GOVERNMENT NOTIFICATION.—No. 180.

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

> ARATHOON SETH, Clerk of Councils.

Council Chamber, Hongkong, 7th May, 1887.

A BILL

ENTITLED

An Ordinance for amending the Laws relating to Public Health in the Colony of Hongkong.

Preamble

WHEREAS it is expedient to make provision for preserving and promoting the Public Health in this Colony: Be it therefore enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, as follows:—

Title.

1. This Ordinance may be cited for all purposes as The Public Health Ordinance, 1887.

Ordinance repealed.

2. The several Ordinances and parts of Ordinances mentioned in schedule A to this Ordinance appended, are hereby repealed, provided always that all Rules and Regulations made in virtue of any of the said Ordinances or parts of Ordinances and in force at the date of the passing of this Ordinance shall remain in operation until they shall have been amended or repealed.

3. In this Ordinance and in any Bye-Laws made thereunder, the following words and expressions shall have or shall include the meanings hereinafter respectively set against them unless such meanings be repugnant to or inconsistent with the context.

Author of a Nuisance.

1. Author of a Nuisance.—The person by whose act, default, permission, or sufferance the nuisance arises or continues, or if such person cannot be found or ascertained the Owner or the Occupier of the premises.

Building.

2. Board.—The Sanitary Board.

3. Building .- Any building, house, dwelling-house, tenement-house, common lodging-house, dah, cook-house, privy, gallery, balcony, chimney, bridge, out-house, stable matshed, ware-house, manufactory, shop, work-room, distillery, and place of secure stowage.

Lodging-

4. Common Lodging-House:

(a.) any house or part thereof where persons are housed—not being members of the same family—at an amount not exceeding five cents a day or one dollar a month for each person;

(b.) any house in which employers of labour lodge their employés other than domestic servants, as part of the remuneration given for their services.

Domestic Building

5. Domestic Building .- Any human habitation, or

building where persons pass the night.
Drug.—Any medicine for internal or external use.
Food.—Any article used for food or drink other

Hill-side.

than drugs or water.

**Iill-side.—The face of the natural hill, or the face. 8. Hill-side. of any scarp or retaining-wall built to support the same, or any artificial filling in or terracing with earth behind such scarp or retaining-wall, made with the object of supporting a street or forming a site for a building.

9. Householder.—The actual tenant or occupier of the

Householder.

whole of any building or in cases where there shall be no such person, then the immediate landlord of the whole of such building and in the case of Corporations, Companies and Associations the Secretary or Manager thereof shall be deemed the Householder and shall be liable under this Ordinance.

10. Injurious to health.—Anything which,

Injurious to

opinion of the Board, is injurious to health.

11. Keeper of a Common Lodging-House.—Any person licensed to keep a Common Lodging-House.

12. New Building.—Any structure, begun after the commencement of this Ordinance or of which the enclosing walls have not been carried higher than the footings, or such old buildings as shall for the purposes of reconstruction by taken down to an extent exceeding one half, such half to be measured in cubic feet.

13. Occupier.—The person in actual occupation of any premises.

14. Owner.—Any house-owner, or the person for the time being receiving the rent of any premises, solely or as joint-tenant, or tenant in common with others, or receiving the rent of any premises whether on his own behalf or that of any other person, or where the owner cannot be found or ascertained the occupier; and for the purposes of this Ordinance every mortgagee in possession shall be deemed an Owner.

 Person—(and words applied in this Ordinance to any individual). Corporations, Companies, and Associations.

16. Premises.—Any land, building, or structure of any kind, footway, yard, alley, court, garden, stream; nullah, pond, pool, paddy-field, marsh, drain, ditch, or place open, covered, or enclosed, cesspool or foreshore, also any vessel or boat lying within the waters of the Colony.

17. Secretary.—The Secretary to the Sanitary Board duly appointed under the provisions of Section 5 of this Ordinance.

18. Tenant.—Any person who leases direct from any Householder the whole of any floor or floors of any building or tenement-house.

19. Tenement-House.—Any domestic building let to and inhabited by more than one occupier or family, as tenants of a common landlord, or as sub-tenants of a tenant of any portion of such domestic building.

20. Unhealthy.—Any thing which is in the opinion of the Board injurious to Health.

21. Vessel.—Any steam or sailing ship, launch, junk, lighter, sampan, or boat.

4. The Board shall consist of the Surveyor General, the Registrar General, the Captain Superintendent of Police, the Colonial Surgeon, and not more than five additional members, three of whom, shall be appointed by the Governor, one elected by the Chamber of Commerce and one by the Justices of the Peace. Non-official members of the Board shall hold office for three years.

5. The Governor shall appoint the President, Vice-President, and Secretary of the Board, and the names of all members appointed to the Board shall be forthwith notified in the *Government Gazette*, and any number of the *Government Gazette* containing a notice of any such appointments shall be deemed sufficient evidence thereof before any Magistrate or Court of Law.

• 6. If any member of the Board be at any time prevented by absence or other cause from acting for more than six months, the Governor may appoint or if the member has been elected the electors may nominate some other person to replace such member, until he shall be able to resume his functions.

7. The Board shall be held to be legally constituted notwithstanding any vacancies occurring therein by death, absence, resignation, or incapacity of any member.

8. The Governor may appoint such officers as he shall see fit to be Sanitary Superintendent, Sanitary Surveyors, Inspectors of Nuisances, and such other servants as the Board may from time to time recommend and there shall be paid from the Colonial Treasury to such officers such salaries and allowances as the Governor with the consent of the Legislative Council may from time to time determine.

9. The Board shall meet once in every alternate week and oftener if need be, and may adjourn from time to time. The President may at any time, and shall on a requisition signed by three members of the Board summon a meeting thereof.

Keeper of a Common Lodging-House.

Occupier.

Owner.

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Tenant.

Tenemen

Unhealthy

Vessel.

Constitution of the Board.

President, Vice-President and Chairman.

Substitute

Vacancies.

Sanitary Staff

Sanitary Staff.

Board meetings.

10. Any four members shall be a quorum for the despatch of business, and at every meeting the President or Vice-President shall preside, or in their absence the members present shall appoint a Chairman. The President or Vice-President or in their absence the Chairman so appointed shall have a deliberative and a casting vote.

