

## RULES AND REGULATIONS

Made by the Governor in Council this 21st Day of June, 1867, for the effectual carrying out Ordinance No. 9 of 1867, the same being an Ordinance for the maintenance of Order and Cleanliness within the Colony.

I. The removal of Night Soil from Public Privies shall be solely under the charge of a Government Contractor.

II. All Carriers of Night Soil shall use buckets of uniform color and size with close fitting covers, according to a pattern deposited at the Office of the Surveyor General, and the Carriers of the Government Contractor shall bear a distinguishing badge.

III. No Depôts for manure shall be allowed unless licensed by the Surveyor General, with approval of the Governor.

IV. No Boats other than those belonging to the Government Contractor shall be used for carriage of Night Soil, and all such Boats shall be of the size of No. 2 Cargo Boats, and such Boats shall be completely decked over, and only allowed to moor at the following Wharves:

- 1, Saiyingpoon Nullah; 2, Eastern Street; 3, Queen's Street; 4, Cleverly Street; 5, Gilman's Street; 6, Pottinger Street; 7, Ice House Street; 8, Eastern Market; 9, Wanchai; 10, Jardine's Bazaar.

V. The Night Soil Carriers shall not be allowed to convey Night Soil along any Public Road after 7 A.M. in Summer and 8 A.M. in Winter.

VI. Public Dust-Bins shall be erected at the undermentioned places:

- 1, High Street West; 2, Fan-Mo Street; 3, No. 2 Reservoir; 4, Bridges Street; 5, No. 9 Police Station; 6, The Mosque; 7, Gleanealy Bridge; 8, The Albany; 9, Garden Road; 10, Ice House Street.

VII. Public Floating Dust Bins shall be stationed between the Hours of 5 A.M. and 7 A.M., at the following wharves:

- 1, Saiyingpoon Nullah; 2, Eastern Street; 3, Queen's Street; 4, Cleverly Street; 5, Gilman's Street; 6, Pottinger Street; 7, Ice House Street; 8, Eastern Market; 9, Wanchi; 10, Jardine's Bazaar.

VIII. No one shall deposit any rubbish or noxious matter in any other places than those set apart for the purpose.

IX. Any breach of the above Regulations may be punished by Fine not exceeding \$100 or by imprisonment with or without Hard Labor for any period not exceeding Three Months.

X. Nothing contained in these Regulations shall apply to Contractors employed by Her Majesty's Military or Naval Authorities.

XI. These Rules and Regulations shall come into operation contemporaneously with the Ordinance under which they are framed.

Approved in Council,

RICHARD GRAVES MACDONNELL,  
*Governor.*

L. D'ALMADA E CASTRO,  
*Clerk of Councils.*

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### GOVERNMENT NOTIFICATION.

The following Bill, which was read a first time at a Meeting of the Legislative Council held on the 15th ultimo, is published for general information.

By Order,

L. D'ALMADA E CASTRO,  
*Clerk of Councils.*

Council Chamber, Hongkong, 19th June, 1867.

*An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to amend "The Police and Lighting Rate Ordinance, 1863."*

Title.

Whereas it is expedient to amend "The Police and Lighting Rate Ordinance, 1863" and to make better Provision for the Collection of the Rates, the Recovery of Arrears thereof, and other incidental Matters: Be it therefore enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—

Preamble.

I. "This Ordinance may be cited as "The Police and Lighting Rate Amendment Ordinance, 1867."

Short Title.

II. Sections XIV, XV and XVI of "The Police and Lighting Rate Ordinance, 1863" shall be and the same hereby are repealed.

Sections XIV, XV and XVI of "The Police and Lighting Rate Ordinance, 1863," repealed.

III. From and after the Commencement of this Ordinance the Police, Lighting and Water Rates though separately assessed shall be levied as One Tax, for the Payment of which, the Owners and Occupiers of Tenements shall be liable to the Crown but the same shall be deemed an Occupier's Tax, and, as between the Owner and Occupier of a Tenement shall in the absence of any Agreement to the contrary be borne by the Occupier, and the amount thereof if paid by the Owner may be recovered by him from the Occupier in an action for money paid to his use or, in case he shall still be in Occupation of the Tenement, by Distress in like manner as for Rent at Common Law.

Owners and Occupiers to be liable to Crown but Occupiers liable in absence of agreement to Owners.

IV. If any Person assessed under "The Police and Lighting Rate Ordinance, 1863" or rendered liable by the said Ordinance to the payment of any Assessment, shall neglect to pay the same or any part thereof within 21 Days after such Assessment is declared payable by Public Notice given on that behalf in the "Gazette," it shall be lawful for the Colonial Treasurer, to make application to the Court of Summary Jurisdiction upon an Affidavit setting forth the following Particulars that is to say:

Recovery of Rates.

