotted the lease shall be of the areas actually allotted, and the Governor shall alter accordingly the total contribution of the Marine Lot Owner.

8.—(1.) Every person who is entitled, and who desires, to participate in the said reclamation scheme shall, before executing the agreement referred to in sub-section (5) of section 4 of this Ordinance, deposit with the Hongkong and Shanghai Banking Corporation, in an account to be opened at the said Bank and to be called the Praya East Reclamation Account, a sum equal to 25 per centum of the amount of the estimated cost attributable to him as such cost is shown in or ascertained by the statement referred to in sub-section (2) of section 7 of this Ordinance, and subject to the provisions of sub-section (3) of this section any interest which accrues on such deposit shall be paid to such person upon all the obligations imposed by this Ordinance upon him and his successors in title (if any) being discharged. Obligations of Marine Lot Owners.

(2.) Every Marine Lot Owner shall pay into the said account towards the cost of the reclamation, in each case within seven days after the posting of the registered letter containing the call, such sums as the Director of Public Works may from time to time call upon him to pay: provided that pending the ascertainment of the actual cost of the reclamation the total amount of such calls, together with the deposit referred to in sub-section (1) of this section, shall not exceed the estimated cost attributable to such Marine Lot Owner as such cost is shown in or ascertained by the said statement.

(3.) Every Marine Lot Owner shall take up the reclamation areas allotted to him, and shall, within seven days after the posting of the registered letter containing the notice referred to in sub-section (2) of section 9 of this Ordinance, pay for the said areas premium at the rate of twenty-five cents per square foot, and shall take out a Crown lease for the said areas forthwith when called upon to do so.

(4.) Every Marine Lot Owner shall, immediately before taking out the Crown lease for the areas allotted to him, enter into an agreement, to be approved by the Land Officer, and to be registered against such areas in the Land Office, binding himself and his successors in title to pay all unpaid or future calls which may have been or which may be made under sub-section (2) of this section in respect of the said areas.

(5.) If the person whose duty it is to do so fails to pay duly any call, or fails to take up duly the reclamation areas allotted to him, or fails to pay duly the premium therefor, or fails to take out duly a Crown lease for the said areas, or fails to enter duly into the agreement referred to in sub-section (4) of this section, the deposit referred to in sub-section (1) of this section and any interest accrued thereon, and all other moneys paid under this Ordinance by him or his predecessors in title in respect of the said reclamation areas, shall be forfeited to the Crown, and the said person shall cease to have any rights whatsoever to or in respect of the said areas, which shall thereupon be allotted to the Government of Hongkong.

(6.) If any Marine Lot Owner disposes of any of or all his rights to or in respect of the reclamation areas allotted or to be allotted to him, he shall not thereby be relieved of any of his obligations under this Ordinance, save only that if he disposes of the whole of such rights he shall not be required to take out a Crown lease for the said areas if he procures the acceptance of the said Crown lease by some other person, and the execution by such other person of the agreement referred to in sub-section (4) of this section.

(7.) If the interest of any Marine Lot Owner in respect of the reclamation areas allotted or to be allotted to him passes, by operation of law, on death or on any other event, to any other person, the duty of performing the obligations expressed in this Ordinance as imposed on the Marine Lot Owner, and the right to the Crown lease for the said reclamation areas, shall pass to the person to whom the said interest shall have passed.

Crown leases. 9.—(1.) The Crown leases of the reclamation areas shall be in the usual form and shall be for the term of ninety-nine years, commencing from a date to be ascertained as provided for in sub-section (2) of this section, at a Crown rent of five hundred dollars per acre, with the option of renewal for a further term of ninety-nine years at a Crown rent to be fixed by the Governor for the time being.

(2.) The date from which the said first term, and the said Crown rent, shall commence shall be the date of the posting of a registered letter, addressed to the Marine Lot Owner, containing a notice from the Director of Public Works stating that the said reclamation areas are at the disposal of the said Marine Lot Owner, provided that (except at the request of the Marine Lot Owner) such notice shall not be sent until in the opinion of the Director of Public Works (i) such areas are in a condition suitable for the commencement of building operations and (ii) the adjacent streets are in such a condition as to provide reasonable means of access to the said areas.

10. The calls referred to in sub-section (2) of section 8 of this Ordinance, and the notice referred to in sub-section (2) of section 9 of this Ordinance, may respectively be made and given, by or on behalf of the Director of Public Works, by registered letter addressed to the Marine Lot Owner at his address in Hongkong as stated in the agreement referred to in sub-section (5) of section 4 of this Ordinance, or at his last known address in the Colony.

