



Hong Kong  
General Chamber of Commerce

Report  
For The Year  
1909

REPORT

OF THE

GENERAL COMMITTEE

OF THE

Hongkong General Chamber of Commerce

FOR THE

Year ending 31st December, 1909.

PRESENTED TO THE MEMBERS

AT THE

ANNUAL MEETING HELD ON 31st JANUARY, 1910.

HONGKONG:

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1910.

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## COMMITTEE, 1910.

HON. MR. E. A. HEWETT, <i>Chairman.</i>	
HON. MR. W. J. GRESSON, <i>Vice-Chairman</i>	MR. D. R. LAW
MR. A. BABINGTON	MR. E. SHELLIM
MR. J. W. BANDOW	MR. J. R. M. SMITH
MR. J. W. C. BONNAR	MR. H. A. SIEBS
	MR. H. E. TOMKINS
MR. E. A. M. WILLIAMS, <i>Secretary.</i>	

## ARBITRATION COMMITTEE, 1910.

MR. J. W. C. BONNAR	MR. H. A. SIEBS
MR. J. W. BANDOW	MR. E. SHELLIM
MR. D. R. LAW	MR. H. E. TOMKINS

## CORRESPONDING COMMITTEE, 1910.

THE CHAIRMAN	MR. A. BABINGTON
THE VICE-CHAIRMAN	MR. J. R. M. SMITH

## LIST OF MEMBERS, 1910.

1 MR. FERD. BORNEMANN	11 MR. ELLIS KADOORIE
2 SIR C. P. CHATER, C.M.G.	12 " G. P. LAMMERT
3 MR. A. M. ESSABHOY	13 " A. R. MARTY
4 " FUNG WA CHUEN	14 " J. R. MICHAEL
5 " A. G. GORDON	15 SIR H. N. MODY
6 " C. L. GORHAM	16 MR. H. M. H. NEMAZEE
7 " GEO. GRIMBLE	17 DR. J. W. NOBLE
8 " HO FOOK	18 MR. H. E. POLLOCK, K.C.
9 " HO TUNG	19 MR. M. S. SASSOON
10 DR. G. P. JORDAN	20 " F. P. TALATI
21 MESSRS. AAGAARD, THORESEN	50 MESSRS. JORGE & Co.
22 " A. V. APCAR & Co. [& Co.]	51 " E. S. KADOORIE & Co.
23 " ARNHOLD, KARBERG	52 " KRUSE & Co.
24 " BANKER & Co. [& Co.]	53 " DOUGLAS, LAPRAIK & Co.
25 " BARRETTO & Co.	54 " LANE, CRAWFORD & Co.
26 " F. BLACKHEAD & Co.	55 " LOWE, BINGHAM & MATTHEWS
27 " BRADLEY & Co.	56 " LINSTEAD & DAVIS
28 " BRUTTON & HETT	57 " W. R. LOXLEY & Co.
29 " BUTTERFIELD & SWIRE	58 " D. MACDONALD & Co.
30 " CALDBECK, MACGREGOR & Co.	59 " McEWEN, FRICKEL & Co.
31 " CARLOWITZ & Co.	60 " MELCHERS & Co.
32 " CAWASJEE, PALANJEE	61 " Wm. MEYERINK & Co.
33 " CRUZ BASTO & Co. [& Co.]	62 " MING KEE HONG
34 " DADY BURJOR & Co.	63 " N. MODY & Co.
35 " S. J. DAVID & Co.	64 " E. PABANEY & Co.
36 " DEACON, LOOKER & DEACON	65 " PERCY SMITH & FLEMING
37 " DENNYS & BOWLEY	66 " RADECKER & Co.
38 " EWENS & HARSTON	67 " REISS & Co.
39 " GARRELS, BORNER & Co.	68 " REUTER, BROCKELMANN & Co.
40 " GIBB, LIVINGSTON & Co.	69 " H. ROBITSEK & REIS
41 " GILMAN & Co.	70 " ALEX. ROSS & Co.
42 " GODDARD & DOUGLAS	71 " ROZARIO & Co.
43 " HEUSER, EBERIUS & Co.	72 " SANDER, WIELER & Co.
44 " HUGHES & HOUGH	73 " E. D. SASSOON & Co.
45 " J. D. HUMPHREYS & SON	74 " SCHULDT & Co.
46 " W. G. HUMPHREYS & Co.	75 " SHEWAN, TOMES & Co.
47 " J. D. HUTCHISON & Co.	76 " SIEMSEN & Co.
48 " JEBSEN & Co.	
49 " JOHNSON, STOKES & MASTER	

## LIST OF MEMBERS,—Continued.

77 MESSRS. H. SKOTT & Co.	81 MESSRS. WALLEM & Co.
78 " SOARES & Co.	82 " WENDT & Co.
79 " STEWART BROS.	83 " HARRY WICKING & Co.
80 " VERNON & SMYTH	84 " YUEN HOP HONG

85 AGENCY	} PACIFIC MAIL STEAMSHIP Co. OCCIDENTAL & ORIENTAL S.S. Co. TOYO KISEN KAISHA
86 ASIATIC PETROLEUM Co., Ltd. OF LONDON	
87 BANQUE DE L'INDO-CHINE	
88 BRITISH-AMERICAN TOBACCO COMPANY, LIMITED	
89 CANADIAN PACIFIC RAILWAY COMPANY, LIMITED	
90 CANTON INSURANCE OFFICE, LIMITED	
91 CHARTERED BANK OF INDIA, AUSTRALIA & CHINA	
92 CHINA EXPORT, IMPORT AND BANK Co.	
93 CHINA FIRE INSURANCE COMPANY, LIMITED	
94 CHINA & JAPAN TELEPHONE & ELECTRIC Co., Ltd.	
95 CHINA & MANILA STEAMSHIP COMPANY, LIMITED	
96 CHINA MERCHANTS' STEAM NAVIGATION COMPANY	
97 CHINA SUGAR REFINING COMPANY, LIMITED	
98 CHUN ON FIRE INSURANCE COMPANY LIMITED	
99 COMPAGNIE DES MESSAGERIES MARITIMES	
100 DAVID SASSOON & COMPANY, LIMITED	
101 DEUTSCHE ASIATISCHE BANK	
102 DODWELL & COMPANY, LIMITED	
103 EASTERN EXTENSION, AUSTRALASIA & CHINA TELEGRAPH	
104 FIRE INSURANCE ASSOCIATION OF HONGKONG [Co., Ltd.]	
105 GREEN ISLAND CEMENT COMPANY, LIMITED	
106 HAMBURG-AMERIKA LINIE	
107 H. PRICE & Co., Ltd.	
108 HOLLAND-CHINA TRADING Co.	
109 HONGKONG, CANTON & MACAO STEAMBOAT COMPANY,	
110 HONGKONG & CHINA GAS COMPANY, LIMITED [LIMITED]	
111 HONGKONG ELECTRIC COMPANY, LIMITED	
112 HONGKONG & CHINA SHOE FACTORY, LIMITED	
113 HONGKONG FIRE INSURANCE COMPANY, LIMITED	
114 HONGKONG & KOWLOON WHARF & GODOWN COMPANY, LTD.	
115 HONGKONG LAND INVESTMENT & AGENCY COMPANY, LTD.	
116 HONGKONG ROPE MANUFACTURING COMPANY, LIMITED	
117 HONGKONG & SHANGHAI BANKING CORPORATION	
118 HONGKONG & WHAMPOA DOCK COMPANY, LIMITED	
119 INTERNATIONAL BANKING CORPORATION	
120 JARDINE, MATHESON & Co., Ltd.	
121 JAVA-CHINA-JAPAN I I J N	
122 MARINE INSURANCE ASSOCIATION OF HONGKONG	
123 MERCANTILE BANK OF INDIA, LIMITED	
124 MITSUI BUSSAN KAISHA LIMITED	
125 NEDERLANDSCHE HANDEL-MAATSHAPPIJ (NETHERLANDS TRADING SOCIETY)	
126 NEDERLANDSCH INDISCHE HAEDELSBANK (NETHERLANDS INDIA COMMERCIAL BANK)	
127 NATIONAL BANK OF CHINA, LIMITED	
128 NIPPON YUSEN KAISHA	
129 OSAKA SHO-EN KAISHA	
130 PENINSULAR & ORIENTAL STEAM NAVIGATION COMPANY	
131 RUSSO-CHINESE BANK	
132 SHIU ON STEAM-SHIP COMPANY, LIMITED	
133 SPERRY FLOUR COMPANY OF SAN FRANCISCO	
134 STANDARD OIL COMPANY OF NEW YORK	
135 TAI SHING PAPER MANUFACTURING COMPANY, LIMITED	
136 UNION INSURANCE SOCIETY OF CANTON, LIMITED	
137 VACUUM OIL COMPANY	
138 WILKINSON, HEYWOOD & CLARKE, LIMITED	
139 WILLIAM C. JACK & Co., Ltd.	
140 YOKOHAMA SPECIE BANK, LIMITED	

## OFFICERS OF THE HONGKONG GENERAL CHAMBER OF COMMERCE.

From date of Formation in 1861 to 1910.

Year.	Chairman	Vice-Chairman.	Secretary.
1861	Alexander Percival	W. Walkinshaw	J. Johnson.
1862	James Macandrew	C. W. Murray	J. C. Baldwin.
1863	J. J. Mackenzie	C. F. Still	J. C. Baldwin.
1864	H. B. Gibb	H. B. Lemann	J. C. Baldwin.
1865	H. B. Lemann	H. B. Gibb	J. C. Baldwin.
1866	John Dent	P. Ryrie	Edward Norton.
1867	P. Ryrie	W. Nissen	Edward Norton.
1868	P. Ryrie	G. J. Helland	J. W. Wood.
1869	W. J. Bryans	G. J. Helland	J. W. Wood.
1870	W. Keswick	J. B. Taylor	A. Noel Blakeman.
1871	P. Ryrie	A. Zimmern	A. Noel Blakeman.
1872	P. Ryrie	L. Kahn	Ed. Baker, Acting.
1873	P. Ryrie	L. Kahn	A. Noel Blakeman.
1874	P. Ryrie	James Greig	A. Noel Blakeman.
1875	P. Ryrie	James Greig	A. Noel Blakeman.
1876	P. Ryrie	W. Keswick	N. B. Dennys.
1877	W. Keswick	H. H. Nelson	H. L. Dennys.
1878	W. Keswick	H. L. Dalrymple	E. George.
1879	W. Keswick	H. H. Nelson	E. George.
1880	W. Keswick	H. H. Nelson	E. George.
1881	W. Keswick	P. Ryrie	E. George.
1882	F. B. Johnson	H. L. Dalrymple	E. George.
1883	F. B. Johnson	P. Ryrie	E. George.
1884	W. Keswick	P. Ryrie	H. M. Baily.
1885	W. Keswick	P. Ryrie	H. M. Baily.
1886	P. Ryrie	A. P. MacEwen	H. M. Baily.
1887	P. Ryrie	A. P. MacEwen	H. U. Jeffries.
1888	P. Ryrie	J. Bell Irving	H. U. Jeffries.
1889	P. Ryrie	J. Bell Irving	F. Henderson.
1890	E. Mackintosh	A. P. MacEwen	F. Henderson.
1891	E. Mackintosh	J. J. Keswick	F. Henderson.
1892	E. Mackintosh	J. J. Keswick	Adam Lind, Acting.
1893	J. J. Keswick	A. G. Wood	F. Henderson.
1894	J. J. Keswick	E. Mackintosh	F. Henderson.
1895	A. G. Wood	A. McConachie	F. Henderson.
1896	A. McConachie	Herbert Smith	R. C. Wilcox.
1897	R. M. Gray	Herbert Smith	R. C. Wilcox.
1898	R. M. Gray	Herbert Smith	R. C. Wilcox.
1899	R. M. Gray	A. McConachie	R. C. Wilcox.
1900	R. M. Gray	J. J. Keswick	R. C. Wilcox.
1901	Sir Thomas Jackson	C. S. Sharp	R. C. Wilcox.
1902	C. S. Sharp	E. A. Hewett	A. R. Lowe.
1903	E. A. Hewett	D. R. Law	A. R. Lowe.
1904	E. A. Hewett	D. R. Law	A. R. Lowe.
1905	E. A. Hewett	A. G. Wood	A. R. Lowe.
1906	E. A. Hewett	A. G. Wood	A. R. Lowe.
1907	E. A. Hewett	A. G. Wood	A. R. Lowe.
1908	E. A. Hewett	A. G. Wood	E. A. M. Williams.
1909	E. A. Hewett	J. R. M. Smith	E. A. M. Williams.
1910	E. A. Hewett	J. R. M. Smith	A. R. Lowe, Acting.

## CHAMBER'S REPRESENTATIVES IN LEGISLATIVE COUNCIL.

<i>Date of Election.</i>	<i>Name of Representative.</i>	<i>How Elected.</i>
1884	Thomas Jackson.....	Elected 2nd January.
1886	Alexander Palmer MacEwen ...	Elected 27th April, Mr. Jackson on leave.
1887	Alexander Palmer MacEwen ...	Elected 17th September, on retirement of Mr Jackson.
1888	Bendyshe Layton .....	Elected 22nd May, Mr. MacEwen on leave.
1890	Thomas Henderson Whitehead..	Elected 18th September, on resignation of Mr. MacEwen.
1894	Alexander McConachie.....	Elected 9th June, Mr. Whitehead on leave.
1896	Thomas Henderson Whitehead..	Re-elected 19th September, on expiry of term.
1900	Herbert Smith.....	Elected 30th April, Mr. Whitehead on leave.
1900	John Thurburn.....	Elected 18th June, on resignation of Mr. H. Smith.
1901	Thomas Henderson Whitehead..	Returned from leave, 12th July, 1901.
1902	Robert Gordon Shewan .....	Elected 5th June, Mr. Whitehead on leave.
1902	Robert Gordon Shewan .....	Elected 3rd October, on expiry of term.
1903	Henry Edward Pollock, K.C.....	Elected on 12th August, Mr. Shewan on leave.
1904	Robert Gordon Shewan .....	Returned from leave, 12th July, 1904.
1906	Edbert Ansgar Hewett .....	Elected 26th April, Mr. Shewan resigned.
1908	Murray Stewart.....	Elected 17th March, Mr. Hewett on leave.
1908	Edbert Ansgar Hewett .....	Returned from leave, 15th October, 1908.

## RULES AND REGULATIONS.

(CONFIRMED AT THE ANNUAL GENERAL MEETING HELD 19TH MAY, 1903.)

I. The Society shall be styled "The Hongkong Chamber of Commerce."

II. The objects of the Chamber shall be to watch over and protect the general interests of Commerce, to collect information on all matters of interest to the Mercantile Community, and to use every means within its power for the removal of evils, the redress of grievances, and the promotion of the common good; to communicate with Authorities and others thereupon; to form a code of practice whereby the transaction of business may be simplified and facilitated; to receive references, and to arbitrate between disputants—the decisions in such references to be recorded for future use or guidance.

III. All Mercantile Firms, and persons engaged or interested in the trade of Hongkong or China, shall be eligible for admission as Members in the manner hereafter described, and on payment of \$50 for Firms, and \$20 for single individuals for the current year of their election, and a like annual subscription thereafter, payable on 1st January.

IV. Candidates for admission must be proposed by one Member, and seconded by another, and elected at the Annual General Meetings by a majority of the votes of the Members there present entitled to vote. They may also be elected by the Committee in the interval between such Annual General Meetings, but subject to confirmation at the next Annual General Meeting.

V. The business and funds of the Chamber shall be managed by the Committee.

VI. The Committee shall consist of ten Members, to be elected at the Annual Meeting of the Chamber, and shall hold Office for one year. Vacancies occurring during the year shall be filled up by the Committee.

The Committee shall enter upon office as soon as the Annual Meeting has been held, and shall remain in office until their report and accounts have been accepted and passed by the Chamber and their successors assume office.

At their first meeting the new Committee shall elect a Chairman and Vice-Chairman, who shall hold office for the year.

VII. In the event of the Representative of the Chamber of Commerce in the Legislative Council not being a member of the Committee, he shall, ex officio, have a seat on the Committee.

Committee Meetings.

VIII. The Committee shall meet at least once a month (on such day as may be fixed) for the transaction of business, and at other times when summoned by the Chairman, or in his absence by the Vice-Chairman. The proceedings to be laid on the table for the inspection of members, subject to such regulations as the Committee may consider expedient. In case of the non-attendance of the Chairman and Vice-Chairman, a chairman shall be chosen by the Members of the Committee present.

IX. At Meetings of the Committee, four Members shall form a quorum, and in case of an equality in voting the Chairman shall have a casting vote in addition to his own.

Sub-Committees.

X. The Committee shall have power to appoint Sub-Committees for such purposes as may be deemed advisable.

By-laws.

XI. The Committee shall have power to frame By-laws, which shall at once come into force, but must be presented for confirmation at the next ensuing General Meeting of the Chamber; and after such confirmation, such By-laws shall be binding on all Members equally with these Rules.

XII. The Funds of the Chamber shall be paid into one of the Banks under an account to be opened by the Committee, and may be invested in such manner as may be considered advisable.

Accounts.

XIII. All cheques shall be signed by the Secretary of the Chamber, and countersigned by the Chairman, or Vice-Chairman, or in their absence by one of the Committee. All disbursements shall be sanctioned by the Committee at their ordinary Meetings.

An Account, duly audited by two Members of the Chamber, shall be laid before the Annual General Meeting.

XIV. A Yearly Report of the proceedings shall be prepared, which, after being approved at the Annual General Meeting, shall be printed and circulated. Annual Report.

XV. A paid Secretary shall be appointed by the Committee, such appointment to be subject to confirmation at the next ensuing Annual General Meeting. Secretary.

XVI. The Annual General Meeting of the Chamber shall be held in the month of February (or as soon thereafter as may be convenient) of each year for the purpose of receiving the Committee's Report, of examining and passing the Accounts of the previous year, of electing the Committee for the ensuing year, and of transacting general business. Annual and Special General Meetings.

All important questions affecting the Port, and its commercial relations with the Empire of China, or with other States, may be discussed at the Annual Meetings or at Special General Meetings convened for the purpose in the manner provided for by Rule 17.

XVII. The Committee may, whenever they think fit, or shall upon a requisition made in writing signed by at least five Members of the Chamber, convene an Extraordinary General Meeting of the Chamber. Any such requisition shall state the objects of the Meeting proposed to be held, and upon receipt of such requisition the Committee shall forthwith call an Extraordinary General Meeting to be held within ten days subsequent to the receipt of such requisition. Extraordinary General Meetings.

XVIII. At least five days' notice, either by Advertisement or printed Circular, shall be given of each Annual or Extraordinary General Meeting, and in the case of the latter the notice shall state the nature of the business for which the Meeting is called.

XIX. No business shall be transacted at any General Meeting unless there be personally present at the time the Meeting proceeds to business ten or more Members. Quorum.

XX. Voting by Proxy, or by Members whose subscriptions are in arrear, shall not be allowed, nor shall more than one Member of the same Firm be entitled to vote for such Firm on the same occasion. Voting.

XXI. In the absence from the Colony of all the partners in a Firm, their representative by Power of Attorney shall be entitled to vote.

Expulsion of  
Member.

XXII. In case the conduct of any Member shall in the opinion of the Committee be injurious to the character or interests of the Chamber, the Committee may, after due enquiry, and after opportunity of making his defence has been afforded to such Member, pass a Resolution for the expulsion of such Member from the Chamber, and such Resolution shall take effect after it has been communicated to the Members, and been passed at a General Meeting by a majority of not less than two-thirds of those present and qualified to vote at such Meeting.

Alteration  
of Rules.

XXIII. The Rules of the Chamber shall not be repealed, added to, or altered except by a majority of Members present at a General Meeting (called for that purpose) and after at least ten days' notice has been given of the proposed changes.

XXIV. The Rules and By-laws shall be printed and a copy thereof shall be furnished to every Member.

## BY-LAWS.

(CONFIRMED AT THE ANNUAL GENERAL  
MEETING HELD 19TH MAY, 1903.)

I. The Office shall be open daily from noon to one o'clock p.m., when the Secretary shall be in attendance, and ready to communicate with any Member requiring information or access to the Records of the Chamber. Office hours.

II. The Secretary shall attend all Meetings (including those of the Arbitration Committee, if required), keep a journal of all proceedings, take charge of all documents, keep the accounts of the Chamber, collect Subscriptions and obtain Statistics of Trade, prepare Statements of Trade, conduct and keep copies of correspondence, and attend to such other duties as may be required by the Committee. Secretary's duties.

III. All communications shall be received and answered through the Chairman, Vice-Chairman, or Secretary. Corresponding.

IV. No documents belonging to the Chamber shall be removed during Office hours, nor shall any minute of its proceedings be made public without an order of the Committee. Documents not to be removed.

V. Notice of any proposition or business to be brought by Members before the Yearly General Meeting shall be given to the Secretary at least five days before the Meeting, who, in the circular or advertisement calling such Meeting, will state the business or proposition, and by whom to be brought forward. General Meeting Notice.

VI. In addition to the Subscriptions as provided for by Rule III., funds for the requirements of the Chamber may be raised in the following manner:—By the sale of statements of trade, by fees on Arbitration and References, by fees for certified copies of the Records and other Documents in the Archives of the Chamber, or for Certificates for any Commercial matters, by the issue of telegraphic or other information of general interest, and by voluntary gifts and contributions either in money, maps, books or anything which may be useful to the Society. Revenue other than Subscriptions.

Corresponding and Arbitration Committees.

VII. The Committee shall appoint every year from their number a Corresponding Committee to supervise all matters connected with the correspondence of the Chamber, and an Arbitration Committee to conduct and decide cases submitted to the arbitration of the Chamber. The functions of the Arbitration Committee shall continue so long as any business submitted to them during their period of service remains undecided.

Appointment of outside Arbitrators.

In cases of dispute relating to matters of a technical nature the Arbitration Committee may appoint one or more persons other than of their number to examine and/or arbitrate in the matter at such fee or fees as the Committee may decide.

Arbitration Fees.

VIII. Each Member of the Arbitration Committee shall be entitled to a Fee of not less than \$5, and not more than \$10 for each sitting, and the Chamber to a Fee (in addition) of not less than \$10, and not more than \$100, on every case submitted to the arbitration of the Chamber. The amount to be regulated by the Arbitration Committee, according to the importance of the case and the time occupied therein, subject to an appeal to the General Committee, whose decision on the amount shall be final.

IX. The Disputants in an Arbitration case shall be held to guarantee the fees jointly and severally to the Chamber.

Terms Arbitration Committee to enforce.

X. The Arbitration Committee shall appoint its own Chairman and confine its functions to cases when its intervention or advice is requested, and on no occasion shall it proceed with any case unless all the parties subscribe a Bond making the award a Rule of the Supreme Court. Printed forms of such Bonds, legally prepared, shall be kept for the information of Members who may have occasion to resort to the Chamber for Arbitration; and the Committee shall not arbitrate upon, nor take any cognisance of, any dispute whatever, unless one of the parties interested therein be a Member of the Chamber.

Construction of By-laws.

XI. In the event of any question as to the construction or application of these By-laws, the General Committee shall have power to decide the same, submitting the matter to the next General Meeting of the Chamber for its final decision.

RULES TO REGULATE PROCEEDINGS  
AT MEETINGS HELD FOR THE  
NOMINATION OF REPRESENTATIVES  
OF THE CHAMBER IN THE  
LEGISLATIVE COUNCIL.

(CONFIRMED AT THE ANNUAL GENERAL  
MEETING HELD 19TH MAY, 1903.)

1. On receipt of a request from the Government to nominate a representative of the Chamber in the Legislative Council, a General Meeting of the Members shall be called by the Committee, notice of which shall be given by advertisement in the public Press at least five days before the holding of such Meeting. Notice of Meeting.
2. Notice in writing of the names of Candidates, and of their proposers and seconders, to be lodged with the Secretary at least 48 hours before the time appointed for holding the General Meeting. Proposal of Candidates.
3. If only one Candidate, the Voting to be by show of hands; if more than one Candidate, the Voting to be by Ballot. Voting.
4. In the case of a Ballot, Scrutineers to be appointed by the Meeting.
5. In the case of a Ballot, a voting paper to be handed to each Member entitled to vote attending the Meeting, and when the Poll takes place, the voting papers, with the names of the Selected Candidates filled in, to be placed in a receptacle (to be indicated by the Chairman of the Meeting) at the place of Ballot; the Scrutineers (or Secretary) to register the names of the Voters as the voting papers are so deposited.
6. After a Candidate has been proposed and seconded, Members may speak to the proposal before the Meeting. Order of speeches.
7. When all the Candidates have been proposed and seconded, the Candidates may address the Meeting in the order in which their names have been submitted to the Meeting.

8. Thereafter no further addresses may be made, and the Ballot shall take place.

Result. 9. After the Scrutineers have reported in writing to the Chairman of the Meeting the result of the Ballot, the Chairman shall declare the same to the Meeting.

Case of equality of votes. 10. In the case of an equality of votes between the Candidates standing highest in the Poll, the Ballot as between these Candidates shall be held over again at a further Meeting to be called on a date to be decided on by the General Committee, such date to be not later than ten days after the first Meeting.

**SCALE OF COMMISSIONS AND BROKERAGES**

*adopted by the Hongkong General Chamber of Commerce, at the Annual General Meeting held 19th May, 1903.*

*To be charged to Buyer and Seller*

**COMMISSIONS.**

Purchasing or selling Tea, .....	2½ per cent
"    "    Raw Silk, .....	2½ "
"    "    Cotton, .....	2½ "
"    "    Opium, .....	2 "
"    "    all other Goods and Produce, .....	3 "
"    "    Ships and Landed Property, .....	5 "
"    "    Stocks and Shares, .....	1 "
Inspecting Tea, .....	2 "
"    Silk, .....	1 "
Guaranteeing Sales, .....	2½ "
"    Remittances, .....	1 "
Drawing or endorsing Bills of Exchange, .....	1 "
"    or negotiating Bills of Exchange without recourse, .....	½ "
Purchasing or realising Bullion or Bills of Exchange, .....	½ "
Remitting the Proceeds of Bullion or Bills of Exchange, .....	½ "
Paying and receiving Money in Current Account, .....	1 "
"    Ship's Disbursements, .....	2½ "
Collecting Freight, .....	2½ "
Obtaining Freight or Charter, .....	5 "
"    "    and collecting same Freight, .....	6 "
Adjusting Insurance Claims on Amount Recovered, .....	2½ "
Effecting Insurance, on the Insured Amount, .....	¼ "
Prosecuting or defending successfully Claims, either at	} 5 "
Law or by Arbitration, .....	
Prosecuting or defending unsuccessfully, .....	2½ "
Managing Estates and collecting Rents (on Gross Receipts), .....	5 "
Transshipping and forwarding Jewellery, and Bullion, .....	¼ "
Forwarding or transshipping Cargo, .....	1 "
Transshipping or forwarding Opium, .....	\$2 per chest.
Goods withdrawn or re-shipped, .....	½ Commission.
Granting Letters of Credit, .....	1 per cent.
For doing ship's business when no inward or outward	} 20 cents per Register ton.
Commission is earned, .....	

The conversion into Hongkong currency of sterling freight inward to Hongkong, payable in Hongkong, shall, unless otherwise stipulated, be made at the rate for Bank Bills on London payable on demand; and the rate ruling at the close of a mail shall be the rate applicable to such purpose during the subsequent week.

**BROKERAGES.**

Bills and Bullion, .....	½ per cent.	Payable by Seller.
Produce and General Merchandise, .....	½ "	"    "    "
Fire Arms, .....	1 "	"    "    "
For negotiating and completing Charters	} 1 "	"    "    by Ship.
and procuring Freight, .....		
For negotiating sale or purchase of Land-	} 1 "	
ed Property, .....		

THE STOCKBROKERS' ASSOCIATION OF HONGKONG.

TARIFF OF CHARGES.  
To be charged to Buyer and Seller.

<b>BANK—</b>		<b>DOCKS, WHARVES &amp; GODOWNS—Contd.</b>	
Hongkong & Shanghai	\$1.50	New Amoy Dock	20c.
National Bank of China, Ld.	35c.	Hongkong and Kowloon Wharf	50c.
<b>INSURANCES—</b>		Hong Kew Wharves	\$1.50
Canton	\$1.00	<b>COTTON MILLS—</b>	
China Fire	50c.	Ewo	50c.
China Traders'	50c.	International	50c.
Hongkong Fire	\$1.00	Laou-Kung-Mow	50c.
North China	75c.	Soychee	\$1.50
Union	\$2.00	Hongkong Cotton	10c.
Yangtze	\$1.00	<b>REFINERIES—</b>	
<b>LAND &amp; BUILDINGS—</b>		China Sugar	50c.
H.K. Land Investment	50c.	Luzon Sugar	25c.
Humphreys' Estate	10c.	<b>MISCELLANEOUS—</b>	
Kowloon Land Investment	35c.	Bell's Asbestos	10c.
West Point Building	35c.	Campbell, Moore & Co	20c.
<b>HOTELS—</b>		China Borneo	10c.
Hongkong Hotel	50c.	China Light & Power	10c.
<b>STEAMSHIPS—</b>		China Providents	10c.
Hongkong, Canton & Macao	25c.	Dairy Farm	20c.
China & Manila	20c.	George Fenwick & Co	20c.
Indo-China Preferred	35c.	Green Island Cements	15c.
Do. Deferred	25c.	Hongkong Electric	15c.
Douglas S. S. Co.	35c.	Hongkong Gas Co	50c.
Star Ferry	25c.	Hongkong Ice Co	75c.
Do. new issue	15c.	Hongkong Rope	25c.
Shell Transports	25c.	Hongkong Tramways	10c.
Union Water Boat Co	15c.	Langkats	\$2.00
<b>MINING—</b>		United Asbestos	10c.
Charbonnages	\$1.50	Do. Founders	\$1.00
Chinese Mining & Engineering	20c.	Watkins	10c.
Raubs	10c.	Watson & Co., A. S.	15c.
<b>DOCKS, WHARVES &amp; GODOWNS—</b>		William Powell	10c.
Shanghai Docks	75c.	<b>CIGAR COMPANIES—</b>	
Hongkong and Whampoa Dock	50c.	Alhambra	\$1.00
		Philippine Trust	10c.

When the Prices of Stocks fluctuate the Tariff is subject to alteration as follows:—

Present Tariff.	Stock Value.	Brokerage.	Stock Value.	Brokerage.
\$2.00	At or over \$900	the Brokerage to be \$3.00	When falling under \$700,	to be \$1.50
1.50	" 700	"	500	" 1.00
1.00	" 500	"	300	" .75
.75	" 300	"	200	" .50
.50	" 200	"	60	" .35
.35	" 60	"	50	" .25
.25	" 35	"	25	" .20
.20	" 25	"	15	" .15
.15	" 15	"	10	" .10
.10	" 12.50	"		

N.B.—This scale does not apply to non-local stocks, brokerage for which will be adjusted from time to time as occasion may demand.

By Order of the Committee,

E. J. MOSES,  
Hon. Secretary.

N.B.—This list is to come into force from this date.  
HONGKONG, 8th August, 1907.

[The above Tariff is published for general information, but is not sanctioned by the Chamber of Commerce.]

MINUTES of the Yearly General Meeting of the HONGKONG GENERAL CHAMBER OF COMMERCE, held in the old CHAMBER OF COMMERCE ROOM, CITY HALL, on Monday, the 31st January, 1910, at 4 p.m., for the purpose of receiving the Report of the Committee and passing the Secretary's Accounts for the year ending 31st December, 1909.

Present:—

HON. MR. E. A. HEWETT (Chairman), Hon. Mr. W. J. GRESSON, Messrs. A. BABINGTON, JOHN W. BANDOW, J. W. C. BONNAR, D. R. LAW, E. SHELLIM, H. A. SIEBS, J. R. M. SMITH, H. E. TOMKINS (Committee), E. A. M. WILLIAMS (Secretary), MESSRS. F. D. BARRETTO, G. BALLOCH, F. C. WILFORD, J. DOUGLAS, A. S. D. COUSLAND, C. W. HEUSER, EDGAR G. BARRETT, W. G. HUMPHREYS, F. J. HALTON, F. K. BROWNRIFF, A. G. GORDON, M. STEWART, A. M. MARSHALL.

The SECRETARY read the notice convening the Meeting.

The Minutes of the last annual meeting were confirmed.

The Chairman (Mr. Hewett) said:—Gentlemen,—The report and accounts of the Chamber of Commerce for the past year have been in your hands for some days, and I will, therefore, with your permission, take them as read.

As will be apparent from the Report, the Chamber has had, as usual, to consider a number of important questions during the past twelve months, but as most of these are old questions which have already been so fully dealt with on previous occasions, there is not much to add to what has already been recorded in the reports of this Chamber.

I will, as customary, briefly touch upon the more important points in our Report, taking them, for the sake of convenience, in the order in which they appear.

The question of Indian Immigration has, as you will have seen, been considered by the Committee, and I believe the members will all endorse the reply to the Government as here recorded. I will, however, take this opportunity of stating that the question has a far wider range. I may mention that I have not infrequently been approached on the subject of finding positions for people who believe that there are possi-

bilities of obtaining employment in the Far East. To these I have invariably given the same reply. A fully qualified professional man, if prepared to live on his own resources for a time, may eventually secure a good footing in the East, but on general principles I believe it will be agreed that there is little chance of any one with an ordinary business training finding it worth while to come to this part of the world—"seeking," as the expression is. There are, of course, as we well know, a few instances which might be pointed to, but these are the exceptions, which prove no rule can be absolutely infallible. Under ordinary circumstances it is better for a man not to come "seeking," rather that he should put himself in touch with the employers at home, and thus, if he so desires, work his way out to the East, and so make his career. If this were better understood in Europe, I believe a good deal of disappointment and failure would be averted.

The next point in our Report is the revision of the Custom Tariff of Japan. The whole question is so complex, and may be of so far-reaching a character, that the Committee felt that, as a Committee, they could not fully deal with the matter, and therefore decided the best method of doing so was to at once circulate the correspondence for the information of members, thus giving them an opportunity of putting their views before the Committee should they desire any special action taken in the matter.

This was accordingly done, but up to the present the Committee have not been approached by any merchants engaged in this branch of our trade, and we can only suppose therefore no exception can be taken to the New Tariff.

During the year under review, the Committee has felt called upon to protest against the undue imposition of quarantine against Hongkong under the circumstances as then prevailed. While the protest made had no immediate effect, we can only trust that it has directed the attention of the Authorities in surrounding territories to the very great hindrance to trade which must result from all forms of quarantine, and to, we hope, induce them to exercise greater caution in making unnecessary restrictions in this direction.

As you are already aware, the question of wireless telegraphy has been prominently brought to our notice during the past few months. This is not a matter which requires any special emphasising. The advisability, I may say, the absolute necessity, for a properly equipped station in the Colony must be apparent to us all. Such a station should, I consider, have a range of at least 1,500 miles. This would enable us to communicate direct with Singapore, Kobe, Calcutta, the Philippines, and other points in the East which are in direct trade connection with

Hongkong. While it is not the province of the Chamber of Commerce to push the interests of any individual business concern, it appears that we should no longer be dependent upon H.M. service for our wireless station, but that one should be erected independently of the Navy, and in order to make this thoroughly efficient and self-supporting, it should be conducted as a commercial undertaking, and not as a Government concern. Of course, the usual conditions would have to be imposed to preserve sovereign rights and control in time of war.

As regards shipping, this must, of course, always be a matter of the greatest moment to this Colony. During the year several questions in relation to our shipping trade have arisen, viz., the proposed Continuous Certificate of Discharge for Chinese Seamen, Proposed Light on Kapsing Island, Blowing of Steam Whistles in the Harbour, Regulations Governing the Quarantine Station at Laichikok, and Typhoon Signal Station at Tsat Tsze Mui. The Government has in each case considered the view put forward by the Committee on these points, and while some are still under consideration, in most cases has adopted the view as expressed by the Chamber and their practical advisers.

With regard to the proposal to issue Hongkong Government notes, the Committee have no objection to urge; it is reasonable that such an issue should be made, but we cannot but consider the Government has considerably underestimated the expense and work which would be incurred were such an issue made.

A very old friend of ours has again appeared before us, viz., the Limited Partnership Bill. The draft as now submitted appears to the Committee unobjectionable, but it is still a point to be argued as to whether the Bill will prove workable and have the desired effect. We understand the Committee of the Law Society now have the matter under consideration, and an expression of their views is awaited with interest.

Two important Ordinances have engaged the careful attention of the Committee, viz., the Patents Amendment Bill and the Trade Marks Bill, and the Committee are much indebted to certain gentlemen who have so ably assisted them in considering these measures. The Government have in the main adopted recommendations put forward by the Committee, and we trust that in actual practice the Bills will give the desired protection to those in whose interests they have been framed.

On a previous occasion, I have had to refer to the casual, I may say, the unthinking manner in which, at very short notice, Bank Holidays have been thrust upon us. I regret that during the year under review we have had again to complain of this. It seems incredible that certain

Government Officials do not appear to realise the great dislocation to trade and general inconvenience which may result from suddenly declaring a certain day as a Bank Holiday in this Colony when the day is a full working day with our immediate neighbours in China, Japan, the Philippines, Tongkin and elsewhere. The question has now been formally brought to the notice of the Secretary of State for the Colonies, and we trust we will have no further cause for complaint on this score.

We have had the question of interference on behalf of the China Authorities in our Opium trade so prominently before us that I cannot add much to what has already been stated over and over again at our Annual Meeting. As you are all aware, the Canton Authorities, in what we believe to be not only gross violation of our treaty rights but also in direct defiance of instructions from the Central Government, have again attempted to check this branch of our trade. Not, we believe, with any sincere desire to carry out the greater control of the trade as set forth in what now may be called the Opium Policy of the Government, but in order to create a local Government Monopoly to enrich the Officials and their friends at the expense of bona-fide and old-established traders.

The published correspondence on this subject as set forth in our Report is yet one more instance of the trickiness and bad faith of a certain class of Chinese Official against which we and our predecessors have so often been called upon to protest to the utmost. It is very gratifying to be able to specially refer to the manner in which the question has been taken up by the late Acting Consul General and present Consul General at Canton and by H.M. Minister in Peking.

I feel sure that while you will have read with much interest the published correspondence on Currency, you will excuse me from saying anything on the subject, as this, as matters now stand, could only be a repetition of what has been so often affirmed at our Annual Meetings.

I am afraid, Gentlemen, this will have proved a somewhat colourless Report, but it is not easy to find new things to say of so many old and almost threadbare questions, questions which, however, still call for such careful watching, and unless kept well to the fore may result in serious loss to our Colony and its trade.

The last item with which I propose to deal is that of the accounts. These I am glad to say show a decidedly healthier condition, due entirely to the fostering care of our Secretary, who has given the matter his most serious attention, and has reduced expenditure to the lowest possible limit. At our last Meeting I stated that it might be necessary to make an increase in our Annual Subscriptions. I am glad to say this is not proposed at the moment, but we may next year have to give the matter further consideration.

Before I sit down, gentlemen, there is one other thing to which I wish to refer. Last year I had to express on behalf of my colleagues, and I may say the whole members of the Chamber of Commerce, our regret at the departure of Mr. Siebs from the Colony. It is with very deep regret, therefore, I am sure that all of us during the last few days received the news of his death. For many years, as we know, Mr. Siebs had been in poor health, but we trusted that a return to his native land would restore him, and that for many years he might continue with his family to enjoy life, which unfortunately has been so suddenly cut short. As we all know, he was one of the oldest members of the Chamber of Commerce, and a very old resident in the Colony. He had earned the highest possible esteem as a capable business man and an honourable gentleman, and I venture on behalf of the Chamber of Commerce, and I may go further, and say the whole of the Colony, to express our most respectful and sympathetic regret at the news which has reached us, and how much we sympathise with all those who are left to mourn his loss. With these remarks I beg to move the adoption of the report and accounts. (Applause.)

Mr. D. W. Craddock, in seconding, said:—I beg to second the motion now before the meeting. In doing so I am confident that I am only voicing the desire of the general body of members in thanking the Chairman and Committees for the untiring labours they have expended on the work of the Chamber and for placing before us such a satisfactory report and balance sheet. The Chairman, in his able speech, to which we have all listened with great interest, has dealt with all questions so clearly and exhaustively that there is little left for me to say. It is very satisfactory to know that the question of the establishment of a Commercial Wireless Telegraph Station at this port has been receiving the close attention of the Committee, and it is to be hoped that the time is not far distant when their efforts will bear fruit. Hongkong claims to be, and rightly so, one of the most important seaports of the world, and in these days of progress a port cannot be looked upon as properly equipped if the means for dealing with wireless messages be absent. The incoming Committee will doubtless carry on the good work started by their predecessors, and bring it to a tangible and satisfactory conclusion. With these few words I have much pleasure in seconding the adoption of the report and accounts.

The motion was then put to the meeting and unanimously carried.

Mr. G. Balloch proposed that the Hon. Mr. E. A. Hewett, Mr. J. R. M. Smith, Hon. Mr. W. J. Gresson, Messrs. A. Babington, John W. Bandow, J. W. C. Bonnar, D. R. Law, E. Shellim, H. A. Siebs and H. E. Tomkins be elected members of the Committee for the ensuing year.

Mr. J. Owen Hughes seconded.

Carried unanimously.

On the motion of the Chairman, seconded by Mr. J. R. M. Smith, the election of the following firms to membership was confirmed:— Messrs. The Hongkong Electric Co., Ltd., Messrs. The Hongkong & China Shoe Factory, Ltd., Messrs. The China & Manila Steamship Co., Ltd., Messrs. The Vacuum Oil Co., Messrs. Cruz, Basto & Co., Messrs. Heuser, Eberius & Co., Messrs. The Marine Insurance Association of Hongkong, and Messrs. The Yuen Hop Hong.

The Chairman thanked the members for having elected himself and his colleagues on the new Committee, and also for their attendance at the meeting.

The proceedings then terminated.

*Report of the General Committee of the HONGKONG GENERAL CHAMBER OF COMMERCE, for the Year ending 31st December, 1909, presented to the Members at the Annual Meeting, held in the City Hall, on Monday, the 31st January, 1910.*

Several questions of interest have engaged the attention of your Committee during the past year.

#### UNITED STATES MONETARY COMMISSION.

It has, unfortunately, been found impossible to send a representative to Washington to give evidence before the United States Monetary Commission. (Appendix A.)

#### ENCOURAGEMENT OF INDIAN IMMIGRATION.

To the question of the Government as to whether the Chamber considered any opening existed for Indian labour, indentured or unindentured, and whether Indian immigration should be encouraged by passage facilities and grants of land, the Committee replied that, in their opinion, the market requirements were at present amply met by the supply of native labour. (Appendix B.)

#### REVISION OF THE CUSTOMS TARIFF OF JAPAN.

A Committee of foreign residents in Japan formed under the auspices of the Yokohama Foreign Board of Trade for the purpose of watching occidental trade interests in connection with the revision of the Custom Tariff of Japan upon the expiry of the present Treaties in August, 1911, requested the views and suggestion of the Chamber regarding any change in the Tariff.

It was considered that this was a matter for the individual rather than for the Members of the Chamber as a body, and a circular was therefore addressed to each member—the Committee offering to place any suggestions received before the International Tariff Revision Committee. (Appendix C.)

#### FIRST NATIONAL CONSERVATION CONGRESS OF THE U.S.A.

An invitation for a Special Delegate from the Chamber to attend the above Congress unfortunately arrived too late to be seriously considered. (Appendix D.)

#### QUARANTINE RESTRICTIONS IMPOSED AGAINST HONGKONG.

Your Committee protested against what appeared to them to be the unnecessary and vexatious quarantine restrictions in some cases imposed by Singapore and Shanghai on vessels arriving from Hongkong, with the result that His Excellency the Governor made representations to these ports on the subject. (Appendix E.)

## WIRELESS TELEGRAPH INSTALLATION FOR HONGKONG.

The Chamber's support was requested to a scheme by an American Company for the establishment of a commercial wireless telegraph station in the Colony.

The matter is still receiving the attention of the Committee. (Appendix F.)

## CONTINUOUS CERTIFICATES OF DISCHARGE TO CHINESE SEAMEN.

A proposal by the Harbour Master that continuous certificates of discharge should be issued to Chinese seamen was opposed by the Chamber and eventually allowed to drop. (Appendix G.)

## INTERNATIONAL CONVENTION OF THE 26TH SEPTEMBER, 1906.

The Committee upon having the matter referred to them, were not in favour of the Colony's adherence to the above Convention. (Appendix H.)

## REORGANIZATION OF THE FINANCES OF THE CHINESE EMPIRE.

The views of the Chamber on a scheme framed by the Board of Finance for reorganising the finances of the Chinese Empire were requested by Government.

The Committee replied that the scheme was too far reaching for them to proffer an exhaustive criticism but expressed the Chamber's sympathy toward any proposals calculated to confer benefit upon the people of China. (Appendix I.)

## LIGHT ON KAPSING ISLAND.

A petition to the Harbour Master by Masters of river and coasting steamers for the erection of lights on Kapsing Island and on Tong Ku Island or Boulder Point received the support of the Chamber and was sympathetically received and considered by Government. (Appendix J.)

## THE BLOWING OF STEAM WHISTLES IN THE HARBOUR.

The Committee's attention was drawn to the 21st regulation of Table "M" of the Merchant Shipping Ordinance, No. 10 of 1899 which Messrs. Deacon, Looker & Deacon considered to be vexatious to masters of vessels.

The Committee, after obtaining the views of masters considered that it was in the best interests of safe navigation that the regulation referred to be amended.

Government was approached accordingly and the objectionable regulation was promptly amended by His Excellency the Governor (Appendix K.)

## GOVERNMENT NOTE ISSUE.

The Government's proposal to issue Notes on the lines of the system adopted by the Straits Government was referred to the Chamber.

After correspondence had passed between the Government and the Chamber a draft Bill entitled an "Ordinance to provide for the issue of Government Paper Currency" was submitted.

This Ordinance is at present being considered by your Committee who are obtaining the views of the Banks thereon. (Appendix L.)

## LIMITED PARTNERSHIPS BILL.

A draft Bill entitled an Ordinance to establish Limited Partnerships was submitted to the Committee who have expressed a desire to consider the views of the Hongkong Law Society thereon. (Appendix M.)

## THE PATENTS AMENDMENT ORDINANCE 1909.

This Ordinance was circulated among the Members of the Chamber and was very carefully considered, together with suggested amendments by the Law Society and a memorandum by the Crown Solicitor, by your Committee who saw nothing objectionable therein. (Appendix N.)

## CONGRESS AND EXHIBITION AT SOURABAYA, 1911.

The Programme of the Congress and Exhibition in connection with the cultivation and preparation of Fibres was courteously forwarded to the Chamber by the Consul-General for the Netherlands.

Your Committee considered it unlikely that any local firms would participate in the Exhibition as the Industry concerned did not at present interest the Colony. (Appendix O.)

## NEW FRENCH CUSTOMS TARIFF.

In reply to the query of the Colonial Secretary the Committee did not consider that commercial interests in the Colony were likely to be adversely affected by the Tariff. (Appendix P.)

## POSTPONEMENT OF H.M. THE KING'S BIRTHDAY CELEBRATIONS.

Your Committee protested against the sudden change of programme in connection with the Birthday Celebrations which caused so much inconvenience to the mercantile community.

A copy of the Chamber's letter has been forwarded to the Secretary of State for the Colonies by His Excellency the Governor. (Appendix Q.)

### ATTEMPTED OPIUM MONOPOLY AT CANTON.

Considerable correspondence has passed between the Chamber, the Government and Sir John Jordan with reference to the attempt on the part of the Canton Government to impose regulations on the sale of opium, which are considered to be an infringement of existing treaties.

The earlier stages of this subject are contained in last year's report.

Several telegrams have passed between the Chamber and E.B.M.'s Minister at Peking and every possible step has been taken towards the protection of the interests of the British Opium Merchants, but the matter is not yet satisfactorily settled. (Appendix R.)

