BRITISH
PARLIAMENTARY PAPERS
CORRESPONDENCE
RESPECTING THE COOLIE TRADE

1871 - 1875

CLEVELAND
1915
CONTENTS

Correspondence respecting the Emigration of Chinese Coolies from Macao, 1871

Correspondence respecting the Emigration of Chinese Coolies from Macao, (in continuation, July, 1871)

Correspondence respecting the Macao Coolie Trade, and the Steamer "Fatchoy", 1873

Paper's relative to the Measures taken to prevent the fitting out of Ships at Hong Kong for the Macao Coolie Trade, 1873

Correspondence respecting the Macao Coolie Trade, 1874

Correspondence respecting the Macao Coolie Trade, 1874-1875
CORRESPONDENCE

RESPECTING THE

EMIGRATION OF CHINESE COOLIES FROM

MACAO.

Presented to both Houses of Parliament by Command of Her Majesty.

1871.

LONDON:
PRINTED BY HARRISON AND SONS.
<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Subject</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Mar. 9, 1869</td>
<td>Reported branding of Chinese emigrants at Camarao. Inclosing correspondence respecting. Observations with regard to Coolie emigration from Macao. Inclining the above for information</td>
<td>1</td>
</tr>
<tr>
<td>2.</td>
<td>April 24, 1869</td>
<td>Acknowledging letter of 24th, and inclosing copy of Report of Emigration Commissioners upon Mr. Jerningham's despatch</td>
<td>2</td>
</tr>
<tr>
<td>3.</td>
<td>May 17, 1869</td>
<td>Inclining copies of above correspondence, with instructions to communicate substance of Emigration Commissioners' Report to Portuguese Government</td>
<td>2</td>
</tr>
<tr>
<td>4.</td>
<td>June 8, 1870</td>
<td>Inclining copy of note to Portuguese Government contradicting report as to branding of Chinese emigrants</td>
<td>3</td>
</tr>
<tr>
<td>5.</td>
<td>Jan. 12, 1870</td>
<td>Inclining copy of despatch from Her Majesty's Chargé d'Affaires at Peking reporting capture of French ship &quot;Nouvelle Pénelope&quot; by Chinese coasters</td>
<td>4</td>
</tr>
<tr>
<td>6.</td>
<td>Jan. 17, 1871</td>
<td>Inclining extracts from the &quot;Globe&quot; and &quot;Overland China Mail&quot; relative to frightful cruelties practised towards coolies on board Salvadorian ship &quot;Dolores Ugarte&quot; whilst on a voyage from Macao to Callao</td>
<td>5</td>
</tr>
<tr>
<td>7.</td>
<td>17, 1870</td>
<td>Inclining copy of Consul Robertson's despatch of November 26, 1870, relative to capture of the &quot;Nouvelle Pénelope.&quot; To call the attention of the Portuguese Government to the matter</td>
<td>6</td>
</tr>
<tr>
<td>8.</td>
<td>25, 1870</td>
<td>Inclining copy of despatch to Sir C. Murray of January 17' Inclining Consul Robertson's despatch relative to the capture of the &quot;Nouvelle Pénelope&quot;</td>
<td>7</td>
</tr>
<tr>
<td>9.</td>
<td>Feb. 4, 1871</td>
<td>Inclining copies of correspondence to French Government</td>
<td>8</td>
</tr>
<tr>
<td>10.</td>
<td>10, 1871</td>
<td>Receipt of above. Has given copies of correspondence to French Government</td>
<td>9</td>
</tr>
<tr>
<td>11.</td>
<td>27, 1871</td>
<td>Inclining copy of note addressed by him to the Portuguese Government calling attention to the case of the &quot;Dolores Ugarte,&quot; and to the painful facts connected with the shipment of coolies from Macao</td>
<td>10</td>
</tr>
<tr>
<td>12.</td>
<td>April 29, 1871</td>
<td>Inclining copy of note from Marquis d'Avila in answer to the above</td>
<td>11</td>
</tr>
<tr>
<td>13.</td>
<td>4, 1871</td>
<td>Observations with reference to the case of the &quot;Dolores Ugarte&quot; and the mode of conducting emigration at Macao</td>
<td>12</td>
</tr>
<tr>
<td>14.</td>
<td>May 25, 1871</td>
<td>Inclining copy of the above, with instructions to communicate substance to Portuguese Government</td>
<td>13</td>
</tr>
<tr>
<td>15.</td>
<td>June 16, 1871</td>
<td>Has communicated substance of Consul Robertson's despatch to the Marquis d'Avila. Inclosing copy of note to his Excellency</td>
<td>14</td>
</tr>
<tr>
<td>16.</td>
<td>17, 1871</td>
<td>Inclining copy of note to Portuguese Government contradicting report as to branding of Chinese emigrants</td>
<td>18</td>
</tr>
</tbody>
</table>
Correspondence respecting the Emigration of Chinese Coolies from Macao.

No. 1.

Mr. Jerningham to the Earl of Clarendon.—(Received April 13.)

My Lord,

Lima, March 9, 1869.

It appears that, from what is now published in the papers, the Portuguese Consul-General, in the month of August last year, in writing to the Governor of the Portuguese Colony of Macao on the subject of coolies imported into Peru, mentioned a circumstance, the truth of which had been recently denied in the "Comercio" newspaper, which is the following:

He says: "An agriculturist from this coast took forty-eight contract Chinamen in Callao, and fearing probably that he might lose them, marked them with a hot iron as if they were slaves. The press of the country denounced the deed as a crime; and on my part I had to protest against a thing so contrary to Christian civilization, and to the ideas of a Republican country, and remit to your Excellency copy of this note and answer which was given me by the Minister for Foreign Affairs of this country. The affair was brought before the Tribunals, but I do not know when it will be terminated; however, whatever may be the result, your Excellency shall be informed when the cause is ended."

Copy of the Portuguese Consul-General's note to Senhor Polar, then Minister for Foreign Affairs, and his Excellency's reply, are herewith inclosed, as well as copy of the Decree of the Governor of Macao and Timor, prohibiting further exportation of coolies until official information was received of the adoption of energetic means to forbid deeds such as the one complained of.

The publication of these documents in the public press has led lately to several observations regarding the state of the Chinese emigrants in Peru, and also the policy of this kind of immigration as affecting the future interests and population of the Republic.

When Peru was a Colony of Spain, of course African slaves were imported hither as into most Spanish Colonies, and in considerable numbers. In general they were, I believe, well treated. Since the manumission of blacks during General Castilla's Presidency in 1855, thoughts were naturally turned towards where to obtain supplies of agricultural labourers, and, after the practice of other nations, Chinese coolies were brought into Peru, where at present, between those working out their contracts, and those who are perfectly free, there must be several thousand,—say 10,000.

Most of those who have been brought hither under contract, on their arrival were generally taken up by the chief "hacendados," agriculturists and proprietors, to work upon their estates; and the position of the coolies, or most of them, of course with many exceptions, has been, it is to be feared, not the most satisfactory to the Chinese themselves.

The difference between the black and the Chinaman may have contributed in many cases to this unenviable state of things. The blacks came to this country a raw material; soon picked up the language, and easily became initiated in the religion, customs, and ideas of their masters; but the coolie, on the contrary, has remained in general pre-eminently Chinese in almost every respect, except that of learning easily to speak the language, and making himself handy in general pursuits; the blacks soon became nationalized, but as a race of slaves; the Chinese never lose their national predilections; and although members of an inferior class in their own country, and possessing more intelligence than the blacks or the native Indians, are therefore more keenly sensitive regarding their position, as many cases of suicide and desperation manifestly evince.

[322]
The blacks Christianized had the advantage of community of ideas with the Peruvians in general; the Chinese brought up under Pagan influences finds himself isolated in this respect, seeks for the society of his fellow-countrymen, talks his own tongue when he can, and indulges in many vices which unfortunately accompany him from his native soil, among which gambling and opium-smoking are not the least detrimental to his progress and civilization. Not having the same strength as the black, though more agricultural knowledge and system, his physical nature must have at times been severely tried; and the lean and wretched specimens which are to be seen at times, both in Lima and the country, show that these men must have wrestled hard with their lot in performance of their various tasks in working out their contracts.

When the Chinese have got free of the contract work, they generally contrive to repair to towns and villages, when they set up as vendors of vegetables, rice, Indian corn, and are very apt in buying and selling the necessaries of life, and often realize considerable profits. They also enlist their services in culinary occupations; a great many houses here, and in other towns throughout Peru, employ them as cooks, in which art they become tolerably efficient.

When they become perfectly free of the "haciendas," and are their own masters, their lot in Peru is the same as that of the population in general; and provided they do not offend against the laws, they are not persecuted or interfered with by the authorities. Not mixing up with the people, they are neither liked nor particularly disliked, but are looked upon as a kind of anomaly in the social body, with whom no one cares to have much communication.

The coolie trade, under its best aspect, can hardly be looked upon as much other than a kind of white Slave Trade, legalized by certain laws and regulations which there is too much reason to fear are not always conscientiously complied with, especially, it may perhaps be conjectured in the operations of obtaining the emigrants.

There may be very good people engaged in it, and there may be others who are sufficiently hardened to consider it nothing more than a commercial speculation, such as importing dry goods or cattle; their chief object being to get the cargo into port in an undamaged state. Of late years, according to reports which are in the papers, the coolie voyages to Callao being in general successful, have not called for much remark or observation. These emigrants chiefly come hither in Italian or native vessels.

Last year, however, as an example that the Chinese are not always so enchanted in coming hither from their native country, a vessel which had brought a cargo of them put into Callao, and the subsequent episode demonstrates that, when an occasion offered, these colonists even had recourse to violence to get back again to China. They were placed in a smaller vessel to be conveyed up the coast north to their destination. From accounts received towards the end of last year, it would appear that, after leaving Callao, the coolies rose upon the captain and crew; killed several, and the captain's life was only spared in consequence of a coolie, to whom he had been kind, interceding for him. They then set the vessel's head for China; and after much difficulty reached the coast of Kamschatka, where they let the captain go, and escaped.

That there are ferocious characters amongst some of these emigrants is evident. Not long ago at Guadalupe, or thereabouts in North Peru, a coolie, for some reason or other, killed seven persons in a family where he was employed. He was seized by the authorities and brought under escort to some small town, where he was locked up for the night. The populace hearing this, broke into the prison, dragged him forth, and in spite of the authorities kindled a fire and burnt him. Another case occurred not long ago, also in North Peru. A Chinaman in some altercation stabbed the overseer of the estate; the populace seized him likewise, and committed him to the flames.

This summary treatment shows the kind of feeling which some of the lower orders in a North Peruvian province harbour against the coolies. Any of the worst Peruvian assassins would never have experienced a similar mode of punishment in his own country.

If such examples are repeated I apprehend something disagreeable will happen some day when the coolies are massed together; and that serious acts of vengeance may be attempted, which the local authorities may not find it so easy to prevent. The greatest criminals can only be punished by the local authorities, and not by the populace. They know that, and therefore such incidents as above related, are dangerous precedents.

To those who affect really to see Peru move along the road of progress, Chinese immigration presents a system that ought to be discontinued; because, although agriculture may be for a moment benefited, the country in the end will gain nothing as to improvement in the population, or in the useful increase of industrial knowledge.

What these countries want are emigrants from civilized countries; families who might live in terms of intimacy and reciprocal friendship with the natives of the soil.
and improve them by examples, and intermix by marriage in forming an industrious people.

This is a hard problem to solve for many reasons, but the increased importation of Chinese will never solve it.

Those Chinese who settle down here with Peruvian wives only obtain mulattos and persons of Indian or negro origin. The descendants of these, although they might become more intelligent than the parental stock, would probably, unless a great religious and educational move preserved them, evince a greater aptitude for evil tendencies and immorality than their progenitors.

I have, &c.

(Signed) WM. STAFFORD JERNINGHAM.

Inclosure in No. 1.

Extract from the Lima "Comercio" of February 27, 1869.

CHINA.

THE Governor of Macao and Timor, and their Dependencies, decrees the following:—

The Portuguese Consul-General in Lima having communicated to this Government by a despatch of the 2nd of August last, the horrid deed practised by an agriculturist of the suburbs of that city against forty-eight Chinese emigrants conducted to that country in the capacity of labourers, by marking them with a hot iron, as was formerly done with African slaves, and also many of these same labourers being wanderers about, and that there are Chinese colonists begging public charity in the streets of the town, on account of being abandoned by their "patrones," when being mutilated they are no longer fit for the service for which they were contracted, I have determined, after having heard the Government Council, that until official information has been received by which it is shown that energetic means have been adopted to forbid deeds of such a nature, barbarous as well as contrary to the civilization of the age, His Majesty the King, not determining otherwise, let the following be observed:—

1. Until further notice the permission granted by this Government to open establishments of emigration for Callao, is suspended.

2. In the same manner, there shall not be matriculated any Asiatic emigrant or colonist destined for the above port at the Superintendent's office of Chinese emigration; nor shall there be any contracts signed in the Chinese "procuracion" office.

Let the authorities who have to do with this Decree thus understand it, and put it in execution.

Macao, November 18, 1868.

(Signed) ANTONIO SERGIO DE SOUZA,
Governor of Macao and Timor.

Portuguese Consulate-General, Lima, June 17, 1868.

The Undersigned has the honour to address himself to his Excellency the Minister for Foreign Affairs, calling his Excellency's attention to one of those deeds which dishonour the man who may be guilty of it, and the nation that does not punish the criminal,—a deed of high political, humanitarian, moral, and industrial consequences.

The "Comercio," No. 9,772, published a letter to the Society "Friends of the Indians," dated Lambayeque, 11th May, disclosing one of those acts which are a disgrace to humanity in the 19th century.

An agriculturist, devoid of conscience, took forty-eight Chinamen, and fearing that they might escape from him, instead of causing their likenesses to be taken by photography, preferred instead of this means, which would have cost him a few dollars, to mark them with a red-hot iron.

It appears incredible, Excellency, that, in the epoch in which we live, there exist men capable of committing such barbarous acts; however, the deed is true and needs no comment.

The Undersigned would abstain from calling your Excellency's attention to the matter, if the colonists who came contracted for Peru did not proceed from a Portuguese Colony, and with the arms of this nation stamped upon each contract, and if the Governor of Macao did not recommend to the Undersigned very particularly to render an account respecting every vessel that may have sailed from the above port, as to the treatment
received during the passage by the coolies. It may appear that, upon the arrival of the colonists to the shores of Peru my jurisdiction should have ceased, if these unfortunate people who come to fertilize the Peruvian soil with the sweat of their brow and to further husbandry—so much in want of hands—had found protective laws to assist them in their forlorn state; unfortunately this is not the case, because we see agriculturists (there are honourable exceptions) who look upon the colonist, not as a man, but as a tool and less than a slave.

Sufficiently has the Press, at various times, uplifted its voice in favour of this race, degraded through the avarice of their masters ("patrones"). These evils have occurred without any measures having been adopted in favour of these wretched people.

The Undersigned finds himself placed in the hard but inevitable necessity of requesting the Government of his Excellency to cause the proper orders to be issued that the contracts of the forty-eight colonists who were marked with the ignominious iron should be cancelled, and themselves placed completely at liberty, and also that the author of this crime be committed for trial and receive the punishment the laws determine in similar cases.

If by extraneous influences the deed of which the Undersigned has been treating remain unpunished, the Undersigned will behold himself in the painful necessity of sending to his Government a copy of this note, adding to it the disagreeable feature which the streets of Lima present on account of the great quantity of Chinese mutilated in the service of their "patrones," and forsaken by them when they can no longer toil, in order that they may go and live on public charity, with the object that my Government, if they deem proper, should dispatch the necessary orders to the Governor of Macao not to permit emigration of Chinese coolies from that port to Peru.

