

**No. 40.**—His Excellency the Governor has given his assent, in the name and on behalf of His Majesty the King, to the following Ordinances passed by the Legislative Council :—

Ordinance No. 2 of 1911.—An Ordinance to amend the Lepers Ordinance, 1910.

Ordinance No. 3 of 1911.—An Ordinance to amend The Defences (Sketching Prevention) Ordinance, 1895, and to control balloonists and others who have special opportunities for obtaining information respecting the defences of the Colony.

HONGKONG.

No. 2 of 1911.

An Ordinance to amend the Lepers Ordinance, 1910.



F. D. LUGARD,  
*Governor.*

[24th February, 1911.]

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

Short title and construction.

1. This Ordinance may be cited as The Lepers Ordinance Amendment Ordinance, 1911, and shall be read and construed as one with The Lepers Ordinance, 1910.

Repeals section 14 of the Lepers Ordinance, 1910, and substitutes a new section.

2. Section 14 of the Lepers Ordinance, 1910, is hereby repealed and the following is substituted for and shall be read in lieu thereof :—

Prohibition of leper immigration.

“14.—(1.) No person, not being a subject of His Majesty, suffering from leprosy may enter this Colony, and every person so doing may be banished in the manner hereinafter provided.

(2.) The Governor-in-Council may, by order, prohibit any leper not being a subject of His Majesty who may enter the Colony in contravention of the last preceding sub-section from residing or being within the Colony for such period as the Governor-in-Council may think fit, and may by the same or any subsequent order, fix the time for the departure of such leper from the Colony.

The leper named in such order shall be arrested and detained in custody by the Police until he leaves the Colony or until the final departure from the Colony of any vessel in which he leaves.”

Passed the Legislative Council of Hongkong, this 23rd day of February, 1911.

R. H. CROFTON,  
*Clerk of Councils.*

Assented to by His Excellency the Governor, the 24th day of February, 1911.

C. CLEMENTI,  
*Colonial Secretary.*

HONGKONG.

No. 3 of 1911.

An Ordinance to amend The Defences (Sketching Prevention) Ordinance, 1895, and to control balloonists and others who have special opportunities for obtaining information respecting the defences of the Colony.



F. D. LUGARD,  
*Governor.*

[24th February, 1911.]

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 Defences (Sketching Prevention) Amendment Ordinance, 1910”, and shall be read and construed as one with The Defences (Sketching Prevention) Ordinance, 1895, hereinafter called “The Principal Ordinance”. Short title and construction.

2. Section 2 of the Principal Ordinance is hereby amended by the insertion in sub-section (1) after the word “make” in the third line thereof of the words “or have in his possession, custody or control”, and by the insertion in sub-section (2) after the word “made” in the third line thereof of the words “or possessed”. Amends section 2 of the Principal Ordinance.

3. The following section is hereby inserted after section 4 of the Principal Ordinance:—

“4A.—Any person who without lawful authority or excuse is found in or upon any battery, field work, or fortification in this Colony or in or upon any place whether fortified or not which is set apart or reserved for naval or military operations or purposes and which the general public have no right to enter into or upon shall be guilty of an offence against this Ordinance and shall on conviction before a Magistrate be liable to a fine not exceeding five hundred dollars or at the discretion of the Magistrate to imprisonment with or without hard labour for any term not exceeding six months. The burden of proving lawful authority or excuse shall lie upon such person.” Trespassing on fortifications or naval and military premises an offence.

4. The following sections are hereby added to the Principal Ordinance and shall be inserted at the end thereof:— Issue of search warrant by Magistrate.

“7. Whenever it appears to any Magistrate upon the oath affirmation or declaration of any person of repute that there is good cause to believe that there is in any house, shop, room or other place any sketch, drawing, photograph, picture or painting in respect of which it may appear that an offence has been committed against this Ordinance such Magistrate may by warrant directed to any European Police Officer empower such officer to enter into any such house, shop, room or other place, with such assistance as may be necessary in the daytime, and if necessary to use force by breaking open doors or otherwise and search for and seize any such sketch, drawing, photograph, picture or painting as aforesaid, found in such house, shop, room or other place, and to arrest any person or persons who may appear to have such articles so seized in his or their possession, custody or control.

Control of  
balloonists.

8.—(1.) It shall not be lawful for any person to make an ascent in a balloon, whether dirigible or otherwise, or in an aeroplane without having previously obtained the permission in writing of the Governor.

(2.) Such permission shall clearly state the number and direction of ascents which are thereby authorised and may be issued subject to any conditions, which shall be specified in the written permission, that the Governor may think fit to impose.

(3.) Every person who contravenes the provisions of this section or who contravenes any of the conditions imposed by the Governor under this section shall, on summary conviction before a Magistrate, be liable to a penalty not exceeding five hundred dollars or, at the discretion of the Magistrate, to imprisonment, with or without hard labour, for any term not exceeding three months."

Passed the Legislative Council of Hongkong, this 23rd day of February, 1911.

R. H. CROFTON,  
*Clerk of Councils.*

Assented to by His Excellency the Governor, the 24th day of February, 1911.

C. CLEMENTI,  
*Colonial Secretary.*

No. 41.—His Majesty the King has not been advised to exercise his power of disallowance with respect to the following Ordinance:—

Ordinance No. 33 of 1910, entitled—An Ordinance to amend the Opium Ordinance, 1903.

C. CLEMENTI,  
*Clerk of Councils.*

COUNCIL CHAMBER,  
18th February, 1911.

## NOTICES.

No. 42.

*Order under Section 91b of the Public Health and Buildings Ordinance, 1903, (as amended by Ordinance No. 11 of 1909).*

WHEREAS I, SIR FREDERICK JOHN DEALTRY LUGARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Companion of the Distinguished Service Order, Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same, deem it expedient for the execution of a public work (namely the properly laying out of a certain area of Ma Tau Wai Cemetery in terraces for future interments) to remove the graves on Crown Land within the area in Ma Tau Wai Cemetery coloured blue on the plan referred to in Government Notification No. 243 of the 12th August, 1910, AND WHEREAS notice of my intention to make the following order has been duly notified for a period of six months in accordance with the provisions of Section 91b of the Public Health and Buildings Ordinance, 1903, (as amended by Ordinance No. 11 of 1909), Now I, by this order under my hand by virtue of the power in that behalf vested in me by the afore-said Section 91b of the said Ordinance, do hereby order and direct that the graves within the area in Ma Tau Wai Cemetery coloured blue on the plan above referred to shall be removed to the satisfaction of the Director of Public Works either by the Public Works Department or by the Tung Wah Hospital