11. The Governor may from time to time by Order under his hand direct that all resolutions or decisions of the Board involving the expenditure of any sum of public manager of fifty dellars shall be submitted to him.

money in excess of fifty dollars shall be submitted to him

before being acted upon.

12. The Board may from time to time make Standing Orders for regulating the mode and order of procedure at its meetings, for the appointment of Select Committees, for the conduct of its business between such meetings, and for the guidance of its Officers and may from time to time alter and amend such Standing Orders.

13. The Board shall have power to make and when made, to alter, amend, or revoke Bye-Laws with regard to the following meeters:

Power to make Byc-Laws.

- the following matters:
 - ·1. The proper construction, trapping, ventilating, and maintenance of public, or main drains and sewers as also of private house-drains and sewers in the City of Victoria and the villages and rural districts of Hongkong and Kowloon.

2. The provision and proper construction of privies in private premises.

3. The provision of adequate space about dwelling-houses in order to secure a free circulation of air.

4. The provision of adequate subsoil drainage in order to arrest damp in dwelling houses.

5. The proper lighting and ventilation of dwelling

6. The cleansing, lime-whiting and proper sanitary maintenance of all premises in the Colony.

7. The sanitary maintenance of public latrines, urinals,

dust-bins, and manure-depôts.
Surface scavenging, the removal of night soil and the disposal of refuse.

9. The closing of premises unfit for human habitation and the prohibition of their use as such.

10. The protection of the public water supply from pollution.

11. The prevention of the manufacture or sale of un-

sound adulterated or unwholesome food.

12. The regulation of bakehouses, dairies, ærated water

manufactories and food preserving establishments.

13. The prohibition of the establishment within certain limits, and the control of any noxious or offensive trade, business, or manufacture.

14. The sanitary maintenance of Common Lodging-Houses, opium smoking divans, factories, and places of public instruction, recreation or as-

15. The prevention of overcrowding in premises, either in respect of human beings or the lower animals.

16. The sanitary maintenance of all depôts and pens for cattle, pigs, sheep, and goats.

17. The sanitary maintenance of markets and slaughterhouses.

18. The construction, licensing, and proper sanitary maintenance of pig-sties in private premises.

19. The breaming of vessels, and the maintenance of cleanliness in the harbour of Victoria, the waters of the Colony and the foreshores thereof.

20. The disposal of the dead, the disinfection of dead bodies, and the sanitary maintenance of mortuaries and cemeteries.

21. The compulsory vacating of infected premises, and the disinfection and purification of the same.

22. The disinfection and purification of all infected vessels and public vehicles.

23. The mitigation or prevention of epidemic, endemic, or contagious disease among animals.

24. The manufacture and sale of poisons and the sale of unsound and adulterated drugs. 25. The regulation of public baths, laundries and wash

houses.

26. The compulsory reporting of infectious, contagious or communicable diseases.

14. The President or Vice-President shall give directions for carrying out and giving effect to the decisions of . 15. All Bye-Laws made by the Board under the provisions of this Ordinance shall be submitted to the Governor and shall not take effect until approved by the Legislative Council. And all such Bye-Laws when so approved shall be published in the Government Gazette and shall have the same force of law and be equally binding and valid as if they had been contained in this Ordinance.

16. The Sanitary Superintendent shall enforce the practical execution of all Sanitary Laws and of all Bye-Laws approved as aforesaid.

17. The Sanitary Superintendent shall be subject to the control of the Board and shall obey and carry out all lawful instructions given to him by the Board, and shall at each meeting of the same, duly report the proceedings taken by him in pursuance of such instructions.

18. The Sanitary Surveyors shall be subject to the control of the Board and shall carry out all lawful instructions conveyed to them through the Sanitary Superintendent.

19. The word Nuisance as used in this Ordinance shall include:—

1. Any failure to supply or any inadequate or defective provision of drain, drain-trap, ventilating-pipe, privy, subsoil-drainage or cess-pool accommodation, any building or part of a building so dark, ill-ventilated or so overcrowded as to be dangerous or prejudicial to the health of the inmates, or the clear cubic capacity of which is less than three hundred cubic feet for each person or inmate passing the night therein, and any other matter or circumstance whereby any premises are rendered unhealthy.

2. Any street or road, or any part thereof, or any water-course, nullah, ditch, gutter, side channel, drain, ashpit, sewer, privy, urinal, or cess-pool so foul as to be noxious or noisome, or unhealthy.

3. Any water-course, well, tank, pool, pond, canal, conduit or cistern, the water of which from any cause is so tainted with impurities, or so unwholesome as to be injurious to the health of persons living near or using such water, or which is likely to promote or aggravate epidemic disease.

4. Any stable, cow-house, pig-sty or other premises for the use of animals which is in such a condition as to be injurious to health.

5. Any accumulation or deposit of stagnant water, sullage-water, manure, dirt, house-refuse, or other matter wherever situated which is unhealthy.

6. Any noxious matter, or waste waters, flowing or discharged from any premises wherever situated, into any public street, road, or into the gutter or side-channel of any street or road, or into any nullah or water-course, or the bed thereof.

7. Any manufactory, trade, or business of a noxious, noisome or unhealthy nature.

8. Any cemetery or place of burial so situated or so conducted as to be unhealthy.

9. Any act, omission, or thing which is, or may be, dangerous to life or injurious to health or property.

20. It shall be lawful for the Board on reasonable presumption of the existence of a Nuisance on any premises, by an Order in writing to authorize the Sanitary Superintendent, the Sanitary Surveyors, or an Inspector of Nuisances with any assistant or assistants to enter such premises at any time between six in the morning and six in the evening and to inspect the same, and the Inspecting Officer shall on demand produce and show the Order to any person being or claiming to be, the occupier of such premises.

21. It shall be lawful for the Sanitary Board in any

21. It shall be lawful for the Sanitary Board in any case where the existence of a Nuisance is ascertained to its satisfaction, to issue a Notice through its Secretary calling on the author of the Nuisance to abate, remedy, or remove such Nuisance within reasonable time, such time to be named in the Notice, and not to be less than twenty-four hours or more than one month from the time of service of such Notice, unless cause be shewn to the Board for prolonging such delay.

for prolonging such delay.

22. Such Notice may require the author of any Nuisance to provide or employ sufficient means of cleansing, drainage, subsoil-drainage, sewerage, lighting or ventilation; to provide proper privy accommodation; to pave, concrete,

Legislative Council to approve Bye-Laws.