The Undersigned, &c.

(Signed) D. NARCISO VELARDE, Portuguese Consul-General.

To his Excellency Senhor D. M. Polar, Minister for Foreign Affairs of the Republic of Peru, &c.

Answer.

INFORMED of your esteemed communication dated yesterday, in which, referring to a letter published in the "Comercio," No. 9,772, denouncing the deed of forty-eight Chinese colonists having been branded by an-agriculturist with a hot iron, you request that the Peruvian Government might cause the contracts of the said Chinese to be cancelled, I have forwarded a copy to the Minister of Justice in order that through his Department proper orders may be given for investigating the matter, and for the trial of those, according to the laws, who may be found to be delinquents.

(Signed) J. M. POLAR.

Senhor D. N. Velarde, Portuguese Consul-General.

No. 2.

Mr. Hammond to Sir F. Rogers.

Sir,

Foreign Office, April 24, 1869.

I AM directed by the Secretary of State for Foreign Affairs to transmit to you, for the information of Earl Granville, the accompanying copy of a despatch which has been received from Her Majesty's Chargé d'Affaires at Lima,* upon the subject of Chinese emigration to Peru.

I am, &c.

(Signed) E. HAMMOND.

No. 3.

Sir F. Sandford to Mr. Hammond.—(Received May 18.)

Sir,

Downing Street, May 17, 1869.

A COPY of your letter of the 24th ultimo, with the despatch from Her Majesty's Chargé d'Affaires in Peru, on the subject of the treatment of Chinese labourers imported

* No. 1.
into that country from Macao, was referred to the Emigration Commissioners; and I am directed by Earl Granville to transmit to you, for the information of the Earl of Clarendon, a copy of their Report upon it.

I am to take this opportunity to return the original inclosure to your letter.

I am, &c.

(Signed) F. R. SANDFORD.

Inclosure in No. 3.

Mr. Murdoch to Sir F. Rogers.

Sir, Emigration Board, May 7, 1869.

I HAVE to acknowledge your letter of the 3rd instant, with a despatch from Her Majesty’s Chargé d’Affaires in Peru on the subject of the treatment of Chinese labourers imported into that country from Macao.

2. The circumstance which more particularly gave occasion to this despatch was the branding with a hot iron, by an employer, of forty-eight Chinese, who had been allotted to him. This atrocious act of cruelty called forth a strong denunciation from the press, and a communication from the Portuguese Consul-General in Lima to the Governor of Macao, which led to a prohibition by the latter of all emigration from Macao to Peru. The Consul-General also applied to the local Government for the liberation of the Chinese, and the prosecution of the employer, but the decision on that application is not given. So far, however, as the matter has yet gone, the result is good; and the strictness and loyalty with which the present Governor of Macao has carried out the emigration laws, and has, up to the present time, put down the practices which made the emigration from Macao a disgrace to humanity, are a guarantee that he will carry out the prohibition which he has now issued as to emigration to Peru.

3. The description which Mr. Jerningham gave of the condition of Chinese in Peru makes it very desirable that this should be the case. He says that, while the uncivilized negro easily adopted the language, the religion, and the habits of his employer, and thereby becomes amalgamated with the people of the country, the previous education of the Chinese in their own country prevents their doing so; that they accordingly obtain no sympathy from their employers, and that their emaciated appearance shows how severely their physical strength is taxed, and how hard a life they are compelled to lead. Under these circumstances they associate as much as possible together, and indulge in the vices, including gambling and opium smoking, to which they were addicted in their own country.

4. Mr. Jerningham further expresses his conviction that the emigration from Macao to Peru is little better than a Slave Trade; and he cites, as an example of the feeling of the Chinese, the seizure of the American vessel, the circumstances of which were communicated to the Colonial Office in the Foreign Office letter of 27th February last, and some outrages which have been committed by Chinese in Peru. Mr. Jerningham’s conclusion agrees with all we have heard from other quarters as to emigration from Macao, but it may be hoped that, unless the Portuguese Government overrule the proceedings of the present Governor, the atrocities which have in former years disgraced that emigration, may be considered now as at an end.

5. The despatch requires no action on the part of Earl Granville, and I return it herewith, with its inclosures, in conformity with your directions.

I have, &c.

(Signed) T. W. C. MURDOCH.

No. 4.

The Earl of Clarendon to Sir C. Murray.

Sir, Foreign Office, May 20, 1869.

I TRANSMIT to you herewith a copy of a despatch from Her Majesty’s Chargé d’Affaires at Lima upon the subject of the treatment in Peru of Chinese labourers imported from Macao.* I also transmit to you a copy of a letter from the Colonial Office,† inclosing a Report addressed to Her Majesty’s Secretary of State for the Colonies by the Emigration

* No. 1.

† No. 3.
Commissioner, to whom Mr. Jerningham's despatch was referred; and I have to instruct you to communicate, in guarded language, to the Portuguese Government the substance of the Commissioners' Report.

I am, &c.
(Signed) CLARENDON.

No. 5.

Sir C. Murray to the Earl of Clarendon.—(Received June 7.)

My Lord,

Lisbon, May 27, 1869.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 20th instant, and to inclose copy of a note which I have this day addressed to the Minister for Foreign Affairs, communicating to his Excellency, in obedience to the instructions contained in your Lordship's above-mentioned despatch, the substance of a despatch from Her Majesty's Chargé d'Affaires at Lima, and of a Report by the Emigration Commissioners upon the subject of the exportation of Chinese coolies from Macao to Peru, and of the treatment they meet with in the latter country.

I have, &c.
(Signed) CH. A. MURRAY.

Inclosure in No. 5.

Sir C. Murray to the Marquis de Sá da Bandeira.

M. le Ministre,

Lisbon, May 27, 1869.

I HAVE been instructed by Her Majesty's Government to bring under your Excellency's notice some particulars respecting the treatment and condition of Chinese coolies imported into Peru from Macao; these particulars form the subject of a Report from the British Chargé d'Affaires at Lima, which is substantiated by other documents. The most prominent feature in this Report is the relation of the fact that a Peruvian agriculturist, in August 1868, took forty-eight contract Chinamen imported to Callao from Macao, and probably fearing that he might lose them, branded them with a hot iron, as if they were slaves.

This act of atrocious cruelty having been reported to the Governor of Macao, his Excellency forthwith issued an order prohibiting the issue of Coolie Emigration Licenses from Macao to Callao—this order to remain in force until official information should be received to the effect that the authorities at Callao had taken energetic measures to prevent the recurrence of such acts, which his Excellency very properly designates as "barbarous" and contrary to the civilized usages of this age.

The Portuguese Consul-General in Peru, Dom Narciso Velarde, likewise wrote a very strong appeal to the Peruvian Foreign Minister, Dom Juan Polar (a copy of which has doubtless been sent to your Excellency), in which he not only reports the above-mentioned act of cruelty, but portrays in vivid colours the sufferings and miseries that these unfortunate coolies are habitually exposed to in Peru.

From my knowledge of the hatred which your Excellency bears to everything that wears the form of cruelty and oppression, I have no doubt that you will approve and sustain the energetic measures adopted by the Governor of Macao, and I am happy to add that my confidence in the sentiments of humanity by which the Portuguese Government will be guided in this matter, is shared by those British authorities in whose Department it is classed. For the Secretary to the Colonial Emigration Commission in London uses the following expression in a letter recently addressed by him to the Earl of Clarendon:—

"The strictness and loyalty with which the present Governor of Macao has carried out the emigration laws, and has up to the present time put down the practices which made the emigration from Macao a disgrace to humanity, are a guarantee that he will carry out the Decree which he has now issued as to emigration to Peru."

I inclose, for your Excellency's information, two or three printed official letters on this subject, in case they shall have hitherto escaped your observation. These I shall be obliged by your returning to me at your convenience, as I have no duplicate copies; and I avail myself, &c.

(Signed) CH. A. MURRAY.
No. 6.

The Earl of Clarendon to Sir C. Murray.

Sir, Foreign Office, June 8, 1869.

I HAVE to state to you that I approve the note, copy of which is inclosed in your despatch of the 27th ultimo, which you have addressed to the Portuguese Government upon the subject of the exportation of Chinese coolies from Macao to Peru, and of the treatment they met with in the latter country.

I am, &c.

(Signed) CLARENDON.

No. 7.

Sir C. Murray to the Earl of Clarendon.—(Received January 19.)

My Lord, Lisbon, January 12, 1870.

IN reply to your Lordship’s despatch of the 20th of May, 1869, upon the subject of the emigration of Chinese coolies from Macao to Peru, and of the treatment they receive there, I have the honour to inclose herewith translation of a note addressed to me by the Minister for Foreign Affairs, under date of the 8th instant, in answer to that which I forwarded to his Excellency upon this subject on the 27th of May last, copy of which I had the honour to transmit to your Lordship in my despatch of that day’s date.

I have, &c.

(Signed) CH. A. MURRAY.

Inclosure in No. 7.

Senhor Leal to Sir C. Murray.

(Translation.)

Most Illustrious and Excellent Sir, Lisbon, January 8, 1870.

IN compliance with the wish expressed by your Excellency in your note of the 27th of May of last year, I have the honour to return herewith the printed document inclosed therein, relative to the act of cruelty said to have been committed by an agriculturist in the suburbs of Callao of Lima, upon forty-eight Chinese contract colonists; and I beg to inform your Excellency that Her Majesty’s Government has learnt by news subsequent to the energetic measures adopted by the Governor of Macao, that happily, for humanity’s sake, it is not true that those colonists were branded with a hot iron, as it had been reported.

Nevertheless, His Majesty’s Government did not fail to derive satisfaction from the esteem with which Her Britannic Majesty’s Government viewed the line of conduct pursued both by the Governor of Macao, and by the Consul-General of Portugal in Peru.

I avail, &c.

(Signed) MENDES LEAL.

No. 8.

Consul Robertson to Mr. Hammond.—(Received January 9, 1871.)

Sir, Canton, November 26, 1870.

I HAVE the honour to forward copy of a despatch I have addressed to Her Majesty’s Chargé d’Affaires at Peking, reporting the capture of the French ship “Nouvelle Pénélope” by the Chinese coolies, who had been shipped at Macao for the West Coast of America.

I have, &c. 

(Signed) D. B. ROBERTSON.

Inclosure 1 in No. 8.

Consul Robertson to Mr. Wade.

Sir, Canton, November 17, 1870. 

ANOTHER of those coolie tragedies which have been so frequent of late has occurred, resulting in the murder of the master, several of the crew, and the pillage and stranding of the vessel.

[322]
It appears that the French ship "Neuvelle Pénélope," Levigoureux master, left Macao on the 1st of October, bound to Callao with 300 coolies on board. All went on well for a day or two; when, suddenly, a rush on deck was made by a body of Chinese, armed with belaying pins, billets of wood, &c.; the master was knocked down, and his throat cut, the crew overpowered, several of them taking to the rigging, and the ship was in possession of the assailants. Those of the Europeans who were aloft, and the mate, and two or three who were forward—eight in all, seven having been killed—were assured they would not be hurt, but must navigate the ship to the land. This they did, and made the Bay of Tien-pak, some 180 miles on the coast below Macao. Three of the European seamen were sent on shore to procure boats to land the coolies when they effected their escape; and having been assisted by the mandarins, after fourteen days' travel overland, reached Macao, and reported the occurrence. In the meantime, after waiting for a day or two, and being unable to land for want of boats, and perhaps fearing to disembark where there was a mandarin station, the pirates took the vessel to some distance further on, where they beached, and, after pillaging, abandoned her; what they left having been taken by the shore people.

On hearing this, M. Dabry, the French Consul at this port, set off in one of the Viceroy's gun-boats, for Macao, and the wreck; at the same time I wrote a note to the Senior Naval Officer at Hong Kong, and he immediately dispatched a gun-boat, the "Starling," to the place.

M. Dabry found the interpreter of the "Nouvelle Pénélope" at Macao, and received some information which would enable him to identify some of the pirates. He called on the Governor, and subsequently on the Procurador, who informed him he had arrested ten men on suspicion, and these being produced, one of them was identified at once by a peculiar scar on his throat. M. Dabry told him he was the leader, but if he would make confession and point out his confederates his life would be spared. Upon this he at once admitted he was the chief, and accused three of the ten then present as being concerned in the affair, the others he said were only coolies who took no part in it. He added there were others at Macao, and implicated the interpreter. M. Dabry, the Procurador, and these four men then proceeded to the coolie barracks, and they pointed out about eighty-three in all, who were arrested. The next question was what to do with them? M. Dabry demanded their rendition to him as having committed piracy and murder upon French territory, but the Portuguese authorities at first demurred to this. Subsequently, however, they consented to send them on board a French ship in the harbour where they now are. M. Dabry then sent the interpreter and the chief in custody on board the gunboat to Canton, with a request to the Viceroy to arrest some ten more who were known to be at Canton, and could be identified by these two prisoners, and required him to send an officer to Macao to examine the men he had in custody; but the Viceroy positively refused, saying he would have nothing to say to Macao coolie affairs, and M. Dabry might do what he liked with his prisoners. On this M. Dabry came up, and had an interview with his Excellency who repeated this to him. M. Dabry urged it was not a question of coolies, but one of murder on the high seas, and he was bound to arrest Chinese within his jurisdiction on information laid against them. The Viceroy said he would consult with the Footai (Governor) and send him an answer.

The Viceroy then came to me and asked what ought to be done under the circumstances. In reply, I gave it as my opinion that he ought to arrest these men on the charge of murder if they could be found, and then refer to Peking for instructions. He said he thought so too, and would consult with the Footai (Governor) on the subject, and I understand he has written to M. Dabry consenting to arrest them, but he has given no reply to a renewed demand for an officer being sent to Macao to conduct the investigation jointly with M. Dabry. So far the matter has proceeded. I may add that the chief of the pirates confessed this was the third affair of the kind he had been engaged in, and the practice appears to be for the Chinese concerned in the capture of a ship to return to Macao, re-enter the barracks, and being reshipped endeavour to do the same again.

It is evident, however well the Macao Government regulations may look upon paper, that coolie emigration is simply a Slave Trade, and a disgrace to any Christian Government that permits its perpetration within its jurisdiction. It is well known how these barracks at Macao are supplied, and instances are not unfrequent at Canton of the disappearance of people, and that a regular traffic is carried on in human beings for the supply of these establishments. There can be no doubt the Macao Government is honest in its intentions to protect the coolies and put down kidnapping, but there is something more than that required to stop the evil, and, indeed, it may safely be said that nothing short of closing the barracks and forbidding the shipment of coolies will do so. This, however, is too much to expect, seeing the vested interests in coolie emigration which
exist, and it will go on, and with it such tragedies as that I have just narrated, and Macao will preserve a reputation it has long since carried of being a disgrace to European civilization.

I hope you will not think this expression of opinion too strong, but when it is considered that the destruction and ultimate fate of the coolies shipped at Macao are well-known, and have frequently been denounced in the public prints, and therefore the Macao Government must be cognizant thereof, it is matter for surprise that it sanctions such proceedings under the cover of humane regulations, and thus makes itself a party to what is neither more nor less than a Slave Trade, nor is it less surprising that the French Government permits its flag to be used for so nefarious a Traffic.