### ARBITRATIONS AND SURVEYS ON PIECE GOODS.

Certain correspondence has passed between the Chamber and the Bradford Chamber concerning some dissatisfaction with the finding of Arbitrators and Surveyors in the East upon references dealing with alleged inferiority in the quality of worsted, woollen and cotton goods delivered.

The matter had the careful consideration of your Committee (Appendix S.)

### CURRENCY QUESTION.

No Annual Report could be considered complete without some reference to our "Hardy Annual."

A communication has been received from the Tientsin Chamber in which this Chamber was invited to join issue with the Tientsin, Shanghai, Hankow, Tsintau, Newchwang, London and Manchester Chambers in an attempt to secure some improvement in the situation.

Your Committee signified their readiness to take part in any such concerted action and are at present awaiting a communication as to what form such action shall take. (Appendix T.)

### OBSERVATION STATION AT LAICHIKOK.

Your Committee approved of the amended regulations under Section 23 of the Merchant Shipping Ordinance, No. 10 of 1899.

This is a satisfactory result of correspondence which passed between the Government and the Chamber during 1908. (Appendix V.)

### SPURIOUS INDIAN YARN.

The Chamber was approached by the Singapore Chamber with reference to alleged spurious marking and labelling of Indian Yarns.

Upon enquiry it was found that these malpractices did not obtain in the Hongkong Market. (Appendix W.)

### JAPAN-BRITISH EXHIBITION, 1910.

Considerable correspondence has been received anent the above mentioned Exhibition. Your Committee did not consider that an appeal to the public would meet with sufficient support. (Appendix X.)

### SEVENTH CONGRESS OF CHAMBERS OF COMMERCE OF THE EMPIRE, 1909.

It was much regretted by your Committee that they were unable to arrange for a delegate to this important Congress held at Sydney in September last. (Appendix V.)

### TYPHOON SIGNAL STATION AT TSAT TSZE MUI.

A Petition addressed to Government by Masters of Vessels pointing out that typhoon signals could not be seen by vessels seeking the shelter of Kowloon Bay, and requesting that duplicate signals be hoisted on the Hill behind the No. 1 Dock at Kowloon, was forwarded to the Chamber for comment.

The Chamber supported the Masters, and secured the co-operation of the Hongkong & Whampoa Dock Co., Ltd., who offer to allow Government to erect a Signal Station on their Hill, and are also prepared, if necessary, to work it free of charge. (Appendix A1.)

### TRADE MARKS BILL, 1909.

A draft Bill entitled an Ordinance to Amend the Law Relating to Trade Marks was considered by a Sub-Committee chosen from the General Committee.

The draft was carefully considered by the Sub-Committee and various amendments suggested by them.

Certain of the Chamber's recommendations have been given effect to in the Bill as now passed. (Appendix A3.)

### COMMITTEE.

The Hon. Mr. E. A. Hewett, Mr. J. R. M. Smith, Hon. Mr. W. J. Gresson, Messrs. A. Babington, John W. Bandow, J. W. C. Bonnar, D. R. Law, E. Shellim, H. A. Siebs and H. E. Tomkins served on the Committee throughout the year.

### MEMBERSHIP.

The number of Members on the roll is 140, consisting of 20 individuals and 120 firms. During the year Messrs. McGregor Bros. & Gow, Messrs. The Stock Milling Company, and Messrs. W. S. Bailey & Co. resigned. Messrs. P. B. Petit & Co. and Messrs. Tata Sons & Co. retired from business. The following firms were elected to Membership in 1909 and their election requires the confirmation of Members at the Annual Meeting:—

Messrs. The Hongkong Electric Co., Ltd.  
 Messrs. The Hongkong & China Shoe Factory, Ltd.  
 Messrs. The China & Manila Steamship Co., Ltd.  
 Messrs. The Vacuum Oil Company.  
 Messrs. Cruz Basto & Company.  
 Messrs. Heuser, Eberius & Company.  
 Messrs. The Marine Insurance Association of Hongkong.

FINANCES.

The Committee are glad to be able to report that for the first time in four years the accounts of the Chamber show a small surplus.

The strictest economy has been exercised, and substantial reductions are to be noted in such items as " Servants' Wages," " Printing Advertising and Stationery," " Telegrams," &c.

The Committee consider that Working Expenses have now been reduced to bed-rock.

E. A. M. WILLIAMS,  
*Secretary.*

We have compared the above Statements with the Books, Vouchers and Securities, and find the same to be in accordance therewith.

J. Y. V. VERNON,  
J. F. COX-EDWARDS, } *Auditors.*

Hongkong, 12th January, 1910.

Printed and Published by the Chamber of Commerce, Hongkong, 1910.

at for the first time  
 all surplus.  
 substantial reduc-  
 /ages, Printing,  
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DR.

Income and Expenditure Account for the Year ended 31st December, 1909.

CR.

EXPENDITURE.		\$	\$	INCOME.		\$	\$
To	Rents—Office and Telephone, &c. ....	1,261.10		By	Members' Subscriptions:—		
"	Secretary's Salary .....	3,000.00			123 Firms at \$50 each .....	6,150.00	
"	Clerk's Salary .....	1,200.00			21 Individuals at \$20 each.....	420.00	
"	Servants' Wages .....	396.50					6,570.00
"	Audit Fees .....	50.00	5,907.60	"	Market Report Sales .....		915.51
"	Market Report—Cost of Publication.....		706.09	"	Sundry Fees Collected.....		510.00
"	Annual Report:—1908—Cost over Estimate.....	179.25		"	Annual Report Book, Sales .....		9.50
"	" 1909—Agreed Cost .....	640.00		"	Interest:—		
"	Fees paid to Surveyors.....		819.25		Hongkong Hotel Debentures.....	480.00	
"	Books and Newspapers.....		390.00		Hongkong Club Debentures.....	480.00	
"	Printing, Stationery and Advertising.....		250.96		Hongkong & Shanghai Bank—Current Account	33.48	993.48
"	Postages and Petties .....		316.05				
"	Telegrams.....		314.63				
"	Depreciation on Furniture, &c., at 20% on \$435.78		45.14				
"	Legal Expenses .....		87.15				
"	Bad Debts written off:—Reuters.....	18.68	30.00				
	Market Report .....	43.33					
	Office Boy.....	5.00					
			67.01				
			8,933.88				
"	BALANCE—SURPLUS OF INCOME OVER EXPENDITURE TRANSFERRED TO BALANCE SHEET .....		64.61				
		\$	8,998.49			\$	8,998.49

Balance Sheet at 31st December, 1909.

LIABILITIES.		\$	\$	ASSETS.		\$	\$
SUNDRY CREDITORS.....			951.37	PINNACLE ROCK FUND:—			
PINNACLE ROCK FUND:—				7 Hongkong Hotel 6% Debentures.....	3,500.00		
At 31st December, 1908.....	5,517.87			Hongkong & Shanghai Bank—Fixed Deposit at 4½% per annum.....	1,800.00		
ADD Interest on:—				Hongkong & Shanghai Bank—Current Account at 2% per annum.....	506.98		5,806.98
7 Hongkong Hotel 6% Debentures.....	210.00		5,806.98	GENERAL FUNDS:—			
Hongkong & Shanghai Bank Current A/c.	7.20			16 Hongkong Club 6% Debentures.....	8,060.00		
Fixed Deposit with Hongkong & Shanghai Bank of \$1,800 at 4½% per annum 10/2/09 to 31/12/09 .....	71.91			16 Hongkong Hotel 6% Debentures.....	8,000.00		16,000.00
HONGKONG AND SHANGHAI BANK:—				FURNITURE, FITTINGS, &C.:—			
Cash overdrawn on Current Account.....		1,141.12		At 31st December, 1908 .....	435.78		
RESERVE ACCOUNT:—				LESS Depreciation at 20% per annum .....	87.15		348.63
At 31st December, 1908.....	14,727.13			SUNDRY DEBTORS.....			535.60
ADD Surplus of Income over Expenditure as per Statement.....	64.61		14,791.74				
		\$	22,691.21			\$	22,691.21

E. A. M. WILLIAMS,

Secretary.

We have compared the above Statements with the Books, Vouchers and Securities, and find the same to be in accordance therewith.

J. Y. V. VERNON,  
J. F. COX-EDWARDS, } Auditors.

Hongkong, 12th January, 1910.

D		C	
<p>1. ...</p> <p>2. ...</p> <p>3. ...</p> <p>4. ...</p> <p>5. ...</p> <p>6. ...</p> <p>7. ...</p> <p>8. ...</p> <p>9. ...</p> <p>10. ...</p>	<p>1. ...</p> <p>2. ...</p> <p>3. ...</p> <p>4. ...</p> <p>5. ...</p> <p>6. ...</p> <p>7. ...</p> <p>8. ...</p> <p>9. ...</p> <p>10. ...</p>	<p>1. ...</p> <p>2. ...</p> <p>3. ...</p> <p>4. ...</p> <p>5. ...</p> <p>6. ...</p> <p>7. ...</p> <p>8. ...</p> <p>9. ...</p> <p>10. ...</p>	<p>1. ...</p> <p>2. ...</p> <p>3. ...</p> <p>4. ...</p> <p>5. ...</p> <p>6. ...</p> <p>7. ...</p> <p>8. ...</p> <p>9. ...</p> <p>10. ...</p>

EXHIBIT

APPENDIX.

**A**

## UNITED STATES MONETARY COMMISSION.

March 12th, 1909.

Washington, D.C.

Dear Sir,—I have returned to Washington six weeks later than I had anticipated, and so have only now received your letter of the 10th of December and the Report of the Chamber, for which I am much obliged.

The evidence taken by the Commission for the next three months will be for the most part banking and currency, the Exchange evidence will occupy next winter and spring. I should not be surprised if there is material of importance from England also. The Chancellor of the Exchequer has under consideration a suggestion to issue "crown notes" secured by silver (the proposal of the Royal Currency Commission of 1888) with which to pay the weekly old age pensions. With the silver contents of a shilling worth hardly more than fourpence the profit on the operation is attractive. Here Congress is to be occupied with Tariff revision, but the state of the exchanges with Asia is much on the minds of the representatives from the Pacific Coast States.

I think if any member of your Chamber should be available next autumn or winter, it might be well to communicate with Mr. T. H. Whitehead, of the Bank of India, Australia and China, London. Mr. Whitehead will know where I am.—Believe me, yours faithfully,

MORETON FREWEN.

The Secretary, Chamber of Commerce, Hongkong.

**B**

## ENCOURAGEMENT OF INDIAN IMMIGRATION.

Colonial Secretary's Office,  
Hongkong, 15th March, 1909.

Sir,—I am directed to enquire whether in the opinion of your Chamber any opening exists for the employment of Indian labour, indentured or unindentured, in this Colony, and whether they consider that facilities with regard to passage and provisions of land should be given to encourage Indian immigration.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, the Chamber of Commerce.

Colonial Secretary's Office,  
Hongkong, 20th April, 1909.

Sir,—With reference to your letter of the 18th ultimo, I am directed to inquire what conclusion your Committee has arrived at on the subject of the inquiries made in the letter from this department No. 1723/09 of the 15th ultimo.—I am, &c.,

C. CLEMENTI, for Colonial Secretary.

The Secretary, Chamber of Commerce.

Hongkong General Chamber of Commerce,  
Hongkong, 27th April, 1909.

Sir,—I have the honour to reply to your letter (No. 1723/09) of the 15th March, 1909, requesting an expression of opinion from this Chamber as to whether any opening exists for the employment of Indian labour in this Colony, and whether facilities with regard to passage and provision of land should be given to encourage Indian immigration.

My Committee, having consulted several employers of labour, have been informed that there is no opening for Indian labour, indentured or unindentured. In fact, there are Indians in the Colony at present who cannot find employment.

My Committee consider that market requirements are amply met, at present, by the supply of native labour.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

## C

### REVISION OF THE CUSTOMS TARIFF OF JAPAN.

International Tariff Revision Committee,  
Yokohama, 7th May, 1909.

The President, the Chamber of Commerce, Hongkong.

Sir,—We have the honour to inform you that a Committee, selected from the foreign business firms resident in Japan, has been formed under

the above title. Its object is to watch the interests of the foreign traders in general and of resident strangers, in connection with the revision of the Customs Tariff of Japan, consequent upon the expiry of the Present Treaties in August, 1911, notice of which has already been officially given by the Japanese Authorities.

This Committee has been inaugurated and formed under the auspices of the Yokohama Foreign Board of Trade, and is therefore representative of the largest business interests of the Country, and of quite an International character. It counts among its members British, German, American, French, Swiss, Austrian, Dutch, Australian, Swedish, Norwegian, Russian and other representatives.

The present Tariff is, in the case of many articles of import, of a highly protective nature, and there is every indication that national sentiment favours an increase in the import duties, tending especially towards shutting out many foreign articles and substituting for them articles of native make. In the circumstances it appears to be of vital importance that foreigners interested in the import trade of Japan, including doubtless several members of your Chamber, should use all the means at their disposal to represent in the proper quarters their own interests, and those of the countries to which they belong. With this object in view we would venture to suggest—

- (1) That your Chamber should put before the Foreign Office of your Country, or other proper authority, your ideas and suggestions regarding any change in the Tariff between your Country and Japan.
- (2) That you should send us a short statement showing the principal articles in respect of which you consider an increase in the present scale of duty would be injurious to the trade in general, together with any reasons and arguments which you may be able to advance in support of your position, and any other particulars which you may consider to be useful.

We would respectfully request that your communications should, if convenient to you, be written in the English language, or have an English translation attached, as this language is most widely understood and used by all foreigners here in their intercourse with each other and the Japanese.

There is every reason to believe that the Japanese will push their views by all diplomatic and peaceful means. It is therefore our desire that the support given to foreign trade interests here, shall be as prompt and effective as possible, and we request you to assist us by equipping

your Home Government with the most accurate information enabling them to support to the fullest extent their Country's trade with Japan, and by any other means in your power to co-operate with us to the same end.—We are, Sir, your obedient servants,

For the International Tariff Revision Committee,

T. C. DAVIS, Chairman.

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Hongkong General Chamber of Commerce,

9th June, 1909.

Sir,—I have the honour to acknowledge the receipt of your letter of 7th May, 1909, addressed to the Chairman, in which you inform this Chamber of the formation of a Committee selected from the foreign business firms resident in Japan under the title of "The International Tariff Revision Committee."

Your letter is now receiving the attention of my Committee.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

T. C. Davis, Esq., Chairman,

The International Tariff Revision Committee,  
Yokohama Foreign Board of Trade,  
Yokohama.

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CIRCULAR.

Hongkong General Chamber of Commerce,

St. George's Buildings,

Hongkong, 4th July, 1909.

Gentlemen,—The enclosed copy of a letter, received by the Hongkong General Chamber of Commerce from the International Tariff Revision Committee of the Yokohama Foreign Board of Trade, is circulated among the Members of the Chamber with the idea that those whose interests are likely to be affected by the New Tariff may take the steps for their protection therein suggested.

It is considered that individual action for the conservation of individual interests would be advisable, but, should the Members signify a

desire that the Chamber should deal with the matter, the Committee will be pleased to place the views of such Members before the International Tariff Revision Committee.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

To the Members of the

Hongkong General Chamber of Commerce,

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**D**

FIRST NATIONAL CONSERVATION CONGRESS OF THE U.S.A.

Washington Conservation Association,

Seattle, Wash., July 3, 1909.

Dear Sir,—We have recently had the honour of inviting the President and the Secretary of your organization to attend the First National Conservation Congress of the United States, which will be held in the Auditorium, Alaska-Yukon-Pacific Exposition, Seattle, Washington, August 26-28, 1909.

We now unite in earnestly urging that you appoint one of your prominent members to attend the Congress as Special Delegate.

Your Special Delegate would participate in the work of the Congress, and also serve as alternate in event of officers of your Association being engaged in committee or other matters necessitating their absence from any of the several sessions of the Congress.

The Congress has the approval of State Conservation Commissions, the Joint Committee on Conservation between States and Nation, of Washington, D.C.—the Conservation Committees of forty-seven National industrial organizations, and many other organizations throughout the United States.

The Legislature of the State of Washington, on June 24, 1909, officially commended the Congress and extended a special invitation to President William Howard Taft to attend.

The leading question to be decided during the Congress is of vital importance to your organization,—that question is,—

"How shall the conservation of natural resources be conducted so that business of the present day shall receive the greatest proper benefit?"

The degree of prosperity which your City attains is directly proportioned to the extent of the conservation and right use of all natural resources which are tributary to your City.

Those resources, such as soil, water, forests, minerals and ways for transportation (from which are derived the food, clothing and means for shelter for the people, and the raw materials and the power for use in your factories) although situated at a greater or lesser distance from your City, are in the last analysis, the materials of which your City is composed, and the means by which your City is maintained.

It is, therefore, of first importance to your people, and in the highest interests of your City that your organization shall through the Conservation Congress, bring to bear upon the conservation and the right use of natural resources, that superior intelligence, experience and energy which generally characterizes the commercial bodies of this country in their dealings with practical questions.

We trust, therefore, that at your earliest opportunity you will notify the Washington Conservation Association of the name and address of the alternate whom your organization has appointed.

Thanking you for the very important service which you render to the First National Conservation Congress, as well as to your City, we are.—Yours very respectfully,

Seattle Chamber of Commerce,

C. B. YAUDELL, Secretary

Washington Conservation Association,

R. W. Douglas.

Secretary, Chamber of Commerce, Hongkong, China.

Hongkong General Chamber of Commerce,

24th August, 1909.

Sir,—I have the honour to acknowledge the receipt of your letter of the 3rd ultimo, inviting the appointment of a Special Delegate from this Chamber to the First National Conservation Congress of the United States of America to be held at Seattle on the 26th, 27th and 28th August, 1909.

Your letter was received on the 19th of this month—unfortunately too late for any arrangements to be made.

My Committee desire me to express their sympathy with the objects of the Association and their thanks for the courtesy extended to them in inviting a Delegate from this Chamber. They would express the hope that the First National Conservation Congress will be an eminently successful one.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

R. W. Douglas, Esq.,

Special Representative,

Washington Conservation Association,

Seattle, Washington.

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## E

### QUARANTINE RESTRICTIONS IMPOSED AGAINST HONGKONG.

Hongkong General Chamber of Commerce.

Hongkong, 1st July, 1909.

Sir,—I have the honour to request that you will be so good as to place the following before His Excellency the Governor.

Of the 120 cases of Bubonic Plague reported to date for the year 1909, 83 occurred in the Kowloon Peninsula and a great many of these in districts far removed from the Shipping. Six cases were imported from outside the Colony. It is recognised that the plague season practically ends in the early part of July and there were only 5 cases for the week ending June 26th in the whole Colony.

There seems no adequate reason, therefore, for the imposition of quarantine restrictions by the Port Authorities of Singapore on vessels arriving from Hongkong.

My Committee suggest, with great respect, that His Excellency the Governor should cable requesting that the restrictions, which, in their opinion, are unnecessarily hampering Shipping, be removed.—I am &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. A. M. Thomson, Colonial Secretary.

Hongkong General Chamber of Commerce.

Hongkong, 3rd July, 1909.

Sir,—I am directed by my Committee to address you on the subject of the Quarantine Restrictions imposed by Shanghai on vessels arriving from Hongkong. For the same reasons as were advanced in my letter of the 1st instant in reference to the Quarantine Restrictions imposed by Singapore on this Colony, my Committee consider that no adequate reason exists for the action of the Port Authorities of Shanghai.

My Committee, in respectfully calling the attention of His Excellency the Governor to this hardship, feel assured that prompt action would result in the removal of the Restrictions which are unnecessary hampering the Shipping of the Port, and would therefore beg that His Excellency the Governor will be good enough to communicate with His Britannic Majesty's Consul-General at Shanghai on this subject.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. A. M. Thomson, Colonial Secretary.

Colonial Secretary's Office,

Hongkong, 7th July, 1909.

Sir,—I am directed to acknowledge receipt of your letters of 1st and 3rd instant on the subject of the imposition of quarantine restrictions at Shanghai and Singapore on arrivals from Hongkong and to state that telegraphic representations have been made to the authorities at both ports in the sense desired in your letters.—I am, &c.,

C. CLEMENTI, for Colonial Secretary.

The Secretary, Hongkong General Chamber of Commerce.

Colonial Secretary's Office,

Hongkong, 5th July, 1909.

Sir,—With reference to my letter No. 1563/09 of the 5th instant I am directed to inform you that I am in receipt of a telegram from the Colonial Secretary of the Straits Settlements dated the 6th instant

expressing regret that at present the quarantine against Hongkong at Singapore cannot be reduced.—I am, &c.,

C. CLEMENTI, Colonial Secretary.

P.S.—Since writing above I have received enclosed telegram from His Britannic Majesty's Consul-General at Shanghai.

The Secretary, Chamber of Commerce.

Your telegram of 5th July. Quarantine consists of inspection of vessel lasting for in no case more than one hour. Quarantine authorities consider inadvisable to reduce this slight precaution as long as cases of plague reported at Hongkong.

(Sd.) WARREN.

Hongkong General Chamber of Commerce,

Hongkong, 8th July, 1909.

Sir,—I have the honour to acknowledge with many thanks the receipt of your letter of 7th instant (No. 1563/1909).

My Committee learn therefrom that the Government of Singapore are unable to reduce, at present, the period of quarantine against Hongkong, and that with reference to Shanghai, His Britannic Majesty's Consul-General states, in his telegraphic reply, that quarantine imposed at that Port is only a matter of an hour.

My Committee desire me to ask you to be good enough to convey to His Excellency the Governor their appreciation of the prompt action taken by him.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. A. M. Thomson, Colonial Secretary.

Hongkong Chamber of Commerce,

Hongkong, 20th August, 1909.

Sir,—I have the honour to point out that from the Returns of communicable diseases for the three weeks ended

July 31st

August 7th

August 14th

the cases of bubonic plague were, respectively, 2, 3, and nil.

My Committee trust that some steps may be taken by His Excellency the Governor towards securing the removal of the vexatious quarantine measures by Ports notified under Notification 502 of the Government Gazette of the 13th instant.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

For. Mr. A. M. Thomson, Colonial Secretary.

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Colonial Secretary's Office,

Hongkong, 24th August, 1909.

Sir,—In reply to your letter of 20th instant, I am directed to inform you that His Excellency proposes to await the issue of clean bills of health before making representations to the various ports imposing quarantine restrictions against Hongkong. The last case of plague occurred on 18th instant, and the date of issue, unless any further case is reported in the meantime, will therefore be Saturday next.—I am &c.,

A. M. THOMSON, Colonial Secretary.

The Secretary, Hongkong General Chamber of Commerce.

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## F

### WIRELESS TELEGRAPH INSTALLATION FOR HONGKONG.

Hongkong, October 15th, 1909.

Sir,—We have the honour to address your goodself and the gentlemen of the Chamber of Commerce on the subject of wireless telegraph installation for the Colony and to submit, for your consideration and approval, a copy of the application we are this day tendering to the Colonial Secretary. We also enclose a copy of the Wireless Telegraph Act of 1903 and a copy of letter under date of the 14th instant, addressed to the American Vice Consul-General In Charge, by the Colonial Secretary.

Your attention is respectfully directed to the importance of an enterprise such as we propose to the commercial welfare of the Colony and we would earnestly request your support, in the shape of a recom-

mendation to the Government, to grant the licence asked for.

Thanking you in advance for any interest you may bestow upon our application, and with assurances of the highest esteem.—We remain, Sir, yours faithfully,

KEEGAN & ROSENCRANTZ.

The Honourable, The Chairman of Chamber of Commerce,  
Hongkong.

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Hongkong, October 15th, 1909.

Sir,—We have the honour to address you on the matter of obtaining a licence to establish and use installations for the purpose of wireless telegraphy in the Colony under the conditions of the Wireless Telegraph Ordinance of 1903.

Acting upon the suggestion embodied in your letter of the 14th instant addressed to the American Vice Consul-General in charge we now make formal application for a licence to establish and operate a commercial wireless telegraph business within the Colony and beyond its limits with permission to do all the things that wireless telegraph companies are legally entitled to do under the Articles of the Berlin Radio-Telegraph Convention and subject to its regulations and the laws of the Colony.

We would expect a licence giving us the sole right to conduct a wireless telegraph business for a period of twenty-five years with the understanding that the Government would have the right to purchase the business at a valuation at the end of ten years and at the end of the fifteenth, twentieth or twenty-fifth years.

We would agree to receive and transmit Governmental messages without charge and to use every effort in gathering meteorological information for the welfare of the Colony.

We propose to establish installations in Manila, Bangkok and Singapore and are making applications to the Philippine, Siamese and Straits Governments for licences. These installations, together with our proposed Hongkong station, would create a first class wireless service and would enable us to benefit the commercial and shipping interests of this Colony and the other countries mentioned in addition to developing a profitable business for ourselves.

Under the terms of our agreement with the United Wireless Telegraph Company we have the sole right to deal in and use their wireless telegraph equipment in the Far East and we would install in Hongkong

at our own expense a station equal in power to their New York station and capable of communication with Yokohama and Shanghai on the North and with Singapore on the South.

Upon receipt of a favourable reply to this application we would have the necessary equipment forwarded here and the station installed without loss of time.

Thanking you in advance for an early consideration of our application,—We remain, Sir, yours faithfully,

KEEGAN & ROSENCRANTZ.

The Honourable, The Colonial Secretary, Hongkong.

Reply may be addressed to us care of American Consulate General,  
Hongkong.

Colonial Secretary's Office,  
Hongkong, 14th October, 1909.

Sir,—In reply to your letter of the 6th instant, I am directed to inform you that no special conditions have as yet been prescribed with regard to applications for licences under Ordinance No. 7 of 1903, and I am to suggest that the best course will be for any intending applicant to forward to this office in writing full details of his proposed wireless telegraphic installation for the consideration of this Government. Such applications will be subject to the approval of the Secretary of State for the Colonies.—I am, &c.,

F. H. MAY, Colonial Secretary.

The American Vice Consul General in Charge.

ORDINANCE No. 7 OF 1903.

An Ordinance to authorise and regulate the establishment and use of installations for the purpose of Wireless Telegraphy.

Henry A. Blake,  
Governor.

11th July, 1903.

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

L.S.

- |   |   |
|---|---|
| Short title.                                | 1. This Ordinance may be cited for all purposes as The Wireless Telegraphy Ordinance, 1903.   |
| Power to Governor to licence installations. | 2. The Governor may, whenever he shall deem it expedient to do so, licence the establishment and use within the Colony of installations for the purpose of wireless telegraphy. |
| Prohibition of unlicensed installations.    | 3. No person shall establish or use within the Colony any installation for the purpose of wireless telegraphy unless authorised to do so by a licence under this Ordinance.     |
| Conditions of Licence.                      | 4. A licence under this Ordinance may be issued subject to such conditions and stipulations as the Governor may from time to time find desirable in the public interest.        |

Passed the Legislative Council of Hongkong, this 8th day of June, 1903.

R. F. JOHNSTON, Acting Clerk of Councils.

Assented to by His Excellency the Governor, the 11th day of July, 1903.

F. H. MAY, Colonial Secretary.

Hongkong General Chamber of Commerce

18th October, 1909.

Sir,—I beg to acknowledge the receipt of your letter of the 15th instant addressed to the Chairman, on the subject of a Wireless Telegraph Installation for Hongkong.

My Committee are giving this matter their attention.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Messrs. Keegan & Rosencrantz,

Sales Control for Far East,

The United Wireless Telegraph Company,

Hongkong.

G

CONTINUOUS CERTIFICATES OF DISCHARGE TO  
CHINESE SEAMEN.

Colonial Secretary's Office,  
Hongkong, 30th January, 1909.

Sir,—I am directed to forward for the observations of your Chamber a copy of a letter addressed to this Government with enclosures in original regarding the granting of continuous certificates of discharge to Chinese Seamen.

2. I shall be glad if the enclosures may be returned.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Hongkong General Chamber of Commerce.

Harbour Department,  
Hongkong, 19th January, 1909.

Sir,—I have the honour to make the following representations:—

2. In the year 1900 the Board of Trade instituted a form of "Continuous Discharge Certificate" to be issued only in Home Ports. The instructions on the subject are contained in Board of Trade (Marine Department) Circular No. 41 Colonial of August, 1900. In that circular, a copy of the preamble to which I attach, it will be seen that it was evidently intended to extend the use of these new forms at some future date.

3. So far as we, in this Colony, are concerned, I think that the time has now arrived for us to issue a somewhat similar form in the case of Chinese seamen signing on and being discharged in the Colony, in ships on the Home run.

4. The new forms now issued at Home have proved most useful. They prevent a man from "sinking" unfavourable reports—in fact, contain a virtual history of his sea service.

5. In order to adapt the system to Chinese, it will be necessary for their photographs to be attached. My experience has shown me that a single, full face, or three-quarter face, photograph is not sufficient for identification: there should therefore be two photographs, one full face

G

and one in profile. I attach a cancelled form—one of those issued at home—with an amended front sheet, such as I suggest should be employed here.

6. I suggest that these forms should be used only for ships on the Home run, at present, as until the Chinese understand them, there would be considerable difficulty in using them in the East. On the Home run most of the difficulties do not exist, and the new form would be of great use at Home ports, more especially in view of the "Language Test."

7. If these forms are approved and instituted, it will be advisable that similar forms be used at other Far Eastern ports in order that there may be uniformity, and also that their full value may be obtained, for they would lose much of their usefulness if restricted to but one port.—I have, &c.,

B. R. H. TAYLOR, Harbour Master.

The Honourable the Colonial Secretary.

Hongkong General Chamber of Commerce.

Hongkong, 18th March, 1909.

Sir,—I have the honour to inform you that my Committee have now considered your letter of 30th January, 1909 (No. 483/1909), regarding the granting of Continuous Certificates of Discharge to Chinese Seamen.

A similar system has been in force for some years with regard to British Seamen, and my Committee understand that while the benefits conferred by this innovation are doubtful, it gives rise to considerable trouble to employers, and has not resulted in the good anticipated when the scheme was inaugurated.

As applied to Chinese, the similarity of name so often found, and the difficulty of identification even when the Certificate bears a photograph, makes the scheme in the view of my Committee impracticable.

Another aspect of such a system on the China Coast would be a decided disadvantage to British Shipping in obtaining labour, and my Committee are, therefore, unable to support the proposal put forward by the Harbour Master, which, if adopted, would in their opinion increase the cost and difficulty in securing good seamen, without conferring any benefit upon the shipowner in return.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

Colonial Secretary's Office,  
Hongkong, 25th March, 1909.

Sir,—With reference to your letter of the 18th instant, I am directed to state that the question of the granting of Continuous Certificates of Discharge to Chinese Seamen will be allowed to drop.

\* I shall be glad if you will be so good as to return the enclosures in my letter of the 30th ultimo.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, the Chamber of Commerce.

\* Enclosures since received.

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## H

### INTERNATIONAL CONVENTION OF THE

26th SEPTEMBER, 1906.

Colonial Secretary's Office,  
Hongkong, 26th February, 1909.

Sir,—I am directed to forward a copy of a despatch addressed to this Government by the Secretary of State for the Colonies together with a copy of the Memorandum referred to therein, and to enquire whether your Chamber are of the opinion that this Colony should adhere to the International Convention of the 26th September, 1906.

2. I shall be glad if the memorandum may be returned.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Hongkong General Chamber of Commerce.

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Downing Street,  
21st January, 1909.

Sir,—I have the honour to refer to Lord Elgin's Circular despatch of the 10th April, 1907, transmitting a memorandum on the International Conference on Labour Regulation held in Berne, in September, 1906, and to inform you that His Majesty's Government have now adhered to the International Convention of 26th September, 1906,

respecting the prohibition of the use of White Phosphorus in the manufacture of matches.

2. The text and translation of this Convention were annexed to the memorandum enclosed in the despatch under reference.

3. I am to enquire whether you desire that the Colony under your Government should adhere to this Convention.—I have, &c.,

CREWE.

The Officer Administering the Government of .....

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Hongkong General Chamber of Commerce,  
Hongkong, 24th March, 1909.

Sir,—I am directed to reply to your letter of 26th February, 1909, (No. 3699/1907) forwarding a copy of a despatch addressed to the Government by the Secretary of State for the Colonies and enquiring whether this Chamber supports the adherence of the Colony to the International Convention of the 26th September, 1906.

My Committee do not consider that restrictive measures of this nature should apply to a Colony employing Asiatic labour. In their opinion the labourer in this Colony is relatively better off than his European confrere and it would be time enough for the Colony to adopt protective measures when it can be shown that labour is unjustly treated by employers. The troubles facing a local employer of labour are already great enough without unnecessarily adding thereto.

For these reasons my Committee regret that they cannot support the adherence of the Colony to the Convention.

I beg to return the memorandum as requested.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

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Colonial Secretary's Office,  
Hongkong, 13th April, 1909.

Sir,—With reference to your letter of the 24th of March I am directed to point out to you that the particular question which was referred to in the despatch of the Secretary of State of the 21st of

January last, transmitted in my letter of the 26th of February, was whether this Colony should adhere to the International Convention of 26th September, 1906, respecting the prohibition of the use of White Phosphorus in the manufacture of matches.

It is on that question that this Government desires to obtain the opinion of the Chamber of Commerce.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

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Hongkong General Chamber of Commerce,

Hongkong, 14th April, 1909.

Sir,—I am in receipt of your letter of 13th instant (No. 3699/1907), on the subject of the adherence of this Colony to the International Convention of the 26th September, 1906.

Will you be good enough to again forward me the Despatch of the Secretary of State and the Memorandum, both accompanying your letter to me of the 26th February, so that my Committee may be enabled to express an opinion on that portion of the Convention which has special reference to the prohibition of the use of White Phosphorus in the manufacture of matches.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

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Colonial Secretary's Office,

Hongkong, 15th April, 1909.

Sir,—In reply to your letter of the 14th instant, I am directed to forward herewith the copy of the despatch of the Secretary of State and the memorandum in question. I shall be glad if both documents may be returned to me in due course.—I am, &c.,

C. CLEMENTI, for Colonial Secretary.

The Secretary, Chamber of Commerce.

Hongkong General Chamber of Commerce,

Hongkong, 27th April, 1909.

Sir,—I am now directed to reply to your letter (No. 3699/07) of the 13th instant in which the Government desires the opinion of the Chamber as to whether or not this Colony should adhere to the International Convention of the 26th September, 1906, respecting the prohibition of the use of White Phosphorus in the manufacture of matches.

My Committee consider that, for precisely the same reasons as were advanced by the Representatives of the Imperial Government for the non-adherence of Great Britain on this point, this Colony should not adhere to the Convention.

As pointed out in the memorandum accompanying your letter it has been proved that the evils traceable to the use of White Phosphorus in the manufacture of matches can be successfully suppressed by regulation.

There appears, therefore, no adequate justification for the adoption of measures calculated to hamper trade.

My Committee desire to thank His Excellency the Governor for referring this matter to them.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

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## I

### REORGANIZATION OF THE FINANCES OF THE CHINESE EMPIRE.

Colonial Secretary's Office,

Hongkong, 11th February, 1909.

Sir,—I am directed to forward the enclosed translation of a scheme framed by the Board of Finance for reorganizing the finances of the Chinese Empire and to request the observations of your Chamber thereon for the information of His Majesty's Minister at Peking.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

Regulations of the Board of Finance for the Adjustment of  
Chinese Finances.

Summarised Translation.

Regulations I. and II., sections 1—4, provide for the establishment in Peking, under the Board of Finance, of a Financial Council (Ch'ing-li Ts'ai-cheng Ch'u) and in each Province of a Financial Bureau (Ch'ing-li Ts'ai-cheng Chu).

These departments will be responsible for clearing off all outstanding accounts, and for preparing statements of all income and expenditure, in readiness for making estimates for the whole Empire of future revenue and expenditure, and for rendering an account annually of the previous year's finance.

The Council in Peking will circulate to the Provincial Bureaux the necessary forms to be filled in, and will prepare from them, when returned, a general statement of revenue and expenditure. The Chief of each Provincial Bureau shall be the Provincial Treasurer, with assistant directors chosen from amongst the Taotais, but there will be two Superintendents (Chienli-kuan) in each Bureau, appointed by the Board of Finance.

The Bureaux will commence with making returns of income and expenditure for the 34th year of Kuang Hsu (1908): and the quarterly returns for the first year of Hsuan T'ung (1909) and succeeding years. They will then proceed to make and present estimates and statements of account for each succeeding year and will also furnish the Council with reports embodying recommendations as to improvements, or the abolition of abuses.

Regulation III. (Sections 5—7). All accounts prior to the end of 33rd year of Kuang Hsu (1907) shall be denominated "Old Accounts": and shall be sent to the Board of Finance (if not already presented) to be disposed of. Accounts subsequent to the beginning of the 3rd year of Hsuan T'ung (1911) will be denominated "new accounts," to be dealt with as laid down below; and accounts from the 34th year of Kuang Hsu (1908) to the end of the 2nd year of Hsuan T'ung (1910) will be called "current accounts."

The Provincial Bureaux will furnish a statement of these current accounts, for the year, in the case of 1908, and quarterly for 1909 and 1910: but will also submit through the Viceroy or Governor detailed annual returns for those two years. Regulation IV. (Sections 8—13). The Board of Finance will issue forms setting forth the various headings

of revenue, such as land-tax, grain-tax, salt-tax, tea-tax, customs dues, miscellaneous dues, likin, excise, contributions from other Provinces, etc., and of expenditure, such as salaries and allowances, military pay and expenses, arsenals or government factories, public works, education, police, contributions to Peking, share of foreign indemnities or loans, miscellaneous expenses, etc.; and the Bureaux will fill these in. For 1908 they will shew whether a surplus or a deficit remains; and this return must be sent in before the end of 1909 (1st year of Hsuan T'ung).

The Bureaux shall have the right to make any enquiries they wish of any public office, and if obstacles are placed in their way, or if they themselves are guilty of malpractices in so doing, the offenders shall be impeached.

The Bureaux will lay before the Board reports making recommendations as to what should be classed as regular and what as miscellaneous expenditure: and what, in future, when revenue is apportioned, shall be considered as Imperial and what as local revenue.

These reports must reach the Board before the end of the first half-year of the second year of Hsuan T'ung (1910).

From the beginning of 1909 (1st year of Hsuan T'ung) every Yamen or other public establishment in the land must send in returns of their income and expenditure to the Bureaux which will compile them into a general return for the whole Province, and send them quarterly in this form to the Board, before the expiry of the following quarter.

In Peking, individual returns from Yamens, etc., must be sent to the Board.

Regulation V. (Sections 14—22). From the beginning of the 2nd year of Hsuan T'ung (1910) estimates will be made of the next year's income and expenditure, which the Bureaux will collate for the whole Province from returns which must reach them in the 2nd month, and their general estimates shall be sent through the Viceroy or Governor to the Board, not later than the 5th month. The Provincial estimates will shew what amounts are chargeable to Imperial account and what to local account: in the former, salaries, military expenditure, and contributions to Peking of all kinds, as well as shares of foreign loans and indemnities, will be included. Local expenditure, on the other hand, means education, police, works, &c.

Until the various revenues have been divided into the categories of Imperial and local the Provincial Assemblies (Parliamentary, Tzu-I-Chu) cannot discuss their reduction, but may submit proposals for the levy of new taxation for purposes of local government.

If Provincial estimates shew a deficit, the Viceroy or Governor will make arrangements with the Board of Finance for obtaining supplementary funds.

All public departments in Peking will, from the beginning of the 2nd year of Hsuan T'ung, make estimates for the following year, and present them to the Board in the 5th month of the year.

The revenue and expenditure under the direct control of the Board itself will be similarly estimated and submitted to the Throne in a Memorial.

From the 2nd year of Hsuan T'ung (1910) the Board will submit all estimates for the Imperial approval within two months of their receipt. Such portions of them as come under the heading of local government expenditure shall be referred to the Provincial Assemblies for their decision: and the complete estimates shall be submitted to them for examination.

From the commencement of the 3rd year of Hsuan T'ung (1911) all official revenue and expenditure throughout the Empire shall be managed in this manner by estimates.

In any heading of expenditure, no sum can figure beyond the fixed total, nor can money be taken from one heading and applied to another.

Supplementary funds must be obtained by arrangement between the Provincial authorities and the Board.

Regulation VI. (Sections 23—26).—Annual statements of the previous years' accounts will be sent in to the Board by the Provincial Financial Bureaux from the 4th year of Hsuan T'ung, during the first half of the year.

In these annual statements Imperial and local accounts will be differentiated.

Public departments in Peking will make similar returns, from the same date.

From the same date, the Board will present to the Throne annual statements of the accounts under its direct control, for the previous year.

It will also present to the Throne within two months of receipt, the various statements from the Provinces and metropolitan departments: which will also be laid before the Provincial Assemblies, for decision as

far as concerns local Government accounts, and the rest for examination. Until regulations respecting official salaries have been laid before the Throne and approved, and excepting the office expenses (kung fei) of Viceroys and Governors which have already been deliberated upon by the Government Council, the office expenses (kung fei) of all other official establishments, great or small, civil or military, must be enquired into in the light of local conditions by the Financial Bureaux, and determined on by consultation with the Board. They shall also deduct, and enter as revenue, all fees (kuei fei) other than the allowances (ching-t'ieh) payable to officers in addition to their office expenses (kung fei).

Regulation VII. (Sections 27—35).—All the finances of the Empire will be managed in accordance with these regulations from the 1st to the 5th year of Hsuan T'ung (1909-13), by which time there will be records for preparing estimates for the whole Empire.

The various reports mentioned in these regulations will be divided into headings and sub-headings, sections and sub-sections, &c., which must not be confused one with the other.

Delay in sending in reports or returns will involve impeachment.

Yunnan, Kueichou, Kwangsi, Szechuan, Kansu, and Hsin Chiang will be allowed till the 15th of the 6th month in each year for sending in their estimates: and until the 15th of the 7th month for sending in their statement of account of the previous year.

The Tartar Generals of Jehol, Chahar, Sui Yuan Ch'eng, Kuei Hua Cheng, or Military Lieutenant Governors' commands, must make returns in detail with a balance-sheet for the 34th year of Kuang Hsu (1908), and from the 1st year of Hsuan T'ung must send in quarterly returns. From the following year they must make estimates for the succeeding year, and from the 4th year of Hsuan T'ung (1912) they will be required to make statements of account for the preceding year.

Provisions of similar nature for Uliassutai, Kobdo, Altai, Ili, Tarbagatai, Hsi Ming, Tibet and Urga.

Further regulations will be drawn up for the guidance of the Financial Council and the Provincial Bureaux of Finance.

Any modifications to the present regulations which may prove necessary will be submitted to the Throne for approval.

Hongkong General Chamber of Commerce,

Hongkong, 7th April, 1909.

Sir,—In reply to your letter of 11th February, 1909 (No. 5778/04), requesting the observations of the Chamber regarding a scheme framed by the Board of Finance for the reorganising of the Finances of the Chinese Empire, I am directed to state that my Committee do not feel in a position to criticise exhaustively so large and far-reaching a scheme, but the centralisation of control, which seems to be the essence of the new Regulations, would be an important step forward, and greatly assist in the birth of a purer administration.

Needless to say my Committee are entirely sympathetic towards any proposals calculated to confer benefit upon the people of China.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

**J**

LIGHT ON KAPSING ISLAND.

S.S. "Heung Shan,"

Hongkong, 6th March, 1909.

Dear Sir,—On behalf of the Masters in command of vessels trading between Hongkong, Canton, Macao and Ports on the West River, I beg to enclose herewith a copy of a petition sent to the Hon. Basil Taylor, Harbour Master, asking for more lights. Trusting that the Chamber of Commerce will approve of and see fit to support our petition.—I remain, &c.,

R. D. THOMAS,

Master s.s. "Heung Shan."

Hon. E. A. Hewett,

Chairman, Hongkong Chamber of Commerce.

Hongkong, 5th March, 1909.

Hon. Basil Taylor, Harbour Master, Hongkong.

Dear Sir,—We, the undersigned Commanders of vessels trading to and from this Port, deem it advisable in the interest of safe navigation that the following lights should be erected.

1. That a light be placed on the Southern end of Kapsing Island. To act as a leading light across the harbour to the Kapsing Moon Pass.

2. That a light be placed either on Tong Ku Island or Boulder Point. To act as a leading light for turning into Brothers Channel and also for the West River steamers passing between Tong Ku and Sau Chau.—We remain, dear Sir, yours respectfully,

Chas. V. Lloyd, "Fatshan."	M. Courtney, "Yat Shing."
W. A. Valentine, "Kinshan."	G. Troberg, "Kwang Lee."
H. D. Jones, "Honam."	H. F. N. Walker, "Lienshing."
J. Laurence, "Tai On."	J. Meathrel, "Anhui."
H. W. Holmes, "Lintan."	A. E. Sandbach, "Choy Sang."
James Cameron, "Shun Lee."	W. H. Lunt, "Kwang Tah."
Chas. Stewart, "Chiyuen."	J. H. Brown, "Chenan."
C. C. Williams, "Linan."	W. S. Thomas, "E Sang."
Rees Lewis, "Kalgan."	E. Memberg, "Paul Beau."
E. Monkman, "Kanchow."	J. McGinty, "San Cheung."
W. E. Sayer, "Chun Sang."	H. W. Walker, "Kwong Tung."
J. S. Sidford, "Szechuen."	R. A. Birss, "Sui On."
Spencer Wilde, "Hang Sang."	Hy. Braeter, "Sun On."
Wm. Benson, "Hunan."	J. McClements, "San Ui."
Wm. McIntosh, "Shaohsing."	W. F. Bickard, "Wai Shing."
T. H. Lishman, "Foo Shing."	G. W. Eedy, "Tientsin."
T. H. Christie, Canton River Pilot.	R. Eoughton, "On Sang."
R. D. Thomas, "Heungshan."	Wm. Stalker, "Tung Shing."
E. S. Crowe, "Kwong Sai."	F. Mooney, "Chip Shing."
R. Ramsay, "Sui Tai."	L. C. C. Agaart, "Palambang."
E. Brenainse, "Charles Hardouin."	K. E. Tueben, "Ichang."
J. S. Lewingdon, "Chan Po."	Robt. G. Paramore, "Feiching."
A. N. Seaton, "Shiu On."	J. MacArthur, "Meefoo."
W. Palmer Baker, "Kwong Sang."	E. Evans, "Hoi Sang."
R. T. Anderson, "Ting Sang."	

## MEMORANDUM.

Re Light on Kapsing Island.

The proposal of the Government to place a light on the Bunsansiah Rock as a guide through the Kap Shui Moon, and the opinion that it would furnish more protection to navigation than a light on the lower end of Kap Sing Island is not likely to find endorsement amongst those who are practically affected by it.

While agreeing in the abstract that a light on Bunsansiah Rock would be a good thing, and welcomed as pointing out the position of a danger, it nevertheless finds no favour as a bad weather guide through the Pass, and I do not think there is any keen desire for such, certainly not as a substitute for the one applied for. As a danger the rock exists, but I cannot call to mind any accident of late connected with it; The name "Bunsansiah" is presumably derived from some "Country-Wallah," in the old sailing ship days striking on it.

It seems difficult to explain the reason for going so far afield for the solution of the problem when it lies so near at hand.

Accurate and fine drawn bearings are of little account in our navigation, with varying courses, deviations for junks, etc., there is no time for taking or using such, keen eye sight and good judgment are the essentials for our piloting, and the actual visual fixing of the objective is what is wanted, and not the laying down of a course which cannot be adhered to.

I may point out that the rock is not an obstacle in any special fairway, and a straight Course from the buoys to the Pass (marked by the light) leads a long way clear of it.

It would also seem that financial considerations would favour the island light, as finding a foundation on a submerged rock is an expensive piece of work.

The common sense view of the matter would seem to be, that the matured opinion of the men who have had many years experience and practice on the route, and who have discussed the subject and weighed the claims of this or the other alternative should be the determining factor in the decision as to the site of the light.

CHAS. V. LLOYD,

Master s.s. "Fat Shan."

Hongkong, 7th April, 1909.

S.S. "Heung Shan,"

Canton, 16th April, 1909.