Execution of Sanitary Laws.

Sanitary Superin-

Saultary

Definition of

Inspection of Premises.

Issue of

Abatement of Nuisances.

cover, cleanse, disinfect, or purify any premises; to temporarily vacate any premises for the purposes of disinfection or when the said premises are in a condition dangerous to health; to drain, empty, cleanse, fill up, cover, repair, alter or remove any ditch, gutter, ashpit, drain, sewer, privy, urinal, or cesspool, or to provide a sufficient and proper substitute therefor; to fill up, cleanse, or cover any well or divert any drainage from the same; to abstain from any operation which may pollute any stream, water-course, canal, pond or water; to remove any animal or animals, or provide for the wholesome keeping of the same; to carry away any accumulation of matter, solid or liquid, noxious or noisome, which shall be injurious to health; to discontinue discharging waste-waters or other matters into any gutter or side-channel of a public street or road or over the surface of the ground; to discontinue any noxious or noisome work, manufactory, trade, or business; to limit the number of persons who may be accommodated in any premises, or the number of separate apartments into which such premises may be divided, or let to, or used by different persons or families; to prevent the burial of the dead in any place or cemetery; or to do such other works or acts, as are necessary to abate, remedy, or remove any Nuisance ascertained to exist as aforesaid, in such manner and within such time as shall be specified and set forth in the Notice; and if the Board is of opinion that such Nuisance is likely to recur, it may further prohibit the re-currence thereof and issue a Notice as aforesaid for the execution of such constructional works as may be necessary in its opinion to prevent such recurrence.

Provision against noncompliance with Notices. 23. In cases of non-compliance with such Notice it shall be lawful for the Board to authorise its Officers with all proper assistants and workmen from time to time, and forcibly if need be, to enter the premises in respect of which such Notice shall have been issued and to do whatever may be necessary in execution of such Notice for the abatement, remedy, or romoval of such Nuisance, or for the prevention of the recurrence thereof.

Right of persons to petition Board. 24. Where by any Notice under this Ordinance the author of any Nuisance shall be required to construct, re-construct, alter, amend, or repair any drain; to provide adequate privy accommodation; to pave any premises; to abstain from any act which may pollute any stream, canal, pond, or other water; to discontinue any work, trade, manufactory or business; to abate overcrowding or to limit the number of separate dwellings or apartments into which premises may be divided or let or used by different persons or families; to provide proper light, subsoil-drainage, or ventilation for such premises; to discontinue the use of any cemetery or place of burial; or to abate, remedy, remove, or prevent the recurrence of any Nuisance whatsoever; and the author aforesaid shall be dissatisfied with such Notice, it shall be lawful for the author aforesaid within; the time specified in such Notice for complying therewith; to petition the Board to review such Notice, and the petition shall set forth the reasons why such Notice should be discharged, modified or suspended as the case may be, and thereupon the Board shall enquire into the matters alleged in such petition, and for such purpose the Board shall have power to take evidence upon oath, or solemn affirmation, and shall thereupon confirm, modify, suspend, or discharge the same, or extend the time allowed for compliance therewith.

Seizure of unwholesome 25. Any member or Officer of the Board, duly authorised by the said Board in writing, may, at any time between the hours of six in the morning and six in the evening enter any shop or premises used for the sale or preparation for sale, or for the storage of food, to inspect and examine any food found therein which he shall have reason to believe is intended to be used as human food, and in case any such food appear to such member or Officer to be unfit for such use he may seize the same, and the Board may order it to be destroyed or to be so disposed of as to prevent it from being used as human food.

Chinese Cemeteries. 26. It shall be lawful for the Governor in Council from time to time to select and appoint, and by advertisement in the *Hongkong Government Gazette*, to notify, sufficient and proper places to be the sites of, and to be used as Cemeteries or places of burial for the Chinese; and from time to time, to alter, vary, and repeal the said Notifications by others, to be advertised in the like manner; and in such Cemeteries or places, it shall be lawful

for the Chinese, in conformity with the provisions of the Notifications actually in force, to bury their dead, yet so as that any person who shall use for that purpose a grave of less than six feet in depth from the ordinary surface of the ground to the uppermost side of the corpse or coffin therein deposited, shall for every such offence forfeit and pay a sum not exceeding fifty dollars, nor less than five dollars.

27. The Governor in Council is authorized from time to time to notify by advertisement in the *Hong-kong Government Gazette*, that any Chinese cemetery or burial ground shall, from a time in such Notification to be specified, be closed, and the same shall be closed accordingly; and whosoever after the expiration of the said specified time shall bury any corpse in the said cemetery or burial ground shall, for every such offence, forfeit and pay a sum not exceeding one hundred dollars, nor less than five dollars.

28. Whosoever shall bury any corpse or coffin in any ground not being a cemetery or burial ground authorized under this or any other Ordinance, shall (except in cases provided for by section 27 of this Ordinance) for every such offence forfeit and pay a sum not exceeding one hundred dollars, nor less than five dollars.

29. The penalties specified in sections 27 and 28 shall be deemed to be cumulative, and not substituted penalties, in any case where the commission of any of the offences to which the same are applicable shall occasion a Nuisance within the meaning of this Ordinance.

30. Where any person is suffering from Small-pox or any other contagious or infectious disease and is without proper lodging or accommodation or is lodged in a tenement occupied by more than one family or is on board any ship or vessel a Magistrate may on the certificate of the Colonial Surgeon or any other duly qualified Medical practitioner order the removal of such person to such suitable hospital or other like place as may be provided for the purpose.

31. All night-soil and urine shall vest in and become the absolute property of the Government night-soil Contractors for the time being and the disposal of it shall be subject to regulations to be made under this Ordinance. Provided, that the licensees of public latrines shall still be at liberty to dispose of the night-soil from latrines existing at the time of the passing of this Ordinance under the regulations in force at the time of the passing of this Ordinance, and that the owners of gardens in villages, may use on their own lands the waste products of their tenements if conveyed according to such regulations.

32. All householders within the City of Victoria shall provide themselves with suitable dust-boxes in accordance with a pattern deposited for the inspection of the public, at the District Police Stations in the city, and all the day's house-sweepings, ashes, offal, and refuse, shall be deposited in the dust-box, and in no place or receptacle other than the dust-box which shall be at all times maintained in due repair by the owner

repair by the owner.