One circumstance is noteworthy:—The men pointed out as being concerned in the capture of the ship and arrested were in barracoons, which they had re-entered for the purpose of being reshipped, with the view doubtless of defeating their piracy. They must have been known to the keepers of these establishments as having formed a portion of the “Nouvelle Pénélope” shipment, and yet were allowed to enter the houses and remain there until another shipment was ready, when they would have been sent on board. The only explanation that can be thought of is that these barracoon keepers care very little whom they ship, so that they get the money for them, and it is immaterial to them what may occur after they are placed on board, and indeed profitable to ship a man two or three times over. If the Macao Government did its duty it would investigate the matter thoroughly.

As regards the surrender to the French Consul by the Macao Government of these eighty-three coolies who were arrested, it is difficult to see on what grounds this was done. The men were arrested within Portuguese jurisdiction, and ought therefore to have been tried in Portuguese Courts of Justice. Perhaps, however, the revelations which must have resulted would have been so damaging that it was thought better to get rid of them.

I inclose copy of a letter I received from M. Dabry, informing me that one of the missing crew of the “Nouvelle Pénélope” was a British subject; also extract from an Honolulu newspaper that I saw a day or two since, which gives some insight into the Macao coolie Traffic.

Your, &c.

(Signed) D. B. ROBERTSON

Inclosure 2 in No. 8.

M. Dabry to Consul Robertson.

M. le Consul,

Canton, le 15 Novembre, 1870.

J’ai l’honneur de vous informer que le navire Français la “Nouvelle Pénélope,” parti de Macao le 1 Octobre dernier avec 310 émigrants Chinois à destination du Callao, se trouvant à 300 milles environ de terre, une révolte a éclaté parmi les coolies le 4 du même mois, et un de vos nationaux, le matelot Acarius Edmond, né en Mai 1848 à Jersey, fils de Hypolite et de Marie Célestine Lefèvre, embarqué à Hong Kong le 12 Septembre dernier, a été jeté à la mer par les révoltés, et qu’il a disparu sans que son cadavre ait pu en suite être retrouvé.

Agrézé, &c.

(Signed) P. DABRY

(Translation.)

M. le Consul,

Canton, November 15, 1870.

I HAVE the honour to inform you that the French ship the “Nouvelle Pénélope,” which left Macao on the 1st of October with 310 Chinese emigrants destined for Callao, when about 300 miles from land, a rebellion broke out amongst the coolies on the 4th of the same month, and one of your fellow-countrymen, the sailor Acarius Edmond, born in May 1848 at Jersey, son of Hypolite and Mary Célestine Lefèvre, shipped at Hong Kong on the 12th of September last, was thrown into the sea by the mutineers, and that he disappeared without it being possible afterwards to recover his body.

Accept, &c.

(Signed) P. DABRY

Inclosure 3 in No. 8.

Extract from Honolulu Newspaper.

THE SLAVE TRADE IN THE PACIFIC.—THE Honolulu “Commercial Advertiser” of a late date, notices the fact that a San Salvador ship, the “Dolores Ugarte Henry VII,”...
which touched a short time before, lost 270 of her chattels between that port and Callao. The Captain of the "Ugarte" desiring to deliver his cargo in better condition, had applied for leave to land them in squads of 50 for an airing. The ship had all the appurtenances of an old time slaver, barricades, sentinels, &c. The "Advertiser" objects to making the Hawaiian Islands the half-way house of the Slave Trade. But the Hawaiian Government has encouraged this very business, only in a milder form. It has introduced coolie labour in the islands, and while these coolies may have been treated humanely, the precedent was a bad one. These men are brought, here bound by a certain contract made abroad, and which is enforced on the Islands.

The Slave Trade is rife in the Pacific. If every ship engaged in this business were blown out of water it would be a good thing for humanity. All the atrocities of the African Slave Trade and the horrors of the middle passage may be found in these coolie ships. The San Salvador flag has recently been found very convenient bunting for hoisting over any ship about to be engaged in a questionable business.—Bulletin.

[Most of the coolie ships from Macao assume the San Salvador flag, whether rightly or wrongly there is no means of ascertaining, and it is not likely the Macao authorities make strict or any inquiries in the matter.

(Signed) D. B. ROBERTSON.]

No. 9.

Earl Granville to Sir C. Murray.

Sir, Foreign Office, January 17, 1871.

WITH reference to your despatch of January 12, 1870, and to previous correspondence on the subject of the exportation of Chinese coolies from Macao, I transmit to you the accompanying extracts from the "Globe" and "Overland China Mail" containing an account of frightful sufferings endured by and cruelties practised towards a number of coolies on board a Salvadorian ship, the "Dolores Ugarte," while on a voyage from Macao to Honolulu, en route for Callao.

I have to instruct you to bring the matter before the Portuguese Government, and, in doing so, you will express the regret of Her Majesty's Government that they feel compelled, as one of the Powers having Treaties with China, to call their attention to this painful occurrence, for which, however, they feel assured, the Portuguese Government are in no way responsible, and which will be viewed by them with feelings of horror.

As it may prove of use to the Portuguese Government to be made acquainted with the steps which have been taken by Her Majesty's Government to prevent similar atrocities being perpetrated on board coolie ships sailing from Hong Kong, I take this opportunity of transmitting herewith copies of correspondence which has taken place on this subject with the Colonial Office, and I have to direct you to communicate to them the regulations which are now in force; and although Her Majesty's Government are fully sensible of the efforts made by the Government of Macao to put a stop to the mal-practices attending the shipment of coolies from that place, they earnestly hope that the Portuguese Government will continue to support and assist the praiseworthy attempts of the Government to suppress proceedings which from time to time make the emigration from Macao a disgrace to humanity.

I am, &c. (Signed) GRANVILLE.

Inclosure in No. 9.

Extract from the "Globe" of December 30, 1870.

THE Honolulu newspapers contain a frightful account of the sufferings experienced by a ship-load of Chinese coolies on board a San Salvador ship on a recent voyage from Macao to that port, en route for Callao. The vessel, "Dolores Ugarte" by name, is registered 800 tons burden, and left Macao with no fewer than 608 coolies on board. In consequence of a disposition to mutiny which had manifested itself among the coolies before leaving port, they for the first three weeks of the voyage were not allowed upon deck, but were stowed away between decks in four rows, a space of only 16 inches wide being allotted to each individual. At the end of this term of imprisonment the coolies were allowed to come up on deck in gangs of 50 for one hour's exercise in the course of the day. Sentries fully armed kept watch and guard over the wretched creatures, lest in
a moment of desperation they should turn upon their gaolers. On one occasion a scuffle did take place between the crew and the coolies exercising, which resulted in eighteen of the latter jumping overboard. To add to their miseries, the ship’s stores fell short, and they were put upon an allowance of 1 lb. of boiled rice and less than a pint of water per diem. This very insufficient quantity of water, coupled with the crowded state of the hold, produced among them intense thirst, and they eagerly thrust their dollars through the gratings of the hatches in exchange for the cups of water which were given by the crew only in return for these equivalents. As may easily be imagined, disease soon made its appearance among them, and twenty-five died before the vessel reached Honolulu. The condition of the ship on arriving at that port is spoken of as indescribable. The mate himself confessed that the stench from the main hatch was so overpowering that it was impossible to hold one’s head over it “one minute without vomiting.” Forty-three of those too ill to proceed were landed at Honolulu, where, by the exertions of a kindly resident, they were permanently detained. Twelve were in the last stages of decay—some with ship-fever, and others with diarrhea; two were rendered blind for life by ulcers which had formed in the corners of their eyes, and all were in a dreadfully emaciated condition. If this account be not exaggerated—and we have no reason, judging from somewhat similar cases which have from time to time been made public, to believe that it is—it reflects infinite discredit on the Portuguese Colonial Government at Macao. But further, it is of great importance to the other European States which have Treaties with China that the iniquities of this traffic should be put an end to. What account will the wretched survivors of the ship-load send back to China of their treatment by the foreigners? Probably a large proportion of them were men kidnapped from the interior, who recognize no distinction between the various races of Europeans, and whose friends and friends’ friends will henceforth look on every foreigner as a possible man-stealer and a cruel oppressor. Truly, after reading the account of the sufferings of these wretched coolies, we cannot be surprised at the ready belief accorded by Chinese mobs to the charges of kidnapping which have lately been repeatedly brought against foreigners.

No. 10.

Earl Granville to Sir C. Murray.

Sir,  

Foreign Office, January 17, 1871.

WITH reference to my preceding despatch I transmit to you herewith a copy of a despatch, and of its inclosure, from Her Majesty’s Consul at Canton,* reporting the capture of the French ship “Nouvelle Pénélope” by the Chinese coolies who had been shipped at Macao for Callao; and I have to instruct you to call the attention of the Portuguese Government to this matter.

I am, &c.

(Signed) GRANVILLE.

No. 11.

Earl Granville to Consul Robertson.

Sir,  

Foreign Office, January 25, 1871.

I TRANSMIT to you herewith, for your information, a copy of a despatch which I have addressed to Her Majesty’s Minister at Lisbon,† respecting the sufferings endured by coolie emigrants from Macao on board the “Dolores Ugarte.”

I am, &c.

(Signed) GRANVILLE.

No. 12.

Earl Granville to Lord Lyons.

My Lord,  

Foreign Office, February 4, 1871.

I TRANSMIT to your Excellency herewith, for your Lordship’s information, and for communication to M. Chaudordy, a copy of a despatch, and of its inclosure, from Her Majesty’s Consul at Canton in regard to the capture of the French ship “Nouvelle Pénélope” by the Chinese coolies who had been shipped at Macao for the west coast of America.*

I am, &c.

(Signed) GRANVILLE.

* No. 8.

† No. 9.
Lord Lyons to Earl Granville.—(Received February 14.)

My Lord,

Bordeaux, February 10, 1871.

YESTERDAY, in obedience to the instruction contained in your Lordship’s despatch of the 14th instant, I gave the Comte de Chaudordy copies of Mr. Consul Robertson’s despatch to your Lordship of the 26th November last, and of his despatch to Mr. Wade of the 17th of the same month respecting the seizure by coolies of the French ship "Nouvelle Pénélope," and the murder of the master and several of the crew.

I have, &c.

(Signed) LYONS.

No. 14.

Sir C. Murray to Earl Granville.—(Received March 8.)

My Lord,

Lisbon, February 27, 1871.

WITH reference to your Lordship’s despatches of the 17th ultimo, I have the honour to inclose copy of a note which I have addressed to the Marquis d’Avila, calling, as I am instructed by your Lordship to do, his Excellency’s serious attention to certain painful facts connected with the shipment of Chinese coolie emigrants from Macao; and expressing the hope of Her Majesty’s Government that the Portuguese Government will continue to support the Governor of Macao in his attempts to suppress proceedings which, from time to time, make the emigration from Macao a disgrace to humanity.

I have, &c.

(Signed) CH. A. MURRAY.

Inclosure in No. 14.

Sir C. Murray to the Marquis d’Avila.

M. le Ministre,

Lisbon, February 15, 1871.

I HAVE been instructed by Earl Granville to bring to the knowledge your Excellency and of His Most Faithful Majesty’s Government certain very painful facts connected with the present mode of exportation of Chinese coolies from Macao.

Your Excellency will learn from the inclosed copies of extracts from the “Globe” and “Overland China Mail” newspapers the frightful sufferings endured by a number of coolies on board a Salvadorian ship, the “Dolores Ugarte” while on a voyage from Macao to Honolulu. Your Excellency will also learn from the accompanying copy of a despatch addressed by Mr. D. B. Robertson, Her Majesty’s Consul at Canton, to Mr. Wade, Her Majesty’s Chargé d’Affaires at Peking, the details of the capture of the French ship “La Nouvelle Pénélope” by the Chinese coolies who had been shipped at Macao for Callao.

In bringing these matters before your Excellency I have been instructed to express the regret of Her Majesty’s Government that they feel compelled, as one of the Powers having Treaties with China, to call the earnest attention of the Portuguese Government to these painful occurrences, for which, however, they are willing to believe the Portuguese Government are not responsible, and which will be viewed by them with feelings of horror.

As it may prove of use to the Portuguese Government to be made acquainted with the steps which have been taken by Her Majesty’s Government to prevent similar atrocities being perpetrated on board coolie ships sailing from Hong Kong, I have the honour to transmit herewith to your Excellency a copy of the Chinese Passenger Act, 1855, and I have to add that, although Her Majesty’s Government is fully sensible of the effects of the efforts made by the Governor of Macao to put a stop to the malpractices attending the shipment of coolies from that place, it earnestly hopes that the Portuguese Government will continue to urge upon the Governor of Macao the necessity of taking more effective measures to suppress proceedings which, from time to time, make the emigration from Macao a disgrace to humanity.

I have, &c.

(Signed) CH. A. MURRAY.
No. 15.

Sir C. Murray to Earl Granville.—(Received May 9.)

My Lord,

Lisbon, April 29, 1871.

IN reply to your Lordship's despatches of the 17th January, and with reference to my despatch of the 27th February, respecting coolie emigration from Macao, I have now the honour to inclose to your Lordship a translation of a note from the Marquis d'Avilá, in reply to that which I addressed to his Excellency on the 15th February.

In this note your Lordship will perceive that it is stated that all those guilty of the crimes committed on board the "Nouvelle Pénéllope" that could be discovered, were delivered, by the Governor of Macao, to the Viceroy of Canton for trial and punishment.

As to the case of the "Dolores Ugarte," the Marquis d'Avilá informs me that nothing whatever is known at the Department of Marine and Colonies in Lisbon.

I have, &c.

(Signed) CH. A. MURRAY.

Inclosure 1 in No. 15.

The Marquis d'Avila to Sir C. Murray.

(Translation.)

Most Illustrious and Excellent Sir,

Lisbon, April 24, 1871.

I HAVE the honour to acknowledge the receipt of the note which your Excellency addressed to me on the 15th February last, calling, as instructed by your Government, the attention of His Majesty's Government to the lamentable events which took place on board the ship "Dolores Ugarte" belonging to the Republic of San Salvador, bound from the port of Macao to Honolulu with a shipment of coolies, and to the capture of the French ship "Nouvelle Pénéllope," made by other coolies who were in the act of being conveyed from that same port to Callao, Lima.

It is my duty to state to your Excellency, in reply, that the Minister of Marine, to whom I communicated the contents of your said note, informs me that with respect to the ship "Dolores Ugarte" nothing is as yet known in that Department; and that with regard to the French ship "Nouvelle Pénéllope" he had in due time received from the Governor of Macao the official report both of the rising of the coolies on board the said ship, killing the captain, the mate, and eight seamen, and of the capture of a great number of the criminals, who were discovered at Macao in the barracoons of emigration, and all of them were delivered over to the Viceroy of Canton, with the assent of the French Consul.

From the despatches of the Governor of Macao dated the 10th November and 9th December, 1870, copies of which are inclosed, your Excellency will see that many of those malefactors appeared at Macao for the purpose of re-emigrating, thus following the example of many other criminal coolies who take to emigration as a mode of living. This fact evidently proves that the crime was not committed owing to their having been deceived or forced, but solely through malice.

In your note above-mentioned your Excellency requests that more energetic measures should be adopted with a view to prevent the repetition of similar occurrences, but, as your Excellency cannot fail to admit, and as the Minister of Marine judiciously observes, it is impossible to prevent the coolies from committing crimes on the high seas, on board the ships conveying them to their destinations.

What could be done was done; the criminals who were discovered were apprehended, and delivered to the proper authority to be tried and punished.

