

## [Land Regulations. Hankow.]

a balance of receipts over expenses, the taxes mentioned in Section 30 shall be proportionately reduced by the Board and the Consular Body, acting conjointly. This reduction shall be applicable in the same proportion of the contribution of the Chinese Government mentioned in paragraph (e) of Section 30.

Sec. 36.—After the expiration of the first term of three years, the Signatories shall examine, by common accord, such of the provisions contained in the present Annex as may require revision. A fresh revision may take place under the same conditions every three years thereafter.

Sec. 37.—Within the limits mentioned in Section 13, and subject to their approval by the Shanghai Consular Body, the Ordinances of the Board shall have the force of law for all foreigners.

*Peking, September 7, 1901.*

(No. 149.) *LAND REGULATIONS and Bye-Laws of the British Concession at Hankow. May, 1902.*

THE following Regulations and Bye-laws made by His Majesty's Minister to China for the municipal government of the British Concession at Hankow have been approved by His Majesty the King.

LANSDOWNE,

*His Majesty's Principal Secretary of State  
for Foreign Affairs.*

*Foreign Office, London,  
July 6, 1905.*

## CONTENTS.

	Page.
Preamble.....	790
LAND REGULATIONS.	
1. Boundaries .. .. .	790
2. Transfers of land .. .. .	790
2A. Power to acquire land .. .. .	790
3. Management of Concession.. .. .	790
3A. Bund frontage licences .. .. .	1034
	1084
4. Municipal Council .. .. .	791
5. Assessment list .. .. .	791
6. Bye-laws .. .. .	792
7. Audit of accounts .. .. .	792
8. Suing defaulters .. .. .	792
9. Recovery of penalties under bye-laws .. .. .	793
10. Breaches of Regulations .. .. .	793
11. Special Meetings .. .. .	793
12. Nomination and election of Municipal Council .. .. .	794
13. Tenure of office .. .. .	794
14. Vacancies in Council .. .. .	794
15. Officers .. .. .	794
16. Funds .. .. .	795
17. Qualification of voters and councillors .. .. .	795
18. List of voters .. .. .	795
19. Persons acting in execution of these Regulations not to be personally liable .. .. .	796
20. How Council to be sued .. .. .	796
21. Definition of Ratepayers .. .. .	796
22. Building and sanitary rules .. .. .	796
Consular veto .. .. .	1095
Municipal Police .. .. .	1105
BYE-LAWS .. .. .	797

## [Land Regulations. Hankow.]

The Undersigned, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, acting under the authority conferred upon him by the China and Japan Order in Council, 1881,\* hereby declares the provisions of the Regulations and Bye-Laws of the British Concession at Hankow, as set out in the Schedule hereto, binding upon and to be observed by all British subjects. And in consideration of the urgent necessity for this Regulation the Undersigned hereby further declares that it shall have effect unless and until it shall be disapproved by His Most Gracious Majesty, and notification of such disapproval shall be received and published by me or other His Majesty's Minister in China.

Given under my hand and seal of office at Peking, China, this 19th day of May, 1902.

(L.S.) ERNEST SATOW.

---

REGULATIONS.

*Boundaries.*

1. The limits within which these Regulations and Bye-laws are binding are the British Concession, Hankow, comprising the Concession granted in 1861 and the Extension granted in 1896.

*Transfers of Land.*

2. All transfers of land within the British Concession shall be made, and all charges by way of mortgage, whether of a legal or equitable character, shall within one month of execution be registered by the parties or their duly authorized representatives at His Britannic Majesty's Consulate-General.

*Power to acquire Land.*

2A. It shall be lawful for the ratepayers, and others entitled to vote as hereinafter mentioned in public meeting assembled, to purchase land leading or being out of the Concession, or to accept land from foreign or native owners, upon terms to be mutually agreed upon between the Council and such foreign or native owners, for the purpose of converting the same into roads, public buildings, and offices, or public gardens and places of recreation and amusement, and it shall be lawful for the Council from time to time to apply such portion of their funds as may be necessary and expedient for the purchase, erection, making and maintenance of such roads, &c.

*Management of Concession.*

3. In order that due provision may be made for the better order and good government of the Concession, for the construction and maintenance of public works and buildings, and for cleaning, light-

\* Repealed. See Order in Council of 24th October, 1904 (No. 156), Article 169.