Calls and notices.

11. A certificate under the hand of the Director of Public Works shall be conclusive evidence for all purposes whatsoever of the date of posting of any call or notice provided for in this Ordinance.

Proof of posting of calls and notices.

12. Whenever any question arises as to any decision or opinion of the Governor under this Ordinance a certificate under the hand of the Colonial Secretary shall be conclusive evidence of such decision or opinion for all purposes whatsoever.

Evidence of Governor's decision or opinion.

13.—(1.) All the land and foreshore and bed of the sea included in the reclamation authorised or validated by this Ordinance, and the creek marked "Bowrington Canal" on the plan referred in paragraph (a) of sub-section (1) of section 2 of this Ordinance, are hereby declared to be absolutely the property of the Crown, free from any restriction whatsoever, and, subject to the provisions of this Ordinance, the reclaimed areas may be dealt with and disposed of in the same manner as any other Crown land.

Property in reclaimed land vested in the Crown.

(2.) All public and private rights of navigation and fishing, and all public and private rights of access, user, possession or occupation, and all other public or private rights (if any) to, in, upon or over the said land, foreshore, bed of the sea or reclaimed areas, and in, upon or over the creek referred in sub-section (1) of this section, are hereby declared to be absolutely extinguished and determined.

Certain public and private rights determined.

(3.) Nothing in this Ordinance shall be in derogation of any of the powers and rights of the Crown in respect of the said foreshore or bed of the sea, and nothing in this Ordinance shall be construed as recognising any foreshore, marine or pier rights whatsoever as against the Crown.

Saving of certain rights of the Crown.

(4.) Nothing in this Ordinance shall be construed as affecting any right or claim as between lessees, and their sub-lessees or tenants, *inter se*.

Certain rights not to be affected.

14. From and after the completion of the reclamation authorised by this Ordinance, the Governor shall keep and maintain the sea wall thereof and all the public roads thereon out of moneys to be provided from the public revenues of the Colony, but, save as aforesaid, neither the Governor, nor any public officer, nor the public revenues of the Colony, shall be liable for any deterioration, subsidence, or damage of or to the said reclamation.

Maintenance of reclamation.

15. Nothing in this Ordinance shall be affected in any way by any of the provisions of the Foreshores and Sea Bed Ordinance, 1901, or of the Highways Ordinance, 1910.

Ordinances Nos. 15 of 1901 and 21 of 1910.

16.—(1.) None of the powers conferred upon the Governor by this Ordinance shall be limited in any way by any of the provisions of the Tramway Ordinance, 1902.

Ordinance No. 10 of 1902.

(2.) Subject to the provisions of sub-section (1) of this section, none of the rights and powers conferred or recognised by the Tramway Ordinance, 1902, shall be affected by the fact that the route or working of the

tramway authorised by the said Ordinance may be affected by or in consequence of the works authorised by this Ordinance.

Passed the Legislative Council of Hongkong, this 8th day of September, 1921.

S. B. B. McELDERRY,
Clerk of Councils.

Assented to by His Excellency the Governor, the 9th day of September, 1921.

CLAUD SEVERN,
Colonial Secretary.

SCHEDULE.

AGREEMENT made the _____ day of _____ 1921
Between _____
acting for and on behalf of the Governor of Hongkong
(hereinafter called the Governor) of the one part and
_____ of * _____
(hereinafter with his executors administrators and
assigns called the lessee) of the other part.

* Insert
postal ad-
dress in
Hongkong for
the purpose of
service of
notices.

WHEREAS the said _____
is the registered owner of _____
and has agreed to contribute towards the cost of the
reclamation authorised by the Praya East Reclamation
Ordinance, 1921, upon the terms and subject to the
conditions hereinafter contained :

AND WHEREAS the said _____
has in accordance with sub-section (1) of section 8 of
the said Ordinance deposited the sum of \$ _____ in the
Praya East Reclamation Account referred to in the said
section :

NOW IT IS HEREBY AGREED by and between the
parties hereto as follows :—

1. The lessee shall duly perform all the obligations imposed upon him by the said Ordinance.
2. If the lessee fails to perform duly any of the obligations imposed upon him by the said Ordinance, the deposit and the interest thereon and all other moneys paid by him under the said Ordinance shall be forfeited to the Crown, and the lessee shall cease to have any rights whatsoever to or in respect of the reclamation areas which would have been allotted to him if he had duly performed all the said obligations.
3. Upon the due performance by the lessee of all the obligations imposed upon him by the said Ordinance, the Governor shall grant to the lessee a Crown lease of the reclamation areas more particularly delineated and marked _____ on the plan annexed hereto, provided that if there be any variation in superficial area between the said plan and the areas actually allotted to the lessee the lease shall be of the areas actually allotted. The said Crown lease shall contain the terms and conditions specified in section 9 of the said Ordinance.