Dear Sir,—I beg to acknowledge the receipt of your letter of the 13th instant enclosing a copy of the reply sent by the Government to the Chamber of Commerce with reference to establishing lights on Kap Sing Island and Tong Ku. With regard to the Government proposal to place a light on the Bunsansiah Rock as a guide across the harbour to the Kap Shui Moon, and the opinion that it would furnish more protection than a light on Kap Sing Island, does not recommend itself to those most affected by it. Whilst agreeing that a light or beacon on the Bunsansiah Rock would be useful as pointing out the exact position of a danger, it finds no favour as a guide to the Pass during bad weather, as anyone keeping away to pick up such light or beacon on a dark or foggy day or night would be unnecessarily running his ship into danger and after picking it up would still be a mile or more away from the Pass with a nasty ledge of rocks running out from Lantao Island almost in his course on which more than one vessel has struck during my time on the river. On the other hand. It is absolutely necessary to pick up Kap Sing Island to insure settling a correct course through the Pass. At the present time when there is a thick fog or heavy rain one is unable to clearly distinguish the contour of the land. The southern foreshore of Kap Sing Island and the eastern foreshore of Lantao Island in the neighbourhood of the Pass are so much alike that it is almost impossible to distinguish one from the other, especially so if the course across the harbour has been altered several times to clear junks, when both time and position are somewhat vague. Now with a small white house (in which to keep the light) built on the southern foreshore of Kap Sing Island this difficulty would disappear as the one shore would then have a distinctive mark and the erection of the light would then be quite as useful during the day as it would be at night.—I remain, &c.,

R. D. THOMAS,

Master s.s. "Heung Shan."

E. A. M. Williams, Esq., Secretary,

Hongkong General Chamber of Commerce.

I endorse all Capt. Thomas's remarks re light on Kap Sing Island. After many years experience as a pilot to Canton, I have no

hesitation in saying that the only safe guide through Capsingmun Pass is a light on Kapsing Island. A Light on Bunsansiah Rock intended as a guide through the Pass, would only increase the existing danger.

T. H. CHRISTIE.

Hongkong General Chamber of Commerce,

27th April, 1909.

Sir,—I have the honour to acknowledge the receipt of your letter of the 29th March, 1909, (No. 8824/1904) in reply to mine of the 18th idem having reference to the institution of a light on the Southern end of Kapsing Island.

My Committee having consulted the principal Shipping Companies interested with regard to the counter proposition of the Government that a light on Bunsansiah Rock would better serve the purpose of furnishing a leading light for the Kapsimun, the opinion of the representative Shipping Companies is now set forth in a memorandum dated 9th April, 1909, prepared by Capt. Lloyd, Master of the s.s. "Fatshan," which I now beg to enclose.

Capt. Lloyd's opinion is supported by a letter dated 16th April, 1909, from Capt. Thomas, Master of the s.s. "Heungshan," the first of the signatories to the letter previously forwarded to the Government by the Chamber.

Capt. Thomas's letter is endorsed by Mr. T. H. Christie, a pilot of many years' experience.

A copy of this letter and endorsement is also enclosed.

My Committee feel that the opinions expressed by so representative a selection of experienced navigators are entitled to the fullest consideration, and would ask, therefore, that the Government be good enough to reconsider the question.

I should be glad if Capt. Lloyd's memorandum may be returned.—  
I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

Colonial Secretary's Office,

Hongkong, 3rd May, 1909.

Sir,—With reference to your letter of the 27th ultimo, I am directed to inquire what description of light the Chamber recommends should be placed on the Southern end of Kapsing Island, and in this connection I enclose a copy of a minute by the Harbour Master dated the 28th ultimo.

I return herewith Captain Lloyd's memorandum.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

Hon. Colonial Secretary.

Mr. Lloyd certainly makes a very good point in the fact that courses cannot be relied upon because of the frequent necessity of getting out of the way of junks. But the principal point upon which he lays stress is the similarity of the appearance of Kap Sing Island and of Lantao and he seems to be more anxious for some distinguishing mark, such as a hut, than for a light, which, as I have pointed out, would not be visible in thick weather. Such a distinguishing mark could be easily and economically made with a few rocks locally obtained and a bucket of whitewash.

(2) But, if it is decided that a light is to be erected there, it would be well if the Chamber of Commerce were to say what description of light they advocate. The existing light on Mawan Island cost £51 6s. 2d., including freight and insurance, but not including Public Works Department expenses for installation. If such a light were advocated, it would, in addition, involve the expense of salary of lightkeepers and of course, oil, etc. An automatic (unattended) acetylene light, such as is extensively used in Canada with great success, would be of much greater power and would cost about \$700.00 but the cost of salaries would be avoided. This price would include an automatic occulting apparatus which would make the light distinctive and less costly to run.

BASIL TAYLOR.

Hongkong, 28th April, 1909.

Hongkong, Canton and Macao Steamboat Co., Limited.

Hongkong, 14th May, 1909.

Proposed Light  
Kap Sing Island.

Sir,—In reply to your inquiries, the general opinion of our Commanders is that the most suitable situation for the light would be on the Southern end of Kap Sing Island at an elevation of 30 feet above High Water.

Light.—Bright, occulting, of Sixth order, visible for Five miles on a clear night.

Structure.—Similar to Ma-Wan Island light house. This would be considered a good distinctive mark in fog during day time.

Fog Signal.—Bell, worked automatically, as in use on the Iron Barrier near Whampoa. In fog or thick rain sound would be a safer warning than the off chance of seeing the structure of the light tower. I recommend this suggestion to the consideration of your committee.—I am, &c.,

W. E. CLARKE, Secretary.

E. A. M. Williams, Esq., Secretary,  
Chamber of Commerce.

Hongkong General Chamber of Commerce,  
15th May, 1909.

Dear Sir,—I beg to acknowledge the receipt of your letter of yesterday's date in which you set forth the general opinion obtaining amongst the Commanders of your vessels on the subject of the institution of a light on Kap Sing Island, and to state that I have laid the same before my Committee.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

W. E. Clarke, Esq., Secretary,  
Hongkong, Canton and Macao Steamboat Co., Ltd.,  
Present.

Hongkong General Chamber of Commerce,  
Hongkong, 26th May, 1909.

Sir,—I have now the honour to reply to your letter of 3rd May (No. 8824/1904) having reference to the placing of a light on the Southern end of Kap Sing Island.

I am directed to enclose for the information of the Government a copy of a letter dated 14th May received from Capt. W. E. Clarke of the Hongkong, Canton and Macao Steamboat Co., Ltd., and containing the views of the Commanders of that Company which my Committee endorse.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

## K

### THE BLOWING OF STEAM WHISTLES IN THE HARBOUR.

1, Des Vœux Road,  
Hongkong, 23rd July, 1909.

Sir,—We desire to call the attention of your Committee and especially those Members of it who represent shipping interests, to the 21st regulation of Table "M" of the Merchant Shipping Ordinance No. 10 of 1899. The object of this regulation is to control the nuisance caused by the unnecessary blowing of steam whistles in the harbour.

In the original regulations published simultaneously with the Ordinance, the regulations ran as follows:—

" 9. No Steamship when at anchor, near or lying off the Praya,  
" or when moored to or waiting at any wharf or landing-place,  
" shall use the steam-whistle, nor shall such steamship, when  
" under way, use the steam-whistle, except for the purpose of  
" giving necessary notice of her approach towards any other  
" vessel."

" 10. No steamship when entering or leaving the Harbour, or  
" when at anchor therein, shall use her steam-whistle, except  
" for the purpose of navigation or to avoid collision. The use  
" of such steam-whistle for any other purpose is hereby pro-  
" hibited."

These regulations were amended by the "Government Gazette" of the 20th March, 1908, page 342, and the following regulation was substituted for the two above quoted.

" 21. No steamship shall use her steam-whistle except for the purposes of navigation as laid down by His Majesty's Orders in Council in Articles 15, 28 and 31 of the Collision Regulations."

The effect of the present regulation is that, unless a steamship blow her whistle when in the waters of this Colony strictly for the purposes of regulations 15, 28 and 31 of the regulations for preventing collisions at sea, a nuisance is committed for which the Master can be fined.

We are given to understand it is the invariable practice of seamen both in the waters of this Colony and in other crowded anchorages, and possibly even in the open sea, to give a warning on the whistle, of a steamship's approach to small craft whose presence or course might constitute danger either to themselves or to the steamship. This signal appears to consist of one or more blasts or toots.

The necessity for this warning is particularly apparent in this harbour where steamers, when coming up to their buoys or their wharves, have often to be steered at such a speed as to preclude their being under full steerage way rendering them often unable, owing to the crowded state of the harbour and the influence of the tides, to avoid small craft which otherwise they would be bound to steer clear of.

Under regulation 21, as at present framed, a steamship cannot adopt the customary method of warning small craft without being liable to conviction for a nuisance. On the assumption that the giving of these warning whistles is in accordance with the ordinary practice of seamen, Regulation 21 would also seem to be contrary to regulation No. 6 of Table "M" viz:—

" 6. All vessels irrespective of size shall, whether in a Fairway or not, observe the International Collision Regulations, and no vessel whatever shall anchor in any of the Fairways." and to regulation No. 29 for preventing collisions at sea.

We would invite the attention of your Shipping Members and of your Committee to a consideration of the above facts.—We have, &c.,

DEACON, LOOKER & DEACON.

E. A. M. Williams, Esq., Secretary,  
The Hongkong Chamber of Commerce.

Hongkong General Chamber of Commerce,  
Hongkong, 7th August, 1909.

Gentlemen,—My Committee has now considered your letter dated July 23rd on the subject of Regulation 21 of Table "M" of the Merchant Shipping Consolidation Ordinance No. 10 of 1899 and its relation to the control of nuisances caused by the unnecessary blowing of steam whistles in the Harbour.

My Committee would be glad to know in what particular you would suggest the existing regulations should be amended in order that they should not interfere with the ordinary precautions considered to be desirable by Masters in the navigation of the Harbour.

I should be glad to hear if you will be good enough to act on behalf of the Chamber of Commerce in this respect and draft amending regulations to take the place of the unworkable sections referred to in your letter.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Messrs. Deacon, Looker & Deacon.  
Present.

1, Des Vœux Road,  
Hongkong, 11th August, 1909.

Dear Sir,—We beg to acknowledge receipt of your letter of the 7th instant.

We have always understood from Captains of ships, and generally, that the whistling regulations as originally framed worked quite satisfactorily. They are as follows:—

" 9. No steamship when at anchor near or lying off the Praya, or when moored to or waiting at any wharf or landing-place, shall use the steam-whistle, nor shall such steamship, when under way, use the steam-whistle, except for the purpose of giving necessary notice of her approach towards any other vessel."

" 10. No steamship when entering or leaving the Harbour, or when at anchor therein, shall use her steam-whistle, except for the purpose of navigation or to avoid collision. The use of such steam-whistle for any other purpose is hereby prohibited."

They will be found in table M of the Schedule to the Ordinance as it was originally enacted.

We would recommend that the Shipping Members of your Committee make enquiries of their Captains as to whether the regulations as quoted above are not satisfactory, or whether they would suggest any amendments.

It will probably be clear to your Committee that it is the views of the Captains themselves which are really important on a point like this.—We have, &c.,

DEACON, LOOKER & DEACON.

E. A. M. Williams, Secretary,  
Hongkong General Chamber of Commerce.

Hongkong General Chamber of Commerce,  
Hongkong, 29th September, 1909.

Sir,—I am directed by my Committee to address you on the subject of Regulation No. 21 of Table "M" of the Merchant Shipping Consolidation Ordinance No. 10 of 1899 and its relation to the control of nuisances caused by the unnecessary blowing of steam whistles in the Harbour.

The effect of the present regulations is, that unless the steamship blow her whistle when in the waters of the Colony strictly for the purpose of regulations 15, 28 and 31 of the regulations for preventing collision at sea, a nuisance is committed for which the Master can be fined.

My Committee are given to understand it is the invariable practice of seamen, both in the waters of this Colony and in other crowded anchorages, to give a warning on the whistle of a steamship's approach to small craft, whose presence or course might constitute danger either to themselves or to the steamship.

This warning is necessary from steamers approaching their buoys or wharves under their own way and thus under little control.

Still more is it required in a Harbour congested with small craft and subject to the influence of tides.

Under regulation No. 21, as at present framed, a steamship cannot adopt the customary method of warning small craft without being liable to conviction for a nuisance.

On the assumption that the giving of these warnings is in accordance with the ordinary practice of seamen, Regulation 21 would also seem to be contrary to regulation No. 6 of Table "M" which reads:—

"6. All vessels irrespective of size shall, whether in a fairway or not, observe the International Collision Regulations, and no vessel whatever shall anchor in any of the fairways;" and likewise to regulation No. 29 for preventing collision at sea.

The result of enquiries made of Masters of Vessels through the Shipping Members of my Chamber, is the unanimous opinion that, in order to prevent accident to small craft and possible loss of life, the use of steam whistles in the Harbour to warn native boats of the approach of a steamer is an absolute necessity, and it is considered that the case would be met by a reversion to the regulations, as originally framed, a copy of which is annexed.

My Committee trust that His Excellency the Governor may give this matter his consideration and that he may see his way to make a much-needed reform.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. A. M. Thomson, Colonial Secretary.

Regulations Nos. 9 and 10 in Table "M" of the Schedule  
to the Ordinance as it was originally enacted.

- "9. No Steamship when at anchor near or lying off the Praya, or when moored to or waiting at any wharf or landing place, shall use the steam whistle, nor shall such steamship, when under way use the steam-whistle, except for the purpose of giving necessary notice of her approach towards any other vessel."
- "10. No Steamship when entering or leaving the Harbour, or when at anchor therein, shall use her steam-whistle, except for the purpose of navigation or to avoid collision. The use of such steam-whistle for any other purpose is hereby prohibited."

Hongkong Chamber of Commerce,

2nd October, 1909.

Gentlemen,—With reference to your letter of the 11th August, 1909, I beg to enclose, for your information, a copy of a letter which has been addressed to the Government by this Chamber on the subject

of Regulation No. 21 of Table "M" of the Merchants Shipping Consolidation Ordinance No. 10 of 1899, which has for its object the control of nuisances caused by the unnecessary blowing of steam whistles in the Harbour.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Messrs. Deacon, Looker & Deacon, Present.

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Colonial Secretary's Office,

Hongkong, 8th November, 1909.

Sir,—I am directed to acknowledge the receipt of your letter of the 29th of last September, and to enclose herewith a copy of a regulation made by His Excellency the Governor in Council on the 4th instant under section 25 (4) of Ordinance No. 10 of 1899, giving effect to the recommendation made by your Committee.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

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No. 702.

Regulation made by the Governor-in-Council under Sub-section 4 of Section 25 of the Merchant Shipping Ordinance, 1899, (Ordinance No. 10 of 1899), this 4th day of November, 1909.

Regulation No. 21, under the heading "Steam Whistles" in Table M, in the Schedule to the Merchant Shipping Ordinance, 1899, made by the Governor-in-Council on the 4th day of February, 1908, and published in the "Government Gazette" on the 20th day of March, 1908, is hereby amended by adding the following words at the end thereof:—

"and except for the purpose of giving necessary notice of her approach towards any other vessel, when one prolonged blast of from 4 to 6 seconds' duration shall be sounded."

C. CLEMENTI, Clerk of Councils.

Council Chamber, 4th November, 1909.

Hongkong General Chamber of Commerce,

Hongkong, 11th November, 1909.

Sir,—I have the honour to acknowledge the receipt of your letter of the 8th November, 1909 (No. 6439/1909), enclosing a copy of a regulation made by His Excellency the Governor-in-Council on the 4th instant, which gives effect to the recommendation of my Committee in reference to Regulation No. 21 under the heading of "Steam Whistles" in Table "M" of the Merchant Shipping Ordinance, 1899.

I am to ask you to be good enough to convey to His Excellency the Governor the thanks of my Committee for so promptly dealing with so important a question.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Sir Francis H. May, K.C.M.G., Colonial Secretary.

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Hongkong General Chamber of Commerce,

17th November, 1909.

Gentlemen,—With reference to my letter to you of the 2nd ultimo, I now take pleasure in enclosing you a copy of the Government's reply to the Chamber's letter of the 29th September, 1909, on the subject of Regulation No. 21 of Table "M" of the Merchant Shipping Consolidation Ordinance, 1899.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Messrs. Deacon, Looker & Deacon, Present.

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## L

### GOVERNMENT NOTE ISSUE.

Colonial Secretary's Office,

Hongkong, 15th April, 1909.

Sir,—I am directed to inform you that H.E. the Governor has at the present time under consideration the question of the introduction in this Colony of a Government Note Issue on the lines of the system already adopted in the Straits Settlements, and I am to inquire what are the views of your Chamber on the subject.

(2) This matter was last under consideration in 1899, when the Government decided to await the result of the experiment in the Straits Settlements, which appears to have been attended by a certain measure of success.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Chairman of Chamber of Commerce.

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Hongkong Chamber of Commerce,

27th May, 1909.

Sir,—With reference to your letter of the 15th April, 1909 (No. 3641/08), on the question of the proposed introduction in this Colony of a Government Note Issue on the lines of the system already adopted in the Straits Settlements, I have the honour to point out that the information now before my Committee is not sufficient to enable them to form an opinion as to the proposal, and I would beg to be furnished with more details so as to enable my Committee to go fully into the question.

The more important points upon which my Committee would like to be informed are:—

1. The general lines which it is proposed to adopt.
2. The arrangements for exchanging Dollars into Notes and vice versa.
  - a. Whether the Government will have their own treasuries and staff for working the issue.
  - b. If not, what alternative system have they in view?
3. To what extent do the Government estimate the revenue of the Colony would benefit as against the present tax on Bank Notes, and the data on which such estimate is based.

My Committee, upon receipt of these fuller details, will then be in a position to express their views on the subject, and I am directed to ask you to thank His Excellency the Governor for referring the matter to the Chamber.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

Colonial Secretary's Office,

Hongkong, 11th June, 1909.

Sir,—In reply to your letter of the 27th ultimo, I am directed to transmit the enclosed copies of minutes by the Colonial Treasurer, dated the 18th ultimo and the 5th instant, together with copies of the printed papers in annexed schedule. These documents contain the further information asked for by your Committee.

2. I am to request that the printed papers may be returned to this office in due course.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

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- (1) Seven reports on the working of the Currency Note Issue in the Straits Settlements.
  - (2) Memorandum on proposed Government Note Issue for Southern Nigeria.
  - (3) The Currency Note Ordinance, 1899, Straits Settlements.

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Hon. Colonial Secretary,

My proposals are simply that:—

1. Government should issue notes in Exchange for currency at par and undertake to exchange currency for notes on presentation.
2. That one-half at least of the amount deposited be kept in the Colony, and that one-half be sold and invested in gold securities at home.
3. That some time be allowed to elapse before investing up to the ultimate full proportion in order that such proportion may be ascertained by experience.
4. That minor details be settled when the Secretary of State has approved the principle.

A. M. THOMSON, Colonial Treasurer.

18/5/09.

NOTES RE PROPOSED GOVERNMENT ISSUE.

1. The issue of papers for legal tender excluding sub. coin.
2. The redemption of such paper on presentation in legal tender.
3. The storage of the coin tendered for notes with the proviso that as soon as the limit of safety is ascertained by practice a portion of the coin will be invested in gold securities.

4. It is understood that the Banks in the Colony will accept the notes and that therefore any one wanting notes for coin or vice versa will be accommodated at the various Banks always with the proviso that the Treasury is ready to do so in case of trouble.

5. The question of the Government having its own Treasury is a subsidiary one. Possibly it may be necessary to build a Treasury if no one of the Banks will hire a vault or undertake the issue and redemption of the notes.

6. It is estimated that the revenue would be benefited to the extent of the difference of 1 per cent. note duty and  $3\frac{1}{2}$  per cent. interest on the investment of half of the bullion deposits.

On present data of excess issues of notes by the Hongkong and Shanghai and the Chartered Banks it is estimated that at least \$8,000,000 Government Notes would be required by the Community; leaving out of account the fact that notes are so scarce at the present day as to make a difference of  $3\frac{1}{2}$  per cent. between them and the legal tender.

Taking the above figure:—

\$8,000,000 at 1 per cent. Stamp Duty = \$80,000.

\$4,000,000 at  $3\frac{1}{2}$  per cent. interest = \$140,000.

Difference in favour of revenue \$60,000. Expenses are estimated at \$15,000 p.a., leaving a net increase of revenue of \$45,000.

It should however be distinctly understood that the suggestion for the issue of Government Notes was made not on account of the necessity of increasing revenue but almost solely on account of the fact that for some years there has been a difference between Bank Notes and legal tender amounting to as much as  $3\frac{1}{2}$  per cent. and also that Government is responsible for the furnishing of a convenient currency.

A. M. THOMSON, Colonial Treasurer.

5/6/09.

Hongkong Chamber of Commerce,

28th June, 1909.

Sir,—In reply to the enquiry in your letter of 11th June, 1909, (No. 8641/1908) I am now directed to state that my Committee see no objections to a Government Note Issue provided such an issue does not mean a loss of Revenue to the Colony or an increased expenditure without a consequent and equivalent increase of Revenue and provided the conditions of the issue are such as to in no way hamper the trade of the Colony.

With regard to the Memorandum of the Hon. the Colonial Treasurer dated 5th June, 1909, and enclosed in your letter above referred to, my Committee are of opinion, in the case of a Government Note Issue, that the issue and redemption of the notes should be undertaken by the Government, that Government Officials should be in charge thereof and that the coin and/or securities held against the circulation should remain in the hands and be entirely under the control of the Government. It would therefore be necessary for the Government to arrange for a Department to issue and redeem the notes and to have a treasury of its own.

The Colony occupies the position of a financial centre for the Southern Provinces of the Empire of China, and large amounts in hard dollars are therefore liable to be imported or exported suddenly. Shipments of several lacs of dollars at one time are of frequent occurrence and it is on record that only some three years ago one steamer brought \$24 lacs while more recently \$15 lacs were exported in one steamer. It may consequently be inferred that considerable variation will take place in the amount of notes in circulation: in fact the difference between the highest and lowest average monthly amount of Bank notes in circulation, according to the figures published in the "Government Gazette," was:—

In 1905 .....	\$6,028,415
In 1906 .....	7,739,884
In 1907 .....	4,160,429
In 1908 .....	3,140,568
In 1909 (January to May) .....	6,994,747

My Committee are therefore of opinion that the Hon. the Colonial Treasurer's estimate of expenses is too low.

Regarding the proposal to invest a proportion of the dollars in Gold Securities my Committee consider that a reserve fund should be established to cover the exchange risk so that the coin and investments

held against the issue will at all times be sufficient to redeem it at par and that no call on the revenues of the Colony will ever be necessary.

I am also directed to call your attention to the possibility of the adoption by China of an uniform currency and to point out that in the event of this taking place it may be found advisable to change the currency of this Colony which might involve the recoinage or disposal of the dollars in reserve. My Committee think that before incurring the responsibilities attaching to a note issue the Government should give careful consideration to this contingency.

I return herewith the enclosures as requested.—I have, etc.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. A. M. Thomson, Colonial Secretary.

Colonial Secretary's Office,  
Hongkong, 5th October, 1909.

Sir,—With reference to your letter of the 28th of last June, I am directed to transmit for the consideration of your Chamber the enclosed draft of a Bill entitled an Ordinance to provide for the issue of Government Paper Currency and to inquire whether its provisions are acceptable to the Chamber.—I am, &c.,

A. M. THOMSON, Colonial Secretary.

The Secretary, Chamber of Commerce.

A B I L L  
entitled

An Ordinance to Provide for the Issue of Government  
Paper Currency.

WHEREAS it is desirable that there should be an issue of Government Paper Currency to supplement the issue of Notes by the Banks:

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

Short title.

1. This Ordinance may be cited as The Currency Note Ordinance, 1909.

2. In this Ordinance:—

Definitions.

The expression "Secretary of State" means one of His Majesty's Principal Secretaries of State.

The expression "current coin" means coin which is for the time being legal tender in Hongkong.

3.—(1) A Board of Commissioners of Currency (in this Ordinance referred to as "the Commissioners") shall be established for the purpose of this Ordinance, and shall consist of the persons for the time being lawfully discharging the duties of Colonial Secretary and Treasurer and of one other person nominated by the Governor.

Commissioners of Currency.

(2) The Commissioners shall have an office at Victoria and may employ such officers and persons as may be from time to time authorised by the Governor.

Power to Issue notes.

(3) Any act of the Commissioners may be signified in writing under the hands of the Commissioners.

(4) If any Commissioner is for the time being unable to act the Governor may appoint a fit person to act in his place during such inability.

4.—(1) Subject to the provisions of this Ordinance the Commissioners may from time to time provide and issued under the order of the Governor out of the general for notes previously issued under this Ordinance notes (in this Ordinance referred to as "currency notes").

(2) A currency note shall be a promise on the part of the Government of Hongkong to pay to the bearer on demand the amount named therein; and the amount required for such payment shall be a charge on the moneys and securities in the hands of the Commissioners under this Ordinance and on the general revenue of the Colony; and if a sum is required to meet any such note and the said moneys are insufficient to meet it the sum shall forthwith on the demand of the Commissioners be issue and reissue in exchange either for current coin or revenue in priority to all other charges except those charged thereon by any Ordinance passed before this Ordinance and for the time being payable.

(3) The holder of a currency note shall be entitled to obtain on demand during the usual banking hours at the office of the Commissioners payment in current coin of the amount expressed in the note; but it shall be lawful for the Commissioners to require a person when presenting notes to accept such current coin as the Commissioners may tender provided that nothing in this section shall entitle the Commissioners to require such person to accept subsidiary silver coin in excess of the sum for which such subsidiary silver coin is legal tender.

Denomina-  
tion and form  
of notes.

5.—(1) Currency notes may be for the following denominations, namely one dollar, five dollars, ten dollars, twenty dollars, fifty dollars, one hundred dollars and any multiple of one hundred dollars and the amount of notes of each denomination shall be such as may be fixed by the Commissioners with the approval of a Secretary of State.

(2) Currency notes shall be in such form and of such design and printed from such plate and on such paper and be authenticated in such manner (whether by the signatures of the Commissioners for the time being or facsimiles of the signatures or otherwise) as may be approved by the Secretary of State.

(3) The plate shall be prepared and kept and the notes printed, issued and cancelled under such regulations as a Secretary of State may make for the purpose of preventing fraud and improper issue.

Notes to be  
legal tender.

6.—A currency note shall be legal tender in Hongkong of the amount expressed therein except a tender by the Commissioners at their office or a tender by any bank lawfully authorised to issue notes in redemption of its own notes.

Application  
of coin received  
in ex-  
change for  
note.

7.—(1) Subject as hereinafter mentioned the current coin received in change for currency notes shall form the Note Guarantee Fund and be held in the Colony by the Commissioners for meeting the payment of the notes and shall not be applied for any other purpose.

(2) Of the Note Guarantee Fund a portion (in this Ordinance referred to as the coin portion of the Fund) not being less than the fixed proportion hereinafter

mentioned shall be in coin and shall be kept in the custody of the Commissioners but the balance may be invested as hereinafter mentioned and the portion so invested is in this Ordinance referred to as the investment portion of the Fund.

(3) The coin portion of the Fund shall not be less than the fixed proportion of the notes for the time being in circulation and if necessary the securities forming the investment portion of the Fund shall be sold so as to prevent the coin portion falling below the fixed proportion:

Provided that if the deficiency of the coin portion below the fixed proportion does not exceed one-fourth of that proportion the sale of securities may with the consent of the Governor be temporarily postponed for a period not exceeding three months; but until the coin portion amounts to that fixed proportion no further investment of securities shall be made and the whole income of the investment portion of the Fund shall be carried to and form part of the coin portion of the Fund.

(4) The fixed proportion shall in the first instance be two-thirds but if the Governor satisfies a Secretary of State that having regard to the amount of notes which are always outstanding the fixed proportion may be diminished without danger to the convertibility of the currency notes and obtains the authority of a Secretary of State for the purpose he may by Proclamation fix another proportion so that it be not less in any case than one-half.

(5) Any such Proclamation may be revoked by an order of a Secretary of State without prejudice to the issue of a new Proclamation.

8.—(1) Notwithstanding anything in the last preceding section contained it shall be lawful for the Commissioners of Currency with the approval of a Secretary of State to use any part of the coin portion of the Note Guarantee Fund for the purpose of having it reminted and coined into such coins as may be approved by His Majesty's Government as legal tender in the Colony.

Reminting of  
coin portion  
of Guarantee  
Note Fund.

Provided always that where such approval has been given the Commissioners of Currency shall not be bound to sell any of the securities forming the investment portion of the Fund by reason of the coin portion of the Fund falling below the fixed proportion of the Fund in consequence of the reminting of any part thereof.

(2) All coins the result of the reminting of any part of the coin portion of the Fund shall on being received from His Majesty's Mint be forthwith placed in Coin Reserve for the ordinary purposes of the Currency Notes Issue. Provided always that the Commissioners may exchange them or any part of them for an equivalent value of other coins which for the time being are legal tender in the Colony, and it shall be lawful for the Commissioners for this purpose to hold in any part of the Colony such amount of coin as remained as aforesaid as to them shall seem fit.

Cost of reminting to be made good from General Revenue.

(3) The cost of such reminting as aforesaid and all charges in connection therewith including any loss of silver caused by the said reminting and any difference in the way of loss between the nominal value of coin originally taken from the coin portion of the Fund to be reminted as aforesaid and the nominal value of the new coins actually received back from His Majesty's Mint shall be made good to the Commissioners from the General Revenue of the Colony.

(4) In the event of the reminting of any part of the coin portion of the Fund as aforesaid the monthly abstracts published in the "Gazette" by the Commissioners in accordance with section 11 of this Ordinance shall include and show separately in the statement of the coin portion of the Note Guarantee Fund the nominal value of the coin taken out to be reminted.

#### Investment and Depreciation Fund.

Investment portion of Note Guarantee Fund.

9.—(1) The investment portion of the Note Guarantee Fund may be invested in Indian Government securities and such securities of the Government of the United Kingdom or of the Government of any British Colony other than Hongkong or in such other securities as may from time to time be approved of by a Secretary of State.

(2) All such investments shall if made in England be made in the joint names of the Crown Agents for the Colonies and of such other officers or persons as a Secretary of State shall appoint as Trustees on behalf of the Commissioners. Investments made in India in Indian Government securities shall be made in the names of the Commissioners.

(3) The securities shall be applicable for the payment of currency notes and for no other purposes.

(4) The income derived from securities shall be applied:—

- (a) in paying the expenses of and incidental to the execution of this Ordinance; and
- (b) subject to the provisions of section 10 and section 11 hereof in the payment of the net balance after the payment of the said expenses to a Depreciation Fund.

10.—(1) A separate account shall be kept of the Depreciation Fund and the income of the Fund shall be invested by way of accumulation so as to form part of the Fund, but save as aforesaid or as is otherwise expressly provided by this Ordinance the Depreciation Fund shall form part of the investment portion of the Note Guarantee Fund and the provisions of this Ordinance shall apply thereto accordingly.

Depreciation Fund.

(2) Whenever the Governor satisfies a Secretary of State that the Depreciation Fund is not less than ten per cent. of the investment portion of the Note Guarantee Fund and that any depreciation of market value below the cost price of the securities forming the investment part of Guarantee Fund has been made good and that it is unnecessary for the present to increase the Depreciation Fund he may order the annual payment to the Depreciation Fund of the said net balance to be discontinued and the said net balance to be paid to the general revenue of the Colony. If at any time thereafter the Governor is of opinion that it is necessary to increase the Depreciation Fund the Governor may order that the whole of or any part of the said net balance shall be again paid into the Depreciation Fund.

## Accounts and Expenses.

Accounts of  
Commissioners.

11.—(1) The accounts of all transactions of the Commissioners under this Ordinance shall be audited in every year by such persons and in accordance with such regulations as a Secretary of State directs.

(2) An abstract of such accounts shall be forthwith after such audit published in the "Gazette."

(3) If it appears upon such audit that the market value of the securities forming the investment portion of the Note Guarantee Fund (including the Depreciation Fund) is less than the amount of coin taken for investment from the Note Guarantee Fund the amount of the deficiency shall be paid into the Note Guarantee Fund out of the general revenue of the Colony at such time as the Governor may with the sanction of the Secretary of State direct. Provided that the amount so advanced from general revenue may be recovered hereafter if and when the value of the securities is found to exceed the amount of coin taken for investment as aforesaid.

(4) The Commissioners shall on the first of each calendar month or if that day be a Sunday or a public holiday on the next day make up and forthwith publish in the "Gazette" an abstract shewing:—

- (a) the whole amount of currency notes in circulation on the said day and the average amount in circulation during the month ending that day;
- (b) the amount of the coin portion of the Note Guarantee Fund on the said day and the average amount during the month ending that day; and
- (c) the nominal value of price paid for and the latest known market price of the securities forming the investment portion of the Note Guarantee Fund and the equivalent thereof in Hongkong currency based on the latest known price of silver.

(5) The amount of notes in circulation at a particular date shall be the total nominal amount of notes issued to the public by the Commissioners prior to that date after deducting the total nominal amount of notes received by the Commissioners prior to that date.

(6) The said abstracts shall from time to time and at least once a quarter be verified in accordance with regulations made by a Secretary of State by a board of survey appointed by the Governor.

12.—All expenses of and incidental to the execution of this Ordinance shall so far as not defrayed out of the income of the Note Guarantee Fund be paid out of the general revenue of the Colony.

Expenses.

## Penalties.

13.—If any Commissioner issues or is a party to issuing any currency note otherwise than in accordance with this Ordinance or authorizes or is a party to authorizing the application of any portion of the Note Guarantee Fund for any purposes not authorized by this Ordinance or otherwise acts contrary to his duty under this Ordinance he shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years with or without hard labour or to a fine not exceeding ten thousand dollars or to both such punishments.

Penalty on  
Commission-  
ers.

14.—(1) If any person with intent to defraud forges or alters any currency note or knowing any note purporting to be a currency note to be forged or altered utters the same he shall on conviction be liable to imprisonment with or without hard labour for any period not exceeding ten years.

Forgery of  
Currency note.

(2) If any person without lawful authority or excuse the proof whereof shall lie on him receives from any other person or has in his possession any forged or altered note purporting to be a currency note knowing the same to be forged or altered or any unfinished or incomplete note purporting to be a currency note issued

by the Commissioners he shall be liable on conviction to imprisonment with or without hard labour same for any period not exceeding five years.

Penalty for having materials for forging notes.

15.—(1) If any person without lawful authority or excuse the proof whereof shall lie upon him:—

(a) makes or uses or sells or exposes for sale or knowingly has in his possession:—

(i.) any instrument for the making of paper with any words device or distinction peculiar to and appearing in the substance of the paper used for currency notes; and

(ii.) any paper with any such words device or distinction as aforesaid; or

(b) by any art or contrivance causes any such words device or distinction or any words device or distinction intended to resemble and pass for the same to appear visible in the substance of any paper he shall on conviction be liable to imprisonment with or without hard labour for any period not exceeding five years.

(2) If any person without lawful authority or excuse the proof whereof shall lie upon him:—

(a) engraves or in any wise makes upon any plate whatsoever or upon any material any note purporting to be a currency note or a part of a currency note or any name word number figure device character or ornament resembling or apparently intended to resemble any signature to a currency note; or

(b) uses any such plate or material or any other instruments or device for the making or printing of any currency note; or

(c) knowingly has in his possession any such plate material instrument or device; or

(d) knowingly utters or has in his possession any paper upon which an impression or any such matter as aforesaid is made or printed,

he shall be liable on conviction to imprisonment with or without hard labour for a period not exceeding five years.

16.—Any power conferred by this Ordinance on a Secretary of State or the Governor may be exercised from time to time and any order or regulation made by a Secretary of State or the Governor for the purpose of exercising any such power may be revoked or varied by such Secretary of State or Governor as the case may be.

General provision.

17.—This Ordinance shall not come into operation unless and until the Governor notifies by Proclamation that it is His Majesty's pleasure not to disallow the same and thereafter it shall come into operation upon such a day as the Governor shall notify by the same or any other Proclamation.

Date of coming into operation.

#### Memorandum.

The currency of Hongkong being silver is bulky and inconvenient for payment of other than small amounts. Certain banks, at present, issue notes, but the amount of such notes issued is insufficient to meet the general demand for such and these notes have, for a considerable time, been at a premium as compared with currency silver dollars.

The bill, based on the lines of the Straits Settlements Currency Note Issue Ordinance, provides for the issue of notes, which will be legal tender for any amount, and the establishment of a note guarantee fund, partly in coin and partly in approved securities. The interest from the invested portion of the note guarantee fund, will form the depreciation for some time, will pay for the cost of working the note issue and recompense the Government for any loss on duty at present received from banks issuing notes.

By an issue of Government currency notes, to as large an amount as demanded, with a full guarantee, the present inconvenience of a scarcity of issue and a premium on bank notes will be removed and an improvement in the currency effected.

C. MCI. MESSER, Treasurer.

## M

### LIMITED PARTNERSHIPS BILL.

Attorney General's Chambers,  
Hongkong, 24th September, 1909.

Dear Sir,—During my absence from the Colony Sir Henry Berkeley drafted a Bill to establish Limited Partnerships here.

It introduces with slight local modifications the provisions of the Limited Partnerships Act 1907 and its object is explained in the Memorandum attached to the draft Bill.

I forward herewith a copy of the draft for the consideration of your Chamber and I shall be pleased to confer with you hereafter on any amendments or suggestions which your Chamber may have to offer on it.—Yours faithfully,

W. REES-DAVIES.

The Honourable Mr. E. A. Hewett,  
President of the Chamber of Commerce.

### A B I L L

entitled

An Ordinance to Establish Limited Partnerships.

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

1.—This Ordinance may be cited as the Limited Partnerships Ordinance, 1909.

Short Title.  
7 Ed. 7 c. 24  
s. 1.

2.—In the construction of this Ordinance the following words and expressions shall have the meanings respectively assigned to them in this section, unless there be something in the subject or context repugnant to such construction:—

“ Firm ”, “ firm name ”, and “ business ” have the same meaning as in the Partnership Ordinance, 1897.

“ General Partner ” shall mean any partner who is not a limited partner as defined by this Ordinance.

“ Registrar of Companies ” shall mean the officer appointed for the registration of Companies under the Companies Ordinance, 1865.

“ The Court ” shall mean the Supreme Court.

“ Full name ” shall, in the case of a person who carries on business in more than one name, include all the names in which such person carries on business.

3.—(1) From and after the commencement of this Ordinance limited partnerships may be formed in the manner and subject to the conditions by this Ordinance provided.

(2) A limited partnership shall not consist, in the case of a partnership carrying on the business of banking, of more than ten persons, and, in the case of any other partnership, of more than twenty persons, and must consist of one or more persons called general partners, who shall be liable for all debts and obligations of the firm, and one or more persons to be called limited partners, who shall at the time of entering into such partnership contribute thereto a sum or sums as capital or property valued at a stated amount, and who shall not be liable for the debts or obligations of the firm beyond the amount so contributed.

(3) A limited partner shall not during the continuance of the partnership, either directly or indirectly, draw out or receive back any part of his contribution, and if he does so draw out or receive back any such part, shall be liable for the debts and obligations of the firm up to the amount so drawn out or received back.

Interpretation of terms.  
*Id.* s. 3.

Ordinance  
No. 1 of 1897.

Ordinance  
No. 1 of 1865.

Definition and constitution of limited partnership.  
7 Ed. 7 s. 4.

(4) A body corporate may be a limited partner.

4.—Every limited partnership must be registered as such in accordance with the provisions of this Ordinance, or in default thereof it shall be deemed to be a general partnership, and every limited partner shall be deemed to be a general partner.

5.—(1) A limited partner shall not take part in the management of the partnership business, and shall not have power to bind the firm:

Provided that a limited partner may by himself or his agent at any time inspect the books of the firm and examine into the state and prospects of the partnership business, and may advise with the partners thereon.

If a limited partner takes part in the management of the partnership business he shall be liable for all debts and obligations of the firm incurred while he so takes part in the management as though he were a general partner.

(2) A limited partnership shall not be dissolved by the death or bankruptcy of a limited partner, and the lunacy of a limited partner shall not be a ground for dissolution of the partnership by the Court unless the lunatic's share cannot be otherwise ascertained and realised.

(3) In the event of the dissolution of a limited partnership its affairs shall be wound up by the general partners unless the Court otherwise orders.

(4) Applications to the Court to wind up a limited partnership shall be by petition under the Companies Ordinance, 1865, and the provisions of that Ordinance relating to the winding up of companies by the Court and of the rules made thereunder (including provisions as to fees) shall, subject to such modification (if any) as the Governor-in-Council may by rules provide, apply to the winding-up by the Court of limited partnerships, with the substitution of general partners for directors.

(5) Subject to any agreement expressed or implied between the partners,—

Registration of limited partnership required.  
*Ib. s. 5.*

Modifications of general law in case of limited partnerships.  
*Ib. s. 6.*

Ordinance No. 1 of 1865.

- (a) Any difference arising as to ordinary matters connected with the partnership business may be decided by a majority of the general partners;
- (b) A limited partner may, with the consent of the general partners, assign his share in the partnership, and upon such an assignment the assignee shall become a limited partner with all the rights of the assignor;
- (c) The other partners shall not be entitled to dissolve the partnership by reason of any limited partner suffering his share to be charged for his separate debt;
- (d) A person may be introduced as a partner without the consent of the existing limited partners;
- (e) A limited partner shall not be entitled to dissolve the partnership by notice.

6.—Subject to the provisions of this Ordinance, the Partnership Ordinance, 1897, and the rules of equity and of common law applicable to partnerships, except so far as they are inconsistent with the express provisions of the last mentioned Ordinance, shall apply to limited partnerships.

7.—The registration of a limited partnership shall be effected by sending by registered post or delivering to the Registrar of Companies a statement signed by the partners containing the following particulars:—

- (a) The firm name;
- (b) The general nature of the business;
- (c) The principal place of business;
- (d) The full name of each of the partners;
- (e) The term, if any, for which the partnership is entered into, and the date of its commencement;
- (f) A statement that the partnership is limited, and the description of every limited partner as such;
- (g) The sum contributed by each limited partner and whether paid in cash or how otherwise.

Law as to private partnership to apply subject to this Ordinance.  
*7 E.I. 7 e. 24 s. 7.*

Manner and particulars of registration  
*Ib. s. 8.*

Registration  
of changes in  
partnership  
*Ib. s. 9.*

8.—(1) If during the continuance of a limited partnership any change is made or occurs in:—

- (a) the firm name,
- (b) the general nature of the business,
- (c) the principal place of business,
- (d) the partners or the name of any partner,
- (e) the term or character of the partnership,
- (f) the sum contributed by any limited partner,
- (g) the liability of any partner by reason of his becoming a limited instead of a general partner or a general instead of a limited partner,

a statement, signed by the firm, specifying the nature of the change shall within seven days be sent by post or delivered to the Registrar of Companies.

(2) If default is made in compliance with the requirements of this section each of the general partners shall, on summary conviction before a Magistrate, be liable to a fine not exceeding ten dollars for each day during which the default continues.

9.—Notice of any arrangement or transaction under which any person will cease to be a general partner in a firm, and will become a limited partner in that firm, or under which the share of a limited partner in a firm will be assigned to any person, shall be forthwith advertised in the "Gazette," and until notice of the arrangement or transaction is so advertised the arrangement or transaction shall, for the purposes of this Ordinance, be deemed to be of no effect.

10.—The statement of the amount contributed by a limited partner, and a statement of any increase in that amount, sent to the Registrar for registration under this Ordinance, shall be charged with an ad valorem stamp duty of \$2.50 for every \$1,000 and any fraction of \$1,000 over any multiple of \$1,000, of the amount so contributed, or of the increase of that amount, as the case may be; and, in default of payment of stamp duty thereon as herein required, the duty with interest

Advertisement  
in  
*Gazette* of  
statement of  
general part-  
ner becoming  
a limited  
partner and  
of assign-  
ment of share  
of limited  
partner.  
*Ib. s. 10.*

*Ad valorem*  
stamp duty  
on contri-  
butions  
by limited  
partners.  
*Ib. s. 11.*

thereon at the rate of seven per cent. per annum from the date of delivery of such statement shall be a joint and several debt to His Majesty, recoverable from the partners, or any of them, in the said statements named, or, in the case of an increase, from all or any of the said partners whose discontinuance in the firm shall not, before the date of delivery of such statement of increase, have been duly notified to the Registrar of Companies.

11.—Every one commits a misdemeanour who makes, signs, sends, or delivers for the purpose of registration under this Ordinance any false or incomplete statement known by him to be false or incomplete.

12.—On receiving any statement made in pursuance of this Ordinance the Registrar of Companies shall cause the same to be filed, and he shall send by registered post to the firm from whom such statement shall have been received a certificate of the registration thereof.

13.—The Registrar of Companies shall keep at his office, in proper books to be provided for the purpose, a register and an index of all the limited partnerships registered as aforesaid, and of all the statements registered in relation to such partnerships.

14.—(1) Any person may inspect the statements filed by the Registrar of Companies, and there shall be paid for each such inspection a fee of one dollar; and any person may require a certificate of the registration of a limited partnership, or a copy of or extract from any registered statement, to be certified by the Registrar of Companies, and there shall be paid for such certificate of registration, certified copy, or extract such fee as the Court may appoint, not exceeding \$1 for the certificate of registration, and not exceeding thirty cents for each folio of seventy-two words.

(2) A certificate of registration, or a copy of or extract from any statement registered under this Ordinance, if duly certified to be a true copy under the hand of the Registrar of Companies or one of the Deputy Registrars (whom it shall not be necessary to prove to be the Registrar or Deputy Registrar) shall, in all legal proceedings, civil or criminal, and in all cases whatsoever, be received in evidence.

Making false  
returns to be  
misdemean-  
our.  
*Ib. s. 12.*

Registrar  
to file  
statement  
and issue  
certificate of  
registration.  
*Ib. s. 13.*

Register and  
index to  
be kept.  
*Ib. s. 14.*

Inspection of  
statements  
registered.  
*Ib. s. 16.*

Powers of  
Governor-in-  
Council to  
make rules.  
*Id. s. 17.*

15.—The Governor-in-Council may make rules concerning any of the following matters:—

- (a) The fees to be paid to the Registrar of Companies under this Ordinance so that they do not exceed in the case of the original registration of a limited partnership the sum of twenty dollars and in any other case the sum of three dollars.
- (b) The duties or additional duties to be performed by the Registrar of Companies for the purposes of this Ordinance.
- (c) The performance by Deputy Registrars and other officers of acts by this Ordinance required to be done by the Registrar of Companies.
- (d) The forms to be used for the purposes of this Ordinance.
- (e) Generally the conduct and regulation of registration under this Ordinance and any matters incidental thereto.

Commence-  
ment of  
Ordinance.  
*Id. s. 2.*

16.—This Ordinance shall come into operation on the first day of January, 1910.

#### Memorandum.

The object of this measure is to introduce into this Colony, with the necessary local modifications, the provisions of the Limited Partnerships Act, 1907.

In the case of *Li Po Kam and Li Po Yung v. Li Ling Shi and Lo Tsung Pak* (3. H.K.L.R. 170) the Chief Justice, referring to the Partnership Ordinance, 1897, said:—“.....this is an Ordinance passed in 1897 by the local Legislature, and I can only hold, there being no reference from end to end to Chinese customs, that it was the deliberate intention to ignore the Chinese customs of partnership. Whether this was wise or unwise is not for me to say. But I must point out to the Government the extreme danger of reproducing English legislation bodily into the Colonial statute book, without at least considering the question how it

may affect the customs of the large body of Chinese who are legislated for.” It is quite true that it may be said of this Bill that it is, in its main features, the same as a recent English Act; but it is equally true that, unlike the Partnership Ordinance, 1897, it is introduced, after due consideration of its probable effect on the community as a whole, with the special end in view of bringing the Partnership law of the Colony into harmony with Chinese ideas.