## [Land Regulations. Hankow.]

ing, watering and draining the Concession generally, for establishing and maintaining a police force therein, for purchasing and renting lands, houses, and buildings for municipal purposes, for paying the persons necessarily employed in any municipal office or capacity, and for raising money when necessary by way of loan or otherwise for any of the purposes aforesaid, His Britannic Majesty's Consul-General shall as soon as possible after the first day of February in each year, or whenever it may appear to him needful, or on the requisition of twelve (12) of the ratepayers entitled to vote as hereinafter mentioned, give notice of a public meeting of such ratepayers to be held not less than fourteen (14) or more than twenty-one (21) days subsequent to that notice to devise ways and means of raising the requisite funds for these purposes, and it shall be competent for such meeting duly assembled and representing one-half at least of the total number of votes on the list of voters drawn up as hereinafter prescribed, or a majority thereof, to impose and levy rates and issue licences for the purposes mentioned in the Bye-laws in force, and to declare an assessment in the form of a rate to be made on land and buildings within the British Concession; also to impose other rates and taxes in the form of dues on all goods, merchandise, and treasure landed on, shipped from, or passing through the said Concession.

3A.\*—*Bund Frontage Licences.**Municipal Council.*

4. And the said duly qualified voters in public meeting assembled under and in accordance with the provisions of the preceding Article shall appoint in the mode hereinafter prescribed an Executive Committee, hereinafter described as the Municipal Council of the British Concession, of six persons, for the purpose of levying the rates, dues, and taxes hereinbefore mentioned, and applying the funds realized from the same for the purposes aforesaid and for carrying out these Regulations. Such Municipal Council when appointed shall have full power and authority to levy and apply such rates, dues, and taxes for the purposes aforesaid; and shall have power and authority through its duly appointed Secretary to sue for all arrears of such rates, dues, and taxes, and recover the same from all defaulters in the Courts under whose jurisdiction such defaulters may be, and shall also have power to enter and distrain on lands and tenements and to seize and sell goods in respect of which rates, dues, and taxes are in arrear or unpaid.

*Assessment List.*

5. A list of the assessed value of every lot of land and of every building owned by ratepayers within the British Concession shall be drawn up by the Municipal Council, and the owners of such land and

\* See Regulations of 12th January, 1905 (No. 158), and 18th December, 1906 (No. 163).

buildings shall be notified of the said assessed values on or before the 1st December in each year. Any such owner may within one month of receiving such notification protest against such assessed value before His Britannic Majesty's Consul-General, from whose decision an appeal will lie to the Supreme Court.

#### *Bye-Laws.*

6. When, in pursuance of these Regulations, the above-mentioned Municipal Council shall have been duly elected, all the power, authority, and control conferred by the Bye-laws now sanctioned and annexed to these Regulations, and all the rights and property which by such Bye-laws are declared to belong to such Council elected as aforesaid, shall vest in and absolutely belong to such Council and to their successors in office, and such successors as are duly elected; and the Council shall have power and authority from time to time to make other Bye-laws for the better enabling them to carry out the object of these Regulations, and to repeal, alter, and amend any such Bye-laws, provided such other Bye-laws be not repugnant to these Regulations, and be duly confirmed and published; and provided also that no Bye-laws made by the Council under the authority of these Regulations, except such as relate solely to the Council or their officers or servants, shall come into operation until passed and approved by His Britannic Majesty's Consul-General, and the ratepayers in public meeting assembled, of which meeting and its object fourteen (14) days' notice shall be given by His Britannic Majesty's Consul-General, and shall be confirmed by His Britannic Majesty's Minister.

#### *Audit.*

7. The accounts of the said Municipal Council shall be audited and made known at least fourteen (14) days before the Annual Public Meeting mentioned in Article 3 of these Regulations, and shall be sanctioned and approved at said meeting.

#### *Suing Defaulters.*

8. The Municipal Council may, through their Secretary, sue all defaulters in the payment of all assessments, rates, taxes, and dues whatsoever, levied under these Regulations, and all licence-fees, fines, and penalties leviable under the Bye-laws in force, in the Consular or other Courts under whose jurisdiction such defaulters may be, and may obtain payment of the same by such means as shall be authorized by the said Courts. Should the Council be unable to discover the owner of goods in respect of which such default has been made, or should such owner be beyond the jurisdiction of the Consular or judicial authorities, or should such owner have no Consular Representative at Hankow, the Municipal Council shall, with the consent of His Britannic Majesty's Consul-General, be at

## [Land Regulations. Hankow.]

liberty to detain such portion of the goods, and use such other means as may be necessary to enforce payment, or in respect of land or house assessment to distrain on the land or houses to such an extent as may be required to satisfy such assessment or dues.

*Recovery of Penalties under Bye-Laws.*

9. Any penalty or forfeiture or fees or licences provided for in the Bye-laws in force, and imposed in pursuance thereof, may be recovered by summary proceeding before the proper Consular authority ; and it shall be lawful for such authority, upon conviction, to adjudge the offender to pay the penalty or incur the forfeiture as well as the costs attending the conviction as such authority may think fit. All fines and penalties levied under these Regulations and the Bye-laws in force shall be carried to the credit of the Council in diminution of the general expenditure authorized by these Regulations.