IN WITNESS whereof the said parties to these presents have hereunto set their hands the day and year first above written.

HONGKONG.

No. 18 OF 1921.

I assent to this Ordinance.



R. E. STUBBS,
Governor.

9th September, 1921.

An Ordinance to amend further the Bills of Exchange Ordinance, 1885.

[9th September, 1921.]

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 Bills of Exchange Ordinance, 1921, and shall be read and construed as one with the Bills of Exchange Ordinances, 1885 and 1918, and the said Ordinances and this Ordinance may be cited together as the Bills of Exchange Ordinances, 1885 to 1921.

Short title and construction.
Ordinances Nos. 3 of 1885 and 4 of 1918.

2. Paragraph (4) of section 72 of the Bills of Exchange Ordinance, 1885, is repealed and the following paragraph is substituted therefor:—

Amendment of Ordinance No. 3 of 1885, s. 72.

(4) where a bill is drawn out of but payable in this Colony and the sum payable is not expressed in the currency of this Colony, the amount, if the bill is paid in this Colony and in the currency of this Colony, shall, in the absence of any express stipulation, be calculated according to the rate of exchange for sight drafts in this Colony on the day on which the bill is actually paid; and

Passed the Legislative Council of Hongkong, this 8th day of September, 1921.

S. B. B. McELDERRY,
Clerk of Councils.

Assented to by His Excellency the Governor, the 9th day of September, 1921.

CLAUD SEVERN,
Colonial Secretary.

HONGKONG.

No. 19 OF 1921.

I assent to this Ordinance.



R. E. STUBBS,
Governor.

9th September, 1921.

An Ordinance to amend the Deportation Ordinance, 1917.

[9th September, 1921.]

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

Short title and construction. Ordinance No. 25 of 1917. 1. This Ordinance may be cited as the Deportation Ordinance, 1921, and shall be read and construed as one with the Deportation Ordinance, 1917, hereinafter called the principal Ordinance, and the said Ordinance and this Ordinance may be cited together as the Deportation Ordinances, 1917 and 1921.

Amendment of Ordinance No. 25 of 1917, s. 3 (2). 2. —(1.) Sub-section (2) of section 3 of the principal Ordinance is repealed and the following sub-section is substituted therefor :—

“(2) On any occasion which the Governor in Council may consider to be an occasion of emergency or public danger, the Governor in Council may summarily issue a deportation order against any person who in his opinion is an alien, if he deems it to be conducive to the public good that such an order should be issued.”

Amendment of Ordinance No. 25 of 1917, s. 4 (14). 3. Sub-section (14) of section 4 of the principal Ordinance is amended :—

(a) by the deletion of the word “This” in the first line thereof, and by the substitution thereof of the words “Sub-section (11) of this” ;

(b) by the substitution of a semicolon for a full stop at the end of paragraph (d) thereof, and by the addition of the following paragraph immediately after the said paragraph (d) :—

(e) any person who in the opinion of the Governor in Council has acted, is acting, or is about to act, whether within or without the Colony, in a manner prejudicial to the public safety, or to the defence, peace, or security of His Majesty's dominions, or of any part thereof, or of any territory which is under His Majesty's protection.

Amendment of Ordinance No. 25 of 1917, Schedule, Form No. 7. 4. Form No. 7 in the Schedule to the principal Ordinance is amended by the deletion of the words and marks “(or during the continuance of the proclamation issued on the.....day of.....19..... under the Peace Preservation Ordinance, 1886,)”.

5. Where any deportation order under the Deportation Ordinances, 1917 and 1921, is in force against any person that person shall, unless the Governor otherwise directs, be deemed for the purposes of the order to retain his nationality as at the date of the order notwithstanding any intervening naturalization, marriage or any other event.

Deported person to be deemed to retain his nationality.

Passed the Legislative Council of Hongkong, this 8th day of September, 1921.

S. B. B. McELDERRY,
Clerk of Councils

Assented to by His Excellency the Governor, the 9th day of September, 1921.

CLAUD SEVERN,
Colonial Secretary.

