recording the grounds of decision in each case. This shall be open to the inspection of the superior authorities. Should the Sub-Prefect be inefficient or notorious he will be denounced and removed from office, another being appointed in his place.

10. When the Sub-Prefect has tried a case, should it be ascertained that plaintiff's charge was false or exaggerated, said plaintiff, whether native or foreigner, shall, on conviction, be mulcted by the Sub-Prefect in accordance with the rules which will be jointly drawn up by the Sub-Prefect and Consuls, and submitted for the Taotai's approval; and in the interests of justice, native and foreigner must in this respect be treated with perfect impartiality.

(No. 130.) LAND REGULATIONS and Bye-Laws for the Foreign Settlements of Shanghai, north of the Yang-king-pang; with Rules of Procedure to be observed at Meetings of Ratepayers. 1869.

[Approved by Order in Council of 25th October, 1881.*]

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JOINT MINUTE.

The Code of Municipal and Land Regulations, issued on the 5th July, 1854, by the Consuls of Great Britain, the United States of America, and France, acting under instructions from their respective Plenipotentiaries for the better security and government of all foreigners at Shanghai, having been found by subsequent experience to be inadequate to meet the exigencies of the administration of law and order over the increasing population living at that port, was revised at a special meeting of the land-renters, convened by their respective Consuls, in the month of March, 1866, and submitted for approval through the Ministers of Great Britain, the United States of America, France, Russia, and North German Confederation, to those Governments, all of which have since officially signified their acceptance of the same. But meanwhile, through the separate action of the French Government, a Code of Réglements d'Organisation Municipale was published 11th July, 1866; and again on the 14th April, 1868, with modification by the French Consul-General, which now has effect over that portion of the foreign settlement lying south of the Yang-king-pang Creek; and consequently, the aforesaid Code of revised land Regulations will apply only to that part of the foreign settlement lying north of this creek, whenever it goes into operation.

Therefore, in order to avoid longer delay, and its consequent imminent risks to the welfare and safety of those concerned, we, the Undersigned, do hereby provisionally agree, on behalf of our respective Governments, both to the Code of Réglements issued 14th April, 1868, and to the revised land Regulations for the foreign settlement with the bye-laws annexed, prepared in March, 1866, which are severally to have effect within the limits now claimed on the south and north sides of the aforesaid creek, and are both alike to have the force of law on and after the 1st day of November, 1869, until the further pleasure of our respective Governments be made known.

And in pursuance of this Agreement, we will give the necessary instructions to the Consuls of our respective nationalities at
Shanghai, through whom these two Codes shall be published for general information and observance.

In witness whereof we have signed this at Peking, the 24th September, 1869.

RUTHERFORD ALCOCK.
REHFUES.
EUG. BUTZOW.
Chargé d'Affaires de Russie.
ROCHECHOUART.
Chargé d'Affaires de France.
S. WELLS WILLIAMS.
U.S. Chargé d'Affaires ad int.

MEMORANDUM.

In reference to the annexed Joint Minute, it is hereby declared that the revised Land Regulations, with the bye-laws, prepared in 1866, provisionally sanctioned by the Undersigned, shall be held to include the said Regulations as amended and modified by a public meeting of the land-renters, held on the 27th and 28th May, 1869. And subsequently considered at a meeting of the foreign Consuls, held on the 13th July, 1869, and by them confirmed.

And in reference to the question discussed by the Consuls relative to a provision for enabling individuals to sue the Council, the Undersigned sanction provisionally, and as an experiment subject to future modification if found expedient, the third proposition brought under consideration of the Consuls in their meeting of the 13th July, 1869, by which a Court, to be styled the "Court of Foreign Consuls," shall be established at the beginning of each year by the whole body of Treaty Consuls, and instructions will be given accordingly.

RUTHERFORD ALCOCK.
REHFUES.
ROCHECHOUART.
EUG. BUTZOW.
S. WELLS WILLIAMS.

PEKING,
October 21, 1869.

LAND REGULATIONS.

Preamble.

Whereas certain Regulations, entitled Land Municipal Regulations, for the peace, good order, and government of all persons residing on the land set apart by the Chinese authorities for the residence of foreigners, were settled and agreed upon by the Repre-
sentatives of England, France, and the United States of America, then being the three Treaty Powers, and under their instruction by the Consuls of the above-mentioned States, in communication with his Excellency Woo, the chief local authority representing the Chinese Government at Shanghai; and whereas it was therein provided that, hereafter, should any corrections be requisite in the aforesaid Regulations, or should it be necessary to determine on further rules, or should doubts arise as to the construction of or powers conferred thereby, the same should be consulted upon and settled by the Foreign Consuls and Intendant of Circuit in communication together, who should equitably decide thereon, and submit the same for confirmation to the Representatives of their respective countries in China, and to the Chinese Imperial Commissioner managing the affairs at the five ports. And whereas it is expedient that the said Regulations should be revised, and that further and better provision should be made for the peace, good order, and government of all persons residing on the land so set apart as aforesaid: be it ordered that the following revised Regulations, and the bye-laws annexed thereto, shall have effect and be binding upon all persons residing or being within the limits mentioned in the following Regulations, as to all matters and things comprised therein from and after the expiration of one month, after the same shall have been affixed and kept exhibited at the offices of the various foreign Consulates.

REGULATIONS.

Boundaries.

1st. Those defined in the land Regulations, settled and agreed upon by Captain Balfour, Her Britannic Majesty's Consul, and Kung-Moo-Kew, Intendant of Circuit, on the 24th day of September, 1846; and further defined in the Agreement entered into between

* Subsequently amended as follows:—

1. The boundaries of the land to which these Regulations apply are:—

(1.) Upon the North.—The Soochow Creek from the Haiso Sha Ferry to a point about 70 yards west of the entrance thereinto of the Defence Creek, thence in a northerly direction to the Shanghai-Pao Shan boundary, thence following this boundary to the point where it meets the Hongkew Creek and thence in an easterly direction to the mouth of the Ku-ka-pang.

(2.) Upon the East.—The Whangpoo River from the mouth of the Ku-ka-pang to the mouth of the Yang-king-pang.

(3.) Upon the South.—The Yang-king-pang from its mouth to the entrance thereinto of the Defence Creek, thence in a westerly direction following the line of the northern branch of the Great Western Road, and thereafter along that road to the Temple of Agriculture in the rear of the Bubbling Wall village.

(4.) Upon the West.—From the Temple of Agriculture in a northerly direction to the Haiso Sha Ferry on the Soochow Creek.

And they are more particularly defined by boundary stones fixed in position and by plans prepared and signed under the direction of the special deputies of H.E. Liu, Viceroy at Nanking, and of the Shanghai District Magistrate, together with the Chairman of the Municipal Council for the year 1899.

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Rutherford Alcock, Esq., Her Britannic Majesty's Consul, and Liu, Intendant of Circuit, on the 27th day of November, 1848, and set forth in the copy, hereunto annexed, of the original map attached to the said Agreement.

And 2nd. On the north side of the Soochow Creek—north, the line from Yang-tsze-poo to the point opposite the Defence Creek; south, the Hwang-poo from the mouth of the Soochow Creek to the mouth of the creek entering the Hwang-poo, near the lower limit of the anchorage called the Yang-tsze-poo; west, the Soochow Creek from a point opposite the entrance of the Defence Creek to the Hwang-poo; east, the bank three is along the line of the Yang-tsze-poo.

Exemption of Government Property from Municipal Control.

Within the boundaries defined and above referred to under the first head are certain sites, namely, the new Custom House and the Temple of Rewards, together with the land set apart for the use of Her Britannic Majesty's Government, known as the British Consulate site, which are exempted from Municipal control, as well as any land hereafter to be settled or acquired by other Governments having Treaties with China for Government purposes only; but the British and foreign Consulate sites, the Custom House, and any lands acquired as above, shall bear their share of the public burdens and municipal taxes.

Mode of acquiring Land.

2. Any person desiring to rent land or purchase houses from the Chinese proprietors, within the said limits, shall do so in accordance with the provisions laid down in the Treaties of foreign Powers with China.

Final Settlement and Title-Deeds.

3. It having been ascertained that no impediment exists to the renting of the land, the parties interested may settle with the Chinese proprietors the price and conditions of sale, and they will then report the transaction to their Consular Representative, and lodge with him the Chinese proprietor’s Agreement or deed of sale, in duplicate, accompanied by a plan clearly marking the boundaries. The said Consular Representative shall then transmit the same to the Intendant of Circuit, for examination. If the sale be regular, the deeds will be returned to the Consul, sealed by the Intendant of Circuit, and the purchase money can then be paid. If there are graves or coffins on the land rented, their removal must be a matter of separate agreement, it being contrary to the custom of the Chinese to include them in the agreement or deed of sale.

Registration of Land and Charges thereon.

4. All such conveyances or leases of land, so purchased as aforesaid, shall within one month from the time of the completion of

* Not printed.

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the sale be registered in the office of the Consular Representative of the purchaser; and all charges by way of mortgage, whether of a legal or equitable character, shall also be registered in the like manner, and within one month of their execution.

Transfers of Lots, when to be registered.

5. All transfers of land shall be made at the Consulate where the deeds are registered, and also be registered at that of the vendee or assignee, and notice of the same shall be lodged by the Consul with the Municipal Council.

Land surrendered to Public Use.

6. It is understood and agreed that land heretofore surrendered by the various foreign renters to public use, such as roads and the beach grounds of the rivers within the aforesaid limits, shall remain henceforth dedicated to the same uses; and as new lots are acquired, such parts thereof as are beach ground shall be held under and subject to similar uses; and due provision shall be made for the extension of the lines of roads at present laid down as means of communication in the Settlement. To this end the Council, appointed by the land-renters and others entitled to vote on the terms and in the manner hereinafter mentioned within the boundaries referred to, will at the beginning of each year examine the map, and determine what new lines of road are necessary; and all land subsequently rented shall only be rented on the terms of the renter surrendering to the public use the beach ground aforesaid, if any, and the land required for such roads; and in no case shall land so surrendered, or which shall now be dedicated to the use of the public, be resumed, except with the consent of the proper majority of land-renters and others who may be entitled to vote as aforesaid in public meeting assembled, nor shall any act of ownership be exercised over the same by the renters thereof, notwithstanding any payment by them to the Chinese Government of any ground rent. Provided always that no act of appropriation or dedication for public uses of the said beach ground, or of ground for roads, other than those already defined, shall, contrary to the will of the renters thereof, in any case, be sanctioned or held lawful under these Regulations. On the admission by vote of public meeting of any tracts of land into the limits of the municipal authority, the Municipal Council shall give notice of all roads and public properties which they intend to set aside in the general interest; and should any citizen or subject of a Treaty Power, who may previously have acquired land within such tracts, object to any part of the reservation thus notified, he must, within fourteen days after the issue of the notice, warn his own Consul or the Municipal Council of his objection, in order that steps may be taken to adjust the claim. Provided always that in the event of a failure to effect such adjustment on terms which may appear
reasonable to the Consul, the Council shall have the option of declining to accept jurisdiction over the proposed annexation, which consequently cannot take place. It shall also be lawful for the land-renters, and others who may be entitled to vote as hereinafter mentioned, in public meeting assembled, to purchase land leading or being out of the Settlement, 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 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 the funds raised under Article IX of these Regulations, for the purchase, creation, and maintenance of such roads, gardens, &c., as may be necessary and expedient. Provided always that such roads and gardens shall be dedicated to the public use, and for the health, amusement, and recreation of all persons residing within the Settlement.

6a.—Land for Public Roads.*

6b.—Railways.*

**Boundary Stones to be placed.**

7. When land is rented, stones having the number of the lot distinctly cut thereon, in English and Chinese, must be placed to define the boundaries thereof, under the supervision of the Consul applying for the land, and of the Chinese local authorities. A time will be named for the boundary stones to be fixed, in the presence of an officer deputed by the Consul, of the Tepou of the district, and of the Chinese proprietors and the renter, in such manner that they may not interfere with the lines of road or the boundaries, or in any other way give cause for litigation and dispute hereafter.

*Chinese Government Land Tax, when payable.*

8. The annual rent on all lands leased by foreigners, reserved to the Chinese Government, shall be payable in advance on the 15th day of the 12th moon of each year. And all rent in arrear and unpaid on that day shall be recoverable in a summary manner, on the complaint of the Intendant of Circuit in the Court of the Consular Representative of the defaulting renter.

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*See No. 148, page 746.

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and for cleansing, lighting, watering, and draining the Settlement generally; establishing a watch or police force therein; purchasing and renting lands, houses, and buildings for municipal purposes; 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, the foreign Treaty Consuls, or a majority of them, shall, during the month of [April or May]* in each year, and so early in the same as possible, fix the day for the election of the Executive Committee or Council, in manner hereinafter provided, giving fourteen days' notice of the same, and shall also during the said months give notice of a public meeting, to be held within twenty one days of such notice, to devise ways and means of raising the requisite funds for these purposes; and it shall be competent to such meeting duly assembled, or a majority thereof, including proxies for absent owners of land, to impose and levy rates and issue licences for the purposes mentioned in the Byelaws, and to declare an assessment in the form of a rate to be made on the said land or buildings; provided always that the proportion between the tax on land, and on houses or buildings, shall not exceed one twentieth of one per cent. on the gross value of land to one per cent. on the annual rental of houses; and it shall also be competent to the said meeting, or a majority thereof as aforesaid, to impose other rates and taxes in the form of dues on all goods passed through the Chinese custom-house by any person or persons resident within the said limits, or landed, shipped, or trans-shipped at any place within the said limits; provided the said rates or taxes levied in the form of dues shall in no case exceed the amount of one-tenth of one per cent. on the value of the goods so passed, landed, shipped, or trans-shipped, and in such other forms as may appear requisite and necessary for the purposes aforesaid.

Land-Renters and others to appoint Committee or Council.

10. And whereas it is expedient that the said land-renters, and others entitled to vote, on the terms hereinafter mentioned, in public meeting duly assembled, under and in accordance with the provisions of the preceding article, should appoint in the mode hereinafter provided an Executive Committee or Council to consist of not more than nine nor less than five persons, for the purpose of levying the rates, dues, and taxes hereinbefore mentioned, and applying the funds realised from the same for the purposes aforesaid, and for carrying out the Regulations now made, be it further ordered that such Committee, 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 to sue for all arrears of such rates, dues, and taxes, and recover the same from all defaulters in the Courts under whose jurisdiction

* Subsequently altered to "January or February."
such defaulters may be, and shall also have power to enter and
distain on lands and tenements, and to seize and sell goods in
respect of which rates, dues, and taxes are in arrear or unpaid.

Committee or Council have power to make Bye-Laws.

11. When in pursuance of these Regulations the above-mentioned
Committee or 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 any Committee
or Council, elected as aforesaid, shall vest in and absolutely belong
to such Committee or Council, and to their successors in office, and
such successors as are duly elected; and such Committee 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, or amend any such Bye-laws, pro-
vided such other Bye-laws be not repugnant to the provisions of
these Regulations, and be duly confirmed and published; and
provided also that no Bye-laws made by the Committee under the
authority of these Regulations, except such as relate solely to their
Council, or their officers or servants, shall come into operation
until passed and approved by the Consuls and Ministers of foreign
Powers having Treaties, or a majority of them, and the ratepayers
in special meeting assembled; of which meeting, and the object of
it, ten days' notice shall be given.

Audit of Accounts.

12. And whereas it is also expedient that due provision should be
made for the auditing of the accounts of the said Committee, and
for obtaining the approval and sanction of them by the rate-
payers in public meeting duly assembled, be it ordered that the
result of the said audit shall be made known, and the said sanction
and approval shall be made at the annual public meeting convened
by the Consuls as hereinbefore mentioned.

Suing Defaulters.

13. And it is further ordered that it shall be lawful for the said
Committee, or their Secretary, to sue all defaulters in the payment
of all assessments, rates, taxes, and dues whatsoever, levied under
these Regulations, and of all fines and penalties leviable under the
Bye-laws annexed to them, in the Consular or the Courts under
whose jurisdiction such defaulters may be, and to obtain payment
of the same by such means as shall be authorized by the Courts in
which such defaulters are sued. Provided that in case the Com-
mittee or Council shall be unable to discover the owner of goods
in respect of which assessments, rates, dues, or taxes are in arrear
or unpaid, or whose said owner shall be beyond the jurisdiction of
the Consular or judicial authorities, or where any one or more of
the said defaulters or owners, shippers or consignees of goods re-
fusing to pay, have no Consular representatives at Shanghai, the
said Committee shall, with the consent of the local authorities, be
at liberty to detain and sell such portion of the goods, or use such
other means as, with the consent of the local authorities, may be
necessary to obtain such payment of such assessments, rates, taxes,
dues, fines, and penalties, or in respect of land or house assessment,
to distrain on the land or houses to such extent as may be required
to satisfy such assessment or dues.

Recovery of Penalties under Bye-Laws.

14. Be it also further ordered that any penalty or forfeiture or fees
on licences provided for in the Bye-laws framed under the autho-
rity of these Regulations, and imposed in pursuance of such Bye-
laws, may be recovered by summary proceedings before the proper
Consular or other authority, and it shall be lawful for such autho-
rity, 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 framed and to be framed
under them, shall be carried to the credit of the Committee in
diminution of the general expenditure authorized by the provisions
of these Regulations.

Consuls may at any time call Meeting of Land-Renters and others, &c.

15. Be it further ordered that it shall be competent for the foreign
Consuls, collectively or singly, when it may appear to them need-
ful, or for the electors, provided not less than twenty-five agree in
writing so to do, to call a public meeting at any time, giving ten
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. And all resolutions passed by a majority
at any such public meeting, including proxies for absent owners of
land, on all such matters as aforesaid, shall be valid and binding
upon the whole of the said electors if not less than one-third of
the electors are present or represented. At such meeting the senior
Consul present shall take the chair, and in the absence of a Consul,
then such elector as the majority of voters present may nominate.
In all cases in which electors in public meeting assembled, as herein
provided, decide upon any matter of a municipal nature, not already
enumerated, and affecting the general interests, such decision shall
first be reported by the Chairman to the Consuls for their concu-
currence and approval, and unless such approval be given, such
Resolution 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 by the Consuls, during which
time any person considering himself prejudiced in property or
1869.] GREAT BRITAIN, &c., AND CHINA. [No. 130.