33. The keeping of pigs, goats, or cattle without a Licence from the Sanitary Board is hereby prohibited, and any person keeping such animals, either without a Licence from the Board or in a manner contravening such sanitary conditions as may be endorsed on such Licence, shall be liable on conviction before a Magistrate to a fine not exceeding \$5, and in default of payment to imprisonment for any term not exceeding fourteen days, and to forfeit all animals in respect of the keeping of which he has so offended.

PART II.

34. Whenever any part of the Colony appears to be threatened with, or is affected by any formidable epidemic, endemic, or contagious disease, the Governor with the advice of the Executive Council may by Proclamation from time to time, direct that the provisions contained in Sections 27 to 32 of this Ordinance both inclusive, be put in force in the Colony or such part thereof as by such Proclamation may be specified, and may from time to time revoke or renew any such Proclamation; and subject to such revocation and renewal every such Proclamation shall be in force for such period as in such Proclamation shall be expressed, and every such Proclamation shall be published in the *Government Gazette*, and such publication shall be conclusive evidence thereof.

Closing of Chinese

Burial elsewhere

Penalties in certain cases cumulative.

Removal o Infected

Night-soil and urine the property of the night-soil Contractors.

Householder to provide

Keeping pigs

Proclamation of epidemic

35. From time to time after the issuing of any such Proclamation as aforesaid, and while the same continues in force, the Board may issue Bye-Laws, as they shall think fit, for the prevention as far as possible or mitigation of such epidemic, endemic, or contagious disease, and from time to time may revoke, renew, and alter any such Bye-Laws.

Any person committing any infraction of the above Bye-Laws shall be liable to a fine not exceeding two hundred dollars or to six months imprisonment.

36. The Board by such Bye-Laws may provide:-

- 1. For the speedy and safe disposal of the dead.
- 2. For house to house visitation.
- 3. For the dispensing and distribution of medicines.
- 4. For providing such accommodation and medical aid as may be required.
- 5. For the destruction of infected bedding, clothing or other articles.
- 6. For the compulsory vacating of houses.
- For any such matters or things as may to the Board appear advisable for preventing or mitigating such disease.
- 37. Such Bye-Laws after approved by the Governor in Council, shall be published in the Government Gazette.
- **38.** The Board shall, through its Officers, superintend the execution of such Bye-Laws and shall act, and shall provide all such things, as may be advisable for mitigating such disease, or for superintending or aiding in the execution of such Bye-Laws or for executing the same as the case may require.
- 39. Any officers or persons authorised in that behalf by the Board may enter at any reasonable time during the day or night, and inspect any premises where they have ground for believing that any person has recently suffered from or died of any such disease, or that necessity may otherwise exist, for executing in relation to such premises any of such Bye-Laws.
- 40. When any such Proclamation is in force, and upon any evidence that the Board may deem sufficient that any premises are so overcrowded, as to be injurious to health, the Board shall have power to make such Order as it shall see fit to abate such overcrowding, and the house-holder, tenant, or occupier of such premises who shall permit such overcrowding to continue after such Order shall have been served on him shall forfeit a sum not exceeding one hundred dollars for every day during which such overcrowding shall continue, and in default of payment he shall be liable to imprisonment for any period not exceeding three months.
- All Proclamations of the Governor in Council for executing the provisions contained in Sections 35 to 40 of this Ordinance, both inclusive, shall extend to the waters of the Colony, and the Board may issue under the said Proclamations, by virtue of the provisions of Section 36, Bye-Laws for vacating, cleansing, purifying and ventilating vessels

PART III.

- 42. Every owner of a new building erected within the City of Victoria shall construct the ground floor of such building at such sufficiently high level as will allow of the construction of a drain and of the provision of the requisite communication with any public sewer into which such drain may lawfully empty, at a point in the upper half-diameter of such sewer.
- 43. Every owner of a new building within the City of Victoria, shall, in the construction of every drain of such building, use good sound pipes formed of cast iron jointed with lead or lard, well glazed stone-ware socketted pipes jointed water-tight in cement mortar composed of at least one part of good cement to three equal parts of clean sand. Black bricks shall not be used in the construction of any house-drains intended for the conveyance of sewage. Red bricks may be used, provided they are hard and sound, and that they are set in cement mortar of the foregoing description, and that the interior surface of the drain is also smoothly rendered with the same mortar.

Byo-Laws for prevention or midgation of epidemic.

Punishment for contravention of Bye-Laws.

Bye-Laws.

Bye-Laws to be published in the Gazette

Board to supervise execution of Bye-Laws.

Inspection of premises.

Premises overcrowded.

Proclamation to extend to waters of the

Drains.

be used for drains. 44. Every owner shall cause every such drain to be of adequate size, such size to be approved by the Board, and in no case to be less than four inches internal diameter. Where the ground is soft, such drain shall be laid in a bed of good lime concrete. Every house-drain shall be laid with a proper fall to the satisfaction of the Board.

of good lime concrete. Every house-drain shall be laid with a proper fall to the satisfaction of the Board.

45. No drain shall be so constructed as to pass under any building, except in any case where any other mode or construction may be impracticable. Any drain passing under a building shall be laid in one straight line for the whole distance beneath such building, and shall be completely embedded and encased all round in good and solid lime concrete, at least four inches thick all round.

46. Adequate disconnexion and ventilation shall be provided at the end of every house-drain, by means of gully-traps, with slop-stone covers or suitable iron perforated covers or gratings, and ventilating pipes, placed at such points and levels, and in such manner as shall in each case be required by the Board, and every inlet to every house-drain, shall be properly trapped and shall be grated, or covered with a perforated stone or iron cover that shall effectually prevent the introduction of any solid substance into such inlet and the perforations or apertures of every such grating or cover, shall be of not less than the sectional area of the pipe or drain to which it is fitted.

47. Every drain from a building communicating directly with, any public sewer, shall be provided with a suitable trap, ventilating-grating, disconnecting manhole, or other appliance, to the satisfaction of the Board, at such point between such building and such public sewer as shall be pointed out in each case by the Board.

48. No house-drains shall be joined in such a manner as to form any right-angled junction, either vertical or horizontal. Every drain shall join another drain obliquely in the direction of the flow of such drain.