The Minister of Marine adds that from the contents of another despatch from the said Governor, dated the 21st January last, relative to a certain correspondence which had taken place with the Viceroy of Canton upon Chinese emigration, it may be seen that the said Governor had been informed by the French Consul at Canton, M. Dabry, that the Viceroy himself admits that emigration is carried on in a legal manner, and with scrupulous attention on the part of the Portuguese authorities.

I avail, &c.

(Signed) MARQUIS D'AVILA AND BOLAMA.
Inclosure 2 in No. 15.

Senhor de Sousa to the Minister of Marine and Colonies.

(Translation.)
Most Illustrious and Excellent Sir,

Macao, November 10, 1871.

I HAVE the honour to inform your Excellency that, on the 1st October last, the French ship "Nouvelle Penélope," left this port with 310 coolies on board, bound to Peru.

Some days afterwards, about 120 miles to the west of Macao, the coolies rose, killed the captain, mate, and eight sailors, and compelled the remainder of the crew to take the ship to the nearest land, where they landed, after having plundered the ship.

Two sailors, and two coolies, brought the news of this lamentable event to Macao; and the French Consul came here for the purpose of requesting me to send a vessel in search of the ship; but neither the corvette "Sá da Bandeira," nor the "Camões," could be employed on this service.

The French Consul at Canton having become aware of that event, proceeded with two Chinese gun-boats, commanded by Frenchmen, in search of the ship; and they returned with some Chinese, and reported the complete loss of the ship on some shoals on the coast, about 150 miles to the west of Macao. Previous to the arrival of the French Consul, the Procureur for Chinese Affairs had ordered the arrest of about twenty coolies, who had been denounced as forming part of the passengers of the ship, and who, in course of the inquiry which was made, did really declare that they had embarked on board the said ship.

After the Consul's arrival, he inspected a vessel which had emigrants on board, and there sixteen of those belonging to the "Nouvelle Penélope" were discovered, whom I ordered to be landed immediately under arrest. He also proceeded to inspect the barra- coons, where a few were also met with, and twenty-four more were caught at the Controller's Office, in the act of registration; this number included some of the heads of the revolt.

It appears that, among the passengers, there were a number of coolies who had already been marked in the ear at Hong Kong as professional thieves, and who made the revolt for the purpose of robbing the ship, which they thought contained money and a valuable cargo.

The fact of these criminals presenting themselves afresh, for the purpose of emigrating (some of whom were already on board), fully proves that the crime was not committed because they found themselves cheated or forced, but simply and solely through perversity.

Proceedings are about to be instituted against those accused of having taken part in such an abominable crime, in order that they may be delivered afterwards to the Viceroy of Canton, or to the French Consul, as the crime was committed on board a vessel of that nation on the high seas.

It is likely that the fact (although the Consul has no claim to present to the Chinese Government for compensation), will again give rise to the complaints of the Viceroy of Canton against the emigration carried on through this port, upon which subject he has made no rejoinder after my reply. Anything else that may occur respecting this unpleasant affair, shall be communicated to your Excellency.

(Signed) ANTONIO SERGIO DE SOUZA.

Inclosure 3 in No. 15.

Senhor de Sousa to the Minister of Marine and the Colonies.

(Translation.)
Most Illustrious and Excellent Sir,

Macao, December 9, 1870.

IN addition to my despatch of the 10th of November last, I have the honour to inform your Excellency that, in consequence of inquiries made, a great number of coolies who were passengers on board the ship "Nouvelle Penélope," alluded to in my despatch above mentioned, have been captured in the Emigration barra-coons, and even in the act of making a new registration in the Controller's Office when about to re-emigrate.

In accordance with the examination made at the Office of the Procureur for Chinese Affairs, 72 were indicted, some as the perpetrators of the murders committed on the high seas on board that ship, and others as accomplices.

The French Consul at Canton having two Chinese gun-boats under his orders for the
purpose of attempting the capture of the criminals, applied to me in writing, in accordance with the letter of the Treaty of Extradition between Portugal and France, for the delivery of the Chinese criminals, as the crime had been committed on the high seas under the French flag.

But the VIth Article of the said Treaty did not allow me to accede to his application, because it requires the previous assent of the Viceroy of Canton. I therefore replied to him in this sense, and I stated to him that I could not receive any official communication from him upon this subject, because it is the French Consul at Hong Kong who has an exequatur for this place.

But as he showed me a despatch from the Viceroy, from which it was seen that the Chinese authorities had agreed to act in concert with him in this matter, I ordered the Chinese in question to be delivered on board the Chinese gun-boats at the disposal of the Viceroy, to whom, at the same date, I communicated my proceedings, in order to prevent delay in the correspondence.

The Viceroy replied to me that he had directed the commanders to convey the prisoners to Canton in order to be tried there; and he informed me that he was making a similar communication to the French Consul.

I afterwards learnt from an unofficial source that the Consul had made a new investigation; and that, after having set apart the criminals from the other Chinese passengers of the said "Pénélope," and whom I had sent as witnesses, he ordered the delivery of the latter to different agents, and he transferred to other Peruvian firms the contracts which they had originally signed, and many of them have already re-embarked again as emigrants.

Therefore all the Chinese ex-passengers in the above-mentioned ship have been officially delivered to the Viceroy of Canton with the assent of the French Consul, who wanted to claim them; and this affair has thus been brought to a conclusion, and I have nothing further to communicate to your Excellency thereupon.

God preserve, &c.

(Signed) ANTONIO SERGIO DA SOUZA,
Governor of Macao.

No. 16.

Consul Robertson to Mr. Hammond.—(Received May 13.)

Sir,

I HAVE the honour to acknowledge the receipt of your separate despatch of the 25th of January, inclosing copy of a despatch to Her Majesty's Minister at Lisbon, respecting the sufferings endured by coolie emigrants on board the San Salvadorian ship "Doctores Ugarte," while on a voyage from Macao to Honolulu, en route for Callao, and a copy of the "Globe," newspaper, in which a leading article appears on the subject.

The case of the "Doctores Ugarte" is one of great atrocity, but the records of this traffic in human beings, for which Macao is notorious under the guise of emigration, afford, I fear, could the truth be known, many similar ones.

That the Portuguese Government at Lisbon may be ignorant of what is going on is possible, but that the Portuguese Government at Macao is so, when year after year and month after month almost, the local press and common report give details of transactions unequalled even in the days of the Slave Trade on the African coast, it is difficult to believe. In the meantime the traffic continues, and Macao and its people flourish exceedingly upon the proceeds of this export of human merchandise.

The reply, I believe, of the Portuguese Government to any inquiries or remonstrances that may be addressed to it on the subject, is simple and straightforward:—"The Governor of the Settlement is instructed to frame regulations for Chinese emigration, and to see they are strictly observed, and this has been done," and with this all further responsibility or care for the welfare of the emigrants, as they are termed, appears to cease.

I will briefly mention the mode of conducting emigration under these regulations. There are five agencies at Macao for Cuba and the South American States on the Pacific seaboard, whose business it is to collect coolies. They represent firms in those countries, to whom the coolies when shipped are consigned, and who dispose of them on arrival to the highest bidder. These agencies employ sub-agents (Chinese), who go into the interior and procure men whom they bring to Macao and lodge in the barracoon of their employer. After a short period they are taken before the proper Government officer, and are asked if they are willing to emigrate, and, on assent, a contract is read over to them, which they [322]
sign. Before they are shipped they are transferred to the Government Depot, where they remain three days or so, and if, while there, they decline to emigrate, they are discharged.

Nothing can be fairer than this, and the Portuguese Government may point to it and say, "What more can be expected? Many of the coolies may have been kidnapped, many may have sold themselves or been sold by others, but it is really so difficult to get at the truth from Chinese, or to know what to believe or disbelieve, that we cannot enter into such questions; we see that they understand their contracts, and give them every reasonable opportunity to stay, if, on reflection, they do not like to go, and there our duty in the matter ends.

It may be questioned, however, whether the duty of the Government ends with the observance of the strict formalities of the transaction, and whether it is not bound to go a step beyond, and have some regard not only for the humanitarian side of the question, but also for the good name and repute of the local Government of Macao. I will not, however, touch upon so obvious an obligation for a Christian State, feeling assured there must be circumstances which interfere with the adoption of such a course of which I am in ignorance.

Of course, so far as the Macao transactions are concerned, the atrocities and kidnapping ascribed may be, and probably are, overstated; but when from 75 to 100 dollars, equal to 15 or 20l. sterling in currency, are paid by an agency for each Chinese shipped, it may naturally be assumed that the means employed to obtain coolies from the coast and in the interior are frequently such as they are represented to be, and indeed I have myself interfered for the restitution of members of a family whom I have known, who had been kidnapped and lodged in a barracoons. I do not wish for one moment to reflect upon the mode in which the Government inspection is conducted, but that it must be very cursory is evident from facts that occasionally become known. For instance, in the case of the French vessel "Nouvelle Pénélope" the coolies on board having risen, murdered the captain and part of the crew, and compelled the rest to navigate the ship to the land again, where they landed and dispersed; all who were subsequently arrested, to the number of about 120, were found and captured in the barracoons, to which they had been taken by the Chinese agents, or returned on reaching Macao, to enter again on board some other vessel as emigrants. Now the keepers of the barracoons knew perfectly well these men had only a few days previously been shipped on board the "Nouvelle Pénélope," the report of whose capture was known to every one. Indeed the leader or headman of the émeute on being arrested, and under promise that if he would make a clean breast of it his life would be spared, frankly acknowledged this was the second or third affair of the kind he or his associates had been concerned in, and that had it not been for the exertions of the French Consul he was under no apprehension of being interfered with, and yet I have not heard that the Macao Government has taken any proceedings against the keepers of the barracoons for harbouring people whom they knew were on board a vessel in which murder and robbery were committed. That it was aware of the fact there can be no doubt as the arrests were made in the barracoons in the presence of the Procurador. It is one of these men, known to be a principal in the murder of the master, and who escaped to Hong Kong, whose rendition on the demand of the Chinese authorities has been the subject of intricate and lengthy proceedings in the Supreme Court of that colony.

If the Portuguese Government could be induced to adopt similar rules for regulating emigration as those in force for British emigration, and which have, I see from your inclusion, been communicated to it by Her Majesty's Minister at Lisbon, much would be done to correct many of the existing evils, provided they were faithfully carried out. I trust, however, that the representations made to that Government of the cruelties these unhappy coolies were subjected to on board the "Dolores Ugarte," will move it to take some steps for the prevention of such atrocities for the future. I must say, however, that the French and Italian Governments are highly to blame for allowing their flag to cover such proceedings, or sanctioning the masters and owners of such vessels adopting the San Salvador flag for the voyage only, as there is reason to believe is too often the case.

But these countries are not alone to blame. The paper called the "Java HANDELSBLAD" gives an account of the treatment and disposal of certain Chinese coolies who were landed at Java from shipwrecked or burnt vessels from Macao, and if true, the same disregard for human sufferings appears to prevail in the Dutch Colony of Batavia, as it does in the Portuguese one of Macao. Perhaps, however, it was the cheapest and readiest way of getting rid of objectionable Chinese, if that can be any excuse for such proceedings.

I have, &c.

(Signed) D. B. ROBERTSON.
Earl Granville to Sir C. Murray.

Sir,

WITH reference to your despatch of 29th April, I transmit to you herewith a copy of a despatch from Her Majesty's Consul at Canton,* on the subject of coolie emigration from Macao; and I have to instruct you to communicate the substance of the same to the Portuguese Minister for Foreign Affairs, for the information of the Portuguese Government.

I am, &c.
(Signed) GRANVILLE.

Mr. Doria to Earl Granville.—(Received June 27.)

My Lord,

Lisbon, June 16, 1871.

AS instructed by your Lordship's despatch of the 25th May, addressed to Sir Charles Murray, I communicated confidentially to the Marquis d'Avila, in conversation yesterday, the substance of the despatch from Her Majesty's Consul at Canton, on the subject of coolie emigration from Macao.

His Excellency has promised me to bring the matter under the serious attention of the Governor, who is but recently appointed to the Governorship, and is still in Lisbon. His Excellency begged me to furnish him with a Memorandum in order more effectually to impress it on the consideration of the newly-appointed Governor, who, he states, is a young man, and therefore will be more inclined to feel for the sufferings inflicted by this system of traffic in human beings.

I have, in compliance with the Marquis d'Avila's request, caused extracts to be made from Mr. Robertson's despatch which forms inclosure in your Lordship's above despatch, which I have sent to his Excellency.

I have the honour to inclose a copy of my note for your Lordship's information.
I have, &c.
(Signed) WM. DORIA.

Inclosure in No. 18.

Sir C. Murray to the Marquis d'Avila.

M. le Ministre,

Lisbon, June 16, 1871.

AS requested by your Excellency when speaking to you confidentially yesterday on the subject of the cruelty and abuses of coolie emigration at Macao, I have the honour to inclose a Memorandum relative to the subject with which your Excellency desired to be furnished in order to press the matter on the attention of the Portuguese Governor, who is shortly to proceed to his new post, in the hope of preventing such atrocities for the future.

I avail, &c.
(Signed) WM. DORIA.
CORRESPONDENCE

RESPECTING THE

EMIGRATION OF CHINESE COOLIES

FROM

MACAO.

(In continuation of Papers presented on the 14th July, 1871).

Presented to both Houses of Parliament by Command of Her Majesty.
1872.

LONDON:
PRINTED BY HARRISON AND SONS.

[C. 504.]—Price 4d.
### LIST OF PAPERS.

<table>
<thead>
<tr>
<th>No.</th>
<th>From</th>
<th>To</th>
<th>Inclosures</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Mr. Meade to Mr. Hammond</td>
<td></td>
<td>8</td>
<td>July 25, 1871</td>
<td>1</td>
</tr>
<tr>
<td>2.</td>
<td>Earl Granville to Mr. Doria</td>
<td></td>
<td></td>
<td>July 28</td>
<td>12</td>
</tr>
<tr>
<td>3.</td>
<td>Mr. Odo Russell to Mr. Meade</td>
<td></td>
<td></td>
<td>July 29</td>
<td>13</td>
</tr>
<tr>
<td>4.</td>
<td>Mr. Doria to Earl Granville</td>
<td></td>
<td>1</td>
<td>August 8</td>
<td>13</td>
</tr>
<tr>
<td>5.</td>
<td>Earl Granville to Mr. Doria</td>
<td></td>
<td></td>
<td>August 23</td>
<td>14</td>
</tr>
<tr>
<td>6.</td>
<td>Mr. Doria to Earl Granville</td>
<td></td>
<td></td>
<td>August 24</td>
<td>14</td>
</tr>
<tr>
<td>7.</td>
<td>Mr. Odo Russell to Mr. Meade</td>
<td></td>
<td></td>
<td>September 4</td>
<td>15</td>
</tr>
<tr>
<td>8.</td>
<td>Mr. Doria to Earl Granville</td>
<td></td>
<td>3</td>
<td>September 21</td>
<td>15</td>
</tr>
<tr>
<td>9.</td>
<td>Mr. Hammond to Mr. Meade</td>
<td></td>
<td></td>
<td>October 7</td>
<td>21</td>
</tr>
<tr>
<td>10.</td>
<td>Mr. Meade to Mr. Hammond</td>
<td></td>
<td>4</td>
<td>March 16, 1872</td>
<td>21</td>
</tr>
</tbody>
</table>
Correspondence respecting the Emigration of Chinese Coolies from Macao.

(In continuation of Papers presented on the 14th July, 1871.)

No. 1.

Mr. Meade to Mr. Hammond.—(Received July 26.)

Sir,

Downing Street, July 25, 1871.

