

GOVERNMENT NOTIFICATION.—No. 671.

With reference to Government Notification No. 108 of 27th March, 1897, the following Circular Despatch is published.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 30th November, 1899.

CIRCULAR.

DOWNING STREET,
9th October, 1899.

SIR,

With reference to my Circular despatch of the 6th February, 1897, I have the honour to acquaint you, for the information of your Government, that a letter has been received from the Foreign Office reporting that the Union of Nicaragua, Honduras and Salvador has been dissolved; and that a decree has been issued by the Government of Honduras to the effect that, pending the definitive organisation of the Consular body of the Republic, all Consular Officers appointed by the Diet of the Greater Republic of Central America were confirmed in their posts as representatives of Honduras only as from 29th November, 1898.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

J. CHAMBERLAIN.

The Officer Administering the Government of
HONGKONG.

GOVERNMENT NOTIFICATION.—No. 672.

The following is published.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 28th November, 1899.

NOTICE.

It is hereby notified that insured parcels can be sent through London to Chile and the Danish West Indies, the limit of insurance for the former being £50, and the latter £20.

WM. C. H. HASTINGS,
Postmaster General.

General Post Office, Hongkong, 28th November, 1899.

GOVERNMENT NOTIFICATION.—No. 673.

His Excellency the Governor has given his assent, in the name and on behalf of the QUEEN, to the following Ordinance passed by the Legislative Council:—

Ordinance No. 34 of 1899.—An Ordinance to make further provision for the sanitation of the Colony and to repeal certain enactments of the closed houses and insanitary dwellings Ordinance, 1894.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 30th November, 1899.

No. 34 OF 1899.

An Ordinance to make further provision for the sanitation of the Colony and to repeal certain enactments of the closed houses and insanitary dwellings Ordinance, 1894.

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HENRY A. BLAKE,
Governor.

[30th November, 1899.]

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 Insanitary Properties Ordinance, 1899: it shall not apply to the Hill District or to any portion of the New Territories except to such portion thereof as it shall hereafter be expressly extended to by Ordinance.

Short title, and application.

2. In this Ordinance unless the contrary intention appears,—

Interpretation.

The expression "Hill District" means any part of the island of Hongkong above the 600 feet contour, except Chinese villages:

The expression "New Territories" means the additional territories acquired by this Colony under the provisions of a Convention, dated the 9th day of June, 1898, between Her Majesty Queen Victoria and His Imperial Majesty the Emperor of China for the enlargement of the limits of this Colony:

The expression "Street" includes any square, court or alley, highway, lane, road, or passage whether a thoroughfare or not:

The expression "Domestic Building" means any human habitation or building where persons pass the night, but shall not include any human habitation or building where caretakers not exceeding two in number pass the night:

The expression "Owner" includes any person, company, or corporation which holds any premises direct from the Crown, whether under lease, licence or otherwise, and also includes any person, company, or corporation 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 no such owner as above defined can be found or ascertained, the occupier; and for the purposes of this Ordinance every mortgagee in possession shall be deemed an owner.

3. No room fitted with bunks or beds shall be so fitted as thereby to provide sleeping accommodation for a greater number of persons than are by law permitted to occupy the room.

Limit of fittings for sleeping accommodation in a room.

4. The following requirements shall be observed with regard to cubicles and partitions:—

Requirements as to cubicles.

(a.) In domestic buildings fronting streets of a width of less than 15 feet, no cubicles or partitions shall be erected, or if already existing shall be allowed to remain, except on the top floor.

- (b.) In domestic buildings fronting streets of a width of 15 feet or over, no cubicles or partitions other than [屏風] "p'ing fung" (i.e., shop divisions) shall be erected, or if already existing shall be allowed to remain, on the ground floor, and in the case of every such "p'ing fung" there must be a space between the top thereof and the ceiling or under side of the joists of the room of not less than four feet, which may be closed in only by wire netting, lattice work or carved woodwork, arranged in such a way as to leave at least two-thirds open and as far as practicable evenly distributed.
- (c.) No cubicles or partitions shall be erected, or if already existing shall be allowed to remain, in any kitchen.
- (d.) Where one cubicle only is hereafter erected or already exists in any room of a domestic building, no portion of the structure of such cubicle shall exceed eight feet in height; where two cubicles only are so erected or exist, no portion of the structure of either of such cubicles shall exceed seven feet in height; where more than two cubicles are so erected or exist, no portion of the structure of any such cubicles shall exceed six feet in height. In all cases, however, there must be a space between the top of every portion of the structure of such cubicles and the ceiling or under side of the joists of the room of not less than four feet, which may be closed only by wire netting, lattice work or carved woodwork, arranged in such a way as to leave at least two-thirds open, and as far as practicable evenly distributed.
- (e.) No cubicles whatever shall be erected in any room of a domestic building, or if already existing shall be allowed to remain, unless such room is provided with a window or windows opening directly into the external air and having a total area clear of the window frames of at least one-tenth of the floor area.
- (f.) No portion of the structure of any cubicle except the necessary corner posts shall be nearer than two inches to the floor of such cubicle, and no structure shall be erected, or if already existing shall be allowed to remain, within any cubicle, which is of a greater height than the maximum height allowed by this section for any portion of the structure of such cubicle or which provides a cover or roof to the cubicle.
- (g.) No partition shall be erected, or if already existing shall be allowed to remain, nearer than four feet to any window the area of which is included in calculating the window area specified in sub-section (e.).
- (h.) No cubicle used for sleeping purposes shall have a less floor area than sixty-four square feet, and a less length or width than seven feet.