[Land Regulations. Shanghai.]

interests by the Resolution may represent his case to the Consuls for their consideration. After the expiration of the term of two months, the Consular approval, if signified, shall be considered binding.

Cemeteries for Foreigners, Chinese Graves.

16. Within the said limits, lands may be set apart for foreign cemeteries. In no case shall the graves of Chinese on land rented by foreigners be removed without the express sanction of the families to whom they belong, who also, so long as they remain unmoved, must be allowed every facility to visit and sweep them at the established period, but no coffins of Chinese must hereafter be placed within the said limits, or be left above ground.

Breach of Regulations.

17. Hereafter, should information of a breach of these Regulations be lodged with any foreign Consul, or should the local authorities address him thereon, he may in every case within his jurisdiction summon, or cause to be summoned, the offender before him and, if convicted, punish him or cause him to be punished summarily, either by a fine not exceeding 300 dollars or by imprisonment not exceeding six months, or in such other manner as may seem just. Should any foreigner who has no Consular authority at Shanghai commit a breach of the said Regulations, then and in such case the Chinese chief authority may be appealed to by the Council, through one or more of the foreign Consuls, to uphold the Regulations in their integrity, and punish the party so infringing them.

Nomination and Voting for Council.

18. It shall be competent to any two persons, being foreigners, entitled to vote, to nominate any duly qualified person for election as a member of the Council, and all such nominations shall be sent in, in writing, with the signature of the proposer and seconder, as also the written assent to serve of the candidates proposed, at least seven days before the day appointed for the election, to the Secretary or other officer appointed by the existing Council to receive such nomination.

On the day after the expiration of the time allowed for sending in such nominations as aforesaid, the existing Council shall cause a list of the ratepayers proposed for election to be advertised in the public journals, and shall likewise cause such list to be exhibited thenceforward, until the day of election, in the council room and other public places.

On the day appointed for the election, should the number of ratepayers proposed for election as Councillors exceed nine, two officers appointed by the existing Council for the purpose shall attend at the place appointed for the election to receive the votes of the ratepayers. These officers shall be provided with a list of
all the ratepayers duly qualified to vote, and shall give to each such ratepayer as may be present, and may require it, a voting card or paper containing a list of the ratepayers proposed for election. The voter shall then mark on such voting lists the names of any number of persons, not exceeding nine, for whom he intends to vote, and shall deposit the list signed by himself, with his own name so marked, in a closed box provided for the purpose of receiving such list.

The poll shall remain open for two consecutive days, from 10 A.M. to 3 P.M., at which hour on the second day the poll shall be closed. Immediately upon the close of the poll two scrutineers appointed by the Council shall without delay proceed to open the box or boxes, examine the voting lists, and declare the names of the nine ratepayers who have the greatest number of votes, and who shall thereupon be considered duly elected as the Council for the ensuing municipal year.

Should the number of names proposed for election be exactly nine, or less than nine and more than four, it shall not be necessary to have a poll; but, on the day after the expiration of the time appointed for sending in nominations, the existing Council shall advertise and make known the names of the nine or lesser number of ratepayers proposed, and they shall be considered to be duly elected as the Council for the ensuing municipal year.

Should the number of names proposed for election be less than five, then on the day after the expiration of the time appointed for sending in nominations, the existing Council shall advertise and make known the names of the ratepayers, to be held on the day appointed for the election, at which meeting the ratepayers present shall proceed to elect, either by ballot or otherwise as they may then decide, as many more ratepayers as may be requisite to make the number before proposed up to five at the least, and such five or more ratepayers shall be considered duly elected as the Council for the ensuing municipal year.

_Election of Council and Qualifications of Voters at Public Meetings._

19. Every foreigner, either individually or as a member of a firm, residing in the Settlement, having paid all taxes due, and being an owner of land of not less than 500 taels in value, whose annual payments of assessment on land, or houses, or both, exclusive of all payments in respect of licences, shall amount to the sum of 10 taels and upwards, or who shall be a householder paying on an assessed rental of not less than 500 taels per annum and upwards, shall be entitled to vote in the election of the said members of the Council, and at the public meetings,* and no one shall be qualified to be

* The following addition was inserted subsequently:—“Provided always that the proxies of ratepayers only who are absent from the Consular District of Shanghai, or are prevented by illness from attending, shall be admitted to vote at such meetings.”
a member of the said Council unless he shall pay an annual assessment, exclusive of licences, of 50 taels, or shall be a householder paying on an assessed rental of 1,200 taels per annum. Provided always that this clause shall not entitle any firm to more than one vote.

A list of persons duly qualified to vote according to the Regulations to which these Bye-laws are appended shall be kept at the office of the Council, and such list shall be revised and corrected by the Secretary of the Council on the first day of March* in each year, or so soon after as may be convenient, and published for the information of the public in such manner as the Council for the time being shall think proper.

Vacancies.

20. In case of a vacancy or vacancies occurring during their tenure of office, the existing Council shall have the power to fill up such vacancy or vacancies by the vote of the majority of the Council, providing such vacancies do not exceed three in number.

Should the vacancies exceed three, an election of the whole number of new members who have not been originally elected shall be called in the manner previously provided for by Article XVIII.

Tenure of Office.

21. The Council shall enter upon their office as soon as the accounts of the retiring Committee shall have been audited and passed at the annual meeting mentioned in Articles IX and XII, and shall remain in office until their own accounts have been duly audited and accepted, and their successors assume direction. At their first meeting the new Council shall elect a Chairman and Vice-Chairman, who shall hold office for one year. In their temporary absence, the members present at any meeting of the Council shall elect their Chairman for such meeting.

Questions and Quorum.

22. On all questions in which the members of the Council present are equally divided in opinion, the Chairman shall have a second or casting vote. Three members of the Council shall constitute a quorum for the dispatch of business.

Committees.

23. The Council may from time to time appoint out of their own body such and so many committees, consisting of such number of persons as they shall think fit, for all or any of the purposes wherein they are empowered to act, which in the discretion of the Council would be better regulated and managed by means of such Committees; and may fix the quorum of such Committees.

* Subsequently altered to "December."
24. The Council may from time to time appoint such officers and servants as they think necessary for carrying out these Regulations, and fix the salaries, wages, and allowances of such officers and servants, and may pay the same out of the municipal funds, and make Rules and Regulations 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. Provided always, that no officers shall be appointed for any longer period than three years, unless the said appointment, together with the salary appertaining thereto, be sanctioned by a public meeting of the electors duly convened.

**Funds.**

25. The Council shall administer the municipal funds for the public use and benefit, at their discretion, with due regard to the Budget passed, provided they do not exceed the sum voted at the annual meeting, or any special meeting called to vote expenses, 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 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 ten days previous to the annual meeting hereinbefore mentioned.

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

26. No matter or thing done, or contract entered into, by the Council, nor any matter or thing done by any member thereof, or by the Secretary, Surveyor, Superintendent of Police, or other officer or person whomsoever, acting under the direction of the Council, shall, if the matter or thing were done, or the contract entered into bona 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, Members, Secretary, Surveyor, Superintendent of Police, or other officer or person acting as last aforesaid, shall be borne and repaid out of the rates levied under the authority of these Regulations.

**Council, how to be sued.**

27. And be it further ordered that the Executive Committee or Council may sue and be sued in the name of their Secretary for the time being, or in their corporate capacity or character as “Council for the Foreign Community of Shanghai,” and such Committee, Council, or Secretary shall have all the rights and privileges which private complainants have to recover and enforce judgments obtained by them, and shall also incur the obligations
which private defendants have in proceedings at law or suits in equity commenced against them, provided that the individual members of the Council or their Secretary shall not be personally responsible, but only the property of the Council, and all proceedings against the said Council or their Secretary shall be commenced and prosecuted before a "Court of Foreign Consuls," which shall be established at the beginning of each year by the whole body of Treaty Consuls.

Amendment of Regulations hereafter.

28. Hereafter, should any corrections be requisite in these Regulations, or should it be necessary to determine on further Rules, or should doubts arise as to the construction of, or powers conferred thereby, the same must be consulted upon and settled by the Foreign Consuls and local Chinese authorities, subject to confirmation by the Foreign Representatives and Supreme Chinese Government at Peking.

Land-Renters and Ratepayers to mean "Electors."

29. That the words "renters of land and ratepayers," wherever they occur in the foregoing Regulations, shall, where not otherwise indicated by the connection in which they occur, be taken to mean electors entitled to vote according to the terms of Article XIX.

30.—Buildings.*

BYE-LAWS

Annexed to the Land Regulations for the Foreign Settlements of Shanghai, North of the Yang-king-pang.

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 streets, with all the works and materials thereunto belonging, whether made at the time these Regulations become valid 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. The Council shall, from time to time, cause to be made under the streets such main and other sewers as shall be necessary for the effectual draining of the town or district within such limits, and also all such reservoirs, sluices, engines and other works as shall be necessary for cleaning such sewers, and, if needful, they may carry such sewers through and across all or any of the streets, doing as little damage as may be, and making compensation, to be determined by arbitration, or recoverable in the manner provided by these Regulations for any damage done; and if for completing any of the aforesaid works it be found necessary to carry them into or through any enclosed or other lands, the Council may, after reasonable notice, carry the same or any part thereof in or through such lands accordingly, making compensation to the owners and occupiers thereof; and they may also cause such sewers to communicate with and empty themselves into the river, or they may cause the refuse of such sewers to be conveyed by a proper channel to the most convenient site for collection and sale for agricultural or other purposes, as expedient, but so that the same shall in no case become a nuisance.

3. The Council may from time to time, as they see fit, enlarge, alter, arch over, and otherwise improve, all or any of the sewers vested in them; and if any of

* See No. 148, page 746.

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such sewers at any time appear to them to have become useless, the Council, if they think fit to do so, may demolish and discontinue such sewers, provided that it be so done as not to create a nuisance.

4. Every person, not being employed for that purpose by the Council, who shall make any drain into any of the sewers or drains so vested in the Council, shall forfeit to the Council a sum not exceeding $100; and the Council may cause such branch drain to be re-made, as they think fit, and all the expenses incurred thereby shall be paid by the person making such branch drain, and shall be recoverable by the Council as damages.

5. No sewer or drain shall be made, or any building be erected over any sewer belonging to the Council, without the consent of the Council first obtained in writing; and if after the passing of these 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 erecting such building, and shall be recoverable as damages.

6. All sewers and drains within the limits of these Regulations, whether public or private, shall be provided by the Council, or other persons to whom they severally belong, with proper traps or other coverings or means of ventilation, so as to prevent stench.

7. 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 IX of these Regulations.

8. *It shall not be lawful to erect any house within such limits, or to rebuild any house in the Settlement, until a drain or drains be constructed, of such size and materials, and at such level, and with such fall, as upon the report of the Surveyor, made to the Council, shall appear to be necessary and sufficient for the proper and effectual drainage of the same and its appurtenances; such report to be made within fourteen days after notice is given to the said Surveyor of the proposed erection or rebuilding, and in default thereof all parties shall be at liberty to proceed with any such erection or building as if no such report were required; and if a sewer of the Council, or a sewer which they are entitled to use, be within 100 feet of any part of the site of the house to be built or rebuilt, the drain or drains so to be constructed shall lead from and communicate with such sewer as the Council shall direct; or if no such means of drainage be within that distance, then the last-mentioned drain or drains shall communicate with and be emptied into

* Subsequently amended as follows:—

8. 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 $250, and it shall be lawful for the Municipal Council to stop any such building or rebuilding until the provisions of this Bye-law have been complied with.

No new building shall be erected nor shall any old building be rebuilt without such drain or drains constructed of such dimensions and materials and at such 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 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 Municipal Council may direct; or if no such sewer be within that distance then the last-mentioned drain or drains may, at the option of the person building, communicate with and be emptied into the nearest of such sewers or into such covered cesspool or other place as the Municipal Council may direct; 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 $250; 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; and if a sewer of the Municipal Council, or a sewer which they are entitled to use, be within
Bye-Laws. 1869.] GREAT BRITAIN, &c., AND CHINA. [No. 130.

[Land Regulations. Shanghai.]

such covered cesspool, or other place not being under any house, and not being within such distance from any house, as the Council shall direct; and whosoever erects or rebuilds any house, or constructs any drains contrary to this Bye-law shall be liable for every such offence to a penalty or fine not exceeding $250; and if at any time, upon the report of the Surveyor, it appears to the Council that any house, whether built before or after the passing of this Bye-law, is without any drain, or without such a drain or drains communicating with a sewer, as is or are sufficient for the proper and effectual drainage of the same and its appurtenances; and if a sewer of the Council, or a sewer which they are entitled to use, be within 100 feet of any part of such house, they shall cause notice in writing to be given to the owner or occupier of such house, requiring him forthwith, or within such reasonable time as shall be specified therein, to construct and lay down, in connection with such house, one or more drain or drains, of such materials and size, at such level, and with such fall, as upon the last-mentioned report shall appear to be necessary, and if such notice be not complied with, the 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 Council, and by them be recovered from the owner of the house in the same manner as a penalty under these Bye-laws is recoverable.

8a.† When a notice plan or description of any work is required by any Rule made by the Council to be laid before the Council, the Council shall, within fourteen days after the same has been delivered or sent to their Surveyor, 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.

Where the Council incur 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 XXX the re-erecting of any building pulled down below the first floor, or of any frame building of which only the frame work is left 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

one hundred 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 shall 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 shall 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 building as damages.

Fourteen clear days before it is intended to commence the erection of any new building or 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 there 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 position 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 until the Municipal Council have signified their approval of the said plan, it being understood that in the event of the Council failing to express either 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.

† Inserted subsequently.

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dwellings-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 XXX, prescribe the fine with which the contravention thereof shall be punishable, but so that such fine shall not exceed for any one offence the sum of $25, or, in the case of a continuing offence, the sum of $10 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.

9. The Council, and none other, shall be surveyors of all highways within the aforesaid limits, and within those limits shall have all such powers and authorities, and be subject to all such liabilities, as any surveyors of highways are usually invested with.

10. The management of all the public streets, and the laying out and repairing thereof on passing of these Regulations, or which thereafter may become public highways, and the pavements and other materials, as well in the footways as carriage-ways of such public streets, and all buildings, materials, implements and other things provided for the purposes of the said highways shall belong to the Council.

11. The Council may stop any street, and prevent all persons from passing along and using the same, for a reasonable time, during the construction, alteration, repair, or demolition of any sewer or drain in or under such street; so long as they do not interfere with the ingress or egress of persons on foot or from their dwellings or tenements.

12. Every person who willfully displaces, takes up, or makes any alteration in the pavement, flags, or other materials of any street under the management of the Council, without their consent in writing, or without other lawful authority, shall be liable to a penalty or fine not exceeding $25, and also a further sum not exceeding $1 for every square foot of the pavement, flags, or other materials of the street so displaced, taken up, or altered.

13. For the purposes of these Regulations, if the Council deem it necessary to raise, sink, or otherwise alter the situation of any waterpipe or gaspipe laid in any of the streets, they may from time to time, by notice in writing, require the person or persons to whom any such pipes or works belong, to cause forthwith, as soon as conveniently may be, any such pipes or works to be raised, sunk, or otherwise altered in position, in such manner as the Council direct; provided that such alteration be not such as permanently to injure such works, or to prevent the water or gas from flowing as freely and conveniently as before; and the expenses attending such raising, sinking, or altering, and compensation for every damage done thereby shall be paid by the Council out of the rates and taxes levied under these Regulations.

If the person or persons to whom any such pipes or works belong do not proceed forthwith, or as soon as conveniently may be after the receipt of such notice, to cause the same to be raised, sunk, or altered in such manner as the Council require, the Council may themselves—but then at the costs and charges of the person or persons to whom the pipes or works belong, such costs and charges to be recoverable in the same way as the penalties enacted under these Bye-laws—cause such pipes or works to be raised, sunk, or altered as they think fit; provided that such works be not permanently injured thereby, or the water or gas prevented from flowing as freely and conveniently as before.

14. The occupier of every house or building 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 shoot or trough of the whole length of such house or building, and shall connect the same either with a similar shoot on the adjoining house, or with a pipe or trunk to be fixed to the front or 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 the 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 $10 for every day that he shall so make default.

15. When any building materials or other things are laid, or any hole made in any of the streets, whether the same be done by order of the Council or not, the person or persons causing such materials or other things to be so laid, or such hole to be made, shall at his own expense cause a sufficient light to be fixed in a proper place upon 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 such materials or other things or such hole shall for every such offence be liable to a penalty or fine not exceeding $25, and a further penalty or fine not exceeding $10 for every day while such default is continued.

16. In no case shall any such building materials or other things or such hole be allowed to remain for an unnecessary time, under a penalty or fine not exceeding $25, to be paid for every such offence by the person who causes such materials or other things to be laid, or such hole to be made, and a further penalty or fine not exceeding $10 for every day during which such offence is continued after the conviction for such offence, and in any such case the proof that the time has not exceeded the necessary time shall be upon the person so causing such materials or other things to be laid, or causing such hole to be made.

17. If any building, 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 Council shall cause the same to be repaired, protected, or inclosed, so as to prevent danger therefrom, and the expenses of such repair, protection, or inclosure shall be repaid to the Council by the owner of the premises so repaired, protected, or inclosed, and shall be recoverable from him as damages.

18. 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 of every sort 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 town and district within such limits, at convenient hours and times, and shall cause the privies and cesspools within the said town or district to be from time to time emptied and cleansed in a sufficient and proper manner.

19. The Council may compound, for such time as they think fit, with any person liable to sweep or clean any footway under the provisions of these Regulations, for sweeping and cleaning the same in the manner directed by these Regulations.

20. If any building or wall be deemed by the Surveyor of the Council to be in a ruinous state, and dangerous to passengers or to the occupiers of the neighbourhood, such Surveyor shall immediately make complaint thereof to the Consul of the nation of the person or persons to whom the building belongs, and it shall be lawful for such Consul to order the owner, or in his default the occupier (if any) of such building, wall, or other thing, to take down, rebuild, repair, or otherwise secure to the satisfaction of such Surveyor, within a time to be fixed by such Consul; and in case the same be not taken down, repaired, rebuilt, or otherwise secured within the time so limited, or if no owner or occupier can be found on whom to serve such order, the Council shall with all convenient speed cause all or so much of such building, wall, or other thing, as shall be in a ruinous condition and dangerous, as aforesaid, to be taken down, repaired, rebuilt, or otherwise secured, in such manner as shall be requisite, and all the expenses of putting up every such fence, and of taking down, repairing, rebuilding, or securing such building, wall, or other thing, shall be paid by the owner or owners thereof.