I AM directed by the Earl of Kimberley to transmit to you, to be laid before Earl Granville, the copy of a despatch, with its inclosures, received from the Officer administering the Government of Hong Kong, forwarding statements made by certain coolies embarked on board the Peruvian ship "Don Juan," formerly the "Dolores Ugarte," which was burnt within two days of her sailing from Macao.

General Whitfield also incloses copies of the statements made by two of the crew of the "Don Juan."

I am to request that the inclosures to the Acting Governor's despatch may be returned to this Department.

I am, &c.

(Signed) R. H. MEADE.

Inclosure 1 in No. 1.

Acting Governor Whitfield to the Earl of Kimberley.

My Lord,

Government House, Hong Kong, May 24, 1871.

The rising of the coolies on board the French ship "La Nouvelle Penelope," and the murder by them of the captain and several of the crew, has for some time past brought emigration from Macao prominently before the public.

2. Since then another startling event in connection with this emigration has occurred, viz., the destruction by fire, at but short distance from Hong Kong, of a vessel called the "Don Juan," which had 650 emigrants embarked at Macao, and was bound for Peru.

3. The vessel appears to have sailed on the evening of the 4th of May, and to have been arrested on her voyage about mid-day on the 6th, when fire was first observed issuing, as the emigrants assert, from the Captain's cabin, and passing thence downwards to the main deck, and, as the crew maintain, from the main deck to the cabin, whence it passed to the rigging, and through the ship. It has not been possible to ascertain, with any degree of certainty, either where, or in what manner, or through whom, the fire originated, the crew generally maintaining that it was caused intentionally by some of the coolies at the after-part of the main deck, who resisted every attempt to get it under, and murdered two men who interposed, whilst the emigrants allege that the fire was purely accidental, and was first discovered on the upper deck.

4. In favour of the version given by the crew is the fact that they were at full liberty on deck, and were well able not only to ascertain from whence the fire proceeded, but also to watch its progress, whilst, with the exception of one who was a prisoner in chains at the fore-part of the ship, the emigrants giving evidence were huddled closely together at the fore-hatch, trampling on one another, and intent only in forcing the barrier which gave them a chance of escape from a horrid fate. That many were crushed to death under the feet of those who succeeded in forcing the hatch there is very little doubt; but of the 650 embarked at Macao upwards of 500 souls were burnt or suffocated on the deck to which they were confined, and from which egress was closed by iron barriers.

5. I inclose, for the information of your Lordship, copies of the evidence taken by the Police Magistrates from four of the fifty emigrants who were fortunate enough to reach this Colony, by which the system adopted at Macao for the collection and embark.
6. That exertions are used by the Portuguese Authorities to give to the emigration that freedom which can alone justify its maintenance. There may be good grounds for believing; but, on the other hand, there is no reason whatever to doubt that a large number of the coolies are deceived by the countrymen through whose agency they are collected, and that they are intimidated into giving such answers to the inquiries made by the Authorities as are calculated to deceive them. Moreover, there is the fact that they are imprisoned during the voyage, and guarded so strictly as to give every reasonable impression that there could have been no desire willingly to emigrate for those reasons which in such cases usually influence the actions of men.

7. In order that your Lordship may have before you some evidence other than that derived from the emigrants themselves in reference to the fire,—to the provision made for the strict imprisonment of the coolies during the voyage,—to their consequent inability to escape from the horror of their situation when the fire occurred,—and to their abandonment to their fate by the Captain and crew,—I inclose the statements made by two of the seamen who have come here from Macao to get ships. In some respects there are discrepancies between them, notably as regards the assertions made by Henker to the effect that heated irons were placed on some of the prisoners, and that the Captain of the Chinese junk refused to rescue his countrymen from the waves, both of which are positively denied by Kercop; but, on the whole, the information given by one tallyes pretty much with the other, and is, therefore, satisfactory.

8. I also inclose the evidence given by one of the emigrants who was placed in irons, which, although it may and does absolve the Captain of the "Don Juan" of the charge of having brutally welded heated irons to the prisoner's legs, leaves him still open to the reproach of having left them on when removal might have given a chance of escape from the perils of fire and sea.

I have, &c.

(Signed) H. W. WHITFIELD.

Inclosure 2 in No. 1.

Statement of Wong Ahfaht, a native of Kwai-shin.

I AM a barber, am twenty-three years of age, in my occupation. I have been accustomed to go to different places; about three years back I came to Hong Kong, and was employed for about twelve months at the Que-lin shop at Taipingshan. I then returned to my native place; about four months back I went to Shek-Wong, where I became acquainted with a shoemaker named Wong-Amook," who said, "You had better go to Macao, where you can get employed at 3 dols. a month; I am going there on business; go with me." I agreed to do so, and we went in company; he took me to a barracoa.

I did not know what place it was until I got inside, and then I told Wong-Amook that I did not want to stop there. He said you must stop; if you go away I will put you into gaol for three years. I saw foreigners at the barracoa, but I never complained to them. Wong-Amook stopped three days at the barracoa. He then told me, "When you go before the authorities, say you are willing to go, and then you will get 8 dols. When you get on board ship I will come in a sampan and take you away." I agreed to do as he told me. About the 2nd May I was taken to an official place, where I remained three days. I saw some officers, who asked me questions about my name, age, and other particulars, and then asked if I was willing to go to Peru to serve eight years for 4 dols. a month and an advance of 8 dols. I said I was willing. I was asked if I had any complaint to make about being kidnapped, and I said I had not. I did not say I had because Wong-Amook had threatened me that if I made complaint I should be put in gaol.

I signed an agreement on the third day, and received 8 dols. The agreement was not read to me. The same day I went with more than 100 men on board a ship.

Some soldiers with muskets escorted us. I found more than 600 coolies on board the ship. Lum-Apok was one of those that went on board with me. All the coolies appeared very happy; none of them were crying.
I spent my 8 dols. advance in dried fruits, ginger, and other things for the voyage. I did not see or hear anything of Wong-Amook.

I made no complaint to any one. I believe that the vessel sailed on the evening of the 4th May. After sailing, the coolies were not allowed to go on the upper deck for any purpose. There was no complaint; all the coolies appeared contented. There was plenty to eat and no ill-treatment. At about noon on the 6th May, I was in my sleeping place near the fore-hatch, when I heard a great outcry of fire made by the coolies at the after-part of the vessel, and I saw thick smoke coming down the after-gratings; the smoke had the odour of tar, and was suffocating.

The fire was not on the deck where the coolies were, but appeared to be on the upper deck, at the aft part, where the officers' cabins and store-room were situated. I do not know what the crew did to extinguish the fire; none of them came below. The iron gratings over the hatches were locked, and the coolies collected near the hatchways, but could not force their way out; I was near the fore hatchway. In about half-an-hour after the outbreak, the lock of the fore hatch was broken off, how I do not know, and there was a rush to get up. Many had been suffocated before that time. I succeeded in getting on deck, and I then saw that the fire had reached the fore-mast, which was burned. I saw the crew going away from the vessel in three of the ship's boats. I got over the bows of the vessel near the chain-cable, and remained there until the fore-mast fell overboard, when I got on to the mast. At the same time the anchor dropped, and I believe the vessel remained stationary.

I saw forty or fifty of the coolies drowned, in different ways, in trying to get to the mast. I remained on the mast until the fourth watch, when a fishing boat came near, and, by means of the sampan of the fishing-boat, all the coolies alive at that time were taken on board the fishing-boat, in which we were taken to Hong Kong; I only saw one fishing-boat. Lum-Apak was saved at the same time as I was.

I believe that the coolies had nothing to do with the cause of the fire, either accidentally or otherwise. I believe it arose from an accident amongst the crew of the ship; the coolies could not get to where the fire broke out. After the fire broke out, there was great confusion and fear amongst the coolies, and nothing to indicate that they anticipated the outbreak of fire. I heard nothing and saw nothing about any of the coolies being fired at.

Before leaving Macao, one of the coolies jumped overboard; he was picked up and brought on board. I heard a shot fired, as I understood, at the man when in the water, but the man was not wounded.

(Signed) WONG AHFAHT, his ≡ mark.

Taken by me, through the interpretation of Mr. Bedell Le-yuen, Second Interpreter at the Police Court, and, being read over, Wong-Ahfaht states it to be true and correct.

(Signed) C. MAY, First Police Magistrate.

Inclusion 3 in No. 1.

Magistracy, Hong Kong, May 16, 1871.

Statement of Lum Apak, a native of Sunooi.

MY occupation was that of a boatman, generally employed in fruit boats between Sew-nam and Sun-chuen; I and my brother owned the boat after the death of our father, four years back. As I was a gambler and my brother an opium smoker, we sold the boat for 75 t. 6 m., about twelve months after his death. I then got occupation with a farmer for some time. I had been out of employment for about ten days, when I met a man named Mow Wey, who was known to me by sight; he said, if I went with him to Macao, he could get me employment as a cook.

I went with him and stopped in his house, with his family, for about ten days. I did not know what his occupation was. He told me that a man, named Wong Achow, who was going to a foreign country, had become sick, and that if I went to the authorities and assumed the name of Wong Achow, I could get eight dollars, and that when I was placed on board ship, Wong Achow would come on board and I should go on shore.

I acted according to Mow Wey's instructions, and was taken to a place where I saw about four hundred other Chinese; Mow Wey took me first to a barracoon, where I remained one day, and then went with others to a place to be taken before the authorities.
It was known amongst the Chinese that if they did not wish to go to a foreign country, that all they had to do was to say "No," in which case they would be sent to Canton, and then forwarded to their native districts. Some of the Chinese were crying, and others told them there was no occasion to cry, because they could say "No" if they liked. I know that many said they did not wish to go. On the first day I was taken into a room where there were three persons sitting; one of them I believed to be a mandarin. I was asked my name, and I answered, Wong Achow; I was also asked my native place, age, and whether I desired to go to a foreign country, and I gave the answers as I had been instructed by Mow Wey. I was informed that I was to agree to serve for eight years, receiving four dollars a month, and an advance of eight dollars. I was told that at the end of eight years I should be free, either to remain in the foreign country or to return to China; it was not said that my passage was to be procured for me to return to China. I was also asked if I had been kidnapped, or any deception used towards me. I answered, "No." The following day I was taken before the same officials, and I was asked if I wished to go, and I said I did. On the third day I went again before the same officials and signed an agreement, when I received eight dollars; the agreement I signed was not read to me. The same day that I signed the agreement I was taken, with a party of about one hundred, on board ship; seven or eight soldiers, with muskets, went with us; there were about three hundred Chinese on board when I went on board; of these between ten and twenty, chiefly boys, began to cry and lament, saying that they had been deceived and kidnapped, but the next day all become apparently satisfied and contented. I knew that I was deceived, as Wong Achow did not come on board, but I did not complain, and made up my mind to go cheerfully. During the following three or four days other parties of coolies came on board, until there were more than six hundred on board. When at Macao there was no restriction to the coolies going on deck; the coolies appeared to be happy, amusing themselves with dominoes and cards, not playing for money—fan-tan was not permitted. The coolies had opportunity to expend their advance in boxes, clothes, plums, and other things; I expended my eight dollars in a box, suit of silk clothes, and some plums. One day, the evening of the 4th of May, I judged that the vessel had got under sail, because I heard the rushing of water, and the coolies were not allowed to go on deck; there were iron gratings over the hatchways, which were kept locked; there was plenty of wind down below, as there were three or four large windails; there was no unpleasant smell. The coolies had the whole of the deck from head to stern; there was plenty to eat; a buffalo was killed every day; there was no complaint and no ill-treatment.

At about noon on the 6th May, I was in my sleeping berth near the fore-hatchway, when suddenly there was a great noise and outcries of fire from the coolies at the after part of the ship, and a great quantity of smoke smelling like tar came down below through the gratings of the hatchways, so that there was difficulty to breathe. I was nearly suffocated, the fire was not on the deck where the coolies were, but on the upper deck at the after part so that the coolies could have had nothing to do with the outbreak of the fire either accidentally or wilfully, the iron gratings were all locked and the coolies could not get to the upper deck; they called out to the crew to open the gratings and save life, but no attention was paid to them; I could not see what efforts were made by the crew to extinguish the fire. About half an hour after the outbreak, some of the coolies, as I believe, broke the lock of the grating of the fore-hatch, and I believe about a hundred other coolies escaped from below; many of the coolies had been trampled down by others on their efforts to get up the hatchway, and many had been suffocated by the smoke; at the time I got through the hatchway I believe that the fire had got through to the lower deck, because I saw some of the coolies who had been burned, but I had not seen the flames. When I got to the upper deck the fire had reached the fore-mast and the sails and rigging were on fire; some had fallen on to the deck—about three-quarters of an hour after I got up, the foremast fell into the sea. I and many others were on the bowsprit and the fire was coming towards us; when the foremast fell I and many others dropped into the sea from the bowsprit and got on to the mast, many were drowned in attempting to do so; the foremast remained alongside the fore part of the ship, which appeared to be motionless; I believe the vessel was at anchor, as the anchor had dropped in consequence of the fire releasing the chain cable, in the 4th watch of that night (between 1 and 2 A.M.) a fishing-boat came to the burning ship, and by means of a sampan taking three or four at a time, about fifty coolies were taken to the fishing-boats; all the coolies clinging to the mast or spars at that time were taken to the fishing-boats, they behaved very kindly to us, we were all thirsty but they would not let us drink water, but boiled rice and with ginger mixed with the rice-water gave it to us; they gave us all the clothing they had, and then distributed mat bags to cover our nakedness; some were badly burned and appeared to
be nearly dead; we came in the fishing-boat to Hong Kong, arriving at about noon on the
8th May, after which we were taken care of by the authorities.

When I got up the hatchway to the upper deck, I did not see any of the crew of the
vessel, or I did see any of the ship's boats; I did not know that the crew had escaped
in the ship's boats; I believe that if the crew of the ship had unlocked the hatches that
more of the coolies would have been saved. I did not see that the lock of the grating was
broken by the coolies, but I believe they did.

(Signed) LUM APAK, his X mark.

Taken by me through the interpretation of Mr. Bedell Le Yuen, 2nd Interpreter at
the Police Court, and read over carefully to Lum Apak, who stated that it was true and
correct.

(Signed) C. MAY, First Police Magistrate.

Inclosure 4 in No. 1.

Statement of So Ayung, a native of Twong Koon.