The Chinese, who invest their savings very largely in business firms and participate in the profits in proportion to the amount of their investments, have always regarded as a hardship the provision of the existing law that the receipt by a person of a share in the profits of a business is, subject to certain reservations, *prima facie* evidence that he is a partner in the business; with the result that in the event of liability or in the event of bankruptcy every obstacle is opposed to the investigation of the affairs of a firm, and it is a matter of the utmost difficulty in many cases to discover who the partners are.

It is hoped that the provisions of this Ordinance, which render a limited partner liable only for the amount of money which he has invested in the business, will induce the registration of the names of partners and of the amount of capital invested.

HENRY S. BERKELEY,  
Attorney-General.

Hongkong General Chamber of Commerce,

11th November, 1909.

Sir,—I have now the honour to state, in reply to your letter of 24th September, 1909, covering a draft Bill to establish Limited Partnerships in the Colony, that my Committee see nothing objectionable in the draft so courteously submitted to them.

They would, however, appreciate very much an opportunity of considering any views which may have been, or are to be, expressed by the Hongkong Law Society.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

The Hon. Mr. W. Rees-Davies, Acting Chief Justice.

## N

### THE PATENTS AMENDMENT ORDINANCE 1909.

Colonial Secretary's Office,  
Hongkong, 17th July, 1909.

Sir,—I am directed to transmit for the consideration of your Committee the enclosed copy of a Bill entitled an Ordinance to Amend the Patents Ordinance, 1892, which has been read a first and second time by the Legislative Council of this Colony, together with a copy of a letter from the Hongkong Law Society, dated the 6th instant, and a copy of a memorandum, dated the 12th instant, by the Crown Solicitor, whose suggestions are acceptable to the Law Society.

2. His Excellency the Governor will be glad to know whether your Committee concurs in these amendments.—I am, &c.,

A. M. THOMSON, Colonial Secretary.

The Secretary, Chamber of Commerce.

## A B I L L

entitled

An Ordinance to Amend the Patents Ordinance, 1892.

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

Short title  
and construc-  
tion.

1.—This Ordinance may be cited as the Patents Amendment Ordinance, 1909, and it shall be read and construed as one with the Patents Ordinance, 1892, hereinafter called the Principal Ordinance.

2.—Section 2 of the Principal Ordinance is hereby amended

Amends section 2 of the Principal Ordinance.

(a) by the substitution of the words " United Kingdom " for the word " England " in the fifth line of sub-section (1).

Substitutes " United Kingdom " for " England ".

(b) by the repeal of sub-section (2) and the substitution therefor of the following:—

Certain documents to accompany petition.

" (2) Every such petition shall be accompanied by the original Letters Patent granted for the said invention in the United Kingdom or by a certified copy of the same and also by a certified copy of the complete specification filed on the petition for Letters Patent for the said invention in the United Kingdom."

(c) by the insertion at the beginning of sub-section (3) of the following words:—

" Every such petition shall be further accompanied by a declaration which may be in the Form No. 2 in the said Schedule or in such other form not being less specific, as to the Governor may appear proper."

(d) by the addition of the following sub-section:—

" (4) Where an applicant other than the patentee to whom Letters Patent have been granted in the United Kingdom claims to be entitled by virtue of licence, assignment, transmission, or other operation of law to be entered on the Register of Patents as proprietor in this Colony of such Letters Patent, he shall furnish such particulars as the Governor may require of the licence, assignment, transmission, or other operation of law in virtue of which his claim is made."

Particulars of authority to apply to be furnished if required.

Amends  
section 3 of  
the Principal  
Ordinance.

3.—Section 3 of the Principal Ordinance is hereby amended by the omission of the words “ and of the time of the sitting of the Executive Council before which the matter of the petition will come for decision ” in the third, fourth, and fifth lines thereof.

Repeals  
section 4 of  
the Principal  
Ordinance.

4.—Section 4 of the Principal Ordinance is hereby repealed and the following section is substituted therefor:—

Hearing &c.,  
of petition.

“(1) Every petition for a grant of Letters Patent shall be considered by the Governor who may refuse the prayer of the said petition or may grant it absolutely or subject to such conditions, amendments, and modifications as he may think fit: Provided always that no grant of Letters Patent shall be made in this Colony for a period exceeding the period of the duration of the Letters Patent in the United Kingdom.

(2) Letters Patent granted under the provisions of this Ordinance shall be in such form as may from time to time be prescribed in the United Kingdom or as near thereto as circumstances will permit.”

Repeals  
section 5 of  
the Principal  
Ordinance.

5.—Section 5 of the Principal Ordinance is hereby repealed and the following section is substituted therefor:—

Effect of  
grant.

“5.—(1) Subject to the provisions of sub-sections (2) and (3) Letters Patent granted under this Ordinance shall confer all the rights and privileges and shall subject the grantees thereof to all the provisions affecting Letters Patent in the United Kingdom as fully as if the same had been granted with an extension thereof to this Colony by His Majesty under the provisions of such statutes as are now or may hereafter be in force in the United Kingdom or as near thereto as the circumstances of this Colony shall admit of.

(2) Section 27 of the Act of the Imperial Parliament 7 Edw. VII. cap. 29 (“ The Patents and Designs Act 1907 ”) shall be read and construed, in relation to patents granted in this Colony, as if the words “ and Hongkong ” appeared therein after the words “ United Kingdom ” wherever the latter words appear in the said section.

Revocation of  
Patent in the  
United King-  
dom under  
section 27 not  
to affect a  
patent in  
Hongkong  
unless not  
worked in  
Hongkong.

(3) Revocation of Letters Patent granted in this Colony, except at the request of the registered proprietor when the same may be granted by the Governor, shall be obtained only on petition to the Supreme Court, and the plaintiff shall be required to satisfy the Court that such revocation is justified in this Colony on grounds similar to those on which the revocation of Letters Patent is justified in the United Kingdom.”

Limitation as  
to revocation  
in Hongkong.  
Procedure to  
obtain  
revocation.

6.—Section 6 of the Principal Ordinance is hereby amended by the substitution of the words “ United Kingdom ” for the word “ England ” in the third line thereof; and by the substitution of the word “ Governor ” for the words “ Governor-in-Council ” in the fourth line thereof.

Amends  
section 6 of  
the Principal  
Ordinance.

7.—Section 8 of the Principal Ordinance is hereby amended by the substitution of the word “ Governor ” for the words “ Governor-in-Council ” in the fourth line thereof.

Amends  
section 8 of  
the Principal  
Ordinance.

8.—The following sections are hereby inserted at the end of the Principal Ordinance:—

Additional  
sections to  
the Principal  
Ordinance.

“ 12. Where an application for the grant of Letters Patent in respect of an invention has been accepted, whether provisionally or absolutely, the Governor may, if he shall consider it expedient so to do, direct that the invention may during the period between the date of such application and the date of the grant of such Letters Patent be used and published in the Colony without prejudice to the Letters Patent to be granted for the invention.

Provisional  
protection.

“ 13. Where the owner of an invention which is to be used and published in this Colony states his intention of applying for the grant of Letters Patent for the said invention in the United Kingdom with the intent thereafter to apply for the grant of Letters Patent for the said invention in this Colony, the Governor may, if he shall consider it expedient so to do, direct that the invention may for such reasonable period as he shall think fit be used and published in the Colony without prejudice to the Letters Patent to be granted for the invention.”

#### Objects and Reasons.

Section 2 (a). The words “ United Kingdom ” are substituted for the word “ England ” here and elsewhere throughout the Ordinance. The alteration is advisable and in section 5 (2) “ United Kingdom ” must be read.

Section 2 (b). The practice is to require an office copy of the specification and Letters Patent granted in England. This practice is not in conformity with the Ordinance and it has from time to time been objected to. The new section sanctions this practice but it allows as an alternative to filing a copy of the Letters Patent that the original Letters Patent should be submitted. These would be returned, as after inspection they are no longer required. A complete specification is also required, as provisional specifications have sometimes been sent in. “ Complete specification ” is defined in the English Act.

Section 2 (c). The words at the end of the existing section 2 (2) have been transferred to sub-section (3) to which they more appropriately belong.

Section 2 (d). The authority here stipulated for, deed of assignment, etc., is by present practice required. It seems advisable to give definite power to demand the production of an authority.

Section 3. It has proved most inconvenient to fix a date more than two weeks ahead on which Council

will meet to consider applications for Letters Patent. The present practice is to give any date subsequent to the date of the second issue of the Gazette.

Section 4. The existing section 4 is somewhat difficult of construction. In the first place there is no apparent reason in the Ordinance why the matter should come at all before the Governor-in-Council, as application under section 2 of the Principal Ordinance is made to the Governor. Further the Governor-in-Council may “ refuse the prayer of the said petition as may appear expedient and for such time or times as may seem fit.”

The new section is designed to set out the procedure more clearly, and in sub-section (2) present and future legislation is substituted for the P. D. & T. Acts 1883-8, which are now repealed.

Section 5. The new section 5 (1) is the existing section 5 with the addition of the words “ subject to the provisions of sub-sections (2) and (3) ” and with the substitution of “ such statutes as are now or may hereafter be in force ” for the words “ statutes now in force ”.

Sub-section (2) carries out in a concise form the instructions of the Secretary of State in the final paragraph of his despatch No. 52 of the 17th March, 1909.

Sub-section (3). The Secretary of State in the fourth paragraph of his despatch directs that the Ordinance should be so amended as to lay down clearly the consequences of revocation in England of a patent also registered in Hongkong, and the procedure to be adopted with regard to the registration of such revocations.

Under the English Act:—

- (a.) The Board of Trade if satisfied that the reasonable requirements of the public with respect to a patented invention have not been complied with may refer the matter to the Court, who may grant a compulsory licence or revoke the patent—section 25.
- (b.) The Comptroller may revoke patents on certain grounds—section 26.
- (c.) Patents worked outside the United Kingdom may be revoked—section 27.

In Hongkong all revocations, except in the rare cases in which the registered owner may desire to have his own Letters Patent revoked, should be the subject of petition to the Court.

As Hongkong is not a large place there seems no necessity to empower the Court to grant compulsory licences, nor is such necessity likely to arise.

Patents may be revoked in England for various causes, none of which, it is possible, would hold good in this Colony, and it would therefore be manifestly unfair to revoke patents solely on the ground that they have been revoked in England.

The new sub-section gives the Court power to revoke a patent on proof being given that circumstances exist in this Colony in regard to an invention similar to those which lead to the revocation of a patent in England.

Section 8. Proposed sections 12 and 13. If an invention is used and published without the protection of Letters Patent, whether with or without the consent of the inventor, the inventor loses his right to claim Letters Patent.

It happens from time to time—there was a case recently—that a man brings an invention ready for sale in the Hongkong market and applies for Letters Patent here. Owing to some informality the matter has to be referred to England for further documents, and the owner can in the meantime put his goods in the market only at his own risk.

These sections are founded on section 4 of the English Act with modifications rendered necessary by the local circumstances.

Section 12 allows provisional protection in a case, e.g. when the papers are not in order.

Section 13 extends provisional protection to an inventor who makes an invention in the Colony and is exposed to the risk of having his invention discovered and copied, and so of losing his rights, during the period necessary for him to apply for and obtain Letters Patent in England and thereafter in Hongkong.

The Incorporated Law Society of Hongkong,

6th July, 1909.

Sir,—With reference to your two letters No. 7981/08 dated respectively the 18th and 26th June, 1909, I am directed by my Committee and have the honour to return to you the Bill entitled an Ordinance to amend the Patents Ordinance for 1892.

My Committee have very carefully and thoroughly gone through the Draft Bill and have the honour to submit the alterations and additions as made in the Copy of the Bill enclosed.

The alteration in Clause 4 Section (2) the words inserted make the meaning clearer.

Clause 12 my Committee consider that the word "Lodged" is more applicable than the word "Accepted" as they understand that the Provisional protection is meant to apply between the time the application for the grant of letter Patent is submitted and its acceptance.

Clause 13 my Committee consider should be substituted by some clause such as that submitted in type herewith and numbered 13 and 14 as my Committee consider that the clause "13" as drawn in the Draft Bill is unworkable.—I have, etc.,

P. M. HODGSON, Hon. Secretary.

The Hon. Mr. A. M. Thomson, Acting Colonial Secretary.

Alterations Suggested by the Hongkong Law Society.

In Sub-section (2) of Section 4 insert the words "for letter patent there granted" after the word "Kingdom" in the 4th line thereof.

In Sub-section (12) of Section 8, for the words "accepted, whether provisionally or absolutely," substitute the word "lodged" in the 3rd line thereof.

Substitute for Sub-section (13) of Section 8 the following Sub-sections numbered (13) and (14).

13. It shall be lawful for the owner of an invention (which is to be used and published in this Colony) to petition the Governor for provisional protection in respect of the said

invention pending the grant of Letters Patent therefor, and the Governor may, if he shall consider it expedient so to do, direct that the invention may for such reasonable period as he shall think fit be used and published in the Colony without prejudice to the Letters Patent to be granted for the invention.

14. Every such last mentioned petition shall be accompanied by a specification describing the nature of the invention, and shall also be accompanied by a declaration that the petitioner has applied or intends to apply within three months from the date of such petition for a grant of Letters Patent for the said invention in the United Kingdom, and, on obtaining the same, to apply for a grant of Letters Patent for the said invention in this Colony.

Memorandum Drawn Up by the Crown Solicitor

Dated 12th July, 1909.

Patents' Bill.

1.—The words "or may hereafter be" in lines 9 and 10 of Section 5 (1) are objectionable, as it is impossible to foresee that every amendment of the Patent Law in the United Kingdom will be desirable in Hongkong.

2.—One of the objects of the amendments of the Patents Ordinance is to enable an applicant to obtain provisional protection if for any reason he cannot obtain an immediate grant.

It is immaterial whether the invention has first come into existence in the United Kingdom, Hongkong or elsewhere.

Every invention for which Letters Patent are applied for in Hongkong falls under the description "to be used and published in this Colony" in Section 13 of the Bill.

There is no need to discriminate between inventions originating in Hongkong and inventions originating elsewhere: it may be equally important to an inventor in England as to one in Hongkong to secure provisional protection in Hongkong at the earliest possible date.

Section 12 might be omitted and Sections 13 and 14 as drafted by the Law Society altered so as to read as follows:—

12. It shall be lawful for the owner of an invention to petition the Governor for provisional protection in respect of the said invention pending the grant of Letters Patent therefor, and the Governor may, if he shall consider it expedient so to do, direct that the invention may for such reasonable period as he shall think fit be used and published in the Colony without prejudice to the Letters Patent to be granted for the invention.
13. Every such last mentioned petition shall be accompanied by a specification describing the nature of the invention, and shall also be accompanied by a declaration that the petitioner has applied, or intends to apply within three months from the date of such petition, for a grant of Letters Patent for the said invention in the United Kingdom, and, on obtaining the same, to apply for a grant of Letters Patent for the said invention in this Colony.

Hongkong General Chamber of Commerce.

St. George's Building,

Hongkong, 23rd July, 1909.

Gentlemen,—I have the honour to enclose a copy of a letter dated 17th July, 1909, and the enclosures mentioned therein, addressed to this Chamber by the Colonial Government relative to the Bill entitled an Ordinance to amend the Patents Ordinance, 1892.

As the Bill is one of great importance to the Mercantile Community my Committee have decided to circulate it, and would welcome an expression of opinion from interested members.

Any suggestion for its amendment should be forwarded to me at the earliest possible moment.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

To the Members of the  
Hongkong General Chamber of Commerce.

Hongkong, 7th August, 1909.

Sir,—I have now the honour to state that your letter (No. 7981/08), dated 17th July, 1909, on the subject of a Bill entitled an Ordinance to amend the Patents Ordinance, 1892, and the suggested amendments of the Hongkong Law Society and Memorandum by the Crown Solicitor, dated 12th July, have been considered by my Committee.

2. My Committee see nothing to object to in the amendments covered by the Ordinance as altered by the Law Society.

3. I am to ask you to be good enough to convey the thanks of my Committee to His Excellency the Governor for referring this matter to them.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. A. M. Thomson, Colonial Secretary.

CONGRESS AND EXHIBITION TO BE HELD AT SOURABAYA  
IN 1911.

Colonial Secretary's Office,  
Hongkong, 27th October, 1909.

Sir,—I am directed to transmit for the consideration of your Chamber the enclosed copy of a letter dated the 25th instant from the Consul-General for the Netherlands, together with the enclosures in original which I am to request you to be good enough to return at your convenience.

I shall be glad to learn what reply your Chamber advises should be made to the Consul-General's letter.—I have, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

Hongkong, 25th October, 1909.

Sir,—I have the honour to enclose herewith a programme of a Congress and Exhibition, which with the support and assistance of the Department of Agriculture of the Netherland-Indian Government will be held at Sourabaya (Java) in July 1911 in connection with the cultivation and preparation of Fibres. The prospectus is in the Netherland and English languages and the contents speaks for itself.

I hope that the Colonial Government will consider it useful to draw the attention of interested persons to this Congress and Exhibition, as especially the last presents an excellent occasion for advertising all class of machinery for the preparation of fibres. In this Exhibition space and power will be furnished free of charge, while endeavours will be made to induce steamship companies to grant reduced rates of freight on exhibits. The Committee has decided that requests for space must be received by the Secretary of the Netherlands-Indian Agricultural Association at Sourabaya by the 1st of July, 1910.—I have, etc.,

de REUS, Consul-General.

The Honourable The Colonial Secretary, Hongkong.

Hongkong, 25th October, 1909.

Sir,—I have the honour to enclose herewith a programme of a Congress and Exhibition, which with the support and assistance of the Department of Agriculture of the Netherland-Indian Government will be held at Sourabaya, Java, in July, 1911, in connection with the cultivation and preparation of Fibres. The prospectus is in the Netherland and English languages, and the contents speaks for itself.

I hope that you may find it useful to draw the attention of the members of your Chamber to this Congress and Exhibition, which last offers an excellent occasion for the advertisement of machinery for the preparing of fibres, as the space and power on that exhibition will be furnished free of charge, while endeavours will be made to induce steamship companies to grant reduced rates of freight on exhibits.—I have, &c.,

de REUS, Consul-General.

To the Hongkong General Chamber of Commerce, Hongkong.

Hongkong General Chamber of Commerce,

12th November, 1909.

Sir,—With reference to your letter of the 28th October, 1909, and enclosures thereto, on the subject of the Congress and Exhibition to be held at Sourabaya, Java, in 1911, I beg to inform you that at present the cultivation and preparation of Fibres do not find a place among the industries of this Colony and it is therefore unlikely that any local firm will participate in that Exhibition.

My Committee desire me to express their thanks to you for your courtesy in forwarding them the programme and other papers relative to this matter, and also to express the hope that the exhibition will be an unqualified success.—I have, etc.,

E. A. M. WILLIAMS, Secretary.

The Consul for the Netherlands,

Present.

Hongkong General Chamber of Commerce,

12th November, 1909.

Sir,—With reference to your letter of the 27th October, 1909 (No. 7019/1909) and enclosures, relative to the Congress and Exhibition to be held in Sourabaya, Java, in 1911, I beg to inform you that a letter on this subject was addressed to this Chamber by the Consul for the Netherlands on the 25th ultimo.

I now take pleasure in enclosing, for your information, a copy of my reply to the Netherlands' Consul.

The enclosures to your letter of 25th ultimo are returned herewith as requested.—I have, etc.,

E. A. M. WILLIAMS, Secretary.

Hon. Sir Francis H. May, K.C.M.G., Colonial Secretary.

## P

### NEW FRENCH CUSTOMS TARIFF.

Colonial Secretary's Office,

Hongkong, 30th April, 1909.

Sir,—I am directed to transmit for the consideration of your Committee the enclosed copy of a circular despatch from Lord Crewe dated

the 16th of last March and to inquire whether any commercial interests in this Colony are likely to be adversely affected by the proposed tariff.—I have, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

16th March, 1909.

Sir,—I have the honour to transmit, for your information, a copy of the proposed new French Customs Tariff.

Should there be any commercial interests in the territory under your administration likely to be adversely affected by the proposed tariff, I shall of course be glad to consider whether any representation should be made to the French Government on the particular subject.—I have, etc.,

CREWE.

Hongkong General Chamber of Commerce,

Hongkong, 26th May, 1909.

Sir,—I have now the honour to reply to your letter of 30th April, 1909 (No. 2658/1909) having reference to proposed New French Customs Tariff.

After consideration my Committee do not see that Commercial interests in this Colony are likely to be adversely affected by the adoption of the Tariff.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

### POSTPONEMENT OF H.M. THE KING'S BIRTHDAY CELEBRATIONS.

Hongkong General Chamber of Commerce,

Hongkong, 13th November, 1909.

Sir,—At a meeting of the Committee of the Chamber held on Monday, the 8th instant, the question of the belated cancellation of November the 9th as a Public Holiday was discussed.

## Q

My Committee felt that H.E. the Governor should be acquainted with the views expressed at this meeting on the matter, because it is so fully recognised that anything affecting the commercial well-being of the Colony receives most sympathetic consideration at his hands.

I am, therefore, to ask you to be good enough to place this letter before His Excellency.

My Committee consider that the recent action of the Secretary of State in delaying the issuing of instructions for the non-observance of His Majesty's birthday, until so near the date, was unfortunate.

It has been represented to my Committee that in many cases the sudden change of programme upset the business arrangements, and in general caused considerable inconvenience.

The date fixed for the obsequies of the late Empress Dowager of China was well known some weeks ago, and it therefore seems to my Committee that if His Majesty's Birthday Celebrations were to be postponed, the commercial community should have received earlier notification.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Sir Henry May, K.C.M.G., Colonial Secretary.

Colonial Secretary's Office,  
Hongkong, 16th November, 1909.

Sir,—I am directed to acknowledge the receipt of your letter of the 13th instant on the subject of the postponement of the celebration in Hongkong of His Majesty's Birthday, and to inform you that a copy of your letter has been forwarded to the Secretary of State for the Colonies.—I have, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

## R

## ATTEMPTED OPIUM MONOPOLY AT CANTON.

At a Meeting of the Committee held on the 23rd September, 1909, it was decided to forward the following telegram to Sir John Jordan, H.M.'s Minister at Peking:—

## R

" In consequence of representations made by British Opium Firms  
" Hongkong Chamber of Commerce bring to Your Excellency's notice  
" the fact that Chinese Officials in Kwangtung are again imposing regu-  
" lations complained of in our telegram 24th September last and which  
" we are informed in your despatch to Governor, Hongkong, dated 5th  
" February would apply to native opium only."

" Hewett, Chairman."

" Hongkong, 23rd September, 1909."

Hongkong, 29th September, 1909.

Hon. Mr. E. A. Hewett,

Chairman, Hongkong General Chamber of Commerce.

Sir,—We have the honour to bring to your notice the fact that the opium regulations that the Kwang Tung Authorities attempted to bring into force last year, and which through the energetic action of H.B.M.'s Minister were promptly withdrawn, have again been revived. It is needless to trouble you with a recital of the details, as same are very fully set forth in a letter to Mr. H. H. Fox, H.B.M.'s Acting Consul General at Canton, dated the 23rd September, 1908, and to the Colonial Secretary of Hongkong, dated the 9th December, 1908, which appear in the report of the Chamber of Commerce for last year. Recently the Kwang Tung Authorities, contrary to the undertaking given by the Wai-Wu-Pu to H.B.M.'s Minister, that the regulations would apply to native opium only, have taken definite action by imprisoning a partner in the Chuen Fook Cheong Raw Opium Hong in August last and subsequently closing up the shop. Mr. H. H. Fox has been actively engaged in endeavouring to prevent this arbitrary enforcement of the regulations, but has been unsuccessful, and has had to refer the matter to H.B.M.'s Minister at Peking. The Viceroy at Canton, in a despatch to Mr. Fox, while ignoring the various arguments placed before him, states that it is the duty of the Chinese Government to carry out the edicts with the utmost energy, " as the Foreign Powers were unanimous in their sympathetic assistance," and furthermore lays stress on the desire of the Hongkong Government to prevent the smuggling of opium into Hongkong as an excuse for levying increased taxation on Opium in Canton. We beg to enclose copy of the Viceroy's despatch to Mr. Fox, dated Canton, 17th September, 1909, for your information. The existence of Treaties between China and Foreign Powers is entirely ignored, neither is any reference made to the undertaking given barely a year ago to the British Minister by the Wai-Wu-Pu, to which we have referred in the first part of our letter.

A most important fact, to which we beg to draw your attention, is that the Indian Government have given the Chinese Government most practical support by definitely reducing shipments of opium from India to China, and in the course of a few years this trade will entirely cease, therefore these vexatious regulations of the Chinese Government are absolutely unnecessary as far as the trade in foreign opium is concerned, and we must conclude that they are being imposed by them in order to derive financial advantage from the situation.

The fact that for a considerable time the Kwang Tung Authorities have with impunity been infringing the Treaties and ignoring the promise given to the British Minister by the Wai-Wu-Pu, has led to these obstructive regulations being enforced in other districts, and complaints have been received from Hoihow, Nam Hung and Wutin to the effect that monopolies are being established, and in Wutin (Fokien Province) the importation of Foreign Opium has been prohibited.

Only recently Sir Edward Grey, the Secretary of State for Foreign Affairs, stated in Parliament that while he is prepared to give legitimate support to the Chinese Government, the Treaties must be firmly adhered to. We maintain that the British Government have given the Chinese practical proof of their desire to co-operate with them by reducing the yearly import of foreign opium into China, and in consideration of this generous arrangement the Chinese should on their part abide by the Treaties and by their undertaking.

We trust the Chamber will bring the strongest pressure to bear on the various Authorities concerned with a view of protecting the opium trade during the few years left before it totally ceases. This protection is, we think, rightly due to British Merchants, who are within a brief period compelled to give up a trade in which they have been engaged for the past seventy or eighty years.—We have the honour to be, Sir, your obedient servants,

DAVID SASSOON & CO., LTD.,  
E. Shellim, Manager.  
E. D. SASSOON & CO.  
S. J. DAVID & CO.  
E. PABANEY.  
CAWASJEE PALLANJEE & CO.  
H. M. H. NEMAZEE,  
By his attorney, H. A. Shirazi.  
F. P. TALATI.  
M. H. E. ELLIAS.  
ABDOOLALLY EBRAHIM & CO.

Canton, September 17th, 1909.

Copy

Viceroy Yuan to Mr. Fox.

Sir,—With reference to your despatch to my predecessor, dated the 27th August, 1909, on the subject of the new regulations for the limitation of the sale of raw opium, stating that you had learnt that the Opium Prohibition Bureau had suddenly, without warning, arrested the manager of the Ch'uan Fu Ch'eng raw opium shop in the Hsing Lung Street, you requested that a careful enquiry might be made into the circumstance.

On receipt of your despatch the Acting Viceroy Hu instructed the Bureau to make an enquiry and report, and a note was at the same time sent to you in reply. The officials of the Bureau state that, by the order of the late Viceroy Chang, dated February-March, it became their duty to issue licenses to shops selling raw opium and to individual buyers. This procedure was in accordance with the regulations submitted to the Throne by the Government Council and approved. A proclamation was issued at the time, and all raw opium dealers were summoned to the Bureau and commanded to observe the regulations. The statement that no warning was given is therefore difficult to understand.

The raw opium shops, however, while professing acquiescence, secretly ignored the regulations, with the result that very few people took out buying licenses. For several months past, with a reckless indifference to instructions, the dealers have been illicitly selling opium in this way. The Bureau had discovered that ten or more of the raw opium shops had been obeying the regulations, and were willing to carry out these precautionary measures, but two shops, the Ch'uan Fu Ch'eng and the Ch'un Fu Hsing, relying on their comparatively large capital, had attempted to monopolise the trade. Their arrest by the Police officials was supported by conclusive proof, and the sentence imposed on them to stop business, which was reported to and approved by the Acting Viceroy Hu, was a measure of exceptional clemency. The man Liang Hsi Hou, who was arrested, was the manager of the shop in question, and the intention of the Police was merely to obtain from him the license of the shop for cancellation, when he would be released. The owner of the shop, however, in a reckless manner was making delays, and remained in hiding. The measures that had been taken were those laid down by the regulations for the punishment of recalcitrant raw opium shops, and were in no way the concern of foreigners.

The raw opium shops numbered over twenty, and all were carrying on their business as usual. No dislocation was being caused to the trade of either Chinese or foreign opium merchants.

The officials of the Bureau further remarked that the Imperial commands for the prohibition of opium had been in force for three years and that confirmatory edicts had repeatedly been received. The whole nation had received these edicts in an obedient spirit, and the Foreign Powers were unanimous in their sympathetic assistance. It was therefore their duty to carry out their instructions with the utmost energy, for the whole principle of controlling opium would be defeated, were individuals to be allowed to buy opium without a license or opium dealers to sell to such persons. It would also be impossible to second in a worthy manner the friendly assistance of foreign kindly-disposed Powers.

With regard to the increase in price of prepared opium, there was no violation of the terms of the Chefoo Convention, as the price was increased (i.e., a tax levied) after the opium had been imported and the packages opened.

In June-July of this year the British Consul-General had forwarded a translation of a memorandum drawn up by the Governor of Hongkong on the subject of the prevention of the smuggling of opium into Hongkong. The Governor stated that it was beyond the wit of man to devise a satisfactory method of stopping the smuggling of opium into Hongkong for the reason that the price of opium in Hongkong and the Straits was many times higher than in the South of China. If it was desired to stop this traffic and thereby fulfil the promise contained in China's undertaking with Hongkong, the only possible method was to raise the price of opium in China and bring it to a level with the price obtaining in Hongkong. There would then be no profit attaching to the smuggling into Hongkong. If, therefore, measures could be taken to secure this increased price, the prevention of the smuggling traffic would meet with success, and the assistance would be rendered both to their efforts to stop consumption and to the revenue of China.

This, the Bureau observed, was a really intelligent and far-seeing exposition of principle, from which it was obvious that an increase in the price of prepared opium did not involve a breach of treaty, and would have the effect of stopping the smuggling of opium into Hongkong. The present deliberations on their opium policy were being conducted on the lines of the Governor of Hongkong's expression of opinion, and would not cause dislocation either to Chinese or foreign opium traffic.

I have the honour to communicate the report of the Opium Prohibition Bureau for your information and avail, &c.

(Seal of Viceroy.)

Hongkong Chamber of Commerce,

30th September, 1909.

Sir,—I beg to confirm my telegram of 23rd instant sent through the Hongkong and Shanghai Banking Corporation, as follows:—

“ In consequence of representations made by British Opium Firms, Hongkong Chamber of Commerce bring to Your Excellency's notice the fact that Chinese Officials in Kwangtung are again imposing regulations complained of in our telegram 24th September last and which we were informed in your despatch to Governor, Hongkong, dated 5th February would apply to native opium only.”

“ HEWETT, Chairman.”

The Committee of the Chamber held a Meeting on the 23rd instant when this question was fully discussed, the manner in which these impositions and restrictions had been placed upon the free trade of foreign opium being explained in a memorandum from the British Opium Firms.

A letter on the subject signed by all these firms has since been received by the Chamber of Commerce, a copy of which I beg to enclose for Your Excellency's information.

We are given to understand that Mr. Consul-General Fox at Canton has endeavoured to get this question set right, but that the latest interview he had had with the Viceroy was of a very unsatisfactory nature.

The restrictions which the Chinese Authorities are now attempting to impose upon the trade in foreign opium are much the same as those of which we complained last year when the question was fully set forth in our telegram to Your Excellency of 24th September, 1908, advised in our letter of 9th October, 1908, with which we forwarded a copy of a letter from the Opium Merchants in Hongkong dated 23rd September, 1908.

These letters and the enclosures so fully explained the situation, that it does not seem necessary to again go over the ground.

The arguments which were then put forward against the action on the part of the Chinese Officials apply with equal force in the present instance and were practically admitted by Your Excellency as would appear by the concluding paragraph of your despatch to the Governor of Hongkong dated 5th February, 1909, when you suggested that foreign opium should be excluded from the regulations which had been drawn up to control the wholesale trade.

## R

We trust, therefore, that Your Excellency will be good enough to again take the matter up with the Wai-wu-pu and with the same happy result that attended your efforts last Autumn.—I have, &c.,

EDBERT A. HEWETT, Chairman.

His Excellency Sir John Jordan, K.C.M.G.,  
H.M.'s Envoy Extraordinary and Minister Plenipotentiary,  
Peking.

P.S.—Since writing the above I have received a letter from the Hongkong Government which gives your cable reply to the Chamber's telegram.

I would ask you to accept the best thanks of the Chamber for your prompt action towards the protection of British Trade.

Colonial Secretary's Office,  
30th September, 1909.

Sir,—I am directed to inform you that His Excellency the Governor is in receipt of a telegram from Sir J. Jordan dated the 29th instant to the following effect:—

In reply to the telegram communicated through the Hongkong and Shanghai Bank yesterday the following to the Hongkong Chamber of Commerce:

“ Strong representations against the action complained of  
“ were addressed on September 16th to the Chinese Government  
“ who were requested to telegraph to the Viceroy of Kwangtung  
“ to put a stop to it.”

2.—I shall be glad to be supplied with a copy of the telegram referred to by Sir John Jordan.—I am, &c.,

A. M. THOMSON, Colonial Secretary.

The Secretary, Chamber of Commerce.

Hongkong Chamber of Commerce,  
1st October, 1909.

Sir,—I have the honour to acknowledge your letter dated 30th September, 1909, in which you forward a copy of the telegram from

## R

Sir John Jordan dated 29th instant—a reply to a cable despatched by this Chamber on the 23rd instant.

It was my Committee's intention, as is their invariable custom, to forward a copy of the latter telegram together with a copy of the confirmatory letter to Sir John Jordan to His Excellency the Governor, but before writing H.B.M.'s Minister it was necessary to await a letter from the Opium Merchants which it was desired to include. This letter did not reach the Chamber until the eve of yesterday.

My Committee trust that His Excellency will understand that this is the reason why earlier notice was not given him of the intention of the Committee of this Chamber to communicate with H.B.M.'s Minister at Peking on this important question.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. A. M. Thomson, Colonial Secretary.

Colonial Secretary's Office,  
7th October, 1909.

Sir,—I am directed to acknowledge the receipt of your letter of the 1st instant, and to forward for the information of your Committee the enclosed copy of a despatch from His Excellency the Governor to His Britannic Majesty's Acting Consul-General at Canton dated the 25th ultimo, together with the Consul-General's reply dated the 29th ultimo.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

Government House,  
Hongkong, 25th September, 1909.

Sir,—I have the honour to acknowledge receipt of your despatch dated September 22nd addressed to Sir J. Jordan, which I have duly forwarded to Peking.

I observe that His Excellency the Viceroy in his letter to you which forms an enclosure in your despatch—refers at some length to my communication to you No. 2292/1908 of the 4th of last June, a translation of which you had been good enough to send him, and quotes me in support of his policy of placing such restrictions on Foreign Opium as shall raise its price in Canton.

I have learnt from you verbally that you emphatically pointed out to His Excellency that my remarks applied solely to Native Grown Opium, and that in order to make this perfectly clear you had in the translation supplied to him inserted the word "Native" before Opium in the third paragraph conceiving however that it may be advisable that I should myself also point out that His Excellency has not rightly interpreted my meaning, I have the honour to request you, when opportunity may offer, to invite His Excellency's special attention to the 5th paragraph of the despatch referred to which reads as follows:—

"The object to be aimed at then is to put up the price of Native Opium (which forms 7/8 or 10/11 of the whole),—and this will have the effect of stopping smuggling to Hongkong. Though it is not a matter which affects this Government, it is clear that it would also have the effect of curtailing the use of opium and of providing a revenue.

"It is not for me to suggest by means of what taxes or restrictions of cultivation, etc., the object in view can best be achieved. I limit myself to pointing out that the pledge given by China is being daily violated, and to suggesting what appears to me to be the only practicable method of carrying out that pledge."—I have, &c.,

F. D. LUGARD, Governor, &c.

H.B.M. Acting Consul-General, Canton.

H.B.M. Consulate General,

Canton, September 29th, 1909.

Sir,—In reply to Your Excellency's despatch No. 99 of the 25th instant, I have the honour to enclose copy of a despatch which I addressed to the Viceroy on September 24th, in which I pointed out that the Opium Prohibition Bureau had apparently entirely misunderstood the meaning of the suggestion made in Your Excellency's letter of June 4th regarding the increase in price of native opium in Canton.—I have, &c.,

HARRY H. FOX, Acting Consul-General.

His Excellency, The Governor of Hongkong.

H.B.M. Consulate General,

Canton, September 24th, 1909.

Mr. Fox to Viceroy Yuan,

Your Excellency,—I have the honour to acknowledge the receipt of your despatch of the 17th instant, enclosing a report from the Opium Prohibition Bureau on the subject of the new regulations for the control of the raw opium trade.

As the Opium Prohibition Bureau's action in this matter directly affects the Treaty Rights of British Merchants, and agreements concluded between our respective Governments, it is my duty to report the matter in detail to H.M. Minister in Peking and ask for his instructions, on receipt of which I shall again have the honour to address you on the subject.

Two statements, however, in the Bureau's report, I cannot allow to pass unchallenged.

The first is that "all the opium shops (with the exception of the Chuan Fook Cheong) were carrying on business as usual, and that no dislocation had been caused to the trade of either Chinese or Foreign Merchants."

If Your Excellency will direct the Commissioner of Customs to furnish Your Excellency with a report of the amount of foreign opium imported into Canton during the present month, you will find that it is, practically speaking, nil.

How then can the Bureau say that there has been no dislocation of trade?

In the second place—the Governor of Hongkong's proposal quoted in the second half of the Bureau's report referred to native, not foreign, opium. H.E. suggested that the price of native opium should be increased in order to bring it up to a parity with foreign opium, and thus do away with the inducement to smuggle it to Hongkong.

The Bureau have apparently entirely misunderstood the Governor's meaning, and their comments on his proposal are therefore quite beside the point at issue.—I have, &c.,

HARRY H. FOX.

Memorandum by Mr. Hewett.

Hongkong, 14th October, 1909.

Mr. Shellim has again seen me on behalf of his firm and that of the British Merchants who have already addressed the Chamber of Com-

merce on the subject of the restrictions now being imposed on the foreign opium trade in Kwangtung, and informs me that no change has taken place in the situation.

I enclose a copy of a letter from Mr. Consul-General Jamieson which confirms the statement, that in spite of the assurance received from Sir J. Jordan through the Hongkong Government dated 29th September, to the effect that strong representation had been made to the Wai-wu-pu on the 16th September and that they had been requested to telegraph the necessary instructions to Canton, nothing has been done so far as the local Authorities are concerned.

Whether such instructions were ultimately sent or not we have no means of knowing, but no action has been taken; the local Authorities apparently sheltering themselves under the not uncommon plea of ill-health of the Viceroy; Mr. Fox informed me two days ago that nothing had been done to remove the grievance complained of.

I would therefore suggest that a second telegram be despatched to Sir J. Jordan on the following lines:—

“ Referring to our telegram of 23rd September and your  
“ reply to Hongkong Government 29th September, the position  
“ remains unchanged, nothing is being done; unless restriction  
“ removed Chinese dealers must either go out of business or  
“ submit themselves to the terms of the Government monopolists,  
“ contrary to our Treaty Rights detrimental to our trade.”

EDBERT A. HEWETT, Chairman.

To the Members of the Committee,  
Hongkong General Chamber of Commerce.

H.B.M. Consulate General,

Canton, October 9th, 1909.

Gentlemen,—I am in receipt of your letter of yesterday's date, enquiring whether or not, as a result of representations made by His Majesty's Minister to the Chinese Government, any steps have been taken to release the partner in the Chuen Fook Cheong Hong.

In reply I beg to state that, so far as I am aware, nothing has been done in the matter.

For some time past His Excellency the Governor-General has been seriously indisposed and unable to attend to public business. So soon, however, as I can obtain access to him, I shall take an early opportunity of re-opening the discussion.—I am, &c.,

J. W. JAMIESON, Consul-General.

Messrs. David Sassoon & Co., Ltd., Hongkong.

Telegram to Sir John Jordan dated 15th October, 1909.

“ Referring to our telegram of 23rd September and your  
“ reply to Hongkong Government 29th September position  
“ remains unchanged nothing is being done unless restriction  
“ removed Chinese dealers must either go out of business or sub-  
“ mit themselves to the terms of the Government monopolists  
“ contrary to treaty rights detrimental to our trade.”

“ HEWETT, Chairman.”

Colonial Secretary's Office,

26th October, 1909.

Sir,—I am directed to inform you that His Excellency the Governor is in receipt of a telegram from Sir J. Jordan dated the 23rd instant to the following effect:—

“ Telegram from the Chamber of Commerce of October the  
“ 15th.”

“ Pray inform Chamber that H.M.'s Consul-General at Can-  
“ ton has been instructed to make further representations to the  
“ Viceroy and that I am awaiting the result before again moving  
“ in the matter here.”

2.—I shall be glad to be supplied with a copy of the telegram referred to by Sir John Jordan.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

Hongkong General Chamber of Commerce,  
26th October, 1909.

Sir,—I have the honour to acknowledge receipt of your letter of 26th October, 1909 (No. 6854/1908) relative to the telegram despatched by the Chamber on October 15th to Sir John Jordan.

I regret very much that I have not before sent you a copy of the telegram referred to and hasten to do so with this.—I am &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

Hongkong General Chamber of Commerce,  
18th November, 1909.

Your Excellency,—I am directed to convey to Your Excellency the thanks of my Committee for so promptly and clearly stating the case for the Merchants in connection with the question of the Opium Prohibition in Canton.

(2.) My Committee regret to note that, notwithstanding the efforts of Your Excellency and of Mr. Acting Consul-General Fox and Mr. Consul-General Jamieson the situation has not changed and can only be viewed with alarm by British Merchants.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

His Excellency Sir John Jordan, K.C.M.G.,  
H.M.'s Envoy Extraordinary and Minister Plenipotentiary,  
Peking.

## S

### ARBITRATIONS AND SURVEYS ON PIECE GOODS.

Exchange, Bradford, 11th May, 1909.

Dear Sir,—This Chamber has had under consideration the important question of claims made by Buyers in the Eastern Markets in respect of alleged inferiority in the quality of Worsted, Woollen and Cotton goods delivered, and the results of the Arbitrations and settlements of these claims. A considerable amount of dissatisfaction has arisen amongst exporters of these goods in this district on account of their

having had to submit to adverse decisions and to make allowances and pay the costs of Arbitrations. Several exporters have declared emphatically that the goods in respect of which they have had to bear a serious loss have been fully up to the required quality and that therefore they have had to suffer through some error of judgment on the part of some Arbitrator or Surveyor.

This Chamber has no doubt that having regard to the difficult circumstances attending such cases the greatest care is taken to secure the services of the most competent Arbitrators or Surveyors obtainable and to ensure a fair and just decision. I am desired, however, to suggest to you the advisability of the adoption in your district of a system similar to that in force in Bombay. I am to say that in the view of this Chamber the assimilation of the practice in your district to that prevailing in Bombay would be likely to give greater confidence and to ensure the continuance of the good relations existing between Buyers in the East and Exporters in this country.

I am, therefore, desired to express the hope that this suggestion will receive your careful consideration.—I am, &c.,

F. ANDERSON, Secretary.

The Secretary, Chamber of Commerce, Hongkong.

Hongkong General Chamber of Commerce,  
Hongkong, 16th June, 1909.

Dear Sir,—I am in receipt of your letter of 11th May, 1909, on the subject of Arbitrations and Surveys on Piece Goods.

I shall take pleasure in laying your letter before my Committee at their next meeting and will forward you a reply in due course.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

The Secretary, Bradford Chamber of Commerce, Bradford.

Colonial Secretary's Office,  
Hongkong, 11th June, 1909.

Sir,—I am directed to transmit for the consideration of the Committee of your Chamber the enclosed copy of a letter from the Secretary to the Bradford Chamber of Commerce, addressed no doubt inadvertently

to His Britannic Majesty's Consul at Hongkong, and to inquire what action your Committee advises should be taken with respect to this communication.—I am, &c.,

C. CLEMENTI, for Colonial Secretary.

The Secretary, Chamber of Commerce.

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Hongkong General Chamber of Commerce,

Hongkong, 16th June, 1909.

Sir,—I have to acknowledge your letter of the 11th instant (No. 3856/1909) transmitting a copy of a letter from the Bradford Chamber of Commerce on the subject of Arbitrations and Surveys on Piece Goods.

This Chamber has also received a similar letter from the Bradford Chamber of Commerce and it is now under the consideration of my Committee. I shall take much pleasure in forwarding you a copy of their reply in due course.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

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Hongkong General Chamber of Commerce,

30th June, 1909.

Dear Sir,—My Chamber have received a circular letter from the Bradford Chamber of Commerce in which the system adopted by the Bombay Chamber of Commerce for dealing with disputes in respect of alleged inferiority in the quality of Worsted, Woollen and Cotton Goods is referred to.

My Committee would much like to know the procedure of your Chamber as to appointment of Arbitrators and Surveyors so that they may see in what particulars we differ and if necessary that we may bring ourselves into line with you.

Any information you can give me on this point will be much appreciated.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

The Secretary, Bombay Chamber of Commerce, Bombay,

Hongkong General Chamber of Commerce,

2nd July, 1909.

Dear Sir,—I am directed to reply to your letter of 11th May, 1909, in which you express the dissatisfaction existing among Exporters of Worsted, Woollen and Cotton Goods whose product has been the subject matter of dispute between themselves and Eastern Buyers.

My Committee do not know in what particulars the system adopted by the Bombay Chamber differs from that of the local Chamber but have written for details and upon their receipt will give the matter their further consideration.

I am to state that my Committee have had full confidence in the ability of the Arbitrators and Surveyors elected by them from time to time and cannot but believe that the error of judgment is with the exporters of the cargo in dispute.

If the Bradford Chamber of Commerce can bring a clear case to the notice of my Committee showing that they are justified in animadverting against the decisions of our local Surveyors, in the manner they have done, my Committee will thoroughly enquire into the matter.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

The Secretary, Bradford Chamber of Commerce, Bradford,

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Hongkong Chamber of Commerce,

2nd July, 1909.

Sir,—With reference to my letter of the 16th June, 1909, I have now the honour to hand you herewith a copy of this Chamber's reply to the letter received from the Bradford Chamber of Commerce on the subject of Arbitrations and Surveys on Piece Goods.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. A. M. Thomson, Colonial Secretary.

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Colonial Secretary's Office,

Hongkong, 7th July, 1909.

Sir,—I am directed to acknowledge with thanks receipt of your letter of the 2nd instant, enclosing copy of a reply to the Bradford

Chamber of Commerce's letter on the subject of Arbitrations and Surveys on Piece Goods.—I am, &c.,

C. CLEMENTI, for Colonial Secretary.

The Secretary, Hongkong General Chamber of Commerce.

The Chamber of Commerce,

Bombay, 16th July, 1909.

Dear Sir,—In reply to your letter dated 30th June, regarding the procedure adopted by this Chamber with reference to the appointment of Arbitrators, I have pleasure in enclosing herein a copy of the rules and regulations governing all disputes submitted to the Committee. I may mention that surveyors for private surveys are not appointed: it is only when both parties to a dispute submit separate statements of their case direct that arbitration is undertaken and an award given. Both parties must also express their willingness to abide by the decision.

When surveyors, who are appointed by the disputants themselves, are unable to agree, the matter can be referred to the Committee of this Chamber for an Umpire's decision.

In sending you the enclosed pamphlet, I would express the hope that it will prove of practical utility and furnish you with the information you desire to obtain.—Yours faithfully,

J. B. LESLIE ROGERS, Secretary.

The Secretary,

Hongkong General Chamber of Commerce, Hongkong.

Hongkong General Chamber of Commerce,

Hongkong, 5th August, 1909.

Dear Sir,—I beg to acknowledge the receipt of your reply to my letter of the 30th June, 1909, in reference to Arbitrations and Surveys on Piece Goods, and to express the thanks of my Committee for the useful information contained therein.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

The Secretary,

Bombay Chamber of Commerce, Bombay.

## CURRENCY QUESTION.

Tientsin General Chamber of Commerce,

Tientsin, 28th June, 1909.