21. If such owner or owners can be found within the said limits, and if on demand of the expenses aforesaid he neglect or refuse to pay the same, then such expenses may be levied by distress, and the Consul, on the application of the Council, may issue his warrant accordingly.

22. If such owner cannot be found within such limits, or sufficient distress of his goods and chattels within such limits cannot be made, 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 whereso such building stood, and by giving notice in the local newspapers under the head of "Municipal Notification," may take such building or land, sell the same by public auction, and from and out of the proceeds of such sale may reimburse themselves for the outlay incurred, or the Council may sell the materials thereof, or so much of the same as shall be pulled down, and apply the proceeds of such sale in payment of the expenses incurred in respect of such house or building; and the Council shall restore any overplus arising from such sale to the owner of such house or building, on demand; nevertheless, the Council, although they sell such materials for the purpose aforesaid, shall have the same remedies for compelling the payment of so much of the said expense as may remain due after the application of the proceeds of such sale as are hereinbefore given to them, for compelling the payment of the whole of the said expenses.
23. The Council may give notice to the occupier of any house or building to remove or alter any porch, verandah, shed, projecting window, step, cellar, cellar-door, or window, sign, sign-post, sign-iron, show-board, window-shutter, wall, gate, or fence, or any other obstruction or projection erected or placed against or in front of any house or building within such limits, and which is an obstruction to the safe and convenient passage along any street; and such occupier 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 or fine not exceeding $10, and the Council in such case may remove such obstruction or projection, and the expense of such removal shall be paid by the occupier so making default, and shall be recoverable as damages. Provided always, that in the case in which such obstructions or projections were made or put up by the owner, the occupier shall be entitled to deduct the expense of removing the same from the rent payable by him to the owner of the house or building.

24. Every person who shall obstruct the public roads or foot-paths, with any kind of goods or building materials, shall be liable to a penalty or fine not exceeding $10 for every twenty-four hours of continued obstruction, and after the first twenty-four hours' notice shall be given by the Council 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 to the Council, to discover such owners or persons, then it shall be lawful for the Council to remove and retain the same until the expense of such removal shall have been repaid, and the Council may recover the expense of such removal as damages; and the Council may, after the lapse of a reasonable time, sell the same, holding the balance (if any), after payment of penalties, expenses, and costs, to the use of the person entitled to the same. And it shall be competent to the Council to charge for hoardings or scaffoldings which it may be found necessary for the safety of the public to place round buildings in course of erection, interfering with the public highway, should the owners or others refuse or neglect to provide the same.

25. All occupiers of land and houses shall cause the foot pavements in front of their houses to be swept and cleansed whenever occasion shall require, after the receipt of notice served upon them, and they shall also cause to be swept and cleansed all gutters, surface drains in the front, side, or rear of their premises, and remove all accumulations of soil, ashes, or rubbish; and every such occupier making default herein shall for every offence be liable to a penalty or fine not exceeding $5, and for the purpose aforesaid when any house shall be let in apartments the person letting the same shall be deemed the occupier.

26. The Council may from time to time fix the hours within which only it shall be lawful to empty privies or remove offensive matter within such limits, and when the Council have fixed such hours, and given public notice thereof, every person who within such limits empties or begins to empty any privy, or removes along any thoroughfare within such limits any offensive matter, at any time, except within the hours so fixed, and also every person who at any time, whether such hours have been fixed by the Council or not, use for any such purpose any utensil or pail, or any cart or carriage, not having a covering proper for preventing the escape of the contents of such cart, or of the stench thereof, or who wilfully slops or spills any such offensive matter in the removal thereof, or who does not carefully sweep and clean every place in which any such offensive matter has been placed, or unavoidably slopped or spilled, shall be liable to a penalty or fine not exceeding $10, and in default of the apprehension of the actual offender the driver or person having the care of the cart or carriage employed for any such purpose shall be deemed to be the offender.

27. No person shall suffer any offensive waste or stagnant water to remain in any cellar or other place within any house belonging to or occupied by him, or within or upon any waste land belonging to or in his occupation, within such limits, so as to be a nuisance, and every person who shall suffer any such water to remain for forty-eight hours after receiving notice of not less than forty-eight hours from the Council to remove the same, and every person who allows the contents of any privy or cesspool to overflow or soak therefrom, to the annoyance of the occupiers of any adjoining property, or who keeps any pig or pigs within any dwelling-house, within such limits, so as to be a nuisance, shall for every such offence be liable to a penalty or fine not exceeding $10, and to a further penalty or fine not exceeding $2 for every day during which such nuisance continues; and the Council may drain and cleanse out any stagnant pools, ditches, or ponds of water within such limits, being a nuisance, and abate any such nuisance as aforesaid,
and for that purpose may enter, by their officers and workmen, into and upon any building or land within such limits at all reasonable times, and do all necessary acts for any of the purposes aforesaid; and the expenses incurred thereby shall be paid by the person committing such offence—or occupying the building or land whence such annoyance proceeds, and if there be no occupier, by the owner of such building or land—and shall be recoverable as damages.

28. If the dung or soil of any stable, cow-house, or pig-stye, or other collection of refuse matter, elsewhere than in any farmyard, be at any time allowed to accumulate within such limits for more than seven days, or for more than two days after a quantity exceeding one ton has been collected in any place not allowed by the Council, such dung, soil, or refuse, if not removed within twenty-four hours after notice from any officer of the Council for that purpose, shall become the property of the Council, and they, or any person with whom they have at the time any subsisting contract for the removal of refuse, may sell and dispose of the same, and the money thence arising shall be applied towards the purposes of the Council, or they may recover the expense of such removal from the occupier of the building or land as damages.

29. 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 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 owners of such dung, soil, or filth, or to the occupier of the land where the same are, to remove the same within twenty-four hours after such notice; and in 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 at that time contracted for the removal of all such refuse, may sell and dispose of the same, and the money thence arising shall be applied towards the purposes of the Council, and they may recover the expense of such removal from such occupier or owner in the same manner as damages.

30. 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 house, or part of any house or building within such limits is in such a filthy or unwholesome condition that the health of the inmates or of the neighbours is thereby affected or endangered, or that the whitewashing, cleansing, or purifying of any house or building, or any part thereof, would tend to prevent or check infectious or contagious disease therein, or that any drain, privy, or cesspool is in such a defective state that the health of the neighbours is thereby affected or endangered, the Council shall order the occupier of such house, or part thereof, to whitewash, cleanse, and purify the same, and the owner of such drain, privy, or cesspool to amend the condition thereof in such manner and within such time as the Council deem reasonable; and if such occupier or owner do not comply with such order, he shall be liable to a penalty or fine not exceeding £10 for every day's neglect thereof; and in such case the Council may cause such house, or any part thereof, to be whitewashed, cleansed, and purified, or the condition of such drain, privy, or cesspool to be amended, and may recover the expense thereof from such occupier or owner in the same manner as damages.

31. If any candle-house, melting-house, melting-place, or soap-house, or any slaughter-house, or any building or place for boiling offal or blood, or for boiling or crushing bones, or any pig-stye, necessary house, dung-hill, 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 Council shall direct complaint to be made before the Consul of the nation of the person by or on whose behalf the work complained of is carried on, and such Consul shall inquire into such complaint, and may, by an order in writing under his hand, order such person to discontinue or remedy the nuisance within such time as to him shall appear expedient. Provided always that if it appear to such Consul that in carrying on any business complained of the best means then known to be available for mitigating the nuisance or the effects of such business have not been adopted, he may suspend his final determination upon condition that the person so complained against shall undertake to adopt within a reasonable time such means as the said Consul shall
judge to be practicable, and order to be carried into effect for mitigating or preventing the injurious effects of such business.

32. 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 $25.

33. No straw shed, bamboo-houses, or buildings 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 quantity of spirits in bulk, petroleum, naphtha, and other explosive gases or liquids, stand on the premises of any individual under a penalty or fine, recoverable from the offender, not exceeding $250 for the first offence, and not exceeding $500, with confiscation of the goods themselves to the use of the Council, for each succeeding offence. On articles of this nature being brought within such limits, immediate notice must be given by the importer, consignee, or owner thereof, to the Secretary of the Council, whose duty it will be to assign the locality or place within which such goods may be safely stored, and every refusal to obey, or disobedience of the order of the Secretary in this behalf, shall be visited upon the offender with a penalty or fine not exceeding $250, and a penalty or fine not exceeding $100 for every twenty-four hours of continued disobedience, and such penalty, together with the preceding penalty, and all other fines and penalties declared by these Bye-laws, shall be recoverable in a summary manner before the Consul or Court having jurisdiction over the offender or defaulter.

34.* No person shall open or keep a house of public entertainment, music hall, theatre, circus, billiard, bowling or dancing saloon, or shop or store for the sale of wines, spirits, beer, intoxicating drugs, butchers' meat, poultry or game, slaughterhouse or livery stable, or sell or vend any wines, spirits, beer, intoxicating drugs, butchers' meat, poultry, or game, or ply, let, or use for hire any boat, horse, or public vehicle, within such limits, without a licence first obtained from the Council, and in the case of foreigners countersigned by the Consul of the nationality to which such person belongs. 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 charge such fees in respect thereof as may be authorized, at the annual general meeting of ratepayers. And any person offending against or infringing the provisions of this Bye-law shall be liable for every offence to a fine not exceeding $100.

35. All persons firing guns or pistols, causally creating a noise or disturbance, and all persons guilty of furious or improper riding or driving, or the leading of horses up and down any thoroughfare 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 or fine not exceeding $10.

36. All persons driving carriages or carts of any description, between one hour after sunset and one hour before sunrise, and not affixing lighted lamps to their vehicles, shall be liable to a penalty or fine not exceeding $5 for each omission.

37. No person within such limits, except Consular officers and the officers of the Council duly authorized, and military and naval officers, volunteers or soldiers, or soldiers of any Government force in uniform or on duty, shall under any pretence

* Subsequently amended as follows:—

No person shall open or keep a fair, market, house or place of public entertainment, music hall, theatre, circus, billiard, bowling or dancing saloon, brothel or pawnshop, dairy, or laundry, shop or store, for the sale of wines, spirits, beer, intoxicating or other drugs, lottery tickets or chances in lotteries, butchers' meat, poultry or game, slaughter house or livery stable, or sell or vend any wines, spirits, beer, intoxicating or other drugs, lottery tickets or chances in lotteries, butchers' meat, poultry or game, or keep for private use or ply, let or use for hire, any boat, horse or vehicle, or keep any dog, within such limits, without a licence first obtained from the Council, and in the case of foreigners countersigned by the Consul of the nationality to which such person belongs. 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 charge such fees in respect thereof as may be authorized at the annual general meeting of ratepayers. And any person offending against or infringing the provisions of this Bye-law shall be liable for every offence to a fine not exceeding $100, and a further fine for every twenty-four hours' continuance of such offending or infringing not exceeding $25.
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 $10, or one week's imprisonment, with or without hard labour. Provided that nothing in this Bye-law be construed to extend to the carrying of fowling-pieces for the purpose of shooting game.

38. 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 whose name and residence shall be unknown to such officer or agent, and convey him, with all convenient dispatch, before his proper Consul, without any warrant or other authority than these Bye-laws.

39. If any such nuisance, or the cause of any such injurious effects as aforesaid, be not discontinued or remedied within such time as shall be ordered by the said Consul, the person by or on whose behalf the business causing such nuisance is carried on shall be liable to a penalty or fine not exceeding $25 for every day during which such nuisance shall be continued or unremedied after the expiration of such time as aforesaid.

40. 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 of proceeding at common law, nor from the consequences upon being convicted thereof.

41. 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 the proper Consular representative, and it shall be lawful for such Consular representative, upon conviction, to adjudge the offender to pay the penalty or forfeiture incurred, as well as such costs attending the conviction, as such Consular representative shall think fit.

42. These Bye-laws shall be printed, and the Secretary of the Council shall deliver a printed 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 principal office of the Council.

Rules of Procedure to be Observed at Meetings of Ratepayers.

1. When a meeting of ratepayers is convened, whether for general or special purposes, under provisions of Articles IX and XV of the Land Regulations, 1870, the notice of meeting shall state the business to be brought forward at such meeting.

2. No proposition or question shall be admitted for consideration during a meeting unless it arises directly out of any subject actually under discussion, and which has been duly notified, as above, in the notice convening the meeting; or unless a written Memorandum of such proposition or question be lodged with the Secretary of the Council three days before the date on which the meeting is convened. In the latter case a copy of such Memorandum will be published by the Council in the 'North China Daily News' on the days before and of the meeting.

3. After the chair has been taken, as provided for by the Land Regulations of 1870, the meeting shall proceed to elect a Secretary for the then meeting.

4. Before the Chairman can declare a special meeting, called under the provisions of Article XV of the Land Regulations, 1870, formally constituted under the provisions of the Land Regulations, 1870, the Secretary of the Council shall announce that the requisite number of ratepayers are present or represented, and have registered their votes. No vote will be accepted at any meeting unless supported by a formal voting ticket, to be registered before entering the meeting room, to be supplied to each ratepayer on application to the Secretary of the Council.

5. A voter having once recorded his vote shall, in the event of his absence during division or divisions in session, be considered as having left his proxy with the Chairman of the Council, unless he leaves a proxy in other hands.

6. The meeting being duly opened, the Chairman shall read the notice convening it, and shall proceed with the business of the day in such order as is set down in the notice; and no subject shall be regarded as duly before the meeting unless put from the Chair.

7. No reference will be allowed to any subject or business already disposed of unless by special consent of the Chairman, or of a majority of the ratepayers present or represented at a meeting. A Resolution once passed can only be rescinded, or
modified, by a majority of not less than three-fourths of the voters present or represented.

8. Every Resolution, or Amendment, must be in writing, and signed by the mover and seconder, before it can be put from the Chair.

9. The mode of procedure with regard to amendments shall be as follows: Any number of amendments may be moved; after which, the Chairman of the meeting shall put the question for and against, beginning with the amendment last proposed, until some one of the motions be carried, or all be rejected. The negating of any amendment, however, shall not import the affirmance of the immediately proceeding motion; but such motion, whether an original one or an amendment on it, shall then, in its turn, be submitted to the meeting for affirmance or rejection.

10. Upon a division being called for, the Chairman shall direct the Secretary to read the list of ratepayers present at the meeting, and each ratepayer shall, as his name is read, declare whether he votes in the affirmative or the negative, and the number of votes which he casts. The result shall then be declared by the Chairman.

11. All documents which come before a ratepayers' meeting shall, if they have been previously exhibited for three clear days (exclusive of holidays) at the Council Room, be accepted as read.

12. Each speaker will address himself to the Chair. As a rule, except it be in explanation of the subject under discussion, or final reply, a ratepayer shall address the meeting but once on each subject. Any departure from this rule to be permitted only at the discretion of the Chairman.

13. The proceedings of a ratepayers' meeting shall be published as soon after it has taken place as possible. The title of such proceedings shall be "Debates, Proceedings and Votes of the Shanghai Ratepayers, in public meeting assembled on - ."

14. On all questions where the ratepayers present or represented are equally divided in opinion, the Chairman shall have a second or casting vote.

15. On all questions of order the decision of the Chairman shall be final, unless overruled by three-fourths of the voters present and represented.

16. These Rules of Procedure to be subject to modification if necessary by any meeting of the ratepayers formally assembled, and after due notice, as per Rule No. 11 (page 672).

(NO. 131) PORT, CONSULAR, CUSTOMS, AND HARBOUR REGULATIONS, applicable to all the Treaty Ports in China.—31st May, 1869.*

[As Amended and Re-issued by Sir T. Wade in 1881.]

The undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary and Chief Superintendent of British trade in China, acting under the authority conferred upon him by the 85th Section of the China and Japan Order in Council, 1865,t hereby declares the following Regulations, made, in pursuance of the above Order in Council, to secure the observance of Treaties and the maintenance of friendly relations between British subjects and Chinese subjects and authorities, to be applicable to all ports which are or may hereafter become, open to British trade:—

I. The British Consulate offices at the several open ports shall be opened for public business from 10 o'clock A.M. to 4 o'clock P.M. daily, excepting Sundays, Christmas day, Good Friday, Queen's

* Approved by Her Majesty's Government 21st August, 1869; confirmed by Order in Council, 25th October, 1881.

† Repealed. See Order in Council of 24th October, 1904 (No. 156), Article 169.
The contravention of these Bye-laws shall be punishable by fine, but such fine shall not exceed for any one offence the sum of $25, or the sum of $10 for every day during which such offence is continued.

Proof of Regulations and Bye-laws.

27. It shall be the duty of all owners, feuers, lessees, residents, and of others who enter the Municipal Extension, to inform themselves of the tenour of these Regulations and subsequent Bye-laws, a printed copy of which shall always be obtainable for free inspection at the offices of the Council.

Ignorance of their tenour or of the penalties for infringing them may not avail to excuse such infringement or to mitigate penalty.

The printed copy of these Regulations and subsequent Bye-laws exhibited by the Council shall be deemed conclusive evidence of their authenticity.

Interpretation of Regulations and Bye-laws.

28. Should there be any dispute as to the meaning or application of these Regulations and subsequent Bye-laws, the British Consul in Tientsin shall decide what meaning and application shall obtain; but appeal may be made to the British Minister to China to overrule the Consul’s decision.

Revision and Amendment of Regulations.

29. After a period of three years from the date of these Regulations, and subsequently at intervals of ten years, the annual general meeting shall appoint a Committee to report on the amendment of and [or] addition to these Regulations. Should the Committee’s suggestions be approved in general meeting, annual or extraordinary, the British Minister to China shall be memorialized to sanction such amendments and [or] additions.

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(No. 143.) ADDITIONAL LAND REGULATIONS* for the General Foreign Settlement at Shanghai. 3rd June, 1899.