*Breaches of Regulations.*

10. In case of any breach of these Regulations His Britannic Majesty's Consul-General shall, on being satisfied thereof, take all possible steps to punish or have punished summarily the person guilty thereof by a fine not exceeding \$500 or by imprisonment not exceeding three (3) months, or in such other manner as may seem just.

*Special Meetings.*

11. His Britannic Majesty's Consul-General may, at any time when it appears to him needful or on the requisition of twelve (12) resident ratepayers duly qualified to vote as hereinafter mentioned, call a public meeting, giving at least fourteen (14) days' notice of the same, setting forth the business upon which it is convened, for the consideration of any matter or thing connected with the municipality. All Resolutions passed by a majority of votes at such public meeting aforesaid shall be valid and binding on the whole of the ratepayers, provided not less than two-thirds of the whole number of votes in the list of votes hereinafter mentioned be represented at the meeting. At such meeting His Britannic Majesty's Consul-General shall take the chair ; and, in his absence, then such ratepayer as the majority of voters present may nominate, who shall report to His Britannic Majesty's Consul-General the Resolutions passed at such meeting for his concurrence and approval ; and, unless such approval be officially given, such Resolutions shall not be valid and binding. Provided always that a term of ten days shall elapse between the date of the Resolution and the signification of approval of His Britannic Majesty's Consul-General. In all cases in which the ratepayers in public meeting assembled, as herein provided, decide upon any matter of a municipal nature, not already enumerated, and affecting the general interests, any person considering himself

prejudiced in property or interests by the Resolution may, within the said period of ten days aforesaid, represent his case to His Britannic Majesty's Consul-General for his consideration. After the expiration of the term of ten days, the Consular approval, if signified, shall be binding.

#### *Nomination and Election of Municipal Council.*

12. During the month of January in each year it shall be competent for any two persons entitled to vote as hereinafter mentioned to nominate any person or persons, not exceeding six (6), duly qualified as hereinafter mentioned for election as members of the Municipal Council; and all such nominations shall be sent in writing to His Britannic Majesty's Consul-General with the signatures of the proposer and seconder and also the written assent to serve of each candidate proposed. The names of all the persons proposed shall on the first day of February next ensuing be exhibited in the Consular office, and kept there exhibited until the date appointed for the annual public meeting, at which all nominations shall be read out to the meeting. If the number is six (6), the election of those six (6) persons shall thereby be confirmed. If the number exceed six (6), the meeting shall elect six (6) of them by ballot. If the number is less than six (6), or if no nomination has been made, the Municipal Council shall continue in office for the current year.

#### *Tenure of Office.*

13. The Council shall enter upon their office so soon as the accounts of the retiring council shall have been passed at the annual public meeting; and at their first meeting the new Council shall elect a Chairman, Vice-Chairman, and Secretary.

In case of an equal division of votes at a Council meeting the Chairman shall have a second or casting vote. Three members of the Council shall constitute a quorum for the dispatch of business.

In case of the temporary absence of both Chairman and Vice-Chairman from a meeting of Council, the members present shall elect their Chairman for such meeting.

#### *Vacancies in Council.*

14. In case of a vacancy or vacancies occurring in the Municipal Council during the municipal year, His Britannic Majesty's Consul-General shall, if requested to do so by the remaining members, or at least twelve (12) ratepayers qualified to vote as hereinafter mentioned, convene a special public meeting to fill up such vacancy or vacancies.

#### *Officers.*

15. The Council may from time to time appoint such officers and servants as they think necessary for carrying out these Regula-

## [Land Regulations. Hankow.]

tions, and fix the salaries, wages, and allowances of such officers and servants, and may pay the same out of the municipal funds and make Bye-laws for the government of such officers and servants, and may discontinue or remove any of them from time to time, as they shall think fit.

*Funds.*

16. The Council shall administer the municipal funds only for the public use and benefit, at their discretion, and in accordance with any resolution carried at any general meeting of ratepayers; and a statement shall be drawn up by them at the end of each year for which the Council has been elected, showing the nature and the amount of the receipts and disbursements of the municipal funds for that year, and the said statement shall be published for general information at least fourteen (14) days before the general meeting is convened.

*Qualification of Voters and Councillors.*

17. At all public meetings, and for the election of Municipal Councillors, any subject of Great Britain, or of any Power having a Treaty with China, who has paid all rates and taxes due, and who is either individually or as a member of a firm, Association, Company, or Government Department a landowner or householder, shall be entitled to one (1) vote if—

(a) Under the assessment in force he has paid land tax on an annual assessment of at least two thousand five hundred taels (2,500 taels); or

(b) Under the assessment in force he has paid house tax on an assessed rental of at least five hundred taels (500 taels); or

(c) Under the assessment in force he has paid in respect of land and house tax at least twenty-five taels (25 taels). And every such subject having so paid at least one hundred and fifty taels (150 taels) per annum in land or house tax, or both, shall be entitled to two votes; and every such subject having so paid more than one hundred and fifty taels (150 taels) per annum in land and house tax shall be entitled to one vote, and one only, in respect of every full sum of seventy-five taels (75 taels) so paid as taxes to the Municipal Council.