HONGKONG.

No. 20 OF 1921.

I assent to this Ordinance.

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R. E. STUBBS,
Governor.

9th September, 1921.

An Ordinance to amend the Tobacco Ordinance, 1916.

[9th September, 1921.]

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 Tobacco Ordinance, 1921, and shall be read and construed as one with the Tobacco Ordinance, 1916, hereinafter called the principal Ordinance, and the said Ordinance and this Ordinance may be cited together as the Tobacco Ordinances, 1916 and 1921.

Short title and construction.
Ordinance No. 10 of 1916.

2. Section 8 of the principal Ordinance is amended as follows:—

Amendment of Ordinance No. 10 of 1916, s. 8.

(a) by the repeal of the words "to order that any duties so imposed be increased or that any new duties on tobacco be imposed" in the third and fourth lines thereof, and by the substitution therefor of the words "to vary in any way any of the duties imposed under this Ordinance or to impose new duties on any tobacco imported into or manufactured in the Colony, and to increase or decrease any duties imposed under this Ordinance";

(b) by the substitution of the word "six" for the word "two" in the ninth line thereof.

Amendment
of Ordinance
No. 10 of
1916, s. 11.

3. Sub-section (2) of section 11 of the principal Ordinance is amended by the addition of the following words at the end thereof:—

“ If the tobacco is removed into a general bonded or licensed warehouse the duty shall be payable before removal from such bonded or licensed warehouse.”

Amendment
of Ordinance
No. 10 of
1916, s. 16.

4. Section 16 of the principal Ordinance is amended as follows:—

(a) by the insertion of the following sub-section immediately after sub-section (2) thereof:—

(3.) All tobacco imported by the railway shall be consigned through to Kowloon by railway invoice.

(b) by the renumbering of sub-section (3) as sub-section (4).

Amendment
of Ordinance
No. 10 of
1916, s. 39.

5. Sub-section (6) of section 39 of the principal Ordinance is amended by the addition of the following paragraph at the end thereof:—

(e) all Railway officials not below the rank of traffic inspector.

Amendment
of Ordinance
No. 10 of
1916, s. 41.

6. Sub-section (1) of section 41 of the principal Ordinance is amended as follows:—

(a) by the substitution of the word “ officer ” for the word “ officers ”, and by the insertion of a comma immediately before the word “ or ”, in the sixth line thereof,

(b) by the insertion of the words “ or by any revenue or police officer ” between the word “ officer ” and the word “ in ” in the seventeenth line thereof.

Amendment
of Ordinance
No. 10 of
1916, s. 59.

7. Section 59 of the principal Ordinance is amended

(a) by the renumbering thereof as sub-section 59 (1),

(b) by the addition at the end thereof of the following sub-section:—

(2.) If the magistrate is of the opinion that any offence committed against this Ordinance was committed with the intent to avoid payment of any duty payable under this Ordinance, he may impose a fine not exceeding ten times the amount of the duty payable on the tobacco in respect of which the offence was committed, notwithstanding the fact that such fine may be in excess, in the case of a first, second or subsequent offence of the maximum fines authorised for first, second or subsequent offences respectively by sub-section (1) of this section:

Provided that nothing in this sub-section shall affect the power of the magistrate to impose in lieu of or in addition to any fine imposed under this sub-section a sentence of imprisonment for any term authorised by sub-section (1) of this section.

Passed the Legislative Council of Hongkong, this 8th day of September, 1921.

S. B. B. McELDERRY,
Clerk of Councils.

Assented to by His Excellency the Governor, the 9th day of September, 1921.

CLAUD SEVERN,
Colonial Secretary.

HONGKONG.

No. 21 of 1921.

I assent to this Ordinance.



R. E. STUBBS,
Governor.

9th September, 1921.

An Ordinance to amend the Stamp Ordinance,
1921.

[9th September, 1921.]

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 Stamp Amendment Ordinance, 1921, and shall be read and construed as one with the Stamp Ordinance, 1921, and the said Ordinance and this Ordinance may be cited together as the Stamp Ordinances, 1921. Short title
and
construction.
Ordinance
No. 8 of 1921.

2. Section 3 of the Stamp Ordinance, 1921, is amended by the addition of the marginal note "Person," to paragraph (22), and by the substitution of "Share" for "Stock" in the marginal note to paragraph (28). Amendment
of Ordinance
No. 8 of
1921, s. 3.