UNDER and in pursuance of the provisions of “The China and Japan Order in Council, 1881,”† Her Majesty the Queen has been graciously pleased to approve the three additional “Land Regulations for the General Foreign Settlement at Shanghai,” of which a copy is annexed hereto.

SALISBURY.
Her Majesty’s Principal Secretary of State for Foreign Affairs.

Foreign Office,
June 3, 1899.

* See Regulations of 1899 (No. 130).
† Repealed. See Order in Council of 24th October, 1904 (No. 150), Article 109.
6A. It being expedient that the ratepayers should have fuller power than they at present possess for acquiring land for new roads, extension and widening of existing roads, extension of lands already occupied by public works and for purposes of sanitation, it is hereby agreed that they shall have the following powers in addition to, and not in substitution for, those possessed by them under Regulation VI, and the powers shall be exercised in the manner following:—

In case the land required for such public purposes shall have been acquired by foreign renters before the publication of notice that the plan referred to in that Regulation is open to inspection or shall remain in the hands of the native owners, the proprietors shall for three months after the publication of such Notice have the right to protest in writing, and, in person or by proxy, to appear and to bring evidence before the Municipal Council to show cause why such proposed roads, extension and widening of roads, or extension of the public works, or establishment of sanitary buildings or works should not be made or undertaken, and the Council shall hear and decide the matter.

After the said period of three months from such publication, and in case such protest be overruled, and in case such foreign renters or native owners, as the case may be, are unwilling to surrender to such public uses the land so required, then the Municipal Council may, after the expiry of four months and within one year from the publication of notice of such plan, apply to the Land Commissioners to be appointed as hereinafter mentioned, and the said Land Commissioners shall, after hearing the parties and calling for evidence, determine the compensation (if any) to be paid or given for the land so required and for the buildings (if any) thereon, and in respect of any tenancy of the said land and buildings respectively, taking into account the increase or decrease in value of the remainder of the property, and surrender of the land (notwithstanding the restrictive words contained in Regulation VI) on the terms of the Award and finding of the Land Commissioners, shall in case of need be enforced by the Court or Courts having jurisdiction over the owners and occupiers of the land.

The Land Commissioners shall be three in number, and shall be appointed—one by the Council not later than the 15th January in each year, and one by the registered owners of land in the Settlement who pay taxes of 10 taels per annum or upwards, and who shall vote by ballot at the Council Office on the same days as those appointed for the election of members of Council, any two landowners qualified to vote being entitled to nominate candidates for the position by sending the names to the Council one week before the election takes place, and the Council shall cause the names of all such nominees to be exhibited in the office on the day of the poll.
June 3, 1899.]

GREAT BRITAIN, &c., AND CHINA.

[No. 143.

[Shanghai Land Regulations. Additional.]

If only one name be suggested, then that person shall be the Commissioner without a poll.

The third Commissioner shall be elected by Resolution of a meeting of ratepayers, any two ratepayers qualified to vote being entitled to nominate candidates for the position by sending in the names to the Council one week before any meeting of ratepayers; and the Council shall cause the names of all such candidates to be published with the notices of motions for the meeting. Should no name be duly sent in, any qualified candidate may be proposed, seconded, and elected at the meeting.

All three Commissioners shall go into office on the day after the annual meeting of ratepayers, and go out of office on the day after the next annual meeting, except as to matters then pending before them which they shall have power to complete.

No one who is a salaried official of the Council shall be eligible as a Commissioner.

Vacancies occurring during the year shall be filled by appointment or election by the party who appointed the Commissioner whose place shall have become vacant—a special meeting of ratepayers being called if necessary.

The Commissioners shall make their Award within a month from the time they are applied to, or within such time as they or a majority of them may extend it to.

The expenses of the Land Commissioners shall be defrayed out of the public funds, the fees of the Commissioners being either regulated by the Municipal Council in accordance with the time engaged on the duties, or fixed beforehand.

Railways.

68. In the event of the Imperial Railway Administration or any other duly authorized person or Corporation desiring to acquire land by compulsory purchase in the Settlement for the purpose of constructing a railway, the said Administration, person, or Corporation shall deliver to the Municipal Council a plan of the line showing the land required, and showing the manner in which public roads are to be dealt with, and whether they are to be crossed by bridges or on the level, and giving such other information as will enable the Council to see how public rights will be affected; and if the Municipal Council signify their approval of the scheme, the said Administration, person, or Corporation shall be entitled to acquire the land in the same manner and subject to the same conditions as those under which the Municipal Council acquire land for public purposes. Provided that the compensation awarded shall be the fair market value of the property acquired to be ascertained by the Land Commissioners with an addition of 25 per cent. for compulsory sale and as the Court may determine to be the amount of damage (if any) caused to the remainder of the property by severance or otherwise, and
by the owner or occupier for loss of business, expenses of removal, or other like causes.

Buildings.

30. The Council may from time to time make Rules with respect to the structure of walls, foundations, roofs, and chimneys of new buildings for securing stability and the prevention of fires and for purposes of health, with respect to the sufficiency of the space about buildings to secure a free circulation of air, and with respect to the ventilation of buildings, with respect to the drainage of buildings, to water-closets, earth-closets, privies, ashpits, and cesspools in connection with buildings, and to the temporary or permanent closing of buildings or parts of buildings unfit for human habitation, and to prohibition of their use for habitation. 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-law of the Council. Provided always that no such Rules shall come into operation until they have been submitted to the Land Commissioners for their opinion, though they shall not be subject to their veto, and until six months after publication.

(No. 144.) ORDER IN COUNCIL revoking Article 4 of the Order of October 20, 1898, providing for the Jurisdiction of Chinese Officials in Kowloon. Windsor, 27th December, 1899.

At the Court at Windsor, the 27th day of December, 1899.

Present: The Queen's Most Excellent Majesty.

His Royal Highness the Duke of Connaught and Strathearn.

Mr. Balfour. Mr. Ritchie.

Whereas by a Convention, dated the 9th June, 1898 (No. 24), between Her Majesty and His Imperial Majesty the Emperor of China, it was provided that the limits of British territory in the regions adjacent to the Colony of Hong Kong should be enlarged under lease to Her Majesty in the manner described in the said Convention,

And whereas by an Order of Her Majesty in Council, dated the 20th October, 1898 (No. 141), it was, amongst other things, ordered that the territories within the limits and for the term described in the said Convention should be, and the same were thereby declared to be, part and parcel of Her Majesty's Colony of Hong Kong, in like manner and for all intents and purposes as if they had originally
(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.

4. In criminal cases where a foreigner (not of French nationality) is complainant, the Mixed Court of the International Settlement is competent; if a Frenchman is complainant, the Mixed Court of the French Settlement is competent.

The provisions under clauses 3 (c) and 3 (d) as to executing warrants also apply under this clause.

Shanghai, June 10, 1902.

(NO. 151.) LAND REGULATIONS and Bye-Laws of the British Concession at Kiukiang. 20th September, 1902.

The following Regulations made by His Majesty’s Minister to China for the municipal government of the British Concession at Kiukiang have been approved by His Majesty the King.

LANSDOWNE.

His Majesty’s Principal Secretary of State for Foreign Affairs

Foreign Office, London,
September 20, 1902.

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REGULATIONS for the British Prison at Shanghai.

Made by His Majesty's Minister and approved by His Majesty the King on February 9, 1906, under Article 159* of the China and Corea Order in Council, 1904.

PART I.—General Rules for the Government of the Prison.

Preliminary.

1. In these regulations His Majesty's Minister means His Majesty's Minister in China and includes Chargé d'Affaires or other chief diplomatic representative. Consul-General means His Majesty's Consul-General at Shanghai, and includes any person for the time being in charge of His Majesty's Consulate-General at Shanghai.

2. The prison shall be in the charge of His Majesty's Consul-General, except in so far as special powers are, by these rules conferred upon the Visiting Committee. The Consul-General shall be responsible to His Majesty's Minister for the government and good order of the prison. He shall have authority to suspend the head constable and appoint a temporary substitute, and to dismiss any assistant constable or other servant. He shall have authority to overrule any decision of the Visiting Committee, but in this case he shall immediately inform the Chairman of the Visiting Committee in writing of his action, and at once report thereon to His Majesty's Minister.

3. The general rules in this Part shall be subject to the special rules as to particular classes of prisoners.

4. All former rules in regard to the government of the prison are hereby revoked.

Buildings and Cells.

5. A cell shall not be used for the separate confinement of a prisoner unless it is certified by the medical officer to be of such a size, and to be lighted, warmed, ventilated, and fitted up in such a manner, as may be requisite for health, and furnished with the means of enabling the prisoner to communicate at any time with an officer of the prison.

6. There shall be in the prison an infirmary or proper place for the reception of sick prisoners.

7. The wards, cells and yards where females are confined shall be secured by locks different from those securing the wards, cells and yards allotted to male prisoners.

Admission, Discharge and Removal.

8.—(1.) Every prisoner shall be searched on admission and at such times subsequently as may be directed, and all prohibited articles shall be taken from him.

* See page 885 (No. 156).

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(2) The searching of a prisoner shall be conducted with due regard to decency and self-respect, and in as seemly a manner as is consistent with the necessity of discovering any concealed article.

(3) No prisoner shall be searched in the presence of another prisoner.

9. All money or other effects brought into the prison by any prisoner or sent to the prison for his use which he is not allowed to retain shall be placed in the custody of the head constable, who shall keep an inventory of them.

10. A female prisoner shall be searched by female officers or by a woman specially employed for the purpose. In other respects the same course shall be pursued in reference to the admission, removal or discharge of a female prisoner as in the case of a male prisoner.

11. The name, age, height, weight, features, particular marks, general appearance, and such other measurements and particulars as may be required in regard to a prisoner shall, upon his admission and from time to time, be recorded in such manner as may be directed.

12. Every prisoner may, if required for purposes of justice, be photographed on reception and subsequently; but no copy of the photograph shall be given to any person unless he is officially authorized to receive it.

13. Every prisoner shall, as soon as possible after his admission, be separately examined by the medical officer, who shall record the state of health of the prisoner and such other particulars as may be directed.

14. Every prisoner shall be examined by the medical officer before being removed to any other prison, or being discharged from prison. No prisoner shall be removed to any other prison unless the medical officer certifies that he is fit for removal; and no prisoner labouring under any acute or dangerous illness shall be discharged from prison until in the opinion of the medical officer the discharge is safe, unless the prisoner requires to be discharged.

15. Every prisoner shall take a bath on reception, unless it is otherwise directed in any particular case by the head constable or medical officer.

16. If any prisoner is found to have any cutaneous disease or to be infested with vermin, means shall be taken effectually to eradicate and destroy the same.

17. After a prisoner is received at the prison, an abstract of the rules relating to the conduct and treatment of prisoners, as set forth in Annex I to these Regulations, shall be read over to him, and proper means shall afterwards be taken by the head constable to make him acquainted with the purport and effect of those rules.

18. A prisoner shall be exposed to public view as little as possible.
while being removed from or to prison. In order to avoid exposure while passing through the public streets he shall, if necessary, be conveyed in a closed vehicle.

19. Any prisoner for whose production at any place an order is issued shall, while outside the prison, be kept in the custody of the officers directed to convey him to that place.

20. The child of a female prisoner may be received into prison with its mother, provided it is at the breast. In all such cases an authority from the committing magistrate for the child’s admission should accompany the prisoner on reception. Any child so admitted shall not be taken from its mother until the medical officer of the prison certifies that it is in a fit condition to be removed. When the child has attained the age of nine months the medical officer shall report whether it is desirable or necessary that it should be any longer retained, but except under special circumstances the child shall not be kept in prison after it has arrived at the age of twelve months. Any child so retained may be supplied with clothing at the public expense.

**Food, Clothing and Bedding.**

21. No spirituous liquors of any kind shall be admitted for the use of any prisoner under any pretence whatever, except in pursuance of special rules or of a written order of the medical officer specifying the quantity to be admitted and the name of the prisoner for whose use it is intended. This rule shall not apply to any stock of spirituous liquors kept in the prison for the use of the infirmary and under the control of the medical officer.

22. Smoking shall not be allowed in, nor tobacco be introduced into, the prison except by the authority of the Consul-General, or unless specially required for medical reasons, and then only under the written authority of the medical officer, a copy of which he shall enter in his journal.

23. Each prisoner shall be supplied with a sufficient quantity of wholesome food, according to a scale or scales of diet as set forth in Annex II to these Regulations.

24. A prisoner who has any complaint to make regarding the diet furnished to him, or who wishes his diet to be weighed or measured for the purpose of ascertaining whether he is supplied with the proper quantity, must make his request as soon as possible after the diet is handed to him, and it will be weighed or measured in his presence and in that of the officer deputed for that purpose. Repeated complaints of a groundless nature made by any prisoner under colour of this rule, with the evident purpose of giving annoyance or trouble, shall be treated as a breach of prison discipline, and the offender will be liable to punishment accordingly.

25. The head constable shall consult the medical officer respecting the quality or the provisions furnished to the prisoners.
26. A prisoner shall not be allowed any wine, beer or other fermented liquor except under a written order from the medical officer, to be entered in his journal, specifying the quantity and the name of the prisoner for whose use it is intended; or in pursuance of special rules.

27. A prisoner shall not receive any food, clothing, bedding, or necessaries other than the prison allowance, except under special circumstances or in pursuance of special rules.

28. Every prisoner shall be provided with a complete prison dress, and shall be required to wear it, unless it is otherwise provided by special rules.

29. On the discharge of a prisoner his own clothes shall be returned to him, unless it has been found necessary to destroy them, in which case he will be provided with clothing.

30. Each prisoner shall usually occupy a cell by himself by day and by night (except as otherwise directed). If for medical reasons or other special circumstances it is necessary that prisoners be associated, not fewer than three prisoners may be located in one room, in which each shall be supplied with a separate bed.

31. Every prisoner shall be supplied with sufficient bedding as may be directed, and such additional clothing and bedding may be issued during severe weather or in special cases as the medical officer may deem requisite.

32. Every male prisoner, over 16 years of age and under 60, sentenced to hard labour shall be required to sleep without a mattress for the first 14 days of his sentence, unless the medical officer shall order otherwise. He shall not be deprived of a mattress for the rest of his sentence except as a punishment.

Cleanliness.

33.—(1.) A prisoner shall be required to keep himself clean and decent in his person, and to conform to such regulations as may be laid down for that purpose.

(2.) The hair of a female prisoner shall not be cut without her consent except on account of vermin or dirt or when the medical officer deems it requisite on the ground of health, and the hair of a male prisoner shall not be cut closer than may be necessary for purposes of health and cleanliness.

(3.) Every prisoner shall obey such regulations as regards washing, bathing and hair cutting as may be from time to time prescribed with a view to the maintenance of health and cleanliness.

(4.) A prisoner shall not be stripped or bathed in the presence of any other prisoner.

(5.) Each prisoner shall keep his cell, utensils, books, and other articles issued for his use, and his clothing and bedding, clean and neatly arranged, and shall clean and sweep the yards, passages and other parts of the prison as may be directed.
Employment.

34. A prisoner may be employed in the service of the prison, but shall not be employed in the discipline thereof or in the service of any officer or servant thereof or in the service or education of any other prisoner without a written order from the Consul-General or the Visiting Committee.

35.—(1.) Every male prisoner, not being a juvenile offender, if sentenced to hard labour, shall, for 28 days or for the whole of his sentence if it is less than 28 days, be employed as far as possible in strict separation on hard bodily or hard manual labour, provided that no prisoner shall be so employed for more than ten or less than six hours per diem, exclusive of meals. If his sentence is more than 28 days, he shall, after that period, provided his conduct and industry are good, be employed on labour of a less hard description in association if practicable. Provided that no prisoner shall be required to perform any labour of any description unless certified by the medical officer to be fit for such labour.

(2.) An aged prisoner in weak health, or any prisoner suffering from physical or mental infirmity likely to be aggravated by cellular isolation, shall be employed on such work and in such way as the medical officer may direct.

36. A prisoner sentenced to imprisonment without hard labour shall be required to work during such number of hours, not more than ten or less than six (exclusive of meals) in each day, as may be prescribed, unless the medical officer certifies that he is unfit for such labour; and shall be liable to punishment for neglect of work. He shall from the beginning of his sentence be employed on some useful industry, for the purpose of which he may, if necessary, be associated, and for the product of which he may, on his release, be given such payment as the Consul-General or the Visiting Committee may determine.

37. The labour of all prisoners shall, if possible, be productive, and the trades and industries taught and carried on shall, if practicable, be such as may fit the prisoner to earn his livelihood on release.

38. Every female prisoner sentenced to hard labour shall be kept at labour during such number of hours, not more than ten or less than six (exclusive of meals) in each day, as may be prescribed, unless the medical officer certifies that she is unfit for such labour, regard being had to any advice or suggestions that members of the Visiting Committee are able to offer on the subject.

39.—(1.) On Sunday, Christmas Day, Good Friday, and General Fast or Thanksgiving Days, the employment of a prisoner shall be confined to what is strictly necessary for the service of the prison.

(2.) A prisoner who is a Jew shall not be compelled to labour on his Sabbath or on such days of Festival as may be prescribed.
40. The medical officer shall from time to time examine the prisoners sentenced to hard labour during the time of their being so employed, and shall enter in his journal the name of any prisoner whose health he thinks to be endangered by a continuance at labour, and thereupon that prisoner shall not again be employed at such labour until the medical officer certifies that he is fit for such employment.

Health.

41. A prisoner, when employed in cellular or indoor work, shall, when practicable, be permitted to take exercise daily in the open air for an hour, or for any longer period which the medical officer may deem necessary for his health, having regard to the nature of the work and the state of health of any particular prisoner. Means shall be provided, if possible, for exercise to take place, in wet weather, under cover.

Religious Instruction.

42. A suitable room in the prison shall be set apart to be used as a chapel.

43. There shall be a chaplain attached to the prison. A form of service selected from the liturgy of the Established Church shall be read and a sermon preached by him not less often than once a week. The Holy Sacrament of the Lord’s Supper may be administered by the chaplain to such as are fit and desire to receive it; and such religious instruction shall be given by the chaplain or other person approved by the Visiting Committee as the Visiting Committee may direct.