Provided always that the proxies of such ratepayers and Councillors only as are absent from the Consular district of Hankow, or who are prevented by illness from attending, shall be admitted to vote at such meeting; and no one shall be qualified to be a member of the Municipal Council unless such person shall be entitled under the foregoing provisions to two votes at least.

*List of Voters.*

18. A list of persons duly qualified to vote under the preceding Regulation, with the number of votes to which each person is so entitled, shall be drawn up by the Municipal Council in duplicate,

## [Land Regulations. Hankow.]

and kept exhibited at the Municipal Offices and His Britannic Majesty's Consulate-General; and on or before the 1st March in each year, so soon as the rates of land and house tax have been settled at the annual meeting of ratepayers, this list of voters shall be revised and amended in accordance with the assessment list prescribed in Regulation 5, and after approval by His Britannic Majesty's Consul-General, the revised list shall be exhibited at His Britannic Majesty's Consulate-General and the Municipal Offices, and regulate the voting until and at the next ensuing annual meeting.

*Persons acting in execution of these Regulations not to be personally liable.*

19. No matter or thing done, or contract entered into, by the Council, nor any matter or thing done by any member thereof, or person whomsoever acting under the orders of the Council, shall, if the matter or thing were done, or the contract entered into *bonâ fide* for the purpose of executing these Regulations, subject them, or any of them, personally to any action, liability, claim, or demand whatsoever. And any expense properly and with due authority incurred by the Council, or those acting directly under and in accordance with their orders, shall be borne and repaid out of rates levied under the authority of these Regulations.

*How Council to be sued.*

20. The Council shall be liable to be sued, through their Secretary, in His Britannic Majesty's Court at Hankow, by any person who may deem himself injured by any act of the Council or its officers, and should the plaintiff obtain damages in any such suit, said damages and the costs of such suit shall be summarily recoverable by His Britannic Majesty's Consul-General, and paid out of the funds levied under the authority of these General Regulations.

*Definition of Ratepayers.*

21. The word "ratepayers," whenever it occurs in the foregoing Regulations, shall be taken to mean persons entitled to vote under the terms of Regulation 17.

*Building and Sanitary Rules.*

22. The Council may from time to time make rules with respect to the structure of the walls, foundations, roofs, and chimneys of new buildings for the purpose of securing stability, preventing fires, and promoting public health by securing due ventilation of buildings, and also with respect to drainage of buildings, to water-closets, earth-closets, privies, ash-pits, and cesspools, and also with respect to the temporary or permanent closing as unfit for human habitation of buildings or parts of buildings; and they may further provide for the observance of such rules by enacting therein provisions as

to notices, as to the deposit of plans and sections by persons intending to construct buildings, and as to inspection by the Council; and the Council may remove, alter, or pull down any work begun or done in contravention of such rules, or of any Bye-laws of the Council; provided always that no such rules shall come into operation until they have been submitted to and approved by His Britannic Majesty's Consul-General and until six months after publication.

#### BYE-LAWS.

1. The entire control and management of all public sewers and drains within the limits of these Regulations, and all sewers and drains in and under the roads, and all the works and materials thereunto belonging, whether made at the time of the passing of these Regulations or at any time thereafter, and whether made at the cost of the Council or otherwise, shall vest in and belong to the Council.

2. No sewer or drain shall be made, or any building be erected over any sewer belonging to the Council, neither shall any branch drain be carried into any of the sewers or drains above vested in the Council, without the consent of the Council first obtained in writing. And if, after the passing of the Land Regulations, any sewer or drain be made, or any building be erected, contrary to the provisions herein contained, the Council may demolish the same, and the expenses incurred thereby shall be paid by the person so offending, and shall be recoverable as damages.

3. The expense of maintaining and cleansing all sewers not hereinbefore provided for shall be defrayed out of the rates and taxes, to be levied under Article 1 of these Regulations.

4. It shall not be lawful to erect any house in the Concession, or to rebuild any house in the Concession, without at the same time constructing a drain or drains of such size and materials, and at such level, and with such fall as to the Council shall appear necessary and sufficient for the proper and effectual drainage of the same and its appurtenances in terms of Bye-laws Nos. 1 and 2; the drain or drains so to be constructed shall communicate with such sewers as the Council may direct. And whomsoever erects or rebuilds any house or other building, or constructs any drains contrary to this Bye-law, shall be liable for every such offence to a penalty not exceeding two hundred and fifty taels (250 taels).