Sir,—I have the honour to invite the co-operation of your Chamber on the Currency Question, which is a matter of vital interest to all the commercial communities in China.

The question has again been brought vividly before this Chamber by the wholesale depreciation of the local currency, and matters have reached an impasse.

In inviting your co-operation you will perhaps allow me to explain in some detail the present situation of the local currency.

The fineness of the local Hongping Hua Pao sycee is supposed to be .992, and the shoes are so stamped, but no control has for some time been exercised over the melting shops, and the touch has deteriorated to anything round about .965.

In February, 1908, the Commissioner of Customs issued a notification (vide pp. 49/50 of our 1908 Year Book) that owing to the deterioration of sycee an extra 2 per cent. would be imposed on all duties. It was not until September, 1908, after much agitation, that this illegal charge was done away with, but we were unable to induce the Chinese Authorities to acknowledge their liability for the currency in spite of the fact that all melting shops were required to hold licenses from them.

Since that date a so-called melting fee of 8 per cent. has been charged on all duties, and we have, up to the present, been unable to secure the abolition of this imposition.

No steps have been taken to recall the debased sycee, nor efficiently control the issue of new shoes. A proclamation was issued by the Haikuan Tao in March, 1908 (vide p. 142 of our 1908 Year Book), which ordered the melting shops to issue sycee of .992 fineness, but this proclamation has been a dead letter. The position, then, is this: That the former currency of debased sycee, lower than .992, which formed the currency of the port, has been demonetised, and that no effective steps have been taken to replace same by another currency. This has led to a state of confusion in all financial transactions to the detriment of trade.

Things have reached such a pass that a payment of Tls. 1,000,000 recently required to be made on Chinese Government account to one of the banks could not be made owing to their having no sycee of the requisite fineness.

On the 18th instant, a special meeting of members of this Chamber was held, and a long resolution was adopted demanding that the debased sycee shall be recalled, replaced and remelted, and that an efficient control of all sycee melted in future should be maintained. I have the honour to send you under separate cover copies of correspondence, and of the minutes of the meeting referred to.

The Committee was instructed to invite the co-operation of the other Chambers in China, and I feel confident in laying the facts before your Committee that they will welcome the opportunity to co-operate with us in urging the Diplomatic Corps in Peking to insist on the long-promised reform of the currency being carried into effect. There is a strong feeling in this Chamber that we can go on writing despatches interminably without producing any effect, and, as one speaker pointed out at our recent meeting, the foreign community have a very powerful lever in the payments they make to the Customs. If our united representations again bear no fruit, it might be worth considering whether combined action of all the Chambers in the manner indicated would be advisable.

The minutes, which I am forwarding to you, will, I think, give an idea of the serious financial situation here, and, as the agent of one of the Banks pointed out, breaking point may be reached at any moment.

I feel confident in approaching your Chamber that we shall have your full support in another united endeavour to secure the long-promised currency reform.

We are communicating in the above sense with the Chambers of Commerce at Shanghai, Hankow, Tsintau, Newchwang, London, and Manchester, and I feel hopeful that if we unite in taking firm action we shall be able, under the new Chinese regime, to secure the desired reform.—I have, &c.,

W. E. SOUTHCOTT, Chairman.

The Chairman, Chamber of Commerce, Hongkong.

Hongkong, 10th August, 1909.

Sir,—I have now the honour to reply to your letter dated 28th June, 1909, on the question of Currency Reform in China.

My Committee are fully prepared, as they have always been, to take part in any concerted action having for its object the improvement of the present deplorable state of affairs to which you call attention. It is presumed that the present endeavour will take the form of a joint

Memorial, and my Committee will be glad to receive a draft of it in due course.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

W. E. Southcott, Esq.,

Chairman, Tientsin Chamber of Commerce, Tientsin.

## U

### GOODS AND PASSENGER TARIFFS OF THE YUNNAN RAILWAY COMPANY.

23rd October, 1909.

Sir,—I am directed to transmit for the information of your Committee the enclosed tables relating to the Goods Tariff and Passenger Tariff charged by the Yunnan Railway Company.

2. The reduction of freight on manufactured goods of French or Indo-Chinese origin (such as Cotton Yarns from the Tonkin Mills) conveyed from Haiphong to Mengtze is now \$10 per ton instead of \$5 as formerly, and is equivalent to a preference of about 20 per cent. on the ordinary tariff. This reduction is only given when goods are sent by truck-loads of at least 5 tons.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

### YUNNAN RAILWAY. GOODS TARIFF.

By truck-load of five tons with the Company's liability limited to \$100 per ton.

	Good of every description.	Goods of French or Indo-Chinese origin.	
		Manufactured products.	Groceries, provisions, preserves, liquors, etc.
	per ton. \$	per ton. \$	per ton. \$
From Haiphong to Mongtze.	50.40	40.40	36.40
From Haiphong to Amichou.	53.80	43.40	39.80
From Hanoi to Mongtze.	47.40	37.40	33.40
From Hanoi to Amichou.	50.80	40.40	36.80
	TIN. per ton. \$		
From Mongtze to Haiphong.	40.40		

Note.—If the Company's liability only extends to that part of the journey which lies through Tonkin and not to Yunnan, these rates are 40 cents per ton less.

The rates given above are at present subject to a surtax of ten per cent.

In the above table Mongtze refers to the Pi-che-tchai station for that town.

Miscellaneous goods with no stipulation as to quantity and with full liability of the Company.

	Varying according to nature of goods from	
	\$ per ton.	\$ per ton.
From Haiphong to Mongtze.	34.07	90.49
From Haiphong to Amichou.	36.32	96.34
From Hanoi to Mongtze.	30.43	80.48
From Hanoi to Amichou.	32.68	86.33

Note.—In the above tables Mongtze refers to the Pi-che-tchai for that town.

#### PASSENGER TARIFF.

	1st class	2nd class	3rd class	4th class
	\$	\$	\$	\$
Haiphong to Mongtze (Pi-che-tchai).	32.99	22.72	12.88	3.96
Haiphong to Amichou.	35.92	24.75	14.01	4.32

Natives only are carried in the fourth class.

Note.—The rates given above for goods and passengers are at present subject to a surtax of ten per cent. owing to the lowness of exchange. All the rates are given in French dollars ("piastres de commerce") of which the official rate of exchange is at present (May 1909) 1 dollar = Francs 2.40, or about two shillings. It is understood that when the dollar rises to francs 2.60 this surtax will be abolished.

The ton referred to in the above tables is the ton of 1,000 kilogrammes.

Hongkong General Chamber of Commerce,  
Hongkong, 26th October, 1909.

Sir,—I have to acknowledge the receipt of your letter of the 23rd instant (No. 3427/1908) transmitting copies of tables relating to the Goods and Passenger Tariff of the Yunnan Railways.

My Committee desire me to thank you for your courtesy in forwarding these for their information.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Sir Henry May, K.C.M.G., Colonial Secretary.

#### V

#### OBSERVATION STATION AT LAICHIKOK.

Hongkong General Chamber of Commerce,

Hongkong, 16th March, 1909.

Sir,—I have the honour to state in reply to your letter of 2nd February, 1909, on the subject of the Quarantine Station at Laichikok that my Committee approve of the amended regulations under Section 23 of the Merchant Shipping Ordinance, 1899 (No. 10 of 1899).

I am to ask you to convey the thanks of this Chamber to His Excellency the Governor for his consideration of its views in the matter.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. F. H. May, C.M.G., Colonial Secretary.

#### W

#### SPURIOUS INDIAN YARN.

Chamber of Commerce and Exchange,

Singapore, 22nd October, 1909.

Dear Sir,—For sometime now this Chamber has been receiving complaints from Merchants interested in the Yarn Trade, concerning the spurious marking and labelling of Indian Yarns, which practice, it is alleged, is very detrimental to the trade in English full reeled and properly designated Yarns.

In the month of June 1907, a Sub-Committee was appointed by this Chamber to test various importations of the Yarn in question, and the result of these tests, together with the correspondence exchanged between this Chamber and other Chambers concerned, will be seen in appendix "H" of 1907 report sent to you to-day.

It will be seen from this correspondence that the matter has already been forcibly represented to the Indian Government by the Bombay Chamber of Commerce, but with negative results in so far that the Yarn still continues to be exported from India, and further complaints of the trouble it is causing among European firms have again been received by this Chamber.

It has been decided therefore, to approach the Hongkong and Shanghai Merchants and to find out, if possible, if the trouble is the same in their markets as it is here. If so, and with the consent of the above merchants, it is proposed to address a general appeal from the three Chambers to the Manchester Chamber of Commerce. It is, in the opinion of this Chamber, a matter which vitally concerns the British spinners, and if the Manchester Chamber of Commerce can be induced to take the matter up and act in conjunction with the three Chambers already mentioned, and with the Bombay Chamber of Commerce, there is not much doubt that the pressure that could be brought to bear upon the Indian Authorities would be such that it would be impossible for them to ignore it.

My Committee therefore invite your consideration of these facts with a view to prospective joint action should the circumstances appear to justify the same.—Yours faithfully,

A. M. SKINNER, Secretary.

The Secretary,

Hongkong General Chamber of Commerce, Hongkong.

(Enclosure.)

At the request of the Chamber of Commerce, to consider an application from Messrs. Brinkmann & Co., on the question of Short-Reeled Bombay Yarns, the following Sub-Committee met at the Offices of the Borneo Company, Limited, at 2.30 p.m. on Monday, 11th October:

Present:—

H. A. Low, Esq., of Messrs. Adamson, Gilfillan & Co., Ltd.

E. A. Brown, Esq., of Messrs. Brinkmann & Co.

F. Hilton, Esq., of The Borneo Company, Limited.

Mr. Brown asked if the Chamber of Commerce could not take up the question of Bombay short-reeled Yarns again, and after some discussion it was decided to ask the Chamber of Commerce to address the Hongkong and Shanghai Chambers of Commerce and find out if the importation of false yarns from Bombay has interfered in any way with the importations of genuine English Spun Yarn into their respective markets; the intention being that these three ports should unitedly represent the matter strongly to the Manchester Chamber of Commerce.

The Sub-Committee suggest that a copy of the correspondence and tests in Appendix H. Pages 66 to 76 of 1907 Report, made by the previous Sub-Committee, be forwarded to the above Chambers of Commerce.

It is requested when these replies are received that they may be submitted to the Committee for further consideration and action.

H. A. LOW,  
E. A. BROWN,  
F. HILTON.

Singapore, 11th October, 1909.

Hongkong General Chamber of Commerce,

Hongkong, 29th December, 1909.

Dear Sir,—I am now able to reply to your letter dated 22nd October, 1909, concerning the alleged spurious marking and labelling of Indian Yarns.

I enclose you a copy of the report of Mr. W. N. Flemming, of Messrs. Jardine, Matheson and Co., Ltd., to whom the matter was referred by my Committee.

It would appear from such report that this market is not affected.—

I am, &c.,

E. A. M. WILLIAMS, Secretary

Alex. G. Gunn, Esq.,

Secretary, Singapore Chamber of Commerce, Singapore.

Hongkong, 29th December, 1909.

Dear Sir,—With reference to the letter from the Singapore Chamber of Commerce, dated 22nd October last, the following are the results of

the tests made for counts and lengths of three samples of well-known Bombay yarns:—

David Sassoon's "Lucky Orange," 10's Mule (3 hanks), 850, 879, 876 yards, average counts 10's.

S. J. David's "Sphinx," 10's Ring (5 hanks), 847, 852, 804, 819 and 818½ yards, average counts 9.8's.

Lakhmidass Khimji, "7 Boys in three," 10½'s Ring (2 hanks), 830½ and 845 yards, average counts 10.3's.

From enquiries made I am quite satisfied that the same malpractices do not obtain here as are apparently prevalent in Singapore.

Competition here is too keen, the Bombay Mills have too much to lose and too little to gain to attempt any spurious labelling:

It would appear that this spurious labelling of Bombay Yarns is confined to higher counts, say from 24's upwards—20's is the highest count of Bombay Yarn imported into this Market.—I am, &c.,

W. N. FLEMMING

The Secretary, Hongkong Chamber of Commerce, Hongkong.



#### JAPAN-BRITISH EXHIBITION, 1910.

Colonial Secretary's Office,  
Hongkong, 28th June, 1909.

Sir,—I am directed by His Excellency the Governor to refer the enclosed copy of a letter from the Commissioner General of the Japan-British Exhibition for the consideration of your Committee and to inquire whether in the opinion of your Committee this Colony should participate in the exhibition.—I am, &c.,

A. M. THOMSON, Colonial Secretary.

The Secretary, Chamber of Commerce.

28th May, 1909.

Sir,—I have the pleasure to inform you that an arrangement has been concluded between His Excellency Mr. Kato, Ambassador of Japan at the Court of St. James, on behalf of the Emperor and Government

of that Empire and the Authorities of the "White City" for holding an Exhibition at Shepherd's Bush exclusively confined to the Arts, Manufactures and Products of the Japanese and British Empires, commencing on May 3rd, 1910, and remaining open for about six months.

This will be the first occasion upon which Japan has brought before the people of the United Kingdom, and the Western World generally, the vast resources of that Empire, and the Government of His Imperial Majesty have made arrangements, financial and Administrative, for making their display thoroughly large and representative.

There are many grave reasons, political and commercial closely affecting the future happiness and prosperity of this nation why the participation of the Colonies and Dependencies of this Empire should be upon a scale of equal magnitude and comprehensiveness.

It is absolutely necessary that the people of Japan should be bound by the tie of mutually profitable commerce and enlightened self-interest with the various British Colonies, and that our allies should realize the extent to which their wants, in the shape of either necessaries or luxuries, can be supplied from the Colonies of the British Empire, the more especially as Japan is by far nearer to many of them than to any other country inhabited by persons of European origin.

For this reason, and for many others, I venture to express a hope that Hongkong will participate in the Japan-British Exhibition upon a scale worthy of the occasion and its wealth and dignity.

I trust shortly to be in a position to forward you the Prospectus and Regulations for the British Section, which will be drawn up with a full realization of the dignity and grandeur of an Exhibition, which will be for many reasons the most important ever held in this country.—I am, &c.,

Commissioner-General.

His Excellency The Governor of Hongkong.

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Hongkong General Chamber of Commerce,  
Hongkong, 1st July, 1909.

Sir,—I have to acknowledge the receipt of your letter of the 28th ultimo (No. 4259/1909) enclosing a copy of a letter from the Commissioner-General of the Japan-British Exhibition which it is proposed to hold in London in 1910, and inquiring whether or not, in the opinion of my Committee, this Colony should participate in the Exhibition.

My Committee gave this matter their consideration at a Monthly Meeting held on the 28th ultimo, and I am now directed to state that they do not consider that sufficient support would be forthcoming to justify an appeal being made to the Public, and that unless the Government are prepared to find such funds as may be required the matter should be permitted to drop.

I am to ask you to be good enough to thank His Excellency the Governor for referring this matter to them.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. A. M. Thomson, Colonial Secretary.

The Great White City, Shepherd's Bush,

London, W., August 10th, 1909.

Sir,—I have the honour to inform you that arrangements have been completed for the holding of a Japan-British Exhibition, under the auspices of the Imperial Japanese Government, at the Great White City, Shepherd's Bush, next year, commencing on May 3rd, 1910, and remaining open for about six months.

I beg to enclose herewith some particulars of the Exhibition, and I shall be glad if you will kindly assist in making this fact known throughout the numerous commercial associations of your district, and in any announcements, bulletins, &c., that may be issued from time to time. We shall be obliged if you will kindly favour us with the names of individuals and bodies to whom it would be advisable to communicate with, in the furtherance of this object.

If you will honour the Exhibition by associating yourself with it in some way, it will be fully appreciated.—I am, &c.,

CHARLES J. KIRALFY.

The President, General Chamber of Commerce, Hongkong.

In order to emphasize and perpetuate the friendly relations happily existing between Japan and Great Britain, to increase the commercial relations between them, and at the same time to show the world at large their combined products and resources, an agreement was concluded between the Japanese Government and the Authorities of the "Great White City," to hold at Shepherd's Bush, London, commencing on May 3rd, 1910, and remaining open till the end of October, an Exhibition exclusively confined to the Arts, Manufactures and Products of the Japanese and British Empires.

The Parliament of Japan has already voted 1,800,000 yen, and the Government of Formosa and the Local Prefectures have also voted large sums for the Exhibition.

The political alliance between the two countries leads increased importance to this Exhibition, which will cement yet more firmly the friendship of the two nations.

This is the FIRST Great Exhibition of Japanese products ever held in Europe, and therefore cannot fail to arouse world-wide interest. The progress which Japan has made amongst the great powers will be demonstrated by such a display of her products and resources as will indicate not only the position which Japan has already won, but her brilliant prospects in the future.

The Japanese Government has already secured a large portion of the existing Exhibition Buildings and Grounds, and a corresponding proportion of the remaining Grounds and Palaces has been reserved for a display of the Arts, Products and Manufactures of the British Empire.

The commercial and industrial development of Japan is, at present, making great strides, and Western Goods and Manufactures, of which Great Britain is the greatest supplier, are every day in greater demand. The needs of Japan will doubtless increase in the days to come, and the Exhibition of next year will afford Great Britain exceptional opportunities for the maintenance of her unique position in the foreign trade of Japan.

The Government and people of Japan attach great importance to the coming Exhibition, and are doing their utmost to promote its success. Both from the political point of view and to further the future development of British trade in Japan, it is highly desirable that the British nation should spare no effort to attain the same ends.

In view of the fact that many of the leading merchants of Japan, as well as those of other nations, will come over to this country next year in connection with the Exhibition, the display at Shepherd's Bush will serve as a very powerful advertisement of British Products and Manufactures.

The exhibits of both countries will be housed in the famous palaces of the White City. The site covers 160 acres of ground, and is accessible from every part of the Metropolitan Counties, possesses unequalled railway facilities, and commands cheap and rapid transit from the Provinces and the Continent.

The millions who visited the Franco-British Exhibition reached the White City with the greatest ease and comfort. It is in the centre of a network of tramways and omnibus routes, which afford means of communication with all parts of London and its suburbs.

The principal entrance, which is within 15 minutes' ride of the City of London, immediately adjoins the Shepherd's Bush Station of the Central London Railway, and connects with the Uxbridge Road Station of the West London, London and North-Western and Great Western Railways, whilst the Shepherd's Bush Station of the London and South Western Railway is close by.

The Wood Lane entrance is connected directly with the terminus of the Central London Railway and the Station of the Metropolitan and Great Western Railway which links Hammersmith to Aldgate. Favourable arrangements for the conveyance of passengers and exhibits will be made with all the lines of Railway by which travellers reach London from the Continent, and frequent excursion trains will run direct to the Exhibition.

The Great Stadium, in which the Olympic Games were held in 1908, is adjacent to the Exhibition. This structure accommodates more than 100,000 people, and affords to each an uninterrupted view of athletic contests.

The high standard of music which delighted millions at the Franco-British Exhibition will be maintained by a large number of famous bands.

The Garden Club, which numbers several thousands of distinguished members, will next year, as at present, be the centre of the social life of the Exhibition.

Diplomas for Grand Prizes, Diplomas of Honour, and Diplomas for Gold, Silver and Bronze Medals, will be granted to Exhibitors. They are to be awarded by a special jury, consisting of a large number of recognised experts in their special branches, which will be selected by the Japanese Government and the British Committee of the Exhibition.

The Postal, Telephonic, Telegraphic and Banking arrangements within the grounds will be thoroughly satisfactory.

It has been decided, in order to give intending exhibitors an opportunity of making a display worthy of the occasion, to allot space as far as possible almost immediately after application, and in the case of collective exhibits early in August.

The dignity of this Exhibition, as in the case of its predecessors, will be maintained by keeping the amusements in a separate part of the grounds.

The Tariff of space will be as follows:—

The uniform price of 6/- per square foot (including one frontage in all classes with the exception of Agricultural Implements, Furniture, Carriages, Automobiles and other exhibits requiring large areas of space).

The charge for more than one frontage will be 10/- per foot for each additional frontage.

Minimum charge for individual exhibits, £20.

„ „ collective „ £10.

Application forms and the regulations of the Exhibition as well as terms for outdoor spaces and concessions will be forwarded to intending exhibitors by applying to

The Secretary, Japan-British Exhibition, 1910,

The Exhibition Offices,

The Great White City,

Shepherd's Bush, London, W.

Reprint from "The Times," London, July 12th, 1909.

The Japanese section of the Japan-British Exhibition to be held at Shepherd's Bush, which will be open from May 3 to the end of October next year, promises to be most interesting as well as instructive. The Imperial Japanese Commission recently appointed for the purpose in Tokio has for its honorary president his Imperial Highness Prince Sadanaru Fushimi, who brought an important mission to the King from the Emperor in 1907, and for president Baron Oura, Minister for Agriculture and Commerce. It has also enlisted the services of such distinguished officials as Baron M. Matsudeira, vice-president, who is a member of the House of Peers and gained much valuable experience at the St. Louis Exposition of 1904, and Mr. Hikojiro Wada, Commissioner-General, who recently came over to this country, and holds a similar position with regard to the Grand Exhibition to be held in Tokio a few years hence. Count Mutsu, until lately a member of the Japanese Embassy here, is remaining in this country for the exhibition in the capacity of a commissioner.

The idea of an Anglo-Japanese Exhibition in London is a very popular one with our allies, and all the departments of the Japanese

Government—the Imperial household, war, navy, home affairs, finance, communications, education, agriculture and commerce, railways, &c.—are vying with one another to make a notable display, and signs are not lacking that their sanguine hopes will be more than realized.

The Japanese section will be divided into 18 groups, that is to say, those relating to (1) education, (2) fine arts, (3) liberal arts, (4) mechanical engineering, (5) electricity, (6) civil engineering and transportation, (7) agriculture, (8) horticulture, (9) forests, sport, fishing, &c., (10) alimentation, (11) mines and metallurgy, (12) decoration and furnishing, (13) textiles, (14) chemical industries, (15) various industries, (16) social economy, (17) colonization, (18) armament, &c.

As will be expected, however, the most fascinating part of the great exhibition will be its section of art. A special committee, under the chairmanship of Mr. Masaki, President of the Tokio Fine Art Academy, supported by such distinguished connoisseurs as Marquis Inouye, the veteran statesman, Mr. Takashi Masuda, a great collector, and Baron Makino, who is the late Minister of Education and ex-Ambassador to Austria, are organizing an exhibition of ancient as well as modern arts. As there are very few opportunities, even in Japan, of witnessing really good exhibitions of this kind, the rare and valuable specimens of ancient art being mainly in the possession of noblemen's families or of collectors and very seldom shown in public, the display in the Fine Arts Palace at the "White City" will be unprecedented, and will afford experts in this country a very unique opportunity for studying Japanese Art.

There will be very interesting exhibits coming from Korea, from the Japanese Concessions in Manchuria, and from Formosa.

The following may give some idea of the exhibits by the different Government Departments:—Models of the Imperial wild duck hunting grounds, model of Todaiji Temple at Nara, the ancient capital of Japan; plans showing harbour improvements at Yokohama and Kobe; uniforms, armour, weapons, &c., used by the armies of Japan and historically arranged from the 16th century down to the present day; models of the battle ground at Port Arthur; models of Japanese men-of-war, showing the development of the last half century; exhibits showing the different stages of educational institutions; examples of means of communication, displayed according to different periods; models of ships of different ages, those of Japanese railway engines and carriages; exhibits from Kwangtung Province; horticulture, fishing, forestry, and mining products, in which Japan is rich; exhibits from the Japanese Red Cross Society, one of the most extensive and best equipped organizations of the kind in the world; beautiful specimens of Japanese textile indus-

tries, costumes, models, and pictures, &c., showing the change of fashions in different periods, &c.

The local prefectural authorities, public bodies, and companies are also keenly interested in making a creditable display, and several important cities have organized societies for arranging their exhibits, expending large sums of money for that purpose. Even single individuals will rank amongst them as very extensive exhibitors. For example, Mikimoto, the well-known pearl producer, alone, is taking a space amounting to some 15,000 square feet. Regarding the apportionment of the buildings at the "White City" secured by the Japanese authorities for their exhibits, considerably over one-third of the extensive space will be assigned to the exhibits of the various Government Departments, a similar portion being devoted to the exhibits of individuals and companies. The Japanese gardens will naturally be a special feature of the exhibition. Skilled experts in this line will come over to this country from Japan for that purpose, and will reproduce in the grounds of the exhibition typical Japanese gardens.

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Hongkong General Chamber of Commerce,

Hongkong, 15th September, 1909.

Sir,—I have to acknowledge, with thanks, the receipt of your letter of the 10th August last, and to state that the contents thereof have been brought to the attention of my Committee.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Charles J. Kiralfy, Esq.,

Secretary, Japan-British Exhibition.

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Colonial Secretary's Office,

Hongkong, 14th September, 1909.

Sir,—With reference to your letter of the 1st of last July I am directed to transmit for the information of your Chamber the enclosed copy of a letter from Mr. Kiralfy dated the 12th ultimo.—I am, &c.,

C. CLEMENTI, for Colonial Secretary.

The Secretary, Chamber of Commerce.

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August 12th, 1909.

Sir,—In continuation of my previous correspondence, I do myself the honour to inform you that since my last communication the proposal

to hold a Japanese Exhibition at the "White City," Shepherd's Bush, next year has met with unqualified approval from all classes both in this country and Japan.

His Royal Highness, Prince Arthur of Connaught, has accepted the position of Honorary President of the Exhibition, and in view of His Royal Highness' historical Garter Mission to Japan three years ago, no conjunction could be happier.

The Duke of Norfolk—the premier Duke and Earl Marshall of England—has agreed to act as President, and His Majesty the King, with characteristic solicitude for everything that makes for the extension of British Trade and with keen appreciation of our Allies in the Far East, sent to His Royal Highness, who presided at the Inaugural Banquet of the Exhibition, the following message:—

"I understand you will preside this evening at a dinner given in connection with the proposed Anglo-Japanese Exhibition next year. International Exhibitions in these days largely depend on private support, and I hope that the Japanese and British people will come forward and promote an undertaking which has for its object an increase in the commercial prosperity of both countries and uniting still closer the bonds of fellowship which already exist between them."

His Imperial Majesty, the Emperor of Japan, also sent a telegram as follows:—

"I take advantage of the occasion to tender my congratulations to your Royal Highness and to those who join you in celebrating the institution of the Anglo-Japanese Exhibition, and to express my sincere wishes for the complete success of the undertaking."

His Excellency the Japanese Ambassador on this occasion said he felt confident that the Exhibition would confirm the friendly sentiments and would greatly help the commercial relations between the two countries, and spoke of the intense interest taken in the Exhibition by the people of Japan and of the large sum of money voted for it by the Imperial Diet.

The Lord Mayor of London pledged his official and personal support and expressed the conviction that nowhere would more real interest be taken in the Exhibition than in the ancient City of London. The full support of the London Chamber of Commerce and the associated chambers of Commerce of the United Kingdom is also assured.

The exceptionally exquisite and unique character of the exhibition is sure to attract millions of people not only from Japan and the United Kingdom, but also from Europe and the other Continents, thus helping to increase the Commerce between the British and Japanese Empires, which alone will take part in the Exhibition.

It is hoped that the British Colonies—many of which have at the present time large commercial relations capable of indefinite increase, with Japan—and are geographically in close propinquity to that Empire—will take care that their contributions to this Exhibition are worthy of their dignity and importance, both politically and commercially.

The Exhibition will have the advantage of the beautiful and substantial buildings, already known to millions of people, which have made the "White City" so famous in connection with the Franco-British Exhibition, and it only remains for the Governments and Manufacturers of the Empire to produce a series of exhibits which will worthily compare with those already promised by Japan, and to translate into reality the hope expressed by His Majesty King Edward, that increased commercial prosperity and closer bonds of friendship will result.—I have, &c.,

CHARLES J. KIRALFY.

His Excellency, the Governor of Hongkong.

Hongkong General Chamber of Commerce,  
Hongkong, 15th September, 1909.

Sir,—I have to acknowledge the receipt of your letter of yesterday's date, (No. 4257/1909) covering a copy of a letter from Mr. Kiralfy anent the Japan-British Exhibition, and to thank you on behalf of my Committee for your courtesy in forwarding the same for their information.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Mr. A. M. Thomson, Colonial Secretary.

Colonial Secretary's Office,  
Hongkong, 1st October, 1909.

Sir,—With reference to your letter of the 15th ultimo, I am directed to transmit for the information of your Chamber the attached copy of a letter from Mr. Kiralfy dated the 2nd ultimo with its enclosure.

2. I shall be obliged if you will return the enclosures to Mr. Kiralfy's letter in due course.—I am, &c.,

C. CLEMENTI, for Colonial Secretary.

The Secretary, Chamber of Commerce.

London, 2nd September, 1909.

Sir,—Following on my previous correspondence in reference to the Japan-British Exhibition at Shepherd's Bush in 1910, I now have pleasure in enclosing a reprint of the proceedings at the Inaugural Banquet at which H.R.H. Arthur of Connaught presided, and at which messages from His Majesty the King and the Emperor of Japan were read; also a reprint of the article which appeared in the "Times" of July 12th.

A Colonial Committee is being formed, with Sir John A. Cockburn as Chairman, for the organisation of the Colonial Section of the Exhibition, and I trust you will bring to bear the great influence you possess in disseminating information with regard to the Exhibition and in furthering an object so important from the point of view of Colonial Commerce, as well as the World's peace.—I have, &c.,

C. J. KIRALFY.

His Excellency the Governor of Hongkong.

Hongkong General Chamber of Commerce,

Hongkong, 2nd October, 1909.

Sir,—I have to acknowledge the receipt of your letter of yesterday's date (No. 4259/1909) covering a copy of a letter and enclosures from Mr. Kiralfy relative to the Japan-British Exhibition.

I thank you on behalf of my Committee for your courtesy in forwarding these for their information.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Hon Mr. A. M. Thomson, Colonial Secretary.

Colonial Secretary's Office,

29th November, 1909.

Sir,—With reference to your letter of the 2nd ultimo, I am directed to transmit for the information of your Chamber the attached copy of a letter from Mr. Kiralfy, dated the 28th ultimo., with its enclosures.

2. I shall be obliged if you will return the enclosures to Mr Kiralfy's letter in due course.—I am, &c.,

C. CLEMENTI, for Colonial Secretary.

The Secretary, Chamber of Commerce.

Japan-British Exhibition,

London, 28th October, 1909.

Sir,—In continuation of my previous correspondence I have now the pleasure to forward you the Prospectus of the Japan-British Exhibition, together with copies of letters from Prince Arthur of Connaught and the Duke of Norfolk, the Honorary President and President.

From a perusal of these documents it will be seen that the Exhibition has the approval and support of King Edward VII., of His Imperial Majesty the Emperor of Japan, and of the Governments of both Nations. The display made by the Japanese Government and its various State Departments will be magnificent and comprehensive, and will show both the ancient civilisation of that Empire and the progress during the last half century which has made it one of the Great Powers of the World. Thus there will not only be a complete collection of the uniforms, armour and weapons of the old Saumari, but models of modern Japanese men-of-war, locomotives and machinery; specimens of ancient art side by side with representations of modern docks and harbours. The local prefectural and municipal authorities, public bodies and private individuals are likewise making large displays, and the Japanese Nobles are contributing from their Palaces some of the finest specimens of Japanese art, ancient and modern. Such an Exhibition will attract millions of visitors, not only from the United Kingdom but from all parts of the civilised world.

One-half the space in the Buildings and Grounds of the Great White City has been secured by the Japanese Government; the other moiety has been reserved for the various Communities which make up the British Empire. The magnitude and importance of the Japanese

display is shown most clearly in the letters of Prince Arthur and the Duke of Norfolk. It is for the Governments and people of the United Kingdom and its allied Nations, Canada, Australia, New Zealand and the Colonies—Constitutional and Crown—to make every exertion to ensure that the Sections of the Exhibition and Grounds assigned to them are occupied in a manner worthy the importance of the occasion.

New Zealand has already concluded arrangements for the occupation of an entire building, and it is confidently expected that Canada and Australia will be largely represented. It is hoped that the other British Communities will show the magnitude of their resources, agricultural mineral and commercial. Japan and all the communities of Greater Britain are certain in the near future to have large and intimate commercial relations; the Japan-British Exhibition should teach them to entertain for each other sentiments of mutual respect.

For these and many other reasons it is most important that Hongkong should make a large and representative display at the Japan-British Exhibition.

In order to lessen as much as possible the cost to the various Colonial Governments, it has been decided to reduce the charge for space on bloc in one of the existing buildings to five shillings per square foot.

Trusting that this proposal will be favourably received by your Government,—I have, &c.,

C. J. KIRALFY.

His Excellency the Governor of Hongkong.

Hongkong General Chamber of Commerce,

1st December, 1909.

Sir,—I have the honour to acknowledge your letter and enclosures of the 29th ultimo (No. 4259/1909), relative to the Japan-British Exhibition, and on behalf of my Committee I thank you for your courtesy in forwarding these papers for their information.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Sir Henry May, K.C.M.G.

SEVENTH CONGRESS OF CHAMBERS OF COMMERCE OF THE  
EMPIRE, 1909.

Oxford Court, Cannon Street, London, E.C.,

11th January, 1909.

E. A. M. Williams, Esq., Secretary,

Hongkong General Chamber of Commerce, Hongkong.

Dears Sir,—I beg to thank you for your letter of December 9th, contents of which I note.

I trust that a representative from your Chamber will find it possible to attend, and would ask you to let me know as soon as possible in order to facilitate arrangements.—Yours faithfully,

KENRIC B. MURRAY, Secretary.

Oxford Court, Cannon Street, London, E.C.,

12th March, 1909.

Dear Sir,—I beg to confirm my circular letter No. 3, dated 3rd November, 1908.

I have still to hear from a large number of Chambers whether or not they intend to be represented at the Congress, though, owing to the length of time necessary for communication between London and Sydney, it is very desirable that not only the names of delegates, but resolutions for the Programme, should reach me much earlier than usual. It is as yet impossible to fix upon a definite date as being the last day upon which nominations and resolutions will be accepted, but, so far at any rate as results are concerned, it is obvious that several months must be allowed in order that Chambers may have the opportunity of considering the various subjects and instructing their delegates in regard to voting. I would therefore urge upon all Chambers the desirability of giving their immediate attention to these matters.

I have pleasure in enclosing herewith the first draft of the Official Programme, and shall be glad in due course to add any resolutions you may desire placed thereon in your name. A second draft will be circulated as soon as circumstances permit.

As you are no doubt aware, special arrangements have been made with the steamship companies trading to Australia, and I hand you herewith a booklet giving full particulars in this connection. You will

notice that the reduced rates are available not only for delegates, but for members of their families travelling with them. Applications for these tickets must be accompanied, in each case, by a letter of identification, signed by the Secretary of the nominating Chamber, and I am sending you, enclosed, forms for the purpose. I have forwarded copies of the booklet direct to all delegates nominated to date.

A draft Programme of Entertainments to be offered to delegates has been drawn up by the Australian Committee, in accordance with which visits will be paid, subsequent to the Congress proper, to the principal cities of the Commonwealth (excepting Perth, West Australia, where it is hoped delegates will be able to call on the outward or homeward journey).

This tour in Australia will probably extend over three weeks, and at its close delegates will be at liberty to make such other visits in the Commonwealth and elsewhere as they may desire. Cordial invitations to delegates have been received from several cities in New Zealand (Auckland, Canterbury, and Dunedin), also from Launceston (Tasmania) and Honolulu (where the Vancouver-Sydney boat calls), and, though it has been found impossible to arrange collective visits to these places, it is hoped that many will be able individually to take advantage of the invitations during the course of their journey. The Organising Committee suggest that the visit to New Zealand will come more conveniently at the conclusion of the Australian tour.—Yours faithfully,

KENRIC B. MURRAY, Secretary.

Hongkong General Chamber of Commerce,  
Hongkong, 13th April, 1909.

Dear Sir,—I beg to acknowledge, with thanks, the receipt of your letter of the 12th March, 1909, in reference to the Seventh Congress of Chambers of Commerce of the Empire, Sydney, 1909, and to state that the same is being circulated amongst my Committee.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Kenric B. Murray, Esq.,  
Secretary, London Chamber of Commerce, London.

Oxford Court, Cannon Street, London, E.C.,  
30th April, 1909.

Dear Sir,—I beg to remind you that the Seventh Congress of Chambers of Commerce of the Empire opens at Sydney, N.S.W., on

14th September next, and is to be followed by a short tour of two or three weeks' duration, during which most of the principal centres of the Commonwealth will be visited. As you are aware, the Governor-General of Australia, the Right Hon. the Earl of Dudley, G.C.M.G., G.C.V.O., has accepted the Honorary Presidency of the Congress, and the Federal Government will officially receive the delegates.

The letters already received from several of the most important Chambers in New Zealand have now been supplemented by an invitation from Sir Joseph Ward, Prime Minister of the Dominion, and a semi-official visit to New Zealand will probably follow the Australian tour.

You will understand that it is important that the delegates from this side should be both numerous and influential. Up to the present time only a small proportion of the total number of Chambers have definitely notified me on the subject of delegates, and I would therefore urge upon all who have not done so the desirability of calling, if necessary, special meetings and communicating with me upon this head without further delay, and, if necessary, by cable. Owing to the distance involved, the final Programme of Resolutions and List of Delegates must, of course, be circulated relatively earlier than has been the case heretofore—not later, indeed, than the middle of June.

It has been found impracticable to arrange a main party to proceed to Australia, but those delegates who do not wish to travel alone should acquaint me with the itinerary they are desirous of following, and I will endeavour to place them in communication with others who propose following similar routes. I should also be glad to receive particulars where delegates will be accompanied by ladies.

You will notice that spaces have been left in the second draft programme, enclosed herewith, for the names of the movers of resolutions, and I would ask you, should your Chamber have forwarded any resolutions, to let me hear at once in order that the names may, as far as possible, be included. I also enclose a preliminary list of delegates.

The definite programme of Entertainments to be offered to delegates immediately following the Congress has not yet reached me, but it now appears that they will terminate a week earlier than was originally anticipated, i.e., about 10th October.

Tickets of identification will shortly be issued to delegates, and I should be glad, therefore, to be kept informed of any change of address.—I am, &c.,

KENRIC B. MURRAY, Secretary.  
The Secretary, Chamber of Commerce.

Hongkong General Chamber of Commerce,

Hongkong, 9th June, 1909.

Dear Sir,—I have to acknowledge the receipt of your letter of 30th April, 1909, on the subject of the forthcoming Congress of Chambers of Commerce of the Empire to be held in Sydney this year, and to state that the matters referred to therein will receive the early attention of my Committee.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Kenric B. Murray, Esq.,

Secretary, London Chamber of Commerce, London.

Oxford Court, Cannon Street, London, E.C.,

The Secretary, Chamber of Commerce.

July 9th, 1909.

Dear Sir,—Confirming my circular letter of April 30th last, I have pleasure in handing you herewith, a copy of the final Programme of Resolutions to be submitted to the Congress, containing, also, the Rules of Procedure, Lists of the Honorary Officers, Organising Committee, Chambers invited to participate and Delegates officially nominated.

Definite details of the business and social arrangements of the Congress have now reached me. They are as follows:—

SYDNEY.

September 14th—

Tuesday .. Forenoon Reception of Delegates by the Lord Mayor at Town Hall.

2 p.m. .. Congress to meet and adopt Address to His Majesty the King (this previously prepared in Sydney). Then to adjourn to Federal Government House and present same to His Excellency the Governor-General. The State Governor to be present.

After this function, the Governor-General to open Congress for business.

September 15th—

Wednesday .. — Congress to meet for business all day.

September 16th—  
Thursday .. — Congress to meet for business all day.  
8 p.m.— Banquet to Delegates given by the Sydney Chamber of Commerce in Sydney Town Hall.

September 17th—  
Friday .. — Congress to meet for business.  
8 p.m.— Conversazione arranged by the Sydney Chamber of Commerce in Sydney Town Hall.

September 18th—  
Saturday .. — Closing work of Congress.  
Afternoon Garden Party given by the Governor-General to Delegates.

September 18th to 23rd — Visits to Newcastle, Country Districts Harbour and Coastal Resorts, places of interest in various parts of New South Wales, Public Works, Factories, Various Tours will be arranged, each Delegate selecting such Tours as will be most interesting.

(Vacant Dates, as above, may be filled in at a later period.)

MELBOURNE.

Sept., 1909

Saturday 25th .. Reception on Arrival by the Lord Mayor and Council, of Chamber.

Sunday 26th ..

Monday 27th .. Afternoon .. Civic Reception .. Lord Mayor.  
2.30 p.m.  
Evening .. Theatre Party .. Chamber of Commerce.

Tuesday 28th .. Afternoon .. Garden Party .. President, Associated Chambers of Commerce of Australia, Hon. Wm. Knox, M. P.  
Evening .. Dinner .. Chamber of Commerce.

Wednesday 29th .. Afternoon .. Federal Government.  
Evening

Thursday 30th .. Visits to Factories arranged by the Chamber of Manufacturers.  
Visits to Ballarat and Bendigo.

Oct., 1909.

Friday 1st .. .. Excursions arranged by Automobile Club.  
Arrangements are being made for visits to Station Properties and Country Places of interest.

## ADELAIDE.

Oct., 1909.

Friday 8th ..	..	Garden Party and Reception at Victoria Park. Evening—Concert by University Students.
Saturday 9th ..	..	Visit to Moonta and Wallaroo in connection with the Copper Industry.
Sunday 10th ..	..	
Monday 11th ..	..	Visit to various Factories, arranged by the Chamber of Manufacturers.
and		
Tuesday 12th ..	..	Visit to Vineyard, arranged by Vinegrower's Associa- tion. Visit to Sheep Station, arranged by Pastoralists Association. Visit to Outer Harbour and Freezing Works,
Wednesday 3th ..	..	Picnic and Luncheon at National Park.

With reference to the above, I may add that a collective visit to Tasmania will probably be arranged to take place between October 2nd and 7th, and, as already announced, at the close of the week in Adelaide, those Delegates who are able to do so (and indications point to these forming the large majority) will proceed to New Zealand. It is expected that the tour in New Zealand will last about a fortnight.

A list of hotels and boarding houses in the vicinity of Sydney has just come to hand, and will be found overleaf. In this connection the Secretary of the Sydney Chamber of Commerce writes:—

“ In submitting this list it must be borne in mind that no accommodation has been booked, and Delegates will require to make their own arrangements respecting same.

“ If on arrival at first Port of call in Australia, Delegates care to telegraph me stating which hotel or boarding house they wish to reside at, and at same time giving full particulars of accommodation required, I will be pleased to secure such, and arrange that they are met at steamer or train by a competent baggage agent, who will undertake the prompt transport of their baggage to destination.

“ It will be necessary in telegraphing, as above, to state if it is intended to come to Sydney by steamer direct, in which case steamer's name must be given, or if it is intended to disembark at any Port and continue the journey by train, in which latter case sender must state date of and by what train he will arrive in Sydney.

“ Kindly note above refers only to cases in which accommodation is required to be secured.”

Telegraph address—“ Chamber Commerce, Sydney.”

Delegates are requested to advise the Sydney Chamber of Commerce, Royal Exchange, of their addresses on their arrival in Sydney.

Arrangements have been concluded with the Pacific Cable Board whereby cables addressed “—, Cificap, Sydney,” will be delivered at the local Chamber of Commerce at whatever point on the tour the Delegation may happen to be on any particular day, whether in Australia or New Zealand. Australian Chambers are asked to take special notice of this, with a view to facilitating the delivery of any cables which they may receive for Delegates; the arrangement comes into force on September 1st, and lasts until the Congress is dissolved or until any subsequent date so long as the addressee keeps the Sydney office of the Board informed of his movements.

It was originally intended to hold the Congress in the Royal Exchange, and the Official Passes were issued bearing that name; a change has, however, been deemed advisable, and it has been decided to make use of the Centenary Hall, York Street, as being more convenient. Delegates are requested to note this change.

As it is unlikely that further information will reach London prior to the Congress, Delegates are recommended to apply to the Organising Secretary, at the Sydney Chamber of Commerce, on their arrival there, for latest details.—I am, &c.,

KENRIC B. MURRAY, Secretary to the Congress.

The Secretary, Chamber of Commerce.

LIST OF HOTELS AND TARIFFS FORWARDED BY SYDNEY  
CHAMBER OF COMMERCE.

SYDNEY AND SUBURBS.

The Australia ..	..	Centre of City ..	..	Singles, 15s. 6d. per day. Doubles, 31s. to 35s. per day. Suites, 41s. to 75s. per day.
Hotel Wentworth ..	..	Churchill, overlook- ing Park ..	..	Singles, 10s. 6d to 12s. 6d. per day. Doubles, 21s. to 30s. per day.
Imperial Hotel ..	..	Overlooking Wyn- yard Square ..	..	Each person, 11s. per day.
Petty's Hotel ..	..	Centre of City ..	..	Each person, 11s. 6d. per day.

## Y

Royal Hotel	Centre of City	Each person, 12s. to 15s. per day.
Grosvenor Hotel	Centre of City	Each person, 10s. to 12s. 6d. per day.
Clifton Gardens Hotel	Mosman, take Ferry Boat	Each person, 10s. 6d. per day.
Grand Pier Hotel	Manly, overlooking Harbour. Steamer trip 45 minutes from City	Each person, 10s. per day.

Above Terms cover full Board and Attendance.

Hotel Metropole	Centre of City	Singles, 3s. 6d. to 4s. 6d. per day. Doubles, 6s. 6d. to 9s. per day. Family, 10s. per day. (Without Board). With Board and Attendance 11s. to 12s. per day.
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LIST OF BOARDING HOUSES AND TARIFFS FORWARDED BY  
SYDNEY CHAMBER OF COMMERCE.

SYDNEY AND SUBURBS.

Mrs. E. Orr	52, Macleay Street, Potts Street, 15 minutes by tram from City	Each person, 10s. 6d. to 15s. per day.
Mrs. H. E. Mansell	137, Macquarie Street, Centre of City	Singles, £1 15s. to £2 2s. per week. Doubles, 10s. to 16s. per day.
Miss R. Hopper	"Loloma," 36-38, Baywater Road, 15 minutes by tram from City	Singles, £1 10s. to £2 2s. per week. Doubles, £3 3s. to £4 4s. per week.
Mrs. K. T. Suttor	"Springfield," Darlinghurst Road, 15 minutes by tram from City	Singles, £1 10s. to £2 2s. per week. Doubles, £4 4s. per week.

## Y

Mrs. C. A. Cunninghame	"Kirkton," Darlinghurst Road, 15 minutes by tram from City	Singles, £2 2s. to £3 3s. per week. Doubles, £4 4s. to £5 5s. per week.
Mrs. S. A. Hinton	"Macquarie House," Macquarie Street, Centre of City	Singles, £1 10s. to £2 2s. per week. Doubles, £2 10s. to £5 5s. per week.
Miss Edith Simond	"Oriana," 133, Macquarie Street, Centre of City	Singles, £2 2s. per week. Doubles, £4 4s. per week.

Hongkong General Chamber of Commerce,

Hongkong, 11th. August, 1909.

Dear Sir,—I beg to acknowledge, with many thanks, the receipt of your circular letter of the 9th July, 1909, covering a copy of the final Programme of Resolutions to be submitted to the Congress of Chambers of Commerce to be held at Sydney this year.—I am, &c.,

E. A. M. WILLIAMS, Secretary.

Kenric B. Murray, Esq.,

Secretary, London Chamber of Commerce, London.



CHRISTMAS, NEW YEAR AND CHINESE NEW YEAR  
HOLIDAYS.

Colonial Secretary's Office,

Hongkong, 10th December, 1909.

Sir,—I am directed to inform you that as the 26th December is a Sunday, the 25th December a Saturday and the 1st January also a

Saturday, His Excellency the Governor has under consideration the advisability of appointing Monday, the 27th instant, to be a Public Holiday instead of Sunday, the 26th instant, and Friday, the 31st instant, to be a Public Holiday in lieu of the two half holidays lost on the 25th instant and the 1st proximo.