For the purposes of this section every sub-division of a domestic building, unless such sub-division has a window or windows opening directly into the external air and having a total area clear of the window frames equal to one-tenth of the floor area of such sub-division, shall be deemed to be a cubicle.

Mezzanine
floors and
cocklofts.

5.—(a.) It shall not be lawful to erect, or if already existing to allow to remain, in any room of any domestic building, any mezzanine floor or cockloft whatsoever, except under such regulations as may be made by the Sanitary Board with the consent of the Governor-in-Council and published in the Government Gazette, and the Sanitary Board with the consent of the Governor-in-Council shall have full power to vary, alter and repeal any such regulations, and to substitute new regulations therefor.

(b.) Every intermediate floor, platform, or landing of a greater length than six feet and of a greater breadth than two feet, which has not a clear space of at least nine feet, measured vertically, both above and below it, and which is not separately provided with a window or windows opening directly into the external air and having a total area clear of the window frames of at least one-tenth of the floor area, shall be deemed to be a mezzanine floor or cockloft.

6.—No building erected on land acquired from the Crown after the passing of this Ordinance shall exceed in height one and a half times the width of the street upon which such building fronts. Height of buildings.

The width of any street shall be measured from the building lines, as defined by the Director of Public Works, on either side of the street and at right angles to such line or lines.

No such building shall exceed seventy-six feet in height without the permission of the Sanitary Board: Provided that in any special case in which, in the opinion of such Board, a departure from this rule will not be detrimental to the public health, the Board may in writing authorize such departure.

The height of any such building shall be determined by measuring on the line of the main walls (both back and front) from the level of the street on which the principal front of such building abuts the full vertical height allowed by the provisions of this section and by drawing from the points thus ascertained lines at an angle of thirty degrees with the horizontal, and any part of such building (except any chimney or party-wall) falling outside such lines shall be deemed illegal.

In the event of the street on which the principal front of any such building abuts not being level throughout the extent of such building, or in the event of any such building having two or more principal fronts respectively abutting on streets which are dissimilar in width or level, the Sanitary Board shall determine from what point or points the full vertical height, as specified in the foregoing clause, shall be measured.

7.—(a.) Every existing domestic building must be provided with an open space in the rear, by opening out on each floor one-half of the entire space intervening between the principal room or rooms and the main wall at the back of such building as well as the corresponding portion of roof, unless such building is already provided with an open and unobstructed backyard of at least fifty square feet in area, and must be provided on every floor with a window of at least ten square feet superficial area opening into such open space. The area of such window shall not be included in calculating the window area required by sub-section (a) of section 8 of Ordinance 15 of 1894. Open spaces.

(b.) For the purposes of this section any domestic buildings (other than corner houses) having two main frontages in different streets shall be regarded as two domestic buildings if the entire depth from frontage to frontage exceeds fifty feet.

(c.) The Sanitary Board with the consent of the Governor-in-Council shall have power, in special cases, to modify the foregoing requirements of this section where such modification may appear necessary.

(d.) In no case may any obstructions whatever be placed or erected in these open spaces, with the exception of a bridge or covered way on each storey not exceeding three feet six inches in width when such bridges are necessary as a means of access to any part of the domestic building.

8.—(a.) Every domestic building hereafter erected in this Colony, (except in cases provided for by section 66 of the Public Health Ordinance, 1887, or coming within the terms of Articles of Agreement under the Praya Reclamation Ordinance, 1889) shall be provided with an open space in the rear in accordance with the following scale:—

*An open space
not less than*

Houses not exceeding 40 feet in depth, for each foot of width	8 square feet.
Houses exceeding 40 feet but not exceeding 50 feet in depth, for each foot of width	10 square feet.
Houses exceeding 50 feet but not exceeding 60 feet in depth, for each foot of width	12 square feet.
Houses exceeding 60 feet in depth, for each foot of width	14 square feet.