5. No new building shall be erected, nor shall any old building be rebuilt, until arrangements shall have been made and approved whereby the land forming, or to form, the site thereof shall be raised to such a height, having regard to the centre of the nearest public road, as the Municipal Council may require, and all alleyways leading to or adjoining such buildings shall be raised and drained by the person building to the satisfaction of the Municipal Council; and whoever shall commence to erect any new building, or to rebuild any old building, and who shall fail to comply with the provisions of this Bye-law, shall be liable for every such offence to a fine not exceeding two hundred and fifty taels (250 taels), and it shall be lawful for the Municipal Council to stop any such building or rebuilding until the provisions of this Bye-law shall have been complied with. No new building shall be erected, nor shall any old building be rebuilt, without drain or drains constructed of such dimensions and such materials and at such a level and with such fall as may appear to the Municipal Council to be necessary and sufficient for the proper and effectual drainage of such building and its appurtenances, and if a public sewer, or a sewer which the Municipal Council are entitled to use, be within one hundred feet (100 feet) of any part of the site of such building the drain or drains so to be constructed shall lead to and communicate with such sewer in such manner as the Council may direct; or if no such sewer be within that distance then the last-mentioned drain or drains may, at the desire of the person building and with the permission of the Council, communicate with and be entered into the nearest of such sewers or such covered cesspool, and whoever shall erect any new building, or rebuild any old building, or construct any drain contrary to this Bye-law, shall be liable for every such offence to a fine not exceeding two hundred and fifty taels (250 taels), and if at any time the Municipal Council shall discover that any building, whether built before or after the passing of this Bye-law, is without such a drain or drains as is or are sufficient for the proper and effectual drainage of the same and its appurtenances,

## [Land Regulations. Hankow.]

and if a sewer of the Municipal Council or a sewer which they are entitled to use be within one hundred feet (100 feet) of any part of such building, they may cause notice in writing to be given to the owner or occupier of such building, requiring him, within such reasonable time as may be specified therein, to construct and lay down, in connection with such building, one or more drain or drains communicating with such sewer, of such materials and dimensions at such level and with such falls as may appear to be necessary; and if such notice be not complied with, the Municipal Council, may if they think fit, do the works mentioned or referred to therein, and the expenses incurred by them in so doing, if not forthwith paid by the owner or occupier, shall be defrayed by the Municipal Council, and such expenses shall be recoverable from the owner of the buildings as damages.

Fourteen days before it is intended to commence the erection of any new building, for the rebuilding of any old building, a block plan of the land showing the buildings to be erected thereon shall be submitted to the Municipal Council for their approval. On such plan shall be clearly marked:—

(a) The intended height of the land compared with the centre of the nearest public road.

(b) The position and dimensions of all drains and sewers already constructed or intended to be constructed in connection with such buildings.

(c) The positions and dimensions of all intended fire walls.

(d) The height above the roadway and the width of all intended projections into or over any public road.

Within fourteen days after the said plan shall have been submitted to the Municipal Council the latter shall signify to the person submitting such plan their approval or disapproval, with reasons expressed generally for any disapproval of the same, and no building operations shall be commenced before the Municipal Council have signified their approval of said plan, it being understood that in the event of the Council failing to express their approval or disapproval, with reasons as above, within the above-named period all parties shall be at liberty to proceed as if no such approval were required.

5A. When a notice, plan, or description of any work is required by any Rule made by the Council, the Council shall, within fourteen days after the same has been delivered or sent to them, signify in writing their approval or disapproval, with reasons expressed generally for any disapproval, of the intended work to the person proposing to execute the same.

When the Council incurs expenses in or about the removal of any work executed contrary to any Rule, the Council may recover the amount of such expenses either from the person executing the works removed or from the person causing the works to be executed at their discretion, in the same manner as they may recover penalties under the existing Bye-laws. For the purposes of Regulation 23 the re-erecting of any building pulled down below the first floor, or of any frame building of which only the framework is let down to the first floor, or the conversion into a dwelling-house of any building not originally constructed for human habitation, or the conversion into more than one dwelling-house of a building originally constructed as one dwelling-house only, or the increase in height of the walls of a building, shall be considered the erection of a new building. The Council may, in making any rule under Regulation 23, prescribe the fine with which the contravention thereof shall be punishable, but so that such fine shall not exceed the sum of twenty-five taels (25 taels) for any one offence, or, in case of a continuing offence, the sum of ten taels (10 taels) for every day during which such offence is continued.

The Council may also fix the fees to be charged to the persons who submit plans and specifications under the provisions of the Rules.

6. The Council, and none other, shall be surveyor of all highways within the limits of the aforesaid Regulations, and within those limits shall have all such powers and authorities as any surveyors of highways are invested with in England.

7. The management of the streets, bunding, and jetties, and the laying out and repairing thereof, shall be vested in the Council; and all materials, implements, and other things provided for laying out and repairing said streets, bunding, and jetties shall belong to the Council.