2. I shall be glad to learn the views of your Chamber with respect to this proposal.

3. Chinese New Year's Day falls on Thursday, the 10th February, and, as it is usual for the day after Chinese New Year's Day to be kept as a holiday as well as the New Year's Day itself, I am to inquire whether you have any objection to Friday, the 11th February, being appointed a public holiday.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

Hongkong General Chamber of Commerce,

15th December, 1909.

Sir,—My Committee have given consideration to your letter of the 10th December, 1909 (No. 1/09), and I have now the honour to reply thereto as follows:—

My Committee approve the 27th December as a public holiday, but suggest Monday, the 3rd January, instead of Friday, the 31st December, to compensate for the loss of two half holidays caused by 25th December and 1st January falling on Saturdays. It is considered that to make the last day of the year a public holiday would be an inconvenience to business generally.

With regard to the Chinese New Year's Holiday, my Committee are quite agreeable to the observance of Friday, the 11th February, as a public holiday.

I am to express the appreciation of my Committee to His Excellency the Governor of his courtesy in referring this matter to the Chamber.—I have, &c.,

E. A. M. WILLIAMS, Secretary.

Hon. Sir Henry May, K.C.M.G., Colonial Secretary.

TYPHOON SIGNAL STATION AT TSAT TSZE MUI.

Colonial Secretary's Office,

10th November, 1909.

Sir,—I am directed to forward for the consideration of your Committee the enclosed copy of a letter dated the 21st ultimo from the masters of certain vessels, and to inform you that it has been suggested that a signal station should be erected at Tsat Tsze Mui.

2. His Excellency the Governor inclines to the opinion that once a vessel having been warned of the approach of a typhoon, has sought shelter in Kowloon Bay, the barometer is its best guide, and that there is therefore no necessity to incur the expense of erecting the proposed signal station. I am accordingly to inquire what is the view of your Committee on the point, and in the event of the Committee being strongly of opinion that such a station is necessary I am to inquire what site they consider most suitable.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Secretary, Chamber of Commerce.

Enclosure. Copy.

Hongkong, 21st October, 1909.

Dear Sir,—With reference to the Black Cross which was hoisted and the three bombs which were fired on Tuesday indicating to those who were interested that the wind was likely to increase to typhoon force, we would like to draw your attention to the fact that those who were most interested, viz., the various masters of vessels anchored in Kowloon Bay and elsewhere, had not the slightest idea that these signals were exhibited.

The difficulty lies in the existing position of the local Typhoon Signals, which are not visible from Kowloon at all.

We wish to ask you if you would use your influence in arranging with the Hongkong and Whampoa Dock Co., so that the signals may for the future be hoisted at Kowloon on the hill behind the No. 1 Dock. This would be greatly appreciated by shipping men, for the reason that when we most require information we, on account of having to leave our moorings for shelter, are out of range of those in the Harbour.—We are, &c.,

P. H. ROLFE, s.s. "Yuen Sang."  
J. S. ROACH, s.s. "Haitan."  
F. MOONEY, s.s. "Chip Shing."  
E. J. TADD, s.s. "Lai Sang."  
A. E. HODGINS, s.s. "Hai Yang"  
J. W. EVANS, s.s. "Hai Mun."  
R. RODGER, s.s. "Zafiro."

F. G. Figg, Esq., Director, the Hongkong Observatory.

## A 1

Hongkong General Chamber of Commerce,  
Hongkong, 30th December, 1909.

Sir,—I have now the honour to reply to your letter (No. 10119/06) dated 10th November, 1909, relative to a suggested signal station at Tsat Tsze Mui.

My Committee consider that the erection of a signal station which could be easily seen by the considerable number of vessels which usually seek the shelter of Kowloon Bay at the approach of a typhoon, would be useful to the masters of vessels, and would be comparatively inexpensive to Government.

They are not, however, in favour of Tsat Tsze Mui as a site for such station, and suggest the hill behind the No. 1 Dock of the Hongkong and Whampoa Dock Co., Ltd., as being a more appropriate spot, and within easier view of the sheltering vessels.

To assist the Government they have approached the Hongkong and Whampoa Dock Co., Ltd., who will be pleased to grant a free site on the hill in question and also to allow a member of their staff to work the signals. The signals and necessary gear will, of course, be supplied by Government.

With regard to the last paragraph, my Committee consider that it would be better were a Government servant placed in charge of the Station signals, for the Company would naturally disclaim all liability in the event of a display of wrong signals. The Company are quite agreeable to such arrangement.—I am, &c.,

E. A. M. WILLIAMS, Secretary.  
Hon. Sir Henry May, K.C.M.G., Colonial Secretary.

## A 2

## REGISTRATION OF TRADE MARKS

Colonial Secretary's Office,  
Hongkong, 26th February, 1909

Sir,—With reference to your letter of the 5th November, copy of which was forwarded to the Secretary of State for the Colonies, I am directed to inform you that His Excellency the Governor is in receipt of a despatch from the Secretary of State for the Colonies to the effect that the representations of the Chamber of Commerce on the subject of

## A 2

the protection in China, Corea and Japan of British trade marks registered in Hongkong have been placed before the Secretary of State for Foreign Affairs.—I am, &c.,

F. H. MAY, Colonial Secretary.  
The Secretary, the Hongkong Chamber of Commerce.

## A 3

TRADE MARKS BILL, 1909.  
Colonial Secretary's Office,  
Hongkong, 14th June, 1909.

Sir,—I am directed to transmit for the consideration of your Committee the enclosed draft of a Bill, entitled an Ordinance to Amend the Law Relating to Trade Marks, and to inquire whether your Committee concurs in the provisions of the Bill as drafted.—I am, &c.,

C. CLEMENTI, for Colonial Secretary.  
The Secretary, Chamber of Commerce.

Hongkong General Chamber of Commerce,  
Hongkong, 7th August, 1909.

Sir,—With reference to your letter (1 in 2692/1908) dated 14th June on the subject of a Bill entitled an Ordinance to Amend the Law Relating to Trade Marks, and inquiring whether my Committee concurred in the Bill as drafted, I have now the honour to enclose the recommendations of the Sub-Committee appointed by the Chamber to consider the matter.

2. My Committee would ask you to be good enough to convey to His Excellency the Governor their appreciation of his action in referring the Draft Bill to them for comment.—I have, &c.,

E. A. M. WILLIAMS, Secretary  
Hon. Mr. A. M. Thomson, Colonial Secretary.

Recommendations of the Sub-Committee appointed by the Hongkong General Chamber of Commerce regarding the new Trade Marks Ordinance.

- (a) As regards Clause 35, p.p 6, "Non-user of trade mark."—  
It is proposed that the time limit be abolished altogether, as a ticket once registered should be the property of the Registered owner for all time.

- (b) As regards Clause 39, p.p. 7.—The Sub-Committee uphold the position taken up by the Committee of the Chamber of Commerce in their letter to the Colonial Secretary dated 23rd October, 1908, to the effect that “Registration does not confer a right. Rights are conferred by usage. Registration is only one of a number of safeguards to such rights.”
- (c) Rule 28, p.p. 12.—“Hearings.” “Three months” to read “Six months.”
- (d) Rule 33, Opposition to Registration, p.p. 13.—“Three months” to read “Six months.”
- Rule 34, Counter Statement, p.p. 13.—“One month” to read “Three months.”

Hongkong, 31st July, 1909.

Hongkong, 10th November, 1909.

Trade Marks Ordinance.

Gentlemen,—You are no doubt aware that at the last meeting of the Legislative Council the above Bill was left in Committee, all the clauses having been passed except Sections 19, 21, 22, 28, 42, 43 and 44 which were held over for further consideration.

I have now received the enclosed letter from the Colonial Secretary in which he deals with these sections and sets forth the final proposals of the Government.

A special meeting was arranged by His Excellency for the consideration of the Bill, at which were present the Attorney General (Sir Henry Berkeley), the Crown Solicitor (Mr. Bowley), the Chairmen of the Law Society, of the Chamber of Commerce, and of the China Association, and Mr. Cousland.

You will observe from the Colonial Secretary's letter that while The Governor has accepted some of our suggestions, others have been rejected.

I understand His Excellency wishes the Bill to pass its third reading to-morrow, but it appears to me that in view of the importance of the Bill we should have further time to consider these amendments, as not only should we discuss them in Committee, but it may be desirable to submit them to all the members of the Chamber.

I propose, therefore, in the Council to-morrow to explain this to His Excellency, and ask that the Bill be left in Committee.—Your obedient servant,

The Members of the Committee,

Hongkong General Chamber of Commerce.

EDBERT A. HEWETT, Chairman.

Colonial Secretary's Office,

9th November, 1909.

Trade Marks Bill, 1909.

Sir,—I am directed to inform you that since the last meeting of the Legislative Council the proposed amendments to this Bill have received His Excellency's careful consideration, with the result that His Excellency has decided to invite the Committee on the Bill to transpose Sections 21 and 22 and to substitute a new Section, in the form enclosed, for Section 21 (22 on the second reading).

His Excellency has also decided to ask the Committee to delete the proviso to Section 38, and to substitute a new Section, in the form enclosed, for Section 43.

His Excellency regrets that he is unable to adopt these Sections (21, originally 22, 38 and 43) in the form in which they were submitted by the Honourable the Attorney-General after conference with yourself and the Honourable Mr. Murray Stewart and the President of the Law Society, on account of the negotiations now pending between His Majesty's Government and the Emperor of Japan for a Convention for the mutual protection of British (including Hongkong) and Japanese Trade Marks in China, which render it impossible to allow discrimination between Trade Marks registered in a British country of origin and those registered in a foreign country of origin.

His Excellency is also of opinion that if the proprietor of a British or foreign Trade Mark has not only not registered his mark in Hongkong but has also not opposed an application to register a rival mark, and has not used his own mark in the Hongkong Market for five years, it is unreasonable (in the absence of proved fraud) to preclude a Hongkong Merchant from registering or retaining on the Register his mark although similar to the unregistered British or foreign mark.

A five years limit has therefore been introduced into Section 43, whilst cases of fraud can be dealt with under Section 42.

Section 38, as it will stand after the deletion of the proviso, will be identical with the provisions of the English Act, whilst Sections 21 (originally 22) and 43 are framed with a view to affording the greatest possible protection to Trade Marks registered in the country (be it British or foreign) from which the goods originate.

All the other amendments agreed upon at the conference above referred to have been introduced into the Bill.

His Excellency proposes to ask the Committee to deal with the remainder of the Bill, and the Council to pass the Bill through its final stages on Thursday next, in order that the present session of Council may be closed.—I am, &c.,

F. H. MAY, Colonial Secretary.

The Honourable Mr. E. A. Hewett,

Chairman, Chamber of Commerce.

#### Section 21.

(1) The Registrar may refuse to register any trade mark if it is proved to his satisfaction by the person opposing the application for registration that such mark is identical with, or so nearly resembles as to be calculated to deceive, any trade mark which is already registered (in respect of goods of the same description as those in respect of which registration in Hongkong is applied for) in a country or place from which goods of that description originate.

Protection  
of marks  
registered in  
country of  
origin.

Provided always that no application to register shall be refused under this Section in the following cases:—

- (a) If the proprietor of the other trade mark consents to the registration in Hongkong of the applicant's trade mark; or

(b) If the applicant proves that he or his predecessors in business have in Hongkong in connection with such goods as aforesaid continuously used the trade mark, the registration of which is applied for, from a date anterior to the date of the registration of the other trade mark in such country or place of origin; or

(c) Unless the opponent gives an undertaking to the satisfaction of the Registrar that he will, within three months from the giving of the notice of opposition apply for registration in Hongkong of the trade mark so registered in the country or place of origin, and will take all necessary steps to complete such registration.

(2) In any case arising under this Section the Registrar may require the parties to apply to the Court for an order under the next following Section, and if either party fails to so apply within a reasonable time to be fixed by the Registrar, the application or opposition (as the case may be) of the party in default shall be dismissed by the Registrar.

#### Section 43.

(1) The Court may, on the application in writing made within seven years from the registration of a trade mark in Hongkong by any person aggrieved by such registration, remove such trade mark from the Register, if it is proved to the satisfaction of the Court that such trade mark is identical with, or so nearly resembles as to be calculated to deceive, any trade mark which was, prior to the registration in Hongkong of the first-mentioned trade mark, registered (in respect of goods of the same description as those in respect of which the first-mentioned trade mark is registered in Hongkong) in a country or place from which goods of that description originate.

Removal of  
marks on  
proof of prior  
registration  
in country of  
origin.

Provided always that no trade mark shall be removed from the register under this Section in the following cases:—

(a) If the proprietor of the other trade mark consented to the registration in Hongkong of the first-mentioned trade mark; or

(b) If the proprietor of the trade mark registered in Hongkong proves that he or his predecessors in business have continuously used such trade mark in Hongkong in connection with such goods as aforesaid from a date anterior to the date of the registration of the other trade mark in the country or place of origin; or

(c) Unless the applicant proves either that within the five years immediately preceding the making of the application under this Section there has been bona-fide user in connection with such goods as aforesaid in Hongkong of the trade mark registered in the country or place of origin or that the special circumstances of the trade account for such non-user or that the trade mark so registered in the country or place of origin was first registered there within the like period of five years, and in either event gives an undertaking to the satisfaction of the Registrar that he will within three months from the making of the application under this Section apply for registration in Hongkong of the trade mark so registered in the country or place of origin, and will take all unnecessary steps to complete such registration.

(2) In any case arising under this Section the Court may, instead of removing the mark registered in Hongkong from the register, permit the registration of the other mark under the provisions of Section 22 of this Ordinance.

(3) All applications under this Section shall be heard in open Court in Original Jurisdiction.

Hongkong General Chamber of Commerce,

Hongkong, 22nd November, 1909.

Sir,—At a Special Meeting of the Committee held on the 16th instant to consider your letter of the 9th November, 1909 (No. 1 in 2692/08), on the subject of the Trade Marks Ordinance, 1909, it was decided to again refer the Bill to the Sub-Committee appointed on a previous occasion to deal with this matter.

I have now the honour to forward you their recommendations, and desire to express, on behalf of the Committee, the hope that His Excellency the Governor will see his way to give effect to them.—I have, &c.

EDBERT A. HEWETT, Chairman.

Hon. Sir Henry May, K.C.M.G., Colonial Secretary.

#### TRADE MARKS ORDINANCE.

##### MEMORANDUM OF RECOMMENDATIONS made at a Meeting

of a Sub-Committee of the Chamber of Commerce held on 17th November, 1909, the following being present:—Messrs. E. Shellim (Chairman), A. Babington and H. A. Siebs. The Meeting was also attended by Mr. H. N. Fleming, of Messrs. Jardine, Matheson & Co. Ltd., Mr. A. G. Coppin, of Messrs. Bradley & Co., and Mr. A. S. D. Cousland, of Messrs. Alexander Ross & Co.

It is recommended that the following be deleted:—

New Section 21. Paragraph 1a only.

New Section 21. Paragraph 2 in full.

New Section 22 in full.

New Section 43. Paragraph 1a and 2 only.

It is recommended in regard to Section 44 that any Person possessing proceedings nor to recover any damages on account of infringement by others of such unregistered mark, but he shall be entitled to take proceedings to prevent the use of infringements of such unregistered mark

It is recommended that appeals should always be made "to the Governor in Council" instead of "to the Governor."

E. SHELLIM, Chairman.

Hongkong, 17th November, 1909.

## HONGKONG.

No. 40 of 1909.

An Ordinance to amend the Law relating to Trade Marks.

L.S.

F. D. Lugard,  
Governor.

[10th December, 1909.]

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

1.—This Ordinance may be cited as the Trade Marks Ordinance, 1909.

## Definitions.

2.—In and for the purposes of this Ordinance (unless the context otherwise requires):—

A “mark” shall include a device, brand, heading, label, ticket, name, signature, word, letter, numeral, or any combination thereof.

A “trade mark” shall mean a mark used or proposed to be used upon or in connection with goods for the purpose of indicating that they are the goods of the proprietor of such trade mark by virtue of manufacture, selection, certification, dealing with, or offering for sale:

A “registrable trade mark” shall mean a trade mark which is capable of registration under the provisions of this Ordinance:

“The Registrar” shall mean such officer as the Governor may, by order to be published in the Gazette, from time to time appoint to be Registrar of Trade Marks:

“The Seal of the Registrar” shall mean the Seal of the office in which the Register of Trade Marks is kept.

Short title.  
5 Edw. 7 c.  
15 s. 1.

Definitions  
*ib. s. 3.*

“The Register” shall mean the register of trade marks kept under the provisions of this Ordinance:

A “registered trade mark” shall mean a trade mark which is actually upon the register:

“Prescribed” shall mean, in relation to proceedings before the Court, prescribed by rules of court, and, in other cases, prescribed by this Ordinance or the Rules thereunder:

“The Court” shall mean the Supreme Court and includes a Judge of the Supreme Court sitting separately in Court or in Chambers and in Original or Summary Jurisdiction:

“The Tribunal” shall mean the Governor, the Court or the Registrar.

## Seal.

3.—The Registrar shall use a seal having a device and impression of the Royal Arms with a label surrounding the same and the inscription “The Seal of the Trade Marks Office Hongkong.”

## Register of Trade Marks.

4.—There shall be kept for the purposes of this Ordinance, at such office as the Governor shall by order to be published in the Gazette direct, a book called the Register of Trade Marks, wherein shall be entered all registered trade marks with the dates of their registration, the names and addresses of their proprietors, notifications of assignments and transmissions, disclaimers, conditions, limitations and such other matters relating to such trade marks as may from time to time be prescribed. The register shall be kept under the control and management of the Registrar.

5.—There shall not be entered in the register any notice of any trust expressed, implied or constructive, nor shall any such notice be receivable by the Registrar

6.—The register of trade marks existing at the date of the commencement of this Ordinance shall be incorporated with and form part of the register. Subject to

Seal.

Register of  
trade marks  
*ib. s. 4.*

Trust not to  
be entered on  
register.  
5 Edw. 7 c.  
15 s. 5.

Incorporation  
of  
existing  
register.  
*ib. s. 6.*

the provisions of sections 36 and 41 of this Ordinance the validity of the original entry of any trade mark upon the register so incorporated shall be determined in accordance with the Ordinance in force at the date of such entry, and such trade mark shall retain its original date, but for all other purposes it shall be deemed to be a trade mark registered under this Ordinance.

Inspection of  
and extract  
from register.  
*Ib.* s. 7.

7.—The register kept under this Ordinance shall during office hours be open to the inspection of the public, subject to such regulations as may be prescribed; and certified copies, sealed with the seal of the Office of the Registrar, of any entry in any such register shall be given to any person requiring the same on payment of the prescribed fee.

#### Registrable Trade Marks.

8.—A trade mark must be registered in respect of particular goods or classes of goods.

Trade mark  
must be for  
particular  
goods.  
*Ib.* s. 8.

9.—A registrable trade mark must contain or consist of at least one of the following essential particulars:—

Re-  
registrable  
trade marks.  
*Ib.* s. 9.

- (1) The name of a company, individual, or firm represented in a special or particular manner;
- (2) The signature (in other than Chinese characters) of the applicant for registration or some predecessor in his business;
- (3) An invented word or invented words;
- (4) A word or words having no direct reference to the character or quality of the goods, and not being according to its ordinary signification a geographical name or a surname;
- (5) Any other distinctive mark; but a name, signature, or word or words, other than such as fall within the descriptions in the above paragraphs (1), (2), (3) and (4), shall not, except by order of the Governor or the Court, be deemed a distinctive mark.

Provided always that any special or distinctive word or words, letter, numeral, or combination of letters or numerals used as a trade mark by the applicant or his predecessors in business before the thirteenth day of August one thousand eight hundred and seventy-five which has continued to be used (either in its original form or with additions or alterations not substantially affecting the identity of the same) down to the date of the application for registration, shall be registrable as a trade mark under this Ordinance, if it is already registered in the United Kingdom as an old mark used before the said date.

For the purposes of this section "distinctive" shall mean adapted to distinguish the goods of the proprietor of the trade mark from those of other persons.

In determining whether a trade mark is so adapted the Tribunal may, in the case of a trade mark in actual use, take into consideration the extent to which such user has rendered such trade mark in fact distinctive for the goods with respect to which it is registered or proposed to be registered.

10.—A trade mark may be limited in whole or in part to one or more specified colours, and in such case the fact that it is so limited shall be taken into consideration by any Tribunal having to decide on the distinctive character of such trade mark. If and so far as a trade mark is registered without limitation of colour it shall be deemed to be registered for all colours.

Coloured  
trade marks.  
*Ib.* s. 10.

11.—It shall not be lawful to register as a trade mark or part of a trade mark any matter, the use of which would by reason of its being calculated to deceive or otherwise be disentitled to protection in a Court of Justice, or would be contrary to law or morality, or any scandalous design.

Restriction  
on registra-  
tion.  
5 Edw. 7 c.  
15 s. 11.

#### Registration of Trade Marks.

12.—(1) Any person claiming to be the proprietor of a trade mark who is desirous of registering the same must apply in writing to the Registrar in the prescribed manner.

Application  
for registra-  
tion.  
*Ib.* s. 12.

(2) In the case of an application for registration of a trade mark under section 9 (5) which does not fall within the descriptions in section 9 (1), (2), (3) or (4) the Registrar shall refer the application to the Governor or to the Court, at the option of the applicant, for an order thereon.

(3) Subject to the provisions of this Ordinance the Registrar may refuse an application, or may accept it absolutely or subject to conditions, amendments, or modifications.

(4) In case of any such refusal or conditional acceptance the Registrar shall, if required by the applicant, state in writing and communicate to the applicant the grounds of his decision and the materials used by him in arriving at the same, and such decision shall be subject to appeal to the Governor or the Court at the option of the applicant. The Tribunal shall, if required, hear the applicant and the Registrar, and shall make an order determining whether, and subject to what conditions, amendments, or modifications, if any, the application is to be accepted.

(5) Appeals under this section shall be heard on the materials so stated by the Registrar to have been used by him in arriving at his decision, and no further grounds of objection to the acceptance of the application shall be allowed to be taken by the Registrar, other than those stated by him, except by leave of the Tribunal hearing the appeal. Where any further grounds of objection are taken the applicant shall be entitled to withdraw his application without payment of costs on giving notice.

(6) The Registrar or the Governor or the Court as the case may be, may at any time, whether before or after acceptance, correct any error in or in connection with the application, or may permit the applicant to amend his application upon such terms as they may think fit.

13.—When an application for registration of a trade mark has been accepted, whether absolutely or subject to conditions, the applicant shall, as soon as

Advertise-  
ment of  
registration.  
*Id.* s. 13.

may be after such acceptance, cause the application, as accepted, to be advertised in the prescribed manner. Such advertisement shall set forth all conditions subject to which the application has been accepted.

14.—(1) Any person may, within the prescribed time from the date of the advertisement of an application for registration of a trade mark, give notice to the Registrar of opposition to such registration.

(2) Such notice shall be given in writing in the prescribed manner and shall include a statement of the grounds of opposition.

(3) The Registrar shall send a copy of such notice to the applicant and, within the prescribed time after the receipt of such notice, the applicant shall send to the Registrar, in the prescribed manner, a counter-statement, of the grounds on which he relies for his application, and if he does not do so he shall be deemed to have abandoned his application.

(4) If the applicant sends such counter-statement, the Registrar shall furnish a copy thereof to the persons giving notice of opposition, and shall, after hearing the parties, if so required, and considering the evidence, decide whether, and subject to what conditions, registration is to be permitted.

(5) The decision of the Registrar shall be subject to appeal to the Court or, with the consent of the parties, to the Governor.

(6) An appeal under this section shall be made in the prescribed manner, and on such appeal the Tribunal shall, if required, hear the parties and the Registrar, and shall make an order determining whether and subject to what conditions, if any, registration is to be permitted.

(7) On the hearing of any such appeal any party may either in the manner prescribed or by special leave of the Tribunal bring forward further material for the consideration of the Tribunal.

(8) In proceedings under this section no further grounds of objection to the registration of a trade mark

Opposition  
to registra-  
tion.  
*Id.* s. 14.

shall be allowed to be taken by the opponent or the Registrar other than those stated by the opponent as herein-above provided, except by leave of the Tribunal hearing the appeal. Where any further grounds of objection are taken the applicant shall be entitled to withdraw his application without payment of the costs of the opponent on giving notice as prescribed.

(9) In any appeal under this section, the Tribunal may, after hearing the Registrar, permit the trade mark proposed to be registered to be modified in any manner not substantially affecting the identity of such trade mark, but in such case the trade mark as so modified shall be advertised in the prescribed manner before being registered.

(10) The Registrar or, in the case of an appeal to the Governor, the Governor shall have power in proceedings under this section to award to any party costs of such proceedings or any part thereof and to direct how and by what parties and on what scale they are to be paid. Such costs shall be taxed before the Registrar of the Supreme Court and shall be recoverable in the same manner as costs in an action.

(11) If a party giving notice of opposition or of appeal neither resides nor carries on business in the Colony the Registrar or the Tribunal may require such party to give security for costs of the proceedings before it relative to such opposition or appeal and, in default of such security being duly given, may treat the opposition or appeal as abandoned.

15.—If a trade mark contains parts not separately registered by the proprietor as trade marks, or if it contains matter common to the trade or otherwise of a non-distinctive character, the Registrar or the Governor or the Court, in deciding whether such trade mark shall be entered or shall remain upon the register, may require, as a condition of its being upon the register, that the proprietor shall disclaim any right to the exclusive use of any part or parts of such trade mark, or of all or any portion of such matter, to the exclusive use of which the Tribunal holds him not to be entitled, or that

Disclaimers,  
5 Edw. 7 c.  
15 s. 15.

he shall make such other disclaimer as the Tribunal may consider needful for the purpose of defining his rights under such registration: Provided always that no disclaimer upon the register shall affect any rights of the proprietor of a trade mark except such as arise out of the registration of the trade mark in respect of which the disclaimer is made.

16.—When an application for registration of a trade mark has been accepted and has not been opposed, and the time for notice of opposition has expired, or, having been opposed, the opposition has been decided in favour of the applicant, the Registrar shall register the said trade mark, and the trade mark, when registered, shall be registered as of the date of the application for registration, and such date shall be deemed for the purposes of this Ordinance to be the date of registration.

17.—On the registration of a trade mark the Registrar shall issue to the applicant a certificate in the prescribed form of the registration of such trade mark under the hand and seal of the Registrar.

18.—Where registration of a trade mark is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the Registrar may, after giving notice of the non-completion to the applicant in writing in the prescribed manner, treat the application as abandoned unless it is completed within the time specified in that behalf in such notice.

#### Identical Trade Marks.

19.—Except in the case of trade marks in use before the thirteenth day of August one thousand eight hundred and seventy-five which are registered in the United Kingdom as old marks used before the said date, no trade mark shall be registered in respect of any goods or description of goods which is identical with one belonging to a different proprietor which is already on the register with respect to such goods or description of goods, or so nearly resembling such a trade mark as to be calculated to deceive.

Date of  
registration.  
*Ib.* s. 16.

Certificate of  
registration  
*Ib.* s. 17.

Non-comple-  
tion of  
registration  
*Ib.* s. 18.

Identical  
marks.  
5 Edw. 7 c.  
15 s. 19.

Rival claims  
to identical  
marks.  
*10 s. 20.*

20.—Where each of several persons claims to be proprietor of the same trade mark, or of nearly identical trade marks in respect of the same goods or description of goods, and to be registered as such proprietor, the Registrar may refuse to register any of them until their rights have been determined by the Court, or have been settled by agreement in a manner approved by him or on appeal by the Court.

Protection of  
marks regis-  
tered in  
country of  
origin.

21.—The Registrar may refuse to register any trade mark if it is proved to his satisfaction by the person opposing the application for registration that such mark is identical with, or so nearly resembles as to be calculated to deceive, any trade mark which is already registered (in respect of goods of the same description as those in respect of which registration in Hongkong is applied for) in a country or place from which goods of that description originate.

Provided always that no application to register shall be refused under this section in the following cases:—

- (a) if the applicant proves that he or his predecessors in business have in Hongkong in connection with such goods as aforesaid continuously used the trade mark, the registration of which is applied for, from a date anterior to the date of the registration of the other trade mark in such country or place of origin; or
- (b) unless the opponent gives an undertaking to the satisfaction of the Registrar that he will, within three months from the giving of the notice of opposition apply for registration in Hongkong of the trade mark so registered in the country or place of origin, and will take all necessary steps to complete such registration.

#### Assignment.

Assignment  
and  
transmission  
of trade  
marks.  
*10 s. 22.*

22.—A trade mark when registered shall be assigned and transmitted only in connection with the goodwill of the business concerned in the goods for

which it has been registered and shall be determinable with that goodwill. But nothing in this section contained shall be deemed to affect the right of the proprietor of a registered trade mark to assign the right to use the same in any British possession or protectorate or foreign country in connection with any goods for which it is registered together with the goodwill of the business therein in such goods.

23.—In any case where from any cause, whether by reason of dissolution of partnership or otherwise, a person ceases to carry on business, and the goodwill of such person does not pass to one successor but is divided, the Registrar may (subject to the provision of this Ordinance as to associated trade marks), on the application of the parties interested, permit an apportionment of the registered trade marks of the person among the persons in fact continuing the business, subject to such conditions and modifications, if any, as he may think necessary in the public interest. Any decision of the Registrar under this section shall be subject to appeal to the Court.

Apportion-  
ment of  
marks on  
dissolution  
of part-  
nership.  
*10 s. 23.*

#### Associated Trade Marks.

24.—If application be made for the registration of a trade mark so closely resembling a trade mark of the applicant already on the register for the same goods or description of goods as in the opinion of the Registrar to be calculated to deceive or cause confusion if used by a person other than the applicant, the Tribunal hearing the applicant may require as a condition of registration that such trade marks shall be entered on the register as associated trade marks.

Associated  
trade marks.  
*10 s. 24.*

25.—If the proprietor of a trade mark claims to be entitled to the exclusive use of any portion of such trade mark separately, he may apply to register the same as separate trade marks. Each such separate trade mark must satisfy all the conditions and shall have all the incidents of an independent trade mark, except that when registered it and the trade mark of which it forms a part shall be deemed to be associated trade marks and shall be entered on the register as such, but the user of the whole trade mark shall for the purposes of this

Combined  
trade marks.  
*5 Edw. 7.  
c. 15 s. 25.*

Ordinance be deemed to be also a user of such registered trade marks belonging to the same proprietor as it contains.

Series of trade marks.  
*Ib. s. 26.*

26.—When a person claiming to be the proprietor of several trade marks for the same description of goods which, while resembling each other in the material particulars thereof, yet differ in respect of—

- (a) statements of the goods for which they are respectively used or proposed to be used; or
- (b) statements of number, price, quality, or names of places; or
- (c) other matter of a non-distinctive character which does not substantially affect the identity of the trade mark; or
- (d) colour;

seeks to register such trade marks, they may be registered as a series in one registration. All the trade marks in a series of trade marks so registered shall be deemed to be, and shall be registered as, associated trade marks.

Assignment and user of associated trade marks.  
*Ib. s. 27.*

27.—Associated trade marks shall be assignable or transmissible only as a whole and not separately, but they shall for all other purposes be deemed to have been registered as separate trade marks. Provided that, where under the provisions of this Ordinance user of a registered trade mark is required to be proved for any purpose, the Tribunal may, if and so far as it shall think right, accept user of an associated registered trade mark, or of the trade mark with additions or alterations not substantially affecting its identity, as an equivalent for such user.

#### Renewal of Registration

Duration of registration  
*Ib. s. 28.*

28.—The registration of a trade mark shall be for a period of fourteen years, but may be renewed from time to time in accordance with the provisions of this Ordinance.

29.—The Registrar shall, on application made by the registered proprietor of a trade mark in the prescribed manner and within the prescribed period, renew the registration of such trade mark for a period of fourteen years from the expiration of the original registration or of the last renewal of registration, as the case may be, which date is herein termed “the expiration of the last registration.”

Renewal of registration.  
*Ib. s. 29.*

30.—At the prescribed time before the expiration of the last registration of a trade mark the Registrar shall send notice in the prescribed manner to the registered proprietor at his registered address of the date at which the existing registration will expire and the conditions as to payment of fees and otherwise upon which a renewal of such registration may be obtained and if, at the expiration of the time prescribed in that behalf, such conditions have not been duly complied with, the Registrar may remove such trade mark from the register, subject to such condition (if any), as to its restoration to the register as may be prescribed.

Procedure on expiry of period of registration.  
*Ib. s. 30.*

31.—Where a trade mark has been removed from the register for non-payment of the fee for renewal, such trade mark shall, nevertheless, for the purpose of any application for registration during one year next after the date of such removal, be deemed to be a trade mark which is already registered, unless it is shown to the satisfaction of the Registrar that there has been no bona fide trade user of such trade mark during the two years immediately preceding such removal.

Status of unrenewed trade marks  
*Ib. s. 31.*

#### Correction and Rectification of the Registrar.

32.—The Registrar may, on request made in writing by the registered proprietor or by some person entitled by law to act in his name—

Correction of register.  
5. Edw. 7.  
c. 15 s. 32.

- (1) Correct any error in the name or address of the registered proprietor of a trade mark, or
- (2) Enter any change in the name or address of the person who is registered as proprietor of a trade mark; or

- (3) Cancel the entry of a trade mark on the register; or
- (4) Strike out any goods or classes of goods from those for which a trade mark is registered; or
- (5) Enter a disclaimer or memorandum relating to a trade mark which does not in any way extend the rights given by the existing registration of such trade mark.

Any decision of the Registrar under this section shall be subject to appeal to the Court.

Registration  
of assign-  
ments.  
*Id.* s. 33.

33.—Subject to the provisions of this Ordinance, where a person becomes entitled to a registered trade mark by assignment, transmission, or other operation of law, the Registrar shall, on request made in the prescribed manner and on proof of title to his satisfaction, cause the name and address of such person to be entered on the register as proprietor of the trade mark.

Any decision of the Registrar under this section shall be subject to appeal to the Court.

Alteration of  
registered  
trade mark.  
*Id.* s. 34.

34.—The registered proprietor of any trade mark may apply in writing to the Registrar for leave to add to or alter such trade mark in any manner not substantially affecting the identity of the same, and the Registrar may refuse such leave or may grant the same on such terms as he may think fit, but any such refusal or conditional permission shall be subject to appeal to the Court. If leave be granted, the trade mark as altered shall be advertised in the prescribed manner.

Rectification  
of register.  
*Id.* s. 35.

35.—Subject to the provisions of this Ordinance—  
(1) The Court may, on the application in writing of any person aggrieved by the non-insertion in or omission from the register of any entry, or by a y entry made in the register without sufficient cause, or by any entry wrongly remaining on the register, or by any error or defect in any entry in the

register, make such order for making, expunging, or varying such entry, as it may think fit.

- (2) The Court may in any proceeding under this section decide any question that it may be necessary or expedient to decide in connection with the rectification of the register.
- (3) In case of fraud in the registration or transmission of a registered trade mark the Registrar may himself apply to the Court under the provisions of this section.
- (4) Any order of the Court rectifying the register shall direct that notice of the rectification shall be served upon the Registrar in the prescribed manner who shall upon receipt of such notice rectify the register accordingly.

36.—No trade mark which is upon the register at the commencement of this Ordinance and which under this Ordinance is a registrable trade mark shall be removed from the register on the ground that it was not registrable under the Ordinance in force at the date of its registration. But nothing in this section contained shall subject any person to any liability in respect of any act or thing done before the commencement of this Ordinance to which he would not have been subject under the Ordinance then in force.

Trade marks  
registered  
under  
previous  
Acts.  
*Id.* s. 36.

37.—A registered trade mark may, on the application to the Court of any person aggrieved, be taken off the register in respect of any of the goods for which it is registered, on the ground that it was registered by the proprietor or a predecessor in title without any bona fide intention to use the same in connection with such goods, and that there has in fact been no bona fide user of the same in connection therewith, or on the ground that there has been no bona fide user of such trade mark in connection with such goods during the five years immediately preceding the application, unless in either case such non-user is shown to be due to special circumstances in the trade, and not to any in-

Non-user of  
trade mark.  
5. Edw. 7.  
c. 15 s. 37.

tention not to use or to abandon such trade mark in respect of such goods.

Effect of Registration.

Power of registered proprietor.  
*Ib. s. 38.*

38.—Subject to the provisions of this Ordinance:—

(1) The person for the time being entered in the register as proprietor of a trade mark shall, subject to any rights appearing from such register to be vested in any other person, have power to assign the same, and to give effectual receipts for any consideration for such assignment.

(2) Any equities in respect of a trade mark may be enforced in like manner as in respect of any other property.

Rights of proprietor of trade mark.  
*Ib. s. 39.*

39.—Subject to the provisions of section 41 of this Ordinance and to any limitations and conditions entered upon the register, the registration of a person as proprietor of a trade mark shall, if valid, give to such person the exclusive right to the use of such trade mark upon or in connection with the goods in respect of which it is registered; Provided always, that where two or more persons are registered proprietors of the same (or substantially the same) trade mark in respect of the same goods, no rights of exclusive user of such trade mark shall, except so far as their respective rights shall have been defined by the Court, be acquired by any one of such persons as against any other by the registration thereof, but each of such persons shall otherwise have the same rights as if he were the sole registered proprietor thereof.

Registration to be *prima facie* evidence of validity.  
*Ib. s. 40.*

40.—In all legal proceedings relating to a registered trade mark (including applications under section 35 of this Ordinance) the fact that a person is registered as proprietor of such trade mark shall be *prima facie* evidence of the validity of the original registration of such trade mark and of all subsequent assignments and transmissions of the same.

Registration to be conclusive after seven years.  
*Ib. s. 41.*

41.—In all legal proceedings relating to a registered trade mark (including applications under section 35 of this Ordinance) the original registration of such

trade mark shall after the expiration of seven years from the date of such original registration (or seven years from the passing of this Ordinance, whichever shall last happen) be taken to be valid in all respects unless such original registration was obtained by fraud or unless the trade mark offends against the provisions of section 11 of this Ordinance.

Provided that nothing in this Ordinance shall entitle the proprietor of a registered trade mark to interfere with or restrain the user by any person of a similar trade mark upon or in connection with goods upon or in connection with which such person has, by himself or his predecessors in business, continuously used such trade mark from a date anterior to the user of the first mentioned trade mark by the proprietor thereof or his predecessors in business.

42.—(1) The Court may, on the application in writing made within seven years from the registration of a trade mark in Hongkong by any person aggrieved by such registration, remove such trade mark from the Register, if it is proved to the satisfaction of the Court, that such trade mark is identical with, or so nearly resembles as to be calculated to deceive, any trade mark which was, prior to the registration in Hongkong of the first mentioned trade mark, registered (in respect of goods of the same description as those in respect of which the first mentioned trade mark is registered in Hongkong) in a country or place from which goods of that description originate.

Removal of mark on proof of prior registration in country of origin.

Provided always that no trade mark shall be removed from the Register under this section in the following cases:—

- (a) if the proprietor of the other trade mark consented to the registration in Hongkong of the first mentioned trade mark; or
- (b) if the proprietor of the trade mark registered in Hongkong proves that he or his predecessors in business have continuously used such trade mark in Hongkong in connection with such goods as aforesaid from a date anterior

## A 3

to the date of the registration of the other trade mark in the country or place of origin; or

- (c) unless the applicant proves either that within the five years immediately preceding the making of the application under this section there has been bona fide user in connection with such goods as aforesaid in Hongkong of the trade mark registered in the country or place of origin or that the special circumstances of the trade account for the non-user of such trade mark in Hongkong within the same period or that the trade mark so registered in the country or place of origin was first registered there within the like period of five years, and in either event gives an undertaking to the satisfaction of the Registrar that he will within three months from the making of the application under this section apply for registration in Hongkong of the trade mark so registered in the country or place of origin, and will take all necessary steps to complete such registration.

(2) All applications under this section shall be heard in open court in Original Jurisdiction.

43.—No person shall be entitled to institute any proceedings to recover damages for the infringement of a trade mark not registered in this Colony.

44.—In an action for the infringement of a trade mark the Court trying the question of infringement shall admit evidence of the usages of the trade in respect to the get-up of the goods for which the trade mark is registered, and of any trade marks or get-up legitimately used in connection with such goods by other persons.

45.—No registration under this Ordinance shall interfere with any bona fide use by a person of his own name or place of business, or that of any of his predecessors in business, or the use by any person of any bona fide description of the character or quality of his goods.

Unregistered  
trade mark.  
5. Edw. 7.  
c. 15 s. 42.

Infringe-  
ment.  
*Ib.* s. 43.

User of  
name,  
address, or  
description  
of goods.  
*Ib.* s. 44.

## A 3

46.—Nothing in this Ordinance contained shall be deemed to affect rights of action against any person for passing off goods as those of another person or the remedies in respect thereof.

## Legal Proceedings.

47.—In any legal proceeding in which the validity of the registration of a registered trade mark comes into question and is decided in favour of the proprietor of such trade mark, the Court may certify the same, and if it so certifies then in any subsequent legal proceeding in which such validity comes into question the proprietor of the said trade mark on obtaining a final order or judgment in his favour shall have his full costs, charges and expenses as between solicitor and client, unless in such subsequent proceeding the Court certifies that he ought not to have the same.

48.—In any legal proceeding in which the relief sought includes alteration or rectification of the register, the Registrar shall have the right to appear and be heard, and shall appear if so directed by the Court. Unless otherwise directed by the Court, the Registrar in lieu of appearing and being heard may submit to the Court a statement in writing signed by him, giving particulars of the proceedings before him in relation to the matter in issue or of the grounds of any decision given by him affecting the same or of the practice of the office in like cases, or of such other matters relevant to the issues, and within his knowledge as such Registrar, as he shall think fit, and such statement shall be deemed to form part of the evidence in the proceeding.

## Costs.

49.—In all proceedings before the Court under this Ordinance the costs of the Registrar shall be in the discretion of the Court, but the Registrar shall not be ordered to pay the costs of any other of the parties.

## Evidence.

50.—In any proceeding under this Ordinance before the Registrar or the Governor, the evidence shall be given by statutory declaration in the absence of direc-

"Passing  
off" action.  
*Ib.* s. 45.

Certificate  
of validity.  
*Ib.* s. 46.

Registrar to  
have notice  
of proceed-  
ing for  
rectification  
*Ib.* s. 47.

Costs of  
proceedings  
before Court.  
5. Edw. 7.  
c. 15 s. 43.

Mode of  
giving  
evidence.  
*Ib.* s. 49.

tions to the contrary, but, in any case in which he shall think it right so to do, the Registrar or the Governor may (with the consent of the parties) take evidence viva voce in lieu of or in addition to evidence by declaration. Any such statutory declaration may in the case of appeal be used before the Court in lieu of evidence by affidavit, but if so used shall have all the incidents and consequences of evidence by affidavit.

In case any part of the evidence is taken viva voce the Registrar or the Governor shall in respect of requiring the attendance of witnesses and taking evidence on oath be in the same position in all respects as a Special Referee of the Supreme Court.

Sealed copies to be evidence. *Ib.* s. 50.

51.—Printed or written copies or extracts of or from the register, purporting to be certified by the Registrar under his seal, shall be admitted in evidence in all courts, and in all proceedings, without further proof or production of the originals.

Certificate of Registrar to be evidence. *Ib.* s. 51.

52.—A certificate purporting to be under the hand of the Registrar as to any entry, matter, or thing which he is authorised by this Ordinance, or rules made thereunder, to make or do, shall be prima facie evidence of the entry having been made, and of the contents thereof, and of the matter or thing having been done or not done.

#### Powers and Duties of Registrar of Trade Marks.

Exercise of discretionary power by Registrar. *Ib.* s. 53.

53.—Where any discretionary or other power is given to the Registrar by this Ordinance or rules made thereunder, he shall not exercise that power adversely to the applicant for registration or the registered proprietor of the trade mark in question without (if duly required so to do within the prescribed time) giving such applicant or registered proprietor an opportunity of being heard.

Appeal from Registrar. *Ib.* s. 54.

54.—Except where expressly given by the provisions of this Ordinance or rules made thereunder there shall be no appeal from a decision of the Registrar otherwise than to the Governor, but the Court, in dealing with any question of the rectification of the register (including all applications under the provisions of sec-

tion 35 this Ordinance), shall have power to review any decision of the Registrar relating to the entry in question or the correction sought to be made.

55.—Where by this Ordinance any act has to be done by or to any person in connection with a trade mark or proposed trade mark or any procedure relating thereto, such act may under and in accordance with rules made under this Ordinance be done by or to an agent of such party duly authorised in the prescribed manner.

Recognition of agents. *Ib.* s. 55.

#### Rules.

56.—(1) Subject to the provisions of this Ordinance the Governor-in-Council may from time to time make such rules, prescribe such forms and generally do such things as he thinks expedient—

Power of Governor-in-Council to make rules. *Ib.* s. 60.

- (a) For regulating the practice under this Ordinance:
- (b) For classifying goods for the purposes of registration of trade marks:
- (c) For making or requiring duplicates of trade marks and other documents:
- (d) For securing and regulating the publishing and selling or distributing, in such manner as the Governor-in-Council thinks fit, of copies of trade marks and other documents:
- (e) Generally, for regulating the business of the office in relation to trade marks and all things by this Ordinance placed under the direction or control of the Registrar.

(2) Rules made under this section shall, whilst in force, be of the same effect as if they were contained in this Ordinance.

(3) Any rules made in pursuance of this section shall be forthwith published in the "Gazette."

## Fees.

57.—There shall be paid in respect of applications and registration and other matters under this Ordinance such fees as may be prescribed by the Governor-in-Council, and a list of such fees shall forthwith be published in the "Gazette."

## Special Trade Marks.

59.—Where any association or person undertakes the examination of any goods in respect of origin, material, mode of manufacture, quality, accuracy, or other characteristic, and certifies the result of such examination by mark used upon or in connection with such goods, the Governor-in-Council may, if he shall judge it to be to the public advantage, permit such association or person to register such mark as a trade mark in respect of such goods, whether or not such association or person be a trading association or trader or possessed of a goodwill in connection with such examination and certifying. When so registered such trade mark shall be deemed in all respects to be a registered trade mark, and such association or person to be the proprietor thereof, save that such trade mark shall be transmissible or assignable only by permission of the Governor-in-Council.

## Offences.

59.—If any person makes or causes to be made a false entry in the register kept under this Ordinance or a writing falsely purporting to be a copy of an entry in any such register, or produces or tenders or causes to be produced or tendered in evidence any such writing, knowing the entry or writing to be false, he shall be guilty of a misdemeanour.

60.—(1) Any person who represents a trade mark as registered in Hongkong which is not so shall be liable for every offence on summary conviction to a fine not exceeding fifty dollars.

(2) A person shall be deemed, for the purposes of this Ordinance, to represent that a trade mark is registered in Hongkong, if he uses in connection with the

Fees.  
5 Edw. 7.  
c. 15 s. 61.

Standard-  
ization  
trade marks.  
7b. s. 62.

Falsification  
of entries in  
register.  
7b. s. 60.

Penalty on  
falsely  
representing  
a trade mark  
as registered.  
7b. s. 67.

trade mark the words "registered in Hongkong," or any words expressing or implying that registration has been obtained in Hongkong for the trade mark.

## Royal Arms.

61.—If any person, without the authority of His Majesty, uses in connection with any trade, business, calling, or profession, the Royal Arms (or arms so closely resembling the same as to be calculated to deceive) in such manner as to be calculated to lead to the belief that he is duly authorised so to use the Royal Arms, or if any person without the authority of His Majesty or of a member of the Royal Family, uses in connection with any trade, business, calling, or profession any device, emblem, or title in such manner as to be calculated to lead to the belief that he is employed by or supplies goods to His Majesty or such member of the Royal Family, he may, at the suit of any person who is authorised to use such arms or such device, emblem, or title, or is authorised by the Governor to take proceedings in that behalf, be restrained by injunction or interdict from continuing so to use the same: Provided that nothing in this section shall be construed as affecting the right, if any, of the proprietor of a trade mark containing any such arms, device, emblem, or title to continue to use such trade mark.