I AM a blacksmith. I am 29 years of age. I was born in Koh She, one day's
journey from Canton. In the beginning of this year I had job work as a blacksmith in
Fat-shan; one day a man called Wong-Ashang, whom I had known for about six months,
said to me, you have only job work here, if you go with me to Macao I will get you
constant employment. I consented on the 9th of April to go, and we started for Canton,
and thence to Macao, where we arrived on the 11th April. We had no money to pay
for our passage, and the boat people kept us until some people came on board and paid
our passage on that same day, and we were taken to a barracoon called the "San Fat
Hop." A-Shang went to the barracoon but did not stay. When I went there I found
about 200 men in it. It was a Portuguese who paid our passage in the boat; the
Portuguese paid passages for many others, and took them apparently to different places.
There was only A-Shang went with me to the barracoon to which I went, but I did not
see him after I went there. I had food there with the others, and I remained there for
ten or eleven days, getting food all right. I fancied that my case was hopeless, and was
prepared for anything. I did not talk to any of the men in the barracoon about how I
was brought there, nor did they talk to me. One day a Portuguese who spoke Chinese
came in and said, You have been eating rice for a good while and you owe me a lot of
money, I will put you in a way of making money and paying me. There are a lot of
men at the "Yee-see-ting," or consulting office, who wish to go to Peru, but as there are
some of them suffering from various diseases they will not be allowed to go. If you go
and pass for one of them you will receive 13 dol., and you can pay me what you owe and
retain the rest. I consented to this plan, and on the 20th April was taken from the
barracoon to the "Yee-see-ting" but there were many men there, and we were not all
examined. There was a Portuguese and a Chinese interpreter. I was taken back to
the barracoon, but on the 25th was again taken to "Yee-see-ting." The Portuguese at
the barracoon told me to say that I was willing to go, and I promised. On the 25th I
was asked if I was willing to go to Peru, and to get 4 dol. per mensem. I said yes. I
was asked if I had been kidnapped or deceived, and I said no. I then signed a paper and
was taken back to the barracoon. On the 27th April I was taken on board the foreign
ship. I made no complaint because I thought my case was hopeless. I never was per-
mitted to leave the barracoon, although I tried. On the day I went on board I got
8 dol., a pair of shoes, a suit of clothes, a hat, a mat, and a pillow. I also got a paper
which I could not read, nor did I understand. I spent 8 dol. in making purchases from
hawkers who came on board before we started on our voyage. We left Macao on the
4th May. My bed was forward. I did not smoke; I never went on deck from the day
we set sail. I had plenty to eat, and was contented. The food was good. I played
dominoes all day. On the morning of the 6th, near noon, a rush of people came from
aft in the main deck, calling out fire. I heard people trying to put out a fire on deck.
I ran to the forehatch, but before I got there I got burned from above on the back.
There were lumps of burning material fell down. I got up by the forehatch. I saw the
rigging burning. I got to the chains, and jumped into the water. The chains dropped
on my back and I was nearly drowned. The ship was moving; I could not swim—I
clung to a mast in the water. I did not see any European on board the ship when I
came on deck. I did not see any boats leave the ship. A fishing boat picked up about fifty of us on the fourth watch of next morning—about 3 or 4 o'clock on 7th May. We were a short distance from the ship when picked up—not many yards. The ship was burned to the water's edge, and did not move far. The sea was rough and we surged up and down, but did not get far from where we leaped into the sea. I was brought to Hong Kong on the 8th May. I have been lodged in the gaol since.

Taken by me (Mr. Ng-a-Choy) acting as interpreter in the Cantonese dialect, and statement read over in Chinese to So-Ayung who states that it is true and correct.

(Signed) J. RUSSELL, Police Magistrate.

Inclosure 5 in No. 1.

Statement of Chan-a-Sin, a native of Sun-on.

I AM 23 years of age. I was born in Sa-chuen village, in the Sun-on district, about one day's journey from Hong-Kong. My father is the owner of a passage-boat, plying between Hong-Kong and Sicheng; and I used to work as an oyster cultivator at my native place.

In last month of last year my father wanted me to go in the passage-boat to look after things generally, and I did so. I was intrusted with 30 dollars, to buy opium for neighbours, and arrived in Hong-Kong on the 18th of April last, having left Sicheng that morning. On the 19th I thought I might make some money out of the 30 dollars, and I went to a gambling-house in Hong-Kong, and there lost 10 dollars; I had then 20 dollars, but I did not buy the opium, but returned home on the 20th of April. I did not tell anybody about the loss of the money, except a clansman of my village, named Chan-a-Chan. Chan-a-Chan is a person used to be a sailor, but got his arm hurt in a piratical attack, and now does no manual labour. I have known him since childhood. He said to me that there were plenty of gambling-houses in Macao, and that if I went with him he would put me up to the way to make the 10 dollars by gambling. He gave me some instructions, and I said to him, "I dont like going to Macao, as there are many people kidnapped there, and I fear to go." He then said, "I am your clansman, and you need not fear me; I would not betray you." I was still suspicious, and he took me to a temple, and there, before the gods, took an oath like the following:—

"I am going to take this man, Chan-a-Sin, to Macao; but if I ever should betray or kidnap him, may I be drowned, or never see my native place again, or may I have no son to see my latter end."

With this I was satisfied, and started with him for Macao on the 22nd of April. When we got to Macao, Chan-a-Chan took me to a house, and introduced me as a friend who had come to Macao to make some money. The house was like a shop, but no goods for sale. There was a family lived there. I stayed there four days, and was well treated. I did not go to a gambling house; Achan said there was no hurry. One day he said to me, "I can put you on a plan of making 30 dollars. There are a great many men shipped as coolies for Annam, and often many of them are rejected because they are weak, and blind, but you are a well-looking fellow, and are sure to pass. There is a man called Cheung-a-Fuk, who wishes to go aboard as an emigrant, but he is lame and will not pass; and you have only to call yourself Cheung-a-Fuk, and on the day that you are to ship, Cheung-a-Fuk will take your place." I was to get 30 dollars for this. I expressed fear that I would be deceived, but Achan went and brought a man who called himself Cheung-a-Fuk, and who said he wished to go. A-Fuk asked me to go and assume his name for a few days, "and on the day of embarkation," he said, "I will go and take my own place and relieve you." He added, "I cannot pass, as I am lame." I was finally persuaded to go, and on the 1st May I was taken to a barracoen by A-Chan. I left my 20 dollars in a pillow box, also my clothes, and gave A-Chan my keys. He gave me old clothes to put on. When I went to the barracoen there were about 100 Chinese there. A-Chan told me to say that I was called Cheung-a-Fuk; that I was 20 years of age; that I came from Toong-Kong, and that I was willing to go. He told me that I must not speak to any of the coolies. He said if I said I was unwilling to go, that I would be sent to a dungeon for three years, and that then I would be sent to Hong-Kong, to gaol, for three years. A-Chan told me that I could go out of the barracoen.

On the evening of the 1st May, same day that I went to the barracoen, a Portuguese
and a Chinese came in, and the Chinese said, speaking loudly, "Are you men willing to go abroad to some place (the name of which I cannot recollect), for eight years, at wages 4 dols. per month?" He then said, "At the end of eight years you will be allowed to return if you wish; and as to wages, you may get an advance if you are industrious." The interpreter further said, "If you are unwilling to go, I will take you out," addressing the whole of us. The interpreter asked me my name, my age, and where I came from, and I answered as I was instructed. He asked me if I was deceived in coming, and if I was willing to go; but I did not answer, as I was afraid of being put in a dungeon if I said I was unwilling. The Portuguese looked like an official. I did not see him again, nor was I taken out of the barracoon until the day of my embarkation. I spoke to nobody in the barracoon, nor did any of the coolies speak to me.

I tried to go out on the 1st May, but I was prevented by a Portuguese, who kept the door. He struck me with a rope, and I went back. I had plenty to eat in the barracoon. I smoked opium and slept.

On the 3rd May, a Portuguese came and gave me 8 dols. and a suit of clothes, a pair of shoes, a bamboo hat, and a paper in Chinese and a foreign language. I did not sign any paper, nor was it explained to me. Every one in the barracoon got 8 dols. On the 3rd May, at 1 o'clock, we were taken on board the large ship. Two soldiers with guns and bayonets went with us. There were fifty of us in one batch. I expected to be relieved by Cheung-a-Fuk when I got on board. He did not come. I cried. I saw about 630 men on board. I saw about 500 crying. They said they were deceived by some one. I said I was deceived. I told a Portuguese, but no attention was paid to me. I was told not to cry. We were allowed to go about on deck on the 3rd May, and on the 4th, not before the ship sailed, which was on the evening of the 4th May, we were sent to the main deck. There was plenty of light in the main deck, port-holes open, and three hatches, which were kept closed, with iron gratings and padlocked. There were windsails. We had plenty of air. Twenty men were picked out, when we were on the ship, for cooks. Those who could speak two languages were selected. Ten men were also selected as corporals. All these men slept below in the main-deck. Batches of twenty men who wished to smoke were allowed to go up on deck, but all returned before every meal and were not allowed to go up again. When the cooks went to prepare meals, they went on deck, and when meals were ready, they came below with the rice. There was a drum beaten, and two hatches were opened, and the cooks came down with the food. I was on deck every day to smoke opium. There was a place arranged forward for smoking for ten lamps, twenty smokers. The men below played dominoes, and thus passed the time. My bed was forward.

On the morning of the 6th May, about 12 o'clock, there was a cry of fire raised. I was near the fore-hatch. The men that were aft came rushing forward. In about five minutes the place was filled with smoke, and then a hose was put down through the fore-hatch, and we tried to put out the fire which was coming from above, at the stern of the ship. The fire got worse and worse, and we all scrambled for the forehatch. Somebody opened the hatch. I could not see who opened it, but I heard it was one of our cooks. None of the other hatches were opened. There was nobody came into the main-deck while I was there. There were about fifty men got on deck before me. A great many were trampled down. The cooks had gone up to wash the dishes that we had used, and were all on deck when the fire occurred. I saw two of them a short time ago. They were in Hong Kong with me, and were saved at the same time. When I got on deck, I made for the chains of the ship. I could not swim. I jumped to a mast and clung to it. I tied my queue to it. Many did the same. There were large waves. The ship's rigging was all burned, and the ship was drifting before the wind. Many men were drowned from the mast. I had on some clothes, but took them off in the water. When I got on deck, I saw none of the crew. I saw some boats at a distance. We were rescued from the spar by a fishing junk, in the fourth watch (between 3 and 4 o'clock on morning of 7th May). There were about fifty of us. Two of the cooks were saved. They have left. We were kindly treated by the junk people. We were not more than 60 cheungs from the ship when we were picked up—about 150 yards. We were brought to Hong Kong on the 8th, and have been taken care of since in the gaol. I was not burned.

Taken by me, Mr. Ng. Achong, acting as interpreter in the Cantonese dialect, and statement read over in Chinese to Chan-a-Sin, who states that it is true and correct.

(Signed) J. RUSSELL, Police Magistrate.
I AM an able seaman. I shipped in April, at Hong Kong as such, on board the "Dolores Ugarte." Two days afterwards I went to Macao. Twenty days after I shipped, the ship's name was changed to the "Don Juan," and she flew the Peruvian flag, having before flown the Central American flag. On the 1st and 2nd May, 655 Chinese emigrants were shipped for Peru, and also seven Chinese who were servants to the captain and officers. The crew consisted of forty-seven Europeans and one Chinese doctor. On the 3rd of May we took in provisions, and on the 4th May were towed out to sea, in the afternoon, by the Macao steamer.

All the Chinese emigrants slept on the main deck, except the seven boys and the Chinese doctor, who slept on deck. Twelve of the crew, including myself, were watchmen, and had nothing to do with the sailing of the ship, and another Chinese speaking Portuguese was an interpreter. On the 3rd May four of the emigrants came on deck while the harbour-master was on board, fell on their knees, and cried, saying they had been deceived by the agents, and that they wanted to go ashore. The harbour-master told the captain to put them in irons, and the boatswain handcuffed them. I heard and saw this myself. I heard the interpreter translate what they said, and I heard the harbour-master give the order. On the night of the 3rd May I was on watch below among the coolies. I saw a Portuguese who was dressed in Chinese costume among the coolies. On the 4th May that Portuguese left the ship. Before he left I heard him tell the captain that he heard the Chinese say that when they were out two days they would take the ship and wash their hands in the European's blood. He wrote down the number of the coolies who were bad ones. All the coolies had numbers on their jackets, in red paint. He said that No. 288 was the captain of a pirate vessel, and that he ought to be watched.

The ship had three hatches. The fore and the aft hatches were each about 6 feet square, and the main-hatch was a little larger; all were closed by iron gratings. The aft-hatch was not opened once. The middle-hatch was only opened when meals were sent down. The fore-hatch was always open, and was guarded above by two watchmen, a third stood at the ladder below, while a fourth watchman walked among the coolies. Thus there were always four on watch. We had nothing but rattans or canes when on watch.

The coolies were allowed to come up in tens, never more than ten being allowed on deck at a time, unless what were privileged men. The privileged were twenty corporals, fourteen cooks, and six barbers. The barbers and cooks were not allowed up at night, but the corporals were. The captain kept the keys of the main and aft-hatches. The coolies had to come on deck for necessary purposes, unless those who were sick, as the water-closets were on the upper deck. The Chinese had their meals at 9 o'clock and 4 o'clock each day. The meals were sent down the main-hatch. It was then closed and locked. Cooks and corporals and barbers had their meals on the upper deck at a later hour than the others. The food was sent down in large dishes, each dish containing food for ten men. It consisted of rice, beef, and vegetables, a buffalo was killed daily. Their were twenty-four buffalos on board and thirty pigs.

The upper-deck was divided into two portions by means of a high iron rail barrier. The Europeans slept abaft the barrier. The barrier had two gates, one on the starboard side, and the other on the port side. There were always two sentries, with fixed bayonets, guarding these doors. There were two cannon, unloaded, inside the gates pointed towards the gates. There was ammunition in the captain's cabin. I cannot say how much. An hospital was on deck, where the doctor and the seven boys slept. The Chinese galley was near the fore-hatch on the upper deck. The gallant fore-castle was a kind of prison, and on the top-gallant forecastle the Chinese smoked.

On the morning of the 5th May, at 9 o'clock, the captain told all the crew to arm with revolvers and cutlasses, and then he called on deck twenty men, including Nos. 288 and 299, the only numbers which I remember, and these were ironed together two by two. The irons were put on their legs, and the carpenter heated the links and welded them. The chain connecting two was about 1 ½ feet in length. About 100 coolies were brought up, and the chained men were shown to them as an example. The Portuguese who gave the numbers of ill-disposed, mentioned more than twenty. I cannot recollect the name of the Portuguese. These chained men were left on deck all day, and at night were put
into the gallant forecastle. The four men manacled on the 3rd May were also there at night. Nothing particular happened else on the 5th May. The cutlasses and arms were put away. On the morning of the 6th May, about one o'clock, an emigrant jumped overboard; a boat was lowered and picked him up. He was manacled and placed with the other twenty-four. There were thus twenty-five in irons. On the morning of the 6th May I was on watch among the coolies—the 8 to 12 o'clock watch. At 9 o'clock breakfast was sent down as usual. Some coolies told me that three dishes were short, or rations for thirty men. I called to the interpreter. He came down. He heard what they said, and then said "wait for a few seconds and I'll send you down rice." Just then some others went up to him and spoke insolently, and he struck them with his cane. This occurred at the fore hatch. I was at then. All the other Chinese were at breakfast. The coolies, about ten in number, then seized pieces of wood and threw them at the interpreter, and cried " ta-ta," " strike, strike." The interpreter, who carried a revolver, drew it, but did not fire. He ran up the ladder. So did the man on watch at the foot of the ladder. I saw this. The Chinese who attacked the interpreter came towards me, and I ran to the fore hatch. Just then a Portuguese who had been down at the hold for stores ran up. He got up before me. The Chinese pursued me, and three of them were close to me. The iron grating of the hatch, which had always been tied up with a rope, was let down immediately I got on deck. The storeman cut the rope, and the grating fell with a crash on the heads of three of my pursuers. We tied the hatch down with a rope until the Captain came and gave the keys to the boatswain, who padlocked it. Some ran for arms and surrounded the hatch. The coolies below withdrew from the hatchway and got stanchions from the bunks and beat up the boards of the deck. At first they did so forward. The Captain ordered us to fire down on them. Five or six shots were fired in a horizontal direction, from the fore hatch, downwards and forwards. I cannot say if any one was shot. The coolies then went aft. They there sprung up two planks, and the carpenter immediately nailed them down again. In the floor of the Captain's cabin there were three small iron gratings, each about 2 feet by 16 inches. Through these we could see what was going on below. It was about half-past 9 o'clock when the disturbance took place. This lasted for three-quarters of an hour. I and a Maltese, and first and second mate and the storeman observed what was going on below through the gratings in the Captain's cabin.