49. No ventilating-pipe of any drain shall be of a less internal diameter than four inches, and such ventilating pipe shall in every case be securely fixed and so carried up to such height, (provided such height be in no case less than ten feet above the ground), as shall effectually prevent any escape of foul air into any thoroughfare or adjoining building.

50. No overflow from any cistern or bath, or ablution, sullage, or refuse waters of any kind, nor the surface-drainage of any yard or back-yard shall be led from any building or premises, through any down-pipe or open gutter into, or over, any surface-channel of any public street, alley, thoroughfare, or other ground, nor shall such refuse waters be led into, or emptied over the surface of any back-yard, alley, or other ground belonging to such building, or premises or other adjoining building or premises, but shall be conveyed in a watertight waste-pipe or down-pipe taken through an external wall, and discharged in the open air over a gully-trap covered with a grating or granite slopstone cover, and no such waste-pipe or down-pipe, shall be brought down any external wall or retaining wall when such wall looks upon any public thoroughfare.

be brought down any external wall or retaining wall when such wall looks upon any public thoroughfare.

51. Every kitchen of a dwelling or tenement-house, shall be provided on every floor with a suitably dished and perforated slop-stone, and with a down-pipe, securely fixed, trapped, disconnected, and ventilated to the satisfaction of the Board.

52. All works connected with the construction, disconnexion, trapping and ventilating of house-drains, shall be carried out at the cost and charges of the owner of the house, either by the Board or by persons approved of by the Board under the supervision of the latter.

53. The Board may, by a written Notice, require the owners of existing buildings, the drains of which are in the opinion of the Board in a defective and insanitary condition, to construct within a reasonable time to be determined by the Board, new house-drains in accordance with the provisions of this Ordinance, or to make such other improvements in the existing defective drainage of such building, as in the opinion of the Board may be necessary to meet the requirements of this Ordinance.

54. If it appears to the Board that a group of con-

54. If it appears to the Board that a group of contiguous tenements may be drained more advantageously in combination than separately, the Board may order that such group be drained upon some combined plan to be approved by it, and the expenses shall be apportioned by the Board between the different owners of such group of contiguous tenements.

Sizes and falls of

Drains under building.

Disconnexion and ventilation of drains.

Traps and manholes.

Junction of

Ventilating-

Overflows and waste waters.

Slop-stones

All works to be carried out by Board or by persons approved by

New housedrains.

Groups of drains. Owners to connect drain with mainsewers. 55. If any building be without a sufficient drain, and if a public sewer of sufficient size be within one hundred feet of the premises or outermost boundaries of the lot on which such building is situated, and if such public sewer be on a lower level, it shall be lawful for the Board to require the owner of such building to connect with such public sewer by means of a proper drain adequately trapped and ventilated, to the satisfaction of the Board.

Suspected drains to be opened by Board. 56. Whenever the Board shall have geason to believe that the drains of any building are defective and in a condition injurious to Health it shall be lawful for the Board to order an Inspecting Officer to enter the premises and to inspect such drains, and if requisite for the purposes of such inspection, such Officer shall cause the ground to be opened in any place or places he may deem fit, doing as little damage as may be, and should such drains be found in a satisfactory condition, they shall be reinstated and made good by the Board at the public expense, but should such drains prove in the opinion of the Board defective, it shall cause them to be properly reconstructed in accordance with the provisions of this Ordinance.

House drains in Villages and Rural Districts. 57. Every owner of a new building in the villages and rural districts of Hongkong and Kowloon shall construct the ground floor of such building at such sufficiently high level as will allow of the construction of a drain, and of the provision of the requisite communication with any public sewer into which such drain may lawfully empty or with any other means of drainage with which such drain may lawfully communicate.

Open drains.

58. Wherever feasible, every house-drain in the villages and rural districts of Hongkong and Kowloon shall hereafter be an open drain consisting of a semi circular channel of glazed stoneware jointed in cement mortar and laid to adequate falls on a bed of good lime or cement concrete to the satisfaction of the Board.

Sumps.

59. In isolated places not connected with any public drainage system, every such open drain shall lead and empty into a covered sump or cesspit built of brick or lime concrete rendered smoothly in good Portland cement mortar in such manner as to be water tight.

Stagnant water.

60. No premises within the City of Victoria or the villages of Hongkong and Kowloon, shall be so excavated as shall admit of the formation on the surface thereof, of pools of stagnant or other foul waters, and it shall be lawful for the Board to call upon the owner of any premises whereon such pools may exist, to fill up the same with good clean earth to the level of the surrounding ground, or to drain off such pools by means of surface-drains into any channel with which such surface-drains may lawfully communicate.

PART IV.

Windows to communicate with external air. 61. Every person who shall erect a new domestic building, shall construct in the wall of each story of such building which shall immediately front or abut on any open space a sufficient number of suitable windows, in such a manner and in such a position, that each of such windows shall afford effectual means of ventilation by direct communication with the external air.

Space underneath 62. Every person who shall erect a new domestic building shall construct every room in the lowest floor if provided with a boarded floor, in such manner that there shall be, for the purpose of ventilation, between the underside of every joist on which such floor may be laid, and the upper surface of the asphalte or concrete with which, the ground surface or site of such building may be covered, a clear space of three inches at the least in every part, and he shall cause such space to be ventilated by means of vents, gratings, or air-bricks.

Sizes of windows.

63. Every person who shall erect a new domestic building shall construct in every habitable room of such building, one window, at the least, opening directly into the external air, and he shall cause the total area of such window, or, if there be more than one, of the several windows, clear of the sash frames, to be equal at the least to one tenth of the floor area of such room. Such person shall also construct every such window so that one half, at the least, may be opened, and so that the opening may extend in every case to the top of the window.

PART V.

64. Every person who shall erect on a level site excavated out of a slope or declivity any new building the basement story of which is intended for human habitation, shall not abut such new building against the hill-side, but shall leave a clear intervening space or area of at least four feet between such new building along its whole extent and the toe of the slope of the hill-side, always provided that for the number of this costion and high the number of this costion are highly designed. the purposes of this section any kitchen or outhouse appertaining to such new building may be so abutted against the hill-side, if not designed or intended for human habi-

65. Every person who shall erect a new building the basement story of which shall be designed for cellarage or for purposes other than human habitation, may abut such new building against the hill-side to the extent of the height of such basement story.