## Repeal of Previous Enactment.

62.—The Trade Marks Ordinance, 1898, is hereby repealed and all rules made thereunder are hereby revoked as and from the first day of April, 1910: Provided always that the provisions of that Ordinance shall apply to all such applications as may be pending at the date of the commencement of this Ordinance.

63.—The Governor may appoint the Registrar under this Ordinance immediately after the passing hereof, and thereafter all matters and things hitherto transacted and done by the Colonial Secretary under the Trade Marks Ordinance, 1898, and all rules made thereunder may be transacted and done by the Registrar, but in all other respects this Ordinance shall come into operation on the first day of April, 1910, which shall be deemed to be the date of the commencement of this Ordinance.

Unauthorised  
assumption  
of Royal  
Arms.  
7b. s. 63.

Repeal of  
previous  
Ordinance  
and saving.

Commence-  
ment of  
Ordinance.

Passed the Legislative Council of Hongkong, this 9th day of December, 1909.

C. CLEMENTI,  
Clerk of Councils.

Assented to by His Excellency the Governor, the 10th day of December, 1909.

F. H. MAY,  
Colonial Secretary.

Published in the Government Gazette of the 7th January, 1910, Government Notification No. 6.

Rules made by the Governor-in-Council under the provisions of Section 56 of the Trade Marks Ordinance, 1909 (Ordinance No. 40 of 1909), this 5th day of January, 1910.

#### Preliminary.

Preliminary

1.—These Rules may be cited as the Trade Marks Rules 1910 and they shall come into operation on the 1st day of April, 1910.

#### Interpretation.

Interpretation.

2.—In the construction of these Rules any words herein used the meaning of which is defined in the Trade Marks Ordinance 1909 shall have the meaning therein assigned to them.

“ The Ordinance ” shall mean the Trade Marks Ordinance 1909.

“ Agent ” shall mean an agent duly authorised to the satisfaction of the Registrar.

“ Old Mark ” shall mean a trade mark which is registered in the United Kingdom as a mark which was used by the owner or his predecessors in business before the 13th August, 1875.

#### Fees.

3.—The fees to be paid in pursuance of the Ordinance shall be the fees specified in the First Schedule to these Rules. Such fees shall be paid by adhesive stamps to be cancelled by the Registrar.

Fees.

#### Forms.

4.—The forms herein referred to are the forms contained in the Second Schedule to these Rules, and such forms shall be used in all cases to which they are applicable, and shall be modified as directed by the Registrar to meet other cases.

Forms.

#### Classification of Goods.

5.—For the purposes of trade marks registration and of these Rules goods are classified in the manner appearing in the Third Schedule hereto.

Classification of goods.

If any doubt arises as to what class any particular description of goods belongs to, the doubt shall be determined by the Registrar.

#### Documents.

6.—Subject to any other directions that may be given by the Registrar, all applications, notices, counter-statements, papers having representations affixed, or other documents required by the said Ordinance or by these Rules to be left with or sent to the Registrar shall be upon foolscap paper of a size of approximately 13 inches by 8 inches, and shall have on the left hand part thereof a margin of not less than one inch and a half.

Documents.

7.—Any application, statement, notice, or other document authorised or required to be left, made or given at the Office of the Registrar, or to or with the Registrar, or with or to any other person, may be sent through the post by a registered prepaid or official-paid letter; any document so sent shall be deemed to have been delivered at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service or sending, it shall be sufficient to prove that the letter was properly addressed

Service of documents.

and registered. A letter addressed to a registered proprietor of a trade mark at his address as it appears on the register or address for service, or to any applicant for or person opposing the registration of a trade mark at the address appearing in the application or notice of opposition or given for service as hereinafter provided shall be deemed to be sufficiently addressed.

Address.

8.—Where any person is by the Ordinance or these Rules bound to furnish the Registrar with an address the following provisions shall apply:—

The address given shall in all cases be as full as possible, for the purpose of enabling any person easily to find the place of business of the person whose address is given.

When a person does not reside in a town with streets, the Registrar may require the address to include all indications which he thinks necessary for such purpose so far as it can be obtained.

When an applicant resides in a town where there are streets, the address given shall include the name of the street, and the number in the street or name of premises, if any.

Address for service

9.—Every applicant for the registration of any trade mark, and every opponent to such registration, and every agent, who does not reside or carry on business in Hongkong, shall, if so required, give an address for service in Hongkong, and such address may be treated as the actual address of such applicant, opponent, or agent for all purposes connected with such application for registration or the opposition thereto.

The Registrar may require the proprietor of a registered trade mark who does not reside or carry on business within Hongkong to give an address for service within Hongkong, and such address may be treated as the actual address of the proprietor for all purposes connected with such trade mark.

Agents.

Agents.

10.—An application for registration and an opposition to registration and all other communications

between an applicant, an opponent and the Registrar, and between the proprietor of a registered trade mark and the Registrar, or any other person, may be made by or through an agent. In case any proprietor of a registered trade mark shall appoint such an agent, service upon such agent of any document relating to such trade mark shall be deemed to be service upon the person so appointing him, and all communications directed to be made to such person in respect of such trade mark may be addressed to such agent.

## Registrable Trade Marks.

11.—The Registrar may refuse to accept any application upon which the following appear:—

Registrable trade marks.

(a) The word "Patent," "Patented," or "By Royal Letters Patent," "Registered," "Registered Design," "Copyright," "Entered at Stationers' Hall," "To counterfeit this is forgery," or words to like effect.

(b) Representations of Their Majesties or of any member of the Royal Family.

12.—Representations of the Royal Arms or Royal crests, or arms or crests so nearly resembling them so as to lead to mistake, or of British Royal crowns, or of the British national flags, or the word Royal or any other words, letters or devices, calculated to lead persons to think that the applicant has Royal patronage or authorisation, may not appear on trade marks, the registration of which is applied for. Provided always that nothing contained in this Rule shall preclude the Registrar from allowing the registration as an "old mark," of any mark which was capable of being so registered before the Trade Marks Ordinance, 1909, came into operation.

Royal Arms.

13.—Where representations of the arms of a foreign State or place appear on a mark the Registrar may call for such justification as he may deem necessary for their use.

Arms of foreign State.

Arms of City,  
etc.

14.—Where a representation of the arms or emblems of any city, borough, town, place, society, body corporate, or institution appears on a mark, the applicant shall, if so required, furnish the Registrar with a consent from such official as the Registrar may consider entitled to give consent to the use of such arms or emblems.

Representations  
of living  
persons or  
persons  
recently dead.

15.—Where the names or representations of living persons appear on a trade mark, the Registrar shall, if he so require, be furnished with consents from such persons before proceeding to register the mark. In the case of persons recently dead the Registrar may call for consents from their legal representatives before proceeding with registration of a trade mark on which their names or representations appear.

Name or  
description  
of goods.

16.—Where the name or a description of any goods appears on a trade mark the Registrar may refuse to register such mark in respect of any goods other than the goods so named or described.

Where the name or description of any goods appears on a trade mark which name or description in use varies, the Registrar may permit the registration of the mark with the name or description upon it for goods other than those named or described, the applicant stating in his application that the name or description varies.

#### Application for Registration.

Application for  
registration.

17.—Every application for the registration of a trade mark shall be addressed to the Registrar in the Form No. 1, and shall be accompanied by three additional representations of the trade mark exactly corresponding to that affixed on Form No. 1 and also by a statutory declaration in the form No. 2 or an affidavit to the same effect.

And in the case of a trade mark not falling within the descriptions in section 9 (1), (2), (3), or (4) there shall be added to such application a requirement that the same shall be referred to the Governor or the Court (at the option of the applicant) for an order that the said trade mark may be deemed distinctive.

Such statutory declaration or affidavit must be made by the applicant in person subject to the provisions of Rule 85 (d) (e).

18.—In the case of an application for the registration of an old mark there shall be furnished a certificate of the registration of the mark in the United Kingdom, whereto shall be affixed a copy of the mark.

Application  
for old mark.

19.—If application for registration of a trade mark be made by a firm or partnership it may be signed in the name or for and on behalf of the firm or partnership by any one or more members thereof.

Application  
by firm.

If the application be made by a body corporate it may be signed by a Director or by the Secretary or other principal officer of such body corporate.

Any application may be signed by an agent.

20.—Applications for the registration of the same trade mark in different classes shall be treated as separate and distinct applications, and in all cases where a trade mark has been registered prior to the coming into operation of the Ordinance for goods in more than one class the registration shall henceforth for the purpose of fees and otherwise be deemed to have been made on separate and distinct applications in respect of goods included in each class.

Separate  
applications.

21.—The Registrar, if dissatisfied with any representation of a mark, may at any time require another representation satisfactory to him to be submitted before proceeding with the application.

Representation  
to be satisfac-  
tory.

22.—Where a drawing or other representation or specimen cannot be given in manner aforesaid, a specimen or copy of the trade mark may be sent either of full size or on a reduced scale, and in such form as the Registrar may think most convenient.

Specimens of  
trade marks in  
exceptional  
cases.

The Registrar may also, in exceptional cases, deposit in the Office a specimen or copy of any trade mark which cannot conveniently be shown by a representation, and may refer thereto in the register in such manner as he may think fit.

Series of trade marks.

23.—When application is made for the registration of a series of trade marks a representation of each trade mark of the series shall be affixed to Form No. 1.

Transliteration and translation.

24.—When a trade mark contains a word or words in other than Roman characters or in a language other than English, the Registrar may ask for an exact transliteration or translation thereof, and, if he so requires, such transliteration or translation shall be indorsed on the application, such indorsement being signed by the applicant or his agent.

#### Procedure on Receipt of Application.

Acknowledgment of application.

25.—On or after receipt of the application the Registrar shall furnish the applicant with an acknowledgment thereof.

Search.

26.—Upon receipt of an application for registration the Registrar shall cause a search to be made amongst the registered marks and pending applications for the purpose of ascertaining whether there are on record any marks for the same goods or description of goods identical with the mark applied for or so nearly resembling it as to be calculated to deceive.

Acceptance.

27.—If after such search and a consideration of the application the Registrar thinks there is no objection to the mark being registered, he may accept it absolutely or subject to conditions, amendments, and modifications which he shall communicate to the applicant in writing.

Objections.

28.—If after such search and consideration of the application any objections appear, a statement of these objections shall be sent to the applicant in writing, and unless within three months the applicant applies for a hearing he shall be deemed to have withdrawn his application.

Hearings.

29.—If the Registrar accepts an application subject to any conditions, amendments, or modifications, and the applicant objects to such conditions, amendments, or modifications, the applicant shall within three months from the date of the communication notifying such acceptance apply for a hearing, and if he does not do so he shall be deemed to have withdrawn his application.

If the applicant does not object to such conditions, amendments, or modifications, he shall forthwith notify the Registrar in writing.

30.—The decision of the Registrar at such hearing as aforesaid shall be communicated to the applicant in writing, and if the applicant objects to such decision he may within one month apply upon Form No. 3 requiring the Registrar to state in writing the grounds of his decision and the materials used by him in arriving at the same.

Registrar to state grounds of decision on request.

31.—The Registrar may call on an applicant to insert in his application such disclaimer as the Registrar may think fit, in order that the public generally may understand what the applicant's rights, if his mark is registered, will be. An order of the Registrar under this rule shall be subject to appeal to the Governor or the Court at the option of the applicant.

Disclaimers

#### Advertisement.

32.—Every application when accepted shall be advertised by the applicant once a month in the "Gazette" for a period of three months.

Advertisement of Application.

If no representation of the trade mark is inserted in connection with the advertisement of an application the applicant shall supply a detailed description of the trade mark, and shall state in the advertisement that a representation of the trade mark is deposited for inspection in the office of the Registrar.

33.—When an application relates to a series of trade marks the Registrar may, if he thinks fit, direct the applicant to insert with the advertisement of the application a statement of the manner in respect of which the several trade marks differ from one another.

Advertisement of series.

#### Opposition to Registration.

34.—Any person may within a period not exceeding three months from the date of the first advertisement of an application for registration of a trade mark give notice in writing to the Registrar of opposition to the registration. Such notice shall be in Form No. 4, and

Opposition. Notice of opposition.

shall contain a statement of the grounds upon which the opponent objects to the registration. Such notice shall be accompanied by a duplicate which the Registrar shall forthwith send to the applicant.

Counter-statement.

35.—Within one month from the receipt of such duplicate the applicant shall send to the Registrar a counter-statement in Form No. 5 setting out the grounds on which he relies as supporting his application. The applicant shall also set out what facts, if any, alleged in the notice of opposition he admits. Such counter-statement shall be accompanied by a duplicate, which the Registrar shall forthwith send to the opponent.

Evidence in support of opposition.

36.—Within one month from the receipt of such duplicate the opponent shall forward to the Registrar such evidence by way of statutory declaration as he may desire to adduce in support of his opposition. Such statutory declaration shall be accompanied by a duplicate, which the Registrar shall forthwith send to the applicant.

Evidence in support of application.

37.—Within one month from the receipt of such duplicate the applicant shall forward to the Registrar such evidence by way of statutory declaration as he desires to adduce in support of his application. Such statutory declaration shall be accompanied by a duplicate, which the Registrar shall forthwith send to the opponent.

Evidence in reply by opponent.

38.—Within fourteen days from the receipt of such statutory declaration the opponent may forward to the Registrar evidence by way of statutory declaration in reply. Such evidence shall be confined strictly to matters in reply. Such statutory declaration shall be accompanied by a duplicate, which the Registrar shall forthwith forward to the applicant.

Further evidence.

39.—In any proceedings before the Registrar, he may at any time, if he thinks fit, give leave to either the applicant or the opponent to file any evidence upon such terms as to costs or otherwise as the Registrar may think fit.

40.—Where there are exhibits to declarations filed in an opposition, copies or impressions of such exhibits shall be sent to the other party on his request, or, if such copies or impressions cannot conveniently be furnished, the originals shall be sent to the Office, so that they may be open to inspection. The original exhibits shall be produced at the hearing unless the Registrar otherwise directs.

Exhibits.

41.—Upon completion of the evidence the Registrar shall give notice to the parties of a date when he will hear the arguments in the case. Such appointment shall be for a date at least fourteen days after the date of the notice, unless the parties consent to a shorter notice. Within seven days from the receipt of such notice both parties shall file Form No. 6. A party who receives such notice and who does not, within seven days from the receipt thereof, give notice on Form No. 6 that he intends to appear, may be treated as not desiring to be heard, and the Registrar may act accordingly.

Hearing.

42.—Where in opposition proceedings any extension of time is granted to any party, the Registrar may thereafter, if he thinks fit, without giving the said party a hearing, grant any reasonable extension of time to the other party in which to take any subsequent step.

Extension of time.

43.—Where a party giving notice of opposition neither resides nor carries on business in the Colony, the Registrar may call upon him to give a security in such form as the Registrar may deem sufficient for the costs of the proceedings before the Registrar, for such amount as to the Registrar may seem fit, and at any stage in such opposition may require further security to be given at any time before giving his decision in the case.

Security for costs.

Non-Completion.

44.—Where registration of a trade mark is not completed within twelve months from the date of the application by reason of default on the part of the applicant, the Registrar shall give notice to the applicant or to his agent in writing of such non-completion,

Non-completion within 12 months.

If after fourteen days from the date when such notice was sent the registration is not completed, the application shall be deemed to be abandoned, but the Registrar may with such notice, where the applicant lives at a distance, give a further time after such fourteen days for the completion of such application.

#### Entry on the Register.

Entry on register.

45.—As soon as may be after the expiration of one week from the date of the last advertisement in the "Gazette" of any application, the Registrar shall, subject to any opposition and the determination thereof, and upon payment of the prescribed fee on Form No. 7, enter the trade mark in the register. The entry of a trade mark on the register shall give the date of the registration, the goods in respect of which it is registered, and all particulars named in section 4 of the Ordinance, and such other particulars as the Registrar may deem necessary.

Associated marks.

46.—Where a mark is registered as associated with any other mark or marks the Registrar shall note upon the register in connection with such mark the numbers of the marks with which it is associated, and shall also note upon the register in connection with each of the associated marks the number of the newly registered mark as being an associated mark with each of them.

Death of applicant before registration.

47.—In case of the death of any applicant for a trade mark after the date of his application and before the trade mark applied for has been entered on the register, the Registrar, after the expiration of the prescribed period of advertisement, may, on being satisfied of the applicant's death, enter on the register, in place of the name of such deceased applicant, the name, address and description of the person owning the goodwill of the business, on such ownership being proved to the satisfaction of the Registrar.

Certificate of registration.

48.—Upon the registration of a trade mark the Registrar shall issue to the applicant a certificate in the Form No. 8.

#### Assignment.

49.—The Registrar may on request made jointly by a registered proprietor of a mark and the person to whom he has assigned such mark, together with the goodwill of the business concerned in the goods for which it has been registered, register the assignee as proprietor of the mark. Such application shall be in Form No. 9. If the Registrar so require, the assignee shall furnish a declaration in Form No. 10.

Joint request for entry of assignment.

50.—Where no such joint request is made, any person who has become entitled to a registered trade mark by assignment, transmission, or other operation of law, may request the Registrar to enter his name in the register as proprietor of such trade mark. The request shall be on Form No. 11, and such request shall contain the name, address, and description of the person claiming to be entitled to the trade mark, hereinafter called the claimant.

Request for entry of assignment by subsequent proprietor.

51.—Together with such request the claimant shall forward a case stating full particulars of the assignment, transmission, or other operation of law by virtue of which he claims to be entitled to be entered in the register as proprietor of the trade mark, so as to show the manner in which and the person or persons to whom the trade mark has been assigned or transmitted, and so as to show further that it has been so assigned or transmitted in connection with the goodwill of the business concerned in the goods for which the trade mark has been registered.

Case accompanying request.

52.—Such request shall in the case of an individual be made and signed by the claimant, and in the case of a firm or partnership by one or more members of such firm or partnership, and in the case of a body corporate shall be signed by a director or by the secretary or other principal officer of such body corporate.

Signature of request.

53.—Where the Registrar shall determine that the case sets out particulars such as entitle the claimant to be registered as proprietor of such trade mark, he may in his discretion call upon the claimant to furnish a statutory declaration in Form No. 12 verifying the

Statutory declaration in support of request.

several statements in the case and declaring that the particulars given comprise every material fact and document affecting the proprietorship of the trade mark claimed by such request.

Proof of title.

54.—In any case the Registrar may call on any person who desires to be registered as proprietor of a trade mark for such proof or additional proof of title and of the existence and ownership of such goodwill as aforesaid as the Registrar may require for his satisfaction.

Indorsement of assignment on certificate of registration.

55.—The Registrar shall, at the request of a person who has become entitled to a registered trade mark by assignment, transmission, or other operation of law, made upon Form No. 13, indorse upon the original certificate of registration a statement of the alteration in the proprietorship of the mark.

#### Renewal.

Renewal of registration.

56.—At any time not more than six months before the expiration of the last registration of a trade mark any person may leave at the Office a fee for the renewal of the registration of the mark upon Form No. 14. Such person shall indorse upon such form his name and address, and before taking any further step the Registrar may require such person to furnish within five days an authority to pay such fee signed by the registered proprietor, and if such person does not furnish such authority, may return such fee and treat it as not received.

Notification of receipt of renewal fee.

57.—When he does not require such authority, the Registrar shall, upon receipt of such fee, communicate with the person paying the fee, or at his discretion with the registered proprietor at his registered address, stating that the fee has been received and that the registration will in due course be renewed.

Notice before removal of trade mark from register.

58.—At a date not less than three months and not more than four months before the expiration of the last registration of a mark, if no fee upon Form No. 14 has been received, the Registrar shall send to the registered proprietor at his registered address a notice in the Form No. 15.

59.—If at the date of the expiration of the last registration of a mark the renewal fee has not been paid, the Registrar shall advertise the fact forthwith in the "Gazette," and if within one month of such advertisement the renewal fee upon Form No. 14, together with an additional fee upon Form No. 16, is received, he may renew the registration without removing the mark from the register.

Advertisement of non-payment.

60.—Where after one month from such advertisement such fees have not been paid, the Registrar may remove the mark from the register as on the date of the expiration of the last registration, but may upon payment of the renewal fee upon Form No. 14, together with the additional fee upon the Form No. 17, restore the mark to the register if satisfied that it is just so to do, and upon such conditions as he may think fit to impose.

Removal of trade mark from register.

61.—Where a trade mark has been removed from the register the Registrar shall cause to be entered in the register a record of such removal and of the cause thereof.

Removal of mark from register.

62.—Upon the renewal of a registration a notice to that effect shall be sent to the registered proprietor at his registered address, and the renewal shall be advertised in the "Gazette."

Notice and advertisement of renewal.

63.—The Registrar shall, at the request of the registered proprietor made upon Form No. 18, indorse upon the original certificate of registration of a trade mark a statement that the mark has been duly renewed.

Indorsement of renewal on certificate of registration.

#### Alteration of Address.

64.—Every registered proprietor of a trade mark who alters his address shall forthwith apply to the Registrar to insert the new address on the register, and the Registrar shall alter the register accordingly.

Alteration of address in register.

#### Discretionary Power.

65.—Before exercising any discretionary power given to the Registrar by the Ordinance adversely to any person, the Registrar shall, if so required, hear

Hearing.

the person who will be affected by the exercise of such power.

Application  
for hearing.

66.—An application for a hearing shall be made within one month from the date when the matter on which the Registrar is called on to exercise discretionary power has arisen.

Notice of  
hearing.

67.—Upon receiving each application the Registrar shall give the person applying ten days' notice of a time when he may be heard by himself or his agent.

Within five days from the date when such notice would be delivered in the ordinary course of post the person applying shall notify the Registrar whether or not he intends to be heard on the matter.

Notification  
of decision.

68.—The decision of the Registrar in the exercise of any such discretionary power as aforesaid shall be notified to the person affected.

#### Applications Under Section 23.

Application  
under  
section 23.

69.—All applications to the Registrar under section 23 of the Ordinance shall be upon Form No. 19. Such application shall be accompanied by a case setting out fully the facts relating to the marks which the Registrar is requested to permit an apportionment of.

Registrar to  
enquire and  
decide.

70.—Upon receipt of such request and of such case the Registrar shall enquire into the facts and call for such evidence as he may deem necessary upon the subject of such application. Before giving his decision the Registrar shall, if necessary, give the parties an opportunity of attending before him at a hearing either by themselves or by their agents.

The decision of the Registrar shall be in writing.

Note in  
register.

71.—Upon any apportionment of marks under this section the Registrar shall insert in the register a note in connection with each of the registered trade marks of the fact of such apportionment, and shall in such note refer to the date of the decision under which such apportionment has taken place.

#### Applications Under Section 32.

72.—Applications under section 32 to the Registrar may be made by the registered proprietor, or by the trustee in bankruptcy of the registered proprietor, or where the registered proprietor is a company in liquidation by the liquidator, and in other cases by such person as the Registrar may decide to be entitled to act in the name of the registered proprietor.

Application  
under  
section 32.

73.—Where such application is made the Registrar may require such evidence by statutory declaration or otherwise as he may think fit as to the circumstances in which the application is made.

Evidence.

74.—Where application is made to enter a disclaimer or memorandum relating to a trade mark, the Registrar, before deciding upon such application, shall advertise the application in the "Gazette" once a month for a period of three months in order to enable any person desiring so to do to state any reasons in writing against the applicant being allowed to make such disclaimer or enter such memorandum.

Advertisement  
of application.

#### Application Under Section 34.

75.—Where a person desires to apply under section 34 to alter a trade mark, he shall make his application in writing, and shall furnish the Registrar with six copies of the mark as it will appear when altered.

Alteration of  
trade mark.

76.—Before proceeding with such application the Registrar shall advertise in the "Gazette" the fact that such application has been made. If no representation of the trade mark as altered is inserted in connection with the advertisement, the applicant shall supply a detailed description of the alteration proposed, and it shall be stated in the advertisement that a representation of the trade mark is deposited for inspection in the Registrar's Office.

Advertisement  
of alteration.

#### Search.

77.—The Registrar, if requested so to do in writing, shall cause a search to be made in any class to ascertain whether any marks are on record at the date of such

Search.

search which may resemble any mark sent in duplicate to him by the person requesting such search, and shall cause that person to be informed of the result of such search.

#### Power to Dispense with Evidence.

Dispensing  
with  
evidence.

78.—Where under these rules any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be produced to or left with the Registrar, or at the Office of the Registrar, and it is shown to the satisfaction of the Registrar that from any reasonable cause such person is unable to do such act or thing, or to sign such document, or make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the Registrar, and upon the production of such other evidence, and subject to such terms as he may think fit, to dispense with any such act or thing, document, declaration, or evidence.

#### Amendments.

Amendment  
of documents.

79.—Any document or drawing or other representation of a trade mark may be amended, and any irregularity in procedure which in the opinion of the Registrar may be obviated without detriment to the interests of any person may be corrected, if the Registrar thinks fit, and on such terms as he may direct.

#### Enlargement of Time.

Enlargement  
of time.

80.—The time prescribed by these rules for doing any act, or taking any proceeding thereunder, may be enlarged by the Registrar, if he thinks fit, and upon such notice to other parties, and proceedings thereon, and upon such terms, as he may direct, and such enlargement may be granted though the time has expired for doing such act or taking such proceeding.

Fees paid late  
by persons  
living at  
distances  
from Office.

81.—Where a time for paying a fee is limited by these rules and the person who is bound to pay such fee resides at such distance from the Office that he cannot reasonably be expected to pay the fee on the date

limited by the rule, the Registrar, if satisfied that the omission to pay the fee has not been from any want of diligence on the part of the person whose business it is to pay it, may accept the fee even though the date for paying the fee has passed, and treat it as if received on the correct date, provided always that the fee is actually paid with such promptitude as can be expected in the circumstances.

#### Certificates.

82.—The Registrar, when required otherwise than under Section 17 of the Ordinance to give a certificate as to any entry, matter, or thing which he is authorised by the said Ordinance or any of these rules to make or do, may, on receipt of a request in writing, and on payment of the prescribed fee, give such certificate, but every certificate of registration so given shall have specified on the face thereof, whether the same is to be used in legal proceedings, or for the purpose of obtaining registration abroad, or for purposes other than use in legal proceedings or obtaining registration abroad.

Certificate  
by Registrar.

83.—Where a mark is registered without limitation of colour it shall be lawful for the Registrar to grant a certificate of its registration for the purpose of obtaining registration abroad either in the colour in which it appears upon the register or in any other colour or colours.

Marks  
registered  
without  
limitation  
of colour.

84.—Where a certificate of registration is desired for use in obtaining registration abroad, the Registrar shall affix to the said certificate a copy of the mark, and shall state in such certificate such particulars concerning the registration of the mark as to him may seem fit, and may omit therefrom reference to any disclaimers appearing on the register.

Certificates  
for use in  
obtaining  
registration  
abroad.

#### Declarations.

85.—The statutory declarations required by the Ordinance and these rules, or used in any proceedings thereunder, shall be made and subscribed as follows:—

Manner in  
which, and  
person  
before whom,  
declaration  
is to be  
made and  
taken.

- (a) In Hongkong, before any justice of the peace, notary public or any commissioner or other

officer authorised by law in Hongkong to administer an oath for the purpose of any legal proceeding;

- (b) In any other part of His Majesty's dominions before any court, judge, justice of the peace, notary public or any officer authorised by law to administer an oath there for the purpose of a legal proceeding; and
- (c) If made out of His Majesty's dominions, before a British Minister, or person exercising the function of a British Minister, or a Consul, Vice-Consul, or other person exercising the functions of a British Consul, or a notary public, or before a judge or magistrate.
- (d) Where made on behalf of a firm or partnership a statutory declaration or affidavit may be signed in the name or for and on behalf of the firm or partnership by any one or more members thereof.
- (e) Where made on behalf of a body corporate, a statutory declaration or affidavit may be made by a director or by the secretary or other principal officer of such body corporate.

86.—Any document purporting to have affixed, impressed, or subscribed thereto or thereon the seal or signature of any person hereby authorised to take such declaration in testimony of such declaration having been made and subscribed before him, may be admitted by the Registrar without proof of the genuineness of any such seal or signature, or of the official character of such person or of his authority to take such declaration.

Appeals to the Court.

87.—When any person intends to appeal to the Court, such appeal shall be made to the Court in its Original or Summary Jurisdiction by motion or summons, and no such appeal shall be entertained unless proceedings be commenced within three months from

Notice of seal of officer taking declaration to prove itself.

Appeal to Court.

the date of the decision appealed against or within such further time as the Registrar shall allow. The Court appealed to may, on the application of either party or of its own motion, remove any appeal from Chambers to Court or vice versa or from the Original to the Summary Jurisdiction or vice versa, and may give such directions as to the scale upon which costs may be taxed as to the Court may seem proper.

Withdrawals of Appeals.

88.—Where under section 14 (8) of the Ordinance, an appellant is entitled to withdraw his appeal, such withdrawal shall be effected by notice given to the Registrar and to the other parties, if any, to such appeal within seven days after the leave referred to in such section has been obtained.

Withdrawal of appeal.

Applications to and Orders of the Court.

89.—Where an order has been made by the Court in any case under the Ordinance, the person in whose favour such order has been made, or such one of them if more than one, as the Registrar may direct, shall forthwith leave at the Office an office copy of such order. The register may, if necessary, thereupon be rectified or altered by the Registrar.

Order of Court.

Every application to the Court under the Ordinance shall be served on the Registrar.

90.—Whenever an order is made by the Court under the Ordinance, the Registrar may, if he thinks that such order should be made public, publish it in the "Gazette."

Publication of order of Court.

FIRST SCHEDULE.

Fees.

The following fees shall be paid in connection with applications, registrations, and other matters under the Ordinance. Such fees must in all cases be paid before or at the time of the doing of the matter in respect of which they are to be paid:—

- 1. On application not otherwise charged to register a trade mark or a series of trade marks for one or more articles included in one class—Form No. 1 .....\$ 5.00

2. On application to Registrar to state grounds of decision and materials used, under section 11 (3)—Form No. 3 .....	5.00
3. On notice of opposition for each application opposed, by opponent—Form No. 4 .....	10.00
4. On filing a counter-statement in answer to a notice of opposition, by the applicant for each application opposed—Form No. 5 ...	5.00
5. On the hearing of each opposition, by applicant and by opponent respectively—Form No. 6 .....	10.00
6. For registration of a trade mark for one or more articles included in one class—Form No. 7 .....	10.00
7. For registration of a series of trade marks for one or more articles included in one class—Form No. 7.	
For the first mark .....	10.00
For every other mark of series .....	2.50
8. Upon each entry in the register of a mark of a note that the mark is associated with a newly registered mark .....	1.00
9. On application to register a subsequent proprietor in cases of assignment or transmission of a single mark—Form No. 9 or 11 .....	10.00
10. On application to register a subsequent proprietor of more than one mark standing in the same name, the devolution of title being identical in each case—Form No. 9 or 11.	
For the first mark .....	10.00
For every other mark .....	1.00
11. On application for indorsement of assignment or transmission on certificate of registration—Form No. 13 .....	3.00
12. On application to change the name of a proprietor of a single mark where there has been no alteration in the proprietorship...	2.50
13. On application to change the name of a proprietor of more than one mark standing in the same name, the change being the same in each case—	

For the first mark .....	2.50
For every other mark .....	50
14. a. For first renewal of registration of a mark registered prior to the 22nd August, 1898—Form No. 14 .....	2.50
b. For second and subsequent renewals of registration of a mark registered prior to the 22nd August, 1898, and for renewal of registration of a mark registered on or after the 22nd August, 1898—Form No. 14 .....	10.00
15. For renewal of registration of a series of marks at the expiration of last registration—Form No. 14.	
For the first mark of the series .....	10.00
For every other mark of the series ...	1.00
16. Additional fee under rule 59—Form No. 16	5.00
17. Additional fee under rule 60—Form No. 17	10.00
18. On application for indorsement of renewal on certificate of registration—Form No. 18	3.00
19. For altering a single entry of the address of a registered proprietor .....	2.50
20. For altering more than one entry of the address of a registered proprietor where the address in each case is the same and is altered in the same way	
For the first entry .....	2.50
For every other entry .....	50
21. For every entry in the register of a rectification thereof or an alteration therein, not otherwise charged .....	5.00
22. For cancelling the entry or part of the entry of a mark upon the register on the application of the owner of such mark .....	2.50
23. On action taken, not otherwise charged, under section 12 (6) or under section 32...	2.50
24. For a search under rule 77 .....	5.00
25. For certificate of Registrar of registration to be used in legal proceedings .....	10.00
26. For certificate of Registrar of registration of a mark to be used for the purpose of obtaining registration abroad .....	2.50

27. For certificate of Registrar of registration of a series of marks for the purpose of obtaining registration abroad ..... 5.00
28. For certificate of Registrar other than certificate under section 16 or certificate of registration to be used in legal proceedings or for the purpose of obtaining registration abroad ..... 10.00
29. On appeal from Registrar to Governor in respect of each design unsuccessfully appealed against by applicant ..... 10.00
30. On an application to the Registrar under section 23—Form No. 19 ..... 50.00
31. On an application to the Registrar for leave to add to or alter a single mark ..... 10.00
32. On an application to the Registrar for leave to add to or alter more than one mark of the same proprietor, the addition or alteration to be made in each case being the same—  
     For the first mark ..... 10 00  
     For every other mark ..... 5.00
33. For inspecting the register or making a search in the register, for every half-hour or part thereof ..... 50
34. For office copy of documents per folio of 72 words, but never less than \$1 ..... 25
35. For certifying office copies MSS. or printed matter ..... 5.00

NOTE.—For the purpose of these fees (except as specially provided above) every trade mark of a series under section 11 of the Trade Marks Ordinance, 1898, or section 26 of this Ordinance shall be deemed to be a mark separately registered.

## SECOND SCHEDULE.

Forms must be drawn up in each case by the parties interested.

Forms are not supplied by the Registrar.

Form No. 1.

Fee No. 1.

TRADE MARKS ORDINANCE, 1909.

Rule 17.

Application for Registration of a Trade Mark.

One representation to be fixed here.  
 Representations of a large size may be folded but must then be mounted upon linen or strong paper and affixed hereto.

Three additional representations are to be sent on separate sheets.

Application is hereby made for registration of the accompanying trade mark in Class \_\_\_\_\_, in respect of (a) \_\_\_\_\_, in the name of (b) \_\_\_\_\_ of (address and description) \_\_\_\_\_ who claims to be the proprietor thereof (c) \_\_\_\_\_

(Signed)

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

To the Registrar of Trade Marks,  
 Hongkong.

(a) Only goods contained in one and the same class shall be set out here. A separate application form is required for each separate class.

(b) Here insert legibly the full name, address, and description of the individual, firm or company. Add trading style, if any.

(c) Alter to "claim to be the proprietors thereof" in the case of a firm or company.

Rule 17.

Form No. 2.

## TRADE MARKS ORDINANCE, 1909.

I, A.B. of  
do solemnly and sincerely declare as follows:—

1. To the best of my knowledge and belief I (a) have the right to the exclusive use of the trade mark referred to in my application dated the      day of 19 .

2. Such trade mark has been used by me (b) in respect of the goods mentioned in my (c) application since

(or) 2a. Such trade mark has not hitherto been used by me (b) in respect of the goods mentioned in my application, but it is my (c) intention so to use it forthwith.

3. To the best of my knowledge and belief the said trade mark has (d) been registered in (e) in the name of      in respect of the same or similar goods as those in respect of which registration is now sought.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835. (f).

Declared at  
this      day of      , 19 .      A.B.

Before me,

(a) Insert "I solely" or "I jointly with A.B., or the company as the case may be."

(b) Or "my firm" or "my company" as the case may be.

(c) Or "my firm's" or "my company's" as the case may be.

(d) Or "has not been registered elsewhere" as the case may be.

(e) Here state country or countries in which registered.

(f) This paragraph is not required when the declaration is made neither in Hongkong nor in the United Kingdom.

Note.—When this declaration is made by a person who does not understand the English language, the requirements of the Statutory Declarations Ordinance 1893 must be complied with, when the declaration is made in Hongkong, and if made elsewhere a proper clause must be added.

Form No. 3.

Fee No. 2.

## TRADE MARKS ORDINANCE, 1909.

Request for Statement of Grounds of Decision  
under Section 12 (4).

You are hereby requested under sub-section 4 of section 12 of the Trade Marks Ordinance 1909 and rule 30 made thereunder to state in writing the grounds of your decision, dated the      day of      19 , after the hearing on the      day of      19 , and the materials used by you in arriving at such decision.

(Signed)

Dated the      day of      19 .

To the Registrar of Trade Marks,  
Hongkong.

Rule 30.

Form No. 4.

Fee No. 3.

## TRADE MARKS ORDINANCE, 1909.

Notice of Opposition to Application for Registration  
(To be accompanied by an unstamped duplicate.)  
In the matter of an Application No  
by      of

I (here state full name and address) hereby give notice of my intention to oppose the registration of the trade mark advertised under the above number for Class

in the Gazette of the      day of      , 19 .

The grounds of opposition are as follows:—

(Signed)

Dated the      day of      19 .

Address for Service:—

To the Registrar of Trade Marks,  
Hongkong.

Rule 34.

Rule 35.

Form No. 5.

Fee No. 4.

TRADE MARKS ORDINANCE, 1909.

Form of Counter-Statement.

(To be accompanied by an unstamped duplicate.)

In the matter of an Opposition  
to Application No. .

I,

the applicant for the above trade mark, hereby give  
notice that the following are the grounds on which I rely  
as supporting my application:—

I admit the following allegations in the notice of  
opposition:—

(Signed)

Dated the        day of        19 .

To the Registrar of Trade Marks,  
Hongkong.

Rule 41.

Form No. 6.

Fee No. 5.

TRADE MARKS ORDINANCE, 1909.

Form of Application for Hearing by the Registrar in  
Cases of Opposition.

Sir,

In reply to your Notice No.        dated the  
stating that you will hear the arguments in the case  
of Opposition to Application No.        on the  
day of        , 19        , I beg to say that I intend  
to appear before you on that date.

I am, etc ,

To the Registrar of Trade Marks,  
Hongkong.

Rule 45.

Form No. 7.

Fee No. 6 or 7.

TRADE MARKS ORDINANCE, 1909.  
Fee for Registration of a Trade Mark.

Sir,

With reference to your letter No.        of  
the        , I hereby transmit the prescribed fee  
for registration of the Trade Mark No.        in Class        .

I am,

Sir,

Your obedient servant,  
(Signed)

Dated the        day of        19 .

To the Registrar of Trade Marks,  
Hongkong.

Form No. 8.

TRADE MARKS ORDINANCE, 1909.  
Certificate of Registration under Section 17.

Rule 48.

To

I hereby certify that the trade mark (a specimen  
of which is hereunto annexed) was duly advertised in  
the Gazette and has been registered in your name in  
Class        , in respect of the following goods:—

Witness my hand this        day of        , 19        .  
(Seal of Registrar's Office.)

Registrar.

Office of Registrar of Trade Marks,  
Hongkong.

Form No. 9.

Fee No. 9 or 10.

TRADE MARKS ORDINANCE, 1909.

Joint Request by Registered Proprietor and Assignee  
to register the Assignee as subsequent Proprietor  
of a Trade Mark.

Rule 49.

We (a)

the Gazette and has been registered in your name in  
of (b)  
and (c)  
of (d)  
hereby request, that the name of (c)  
carrying on business as (e)  
at (d)  
may be entered in the Register of Trade Marks as  
proprietor of the Trade Mark No.

(f)

(g)

To the Registrar of Trade Marks,  
Hongkong.

- (a) Name of Registered Proprietor.
- (b) Address „ „
- (c) Name of Assignee.
- (d) Address „ „
- (e) Trade or business of Assignee.
- (f) Signature of Registered Proprietor.
- (g) Signature of Assignee.

Rule 49.

Form No. 10.

## TRADE MARKS ORDINANCE, 1909.

Form of Declaration (only to be furnished when re-  
quested by Registrar) by Assignee in support of  
Form No. 9.

I (a)

of (b)  
do hereby solemnly and sincerely declare that the trade  
mark No.        in Class        has been assigned to me  
by (c)                                of (d)  
together with the goodwill of the business concerned in  
the goods for which it has been registered, and that I  
have accepted such assignment.

(e) And I make this solemn declaration conscien-  
tiously believing the same to be true and by virtue of  
the provisions of the Statutory Declarations Act, 1835.

(Signed)

Declared at  
this        day of        , 19        .  
Before me (f)

- (a) Name of Assignee.
- (b) Address „ „
- (c) Name of Assignor.
- (d) Address „ „
- (e) This paragraph is not required when the declara-  
tion is made neither in Hongkong nor in the  
United Kingdom.
- (f) Signature and title of Authority.

Note.—When the declaration is made by a person  
who does not understand the English language, the  
requirements of the Statutory Declarations Ordinance,  
1893 must be complied with, when the declaration is  
made in Hongkong, and if made elsewhere a proper  
clause must be added.

Form No. 11.

Rule 30.

Fee No. 9 or 10.

## TRADE MARKS ORDINANCE, 1909.

Request to enter Name of Subsequent Proprietor of  
Trade Mark upon the Register.

I, (a)

hereby request that you will enter (b)        name  
(c) in the Register of Trade Marks as proprietor  
of the trade mark No.        in Class        .

(d)        entitled to the said trade mark and  
to the goodwill of the business concerned in the goods  
with respect to which the said trade mark is registered.

Accompanying this request is a statement of (e)  
case.

(Signed)

Dated the        day of        19        .

To the Registrar of Trade Marks,  
Hongkong.

- (a) Or We. Here insert name, address, and descrip-  
tion.
- (b) My or our.
- (c) Or names.
- (d) I am or We are.
- (e) My or Our.

Rule 53.

Form No. 12.

## TRADE MARKS ORDINANCE, 1909.

Form of Declaration (only to be furnished when requested by Registrar) in support of Statement of Case accompanying Form No. 11.

I, \_\_\_\_\_ of \_\_\_\_\_

do hereby solemnly and sincerely declare that the particulars set out in the statement of case, exhibit marked \_\_\_\_\_ and left by me in connection with my request to be registered as subsequent proprietor of the trade mark No. \_\_\_\_\_, in Class \_\_\_\_\_, are true and comprise every material fact and document affecting the proprietorship of the said trade mark as above claimed.

(a) And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

(Signed)

Declared at  
this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Before me,

To the Registrar of Trade Marks,  
Hongkong.

(a) This paragraph is not required when the declaration is made neither in Hongkong nor in the United Kingdom.

(b) Signature and title of the authority before whom the declaration is made.

Note.—When this declaration is made by a person who does not understand the English language, the requirements of the Statutory Declarations Ordinance 1893 must be complied with, when the declaration is made in Hongkong, and if made elsewhere a proper clause must be added.

Rule 55.

Form No. 13.

Fee No. 11.

## TRADE MARKS ORDINANCE, 1909.

Fee for Indorsement of Assignment or Transmission on Certificate of Registration.

Sir,

I hereby transmit the prescribed fee for the indorsement upon the annexed certificate of registration of the assignment (a) of Trade Mark No. \_\_\_\_\_, in Class \_\_\_\_\_.

(Signed)

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

To the Registrar of Trade Marks,  
Hongkong.

(a) Or transmission, as the case may be.

Form No. 14.

Fee No. 14 or 15.

## TRADE MARKS ORDINANCE, 1909.

Renewal of Registration before Notice Given.

I hereby forward the prescribed fee of \_\_\_\_\_ for the renewal of the registration of the Trade Mark No. \_\_\_\_\_, in Class \_\_\_\_\_.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

To the Registrar of Trade Marks,  
Hongkong.

N.B.—This Form must be indorsed with the name and address of the person leaving the same.

Form No. 15.

## TRADE MARKS ORDINANCE, 1909.

Notice before Removal of Trade Mark from the Register, under Section 30.

The Registrar hereby gives you notice that in conformity with the provisions of section 30 of the above Ordinance (printed at back hereof), your Trade Mark No. \_\_\_\_\_, registered in Class \_\_\_\_\_, will be removed from the Trade Marks Register, unless the prescribed fee of \_\_\_\_\_ (payable by Form No. 14) be received at this Office before the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, on which date the existing registration will expire.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

To

Rule 56.

Rule 58.

Rule 59.

Form No. 16.

Fee No. 16.

TRADE MARKS ORDINANCE, 1909.

Additional Fee of \$5 to accompany Renewal Fee (Form No. 14), within One Month after Advertisement of Non-Payment of Renewal Fee.

Sir,

I hereby transmit the additional fee of \$5 (together with Form No. 14) for the renewal of the registration of the Trade Mark No. \_\_\_\_\_ in Class \_\_\_\_\_.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

To the Registrar of Trade Marks,  
Hongkong.

N.B.—This Form must be indorsed with the name and address of the person transmitting the same.

Rule 60.

Form No. 17.

Fee No. 17.

TRADE MARKS ORDINANCE, 1909.

Restoration of Trade Marks where Removed for Non-payment of Fee.  
(To accompany Form No. 14.)

Sir,

I hereby transmit the additional fee of \$10 for restoration to the Register of Trade Mark No. \_\_\_\_\_ in Class \_\_\_\_\_.

(Signed)

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

To the Registrar of Trade Marks,  
Hongkong.

N.B.—This Form must be indorsed with the name and address of the person transmitting the same.

Rule 63.

Form No. 18.

Fee No. 18.

TRADE MARKS ORDINANCE, 1909.

Fee for Indorsement of Renewal on Certificate of Registration.

Sir,

I hereby transmit the prescribed fee for the indorsement upon the annexed certificate of registration

of the renewal of Trade Mark No. \_\_\_\_\_ in Class \_\_\_\_\_.

(Signed) \_\_\_\_\_

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

To the Registrar of Trade Marks,  
Hongkong.

Rule 69.

Form No. 19.

Fee No. 30.

TRADE MARKS ORDINANCE, 1909.

Application to permit an Apportionment of Trade Marks.

In the matter of the Registered Trade Marks Nos. \_\_\_\_\_

We, being the parties interested within the meaning of section 23 of the Trade Marks Ordinance, 1909, in certain marks of \_\_\_\_\_, who has ceased to carry on business, request you to permit an apportionment of those marks amongst the persons in fact continuing the business. With this application we send a case in pursuance of rule 69.

(Signed)

(Signed)

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

To the Registrar of Trade Marks,  
Hongkong.

### THIRD SCHEDULE. Classification of Goods.

#### Illustrations.

Note.—Goods are mentioned in this column by way of illustration, and not as an exhaustive list of the contents of a class.

Class 1  
Chemical substances used in manufactures, photography, or philosophical research, and anti-corrosives.

Such as—  
Acids, including vegetable acids  
Alkalies.  
Artists' colours.  
Pigments.  
Mineral dyes.

## A 3

- Class 2. Such as—  
 Chemical substances used for agricultural, horticultural, veterinary, and sanitary purposes. Artificial manure. Cattle medicines. Deodorisers. Vermin destroyers.
- Class 3. Such as—  
 Chemical substances prepared for use in medicine and pharmacy. Cod liver oil. Medicated articles. Patent medicines. Plasters. Rhubarb.
- Class 4. Such as—  
 Raw or partly prepared vegetable, animal, and mineral substances used in manufactures, not included in other classes. Resins. Oils used in manufactures and not included in other classes. Dyes, other than mineral. Tanning substances. Fibrous substances (e.g., cotton hemp, flax, jute). Wool. Silk. Bristles. Hair. Feathers. Cork. Seeds. Coal. Coke. Bone. Sponge.
- Class 5. Such as—  
 Unwrought and partly wrought metals used in manufacture. Iron and steel, pig or cast. Iron, rough. „ bar and rail, including rails for railways. „ bolt and rod. „ sheet, and boiler and armour plates. „ hoop.