In no case may any obstructions whatever be placed or erected in these open spaces, with the exception of a bridge or covered way on each storey not exceeding three feet six inches in width when such bridges are necessary as a means of access to any part of the domestic building and

must be provided on every floor with a window of at least ten square feet superficial area opening into such open space. The area of such window shall not be included in calculating the window area required by sub-section (a) of section 8 of Ordinance 15 of 1894 :

Provided always that when the owners of a block of buildings agree to make and do make a lane opening at both ends upon a public thoroughfare and free from obstruction throughout both vertically and horizontally, the foregoing requirements shall be modified as follows:—

- Houses not exceeding 40 feet in depth : a lane not less than 6 feet wide.
- Houses exceeding 40 feet but not exceeding 50 feet in depth : a lane not less than..... 8 feet wide.
- Houses exceeding 50 feet but not exceeding 60 feet in depth : a lane not less than.....11 feet wide.
- Houses exceeding 60 feet in depth : a lane not less than 13 feet wide.

And must be provided on every floor with a window of at least ten square feet superficial area opening into such open space. The area of such window shall not be included in calculating the window area required by sub-section (a) of section 8 of Ordinance 15 of 1894.

(b.) In computing the depth of a domestic building for the purposes of this section the depth of the kitchen shall be included in the computation of such depth in every case except when such kitchen is separated from the principal room or rooms of such building by an open backyard of at least six feet in depth extending the entire width of the back of such building and unobstructed except by a bridge on each floor not more than three feet six inches wide.

Maintenance and lighting of private back streets.

9. Every street on private land, in the rear of domestic buildings, shall be and shall be kept concreted, channelled, drained, and may if the Director of Public Works thinks fit be provided with lighting apparatus by the Government, at the expense of the owners of the land abutting on such street, and the several owners of such land shall bear the cost of such concreting, channelling, draining and providing of such apparatus in proportion to the width of their respective land at the place where it abuts on such street, and the Government may recover such proportionate cost, together with interest thereon at the rate of eight per cent. per annum from the date of demand for payment of such proportionate cost made by the Director of Public Works from any such owner, by a suit in the name of the Director of Public Works in the Summary Jurisdiction of the Supreme Court. The cost of the illumination of such street shall, however, be borne by the Government.

All household refuse shall be regularly removed by the Government from every such street.

Private streets and lanes.

10. Every street on private land, upon which domestic buildings front shall, if it does not fall within the provisions of the immediately preceding section of this Ordinance, be and be kept surfaced, channelled, drained, and may if the Director of Public Works thinks fit be provided with lighting apparatus by the Government, at the expense of the owners of the land abutting on such street, and the several owners of such land shall bear the cost of such surfacing, channelling, draining, and providing of lighting apparatus, in proportion to the width of their respective land at the place where it abuts on such street, and the Government may recover such proportionate cost, together with interest thereon at the rate of eight per cent. per annum from the date of demand for payment of such proportionate cost made by the Director of Public Works, from any such owner by a suit in the name of the Director of Public Works in the Summary Jurisdiction of the Supreme Court. The cost of the illumination of such street shall, however, be borne by the Government.

Time within which alterations, &c. are to be made.

11.—(a.) In the case of any alterations to existing buildings being required for the purpose of complying with the provisions of section 7 of this Ordinance, a period of six months from the date of the coming into force of this Ordinance shall be allowed to the owner or owners of such buildings within which to make such alterations, and, in the event of any of such alterations not being made and completed within the said period of six months, such owner, or if there be more than one such owner, every such owner shall be liable upon summary conviction before a Magistrate to a fine of not exceeding

ten dollars for each and every term of twenty-four hours beyond the said period of six months, during which any of the provisions of the said section 7 shall remain uncomplished with either wholly or in part.

(b.) In the case of any alterations to or removal of any cubicles or partitions being required for the purpose of complying with any of the provisions of this Ordinance, a period of three months from the date of the coming into force of this Ordinance shall be allowed to the owner or owners of the building in which such cubicles or partitions are situated to make such alterations or removal as aforesaid, and, in the event of any of such alterations or of any such removal not being made and completed within the said period of three months, such owner, or, if there be more than one such owner, every such owner shall be liable upon summary conviction before a Magistrate to a fine of not exceeding five dollars for each and every term of twenty-four hours beyond the said period of three months during which any of the provisions of this Ordinance with regard to any alteration to or removal of any cubicles or partitions shall remain uncomplished with either wholly or in part.