8. The Council may stop up any street, and prevent all persons from passing along and using the same, during the construction, alteration, repair, or demolition of any sewer or drain in or under such street.

9. Every person who wilfully displaces, takes up, or makes any alteration in, the pavement, flags, or other materials of any street, bunding, or jetties under the management of the Council, without their consent in writing, shall be liable to a penalty not exceeding twenty-five taels (25 taels).

## [Land Regulations. Hankow.]

10. The occupier of every building or house in, adjoining, or near to, any street shall, within fourteen days next after service of an order of the Council for that purpose, put up and keep in good condition a shute or trough of the whole length of such house or building, and shall connect the same either with a similar shute on the adjoining house, or with a pipe or trunk tube fixed to the front side of such building from the roof to the ground, to carry the water from the roof thereof in such manner that the water from such house or any portico or projection therefrom, shall not fall upon persons passing along the street, or flow over the footpath, and in default of compliance with any such order within the period aforesaid, such occupier shall be liable to a penalty or fine not exceeding ten taels (10 taels) for every day that he shall so make default.

11. When any building materials or other things are laid, or any hole made in any of the streets, the person or persons causing such hole to be made shall, at his own expense, cause a sufficient light to be fixed in a proper place on or near the same, and continue such light every night from sun-setting to sun-rising while such materials or hole remain; and such person shall, at his own expense, cause such materials or other things and such hole to be sufficiently fenced and inclosed until such materials or other things are removed, or the hole filled up, or otherwise made secure. And every such person who fails so to light, fence, or inclose the same shall, for every such offence, be liable to a penalty not exceeding twenty-five taels (25 taels).

12. If any building, wall, or hole, or other place near any street, be, for want of sufficient repair, protection, or inclosure, dangerous to the passengers along such street, the owner shall repair the same, or, in default, the Council shall cause the necessary repairs to be made, and the expenses of the same shall be recoverable as damages from the owner. If the owner cannot be found, or any agent who will undertake to act for him within the limits of these Regulations, the Council, after giving twenty-eight days' notice of their intention to do so by posting a printed or written notice in a conspicuous place on such building, or on the land on which such building stands, or other place, may take such building or land and sell the same by public auction under Consular injunction, and from and out of the proceeds of such sale reimburse themselves for the outlay incurred, and shall restore any overplus arising from such sale to the owner of such property on demand; but should the proceeds of such sale not cover the expenses incurred, the Council shall have the same remedies for compelling the payment of the balance as are hereinbefore given to them for compelling the payment of the whole of the said expenses.

13. The Council shall cause all the streets, together with the foot pavements, from time to time to be properly swept and cleansed, and all dust and filth found thereon to be collected and removed, and shall cause all the dust, ashes, and rubbish to be carried away from the houses and tenements of the inhabitants of the Concession at convenient hours and times, and shall cause the privies and cesspools within the said Concession to be from time to time emptied and cleansed in a sufficient and proper manner.

14. The Council may give notice to the owner or occupant of any house or other building to remove or alter any porch, shed, projecting window, step, or any other obstruction or projection, erected or placed against, or in front of, any house or other building within the limits of these Regulations, and which is an obstruction to the safe and convenient passage along any street; and such owner and occupant shall, within fourteen days after the service of such notice upon him, remove such obstruction, or alter the same in such manner as shall have been directed by the Council, and in default thereof shall be liable to a penalty not exceeding ten taels (10 taels); and the Council in such case may remove such obstruction or projection, and the expense of such removal shall be paid by the owner or occupant so making default, and shall be recoverable as damages.

15. No person shall remove mud or sand from the foreshore, or convey mud, sand, or other building materials along the streets and roads of the Concession, without leave in writing first obtained from the Council, under a penalty not exceeding one hundred taels (100 taels) for each offence; and no person shall obstruct the public roads or footpaths with any kind of goods or building materials, without leave in writing first obtained from the Council, under a penalty of ten taels (10 taels) for every twenty-four hours of continued obstruction; and after the first twenty-four hours that notice of removal shall have been given to the owner of the same, or the person using, employing, or having control over the same, or in the absence of any such person, or inability on the part of the agents of the Council to find him, the Council shall remove and retain the same until the expense of such removal shall have been repaid, or may recover the expense of such removal

## [Land Regulations. Hankow.]

as damages, or may sell the same to recover such expenses, holding the balance, if any, after payment of penalties, expenses, and costs to the use of the person entitled to the same.