66. It shall not be lawful for any person who shall have been allowed to erect any new building, kitchen or outhouse abutting against the hill-side under the provisions of the two preceding sections, or for any subsequent owner or tenant thereof to use or suffer to be used at any subsequent period the basement story of such new building, or such kitchen or outhouse for the purposes of human habita-

67. Every person who shall, under the provisions of Section 64, leave a clear intervening space or area between a new building and the hill-side shall make the surface of the floor of such area at least twelve inches lower than the level of the basement floor of such new building, and he shall lay to the full extent of such area along the toe of the slope of the hill-side, and to a depth of at least twelve inches below the surface, a line of hard sound stone-ware field-pipes for the purpose of effectually draining the subsoil of such area, and he shall not cause such sub-soil drain to be passed out under the floor of any building unless any other mode of outlet may be impracticable, and in such case he shall cause the sub-soil drain to be so laid under the ground floor of such new building that there shall be a distance of at least nine inches between the top of such drain, and the surface of such ground floor.

68. The floor of every area and the basement floor of every building adjoining an area floor, shall be properly asphalted, paved, or covered over with a layer of good concrete at least nine inches thick, and the floor of such area shall have a fall from the external wall of such building, towards the face of the hill-side, of at least half an

inch to the foot.

69. Every area shall be kept at all times free and unobstructed by structures of any kind other than flights of steps, nor shall such area be roofed in, or covered over with glass or other material. Every area shall be provided with a suitable parapet wall, or safe iron railing or fence along its upper edge.

PART VI.

70. Every person who shall erect a new domestic building shall cause the same to be provided with a suitable privy of brick, at least three feet wide by four feet deep internal dimensions, and such privy shall be so constructed as to open into the outer air and not into the building, and where the latter shall be used as a tenement-house of more than one floor, there shall be a similar privy for the use of each

71. Every privy shall have a suitable door and window as also a ventilating opening into the external air not less than 6 inches by 3 inches immediately under the ceiling, and the window of such privy shall be of not less dimensions than two feet by one foot, exclusive of the frame,

and it shall open directly into the external air.

72. The floor of every privy on the ground floor shall be raised at least six inches above the level of the ground outside, and the floor of every privy shall be paved with smooth stone flags, or with hard tiles, asphalte, or concrete covered with cement mortar, or other non-absorbent material, and such floor shall have a fall or inclination towards the door of at least half an inch to the foot.

73. No privy shall have any communication by means of

any pipe, drain, grating, or other channel with any underground private drain, or public sewer.

74. Every privy shall be provided with a moveable receptacle of non-absorbent material for the reception of filth, and such receptacle shall have a capacity not exceeding

Privy receptacles.

two cubic feet, and every privy shall also be provided with a moveable stand or seat fitted in such manner as shall enable it to be readily removed and adjusted for the purpose of cleansing the floor and sides of the privy, and of voiding the receptacle.

Water-closets

75. No person shall construct any water-closet or urinal having any communication with any underground public sewer, or private drain, and any such existing water-closets or urinals shall be removed by the owner upon his being required by the Board to effect such removal.

Privies in factories or other industrial establishments. 76. Every factory, refinery, distillery, godown, or other industrial or trading establishment whatsoever, employing a number of persons shall be provided by the owner thereof with proper privy accommodation on the premises, calculated on the basis of one privy-seat to every twenty persons, and in respect of constructional details and building materials to be used, all such privies shall be similar to those for domestic buildings.

PART VII.

Space in front of buildings.

77. Every person who shall erect a new domestic building, fronting a private street shall so place the same, that along its entire frontage, there shall be an open space of at least seven and a half feet in width, measured from the centre line of such street.

Space behind buildings. 78. Every person who shall erect a new domestic building, shall provide along the entire back of such building, a clear space forming a back-yard, of at least ten feet in width, and such back-yard shall not be roofed in with glass or other material, but shall be at all times kept open to the sky, for the purposes of light and ventilation, nor shall such back-yard be subtended by flying balconies unless its width shall exceed ten feet, or by any structure other than a covered bridge not more than three feet wide laid across such back-yard leading into the kitchen or outhouse at the level of each upper floor when the house is of more than one story. But in respect of such domestic buildings as may already in accordance with Section 64 of this Ordinance have left a clear area of four feet between the external wall of such building and a scarp or retaining wall, it shall be optional with the owner of such building to erect a kitchen or outhouse immediately abutting against the back of such building provided such kitchen or outhouse does not extend the full width of the building but stops within five feet of such width, and in such case the depth of the back-yard between the external wall of the building and scarp or retaining wall shall not be less than ten feet.

79. When however the provisions of the two preceding Sections cannot be adhered to without undue sacrifice of property, such provisions may be modified at the discretion of the Governor in Council.

Buildings on new Crown 80. Every person who shall erect a domestic building upon land obtained from the Crown after the passing of this Ordinance shall provide along the entire back of such building if one storied a clear space forming a back-yard of at least ten feet in width, if such building be two storied he shall cause the width of such back-yard to be at least fifteen feet, and if such building be three storied he shall cause the width of such back-yard to be at least twenty feet.

PART VIII.

Overcrowding.

81. Every domestic building or portion thereof found to be inhabited in excess of a proportion of one adult to every three hundred cubic feet of clear internal space shall be considered to be in an overcrowded condition and shall be deemed a Nuisance. This Section shall apply only to such districts or portions of districts as may from time to time be designated by an Order of the Governor in Council.

of space to be given each in-sate of houses.

82. It shall not be lawful for any householder or tenant to let or sub-let for occupation any Tenement-House or any floor, compartment, or portion thereof to so large a number of persons or families as shall leave less than three hundred cubic feet of clear space for every adult inmate of such Tenement-House or portion thereof, including the family of such householder or tenant if resident on the premises, and the presence of any number of persons in excess of this proportion, between the hours of 9 P.M. and 4 A.M. shall be taken as prima facie evidence that such Tenement-House, floor, compartment, or portion thereof, has been let in contravention of this section.

83. If any Tenement-House or other domestic building or portion thereof shall be found to be in an overcrowded condition, the Board shall require the tenant of the same, or any portion thereof, and also if requisite the householder, each and severally, by means of a written Notice to abate such overcrowding within a period of one calendar month (or in the case of a second or subsequent notice, within three days) after the receipt of the Notice by such householder or tenant, and such Notice shall specify the cubic capacity available for habitation, in such Tenement-House or other domestic building and the number of persons which may legally be accommodated therein in the proportion of one adult for every three hundred cubic feet of clear space.