44. Prisoners shall attend prayers or religious services whenever performed, unless allowed by the head constable to be absent for sufficient reason, or unless their attendance is dispensed with by the Visiting Committee or the Consul-General. This rule shall not apply to any prisoner who is attended or visited by a minister of a church or persuasion differing from the Established Church. And no prisoner shall be compelled to attend any religious service held or performed or any religious instruction given by the chaplain, minister, or religious instructor of a church or persuasion to which the prisoner does not belong.

45. The chaplain shall at once communicate to the head constable, and if necessary to the Visiting Committee or Consul-General, any abuse or impropriety in the prison which may come to his knowledge.

46. The chaplain shall keep a journal of occurrences of importance connected with his duties, and shall enter therein such matters and keep such other records and make such reports as may be ordered.

47. The chaplain shall, as soon as possible after the 31st December in each year, send to the Consul-General a report, with
reference to the year ended on that day, on the religious and moral condition of the prisoners, and such other matters belonging to his department as he may be desired to report on. He shall report periodically, and from time to time, for the information of the Consul-General, on such points connected with his department as he may think it desirable to bring before that officer or as the Consul-General may direct. He may at any time offer any suggestion for improvements or for the advantage of the service, and need not reserve it for his annual report.

48. The chaplain shall record in his journal the times of his arrival and departure, as well as of his presence in the chapel, and the duties he performed.

49. (1) The chaplain shall see and admonish the prisoners on admission and discharge. It shall also be his duty to see each prisoner individually from time to time during the period of his sentence, and he shall use his best endeavours to promote the reformation of the prisoners under his spiritual charge.

(2) The chaplain shall read prayers to the sick in the infirmary, and shall visit any prisoner under punishment.

(3) This rule does not apply to prisoners who are visited by a prison minister as provided for in Rule 56.

50. The chaplain shall read the burial service at the funeral of any prisoner of the Established Church who may die in the prison, in case provision for the reading of such service is not otherwise made.

51. The chaplain shall in conjunction with the head constable use his best endeavours to provide for the employment of prisoners on discharge.

52. The chaplain shall pay particular attention to a prisoner under orders for execution or committed on a charge punishable with death.

53. In case of absence from prison on leave, the chaplain may name a substitute, to be approved by the Visiting Committee. He may, subject to the approval of the Visiting Committee, accept the occasional assistance of a clergyman in the discharge of any part of his duties in the chapel, inserting the name of that clergyman in his journal.

54. The chaplain and prison ministers shall conform to the rules and regulations of the prison and shall not interfere with the working of them as regards the safe custody, discipline, and labour of the prisoners, but shall support the head constable in the main-

tenance thereof.

55. An assistant chaplain may act under the orders of the competent to perform any duty required chaplain, and when either the chaplain or assistant chaplain is absent from the prison, the other may perform his duties. Subject as to an assistant chaplain.
56. If any prisoner who is of a religious persuasion different from that of the Established Church specially so requests, the head constable shall permit a minister of that persuasion (herein referred to as a "prison minister") to visit him at proper and reasonable times under regulations approved by the Consul-General. The head constable shall cause such prisoners to be made acquainted with this privilege on their admission.

57. No books or printed papers shall be admitted into any prison for circulation among the prisoners unless approved by the Visiting Committee or the Consul-General; and no books or printed papers intended for the religious instruction of prisoners belonging to the Established Church shall be admitted without the concurrence of the chaplain. Subject to the permission of the Visiting Committee or Consul-General as aforesaid, all books or printed papers admitted into the prison for the religious instruction of prisoners belonging to any other persuasion, and who are visited by a minister of that persuasion, shall be approved by that minister. The head constable shall keep a catalogue of all books and printed papers admitted into the prison.

58. Each prisoner shall be furnished with a Bible and prayer book, such as is approved for the denomination to which he belongs.

Library.

59. A library shall be provided in the prison, consisting of books sanctioned by the Visiting Committee or Consul-General, and no books other than those supplied to the prison library shall be permitted for the use of prisoners, except in pursuance of special authority.

60.—(1.) A prisoner, during the first month of his sentence, shall be allowed books of instruction in addition to the usual religious books.

(2.) A prisoner after the first month of his sentence shall, in addition to the usual books of instruction, secular and religious, be allowed library books, and the frequent exchange of such books shall be allowed according to his conduct and industry.

Visits and Communications.

61.—(1.) Communications between prisoners and their friends by visits and letters will be allowed in accordance with the following rules, subject to restrictions imposed for the maintenance of discipline and order in the prison.

(2.) A prisoner will not be allowed to communicate with his friends when not entitled to do so by the rules, except by special permission; but, under urgent or pressing circumstances not admitting of delay, the head constable may grant permission, which he shall record in his daily report to the Consul-General.
(3.) A convicted prisoner, after two months of the term of his sentence have expired, shall, provided his conduct and industry have been satisfactory, be allowed to communicate with his relatives and respectable friends by letter, and to be visited by them in the prison, and this privilege shall be gradually increased according to his conduct and industry until the interval shall be reduced to one month. Not more than three persons shall be admitted to visit a prisoner at one time. No other person shall be allowed to communicate with a prisoner except by special authority. These privileges may be forfeited at any time for misconduct or breach of regulations of the prison.

(4.) In addition to the above privileges, the head constable may allow any prisoner entitled to a visit to write a letter and receive a reply in lieu of such visit, should his friends be unable to visit him; and also to allow any prisoner to write a special letter and to receive a reply under any of the following circumstances:—

(a.) The death of a near relative.
(b.) To give instructions as to his business or family affairs of an urgent nature.
(c.) To make arrangements for obtaining employment or assistance from friends on release.

(5.) The head constable may at any time communicate to a prisoner, or to his friends, any matter of importance to such prisoner in case he should not be entitled to write or receive a letter.

(6.) A barrister or solicitor conducting any legal proceedings, civil or criminal, in which a prisoner is a party, or bona fide acting as a legal adviser to the prisoner in any legal business, will be allowed to see the prisoner with reference to such business in the sight but not in the hearing of an officer.

(7.) Male prisoners shall be visited in the presence of a male officer; female prisoners in the presence of a female officer.

(8.) No person shall be allowed to visit a prisoner on a Sunday, except in cases of emergency.

62.—(1.) The head constable may demand the name and address of any visitor to a prisoner; and when he has ground for suspicion may search or cause to be searched male visitors, and may direct a female officer to search female visitors, the search not to be in the presence of any prisoner or of another visitor; and, in case of any visitor refusing to be searched, the head constable may deny him or her admission. The head constable shall enter in his journal the grounds of any such proceeding, with the particulars thereof.

(2.) If there are reasonable grounds for suspecting that any person who comes to the prison for the purpose of seeing a prisoner brings in or takes out any articles for an improper purpose or contrary to the prison rules, or that his conduct may tend to subvert the discipline or good order necessary to be maintained in the prison, the head constable may suspend his visit and remove him.
from the prison, duly recording the fact in his journal, and reporting it to the Consul-General.

63. An officer of police may visit prisoners for the purpose of identification, on production of an order from the police magistrate.

64. Every letter to or from a prisoner shall be read by the head constable; and if the contents are objectionable, it shall not be forwarded, or the objectionable part shall be erased according to discretion.

65. Any person committed to prison in default of the payment of any sum which in pursuance of any conviction or order he is required to pay shall be allowed to communicate by letter with and to see any of his friends at any reasonable time for the bond fide purpose of providing for the payment which would procure his release from prison.

66. The head constable shall, subject to the provisions of these rules, prevent all intercourse or communication between the prisoners, so far as the conduct of the business of the prison, or the labour of the prisoners, will permit, and shall take care that all intercourse or communication between them is conducted in such a manner only as he may direct. But, as a reward for good conduct, the privilege of talking may be granted after a certain period on certain days for a limited time and under reasonable supervision to such long-sentence prisoners as have conducted themselves well and who desire the privilege and are not deemed unsuitable for it.

Offences and Punishments.

67. No punishment or privation of any kind shall be awarded to a prisoner by any officer of the prison except the head constable, or, in his absence, the officer appointed to act for him.

68. A prisoner shall be guilty of an offence against prison discipline if he—

(1.) Disobeys any order of the head constable or of any other officer, or any prison regulation.
(2.) Treats with disrespect any officer or servant of the prison, or any visitor, or any person employed in connexion with the prison or works.
(3.) Is idle, careless, or negligent at work, or refuses to work.
(4.) Is absent without leave from divine service or prayers.
(5.) Behaves irreverently at divine service or prayers.
(6.) Swears, curses, or uses any abusive, insolent, threatening, or other improper language.
(7.) Is indecent in language, act, or gesture.
(8.) Commits a common assault upon another prisoner.
(9.) Converses or holds intercourse with another prisoner without authority.

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(10.) Sings, whistles, or makes any unnecessary noise, or gives any unnecessary trouble.
(11.) Leaves his cell or other appointed location, or his place of work, without permission.
(12.) In any way disfigures or damages any part of the prison, or any article to which he may have access.
(13.) Commits any nuisance.
(14.) Has in his cell or possession any article he is not allowed to have.
(15.) Gives to or receives from any prisoner any article whatever without leave.
(16.) In any other way offends against good order and discipline.
(17.) Attempts to do any of the foregoing things.

69. The head constable may examine any person touching any alleged offence against prison discipline, and determine thereupon and punish the offence.

70. For any offence with which the head constable is competent to deal, he may order a prisoner to be punished by—

(a.) Close confinement for any period not exceeding 24 hours;
(b.) The diet for ill-conducted and idle prisoners for a period not exceeding 24 hours;
(c.) Deprivation of mattress for any period not exceeding 24 hours for idleness or refusing to work;

but he shall enter any such punishment in his daily report to the Consul-General.

71. If any prisoner is charged with any serious or repeated offence for which the punishment the head constable is authorized to inflict is deemed insufficient, or is charged with any offences with the aggravations mentioned in this rule, the head constable shall, without loss of time, report the same to the Consul-General or the Visiting Committee, who, after inquiry into any matter so reported may order the offender to be punished. The offences referred to above are—

(1.) Personal violence to a fellow prisoner.
(2.) Grossly offensive or abusive language to any officer or servant of the prison.
(3.) Wilfully or wantonly breaking the prison windows, or otherwise destroying the prison property.
(4.) When under punishment, wilfully making a disturbance tending to interrupt the order and discipline of the prison.
(5.) Any other act of gross misconduct or insubordination requiring to be suppressed by extraordinary means.
(6.) Escaping or attempting to escape from prison.
72. The Visiting Committee or one of them may order a prisoner to be punished by—

(a.) Close confinement for a period not exceeding 14 days.
(b.) The diet for ill-conducted and idle prisoners for a period not exceeding 15 days, with intervals as laid down in the rules for dietaries.

73.—(a.) If any prisoner is charged with—

(1.) Mutiny or incitement to mutiny;
(2.) Gross personal violence to any officer or servant of the prison;

the head constable shall, without loss of time, report the same to the Visiting Committee, and the chairman thereof shall specially summon and cause not less than three members of such Committee to assemble and inquire into the charges; and such members are empowered to determine concerning the matter and to order the offender to be punished under their powers set forth in Rule 72, or, in the case of a male prisoner convicted of felony or sentenced to hard labour, by corporal punishment, in addition to or in lieu of any of those punishments.

(b.) Whenever an order for corporal punishment is made, the authorities by whom the order is made shall forthwith furnish to the Consul-General, for transmission to His Majesty's Minister, a copy of the notes of evidence and a report of the sentence and of the grounds on which it was passed; and such order shall not be carried into effect until it has been confirmed by His Majesty's Minister.

74. A prisoner shall not be punished until he has had an opportunity of hearing the charges and evidence against him, and of making his defence.

75. The head constable shall enter in the punishment book a statement of the nature of any offence punished by him or the Visiting Committee, with the addition of the name of the offender, the date of the offence, and the punishment inflicted, and the record shall be submitted to the Consul-General for review at the end of every week.

76. Dietary punishment shall not be inflicted on any prisoner, nor shall be be placed in close confinement, nor shall corporal punishment be inflicted, unless the medical officer has certified that the prisoner is in a fit condition of health to undergo the punishment.

77. All corporal punishments within the prison shall be attended by the head constable and the medical officer. The medical officer shall give such orders for preventing injury to health as he may deem necessary, and it shall be the duty of the head constable to carry them into effect, and the head constable shall enter in the punishment book the hour at which the punishment is inflicted, the
number of lashes or strokes ordered, and any orders which he or
the medical officer may have given on the occasion.

78. Corporal punishment, in the case of a prisoner over 18
years of age, shall be inflicted either with a cat-o'-nine-tails or
with a birch rod, and in the case of a prisoner under 18 years of
age with a birch rod. The instrument in either case shall be of a
pattern approved by His Majesty's Minister.

79. The number of lashes or strokes inflicted on a prisoner
over 18 years of age shall not exceed 36, or on a prisoner under
18 years of age 18.

80. The order for corporal punishment shall be duly entered
in the prescribed manner, and the number of lashes or strokes,
and the instrument with which they are to be inflicted, shall in
all cases be stated in the order.

81.—(1.) No prisoner shall be put in irons or under mechanical
restraint by the head constable, except in case of urgent
necessity, and when necessary for the purposes of restraint,
and the particulars of every case shall be forthwith entered in
the head constable's journal, and notice forthwith given thereof to
one of the Visiting Committee; and no prisoner shall be kept
in irons or under mechanical restraint for more than 24 hours
without an order in writing from a member of the Visiting Committee
specifying the cause thereof, and the time during which the prisoner
is to be kept in irons or under mechanical restraint, which order
shall be preserved by the head constable as his warrant.

(2.) Irons or other means of restraint shall not be used except of
such patterns and in such manner as may be approved by the Consul-
General.

(3.) No prisoner shall be put in irons or under mechanical
restraint as a punishment.

Prisoners under Sentence of Death.

82. Every prisoner under warrant or order for execution shall
immediately on his arrival in the prison after sentence be searched
by or by the orders of the head constable, and all articles shall
be taken from him which the head constable deems dangerous or in-
expedient to leave in his possession. He shall be confined in a
cell apart from all other prisoners, and shall be placed by day
and by night under the constant charge of an officer. He shall
be allowed such a dietary and amount of exercise as the head con-
stable, with the approval of the Consul-General, may direct. The
chaplain shall have free access to every such prisoner, unless the
prisoner is of a religious persuasion differing from that of the
Established Church, and is visited by a minister of that persuasion,
in which case the minister of that persuasion shall have free access to
him. With the above exceptions, no person, not being a member
of the Visiting Committee or an officer of the prison, shall have
access to the prisoner except in pursuance of an order from the
Consul-General or a member of the Visiting Committee.

83. During the preparation for an execution, and the time of
the execution, no person shall enter the prison unless legally
entitled to do so.

84.—(1.) A prisoner under sentence of death may be visited
by such of his relations, friends, and legal advisers as he desires
to see and are authorized to visit him by an order in writing from
the Consul-General or a member of the Visiting Committee.

(2.) If any person makes it appear to the Consul-General or a
member of the Visiting Committee that he has important business
to transact with a prisoner under sentence of death, the Consul-
General or such member of the Visiting Committee may grant per-
mission in writing to that person to have a conference with the
prisoner.

**Prison Officers.**

85. Every officer of the prison shall hold his office so long as His
Majesty's Consul-General is satisfied with his behaviour.

86. An officer shall not have any pecuniary or other dealing
whatsoever with or on behalf of any prisoner, or employ any
prisoner on his private account.

87. An officer shall not allow any prisoner under his charge
to be employed, directly or indirectly, for the private benefit or
advantage of any person, or in any way not in conformity with the
prison rules.

88. An officer of the prison shall not sell or let, nor allow to
be sold or let, nor be interested in the selling or letting of, any
article to any prisoner.

89. An officer shall not directly or indirectly have any interest
in any contract for the supply of the prison; nor shall he receive,
directly or indirectly, under any pretence whatsoever, any fee or
gratuity or present from any contractor, or person tendering any
contract with the establishment, or from any person whatever in
relation to anything connected with the service of the prison.

90. No officer of the prison shall at any time receive any money,
fee, or gratuity of any kind for the admission of any visitors to
the prison or to prisoners, or from or on behalf of any prisoner,
on any pretext whatever.

91. Female prisoners shall in all cases be attended by female
officers. A male officer shall not enter the division of the prison
appropriated to female prisoners except on duty, nor unless accom-
panied by a female officer.

92. All officers of the prison shall obey the directions of the
head constable, subject to the prison rules, and all subordinate
officers shall perform such duties as may be directed by the head
constable, with the sanction of the Consul-General, and the duties of
each subordinate officer shall be inserted in a book to be kept by him.

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93. An officer shall not be absent from the prison without leave from the head constable. He shall use the utmost vigilance to insure the safe custody of the prisoners, and shall not take any key of the prison outside the gate.

94.—(1.) A subordinate officer shall not receive any visitors within the prison without the permission of the head constable.

(2.) A subordinate officer shall frequently examine the state of the cells, bedding, locks, bolts, &c., and shall seize all prohibited articles and deliver them to the head constable forthwith.

95.—(1.) Every officer shall occupy such quarters as may be assigned to him.

(2.) If an officer is discharged or dismissed, or resigns, he shall immediately give up the quarters he has occupied. Any officer who occupies quarters shall at any time vacate them if required to do so. On the death of an officer, his family shall give up the quarters when required to do so.

(3.) An officer occupying Government quarters shall not let lodgings therein, nor shall any subordinate officer permit any person not being a regular member of his family to remain for the night in his quarters without the permission of the head constable, which permission the head constable shall record in his journal.

96. The officer acting as gatekeeper shall examine all articles carried into or out of the prison, and may stop any person suspected of bringing in spirits or other prohibited articles into the prison, or of carrying out any property belonging to the prison, giving immediate notice thereof to the head constable.

97. It is the duty of all officers to treat prisoners with kindness and humanity, to listen patiently to and report their complaints or grievances, at the same time being firm in maintaining order and discipline, and enforcing complete observance of the rules and regulations of the prison. The great object of reclaiming the criminal should always be kept in view by all officers, and they should strive to acquire a moral influence over the prisoners by performing their duties conscientiously, but without harshness. They should especially try to raise the prisoners’ minds to a proper feeling of moral obligation by the example of their own uniform regard to truth and integrity even in the smallest matters.