16. If at any time the Officer of Health, or if for the time being there be no Officer of Health, any two surgeons or physicians, or one surgeon and one physician residing within such limits, certify under his or their hands to the Council that any stagnant pool, ditch, or pond of water, pig-sty, cowhouse, stable, privy, or any other building, construction, or thing is a nuisance to the occupiers of adjacent lots or the public, or that any accumulation of dung, soil, or filth, or other noxious or offensive matter within such limits ought to be removed as being injurious to the health of the inhabitants, the Secretary of the Council shall forthwith give notice to the owner or reputed owner of such dung, soil, or filth, or to the occupier of the land where the same are, to remove the same within twenty-four (24) hours after such notice, and in the case of failure to comply with such notice, the said dung, soil, or filth shall thereupon become vested in the Council, and they, or any person with whom they have contracted at that time for the removal of all such refuse, may sell and dispose of the same, and the money thence arising shall be applied to the purposes of the Council, and they may recover the expenses of such removal from such occupier or owner in the same manner as damages.

17. If any candle-house, melting-house, melting-place, or soap-house, or slaughter-house, or any building or place for boiling offal or blood, or for boiling or crushing bones, or any pig-sty, necessary house, dunghill, manure heap, or any manufactory, building, or place of business within such limits, be at any time certified to the Council by the Inspector of Nuisances or Officer of Health, or if for the time being there be no Inspector of Nuisances or Officer of Health, by any two surgeons or physicians, or one surgeon and one physician, to be a nuisance or injurious to the health of the inhabitants, the Secretary of the Council shall forthwith give notice to the owner or reputed owner or his agent to discontinue or remedy such nuisance within such time as to the Council shall appear expedient.

If any such nuisance be not discontinued or remedied within such time, the person by or on whose behalf the business is carried on shall be liable to a penalty or fine of twenty-five taels (25 taels) for every day during which such nuisance remains unremedied.

18. Every occupier of any building or land within such limits, and every other person who refuses to permit the scavengers employed by the Council to remove such dirt, ashes, or rubbish as by these Bye-laws they are authorized to do, or who obstructs the said scavengers in the performance of their duty, shall for every such offence be liable to a penalty or fine not exceeding twenty-five taels (25 taels).

19. No straw shed, bamboo house, or building of like inflammable material shall be erected within such limits, nor shall contraband goods or merchandise likely to endanger life or cause injury to individuals, such as gunpowder, saltpetre, sulphur, large quantities of spirits, petroleum, naphtha, and other explosive gases or liquids in bulk, stand on the premises of any individual under a penalty or fine recoverable from the offender not exceeding two hundred and fifty taels (250 taels) for the first offence, and not exceeding five hundred taels (500 taels), with confiscation of the goods themselves to the use of the Council, for each succeeding offence.

20.—(a) No owner or occupier of land or buildings outside of and abutting on the British Concession shall be allowed to have an entrance or entrances on to the Concession without a licence first obtained from the Council and countersigned by His Britannic Majesty's Consul-General.

(b) No steam launch or cargo boat or other boat, except pleasure boats, whether kept for private use or let for hire, shall be allowed to be at or use the public jetties of the British Concession without a licence first obtained from the Council and countersigned by His Britannic Majesty's Consul-General.

(c) No person shall open or keep a fair, market, house, or place of public entertainment, billiard, bowling, or dancing saloon, dairy, or laundry, shop or store for the sale of wines, spirits, beer, or other intoxicants, butcher's meat, poultry, or game, slaughter-house or livery stable, or keep for private use, or ply or let or use for hire, any horse or vehicle,\* without a licence first obtained from the Council and countersigned by His Britannic Majesty's Consul-General.

In respect of such licences the Council may impose such conditions and exact such security as the nature of the particular case may require, and the Council may charge such fees in respect thereof as may be authorized at any annual general or special public meeting of ratepayers. And any person offending against or

\* The following addition was inserted subsequently:—

“Motor car, automobile or other vehicle propelled by steam, oil or electricity.”

## [Land Regulations. Hankow.]

infringing the provisions of this Bye-law shall be liable for every offence to a penalty or fine not exceeding one hundred taels (100 taels), and a further penalty or fine for every twenty-four hours of such offending or infringing not exceeding twenty-five taels (25 taels).

21. The Municipal Council is empowered to issue, subject to the approval of His Britannic Majesty's Consul-General in each case, permits to build houses and shops for Chinese occupation upon lots west of the Poyang Road, upon the lot-owners accepting conditions approved by His Britannic Majesty's Consul-General, and publicly notified by the Council, also to issue for each Chinese shop a licence renewable annually, and to charge fees for the same not exceeding ten taels (10 taels) for each building permit, and two taels (2 taels) for each yearly licence.

Permits and licences will be numbered and recorded in registers kept at the Council's offices, and open to inspection by ratepayers.

22. All persons causelessly creating a noise or disturbance, and all persons guilty of furious and improper riding or driving, or the leading of horses up and down the bund and streets for exercise, or who shall commit any act which may legitimately come within the meaning of the term nuisance, shall be liable to a penalty not exceeding ten taels (10 taels).

23. All Chinese passing through or in the Concession after 6 P.M. in the winter and 8 P.M. in the summer, until daylight, must be provided with lighted lanterns, under a penalty of being handed to His Britannic Majesty's Consul-General for transmission to the native authorities.