84. Any room of a Tenement-House used as a common kitchen, shall not be used as a sleeping room, and the house-holder or tenant thereof shall be responsible that such common kitchen is not so used, nor shall any passage, lobby, or other place partitioned off from any sleeping room, to the height of the ceiling be included in the calculation of the cubic capacity available for human habitation.

85. In the calculation of cubic space for the purposes of the four preceding Sections two children fourteen years or under fourteen years of age, shall be counted as one person, and every person over fourteen years of age shall be considered as an adult.

86. No person shall open or keep open a Common Lodging-House unless the house is registered and the

keeper thereof is licensed by the Registrar General.

87. Every person who shall erect a domestic building shall not let the same or any portion thereof for occupation until such building shall have been previously examined by an Officer of the Board duly authorized by the Board, and certified by such officer as having been built in com-pliance with the entire provisions of this Ordinance, and as being in every respect fit and proper for human habita-

88. Any person who shall not comply with the requirements of Sections 81, 82 and 83 shall be liable to a penalty not exceeding fifty dollars or in default of payment to imprisonment not exceeding one month.

PART IX.

89. All expenses incurred by the Board in consequence of any default in complying with any Order or Notice issued under the provisions of this Ordinance shall be deemed to be money paid for the use, and at the requirement of the person on whom the said Order or Notice was made, and shall be recoverable from the said person in the ordinary course of law at the suit of the Secretary to the Board duly authorised by the said Board.

90. The provisions of the Crown Remedies Ordinance, 1875 shall apply to the recovery of all such expenses, and the certificate required by that Ordinance shall be signed

by the Secretary.

91. Whoever assaults, obstructs, molests, or hinders any Member or Officer of the Board in the execution of the duties or exercise of the powers imposed or conferred upon him by this Ordinance, shall be liable to a penalty not exceeding Two Hundred dollars or to imprisonment not exceeding three months.

92. Every Notice issued by the Board shall be in the

form contained in Schedule B to this Ordinance. 93. Every such Notice or Order may be served by any Officer or Servant of the Board by delivering the same to or at the residence of the person to whom it is addressed, and when addressed to the owner of any premises it may, if such owner cannot be found, be served by delivering the same to some person upon such premises, or if there be no person upon such premises who can be so served, by affixing the same to some conspicuous part of the premises.

94. Any person giving false evidence on oath or solemn affirmation in any enquiry held by the Board relative to the petition for the review of any Notice or Order issued by the said Board shall be guilty of an offence and shall in all respects be liable on conviction thereof before a competent Court, to the penalties provided by law against

perjury.

95. Any person on whom there shall be served any Notice issued by the Board under the provisions of this Ordinance and who shall fail within the time specified in such Notice to comply therewith, shall be liable to a penalty not exceeding Twenty-five dollars for every day during which such non-compliance shall continue. Notices to Householder

Domestic buildings

Schedule B.

96. Any person in whose possession there shall be found any food liable to seizure under Section 25 of this Ordinance shall be liable to a penalty not exceeding One Hundred dollars or to imprisonment not exceeding three

97. Any person or persons who shall in making application for registration or licensing of a Common Lodging-House, knowingly make any false statements regarding any of the particulars required to be stated in such applica-tion, shall on conviction before a Magistrate be liable to a penalty not exceeding twenty-five dollars.

98. Any person who shall contravene any provision of this Ordinance for which no special penalty is provided shall be liable to a penalty not exceeding fifty dollars.

99. All penalties imposed by this Ordinance or by any Bye-Laws thereunder may be recovered in a summary manner before a Magistrate at the suit of the Secretary.

100. Where proceedings under this Ordinance are competent against several persons in respect of the joint act or default of such persons, it shall be sufficient to proceed against one or more of them without proceeding against the others.

Schedule A.

The following Ordinances or parts of Ordinances and all Rules made the reunder are repealed:—

No. 12 of 1856, sections 2, 3, 4, 5, 12, and 13. No. 8 of 1858, sections 18 and 19. No. 10 of 1872, section 6.

No. 7 of 1883.

Schedule B.



Notice is hereby given to you on behalf of the Sanitary Poard that the Nuisance specified hereunder is found to exist in your premises

and that you are therefore hereby required within a delay of
from the time of service upon you of the present
Notice to abate such Nuisance in the manner hereunder set forth,
failing which you will be liable to a fine of

By Order of the Sanitary Board.

Secretary.

Nature of Nuisance.

Action to be taken for the Abatement of the Nuisance.

Bye-laws for the proper sanitary maintenance of Common Lodging-Houses made under Ordinance of 1887, Section 13, Sub-section 14.

Register.

1. A Register of all Common Lodging-Houses shall be kept by the Registrar General in the form of Schedule ${\cal C}$ appended to these bye-laws.

Registration of houses.

2. Before a house can be registered as a Common Lodging-House, an application must be made to the Registrar General in the form of the Schedule *D* hereunto appended, General footh, the gituation of the house the house of the setting forth the situation of the house, the number of the rooms to be set apart for lodgers and the cubic capacity of each room so set apart, and for this purpose the schedule or form will be furnished by the Registrar General.

3. The Registrar General shall transmit each application for the registration of a house as a Common Lodging-House to the Sanitary Board, and the Board shall then cause the house specified in such application to be inspected by one or more of its Officers who shall submit a report to the Board on the sanitary condition of such house, and its suitability for use as a Common Lodging-House.

4. Any house to be registered as a Common Lodging-House must be substantially built and in a good state of repair, the floors must be paved with tiles or concrete or boarded with planks close jointed, and all the rooms which are to be used as sleeping rooms must be on all sides above the level of the ground immediately surrounding the house. The house-drains must be in good order and constructed in accordance with the bye-laws regulating house drainage, there must be adequate kitchen, ablution, privy, urinal and ash-bin accommodation to the satisfaction of the Sanitary Board.

5. When the Sanitary Board is satisfied that a house sought to be registered as a Common Lodging-House is suitable for such a purpose, it shall inform the Registrar General accordingly who may then register such house as a Common Lodging-House.

6. Before any person can be licensed as a keeper of a Common Lodging-House, an application must be made to the Registrar General and such application must be accompanied by a certificate of character from one or more respectable householders as defined by the Victoria Registration Ordinance, 1866.