1. That the Person from whom it is sought to recover the said Assessment is, or at the time when the same became due and payable was, the "Owner" or "Occupier" as the case may be, of the Tenement in respect of which the Assessment is made.

2. That such Person has omitted to pay the said Assessment.

3. That at least Four Days before the making of such Affidavit an application was made at the Dwelling House of such Person for the amount of the said Assessment and that a Notice in the Form in Schedule A hereunto annexed was left for him at such Dwelling House.

And the said Court may thereupon grant a Summary Warrant for the recovery of the said Assessment or the part thereof remaining unpaid with 12 per cent. Interest thereon from the time when the same shall have been declared payable together with the Costs in each case incident by Law to the recovery thereof.

V. A proportionate Sum shall be refunded from the amount of Rates paid in advance for any Quarter or other period in respect of every entire Calendar Month of such Quarter or other period during which any Tenement for which such Rates shall have been paid, shall be proved to the satisfaction of the Court of Summary Jurisdiction, to have been uninhabited: Provided always:—

How Rates to be refunded.

1st. That the Person claiming such Sum to be refunded or some Person on his behalf shall within 10 Days after the expiration of such Quarter or other period file in the said Court, a Petition in the Form in the Schedule (B) hereunto annexed, verified by Affidavit of the facts therein stated, and shall also within such time as aforesaid give notice in writing to the Colonial Treasurer of the filing of such Petition.

2ndly. That the Judge of the said Court shall cause to be endorsed upon such Petition and shall sign a Certificate in the Form in Schedule (C) hereunto annexed.

VI. The Judge of the Court may adjudicate upon any such Petition, notwithstanding that the Sum claimed therein may exceed \$500, and for the purpose of such adjudication may call and admit and receive any evidence which he shall think fit.

Court may entertain Petition above \$500.

On Certificate of  
Court Colonial  
Treasurer to refund.

VII. Upon production of a copy of such Certificate under the Seal of the said Court, it shall be lawful for the Colonial Treasurer to refund the amount specified therein to the Petitioner who shall deliver such copy to him with a receipt for the said amount endorsed thereon.

Governor may order  
Rates to be refunded.

VIII. In all cases where from any cause whatever any Person claiming any refund of Rates shall not have received the same it shall be lawful for the Governor if he shall think fit to order the whole or any part of the Sum claimed to be refunded by the Colonial Treasurer.

By whom Treasurer  
may appear.

IX. In all matters under this Ordinance the Colonial Treasurer may be represented in the Court of Summary Jurisdiction by any Person whom he shall appoint in that behalf.

Ordinances to be  
construed together.

X. This Ordinance, Ordinance No. 12 of 1860, Ordinance No. 9 of 1862 and so much of the Police and Lighting Rate Ordinance, 1863," as is not repealed hereby shall be construed together and for all requisite Purposes be deemed and taken as One Ordinance.

XI. This Ordinance shall commence and take effect on such Day as shall hereafter be fixed by Proclamation under the hand of the Governor.

#### SCHEDULE A.

To *A. B.*

Take notice that I have this day called upon you to demand payment of the rates as under [*specifying the amounts and the times when the same became payable.*]

If you fail to pay the above amount together with the interest thereon at 12 per cent from the time when the same became payable, application will on the \_\_\_\_\_ Day of \_\_\_\_\_ instant [*or as the case may be, but the day must be fixed*] at 10 o'clock in the forenoon be made to the Court of Summary Jurisdiction for a Warrant against you for the recovery thereof.

Dated this \_\_\_\_\_ Day of \_\_\_\_\_

\_\_\_\_\_  
*Collector of Rates.*

*B.*

IN THE COURT OF SUMMARY JURISDICTION.

The \_\_\_\_\_ Day of \_\_\_\_\_ 186 .

In the matter of *A. B.* and "the Police and Lighting Rate Amendment Ordinance, 1867."

The humble Petition of *A. B.*

Sheweth:

[*State briefly the grounds on which a refund is claimed.*]

And your Petitioners will, &c.

I *A. B.* make oath and say [*or declare as the case may be*] that the matters above contained are true in substance and in fact.

Sworn [*or Declared*] before me.

*C.*

IN THE COURT OF SUMMARY JURISDICTION.

The \_\_\_\_\_ Day of \_\_\_\_\_ 186 .

In the matter of *A. B.* and "The Police and Lighting Rates Amendment Ordinance 1867."

I hereby certify that *A. B.* has proved to my satisfaction that he is entitled to a refund of the Rates paid by him amounting to \$ \_\_\_\_\_

\_\_\_\_\_  
*C. D.,*  
*Judge of the Court of Summary Jurisdiction.*