(c.) If upon the expiration of the respective periods of six or three months allowed under sub-sections (a.) and (b.) of this section, the alterations or removal referred to in such sub-sections have or has not been made and completed as directed in such sub-sections, then, in addition to the penalties that may be incurred by the owners under such sub-sections, it shall be lawful for a Magistrate in his absolute discretion to order the whole or any portion of any building or of any room containing a cubicle or partition to be forthwith closed by or under the direction of the Captain Superintendent of Police and to remain closed until the alterations or removal required by this Ordinance have or has been certified in writing by the Sanitary Board to have been made and completed to the satisfaction of the said Board. Any person found living in any building or room or portion thereof so closed as aforesaid, shall be deemed to have committed an offence against this Ordinance and shall be punishable accordingly.

Power to close premises.

12. It shall be lawful for a Magistrate in any case in which it is proved to his satisfaction that any mezzanine floor, cockloft, cubicle, partition or "p'ing fung" is not in accordance with the provisions of this Ordinance to order, either in addition to or in substitution for any penalty specified in this Ordinance, the immediate demolition, removal, and destruction by any officer of the Sanitary Board of any such mezzanine floor, cockloft, cubicle, partition or "p'ing fung", or any portion thereof, and no compensation whatever shall be payable to any person in respect of any damage done to such mezzanine floor, cockloft, cubicle, partition or "p'ing fung" by such demolition, removal, and destruction.

Power to order removal of illegal structures.

13. Every act, failure, neglect, or omission whereby any requirement or provision of this Ordinance is contravened, and every refusal to comply with any of the requirements or provisions of this Ordinance, shall be deemed an offence against this Ordinance, and any owner of any premises, in connection with which any such act, failure, neglect, omission, or refusal as aforesaid has occurred, shall be deemed to have committed an offence against this Ordinance and shall be punishable accordingly.

Offences.

The secretary or manager for the time being of any company or corporation may be summoned and shall be held liable for any offence committed by such company or corporation against this Ordinance.

Liability of secretary or manager of company

14. Every person and the secretary or manager for the time being of any company or corporation committing an offence against this Ordinance in respect of which no penalty is otherwise provided by this Ordinance shall be liable, upon summary conviction, to pay a fine not exceeding fifty dollars and in default of payment thereof to imprisonment with or without hard labour for a term not exceeding one month, and in any case where in the opinion of the Magistrate the offence is likely to be continued, the Magistrate may require such person, secretary, or manager to comply with this Ordinance within such time as he may direct and may inflict a further penalty not exceeding five dollars for every day after such date, during which such person, secretary, or manager shall fail so to comply.

Penalties.

Every fine or penalty imposed under this Ordinance shall be recoverable summarily under the provisions of The Magistrates Ordinance, 1890.

Repeal. 15. The enactments specified in the schedule to this Ordinance are hereby repealed.

Passed the Legislative Council of Hongkong, this 23rd day of November, 1899.

R. F. JOHNSTON,
Acting Clerk of Councils.

Assented to by His Excellency the Governor, the 30th day of November, 1899.

J. H. STEWART LOCKHART,
Colonial Secretary.

SCHEDULE.

Table of Enactments Repealed.

Number and Year of Ordinance.	Title or Short Title and Date of Ordinance.	Extent of Repeal.
Ordinance 15 of 1894.	The closed houses and insanitary dwellings Ordinance, 1894.	Section 7, and sub-section (b.) of section 8.

GOVERNMENT NOTIFICATION.—No. 674.

A copy of the Regulations for admission to the Forest Service Branch of the Royal Indian Engineering College, Cooper's Hill, for the year 1900 can be seen on application at this Office.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 29th November, 1899.

GOVERNMENT NOTIFICATION.—No. 675.

The following Notice is published.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 2nd December, 1899.

NOTICE.

Application for Passage Brokers' Licences for the year 1900 under Ordinance 1 of 1889 will be received at this Office from the 12th instant to the 30th instant.

Applicants are requested to state the names and addresses of the parties they offer as sureties.

R. MURRAY RUMSEY, Retd. Comdr., R.N.,
Emigration Officer, &c.

Harbour Department, Hongkong, 1st December, 1899.

GOVERNMENT NOTIFICATION.—No. 676.

The following Notice is published.

By Command,

J. H. STEWART LOCKHART,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 30th November, 1899.

TREASURY NOTICE.

Owners of property are reminded that Crown Rent for the second half-year of 1899 is payable at the Treasury before the 25th December next.

A. M. THOMSON,
Colonial Treasurer.

Treasury, Hongkong, 30th November, 1899.