In the main deck, on each side of the rudder, was a small room; one contained old sails, unmixed paint, and old rope; the other contained bamboo hats. These rooms were always locked. About 10:30 A.M. the Maltese who was beside me told me that he saw a man go into the room where the sails and paint were, and almost immediately I saw the smoke come out of that room, and then fire. The Maltese did not see the man having fire. I believe the Maltese has shipped somewhere. This was the commencement of the fire, and was about 10:30 A.M. When we saw the fire, hands were turned to the pumps, and a hose was attempted to be put down through the ventilators or gratings in the Captain's cabin, but the coolies below pushed it back with boards. The hose was taken to the after hatch, and was taken by some of the coolies. I saw two men taking the hose to the fire, and one was struck by a coolie numbered 51 (he was a tall man and spoke " pidgin " English; I could recognize him again). He struck the man with a piece of wood over the head, and he was apparently killed. Others put the murdered man in a bunk. One man took the hose and broke the glass of the port hole, and stuck the nozzle through, so that pumping was useless. I saw this. I looked over the side of the ship and saw the water spouting into the sea. The Chinese tried to come up the ventilators at the side of the ship. These were revolving iron ventilators, with gratings within. They broke the lower parts of the pipes, but could not get away the grating. The fire spread rapidly, and at about 11:30, after every effort, and when the main and mizen masts had gone by the board, we abandoned the ship. The fire was regularly established in the main deck, and the flames were coming up through till forward of the mainmast. It had not got as far as the main hatch when we left the ship. The bulwarks were not yet burned. The main and mizen masts had separated from the ship. The lifeboat, with about thirty people, was lowered, but the plug was lost and the boat filled at once. All these, however, clung to her gunwale. There were two other boats lowered. I was in one with the Captain and some fourteen or fifteen others. We had a number of spare masts and spars, and these we threw overboard before abandoning the ship. There were about twenty-five Chinese on the upper deck, besides the ones in irons, when the hatch was closed. These men sat crying at the gallant forecastle, but when we threw over the spars they jumped overboard and seized them. We had four boats altogether, but could only find time to lower three, and of these the life boat was swamped. The sea was perfectly calm. The ship only drifted a little. I cannot say if
the ship anchored herself. The main and fore masts were iron rigged, and the mizen mast rope-rigged. The wire rigging was fastened to the sides of the ship by rope. None of the hatches were opened when I left the ship. I cannot say who was the last European on board. A fishing boat came up within 150 yards of us. We got on board after a time. As the junk master wanted 10 dol. each for saving us, he asked if we had any money. The Captain said he would make it all right. We were then taken on board. Those clinging to the lifeboat paddled along to the junk and were picked up. Sampans from the junk were sent to help the others. All the Europeans, as well as seven Chinese, were saved by the fishing junk. The seven Chinese were the doctor, two corporals, three boys and one cook. When we got on board the junk we hoisted a red flag. We saw some junks at a distance but could not attract them. Numbers of Chinese came swimming up to the junk, but the junk master would not let them on board. He pushed them violently away. The Captain asked the Master to save them, and said "they are your countrymen," but he would not save them. I cannot give any idea of the number who tried to get on board, only it was large. We kept waiting about till near 2 o'clock before we sailed off. We saw some junks going near the ship when we were about three miles away. They seemed to approach her and then go away. When we lost sight of the wreck we could see its smoke. It was burning when we last saw it, and the foremast alone remained. The Chinese that were manacled and fettered were left on the ship when we left. I did not see any persons come out of the main deck, and I think it impossible that anybody could have got out, as the iron bars of the hatches were so heavy. I am certain that none of the crew opened the hatches.

I have no notion of the position of the ship when the fire took place, only that it was about 150 miles from Macao.

We got to Macao on the evening of the 7th May. The junk people gave us rice. The junk was well armed, and I believe if we had tried to save any more than we did the junk people would have driven us off. I came to Hong-Kong three days ago. About nineteen of the crew came with me to Hong-Kong.

Taken by me on 19th May. Constable Joseph Wilson interpreter in German. Statement read over in German on 20th May to the said Albert Herker, and said to be true and correct.

(Signed) JAMES RUSSELL, Police Magistrate.

Inclosure 7 in No. 1.

Statement of Charles Kercop, aged 20 years, a native of Malta.

I AM an able seaman. I shipped at Hong-Kong in the Dolores Ugarte; the vessel went to Macao, and there changed her name to the Don Juan. We shipped at Macao a large number of coolie emigrants. I was employed in sailing the ship. Herker was a watchman of coolies. I have known Herker for three years. We were shipmates.

While at Macao, on the 1st of May, a coolie jumped overboard. On the second of May another jumped overboard, and on the 3rd of May a third jumped overboard. These men were handcuffed. On the 4th of May they were released and put below.

I saw the harbour-master on board on the 3rd of May. I saw him in the captain's cabin, and some Chinese speaking to him in a supplicating way. They were sent forward. They were not put in irons. On the morning of 5th of May, I was on watch from 8 to 12 o'clock. The captain took out a list of numbers and called up about 20 coolies, by twos, from the main deck. These men were chained together in couples. The carpenter fastened their chains; he clenched the links with a hammer. He did not heat the chains. These were the only men in chains on the 5th of May. The crew was assembled when the men were brought up; they were not armed; they had not cutlasses; they had not revolvers. I am sure of this, as I was there. The captain stood beside the hatch, with his arms folded. He had neither sword nor revolver. When these men were chained, the captain told all to come up, and said to those who came that it was better for them to be quiet; they would have what they liked if they did so. He said this through an interpreter. A large number of emigrants came up.

On the 6th of May, I was on watch between 4 and 8 o'clock in the morning. I washed my "jumper," and then turned in about 9 o'clock. I fell asleep, but was awoke by a great noise below. I got up and rushed out. I looked through the grating in the
captain's cabin, and saw some men beating the decks with planks. I saw one man break open the door of a store-room that was in the main deck aft; it was right across the aft part of the ship. That room I had been in once. It contained clothes, hats, &c., but no sails. The door was padlocked; it was a double-sliding door. I saw a coolie smash it. He went in there. I did not see him come out. Three minutes after I saw smoke come out of that room, and, shortly after, some fire. There were in the cabin with me, the captain's son, a black watchman, and a steward. Herker was in for a minute or two. I saw a man strike another Chinese across the head with a piece of wood. The Chinese who was struck was looking up, and "chin-ching," saying he did not want to fight. The man who struck the other said, "what for you 'chin-chin,'" and then struck him down. This was before the fire took place. A hose was put down by the aft hatch, and I saw some men pull it toward the fire. I saw a man strike down the Chinese who carried the hose, with a plank, and then take the hose and put it through one of the ventilators, or bulls'-eyes, on the side of the ship. The door of the room in the after-part of the main deck was about six feet from where I was standing. I was looking down at the room in an oblique direction.

The hatches' gratings were all locked when I left the ship. The Captain ordered Herker and myself to lower a boat. We did so. The mizen mast had fallen by this time. It fell forward. The main mast had not yet fallen. It fell on the starboard side after we left the ship. The life-boat filled with water, but the people held on to it. Our boat was dry. A third boat filled with water, but it was bailed out and made available. A junk was seen by us about two miles off. The junk people made sail and came up to us. They came to us about thirty minutes after we left the ship. We had to paddle with a piece of wood. The other boat had oars. Those who clung to the life-boat paddled along to the junk. We were all taken in. I heard no bargaining about what we were to pay. Five Chinese were saved by the fishing junk that took the crew to Macao. There were not seven. The five were the doctor, two corporals, one cook, and one servant. There were about forty Chinese on deck when the hatches were closed. There were spare masts and spars on board our ship. I did not see these thrown over, and I don't believe they were, as they were washed along the side of the ship. About fifteen minutes after we got on board the junk, another junk came and picked up about forty men who had been on deck. I saw them pick up the men. They sailed off. Our junk-master did not refuse to take up men who were swimming about. He did not push away any men who swam up to the ship. One man was floating about on a barrel, and called out, but the junk man said "mán, mán," "wait a little," another junk will come. I saw the other junk come up, but it did not pick up that man.

When we got into the fishing-junk we were about 100 yards from the ship. When we had gone away about 2½ miles I saw four junks going up to the burning ship, but could not see what they did. I did not see any Chinese coming from the main deck while I was near to the ship.

We got in to Macao on the 7th May, about 6 p.m. The junk-master treated us well. I did not see any arms on the fishing-junk.

There was always one sentry behind the barrier on deck. He had a sabre, not a fixed bayonet. I did not hear any explosion from the ship.

Taken by me, and read over to Carlos Kercopy by Mr. Rodrigues, in Spanish, and said to be true and correct.
(Signed) JAMES RUSSELL, Police Magistrate.

Inclosure 8 in No. 1.

Magistracy, Hong Kong, May 22, 1871.

Statement of Tung-a-Leung, aged 20 years, a native of China.

FUNG-A-LEUNG, a barber, after describing how he was induced to go to Macao from Ko-Ju district by a clansman, and then deceived and taken as a coolie emigrant, proceeds.—On the 5th May some twenty men were taken up from the main deck because they were said to have been intending a mutiny. I was taken up at the same time. I was taken up and ironed because I was fighting with another coolie. I had been playing dominoes, and we fought over it. I was chained by the leg to another coolie. We were all put into a sort of prison on the upper deck forward. We were allowed to come out and have meals on deck. I did not hear any mutinous words among the coolies, and I
was brought up for fighting. On the morning of the 6th May, after breakfast, I was forward on the upper deck. I heard a great noise and a cry of "fire." I saw smoke at the after part of the ship. I saw the fire come up through the cabin. I could not say if the fire commenced below or on deck. In a very short time it took possession of the after part of the ship. The Europeans got into boats, and the mainmast fell as well as the mizen mast. By this time my companion and I had broken our chain; we simply twisted it open. The chains were not strong. We had no tool to open the link. Six men who were chained broke their chains. There were a number of cooks and barbers and corporals on deck. When the mainmast fell we jumped over and clutched it. Some of those who had chains got drowned. The ship had the eight sail set. After a time she came to anchor. The mast on which we were got entangled with the anchor chains somehow. It was near noon when I jumped over. I did not see the Europeans get from their boats into a junk. There were about seven or eight Chinese on deck not in irons and twenty-one or twenty-two in irons. There were about ten men on the mast that I was on. Several other spars were floating about, and men clung to them. A junk came up about 4 o'clock, but would only save those who could pay money. That junk saved about twenty men. I don't know where they went to. I can hardly say what time the men who escaped jumped into the water, but about eighty men jumped in some time after I had. More than ten of these were drowned. Many junks passed by us, about 150 yards from us, but did not come to rescue us, although we called out "save life." About six junks passed close to us that took no notice of us. I was picked up during the course of next morning with fifty-one others and brought to Hong Kong.

Statement taken by me, Mr. Ng-a-Choy, interpreter in Cantonese.
(Signed) JAMES RUSSELL, Police Magistrate.

No. 2.

Earl Granville to Mr. Doria.

Sir, Foreign Office, July 28, 1871.

WITH reference to your despatch of the 16th ultimo, I have to transmit to you the accompanying copy of a letter and of its inclosure,* together with extracts from the "Overland China Mail" of the 12th and 26th of May, containing an account of an appalling tragedy which has occurred on board the coolie vessel "Don Juan," formerly known as the "Dolores Ugarte."

I have very recently, as you are aware, had occasion to allude to cruelties practised towards coolie emigrants shipped in this same vessel, and it is a matter of deep concern to me that I am so soon compelled to call the attention of the Portuguese Government to further horrors, almost without parallel, which have taken place in connection with this traffic in human beings.

The circumstances attending the burning of the ship "Don Juan," and the dreadful fate which has befallen upwards of 500 souls, are fully described in the papers which I now send you, and doubtless you and the Portuguese Government are already aware of the facts of the case.

This fearful incident has excited a painful feeling in this country, and Her Majesty's Government, in the interest of humanity, cannot allow it to pass unnoticed, and without an effort, as far as rests with them, to prevent for the future such grievous calamities.

I have, accordingly, to instruct you to bring the matter to the notice of the Portuguese Government, and you will urge them, on the part of Her Majesty's Government, in the strongest manner, to take efficient measures to repress, or at least to regulate, a system of traffic which inflicts such misery on unoffending persons, and which must be so utterly repugnant to the feelings of justice and humanity of the Portuguese nation.

I am, &c.
(Signed) GRANVILLE.

* No. 1.
Mr. Odo Russell to Mr. Meade.

Foreign Office, July 29, 1871.

Sir,

EARL GRANVILLE has had under his consideration your letter of the 26th instant, inclosing a copy of a despatch from the officer administering the Government of Hong Kong with respect to the destruction by fire of the Peruvian vessel "Don Juan," whilst on her voyage from Macao, with a cargo of coolie emigrants on board, and I am directed by his Lordship to transmit to you, for the information of the Earl of Kimberley, the accompanying copy of a despatch which his Lordship has addressed to Mr. Doria, Her Majesty's Chargé d'Affaires at Lisbon, instructing him to bring this matter to the immediate attention of the Portuguese Government, in order that steps may be taken to prevent a recurrence of such a fearful catastrophe. I am also to return to you the original documents inclosed in your letter above referred to.

I am, &c.

(Signed) ODO RUSSELL.

No. 4.

Mr. Doria to Earl Granville.—(Received August 16.)

My Lord,

Lisbon, August 8, 1871.

I HAVE the honour to inclose to your Lordship a copy of the note which, in fulfilment of the instruction conveyed in your Lordship's despatch of the 26th ultimo, I have written to the Marquis d'Avila in reference to the coolie traffic at Macao, and to the cruel fate which befel the coolie emigrants on board the vessel "Don Juan."

I have, &c.

(Signed) WM. DORIA.

Inclosure in No. 4.

Mr. Doria to the Marquis d'Avila.

Lisbon, August 8, 1871.

M. le Ministre,

I HAD the honour recently to speak to your Excellency about the cruelties practised in the prosecution of the coolie trade at Macao. I have now to call your Excellency's attention to an incident which exceeds in horror anything that has occurred before in the history of this inhuman traffic from Macao, the details of which are in all probability already known to your Excellency, as such a tragedy has not gone unnoticed by the press, and the English and French papers have written in condemnation of the horrible cruelties exercised, and sufferings inflicted by this detestable trade. The press reflects in no measured terms on the amount of culpability attaching to the Portuguese authorities at Macao, in whose power it rests, at least, in a great measure, if not entirely, to put a stop to this nefarious traffic in human beings.

I refer, of course, to the tragedy, almost without a parallel, of the coolie vessel "Don Juan," formerly known as the "Dolores Ugarte," which was destroyed by fire within two days from her sailing from Macao in May last, when upwards of 500 souls were burnt alive, or suffocated on the lower deck, where they were confined, and from whence egress was closed by iron barriers.

It is in reference to this fearful event, involving such agonizing suffering to so many human beings, that I have the honour to address your Excellency.

I am directed by Earl Granville to bring the matter to the notice of the Portuguese Government, and to urge them, in the name of Her Majesty's Government, in the strongest manner, to take efficient measures to repress, or at least to regulate a system of traffic which inflicts such misery on unoffending persons, and must be so utterly repugnant to the feelings of justice and humanity of the Portuguese nation.