## A 3

- Lead, pig.  
 „ rolled.  
 „ sheet.  
 Wire.  
 Copper.  
 Zinc.  
 Gold, in ingots.
- Class 6. Such as—  
 Machinery of all kinds, and parts of machinery, except agricultural and horticultural machines included in Class 7. Steam engines. Boilers. Pneumatic machines. Hydraulic machines. Locomotives. Sewing machines. Weighing machines. Machine tools. Mining machinery. Fire engines.
- Class 7. Such as—  
 Agricultural and horticultural machinery, and parts of such machinery. Ploughs. Drilling machines. Reaping machines. Thrashing machines. Churns. Cyder presses. Chaff cutters.
- Class 8. Such as—  
 Philosophical instruments, scientific instruments, and apparatus for useful purposes. Instruments and apparatus for teaching. Mathematical instruments. Gauges. Logs. Spectacles. Educational appliances.
- Class 9.  
 Musical instruments.
- Class 10.  
 Horological instruments.

- Class 11. Such as—  
Instruments, apparatus, and contrivances, not medicated, for surgical or curative purposes, or in relation to the health of men or animals.  
Bandages.  
Friction gloves.  
Lancets.  
Fleams.  
Enemas.
- Class 12. Such as—  
Cutlery and edge tools.  
Knives.  
Forks.  
Scissors.  
Shears.  
Files.  
Saws.
- Class 13. Such as—  
Metal goods not included in other classes.  
Anvils.  
Keys.  
Basins (metal).  
Needles.  
Hoes.  
Shovels.  
Corkscrews.
- Class 14. Such as—  
Goods of precious metals (including aluminium, nickel, Britannia metal, &c.) and jewellery, and imitations of such goods and jewellery.  
Plate.  
Clock cases and pencil cases of such metals.  
Sheffield and other plated goods.  
Gilt and ormolu work.
- Class 15. Such as—  
Glass.  
Window and plate glass.  
Painted glass.  
Glass mosaic.  
Glass beads.
- Class 16. Such as—  
Porcelain and earthenware.  
China.  
Stoneware.  
Terra Cotta.  
Statuary porcelain.  
Tiles.  
Bricks.

- Class 17. Such as—  
Manufactures from mineral and other substances for building or decoration.  
Cement.  
Plaster.  
Imitation marble.  
Asphalt.
- Class 18. Such as—  
Engineering, architectural, and building contrivances.  
Diving apparatus.  
Warming apparatus.  
Ventilating apparatus.  
Filtering apparatus.  
Lighting contrivances.  
Drainage contrivances.  
Electric and pneumatic bells.
- Class 19. Such as—  
Arms, ammunition, and stores not included in Class 20.  
Cannon.  
Small-arms.  
Fowling pieces.  
Swords.  
Shot and other projectiles.  
Camp equipage.  
Equipments.
- Class 20. Such as—  
Explosive substances.  
Gunpowder.  
Gun-cotton.  
Dynamite.  
Fog-signals.  
Percussion caps.  
Fireworks.  
Cartridges.
- Class 21. Such as—  
Naval architectural contrivances and naval equipments not included in Classes 19 and 20.  
Boats.  
Anchors.  
Chain cables.  
Rigging.
- Class 22. Such as—  
Carriages.  
Railway carriages.  
Waggons.  
Railway trucks.  
Bicycles.  
Bath chairs.

## Class 23.

- (a) Cotton yarn.  
(b) Sewing cotton.

## Class 24.

Cotton piece goods of all kinds.

Such as—

Cotton shirtings.  
Long cloth.

## Class 25.

Cotton goods not included in Classes 23, 24, or 38.

Such as—

Cotton lace.  
Cotton braids.  
Cotton tapes.

## Class 26.

Linen and hemp yarn and thread.

## Class 27.

Linen and hemp piece goods.

## Class 28.

Linen and hemp goods not included in Classes 26, 27 and 50.

## Class 29.

Jute yarns and tissues, and other articles made of jute not included in Class 50.

## Class 30.

Silk, spun, thrown, or sewing.

## Class 31.

Silk piece goods.

## Class 32.

Other silk goods not included in Classes 30 and 31.

## Class 33.

Yarns of wool, worsted, or hair.

## Class 34.

Cloths and stuffs of wool, worsted or hair.

## Class 35.

Woollen and worsted and hair goods not included in Classes 33 and 34.

## Class 36.

Carpets, floor-cloth, and oil-cloth.

Such as—

Drugget.  
Mats and matting.  
Rugs.

## Class 37.

Leather, skins unwrought and wrought, and articles made of leather not included in other classes.

Such as—

Saddlery.  
Harness.  
Whips.  
Portmanteaus.  
Furs.

## Class 38.

Articles of clothing.

Such as—

Hats of all kinds.  
Caps and bonnets.  
Hosiery.  
Gloves.  
Boots and shoes.  
Other ready-made clothing

## Class 39.

Paper (except paperhangings), stationery, and bookbinding.

Such as—

Envelopes.  
Sealing wax.  
Pens (except gold pens).  
Ink.  
Playing cards.  
Blotting cases.  
Copying presses.

## Class 40.

Goods manufactured from india-rubber and gutta-percha not included in other classes.

## Class 41.

Furniture and upholstery.

Such as—

Paper hangings.  
Papier mache.  
Mirrors.  
Mattresses.

- Class 42.                   Such as—  
 Substances used as food, or as in-  
 gredients in food.       Cereals.  
                                   Pulses.  
                                   Olive oil.  
                                   Hops.  
                                   Malt.  
                                   Dried fruits.  
                                   Tea.  
                                   Sago.  
                                   Salt.  
                                   Sugar.  
                                   Preserved meats.  
                                   Confectionery.  
                                   Oil cakes.  
                                   Pickles.  
                                   Vinegar.  
                                   Beer clarifiers.
- Class 43.                   Such as—  
 Fermented liquors and spirits.   Beer.  
                                   Cyder.  
                                   Wine.  
                                   Whisky.  
                                   Liqueurs.
- Class 44.  
 Mineral and aerated waters, natural  
 and artificial, including ginger  
 beer.
- Class 45.  
 Tobacco, whether manufactured or  
 unmanufactured.
- Class 46.  
 Seeds for agricultural and horticul-  
 tural purposes.
- Class 47.                   Such as—  
 Candles, common soap, detergents:  
 illuminating, heating, or lubricat-  
 ing oils; matches, and starch  
 blue, and other preparations for  
 laundry purposes.       Washing powder.  
                                   Benzine collas.

- Class 48.  
 Perfumery (including toilet articles  
 preparations for the teeth and  
 hair, and perfumed soap).
- Class 49.                   Such as—  
 Games of all kinds and sporting   Billiard tables.  
 articles not included in other   Roller skates.  
 classes.                   Fishing nets and lines.  
                                   Toys.
- Class 50.  
 Miscellaneous—                   Such as—  
 (1.) Goods manufactured from   Coopers' wares.  
 ivory, bone or wood, not in-  
 cluded in other classes.  
 (2.) Goods manufactured from  
 straw or grass, not included in  
 other classes.  
 (3.) Goods manufactured from  
 animal and vegetable sub-  
 stances, not included in other  
 classes.  
 (4.) Tobacco pipes.  
 (5.) Umbrellas, walking sticks,  
 brushes and combs.  
 (6.) Furniture cream, plate  
 powder.  
 (7.) Tarpaulins, tents, rick  
 cloths, rope, twine.  
 (8.) Buttons of all kinds other  
 than of precious metal or imita-  
 tions thereof.  
 (9.) Packing and nose of all kinds  
 (10.) Goods not included in the  
 foregoing classes.

C. CLEMENTI,  
 Clerk of Councils.

Council Chamber, 5th January, 1910.

**FORTNIGHTLY  
CURRENT EXCHANGE QUOTATIONS**

FOR THE YEAR 1909.

FORTNIGHTLY CURRENT EXCHANGE AND BULLION QUOTATIONS DURING THE YEAR 1909.

QUOTATIONS.	BANK'S SELLING.									BANK'S BUYING.					BAR SILVER.	CLEAN MEXICAN DOLLARS.	GOLD BAR, 98 TOUGH.	GOLD LEAF 100 TOUGH.
	LONDON T.T.	FRANCE T.T.	GERMAN T.T.	AMER. T.T.	SHAI T.T.	INDIA T.T.	JAPAN T.T.	S'PORE T.T.	JAVA T.T.	LONDON 4 m/s. L.C.	FRANCE 4 m/s.	GERMANY 4 m/s.	AMER. 4 m/s.	A'RALIA 30 d/s.				
Fortnight ending 8th Jan. ....	1/9 <sup>1</sup> / <sub>16</sub>	2.20½	1.79½	42¾	75%	131¾	86	75%	106%	1/9%	2.25½	1.84	44%	1/9%	23 <sup>1</sup> / <sub>16</sub>	1¾ dis.	57.40	59.70
Do. 21st Jan. ....	1/9 <sup>1</sup> / <sub>16</sub>	2.20½	1.80	42¾	74¾	131¾	86	75%	106%	1/9%	2.25½	1.84½	44%	1/9 <sup>3</sup> / <sub>16</sub>	23 <sup>1</sup> / <sub>16</sub>	2	57.10	59.30
Do. 5th Feb. ....	1/9%	2.24½	1.80½	42%	74¾	132½	86½	75%	106%	1/9%	2.26%	1.85	44%	1/9%	23 <sup>1</sup> / <sub>16</sub>	2%	57.50	59.80
Do. 19th Feb. ....	1/8%	2.19½	1.78	42¾	74%	131	85¾	74%	105	1/9 <sup>1</sup> / <sub>16</sub>	2.24	1.82½	44½	1/9 <sup>1</sup> / <sub>16</sub>	23 <sup>1</sup> / <sub>16</sub>	2½	57.85	59.95
Do. 5th March....	1/8%	2.17	1.76	41%	74%	129½	84	74	103%	1/8 <sup>1</sup> / <sub>16</sub>	2.21½	1.81	43%	1/9 <sup>1</sup> / <sub>16</sub>	23 <sup>1</sup> / <sub>16</sub>	2½	58.30	60.40
Do. 19th March....	1/8%	2.18	1.77	42%	74%	130¼	84½	74½	104%	1/9 <sup>1</sup> / <sub>16</sub>	2.22%	1.81½	44%	1/9 <sup>3</sup> / <sub>16</sub>	23 <sup>1</sup> / <sub>16</sub>	3½	57.90	60.00
Do. 2nd April ....	1/8%	2.17½	1.77	42%	74%	130½	84½	74½	104%	1/9 <sup>1</sup> / <sub>16</sub>	2.22	1.81½	44%	1/9 <sup>5</sup> / <sub>16</sub>	23 <sup>1</sup> / <sub>16</sub>	3	57.90	60.00
Do. 16th April ....	1/8%	2.18½	1.78	42%	74%	131	85	75	105	1/9 <sup>1</sup> / <sub>16</sub>	2.23	1.82½	44%	1/9 <sup>1</sup> / <sub>16</sub>	23 <sup>1</sup> / <sub>16</sub>	3	57.40	59.40
Do. 30th April ....	1/9 <sup>1</sup> / <sub>16</sub>	2.27½	1.85	44	74%	135¼	88¼	78	108%	1/10	2.32	1.89½	46	1/10¼	24%	2¼	55.50	57.60
Do. 14th May ....	1/9½	2.25½	1.83	43%	74%	134½	87½	77	107%	1/9½	2.30	1.86½	45%	1/10 <sup>1</sup> / <sub>16</sub>	24½	1¾	55.90	57.90
Do. 28th May ....	1/9 <sup>3</sup> / <sub>16</sub>	2.22½	1.80½	43%	74%	132¼	86	75%	106%	1/9%	2.27	1.85	45%	1/9¾	24%	1%	56.60	58.60
Do. 11th June ....	1/9%	2.24½	1.82	43%	74½	133¼	86½	76%	107%	1/9¼	2.29	1.86½	45%	1/9 <sup>5</sup> / <sub>16</sub>	24 <sup>3</sup> / <sub>16</sub>	1%	56.00	58.00
Do. 25th June ....	1/9¼	2.23	1.81	43%	74%	133¼	86½	75%	106%	1/9 <sup>1</sup> / <sub>16</sub>	2.27%	1.85½	45%	1/9 <sup>3</sup> / <sub>16</sub>	24%	1/8%	56.30	58.30
Do. 9th July ....	1/8%	2.19	1.78	42%	74%	131	84¾	74½	104%	1/9%	2.23%	1.82	44½	1/9 <sup>1</sup> / <sub>16</sub>	23 <sup>7</sup> / <sub>16</sub>	1½	57.20	59.20
Do. 23rd July ....	1/8 <sup>3</sup> / <sub>16</sub>	2.18½	1.77	42¼	74¾	130¾	84½	74½	104%	1/9%	2.22%	1.81	44½	1/9%	23 <sup>7</sup> / <sub>16</sub>	1¾	57.30	59.30
Do. 6th Aug. ....	1/8 <sup>3</sup> / <sub>16</sub>	2.18½	1.77½	42¼	74%	131	84½	74½	104%	1/9%	2.22%	1.81½	44½	1/9%	23 <sup>7</sup> / <sub>16</sub>	1¾	57.30	59.30
Do. 20th Aug. ....	1/8¾	2.18	1.77	42%	74%	130¾	84¼	73%	104	1/9 <sup>1</sup> / <sub>16</sub>	2.22	1.81	44%	1/9 <sup>5</sup> / <sub>16</sub>	23 <sup>7</sup> / <sub>16</sub>	1%	57.40	59.40
Do. 3rd Sept. ....	1/9	2.20	1.79	42½	74%	132¼	85¼	74¾	105%	1/9%	2.24%	1.83	44½	1/9%	23%	1	57.50	59.50
Do. 17th Sept. ....	1/8%	2.18½	1.77½	42¼	74¾	131¼	84¾	74%	104%	1/9%	2.23	1.81½	44½	1/9%	23%	1	57.80	59.80
Do. 1st Oct. ....	1/9	2.20	1.78½	42%	75	131¼	85¼	74%	105%	1/9%	2.24%	1.82%	44½	1/9%	23 <sup>1</sup> / <sub>16</sub>	¾	57.90	60.00
Do. 15th Oct. ....	1/8%	2.19	1.77½	42¼	74%	129¾	84¾	74¾	104%	1/9%	2.23%	1.81½	44½	1/9½	23 <sup>1</sup> / <sub>16</sub>	½	58.10	60.20
Do. 29th Oct. ....	1/8 <sup>1</sup> / <sub>16</sub>	2.17½	1.76½	42	74%	129¼	84	73½	104%	1/9 <sup>1</sup> / <sub>16</sub>	2.22	1.81½	44	1/9 <sup>7</sup> / <sub>16</sub>	23 <sup>5</sup> / <sub>16</sub>	½	58.40	60.50
Do. 12th Nov. ....	1/8¾	2.18	1.77	42%	74%	129¼	84½	74	104½	1/9 <sup>1</sup> / <sub>16</sub>	2.22%	1.81½	44%	1/9 <sup>7</sup> / <sub>16</sub>	23%	Par	58.50	60.50
Do. 26th Nov. ....	1/8 <sup>1</sup> / <sub>16</sub>	2.17	1.76½	42%	75	128½	84¼	73%	104%	1/9%	2.21½	1.81½	44%	1/9%	23 <sup>1</sup> / <sub>16</sub>	½	58.60	60.70
Do. 10th Dec. ....	1/9 <sup>3</sup> / <sub>16</sub>	2.22½	1.80½	43%	75	131½	86¾	75%	106%	1/9%	2.27	1.85½	45%	1/9%	23%	½	57.10	59.20
Do. 24th Dec. ....	1/9½	2.26	1.83½	43¼	75	133½	88	76%	108%	1/9½	2.30%	1.88%	45¾	1/10 <sup>3</sup> / <sub>16</sub>	24¼	¾	56.10	58.30

**TABLE SHOWING THE HIGHEST AND LOWEST**  
**Prices of Bar Silver in London,**  
**Rates of Exchange in Hongkong, and Bank of**  
**England Rates of Discount, for the years**  
**1877 to 1909.**

YEAR.	BAR SILVER IN LONDON.		EXCHANGE IN HONGKONG.		BANK RATE OF DISCOUNT IN LONDON.	
	Highest	Lowest	WIRE.		Highest	Lowest
			Highest	Lowest		
1877	58¼	53¼	4 3¼	3 9½	5	2
1878	55¼	49½	3 11	3 5	6	2
1879	53½ <sup>3</sup> / <sub>8</sub>	48%	4 1¼	3 5½	5	2
1880	52¾	51%	4 0½	3 7¼	3	2½
1881	53	50%	3 9½	3 7%	5	2½
1882	52½	50	3 9½	3 6%	6	3
1883	51¼	50 <sup>1</sup> / <sub>6</sub>	3 8¾	3 7	5	3
1884	51%	49½	3 8¾	3 6¼	5	2
1885	50	46%	3 7	3 3¾	5	2
1886	47	42	3 4¾	2 11½	5	2
1887	47%	43¼	3 4¼	3 0½	5	2
1888	44 <sup>9</sup> / <sub>16</sub>	41%	3 1½	2 11¾	5	2
1889	44¾	41½ <sup>5</sup> / <sub>8</sub>	3 2%	2 11½	6	2½
1890	54¾	43%	3 10¼	3 0%	6	3
1891	48¾	43½	3 5	3 0%	5	2½
1892	43¾	37%	3 0%	2 8%	3½	2
1893	38½ <sup>3</sup> / <sub>8</sub>	30½	2 8%	2 2%	5	2½
1894	31¾	27	2 3%	1 11½	3	2
1895	31 <sup>5</sup> / <sub>16</sub>	27 <sup>2</sup> / <sub>16</sub>	2 2%	1 11¼	2	2
1896	31 <sup>9</sup> / <sub>16</sub>	29¾	2 2¼	2 1½	4	2
1897	29½ <sup>3</sup> / <sub>8</sub>	23%	2 1%	1 9%	4	2
1898	28%	25	1 11½	1 9%	4	2½
1899	29	26%	1 11¼	1 10¼	6	3
1900	30%	27	2 1¼	1 11¼	6	3
1901	29 <sup>9</sup> / <sub>16</sub>	25	2 1	1 9¼	6	3
1902	26	21½ <sup>1</sup> / <sub>8</sub>	1 10%	1 6½	4	3
1903	28½	21½ <sup>1</sup> / <sub>8</sub>	1 10½ <sup>1</sup> / <sub>8</sub>	1 6¼	4	2%
1904	28 <sup>9</sup> / <sub>16</sub>	24 <sup>7</sup> / <sub>16</sub>	1 11 <sup>9</sup> / <sub>16</sub>	1 8%	4	3
1905	30 <sup>9</sup> / <sub>16</sub>	27 <sup>7</sup> / <sub>16</sub>	2 1%	1 9½ <sup>3</sup> / <sub>8</sub>	4	2½
1906	33½	29	2 3½ <sup>1</sup> / <sub>8</sub>	2 0%	6	3½
1907	32 <sup>7</sup> / <sub>16</sub>	24 <sup>3</sup> / <sub>16</sub>	2 3½ <sup>5</sup> / <sub>16</sub>	1 9½	7	4
1908	27 <sup>1</sup> / <sub>16</sub>	22	1 11¼	1 8	6	2½
1909	24¾	23 <sup>1</sup> / <sub>16</sub>	1 9%	1 8%	5	2½

## REPORT OF THE HARBOUR MASTER.

### 1.—Shipping.

The total of the Shipping entering and clearing at Ports in the Colony during the year 1909 amounted to 527,280 Vessels of 34,830,845 tons which, compared with that for 1908, shows a decrease in numbers of 4,832 vessels, with an increase in tonnage of 215,604 tons.

Of this total, 43,794 vessels of 22,415,125 tons were engaged in foreign trade, and were distributed as follows:—

	1909.		1908.	
British Ocean-going ships represented,	9·3% in Nos. and 34·5% in tonnage.		33·7%	
Foreign Ocean-going ships represented,	9·8	35·1	„	33·2
British River Steamers represented,...	13·2	16·5	„	19·2
Foreign River Steamers represented,...	3·2	3·3	„	3·3
Steam-launches (under 60 tons) represented, .....	7·2	0·6	„	0·8
Trading Junks represented,	57·3	10·0	„	9·8
	<u>100·0</u>	<u>100·0</u>		<u>100·0</u>

The movements of Fishing Junks are not included in the above figures.

2. Of ships of European construction, 4,191 Ocean Steamers, 7 Sailing Ships, 3,576 River Steamers, and 1,580 Steam-launches (i.e., steamships not exceeding 60 tons) entered during the year, giving a daily average entry of 25·6, as compared with 26·8 in 1908.

3. The average tonnage of individual Ocean vessels visiting the port has slightly decreased—from 2,448·6 tons to 2,390·4 tons. That of British vessels has remained stationary—2,594 as against 2,593—while that of Foreign vessels has decreased from 2,309·9 to 2,205·3 tons.

In this connection it is interesting to note that during the past twenty years the average tonnage of Ocean vessels visiting the Colony has risen from 1,182·3 tons to 2,390·4 tons.

The average tonnage of River steamers entered during the year decreased from 665·5 tons to 620·6 tons, that of British River steamers from 687 to 640·4 tons, and that of Foreign River steamers from 565·2 to 538·1 tons.

4. A comparison between the years 1908 and 1909 is given in the following table:—

Class of Vessels.	1908.		1909.		Increase.		Decrease.		
	No.	Tonnage.	No.	Tonnage.	No.	Tonnage	No.	Tonnage	
British Ocean-going .....	3,869	7,505,870	4,076	7,735,927	207	230,657	...	...	
Foreign Ocean-going .....	4,132	7,397,836	4,328	7,857,908	186	460,072	...	...	
British River Steamers.....	6,246	4,287,482	5,780	3,701,754	...	...	466	585,728	
Foreign River Steamers.....	1,297	733,065	1,370	735,682	73	2,617	...	...	
Steamships under 60 tons (Foreign Trade) .....	4,060	181,542	3,160	140,484	...	...	900	40,658	
Junks, Foreign Trade.....	25,833	2,201,242	25,080	2,243,370	...	42,128	743	...	
Total Foreign Trade.....	45,437	22,306,037	43,794	22,415,125	466	735,474	2,109	626,386	
Steam-launches plying in Waters of Colony, Junks, Local Trade.....	445,724	10,460,682	439,988	10,328,400	...	...	5,736	132,282	
	*40,931	*1,848,522	†43,498	†2,087,320	2,547	238,798	...	...	
Grand Total.....	532,112	34,615,241	527,280	34,830,845	3,013	974,272	7,845	758,668	
						Net,.....	215,604	4,832	...

\* Including 16,808 Conservancy and Dust Boats of 862,256 tons.

† „ 19,094 „ „ „ of 1,022,676 „

5. This table shows an increase in British Ocean Shipping of 207 ships of 230,657 net register tons or of 5.3 per cent. in numbers and 3 per cent. in tonnage, which points to a continuance of the revival of trade noted in my report for 1908. The improvement has been continuous throughout the year.

British River Steamers have decreased by 466 ships of 585,728 tons, or 7.4 per cent. in numbers and 13 per cent. in tonnage. This is due to the loss of two large steamers, the "Powan" and "Yingking" which ran for half of 1908; to the withdrawal of two smaller steamers, the "Hoi Sang" and "Kwong Fat," and to the laying up, during three months of 1909, of another small steamer, the "Tak Hing."

Foreign Ocean vessels have increased by 186 ships of 460,072 tons, or 4.5 per cent. in numbers and 6.2 per cent. in tonnage. This increase is due almost entirely to Japanese shipping, which has increased by 118 ships of 459,292 tons. Increases are also shown under the Norwegian and Swedish flags—of 58 ships of 64,400 tons, and 47 ships of 70,265 tons, respectively. Portuguese and Dutch flags also show small increases. The principal decreases are under French and German colours—of 45 ships of 58,133 tons, and 19 ships of 16,848 tons, respectively; small decreases being shown under Russian, Austrian, and Italian flags. Under the United States flag there was an increase of 7 ships with a decrease in tonnage of 42,211 tons; while there was a similar fall in the average size of Chinese ships, an increase of 2 ships being accompanied by a decrease of 3,503 tons.

Foreign River Steamers increased by 73 ships of 2,617 tons, or 5.6 per cent. in numbers and 0.35 per cent. in tonnage, which is explained by the smaller vessels running more frequently and the larger less often. Two small River Steamers under Chinese colours were added to the West River run during the year. These vessels run only as far as Kung Mun, thus making many more trips than those running up to Wuchow.

It may not be out of place to draw a comparison here between these figures and those of twenty years ago. In 1889, 2,591 British ships of 3,242,953 tons entered the port, against 9,856 ships of 11,437,681 tons in 1909. For Foreign ships the figures are for 1889, 1,144 ships of 1,206,983 tons and in 1909, 5,688 ships of 8,593,500 tons. These figures are those for Ocean and River Steamers, which were not distinguished in 1889, and Ocean Sailing Ships (not Junks.)

6. The actual number of individual Ocean vessels of European construction entering during 1909 was 704, being 336 British and 368 Foreign. The corresponding figures for 1908 were respectively 745, 365, and 380.

These 704 ships aggregated 1,682,845 tons. They entered 4,198 times, and gave a collective tonnage of 7,796,376 tons. Thus compared with 1908, 41 less ships entered 207 more times, and gave a collective tonnage increased by 343,878 tons.

Thus :-

Flag.	Steamers.		No. of Times entered.		Total Tonnage.	
	1908.	1909.	1908.	1909.	1908.	1909.
	British	358	331	1,923	2,034	3,730,927
{ Steamers						
{ Sailing ...	7	5	10	7	21,697	17,683
Austrian	9	7	25	24	97,789	94,288
Belgian	1	..	1	..	2,903	..
Chinese	16	24	229	232	291,416	290,936
Corean	..	1	..	1	..	796
Danish	6	5	15	16	34,211	31,426
Dutch	15	17	57	105	201,014	207,190
French	39	32	109	148	289,222	262,459
German	129	108	745	735	1,188,100	1,176,322
Italian	4	2	12	11	31,400	28,470
Japanese	93	98	434	493	1,049,540	1,283,330
Norwegian	59	43	181	212	192,278	227,341
Portuguese	5	4	87	94	23,487	36,927
Russian	7	5	13	9	34,326	19,584
Swedish	3	5	11	35	18,099	53,726
United States	13	17	38	42	245,280	211,327
{ Steamers						
{ Sailing ...	1	..	1	..	809	..
<b>TOTAL</b>	<b>745</b>	<b>704</b>	<b>3,991</b>	<b>4,198</b>	<b>7,452,498</b>	<b>7,796,376</b>

OCEAN SHIPPING, 1909.—ARRIVALS.

STEAMERS.

No. of Entries.	BRITISH.			FOREIGN.			TOTAL.				
	No.	Voyages.	Tons.	No.	Voyages.	Tons.	No.	Voyages.	Tons.		
	1	78	206,711	206,711	78	78	131,699	131,699	156	156	338,410
2	71	142	216,830	433,660	55	110	129,475	258,950	126	252	346,305
3	43	129	146,861	440,583	38	114	101,866	305,598	81	243	248,727
4	20	104	88,361	350,444	45	180	143,846	575,384	71	284	232,207
5	18	90	42,919	214,595	26	130	99,151	495,755	44	220	142,070
6	8	43	11,616	69,696	14	84	43,230	259,380	22	132	51,846
7	6	42	11,037	77,609	15	105	28,821	201,747	21	147	39,908
8	7	56	10,737	85,895	18	144	37,653	301,224	25	200	48,390
9	14	126	27,122	244,093	20	180	29,024	261,216	34	306	56,146
10	15	150	32,556	325,560	12	120	13,746	137,460	27	270	46,302
11	6	66	14,791	162,701	5	55	5,796	63,750	11	121	20,537
12	2	24	2,412	28,944	3	36	2,287	27,444	5	60	4,609
13	3	39	3,988	51,844	8	104	10,963	142,519	11	143	14,951
14	1	14	1,045	14,630	..	..	..	..	1	14	1,045
15	3	45	3,696	55,440	1	15	3,246	43,690	4	60	6,942
16	3	48	3,431	54,896	1	16	3,087	49,992	4	64	6,518
17	1	17	1,418	24,105	4	68	4,339	73,768	5	85	5,757
18	1	18	1,047	18,846	3	54	2,841	51,138	4	72	3,888
19	3	57	3,511	66,709	3	57	2,832	53,803	6	114	6,343
20	1	20	1,424	28,480	3	60	3,471	69,420	4	80	4,895
21	..	..	..	..	1	21	989	20,769	1	21	989
22	1	22	1,215	26,730	1	22	299	6,578	2	44	1,514
23	2	46	2,310	53,130	2	46	1,510	34,730	4	92	3,820
24	2	48	2,455	58,920	2	48	1,397	33,528	4	96	3,852
25	..	..	..	..	1	25	646	16,150	1	25	646
26	5	130	7,061	183,586	2	52	1,639	42,614	7	182	8,700
28	..	..	..	..	1	28	1,222	34,216	1	28	1,222
29	1	29	1,356	39,324	1	29	714	20,706	2	58	2,070
31	..	..	..	..	1	31	217	6,727	1	31	217
34	3	102	3,818	129,642	1	34	1,536	52,224	4	136	5,349
35	2	70	2,852	99,820	..	..	..	..	2	70	2,852
36	..	..	..	..	1	36	1,339	48,204	1	36	1,339
37	..	..	..	..	1	37	1,177	43,549	1	37	1,177
38	..	..	..	..	1	38	1,468	55,784	1	38	1,468
43	1	43	1,349	58,007	..	..	..	..	1	43	1,349
44	1	44	1,352	59,488	..	..	..	..	1	44	1,352
48	2	96	2,700	129,600	..	..	..	..	2	96	2,700
91	1	91	636	57,876	..	..	..	..	1	91	636
<b>Total Steamers.</b>	<b>331</b>	<b>2,034</b>	<b>858,662</b>	<b>3,854,571</b>	<b>363</b>	<b>2,157</b>	<b>811,526</b>	<b>3,924,122</b>	<b>699</b>	<b>4,191</b>	<b>1,670,188</b>

SAILING SHIPS.

1	3	3	7,631	7,631	..	..	..	..	3	3	7,631
2	2	4	5,026	10,052	..	..	..	..	2	4	5,026
5	7	12,657	17,683	..	..	..	..	5	7	12,657	
<b>Grand Total</b>	<b>336</b>	<b>2,041</b>	<b>871,319</b>	<b>3,872,254</b>	<b>363</b>	<b>2,157</b>	<b>811,526</b>	<b>3,924,122</b>	<b>704</b>	<b>4,198</b>	<b>1,682,845</b>

The 336 British vessels carried 3,592 British Officers and 14 Foreign Officers, the latter consisting of 11 U.S.A., 2 Norwegians and 1 Dutch. Thus the proportion of Foreign Officers serving in British vessels was 0.42% comprising 3 Nationalities. A decrease of 0.01% with a decrease in number of Officers and ships.

The 368 Foreign vessels carried 2,576 Officers of whom 125 were British as follows:—

	1909.	1908.
In Chinese vessels - - - -	72	69
„ Dutch „ - - - -	...	2
„ French „ - - - -	3	3
„ Japanese „ - - - -	46	54
„ United States vessels - - -	4	13
	<u>125</u>	<u>141</u>

Thus 4.8% of the Officers serving in Foreign vessels were of British Nationality, a decrease of 0.5% with a decrease in number of ships and Officers.

The Nationality of the Crews in British and Foreign vessels was as follows:—

	VESSELS.		BRITISH CREWS.		U. S. A. AND EUROPEANS.		ASIATICS.	
	1908.	1909.	1908.	1909.	1908.	1909.	1908.	1909.
British, ...	365	336	23,755	24,158	417	281	118,278	123,132
Foreign, ...	380	368	1,536	1,366	27,446	26,955	109,818	114,330
Total, ...	745	704	25,291	25,524	27,863	27,236	228,096	242,462

Hence in British vessels:—

1909.	1908.	
16.67%	15.83%	of the crews were British.
0.29%	0.18%	of the crews were other Europeans.
83.03%	83.98%	of the crews were Asiatics.

And in Foreign vessels:—

1908.	1909.	
1.2%	0.95%	of the crews were British.
19.7%	18.89%	of the crews were other Europeans.
79.1%	80.14%	of the crews were Asiatics.

## 2.—TRADE.

10. As pointed out last year, and in many previous years, the figures which used to appear under this heading were as a whole never accurate, and, in some cases, actually misleading. However, in the few items of Import Trade of which substantially accurate details can be given, the following remarks may prove of interest. These items are Coal, Kerosene Oil (including all products of Petroleum), Opium, Morphine, Compounds of Opium, and Sugar.

*Coal.*—Here I find that 1,126,836 tons were imported into the Colony during the year. This shows an increase over the imports of 1908, of 108,083 tons, or 10.6%. This would appear to be due to nothing more phenomenal than an increased demand, and to a general improvement in business and manufactures. It is a curious fact that although the imports of coal have increased to this extent, the shipment of bunker coal in the Colony has decreased. This is due to the fact that an increasing number of vessels, calling at Hongkong, prefer to take their bunker coal elsewhere, e.g., Japanese and most transpacific liners in Japan, Chinese in Canton—whither a considerable quantity of coal passes through Hongkong in transit—and many vessels on the home run at Singapore, &c. This may be due in part to the fear of detention in Hongkong, enhanced by the prevalence of typhoons of late years.

*Kerosene Oil.*—Decreases are shown in all classes of this product, viz.:—26,235 tons of Bulk Oil, 3,858 tons of Case Oil, and 9,493 tons of Liquid Fuel. These decreases are only what might have been expected after the phenomenal increases in 1908, (indeed, my remarks on the subject foreshadowed them), and do not indicate any falling off in the trade. Liquid Fuel has increased considerably—(32%) over the figures for 1907—the last normal year.

*Opium.*—The imports of Raw Opium show a decrease of 6,087 chests or 14.5 per cent. while the exports declined by 3,620 chests, or 9.7 per cent. During the year 1909, the raw opium trade of the Colony is described by the following figures:—

Stock in hand, 1st January, 1909, ... ..	5,808 chests.
Imported during the year, ... ..	35,734 „
	-----
Total, ... ..	41,542 „



13. The River Trade in Imports, Exports, and Passengers carried, compared with that in 1908, is shown in the following:—

Year.	Imports	Exports	Passengers.
1908, .....	362,769	287,847	1,929,436
1909, ....	371,280	280,908	1,947,209

14. The following shows the Junk Trade of the Colony during 1909:—

## IMPORTS.

Foreign Trade, .....	12,546 junks measuring .....	1,144,264 tons.
Local Trade, .....	21,795 " "	1,030,242 "
Total, .....	34,341 " "	2,174,506 "

## EXPORTS.

Foreign Trade, .....	12,544 junks measuring .....	1,099,106 tons.
Local Trade, .....	21,703 " "	1,057,078 "
Total, .....	34,247 " "	2,156,184 "

12. The corresponding figures relating to ships of European construction exporting cargo, and shipping bunker coal, follow:—

## EXPORTS.

	1908.		1909.		Increase		Decrease.	
	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.
Steamers, .....	4,001	7,430,882	4,186	7,775,519	185	344,637	...	...
River Steamers, .....	3,773	2,509,651	3,574	2,218,459	...	...	199	291,192
Sailing Vessels, .....	9	19,726	10	21,940	1	2,214	...	...
Total, .....	7,783	9,960,259	7,770	10,015,918	186	346,851	199	291,192
Net, .....					...	55,659	13	...

  

	Strs.	Bunker Coal.	Strs.	Bunker Coal.	Strs.	Bunker Coal.	Strs.	Bunker Coal.
	Steamers, .....	4,001	600,650	4,186	562,450	185	...	...
River Steamers, .....	3,773	56,316	3,574	56,537	...	221	199	...
Total, .....	7,774	656,966	7,760	618,987	185	221	199	38,200
Net, .....					...	...	14	37,979

3.—Revenue and Expenditure.

16. The gross Revenue collected by the Harbour Department during the year was \$462,469.82 as against \$357,768.52 collected in the previous year, showing an increase of \$104,701.30 or 29.2 per cent.:-

	1908.	1909.	Increase.
Light Dues,.....	\$ 79,975.68	\$ 82,473.37	\$ 2,497.69
Light Dues, Special Assessment,	...	90,337.67	90,337.67
Licences and Internal Revenue,	130,594.05	133,391.00	2,796.95
Fees of Court and Office, .....	147,108.19	150,133.38	9,025.19
Miscellaneous Receipts,.....	90.60	134.40	43.80
<b>Total.....</b>	<b>\$ 357,768.52</b>	<b>\$462,469.82</b>	<b>\$104,701.30</b>

15. The following Table gives a summary of the Shipping and Trade of the Port for 1909. The latter being admittedly inaccurate, is given to the nearest 1,000 tons only:—

	No. of Ships.	Tons.					Passengers.		Emigrants.	
		Discharged.	Shipped.	In Transit.	Bunker Coal.	Total.	Registered Tonnage.	Arrived.		Departed.
British Ocean-going, .....	4,076	1,644,000	1,175,000	2,109,000	236,000	5,164,000	7,735,927	172,506	112,329	52,923
Foreign Ocean-going, .....	4,318	2,181,000	784,000	1,882,000	326,000	5,173,000	7,857,908	91,650	92,088	24,507
British River Steamers, ...	5,780	289,000	212,000	...	44,000	545,000	3,701,754	805,735	819,267	...
Foreign River Steamers,...	1,370	83,000	69,000	...	13,000	165,000	735,682	170,316	151,891	...
<b>Total,.....</b>	<b>15,544</b>	<b>4,197,000</b>	<b>2,240,000</b>	<b>3,991,000</b>	<b>619,000</b>	<b>11,047,000</b>	<b>20,031,271</b>	<b>1,240,207</b>	<b>1,175,575</b>	<b>77,430</b>
Steam-launches, Foreign } Trade, .....	3,160	4,000	3,000	...	5,000	12,000	140,484	26,595	23,347	...
Junks, Foreign Trade, ...	25,090	402,000	743,000	...	...	1,145,000	2,243,370	53,720	50,031	...
<b>Total Foreign Trade, ...</b>	<b>43,794</b>	<b>4,603,000</b>	<b>2,986,000</b>	<b>3,991,000</b>	<b>624,000</b>	<b>12,204,000</b>	<b>22,415,125</b>	<b>1,320,522</b>	<b>1,248,953</b>	<b>77,430</b>
Steam-launches, Local } Trade,.....	439,988	3,000	2,000	...	31,000	36,000	10,328,400	3,282,070	2,185,502	...
Junks, Local Trade, .....	43,498	188,000	268,000	...	...	456,000	2,087,320	48,415	40,417	...
<b>Total, Local Trade,.....</b>	<b>483,486</b>	<b>191,000</b>	<b>270,000</b>	<b>...</b>	<b>31,000</b>	<b>492,000</b>	<b>12,415,720</b>	<b>3,330,485</b>	<b>2,225,919</b>	<b>...</b>
<b>Grand Total,.....</b>	<b>527,280</b>	<b>4,794,000</b>	<b>3,256,000</b>	<b>3,991,000</b>	<b>655,000</b>	<b>12,696,000</b>	<b>34,830,845</b>	<b>4,651,007</b>	<b>3,474,872</b>	<b>77,430</b>

The principal increases are under Light Dues, \$2,497.69; Light Dues, Special Assessment in respect of the Mongkoktsui Typhoon Refuge, \$90,337.67; Junk Licences, \$3,838.05; Fees for Storage of Explosives, \$2,637.73; Medical Examination of Emigrants, \$7,567.25; Examination of Masters, &c., \$237.50; and Sunday Cargo Working Permits, \$600. The falling off in Revenue comes under the headings:—

Engagement and Discharge of Seamen, \$1,052.60; Sugar Certificates and Permits, \$550; Fines, \$430.35; Steam-launch Licences, &c., \$369.75; Survey of Steam-launches, \$330; Chinese Passenger Ship Licences, \$270; Sale of Printed Forms, \$127; and Registry Fees, \$106.

17. The expenditure of the Harbour Department for 1909 was \$169,672.04 including \$3,204 specially expended on Buoys and the Crown Agents' charges for December, 1908, but not including the Crown Agents' charges for December, 1909. Compared with 1908, this shows an increase of \$6,092.50 or 3.5 per cent.

#### 4.—Steam-launches.

18. On the 31st December, there were 291 Steam-launches (including 9 Motor Boats) employed in the Harbour, of these, 137 were licensed for conveyance of passengers, &c., 136 were privately owned, 14 were the property of the Government and 4 belonged to the Imperial Government in charge of the Military Authorities.

Sixteen Masters' Certificates were suspended for incompetency or negligence in the performance of their duties, 3 for 6 months, 1 for 3 months, 6 for 2 months, and 6 for 1 month; one Master's Certificate was cancelled and one Master was cautioned. Three Engineers' Certificates were suspended, 1 for 6 months, 1 for 3 months and 1 for 2 months.

Six hundred and forty-one (641) engagements and five hundred and seventeen (517) discharges of Masters and Engineers were made during the year.

As in 1908, seven (7) steam-launches were permitted to carry Arms, &c., for their protection against pirates. No new permits were granted.

The Amount of Light Dues collected was as follows:—

Class of Vessels.	No. of Ships.	Tonnage.	Rate per ton.	Fees Collected.	Special Assessment.		Total Fees Collected.
					Rate per ton.	Fees Collected.	
Ocean Vessels, .....	4,336	7,751,473	1 cent.	\$ 77,514.73	1 cent.	\$ 76,514.09	\$ 154,028.82
Steam Launches, .....	795	29,554	1 "	295.54	1 "	295.54	591.08
River Steamers (Night Boats), .....	2,607	1,449,186	1/2 "	4,642.64	1/2 "	7,219.17	11,861.81
River Launches (Night Boats), .....	133	7,586	1/2 "	24.46	1/2 "	39.60	60.06
River Steamers (Day Boats), .....	914	737,397	XVII.	.....	5/8 "	6,097.77	6,097.77
River Launches (Day Boats), .....	517	20,577	XVII.	.....	5/8 "	171.50	171.50
Total, .....	9,302	9,995,773		\$82,473.37		\$90,337.67	\$172,811.04

\* Including \$1,000.64 arrears of 1908.

## 5.—Emigration and Immigration.

19. Seventy-seven thousand four hundred and thirty (77,430) Emigrants left Hongkong for various places during the year 1909. Of these 52,923 were carried in British ships and 24,507 in Foreign ships. These figures show an increase, compared with those for 1908, of 6,349 (or 8.93 %), which may be accounted for by the return of the business to normal conditions, and to the resumption of emigration to Banka and Billiton.

It may be well to note the increasing proportion of Emigrants carried in Foreign vessels. This appears to be due to the increasing numbers going to Hawaii, who can only travel in United States ships, as well as to the resumption of emigration to the Dutch Indies, which is carried in Dutch vessels.

One hundred and forty-four thousand eight hundred and twenty-one (144,821) returning emigrants are reported to have been brought to Hongkong from the several places to which they had emigrated, either from this Colony or from Coast Ports, as against 157,809 in 1908. Of these 109,633 arrived in British ships, and 35,188 in Foreign ships.

## 6.—Registry, &amp;c., of Shipping.

20. During the year, 16 ships were registered under the provisions of the Imperial Merchant Shipping Act, and 3 Certificates of Registry were cancelled. 128 Documents, &c., were dealt with in connection with the Act, the fees on which amounted to \$593 (\$699 in 1908).

## 7.—Marine Magistrate's Court.

21. Three hundred and three (303) cases were heard in the Marine Magistrate's Court (325 in 1908). Breach of the Harbour Regulations, Disobeying the lawful orders of the Harbour Master, Neglecting to exhibit lights, Failing to observe the Rules of the Road, Using the steam-whistles for other purposes than for Navigation and carrying excess of passengers were the principal offences.

## 8.—Marine Court.

(Under Section 19 of Ordinance 10 of 1899)

22. The following Courts have been held during the year:—

On the 10th August, 1909, inquiry into charges of Misconduct on the part of the Master (Alexander Nelson Seaton), number of whose Certificate of Com-

petency is 1347, Hongkong, and the Mate (William James Hanlon), number of whose Certificate of Competency is 034381, Leith, of the British Steamship *Shiu On*, Official Number 126987 of Hongkong.

The result was that the Court ordered the Mate's Certificate to be suspended for two years.

On the 8th day of October, 1909, inquiry into charges of Misconduct on the part of the third Engineer (R. H. Ferguson), number of whose Certificate of Competency is 33341 of Glasgow, of the British Steamship *Persia*, Official number 84164 of Liverpool.

The third Engineer's Certificate was suspended for one year.

On the 24th day of November, 1909, inquiry into the circumstances connected with the Stranding of the British Steamship *Tak Hing*, Official number 109,874 of Hongkong, William Bishop, number of whose Certificate of Competency is 017,537, London, was Master.

The Certificated Officers were acquitted from all blame.

## 9.—Examination of Masters, Mates and Engineers.

23. The following Tables show the number of Candidates examined under Ordinance 10 of 1899, for Certificates of Competency, distinguishing those who passed from those who failed:—

(Under Board of Trade Regulations.)

Grade.	Passed.	Failed.
Master, .....	13	3
Master, (Provisional Certificate), .....	1	...
Master, River Steamers, .....	3	...
First Mate, .....	10	...
First Mate, River Steamers, .....	2	...
Second Mate, .....	10	2
Total, .....	39	5
First Class Engineer, .....	28	8
Second Class Engineer, .....	48	19
Total, .....	76	27

For Steamships not exceeding 60 tons, under Section 37 of Ordinance No. 10 of 1899:—

Candidates.	Passed.	Failed.
For Master,.....	36	4
For Engineer,.....	28	1
Total,.....	64	5

#### 10.—Examination of Pilots.

(Under Ordinance No. 3 of 1904.)

24. One Examination for Pilot's Certificate was held during the year. One Licence was issued, and 14 Licences were renewed.

#### 11.—Sunday Cargo Working.

25. During the year 262 Permits were issued under the provisions of this Ordinance as compared with 282 in 1908. Of these 96 were not used as it was found unnecessary to work cargo on the Sunday and the fees in such cases were refunded.

The Revenue collected under this head amounted to \$29,200 as against \$28,600 in 1908.

#### 12.—New Territories.

Eleventh year of British Administration.

The Outstations attached to the Harbour Department, six in number, have continued to perform the work allotted to them, and during the year Licences, Port Clearances, Permits, &c., have been issued by them as follows:—

		1909.	1908.
Cheung Chau opened	1899 - -	11,002	9,146
Tai O	" 1899 - -	5,143	4,901
Tai Po	" 1900 - -	6,811	6,271
Deep Bay	" 1901 - -	2,458	4,882
Sai Kung	" 1902 - -	2,040	4,628
Long Ket	" 1905 - -	4,350	3,580
		<hr/>	<hr/>
		31,804	33,408

The Revenue collected by this Department from the New Territories during 1909 was \$25,102.50 as compared with \$22,008.05 in 1908

#### 13.—Commercial Intelligence, Board of Trade.

27. Thirty-nine (39) letters were received during the year from firms and individuals, principally in Great Britain, asking for information upon various points in connection with their business, requesting me to place them in communication with local firms, or to obtain local agents for the sale of their goods, or submitting samples or price lists. My replies have been as full as the information and time at my disposal permitted, and my negotiations have, I understand, been productive, in many cases, of desired effects.

#### 14.—General.

28. During the year the Harbour Department has had the misfortune to lose, by death, two valuable officers, Mr. Botelho, 1st Clerk, Harbour Office, and Mr. Watson, 1st Clerk, Mercantile Marine Office. The former had been 38 years in the Office, and had proved himself invaluable.

In September the Imports and Exports Sub-department was temporarily separated from the Harbour Department, and the staff largely increased to deal more especially with the Liquor trade in the Colony. The report of this Sub-Department is annexed—Annexe B.

On the 1st August two new lights were exhibited in the Harbour, one Fixed Red on the Cust Rock Buoy, and one—Red with white sector—flashing on the summit of the hill behind Chin-sal-tsui Point. This latter was designed to utilise the lenses of the old Cape Collinson Light, and is of the 6th order.

Arrangements are in progress for the exhibition of another new light on Kap Sing Island, which it is hoped will be displayed this year (1910). It will also be of the 6th order, and will be made distinctive. A fog signal will possibly be added.

BASIL TAYLOR, Commander, R.N.,

Harbour Master, &c.

HARBOUR OFFICE,

1st March, 1910.