3. Section 10 of the Stamp Ordinance, 1921, is amended by the addition of the following sub-section at the end thereof :— Amendment
of Ordinance
No. 8 of
1921, s. 10.

(3.) In any question whatsoever arising under this section the onus of proof shall lie upon the person who asserts that there has been no splitting in order to evade stamp duty.

4. Section 22 of the Stamp Ordinance, 1921, is amended as follows :— Amendment
of Ordinance
No. 8 of
1921, s. 22.

(a.) Sub-section (1.) is amended by the insertion of the words " , or carried out , " immediately after the word "terminated" in the third line thereof.

(b.) Sub-section (1.) is also amended by the deletion of the word "seller" in the fifth line thereof and by the substitution therefor of the following :—

person specified in the sixth column of
Heading No. 20 of the schedule to
this Ordinance as the person liable
for stamping.

(c.) Sub-section (2.) is amended by the insertion of the words " , or carried out , " immediately after the word "terminated" in the sixth line thereof.

(d.) Sub-section (3.) is amended by the insertion of the words " , or carried out , " immediately after the word "terminated" in the second line thereof.

(e.) Sub-section (4.) is amended by the deletion of the word "seller" in the first and second lines thereof and by the substitution therefor in each case of the following :—

person specified in the sixth column of
Heading No. 20 of the schedule to
this Ordinance as the person liable
for stamping.

(f.) Sub-section (5.) is amended by the insertion of the words “, or carried out,” immediately after the word “terminated” in the fourth line thereof.

(g.) Sub-section (7.) is repealed.

(h.) The following sub-sections are added immediately after sub-section (6.) :—

(7.) It shall be lawful for the Collector in his discretion to allow an exchange contract cancellation note to be executed by a banker without being stamped, or without being fully stamped, if the Collector is satisfied that the amount of the duty cannot be recovered, or can be recovered only in part, from the person who is or was liable to the banker for the payment of the amount of the duty.

(8.) If the parties to an exchange contract mutually agree to cancel the contract, exchange contract cancellation note duty shall be payable only in respect of the original contract, provided that the agreement is come to, and the exchange for the cancellation is fixed, and the transaction is completed, on the same day.

Collector to have power to call for abstract and evidence.

5. Whenever any instrument is tendered for stamping the Collector may require to be furnished with an abstract of the instrument, and also with such evidence as he may deem necessary in order to show to his satisfaction whether all the facts and circumstances affecting the liability of the instrument to duty, or the amount of the duty chargeable thereon, are fully and truly set forth therein.

Amendment of Ordinance No. 8 of 1921, Schedule.

6. The schedule to the Stamp Ordinance, 1921, is amended as follows :—

(a.) Heading No. 3 is amended by the addition of the following exemption at the end thereof :—

(c) Agreement relating to the sale of goods.

(b.) Heading No. 12 is amended by the substitution of “obligor” for “obligee” in the sixth column.

(c.) Heading No. 15 is amended by the deletion of all the words, figures and symbols in the third column and by the substitution therefor of the following :—

§1 for every §100 or part thereof of the amount or value of the consideration.

(d.) Heading No. 20 is amended by the deletion of the words “The seller” in the sixth column, and by the substitution therefor of the following :—

If one party to the contract was a banker and the other party was not a banker, the banker.

In every other case, the seller.

(e.) Sub-heading (7) of Heading No. 20 is amended by the deletion of the following in the third column :—

10 cents for every §500 or part thereof of the principal sum secured.

and by the substitution therefor of the following:—

Where the whole of the principal sum secured is released or discharged, 10 cents for every \$500 or part thereof of the principal sum secured.

Where a portion of the principal sum secured is released or discharged, 10 cents for every \$500 or part thereof of the amount actually released or discharged.

- (f.) Sub-heading (8) of Heading No. 29 is amended by the deletion of "Do" in the third column and by the substitution therefor of the following:—

10 cents for every \$500 or part thereof of the principal sum secured.

- (g.) Heading No. 33 is amended by the deletion of the following in the second column:—

(4.) Floating Policies, for each endorsement.

(5.) Marine Policies other than those specified above.

and by the substitution therefor of the following:—

(4.) Marine Policies other than hull risks for time.

(5.) Floating Policies, for each endorsement.

- (h.) Sub-heading (7) of Heading No. 33 is amended by the substitution of "The same rates of duty as on original policies issued after the commencement of this Ordinance" for "The same duty as on the original policy" in the third column.

- (i.) Heading No. 40 is amended by the deletion of the word "market" in the third line of the third column.