98. An officer shall without delay inform the head constable of any prisoner who desires to see him, or to make any complaint or to prefer any request to him or to any superior authority.

99. It is the duty of every officer to direct the attention of the head constable to any prisoner who appears to be out of health, although he does not complain, or whose state of mind appears to be deserving of special notice and care, in order that the opinion and instructions of the medical officer may be taken on the case.

100.—(1.) Officers shall at all times carefully watch the prisoners in their various movements and employments, shall give the necessary directions thereon, and shall use the utmost alacrity and
vigilance to promote industry and to maintain order and silence among them, and to prevent the escape of any prisoner.

(2.) Officers shall carefully observe the character, habits, and industry of the prisoners under their charge, and shall carefully and impartially keep such records as may be ordered, and shall afford at all times to their superiors unreserved information on such subjects.

101.—(1.) An officer shall not strike a prisoner unless compelled to do so in self-defence.

(2.) In any case in which the application of force to a prisoner is needful, no more force than is necessary shall be used.

(3.) An officer shall not inflict any punishment or privation of any kind upon any prisoner unless ordered by the head constable.

102. An officer shall not fail, on any pretence whatever, through favour or mistaken notions of kindness, to make an immediate report to the head constable of any misconduct or wilful disobedience of orders.

103.—(1.) An officer shall not allow any familiarity on the part of a prisoner towards himself or any other officer or servant of the prison; nor shall he on any account speak of his duties, or of any matters of discipline or prison arrangement, within the hearing of a prisoner.

(2.) An officer shall not speak to a prisoner unnecessarily, nor shall he, by word, gesture, or demeanour, do anything which may tend to irritate any prisoner.

(3.) An officer shall not correspond with or hold any intercourse with the friends or relatives of any prisoner, unless expressly authorized by the head constable.

104.—(1.) An officer shall not make any unauthorized communication concerning the prison or prisoners to any person whatever, and shall not without authority communicate to the public press information derived from official sources or connected with his duties or the prison, and any such communication by an officer without authority will be regarded as a breach of confidence and will render him liable to dismissal.

105. An officer will be held responsible for being fully acquainted with the rules and orders relating to his duties. He shall strictly conform to and obey the orders of the head constable in every respect, and shall assist him in maintaining order and discipline among the prisoners.

106. Every officer shall treat members of the Visiting Committee with the greatest courtesy and respect, and shall at all times treat his superiors with respect. He shall be respectful to the authorities of other Governments, and shall afford all proper assistance to those with whom his duty calls on him to co-operate; taking care, in so doing, not to lose sight of the rules and regulations of the prison or of the special orders he may receive from the prison authorities.
107. An officer desiring to appeal against any decision which affects him, or wishing to bring any matter before superior authority, shall without unnecessary delay state his complaint to the Consul-General, for the consideration, if necessary, of His Majesty’s Minister.

108. An officer who is suspended from duty for misconduct shall immediately give up his keys and quit the prison, but shall afterwards attend daily at the prison at such hour as the head constable may appoint until otherwise directed.

109. An officer shall not use tobacco or spirituous or fermented liquors within the prison walls, except under such restrictions as to time and place as may be laid down by the Consul-General.

110. If an officer, contrary to orders, brings in or carries out, or endeavours to bring in or carry out, or knowingly allows to be brought in or carried out, to or for any prisoner, any money, clothing, provisions, tobacco, letters, papers, or other articles whatsoever, he shall be forthwith suspended from his office by the head constable, who shall report the offence to the Consul-General.

**Head Constable.**

111. The head constable shall be appointed by His Majesty’s Minister.

112. The head constable shall reside in the house assigned to him.

113. The head constable shall strictly conform to the prison rules, and shall be responsible for the due observance of them by others. He shall observe the conduct of the prison officers, and enforce on each of them the due execution of his duties, and shall not permit any subordinate officer to be employed in any private capacity, either for any other officer of the prison or for any prisoner.

114. The head constable, in case of misconduct, may suspend any subordinate officer, and shall report the particulars without delay to the Consul-General.

115.—(1.) The head constable shall visit and inspect daily the wards, cells, yards, and divisions of the prison, also the bakehouse, kitchen, and workshops, and every cell or other place in which any prisoner is undergoing punishment or special discipline or charged with any offence, and, as far as practicable, shall see every prisoner once at least in every 24 hours. It shall be his duty to visit daily all prisoners while employed at labour, and see that they are industrious and that all orders respecting the application of labour are duly enforced; and in default of such daily visits and inspections, he shall state in his journal how far he has omitted them, and the cause thereof.

(2.) When visiting the prison in which female prisoners are kept, the head constable shall be attended by a female officer.

116. The head constable shall take every precaution to prevent the escape of prisoners, and shall take care that all officers are well
instructed as to their duties and responsibilities in this respect and vigilant in fulfilling them.

117. The head constable shall assure himself that all gates are locked at the proper times, and that all keys of the prison are kept in the authorized place or in the possession of the authorized officers, and he shall not allow any key of the prison to be taken outside the gate.

118. The head constable shall, at least once during the week, go through every part of the prison at an uncertain hour of the night; which visits, with the hour and state of the prison at the time, he shall record in his journal.

119. If the head constable omits to perform any duty or routine prescribed he shall record the omission in his journal with the cause thereof.

120.—(1.) The head constable shall cause an abstract of the regulations relating to the treatment and conduct of prisoners, with a copy of the prison dietaries (printed in legible characters), to be posted in each cell, and shall read them or cause them to be read to every prisoner who cannot read within 24 hours after his admission.

(2.) The head constable shall take an early opportunity of seeing all prisoners after their admission and satisfying himself that they understand the rules and regulations to which they are required to conform, and the consequences of idleness and misconduct.

121.—(1.) The head constable shall, without delay, call the attention of the medical officer to any prisoner whose state of mind or body appears to require attention, and shall carry into effect the written directions of the medical officer respecting alterations of the discipline or treatment of any such prisoner.

(2.) The head constable shall notify to the medical officer, without delay, the illness of any officer or prisoner.

122. The head constable shall, when required, provide for the chaplain and the medical officer a list of prisoners under punishment.

123. The head constable shall visit the infirmary daily and see all prisoners therein, and shall take care that proper arrangements are made for the safe custody of the sick prisoners and that discipline is maintained so far as is consistent with the medical treatment prescribed for them. He shall on all occasions support the medical officer in the performance of his duties.

124. Upon the death of a prisoner the head constable shall give immediate notice thereof to the coroner, also to the Visiting Committee, the Consul-General, and the nearest relative of the deceased, where practicable.

125.—(1.) The head constable shall see that no officer of the prison, nor any prisoner, nor any person who is under contract to supply anything for the service of the prison, is a juror on any inquest held on the body of a prisoner who has died in his custody.

(2.) The head constable shall supply to the coroner the name of
any prisoner who tenders his evidence in the case of an inquest about to be held on the body of any prisoner.

(3.) The head constable shall report to the Consul-General in respect of any inquest on a prisoner the finding of the jury or other circumstances which may occur at the inquest.

126. The head constable shall, without delay, report to the Consul-General any case of insanity or apparent insanity occurring among the prisoners, or any case in which the medical officer is of opinion that the life of any prisoner will be endangered by further imprisonment, or that any sick prisoner will not survive his sentence, or is totally and permanently unfit for prison discipline, or has reason to believe that the mental state of any prisoner is becoming impaired or enfeebled by continued imprisonment.

127.—(1.) The head constable shall make in the prescribed form a daily report to the Consul-General.

(2.) The head constable shall keep and be responsible for such books and records as may from time to time be prescribed.

128.—(1.) The head constable shall not, without permission in writing from the Consul-General, be absent from the prison for a night, except from unavoidable necessity. If from unavoidable necessity he is absent for a night, and has not been able to obtain leave for such absence, he shall at once inform the Consul-General of the fact and the cause of it, and shall record it in his journal. He shall also enter his leave of absence, with the authority for it, in his journal. Before leaving the prison at any time he shall give over the charge of it to the officer acting in his place.

(2.) When the head constable is absent from the prison his deputy shall perform all his duties, and on such occasions the deputy shall be competent to perform any duty required to be performed by the head constable.

129.—(1.) The head constable shall take care that the labour of all the prisoners is made use of in such a way as to be to the best advantage to the public service, and shall not employ, or allow to be employed, any prisoner in any private work whatever for himself or for any other officer of the prison.

(2.) The head constable shall promote the useful employment and industrial training of the prisoners.

130. The head constable shall use his best endeavours to assist in the identification of prisoners, and with that object shall furnish to the heads of other prisons, and to the police, any information in his power.

131.—(1.) The head constable shall not allow any person to view the prison except on the written order of a member of the Visiting Committee or of the Consul-General, or unless authorized by these rules, and shall be careful that no visitor holds any communication with any prisoner unless duly authorized to do so.

(2.) The head constable shall not allow any person besides the authorized officers to pass into or out of the prison after the gates
are locked for the night, nor until the hour appointed for opening the prison on the following morning, except in some special case, which latter shall be entered in his journal.

(3.) The head constable may examine all persons and vehicles going in or out of the prison, and may exclude any person who refuses to be examined.

(4.) The head constable may remove from the prison any visitor to the prison or to a prisoner whose conduct is improper, recording the same in his journal.

132. The head constable shall notify to the chaplain or prison minister and medical officer the case of any prisoner whose life is in danger, or whose state of health in mind or body appears to require their attention.

133.—(1.) The head constable shall carry into effect the written recommendation of the medical officer for the alteration of the discipline or treatment of any prisoner, or for the supply of any additional articles to any prisoner on medical grounds.

(2.) The head constable shall carry into effect the written recommendation of the medical officer for separating from the other prisoners any prisoner labouring or suspected of labouring under any infectious, contagious or mental disease; and shall immediately take such steps as may be necessary to prevent the spread of any contagious or infectious disease.

134. In any case in which the sickness of any prisoner has, in the opinion of the medical officer, assumed an aspect of danger, the head constable shall whenever practicable inform the relatives of such prisoner thereof.

135. The head constable shall pay attention to the ventilation, drainage, and sanitary condition of the prison, and shall request His Majesty's Surveyor of Works to take such measures as may be necessary for their being maintained in perfect order.

136. The head constable shall take care that proper precautions against fire are adopted, and that all appliances for the extinction of fire are at all times kept in good order and ready for use. He shall take care that instructions are given as to the steps to be taken in case of fire, and that the officers concerned are acquainted with their duties on such occasions.

137.—(1.) The head constable shall take care that every prisoner having a complaint to make or request to prefer to him shall have ample facilities for doing so, and he shall redress any grievance or take such steps as may seem necessary, recording the same in his journal.

(2.) The head constable shall forward to the Consul-General without delay any report or complaint which any officer of the prison desires to make to him, and shall on no account suppress it, but he may offer any explanation with it which it may seem to require.

(3.) The head constable shall forward to the Consul-General any report or complaint against an officer; but, in every such case, the
officer shall be permitted to see the charge against him, and to reply to it, for the information of the Consul-General.

(4.) The head constable shall inform the Visiting Committee of the desire of any prisoner to see them.

138.—(1.) The head constable shall see that every prisoner under punishment is visited during the day at intervals of not more than three hours by the appointed officer.

(2.) The head constable shall take care that no prisoner is subjected to any punishment which the medical officer is not satisfied he is capable of undergoing.

(3.) The head constable shall attend every corporal punishment inflicted within the prison; and he shall enter in his journal the hour at which the punishment was inflicted, the number of lashes or strokes given, and any order which he or the medical officer may have given on the occasion.

139. If the head constable put a prisoner in irons or under other mechanical restraint, he shall give notice thereof forthwith to the Consul-General or the Visiting Committee; and he shall not keep a prisoner in irons or under other mechanical restraint for more than 24 hours without an order in writing from the Consul-General or the Visiting Committee, specifying the cause thereof and the time during which the prisoner is to be kept in irons or under mechanical restraint, which order shall be preserved by the head constable as his warrant.

140. Before granting any permission for any purpose to any prisoner by authority of the rules applicable to the class to which the prisoner belongs, the head constable shall satisfy himself that it can be granted without interfering with the security, good order, and government of the prison and the prisoners therein, and if, after it has been granted, its continuance seems likely to cause any such interference, or the prisoner has abused such permission or has been guilty of any misconduct, he may suspend or withdraw such permission. Further, where such permission has been granted by the Visiting Committee, he may, in the like circumstances, suspend it if the case is urgent, provided that he reports the suspension within 24 hours to them. He shall enter in his journal all cases where such permission has been granted, suspended, or withdrawn, stating the reasons.

141. The head constable, or his deputy, shall read every letter addressed to or written by a prisoner, and every such letter shall be marked with the initials of the head constable, or his deputy, as the case may be. The head constable shall use his discretion in communicating to or withholding from a prisoner at any time the contents of any letter addressed to the prisoner; but shall note in his journal every case in which he thinks it proper to withhold a letter which, according to the rules, might be communicated to or written by a prisoner.

142. The head constable shall freely report to the Consul-
General on all matters relating to the prison, apprising him of any occurrence of importance; and in case of any emergency not sufficiently provided for in the rules he shall apply to him and conform to his orders; acting if necessary in the meantime to the best of his own judgment according to the circumstances of the case.

143. The head constable, or his deputy, shall attend divine service in the prison whenever it is performed, inserting in his journal any omission, and the cause thereof. He shall see that the subordinate officers and prisoners attend such service as directed by the rules.

144. The head constable shall not fail to write up daily the following books, in addition to those prescribed under Rule 127 (2)—

(1.) A journal in which he shall record all such matters as he is directed by these rules, and all other occurrences of importance within the prison.

(2.) A nominal record of all prisoners committed to his charge in such form as he may be directed by the Visiting Committee.

(3.) A record of articles taken from prisoners.

Matron and Female Officers.

145. If a matron or female officers be appointed permanently or temporarily they shall perform, in respect of the female prisoners, the same duties respectively as the head constable and the prison officers do according to these rules in respect of the male prisoners.

Medical Officer.

146. The medical officer shall attend all sick prisoners, and all officers and servants of the prison resident at the prison. He shall also attend the families of officers and servants of the prison, subject to such conditions and limitations as may be prescribed by the Consul-General.

147. The medical officer shall himself conform to the rules and regulations of the prison, and shall support the head constable in the maintenance of discipline and order and the safe custody of the prisoners.

148.—(1.) The medical officer shall visit the prison when necessary, and shall see every prisoner at least once a week, so as to ascertain his general state of health, and whether he is clean in his person and free from disease.

(2.) The medical officer shall every day see such prisoners as complain of illness, informing the head constable as to their fitness or otherwise for labour. He shall visit the sick in the infirmary at such times as may be necessary. He shall attend at once on receiving information of the serious illness of any prisoner or officer.
(3.) The medical officer shall examine every prisoner on reception, and shall record his state of health and such facts connected therewith as may be directed.

(4.) The medical officer shall frequently examine the washing places, baths, and other provisions for purposes of cleanliness or sanitation and see whether they are in efficient working order, and report at once to the Consul-General any defect or insufficiency therein.

149. As early as practicable in every month, the medical officer shall inspect every part of the prison, for the purpose of ascertaining that nothing exists therein likely to be injurious to the health of the prisoners, and especially that the ventilation is sufficiently provided for and properly attended to. The result of this inspection shall be recorded in his journal.

150. The medical officer shall frequently inspect the food, cooked and uncooked, of the prisoners, and shall report when necessary to the Consul-General as to the quality of the provisions, and also as to sufficiency of clothing and bedding, any deficiency in the quantity or defect in the quality of the water, or any other cause which may affect the health of the prisoners.

151.—(1.) The medical officer shall enter, day by day, in his journal, to be kept in the prison, an account of the state of every sick prisoner, the name of his disease, a description of the medicines and diet, and any other treatment which he orders for such prisoner.

(2.) The medical officer shall also record such matters connected with his duties as may be directed.

152.—(1.) When the medical officer has any reason to suspect that the mental state of any prisoner is becoming impaired or enfeebled by continued imprisonment, he shall take such prisoner under his special observation; and should there be good reason to believe that, either from the conduct of the prisoner or from his manner and habits, there are signs of incipient insanity, he shall report the circumstances to the head constable for the information of the Consul-General, stating, in cases of doubt, whether he desires any special or additional advice.

(2.) Whenever the medical officer has reason to believe that a prisoner's health is likely to be injuriously affected by the discipline or treatment, he shall report the case in writing to the Consul-General, together with such recommendations as he thinks proper, and he shall call the attention of the chaplain to any prisoner who appears to require his special notice.

(3.) The medical officer shall give notice to the head constable and the chaplain when the sickness of any prisoner appears to him to assume an aspect of danger.

(4.) The medical officer shall indicate to the head constable the case of any prisoner to which he thinks it necessary on medical grounds to draw attention, and shall make such recommendation as he deems needful for the alteration of the discipline or treatment of the prisoner, or for the supply to him of additional articles.
(5.) Whenever the medical officer is of opinion that the life of any prisoner will be endangered by his continuance in prison, or that any sick prisoner will not survive his sentence, or is totally and permanently unfit for prison discipline, he shall state the opinion, and the grounds thereof, in writing, to the Consul-General.

153. If any case of peculiar difficulty or danger occurs, the medical officer may call in additional aid, referring previously to the Consul-General for approval, if the case will reasonably admit of such reference. No serious operation shall be performed without a previous consultation with another medical practitioner, except under very urgent circumstances not admitting of delay, which circumstances the medical officer shall record in his journal.

154. The medical officer shall, forthwith on the death of any prisoner, enter in his journal the following particulars, viz., at what time the deceased was taken ill, when the illness was first notified to the medical officer, the nature of the disease, when the prisoner died, and an account of the appearances after death (in cases where a post-mortem examination is made), together with any special remarks that appear to him to be required.

155. In case of sickness, necessary engagement, or leave of absence, the medical officer shall appoint a substitute, approved of by the Consul-General. The name and residence of the substitute shall be entered in his journal.

156. Where the medical officer considers it necessary to apply any painful test to a prisoner to detect malingering or otherwise, the test shall only be applied by authority of an order from the Visiting Committee or the Consul-General.

157. When any prisoner is about to be removed from the prison, the medical officer shall duly examine him, and certify as to his fitness to leave the prison, and as to such other particulars regarding him as may be required.