24. No person may, upon the streets or roads of the British Concession, beg, ask, or solicit alms under pain of such fine and imprisonment as the Consul concerned may adjudge.

25. Save with the written permission of His Britannic Majesty's Consul-General, no person within the limits of the British Concession, except Consular officers and the officers of the Council duly authorized, local volunteers and military and naval officers, shall under any pretence discharge any firearm or carry offensive or defensive arms, such as guns, pistols, swords, daggers, loaded sticks, slung shots, knives, or any weapon of like character, under a penalty or fine not exceeding ten taels (10 taels) or one week's imprisonment, with or without hard labour. Provided always that nothing in this Bye-law be construed to extend to the carrying of fowling-pieces for the purpose of shooting game.

26. It shall be lawful for any officer or agent of the Council, and all persons called by him to his assistance, to seize and detain any person who shall have committed any offence against the provisions of these Bye-laws, and if he be a Chinese subject, or a foreigner belonging to some nationality not represented by a Consul, to hand him to His Britannic Majesty's Consul-General to be disposed of according to law. If the offender be a citizen or subject of some nationality duly represented, he shall be handed over to his own Consul for adjudication.

27. Nothing in these Bye-laws contained shall be construed to render lawful any act or omission on the part of any person which is, or would be, deemed to be a nuisance at common law, from prosecution or action in respect thereof according to the forms or proceeding at common law, nor from the consequences upon being convicted thereof.

28. Every penalty or forfeiture imposed by these Bye-laws, made in pursuance thereof, the recovery of which is not otherwise provided for, may be recovered by summary proceedings before His Britannic Majesty's Consul-General, and upon conviction the offender shall pay the penalty or forfeiture incurred, as well as such costs attending the conviction, as such Consul-General shall think fit.

29. These Bye-laws shall be printed, and the Secretary of the Council shall deliver a copy thereof to every ratepayer applying for the same, without charge, and a copy thereof shall be hung up in the front or in some conspicuous part of the Municipal Office and of His Britannic Majesty's Consulate-General.

Approved this 6th day of May, 1902.

E. H. FRASER.

*His Britannic Majesty's Consul-General.*

NOTE.—The following Bye-law, respecting dogs, was passed in 1904, and confirmed:—

(a) Dogs, when in the street or other public place, unless led by the leash, shall be effectively muzzled, otherwise they are liable to be seized and detained by the municipal police.

(b) Dogs seized by the police will be restored to their owners on payment of a fine not exceeding \$10.

## [Mixed Courts. Shanghai. Rules.]

(c) Foreign dogs, after three days' detention, unless claimed by their owners, shall be liable to be sold, destroyed, or otherwise disposed of, in such manner as the Council may direct, without compensation: Chinese dogs found at large unmuzzled may be destroyed at once.

(d) This Bye-law may be brought into force or suspended by the Council at such time as they may consider necessary.

---

(No. 150.) *PROVISIONAL RULES defining the Respective Jurisdiction of the Mixed Courts of the International and French Settlements at Shanghai. Shanghai, 10th June, 1902.\**

*Provisional Rules for defining the respective Jurisdiction of the Mixed Courts of the International and French Settlements.*

1. In all civil cases between Chinese the plaintiff will follow the defendant, and will sue him before the Mixed Court of his (the defendant's) residence.

2. In all criminal cases of Chinese against Chinese, where foreigners are not concerned, and in all police cases against Chinese residents in the Settlements, the Mixed Court of the Settlement in which the crime or contravention has been committed is alone competent.

3. In mixed civil cases—

(a) If the plaintiff is a foreigner (not of French nationality) and the Chinese defendant is a resident of the International Settlement, he is to be sued before the Mixed Court of the International Settlement.

(b) If the plaintiff is French and the Chinese defendant is a resident of the French Settlement, he is to be sued before the Mixed Court of the French Settlement.

(c) If the plaintiff is a foreigner (not of French nationality) and the Chinese defendant is a resident of the French Settlement, the latter shall be sued before the Mixed Court of the International Settlement, whose warrant or summons for his appearance, after counter-signature by the French Consul-General, will be executed or served by the runners of the International Mixed Court, with the assistance of the police of the French Settlement, without previous hearing in the Mixed Court of the French Settlement.

(d) If the plaintiff is French and the Chinese defendant is a resident of the International Settlement, the latter shall be sued before the Mixed Court of the French Settlement, whose warrant or summons for his appearance, after counter-signature by the Senior Consul, will be executed or served by the runners of the French Mixed Court, with the assistance of the police of the International Settlement, without a previous hearing in the Mixed Court of the International Settlement.

\* Parliamentary Paper. China, No. 2 (1903). See Rules for the Mixed Court at Shanghai, dated 20th April, 1869 (No. 129).