7. When the Registrar General is satisfied with the character of an applicant for a licence to keep a Common Lodging-House he may issue a licence to such applicant accordingly.

8. The keeper of a Common Lodging-House shall not suffer or permit in any room of his Common Lodging-House, a greater number of persons to sleep or lodge than the number specified by the Sanitary Board, which shall be in the proportion of not more than one adult person for every three hundred cubic feet of clear space contained therein. Two children of fourteen years of age or under to be counted as one person.

9. The keeper of a Common Lodging-House shall reduce the number of lodgers in any room of his Common Lodging-House upon receiving notice in writing from the Sanitary Board stating the cause for making such reduction, and the period for which it shall continue in force.

10. The keeper of a Common Lodging-House shall affix and keep in a conspicuous position on the outside of his Common Lodging-House, a board, having painted on it in English and Chinese in legible white letters and characters on a black ground, not less than two inches long, the words "Registered Lodging-House." He shall also affix and keep in a conspicuous place in each room, a board having painted on it in English and Chinese the number of persons the room is registered to accommodate.

11. The keeper of a Common Lodging-House shall not permit males and females above ten years of age respectively to occupy the same sleeping apartment except in the cases of husband and wife, and parents and children, and he shall prevent any person occupying his house for immoral purposes.

12. The keeper of a Common Lodging-House shall not knowingly permit persons of bad character to lodge in his house and he shall maintain and enforce good order and decorum therein; and he shall also keep a Register of the name, occupation and native place of each lodger.

13. The keeper of a Common Lodging-House shall not permit the kitchen of his house to be used as a sleeping room.

14. The keeper of a Common Lodging-House shall cause the windows of each of the sleeping rooms to be kept open to their full width from 9 A.M. till sunset unless prevented by tempestuous weather or by the illness of any person occupying any of the rooms.

15. The keeper of a Common Lodging-House shall cause the internal walls and ceilings of every part of his house to be thoroughly cleansed and lime-washed during the sixth and twelfth months of the Chinese year.

16. The keeper of a Common Lodging-House shall at all times keep his premises in a clean and wholesome condition, and the fittings of the sleeping rooms shall be maintained by him in a thorough state of repair. He shall cause every room, passage and stair to be thoroughly swept at least once a day.

17. The keeper of a Common Lodging-House shall cause all filth and house refuse or other offensive matter to be removed from his premises daily.

18. If any person in a Com— in Lodging-House becomes ill from any infectious, co_agious, or communicable disease, the keeper of such Common Lodging-House shall forthwith give notice thereof to the Inspector of Nuisances in whose district the lodging-house is situated, or to the nearest Police Station; and the keeper of such Common Lodging-House shall cause the house to be vacated for the purpose of fumigation, disinfection or lime-washing, and of allowing the bedding, clothing, and other articles used by the infected person to be destroyed or disinfected at the public expense, in such manner as the Sanitary Board may

Registration

Licensing of

...

ubic space.

Do.

Affixing sign

Separation of sexes.

Good order.

Kitchen not to be used as sleeping room

entilation.

Cleansing and lime washing.

Cleanliness,

Do.

Infectious, contagious, and communicable diseases. Inspection

direct. Any offence against this Bye-Law shall be punishable with a penalty of fifty dollars or in default of payment with imprisonment for a period of two months.

Penalties.

ment with imprisonment for a period of two months.

19. The Registrar General, the Captain Superintendent of Police, and Members of the Sanitary Board, or any officers deputed by them shall have at all times free access to every part of any registered Common Lodging-House and to the Register of lodgers therein.

20. Any person offending against any of the foregoing Bye-laws for a breach of which no specific penalty is provided shall be liable, on conviction before a Magistrate, to a penalty not exceeding twenty-five dollars, and in the case of a continuing offence to a further penalty not exceeding five dollars for each day after written notice of the offence has been served on him by the Sanitary Board, and failing immediate payment of the penalty imposed to imprisonment for any period not exceeding one month. Any licensed keeper of a Common Lodging-House against whom three convictions under these Bye-laws have been recorded within twelve months will be liable to have his licence cancelled by the Registrar General. licence cancelled by the Registrar General.

Signature of Registering Officer.	•	,
Name of Keeper.		
Maximum No. of Lodgers which can be received.		
Nature of Water Supply.		
No. of Closets,		
No. of Kitchens.	•	
No. of Sleeping Rooms.		
Situation of Lodging- House and Street Number thereof.		•
Date.		
	Register Situation of Lodging- No. of No. of No. of No. of No. of Nature of Water Supply. Water Supply. Precived. Reper.	Register Number thereof. Roons. Ritchens. Closets. Water Supply. Received.

Schedule C.

Schedule D.

Application for a House to be registered as a Common Lodging-House

I, the undersigned, hereby make application to have the undermentioned premises registered as a Common Lodging-House, under the Public Health Ordinance of 1887.

Situation of premises sought to be registered as a Common Lodging-House,

The number of floors to be used as a Common Lodging-House,

The number of rooms set apart for lodgers,

 Cubic capacity of Room No. 1,...

 det.

 Do.
 do.
 No. 2,...

 do.

 Do.
 do.
 No. 3,...

 do.

 Do.
 do.
 No. 4,...

 do.

 Do.
 do.
 No. 5,...

 do.

 Do.
 do.
 No. 6,...

 do.

To the Registrar General.

GOVERNMENT NOTIFICATION.—No. 181.

It is hereby notified that the Queen's Exequatur, empowering Francisco Maria Rivero, Esquire, to act as Consul for Spain at Hongkong, received Her Majesty's signature on the 24th day of March, 1887.

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 7th May, 1887.

GOVERNMENT NOTIFICATION.—No. 182.

The following Returns of the Average Amount of Bank Notes in Circulation and of Specie in Reserve in Hongkong, during the Month ended 30th April, 1887, as certified by the Managers of the respective Banks, are published for general information.

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 7th May, 1887.

Banks.	AVERAGE AMOUNT.	SPECIE IN RESERVE.
•	\$	\$
Chartered Mercantile Bank of India, London and China,	1,048,682	350,000
Chartered Bank of India, Australia and China,	1,035,043	500,000
Hongkong and Shanghai Banking Corporation,	2,795,700	1,500,000
Total,\$	4,879,425	2,350,000