158. The medical officer shall give directions for separating from the other prisoners any prisoner labouring under any infectious, contagious or mental disease, or suspected thereof, and shall immediately take such steps as may be necessary to prevent the spread of any contagious or infectious disease.

159. The medical officer shall inform the head constable of any particular point of which he may become aware in regard to the person of any prisoner which might assist in identifying him.

160. The medical officer shall examine every prisoner sentenced to hard labour, and shall report if he is unfit to be kept at hard labour or at any particular kind of labour, and shall assist when called on in assigning the task of labour according to the physical capacity of a prisoner. He shall from time to time examine the prisoners during the time of their being employed at hard labour, and shall report and enter in his journal the name of any prisoner whose health he thinks to be endangered by a continuance at hard labour of any particular kind, and shall inform the head constable;
and thereupon that prisoner shall not again be employed at such labour until the medical officer certifies that he is fit for such employment.

161. The medical officer shall have the general care of the health of the prisoners, and shall report to the Consul-General and make known to the head constable any circumstance connected with the prison or the treatment of the prisoners which at any time appears to him to require consideration on medical grounds.

162.—(1.) When a prisoner is placed in close confinement, or is subjected to corporal or dietary punishment, the medical officer shall examine him and certify whether or not he is fit for the punishment.

(2.) The medical officer shall attend every corporal punishment inflicted in the prison, and his instructions thereon for preventing injury to health shall be obeyed.

163.—(1.) The medical officer shall keep such statistical records and furnish such returns as may be directed relative to the health and medical treatment of officers and prisoners, and to the sanitary condition of the quarters of the officers and of the prison buildings.

(2.) The medical officer shall report periodically, and from time to time as may be directed, on the general health and sanitary condition of the establishment, the health of the officers, their capability for performing their duties, the health of the prisoners, and in reference to any other point upon which he may be directed to report.

(3.) The medical officer may at any time offer any suggestion for improvements or for the advantage of the service.

PART II.—Prisoners Awaiting Trial.

Admission, Discharge and Removal.

164. The following rules shall apply to any person committed to prison for safe custody in any of the following circumstances:—

(a.) Awaiting summary trial or preliminary examination.
(b.) Awaiting trial on a charge.
(c.) Awaiting trial in a court in His Majesty’s dominions.
(d.) Awaiting sentence.

165. A prisoner awaiting trial shall not be required to take a bath on reception, if, on the application of the prisoner, the head constable decides that it is unnecessary or the medical officer states that it is, for medical reasons, unadvisable.

166. In order to prevent prisoners awaiting trial from being contaminated by each other or endeavouring to defeat the ends of justice they shall be kept separate, and shall not be permitted to communicate together.
167. Prisoners awaiting trial shall, as far as practicable, be kept apart from convicted prisoners.
168. The Visiting Committee shall, on the application of any prisoner awaiting trial, if, having regard to his ordinary habits and condition of life, they think such special provision should be made in his case, permit him—

(1.) To occupy, on payment of a small sum fixed by the Consul-General, a suitable room or cell specially fitted for such prisoners and furnished with suitable bedding and other articles in addition to or different from those furnished for ordinary cells;

(2.) To take exercise separately or with selected untried prisoners, if the arrangements and construction of the prison permit it;

(3.) To have at his own cost the use of private furniture and utensils suitable to his ordinary habits, to be approved by the head constable;

(4.) To have, on payment of a small sum fixed by the Consul-General, the assistance of some person to be appointed by the head constable, relieving him from the performance of any unaccustomed tasks or offices.

169. The Visiting Committee or the Consul-General may also permit the head constable to modify the routine of the prison in regard to any prisoner awaiting trial so far as to dispense with any practice which, in the opinion of the head constable, is clearly unnecessary in the case of that particular prisoner.

170. Any money in the hands of the head constable belonging to any prisoner awaiting trial may be applied to the purpose of making special provision for him in cases where the prisoner is, by these rules, required to make any payment in respect of such special provision.

171. The head constable shall, on the application of any prisoner awaiting trial, permit him to have any books, papers, documents, or other articles in his possession at the time of his arrest which may not be required for evidence against him, and are not reasonably suspected of forming part of property improperly acquired by him, or are not for some special reason required to be taken from him for the purposes of justice or of prison discipline.

Food, Clothing and Bedding.

172. A prisoner awaiting trial may procure for himself, or receive at proper hours, food and malt liquor, clothing, bedding, or other necessaries, subject to examination and to such rules as may be approved by the Consul-General; and any articles so procured may be paid for out of the money belonging to the prisoner in the hands of the head constable. If a prisoner awaiting trial does
not provide himself with food, he shall receive the allowance of
food allotted by the rules of the prison to prisoners awaiting trial.

173. A prisoner awaiting trial may, if he desires it, wear the
prison dress, and he shall be required to do so if his own clothes
are insufficient or unfit for use or necessary to be preserved for
the purposes of justice. The prison dress for a prisoner await-
ing trial shall be of a different colour from that of convicted prisoners.

174. When a prisoner awaiting trial is allowed by the rules to
wear his own clothing in prison, the medical officer may, for the
purpose of preventing the introduction or spread of infectious
disease, order that the clothing be disinfected; and thereupon the
clothing shall be disinfected as speedily as possible, and during
the process of disinfection the prisoner may be required to wear
the prison clothing prescribed for the class of prisoners to which
he belongs.

175. If a prisoner awaiting trial prefers to provide his own
food for any meal he shall give notice thereof beforehand at the
time required; but the head constable shall not permit any such
prisoner to receive any prison allowance of food for the meal for
which he procures or receives food at his own expense.

176. Articles of food shall be received by a prisoner awaiting
trial only at such hours as may be laid down from time to time.
They shall be inspected by the officers of the prison, and shall
be subject to such restrictions as may be necessary to prevent
luxury or waste.

177. A prisoner awaiting trial shall not during any period of
24 hours receive or purchase more than one pint of malt liquor,
fermented liquor or cider, or, if an adult, half a pint (8 ozs.) of
wine.

178. No prisoner awaiting trial shall sell or transfer any article
whatsoever allowed to be introduced for his use to any other person;
and any prisoner transgressing this rule shall be prohibited from
procuring any such article for such period as the Consul-General may
deem proper.

Cleanliness.

179. A prisoner awaiting trial shall not be compelled either to
have his hair cut, or (if he usually wears his beard, &c.) to shave,
except on account of vermin or dirt, or when the medical officer
dems it necessary on the ground of health and cleanliness, and
the hair of the prisoner shall not be cut closer than may be necessary
for the purpose of health and cleanliness.

180. The beds of prisoners awaiting trial shall be made and
the rooms and yards in their occupation shall be swept and cleaned
every morning. The furniture and utensils appropriated to their
use shall be kept clean and neatly arranged. Should any such
prisoner object to perform any of these duties, they may be per-
formed for him by an assistant provided under these rules.
181. If any prisoner awaiting trial who is out of health desires the attendance of his usual medical attendant, the Visiting Committee or Consul-General shall, if they are satisfied that the application is bona fide, permit him to be visited by that medical attendant at his own expense, and to be supplied with medicine by him, proper precautions being in all cases observed to prevent abuse of these privileges.

Books, &c.

182. A prisoner awaiting trial shall be permitted to have supplied to him, at his own expense, such books, newspapers or other means of occupation, other than those furnished by the prison, as are not, in the opinion of the Visiting Committee, or in their absence and pending their approval in the opinion of the head constable, of an objectionable kind.

Employment.

183. A prisoner awaiting trial shall have the option of employment, but shall not be compelled to perform any labour.

184. If any such prisoner is acquitted, or if on preliminary examination the case is dismissed against him, such an allowance on account of his earnings, if any, shall be paid to the prisoner on his discharge as the Consul-General thinks reasonable.

185. So far as prison arrangements admit, facilities shall be given to prisoners awaiting trial to work and follow their trades and employments, and all earnings of any such prisoner, after payment thereout of such sum as the Consul-General may determine on account of the cost of his maintenance in the prison, or on account of the use of implements lent to him, shall belong to him.

Visits and Communications.

186.—(1.) Due provision shall be made for the admission at proper times and under proper restrictions of persons with whom prisoners awaiting trial desire to communicate, care being taken that, so far as is consistent with the interests of justice, the prisoners shall see their legal advisers alone.

(2.) Every prisoner awaiting trial shall be permitted to be visited by one person, or (if circumstances permit) by two persons at the same time, for a quarter of an hour on any week day, during such hours as may be appointed.

(3.) The Visiting Committee or Consul-General may, in any special case for special reasons, prolong the period of the visit allowed to any prisoner awaiting trial, or allow him to be visited by more than two persons at the same time.

(4.) Every endeavour shall be made to provide that prisoners
awaiting trial be not, when being visited, exposed to the view of the friends of other prisoners, and to prevent the friends of one prisoner from coming in contact with the friends of another while in the prison.

187. A prisoner awaiting trial shall at his request be allowed to see his legal adviser on any week day at any reasonable hour, and, if required, in the sight but not in the hearing of an officer.

188. A prisoner awaiting trial who is in prison in default of bail shall be permitted to see any of his friends, on any week day, at any reasonable hour, for the bona fide purpose of providing bail.

189. Paper and all other writing materials to such extent as may appear reasonable to the head constable shall be furnished to any prisoner awaiting trial who requires to be so supplied for the purposes of communicating with friends or preparing a defence. Any confidential written communication prepared as instructions for his legal adviser may be delivered personally to him or his authorized clerk, without being previously examined by any officer of the prison; but all other written communications are to be considered as letters and are not to be sent out of the prison without being previously inspected by the head constable.

190. A prisoner awaiting trial who is attended or visited by a minister of a church or persuasion differing from the Established Church shall not be compelled to attend any religious services except those of the said church or persuasion; but, subject to the foregoing provisions, the prisoners shall attend divine service on Sundays and on other days when such service is performed, unless prevented by illness or unless their attendance is dispensed with by the head constable, the Consul-General or the Visiting Committee for any sufficient reason.

191. Prisoners awaiting trial shall also be subject to any general prison rules, except so far as they are inconsistent with the special rules relating to prisoners awaiting trial.

PART III.—Offenders of the First Division.

Admission and Treatment.

192. An offender of the first division shall be kept, as far as possible, apart from other classes of prisoners.

193. An offender of the first division shall not be required to take a bath on reception if, on the application of the prisoner, the head constable decides that it is unnecessary or the medical officer states that it is, for medical reasons, unadvisable.

194. Every offender of the first division shall be searched only by an officer specially appointed for the purpose.

195.—(1.) An offender of the first division shall be placed, as
soon as possible after reception, in a room or cell appropriated to prisoners of his class, unless there is reason to believe that he is suffering from some infectious disease, in which case he shall be detained in a reception cell till he can be seen by the medical officer.

(2.) An offender of the first division shall at all times, except when at chapel or exercise, occupy the room or cell assigned to him.

196. The Visiting Committee shall, on the application of any offender of the first division, if, having regard to his ordinary habits and conditions of life, they think such special provision should be made in respect to him, permit any such prisoner—

(1.) To occupy, on payment of a small sum fixed by the Consul-General, a room or cell specially fitted for such prisoners and furnished with suitable bedding and other articles in addition to or different from those furnished for ordinary cells;

(2.) To have at his own cost the use of private furniture and utensils suitable to his ordinary habits, to be approved by the head constable;

(3.) To have, on payment of a small sum fixed by the Consul-General, the assistance of some person to be appointed by the head constable, relieving him from the performance of any unaccustomed tasks or offices.

197. Any money in the hands of the head constable, belonging to any offender of the first division, may be applied for making special provision for him in respect of which payment is by these rules required to be made.

Food and Clothing.

198. An offender of the first division shall be permitted by the Visiting Committee to supply his own food on giving due notice beforehand, at the time required; but the head constable shall not permit him to receive any prison allowance of food at any meal for which he procures or receives food at his own expense.

199. Articles of food shall be received for offenders of the first division only at such hours as are fixed for the purpose. They shall be inspected by the officers of the prison, and shall be subject to such restrictions as may be necessary to prevent luxury or waste.

200. An offender of the first division shall not during any period of 24 hours receive or purchase more than one pint of malt liquor, fermented liquor or cider, or, if an adult, half a pint (8 ozs.) of wine.

201. An offender of the first division shall be permitted by the Visiting Committee to wear his own clothing, provided that
it is sufficient and is fit for use. The prison dress for an offender of the first division who does not wear his own clothing shall be of a different colour from that of other classes of prisoners.

202. When an offender of the first division is allowed to wear his own clothing in prison, the medical officer may, for the purpose of preventing the introduction or spread of infectious disease, order that the clothing be disinfected; and thereupon the clothing shall be disinfected as speedily as possible, and during the process of disinfection the prisoner may be required to wear the prison clothing prescribed for the class of prisoners to which he belongs.

203. No offender of the first division shall be allowed to sell or transfer any article whatsoever allowed to be introduced for his use to any other person.

Cleanliness.

204. An offender of the first division shall not be compelled either to have his hair cut, or (if he usually wears his beard, &c.) to shave, except on account of vermin or dirt, or when the medical officer deems it necessary on the ground of health and cleanliness, and the hair of the prisoner shall not be cut closer than may be necessary for the purposes of health and cleanliness.

205. The beds of offenders of the first division shall be made and the rooms and yards in their occupation shall be swept and cleaned every morning. The furniture and utensils appropriated to their use shall be kept clean and neatly arranged. Should any such prisoner object to perform any of these duties, they may be performed for him by an assistant provided under these rules.

Books, &c.

206. An offender of the first division shall be permitted to have supplied to him, at his own expense, such books, newspapers or other means of occupation, other than those furnished by the prison, as are not, in the opinion of the Visiting Committee, or in their absence and pending their approval in the opinion of the head constable, of an objectionable kind.

Employment.

207. Offenders of the first division shall not be required to work, but they may be permitted (a) to follow their trades and professions, if practicable, (b), with their consent, to be employed on the industries of the prison. In the former case, if they find their own implements and are not maintained at the expense of the prison, they shall be allowed to receive the whole of their earnings, but the earnings of those who are furnished with implements or are maintained at the expense of the prison shall be subject to a deduction, to be determined by the Consul-General, for the use of implements and the cost of maintenance. In the latter case, they shall be entitled to earn such gratuity as the Consul-General shall determine.

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208.—(1.) An offender of the first division shall be permitted to be visited once a fortnight by not more than three friends or relations at the same time, for a period of a quarter of an hour, during such hours as may be appointed. He shall also be allowed to write one letter and to receive one letter in each fortnight.

(2.) The Visiting Committee may, by permission in any special case for special reasons, prolong the period of the visit allowed to any offender of the first division, or allow additional visits or letters to such reasonable extent as they deem advisable.

(3.) The place in which offenders of the first division receive their visits shall not be the same as that in which other prisoners receive their visits, if any other suitable place can conveniently be provided.

209. An offender of the first division who is attended or visited by a minister of a church or persuasion differing from the Established Church shall not be compelled to attend any religious services except those of the said church or persuasion; but, subject to the foregoing provision, the prisoners shall attend divine service on Sundays and on other days when such service is performed, unless they are prevented by illness or their attendance is dispensed with by the head constable, the Consul-General or the Visiting Committee for any other reason.

210. Offenders of the first division shall also be subject to any general prison rules, except so far as they are inconsistent with the special rules relating to offenders of the first division.

PART IV.—DEBTORS.

Admission, Discharge and Removal.

211. Any persons imprisoned for default in payment of a debt, including a civil debt recoverable summarily, or in default, or in lieu of distress to satisfy a sum of money adjudged to be paid by order of a Court, when the imprisonment is to be without hard labour, shall be classed as debtors and treated under the following rules.

212. A debtor prisoner shall not be associated with criminal prisoners.

213. A debtor prisoner shall not be required to take a bath on reception, if, on the application of the prisoner, the head constable shall decide that it is unnecessary or the medical officer shall state that it is, for medical reasons, unadvisable.

214. A debtor prisoner shall at all times, except when at chapel or exercise, occupy the cell assigned to him.
Food, Clothing and Bedding.

215. A debtor prisoner shall receive the allowance of food prescribed for offenders of the first division who do not maintain themselves.

216. A debtor prisoner shall be permitted to wear his own clothing, unless it is unfit for use. The prison dress for a debtor prisoner who does not wear his own clothing shall be of a different colour from that of convicted criminal prisoners.

Cleanliness.

217. A debtor prisoner shall not be compelled either to have his hair cut, or (if he usually wears his beard, &c.) to shave, except on account of vermin or dirt, or when the medical officer deems it necessary on the ground of health and cleanliness; and the hair of such prisoner shall not be cut closer than may be necessary for the purposes of health and cleanliness.

218. The beds of debtor prisoners shall be made and the rooms and yards in their occupation shall be swept and cleaned by them every morning. The furniture and utensils appropriated to their use shall be kept clean and neatly arranged by them.

Employment.

219. A debtor prisoner shall be required to work either at his own trade or profession, provided his employment does not interfere with the regulations of the prison, or, so far as can be arranged, at work of an industrial or manufacturing nature, and he shall be allowed to receive the whole of his earnings subject to a deduction for the cost of his maintenance and for the use of implements when furnished by the prison.

Health.

220. Debtor prisoners may be permitted to exercise in the forenoon and afternoon of each day during such periods as the circumstances of the prison may allow, and during the same periods they shall be permitted to associate together in an orderly manner.

Visits and Communications.

221. A debtor prisoner shall be permitted to receive a visit of a quarter of an hour's duration and also to write and receive one letter in each week, and the Visiting Committee may, for special reasons, prolong the period of the visit allowed to any such prisoner or accord additional visits or letters to such reasonable extent as they may deem advisable.

222. In applying to a debtor prisoner the General Rule 64, any request from the legal adviser, wife, or relative of such debtor to visit such debtor is to be granted at any reasonable hour of the day.

223. The place in which debtor prisoners receive their visits
shall not be the same as that in which criminal prisoners receive their visits, if any other suitable place can conveniently be provided.

224. Debtor prisoners shall also be subject to any general rules made by His Majesty’s Minister for the government of prisons, except so far as the same are inconsistent with the special rules relating to debtors.

PART V.—Juvenile Offenders Awaiting Trial.