- (j.) The headings set forth in the schedule to this Ordinance are inserted in the schedule to the Stamp Ordinance, 1921, at the places indicated by the respective numbers and letters of the said headings

Passed the Legislative Council of Hongkong, this 8th day of September, 1921.

S. B. B. McELDERRY,
Clerk of Councils.

Assented to by His Excellency the Governor, the 9th day of September, 1921.

CLAUD SEVERN,
Colonial Secretary.

SCHEDULE.

No. of Heading.	Instrument.	Duty.	Nature of Stamp.	Point of time before which, or period within which, the instrument must be stamped.	Person liable for stamping, where stamping is compulsory.
12A.	Bond to secure the payment of estate duty (Ordinance No. 16 of 1915, s. 11 (2)).	20 cents for every \$100 or part thereof of the amount secured.	Do.	Do.	Do.
14A.	Compradore Order, if passed through a bank.	10 cents.	Adhesive.	Before lodgment.	The person lodging.
17A.	Dividend Warrant, whether expressed to be payable by the corporate body issuing the dividend warrant or by some other person, and whether payable within or without the Colony.	10 cents.	If issued before the 13th May, 1921, two adhesive 5 cent revenue stamps. If issued after the 12th May, 1921, an impressed and dated stamp.	If issued before the 13th May, 1921, before payment. If issued after the 12th May, 1921, before issue.	The corporate body issuing.

HONGKONG.

No. 22 OF 1921.

I assent to this Ordinance.

R. E. STUBBS,
Governor.

9th September, 1921.

An Ordinance to amend the Estate Duty Ordinance, 1915.

[9th September, 1921.]

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

Short title and construction.
Ordinance No. 16 of 1915.

1. This Ordinance may be cited as the Estate Duty Ordinance, 1921, and shall be read and construed as one with the Estate Duty Ordinance, 1915, hereinafter called the principal Ordinance, and the said Ordinance and this Ordinance may be cited together as the Estate Duty Ordinances, 1915 and 1921.

Amendment of Ordinance No. 16 of 1915, s. 4.

2. Section 4 of the principal Ordinance is amended by the substitution of the word "passing" for the words "which passes" in the fourth line thereof.

Amendment of Ordinance No. 16 of 1915, s. 6.

3. Section 6 of the principal Ordinance is amended by the addition of the following paragraph at the end thereof:—

Ordinance No. 34 of 1910.

(4.) Any land situated in the New Territories in respect of which a successor has been registered by the Land Officer under the first clause of section 29 of the New Territories Regulation Ordinance, 1910: provided that this exception shall not apply to any land which forms part of an estate of which probate or letters of administration have been granted by the Supreme Court.

4. Sub-section 4 (b) of section 9 of the principal Ordinance is amended by the deletion of the word "that" in the third line thereof. Amendment
of Ordinance
No. 16 of
1915, s. 9.

Passed the Legislative Council of Hongkong, this 8th day of September, 1921.

S. B. B. McELDERRY,
Clerk of Councils.

Assented to by His Excellency the Governor, the 9th day of September, 1921.

CLAUD SEVERN,
Colonial Secretary.

APPOINTMENTS, &c.

No. 381.—His Excellency the Governor has been pleased to appoint the Honourable Mr. CLAUD SEVERN, C.M.G., to be a Member of the Recreation Grounds Committee.

9th September, 1921.

No. 382.—His Excellency the Governor has been pleased to appoint the Honourable Mr. P. H. HOLYOAK, Mr. H. BIRKETT, Mr. T. E. PEARCE, and Mr. R. J. WILTON to be Members of the Recreation Grounds Committee, as representatives of the Royal Hongkong Golf Club, the Hongkong Jockey Club, the Hongkong Cricket Club, and the Hongkong Football Club respectively.

9th September, 1921.

NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. 383.—With reference to Government Notification No. 732 of the 28th December, 1899, information has been received from the Secretary of State for the Colonies to the effect that, corresponding to the action taken by the majority of medical educational establishments in the United Kingdom, the authorities of the London School of Tropical Medicine have decided to increase the fees of students by 25 per cent.

No. 384.—In filling vacancies in the Government Clerical Service preference will in future be given to candidates who have passed the Matriculation or Senior Local examination of the University of Hongkong.

The above examinations will this year commence on Monday, 28th November, and entries should reach the Registrar of the University on or before 1st October.

When the results of these examinations are published, successful candidates who wish to be considered for posts in the clerical service should apply in writing to the Colonial Secretary.