

## GOVERNMENT NOTIFICATION. —No. 414.

The following Circular Despatch with its enclosures is published for general information.

By Command,

F. H. MAY,  
*Acting Assistant Colonial Secretary.*

Colonial Secretary's Office, Hongkong, 5th October, 1889.

## CIRCULAR.

DOWNING STREET,  
13th August, 1889.

SIR,—I have the honour to transmit to you, for publication in the Colony under your government, a copy of an Order of the Queen in Council of the 23rd ultimo, revoking the Order in Council of the 26th day of June, 1873, respecting the tonnage measurement of German vessels, and substituting other provisions for the same.

I have the honour to be,

Sir,

Your most obedient humble Servant,

KNITSFORD.

*The Officer Administering the Government of*

HONGKONG.

AT THE COURT AT OSBORNE HOUSE, ISLE OF WIGHT,

The 23rd day of July, 1889.

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the Merchant Shipping Act Amendment Act, 1862, it is enacted that whenever it is made to appear to Her Majesty that the Rules concerning the measurement of tonnage of Merchant Ships for the time being in force under the principal Act have been adopted by the Government of any foreign country, and are in force in that country, it shall be lawful for Her Majesty by Order in Council to direct that the Ships of such foreign country shall be deemed to be of the tonnage denoted in their Certificates of Registry or other national papers, and thereupon it shall no longer be necessary for such Ships to be re-measured in any port or place in Her Majesty's dominions, but such Ships shall be deemed to be of the tonnage denoted in their Certificates of Registry or other papers in the same manner, to the same extent, and for the same purposes in, to, and for which the tonnage denoted in the Certificates of Registry of British Ships is to be deemed the tonnage of such Ships:

And whereas by the Merchant Shipping Act, 1876, it is enacted that "where Her Majesty has power under the Merchant Shipping Act, 1854, or any Act passed or hereafter to be passed amending the same to make an Order in Council, it shall be lawful for Her Majesty from time to time to make such Order in Council, and by Order in Council to revoke, alter, or add to any Order so made."

And whereas it was made to appear to Her Majesty that the Rules concerning the measurement of tonnage of Merchant Ships in force under the Merchant Shipping Act, 1854, had been adopted by the Government of His Majesty the German Emperor, with the exception of a difference in the mode in certain Steamers of estimating the allowance for engine room, and such rules were in force in that country and came into operation on the 1st day of January, 1873:

And whereas by Order in Council dated the 26th day of June, 1873, Her Majesty was pleased to direct as follows :

1. As regards Sailing Ships, that Merchant Sailing Ships of the said German Empire the measurement whereof should, after the said 1st day of January, 1873, have been ascertained and denoted in the registers and other national papers of such Sailing Ships testified by the date thereof should be deemed to be of the tonnage denoted in such registers and other national papers in the manner and to the same extent and for the same purpose in, to, and for which the tonnage denoted in the Certificate of Registry of British Sailing Ships is deemed to be the tonnage of such Ships.
2. As regards Steam Ships, that Merchant Ships belonging to the said German Empire which are propelled by Steam, or any other power requiring engine room, the measurement whereof should, after the said 1st day of January, 1873, have been ascertained and denoted in the registers and other national papers of such Steam Ships testified by the dates thereof, should be deemed to be of the tonnage denoted on such registers or other national papers in the same manner and to the same extent, and for the same purpose in, to, and for which the tonnage denoted in the Certificate of Registry of British Ships is deemed to be the tonnage of such Ships. Provided nevertheless, that should the owner or master of any such German Steam Ship desire the deduction for engine room in his ship to be estimated under the rules for engine-room measurement and deduction applicable to British Ships instead of under the German rule, the engine room should be measured and the deduction calculated according to the British rules.

And whereas it has been made to appear to Her Majesty that a new Imperial Ordinance, which came into operation on the 20th day of June, 1888, stipulates that the owners of German Steamships may have the net tonnage of their vessels calculated according to British as well as according to German rules, and shall have issued to them a separate Certificate to be used in Foreign Countries, showing the net tonnage calculated according to British rules :

And whereas it has been made to appear desirable to Her Majesty that the provisions of the said recited Order in Council of the 26th day of June, 1873, should be revoked, and a new Order in Council made and substituted in lieu thereof :

NOW, THEREFORE, Her Majesty, in virtue of the powers vested in Her by the said recited Acts, and by and with the advice of Her Privy Council, is pleased to direct that the said recited Order of the 26th day of June, 1873, shall be and the same is hereby revoked, and in lieu thereof, and in substitution therefor, Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows :—

1. As regards Sailing Ships, that Merchant Sailing Ships of the said German Empire, the measurement whereof after the said 1st day of January, 1873, has been ascertained and denoted in the registers and other national papers of such Sailing Ships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers in the same manner and to the same extent, and for the same purpose in, to, and for which the tonnage denoted in the Certificate of Registry of British Sailing Ships is deemed to be the tonnage of such Ships.
2. As regards Steamships, that Merchant Ships belonging to the said German Empire, which are propelled by steam or any other power requiring engine room, the measurement whereof shall, after the said 1st day of January, 1873, have been ascertained and denoted in the registers and other national papers of such Steamships, testified by the dates thereof shall be deemed to be of the tonnage denoted on such registers or other national papers in the same manner and to the same extent, and for the same purpose in, to, and for which the tonnage denoted in the Certificate of Registry of British Ships is deemed to be the tonnage of such Ships. Provided, nevertheless, that if the Owner or Master of any such German Steamship desires the deduction for engine room in his Ship to be estimated under the rules for engine room measurement and deduction applicable to British Ships instead of under the German rule, the engine room shall be measured and the deduction calculated according to the British rules; and that, in the event of any such Steamship possessing a Certificate of Tonnage or other national paper issued as aforesaid on or after the 20th day of June, 1888, denoting the net registered tonnage of such Ship under the British rules, the Ship shall be deemed to be of the tonnage so denoted thereon.

C. L. PEEL.