225.—(1.) All prisoners under the age of 16 who are under remand or awaiting trial shall be classed as juvenile offenders awaiting trial.

(2.) Any prisoner who declares himself to be more than 16 years of age, but who in the opinion of the head constable, chaplain, and medical officer of the prison should not, having regard to his character, constitution and antecedents, properly be classed with adult prisoners shall also be classed as a juvenile offender.

226. In order that confinement may be as little as possible oppressive, every unconvicted juvenile prisoner of tender years shall be allowed to have his cell door open between the hours of 6 a.m. and 6 p.m. if the head constable, chaplain or medical officer is of opinion that this is necessary or desirable, the head constable being responsible that such precautions are observed as will ensure that a juvenile prisoner shall not be able to enter the cell of any other prisoner, and vice versa.

227. Every unconvicted juvenile prisoner shall be allowed two periods of exercise daily. This exercise shall consist of ordinary walking or physical drill or of garden work, each boy being kept apart from the others.

228. Every unconvicted juvenile prisoner shall, if possible, be instructed during at least one hour every day. Any boy whose ignorance makes it impossible to instruct him shall, if possible, be read to from books specially selected by the chaplain.

229. The head constable shall encourage every unconvicted juvenile prisoner to work either at his own trade or at a trade or occupation pursued in the prison. If employed on the latter, he shall be remunerated as laid down in Rule 185 for prisoners awaiting trial. The chaplain shall also encourage every unconvicted juvenile prisoner in habits of industry.

230. The chaplain shall select books for the use of unconvicted juvenile prisoners, picture books being provided for those who cannot read.

231. These rules shall apply, as far as practicable, to juvenile female prisoners under 16 years of age.

232. Unconvicted juveniles offenders shall also be subject to the rules for prisoners awaiting trial and to any general prison rules, except so far as they are inconsistent with the special rules for juvenile offenders awaiting trial.
233.—(1.) Every prisoner under the age of 16 shall be classed as a juvenile offender.

(2.) Any prisoner who declares himself to be more than 16 years of age, but who, in the opinion of the head constable, chaplain and medical officer of the prison, should not, having regard to his character, constitution and antecedents, properly be classed with adult prisoners, shall also be classed as a juvenile offender.

234. A juvenile offender shall be kept as far as possible apart from adult prisoners, with whom he shall not, on any occasion, be permitted to come into contact.

235. In the case of a juvenile offender the ordinary prison discipline shall be mitigated in the following manner:—

(a.) He shall not be required to sleep without a mattress;

(b.) He shall be allowed specially selected books as well as books of instruction, from the time of his reception and throughout his sentence;

(c.) He may be employed in association with other juvenile offenders in workshops, or in outdoor work such as gardening, &c.;

(d.) He shall, as far as possible, be instructed in a trade which may be useful to him on release; and

(e.) He shall, if medically fit, be exercised daily at physical drill in lieu of, or in addition to, walking exercise, with a view to his physical development.

236. A juvenile offender may be allowed by the Visiting Committee to receive extra visits, if, in their opinion, such visits are desirable and calculated to improve his moral welfare and future career.

237. It shall be the duty of the chaplain to devote individual attention and care to the juvenile offenders, and in co-operation with the Visiting Committee to make every possible provision for their protection and care on discharge.

238. Before a juvenile offender is discharged the head constable shall inform his relatives and friends on what day and at what time he will be discharged, that they may have the opportunity of attending to receive him, but if such relatives or friends are known to be bringing the young prisoner up in evil courses, then the head constable may, with the consent of the Visiting Committee, abstain from informing his relatives, if some other respectable person, to be approved by the Visiting Committee, is willing to take care of him, and the prisoner consents.

239. Convicted juvenile offenders shall also be subject to any general prison rules, except so far as they are inconsistent with the special rules for juvenile offenders under conviction.
PART VI.—The Visiting Committee.

240. The Visiting Committee shall consist of the following members:

(1.) The Judge;
(2.) The Assistant Judge;
(3.) The Police Magistrate;
(4.) One of His Majesty's Vice-Consuls;
(5.) The Chairman of the Shanghai Municipal Council (being a British subject);
(6.) The Captain Superintendent of Municipal Police (being a British subject);

and such other persons as His Majesty's Minister may appoint. The above six shall be members ex-officio. The Judge, or in his absence the Acting Judge, shall be Chairman of the Committee, and it shall be his duty to forward to His Majesty's Minister the reports of the Committee and any representation in regard to the prison or its government the Committee may wish to make.

241. The first meeting of the Visiting Committee shall be held at the prison each year in the month of January.

242. The Visiting Committee shall, at its first annual meeting, make rules as to the members' attendance at the prison for the purpose of carrying out the duties assigned to them.

243. The Visiting Committee and the members thereof may act notwithstanding any vacancy in their body.

244. The Visiting Committee shall keep a book of minutes of their proceedings in which all minutes shall be recorded.

245. They shall meet as a Committee at the prison not less than four times in the year.

246. One or more of them shall visit the prison once in each week, or, if the Committee resolve that for reasons specified in the resolution fortnightly visits are sufficient, then once in each fortnight.

247. Any prisoner who has expressed a wish to do so shall be allowed to see a member of the Visiting Committee on the occasion of such visits.

248. No member of the Visiting Committee may have any interest in any contract made in respect of the prison.

249. The Visiting Committee shall co-operate with the Consul-General in promoting the efficiency of the service, and shall make inquiry into any matter specially referred to them by His Majesty's Minister, and report their opinion thereon.

250. The Visiting Committee shall take care that any abuses in connexion with the prison which come to their knowledge are brought to the notice of the Consul-General immediately.

251. The Visiting Committee shall hear and adjudge on any report made by the head constable of the misconduct or idleness of any prisoner.
252. If the head constable represents to them that he has, in a case of urgent necessity, put a prisoner in irons or under other mechanical restraint, and that it is necessary that the prisoner be so kept for more than 24 hours, they may authorize the detention by order in writing, which shall specify the cause thereof and the time during which the prisoner is to be so kept.

253. The Visiting Committee shall furnish such information with respect to the offences reported to them, and the punishments they award, as may from time to time be required by His Majesty's Minister.

254. They shall hear and investigate any complaint which any prisoner may desire to make to them; and, if necessary, communicate the same, with their opinion, to the Consul-General.

255. They shall attend to any report which they receive as to the mind or body of any prisoner being likely to be injured by the discipline or treatment to which he is subjected, and shall communicate their opinion to the Consul-General. If the case is urgent, they shall give such directions thereon as they deem expedient, communicating the same to the Consul-General.

256. They shall frequently inspect the diets of the prisoners, and if they find that the quality of any article does not fulfil the terms of the contract under which it is supplied, they shall report the circumstances to the Consul-General and note the same in their minute book, and the head constable shall thereupon take such steps as may be immediately necessary to provide the prisoners with suitable food.

257. They may inspect any of the books of the prison.

258. They may, on application from any prisoner, dispense with his attendance at divine service on Sundays and other days.

259. They may, in any case of special importance or urgency, allow a prisoner an additional visit or letter, or prolong the period of a visit.

260. They shall assist the Consul-General with advice and suggestions as to the industrial employment and occupation of prisoners.

261. They shall assist the Consul-General in the selection of library books for the use of prisoners.

262. They shall exercise supervision in carrying out the rules for the treatment of juvenile and unconvicted prisoners.

263. They shall inquire into the state of the prison buildings, and communicate with the Consul-General with respect to any repairs or additions which may appear to them to be necessary.

264. They shall inquire into the condition of prison labour, whether the industrial employments provided are sufficient and of the kind most suitable for preparing prisoners for earning their livelihood on release.

265. They shall make an annual report at the beginning of each year to His Majesty's Minister with regard to all or any of the matters referred to in these rules, or to any other matters
No. 160.]  GREAT BRITAIN.  [Feb. 9, 1906.

[Shanghai Prison Regulations.]

appertaining to the prison that they may deem it expedient to report upon; and they shall, from time to time, make such reports to His Majesty's Minister or such communications to the Consul-General as they consider necessary.

266. They shall, before granting any permission which by the prison rules they are authorized or required to grant, satisfy themselves that it can be granted without interfering with the security, good order, and government of the prison and prisoners therein, and if, after it has been granted, its continuance seems likely to cause any such interference, or the prisoner has abused the permission, or has been guilty of any misconduct, they may suspend or withdraw the permission.

267. They are requested to give such assistance as may be in their power towards securing the proper disposal of any gratuities which may be earned by prisoners. They may direct how such gratuities are to be paid in order that they may not be misapplied.

268. The Visiting Committee shall also discharge such other duties as are assigned to them in the special rules for special classes of prisoners and in the general rules for the government of the prison.

Approved,

E. GREY.

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

Foreign Office, London,
February 9, 1906.


1. Prisoners shall preserve silence.

2. They shall not communicate, or attempt to do so, with one another, or with any strangers or others who may visit the prison.

3. They shall obey such regulations as regards washing, bathing, and, in the case of male prisoners, hair cutting and shaving as may from time to time be established, with a view to the proper maintenance of health and cleanliness.

4. They shall keep their cells, utensils, clothing, and bedding clean and neatly arranged; and shall, when required, clean and sweep the yards, passages, and other parts of the prison.

5. If any prisoner has any complaint to make regarding the diet, it must be made immediately after a meal is served. Frivolous and groundless complaints repeatedly made, will be dealt with as a breach of prison discipline.

6. A prisoner may, if required for purposes of justice, be photographed and measured on reception and subsequently.

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7. Gratuities earned by prisoners may be paid to them in such manner as the Visiting Committee may direct.

8. Prisoners shall attend divine service on Sundays and on other days when such service is performed, unless they receive permission to be absent. Prisoners shall not be compelled to attend the religious service of a church to which they do not belong.

9. If any prisoner who is of a religious persuasion different from that of the Established Church specially so requests, the head constable shall permit a minister of that persuasion to visit him at proper and reasonable times under regulations approved by the Consul-General.

10. The following offences committed by prisoners will render them liable to punishment:

(1.) Disobeying any order of the head constable or of any other officer, or any prison regulation.

(2.) Treating with disrespect any officer or servant of the prison, or any visitor, or any person employed in connection with the prison or works.

(3.) Being idle, careless or negligent at work, or refusing to work.

(4.) Being absent without leave from divine service or prayers.

(5.) Behaving irreverently at divine service or prayers.

(6.) Swearing, cursing, or using any abusive, insolent, threatening or other improper language.

(7.) Being indecent in language, act, or gesture.

(8.) Committing a common assault upon another prisoner.

(9.) Conversing or holding intercourse with another prisoner without authority.

(10.) Singing, whistling, or making any unnecessary noise, or giving any unnecessary trouble.

(11.) Leaving his cell or other appointed location, or his place of work, without permission.

(12.) In any way disfiguring or damaging any part of the prison or any article to which he may have access.

(13.) Committing any nuisance.

(14.) Having in his cell or possession any article he is not allowed to have.

(15.) Giving to or receiving from any prisoner any article whatever without leave.

(16.) In any other way offending against good order and discipline.

(17.) Attempting to do any of the foregoing things.

(18.) Personal violence to a fellow prisoner.

(19.) Grossly offensive or abusive language to any officer or servant of the prison.

(20.) Wilfully or wantonly breaking the prison windows, or otherwise destroying the prison property.
(21.) When under punishment, wilfully making a disturbance tending to interrupt the order and discipline of the prison.

(22.) Any other act of gross misconduct or insubordination requiring to be suppressed by extraordinary means.

(23.) Escaping or attempting to escape from prison.

11. The following offences committed by male prisoners convicted of felony or sentenced to hard labour will render them liable to confinement or dietary punishment:—

(1.) Mutiny or incitement to mutiny.

(2.) Gross personal violence to any officer or servant of the prison.

12. Prisoners may, if they desire, have an interview with the head constable, to make complaints or prefer requests; and he shall redress any grievance, or take such steps as may seem necessary.

13. Any prisoner wishing to see a member of the Visiting Committee shall be allowed to do so on the occasion of his next occurring visit to the prison.

Annex II.—Dietaries.

1. The diets of convicted prisoners, except those named in Sections 3, 4, 6, and 7, shall be as follows:—

   **Diet A.**—Per diem: Bread, 1½ lbs.; tea, ½ oz.; sugar, 2 ozs.; water, unlimited.

   **Diet B.**—Per diem: Bread, 1½ lbs.; tea, ½ oz.; sugar, 2 ozs.; beef, 8 ozs.; rice and soup, 1½ pints; vegetables, 8 ozs.; salt, 1½ ozs.

2. The terms to which the above diets shall be severally applied shall be those set forth in the following table:—

<table>
<thead>
<tr>
<th>Term</th>
<th>Diet A</th>
<th>Diet B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seven days and under</td>
<td>Whole term.</td>
<td></td>
</tr>
<tr>
<td>More than seven days</td>
<td>Seven days</td>
<td>Remainder of term</td>
</tr>
</tbody>
</table>

3. The diet for special classes of prisoners, viz.:

   (a) Prisoners on remand or awaiting trial who do not maintain themselves;

   (b) Offenders of the first division who do not maintain themselves;

   (c) Debtors;

   shall be Diet B.

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4. The diet for ill-conducted or idle prisoners—
   a) When given for a period of three days or less shall consist of—
      1 lb. bread per diem with water.
   (b) When given for more than three days it shall consist of—
      (1) 1 lb. bread per diem with water;
      (2) Diet B;
      for alternate and equal periods of three days.
   (c) The duration of time for which this diet may be ordered shall not exceed 15 days for any single term.
   (d) No task of labour shall be enforced on any one of the days on which bread and water constitute the sole food supplied to the prisoner, who may nevertheless be allowed the option of performing suitable labour in the cell.
   (e) No prisoner who has been upon this diet shall be again placed upon it for a fresh offence until an interval has elapsed equal to the period passed by the prisoner on this diet.

5. For any offence with which the head constable is competent to deal, he may order a prisoner to be punished by the diet for ill-conducted and idle prisoners for a period not exceeding 24 hours.

6. The diet of any individual prisoner, not being a patient in the infirmary, may be increased or altered, as for instance in the case of an Asiatic prisoner who may be put on Asiatic diet, or in the case of any prisoner persistently wasting his food who may have his diet reduced on the written recommendation of the medical officer.

7. Hospital diets for sick prisoners shall be prescribed by the medical officer.


The following Regulation made by His Majesty's Minister, and declared to be urgent, is published for general information.

J. N. JORDAN.

His Britannic Majesty's Minister.

Peking, October 12, 1906.


[No. 1 of 1906.]

WHEREAS certain British subjects are now and may hereafter be serving in the Shanghai Municipal Police under contract with the

* See page 884 (No. 158).
Shanghai Municipal Council, and it is expedient that provision be made for the order and good government of such British subjects who are not at the present time subject to discipline;

And whereas, in consequence of a large number of Sikhs serving in the said Municipal Police having recently refused duty, it is urgently needed to make provision in the premises.

The following King's Regulation is made and declared to be urgent:—

1. Any person who disobeys the lawful command of his superior officer; or
2. Any person who deserts or attempts to desert the service of the Shanghai Municipal Police; or
3. Any person who by any means whatsoever procures or persuades any person serving in the Shanghai Municipal Police to desert, shall be guilty of a breach of this Regulation, and shall be liable to punishment as for a breach of a King's Regulation.
4. This Regulation may be cited as "The Shanghai Municipal Police Regulation, 1906."

J. N. JORDAN.
His Britannic Majesty's Minister.

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(No. 162.) REGULATIONS respecting Quarantine at Newchwang.
Peking, 15th October, 1906.

Notice.

The following Regulations made by His Majesty's Minister, and hereby declared to be urgent, are published for general information.

J. N. JORDAN.
His Britannic Majesty's Minister.

Peking, October 15, 1906.

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KING'S REGULATIONS under Article 155* of "The China and Corea Order in Council, 1904."

[No. 2 of 1906.]

Quarantine at Newchwang.

1. WHEN any infectious disease is known to be prevalent at any port, from which vessels may be expected to arrive at Newchwang, the Administration† will, with the concurrence of the Treaty Power Consuls, issue a Proclamation declaring such place infected, and shall put in force the following Regulations:—

2. Any vessel coming from an infected port either direct or via Chefoo, even if ten days or more have passed since leaving an in-

* See page 884 (No. 156).
† "Administration" altered to "Superintendent of Customs" by Regulation of 12th March, 1907 (No. 170).
REGULATIONS respecting Veto by His Majesty's Consuls on Action of British Municipal Councils in China.

Peking, 2nd January, 1907.

Notice.
The following Regulations, made by me and allowed by His Majesty the King, are published for general information.

J. N. JORDAN,
His Majesty's Minister.

Peking, January 2, 1907.

KING'S REGULATIONS under Article 155* of "The China and Corea Order in Council, 1904."

[No. 1 of 1907.]

Veto by His Majesty's Consuls on action of British Municipal Councils in China.

1.-(i) When, in the opinion of the Consul, any action by the Municipal Council is liable to impair the friendly relations subsisting between His Majesty's Government or British subjects on the one hand, and the Chinese Government or local authorities or Chinese subjects on the other, he may by writing under his hand:

(a) Call upon the Municipal Council for an explanation of their action.

(b) Veto any such action on the part of the Municipal Council, either at once, or after such explanation has been furnished to him.

The Municipal Council shall on such demand forthwith furnish to the Consul the required explanation, and, upon communication to them of the veto on their action, forthwith discontinue such action.

(ii) When the Consul has imposed a veto on any action of the Municipal Council he shall forthwith report the whole matter to the Minister, and the Municipal Council, if aggrieved by the action of the Consul, may appeal to the Minister.

(iii) The Minister may at any time revoke or vary the decision of the Consul, or may take such action in the matter as to him seems desirable.

Pending the decision of the Minister, the Municipal Council shall be bound by the veto imposed by the Consul.

2. The Municipal Council shall allow the Consul to inspect any documents they may have in their possession, and shall furnish him with copies of such documents as he may specify.

3. This Regulation shall apply to all British Municipal Councils established in China.

4. These Regulations may be cited as "The Veto by His Majesty's Consuls' Regulations, 1907."

J. N. JORDAN.

Allowed: E. GREY.

* See page 884 (No. 156).