A subject more worthy of the attention of every Government cannot engross their deliberations than that which involves such an immense amount of human suffering. At the same time, it should be remembered that apparent neglect, or inaction, reflects

* No. 2.
discredit, and the reproach of inhumanity, by contributing, however indirectly, to such cruelty and suffering as are engendered by this traffic in human beings.

No additional incentive should be required for restraining a commerce which leads to such horrible results; nevertheless, the consideration that the Chinese Government cannot always rest indifferent to the sufferings of its own national emigrants may also very reasonably be reckoned upon, if effective measures are not taken to repress fresh outrages on humanity, which arise from this "Slave Trade" under another name.

I have the honour to forward, for your Excellency's perusal, two numbers of the Overland China Mail, in which are found statements made by some of the coolies and crew who escaped from the vessel "Volores Ugarte."

The deception practised in the first instance to entrap the Chinamen, the threats made use of after to terrify them into accepting the offers of employment held out when brought before the authorities, and finally, the state of misery they are kept in when on board the transport vessels, imprisoned in the hold, guarded by armed sentries, rarely, if ever, permitted to come on deck, and only in small parties, is an all-sufficient proof that the coolie traffic has no resemblance to a legitimate and voluntary transport of emigrants, but possesses all of the cruel features which characterize the Slave Trade in its worst phases.

I have, &c.

(Signed) WM. DORIA.

No. 5.

Earl Granville to Mr. Doria.

Sir,

Foreign Office, August 23, 1871.

I HAVE to convey to you my approval of the note which you addressed to the Marquis d'Avila on the 8th instant, with reference to the fate of the coolie emigrants on board the vessel "Don Juan," a copy of which is inclosed in your despatch of the 8th instant.

I am, &c.

(Signed) GRANVILLE.

No. 6.

Mr. Doria to Earl Granville.—(Received September 3.)

My Lord,

Lisbon, August 24, 1871.

WITH reference to my despatch of the 8th instant, I have the honour to transmit herewith to your Lordship copy and translation of a note dated the 16th instant, wherein the Marquis d'Avila informs me that my note of the 8th instant, relative to the case of the "Don Juan," as well as my previous communications upon the subject of the coolie traffic from Macao, had been referred to the Department for the Navy and Colonies.

I have, &c.

(Signed) WM. DORIA.

Inclosure in No. 6.

(Translation.)

The Marquis d'Avila to Mr. Doria.

Sir,

Foreign Department, Lisbon, August 16, 1871.

I HAD the honour to receive the note which you addressed to me on the 8th instant, as well as the two numbers of the "China Mail" inclosed therein, relative to the burning of the ship "Don Juan," which sailed from Macao with a cargo of coolies, and wherein you request that steps may be taken in order to prevent the repetition of such horrors.

I have communicated to the Minister of Marine the contents of your note, as I had done with respect to the previous notes upon this very same subject, and I await his Excellency's reply, which shall be duly communicated to you.

I avail, &c.

(Signed) MARQUIS D'AVILA AND BOLAMA.
No. 7.

Mr. Odo Russell to Mr. Meade.

Sir,

Foreign Office, September 4, 1871.

WITH reference to your letter of July 25, I am directed by the Secretary of State to transmit to you, to be laid before the Earl of Kimberley, the accompanying translation of a note from the Portuguese Minister for Foreign Affairs,* in reply to a representation made to him by Her Majesty’s Chargé d’Affaires at Lisbon on the 8th ultimo, in compliance with Lord Granville’s instructions upon the subject of the burning of the coolie ship “Don Juan.”

I am, &c.

(Signed) ODO RUSSELL.

No. 8.

Mr. Doria to Earl Granville.—(Received October 3.)

My Lord,

Lisbon, September 21, 1871.

I HAVE the honour to transmit herewith to your Lordship copy and translation of a note from the Marquis d’Avila,* accompanied by a Memorandum and an extract from the bulletin of Macao, with their respective translations, in reply to my communications to his Excellency on the subject of the coolie traffic at Macao.

The Memorandum contains from beginning to end severe animadversions on the manner in which Chinese emigration is carried on at Hong Kong, censures the judgment given by Judge Smale in that Colony with regard to the coolies in the case of the French ship “Nouvelle Pénélope,” and argues that the regulations regarding Chinese emigration from Macao and the precautions adopted on board ship, do not in some instances differ from those of Hong Kong; though, in some respects, the regulations in use at Macao are better adapted to ensure benefit to the Chinese emigrants, and finally concludes by attributing to Judge Smale the intention and desire of putting a stop to Chinese emigration from “Macao alone.”

The insinuation conveyed in the word “alone,” and a certain acrimony, is clearly to be distinguished throughout the document, and is even traceable in the note from the Marquis.

On the other hand, if the Regulations laid down by the Governor of Macao, and the Committee appointed by virtue of a Decree of May last, are bond-fide carried out, and strictly executed, doubtless they would tend to protect Chinese emigrants from much suffering, and from being cajoled and entrapped in making their contracts to emigrate, which your Lordship will perceive by the perusal of the bulletin which forms Inclosure No. 4 of this despatch.

I have, &c.

(Signed) WM. DORIA.

Inclosure 1 in No. 8.

The Marquis d’Avila to Mr. Doria.

(Translation.)

Sir,

Foreign Department, Lisbon, September 6, 1871.

IN reply to the notes which you addressed to me on the 16th of June, and 8th of August last, relative to the manner in which the Chinese emigration is carried on from the port of Macao, and in which you forwarded to me two numbers of the “China Mail,” giving an account of the horrors to which the coolie traffic has given rise, I have the honour to inform you that the Governor of Macao had already, by his Ordinance of the 27th of May last, published in the inclosed bulletin, adopted such measures as appeared to him to be expedient for regulating the Chinese emigration, with a view to obtaining the greatest certainty as to the spontaneity of the Chinese colonists to embark.

The Marine Department not only approved the measures in question by the Decree

* No. 6.
"Portaria," of the 17th of August last, as I am informed by the Minister of that Department, but the said Governor was likewise instructed to adopt any measures that may be necessary for the purpose of proving the liberty of the emigrants, of protecting them against any seduction or coercion caused by any decision they may have unwillingly taken, and, in fine, of preserving them from ill-treatment during the voyage; and he was at the same time enjoined to repress, with the full rigour of the law, any abuses that might be opposed to this object, without any consideration for the parties that might be responsible for them.

The Memorandum which is inclosed herewith to you is an extract from several despatches addressed to the Marine Department by the Governor of Macao, under dates of the 17th, 25th, and 26th of April of this year, not only concerning the proceedings in the Court of Justice of Hong Kong towards one of the coolies shipped on board the French ship "Nouvelle Pénélope," but also respecting the groundless accusations adduced in that Colony against the Chinese emigration from the port of Macao.

From the information contained in that Memorandum, you will perceive that the emigration from the said port is carried on far more legally than it has been at Hong Kong, and that there would be stronger grounds for complaining against the manner in which the emigration regulations are carried out there.

I avail, &c.

(Signed) MARQUIS D'AVILA AND BOLAMA.

Inclosure 2 in No. 8.

Extract from the "Bulletin of the Province of Macao and Timor" of May 29, 1871.

(Translation.)

THE Governor of the Province of Macao and Timor and its dependencies ordains as follows:—

Taking into consideration the Report of the Committee appointed by the Decree (Portaria) of the 12th of this month to propose what improvements can be adopted as to the manner of regulating the Chinese emigration so as to obtain the greatest certainty possible as to the free will with which the colonists embark, I consider it expedient to ordain, pending the adoption of measures of a more radical nature, as follows:—

Art. 1. All individuals in charge of any emigration establishments, or those who may wish to take charge of them in future, shall be bound to exhibit a certificate extracted from the Criminal Register, and a declaration signed by the Procurator for Chinese Affairs and Superintendent of Chinese Emigration, to prove their fitness for the office in question.

Art. 2. Brokers are expressly forbidden to enter the establishments of Chinese emigration after presenting the colonists to the persons in charge of those establishments.

§ 1. For the first infraction of this Article the person in charge of the establishment shall incur a fine of half the amount of the surety bond (500 dols.), and in the event of a relapse he shall incur the same fine, and further shall be rendered unfit to manage any affairs relative to emigration.

§ 2. One-fourth of this fine shall belong to the informer, and the remainder to the Public Treasury.

Art. 3. All brokers, even if expressing a wish to emigrate, shall not be admitted into the establishments; but in this case they must be sent immediately to the Superintendent's office for the purpose of being examined and questioned according to the Regulations, but in such a manner that they shall have no communication with the coolies who may happen to be in the Superintendent's office for the purposes mentioned in the said Regulations.

The authorities concerned in the execution of this Ordinance shall accordingly cause the same to be carried into execution.

Macao, May 27, 1871.

(Signed) ANTONIO SERGIO DE SOUZA,
Governor of Macao and Timor.
Office of the Government of Macao and Timor,  
May 26, 1871.

Sir,

WHEREAS the "Portaria" (Decree) of the 13th August, 1864, provides that the space allotted to each colonist on board ship shall be from 2 metres 2-50 metres to 3 metres, according to the conditions of ventilation and light specified in the said "Portaria," His Excellency the Governor ordains that you will in future calculate the space to be allotted to each colonist at the rate of 2-50 metres at least, and you will allot a larger space whenever you find that the vessel is not properly ventilated.

God preserve, &c.  
(Signed) HENRIQUE DE CASTRO,  
Secretary to the Government.

To the Captain of the Port.

Most Illustrious and Excellent Sir,  

Macao, May 23, 1871.

THE Committee appointed in virtue of the "Portaria" (Decree) of the 12th of this month, and entrusted with the duty of proposing, not only any measures that it may be expedient to adopt in order more effectually to ensure the condition and freedom of the Chinese emigrants, but anything whatsoever that it may be expedient to adopt upon the subject of emigration, having taken cognizance of the importance of the mission with which it was entrusted, and endeavoured to correspond to your Excellency's expectations, has now the honour to present to your Excellency, by this means, the result of its labours, and to state as follows:—

Although in view of the provisions contained in the Regulations which are in force one must believe that the Colonists, after having undergone the examinations at the Superintendent's office, emigrate of their own free will, and that it cannot be said that they are labouring under an illusion; nevertheless, it is not less certain that the greater part of those emigrants are men who are quite indigent, and whose lot is far from good, and consequently they are very credulous, and easily believe any promises that are made to them with the object of improving their wretched condition; and, therefore, it is this that renders it easy for them to allow themselves to be over-ruled by those in whom they almost recognize an envoy from heaven ready to open to them the gates which will lead them to a better life.

It is an undoubted fact that the inducement to emigrate is the flattering expectation of a future which will mitigate the deplorable condition of the emigrants, who become still more convinced of this after landing on the shores of Macao, where they receive a comfortable treatment, and are well and comfortably fed in the respective establishments.

It is not, therefore, to be wondered at that the brokers exercise a great influence over the emigrants, which goes on increasing in proportion to their belief that their wishes and ambitions will be realized.

This accounts for the preponderance of the brokers over the emigrants, who piously believe everything they say, and do whatever they bid them. Moreover, the insincere disposition of the Chinese is so deeply rooted in them, and their inclination to try and deceive foreigners is so general, that these qualities predispose some of the emigrants to connive, without difficulty, with the brokers for the purpose of deceiving the authorities in the Superintendent's office, presenting an appearance of spontaneity which they sometimes do not possess.

It appears that it is such a connivance, and the complete obedience of the emigrants to the dictates of the brokers, that is the cause why the colonists, even after passing the usual examinations, declare that they have been deceived.

No other reply can be given to the first query, and the answer thus given appears to the Committee to be the most reasonable and coherent.

The Committee begs further to observe to your Excellency that in its opinion it is very difficult to prevent all the abuses on the part of the brokers, and also on the part of the colonists, many of whom, as experience has shown, have been matriculated more than once in the Superintendent's office with no other intention than that of passing an idle and pleasant life, and without any wish whatever of emigrating.

In order, therefore, that all this may cease, and in order to cut off all the means and opportunities of which the brokers may, perchance, avail themselves, with the view of keeping the emigrants under an illusion, and in order to reply more fully to the other queries contained in the "Portaria" above referred to, the Committee has suggested the necessity of depriving the brokers of all their influence on the minds of the emigrants as soon as they land at Macao, prohibiting them from holding any communication with...
them; and for this purpose submits to your Excellency's consideration the following measures, which the Committee trusts will be productive, if not of a certainty, that the freedom of the emigrants will remain guaranteed, at least of the conviction that by this means the Government will do everything in its power to obtain the desired end. Such as:

1. The Committee thinks that it is a matter of imperious necessity to diminish the number of establishments, and even the majority of the Committee is of opinion that one establishment, or at the most two, are quite sufficient for each agent.

2. That the persons in charge, and other employés of these establishments, should be men of good conduct, duly attested by the Procurator and Superintendent.

3. That these individuals alone shall be responsible to the Government for the compliance with the provisions of the Regulations.

4. That there shall be a permanent Committee composed of three individuals, entirely unconnected with the interests of emigration, whose duty it shall be to assist the Superintendent of Emigration in controlling all the various acts of emigration until the entrance of the colonists into the Superintendent's office, and they shall propose to the Government, whenever they may think it expedient to do so, any measures which they may consider to be conducive to guarantee the freedom of the emigrants.

5. That the brokers should be expressly forbidden to hold any communication with the emigrants in the Establishments.

6. That all Colonists arriving at Macao shall not land without the knowledge of the maritime Police, which shall forward daily to the Superintendent's office a list of the colonists who may have landed, and of the Establishments to which they may have repaired. The persons in charge of these Establishments shall likewise forward a similar list of the Colonists whom they may have received, specifying the number of those arriving per steamers, and of those coming by other ships.

7. The Fiscal Committee and the Superintendent shall mutually agree as to the best mode of not allowing more Colonists to be matriculated than those mentioned in the lists above referred to.

8. The Colonist shall not be allowed to reside except in the Establishment; and the brokers shall only be allowed to remain in the cunetoas or houses destined for their habitation. And it must be provided in the Emigration Regulations that the Government shall be aware of the whereabouts of these houses, and of the number of brokers living in each of the same.

9. The space allotted to the Colonists in the Establishments shall be fixed by the Fiscal Committee.

10. The Committee thinks that the usual advance of 8 dol. to each Colonist before embarkation ought not to be made; but the Agent shall be allowed to furnish any articles he may demand, and as much money as he may ask for to give to his relatives, or to dispose of it at Macao, provided he takes no money with him on board, because it appears to the Committee that, by this means, many causes of immorality on board ship will be prevented.

11. It appears to the Committee that the monthly wages of each emigrant ought to be increased to 6 dol. (pesos fortes).

12. Each ship must have two interpreters, who shall be previously examined in different dialects in the Procurator's office.

Moreover, it appears to the Committee that the space allotted on board ship to each Colonist is not sufficient, and that it ought to be of 3 cubic metres, taking only the available space into account; and it was desirable that the conveyance of the Colonists should be made in steamers provided with an engine for distilling a sufficient quantity of water for the number of Colonists; and also that all ships should have a reasonable number of boats, and at least one life-boat and a few safety-buoys.

The Committee avails itself of this opportunity to remind your Excellency that it is urgently necessary to establish regular Consulates at the ports to which these Colonists emigrate, where there must be an interpreter of the Chinese language, for the purpose of protecting the Colonists as if they were Portuguese subjects, watching over the full compliance with the conditions of their contracts, and also taking measures for their return to their native country upon the expiration of the stipulated period, and affording them every means of corresponding with their relatives.

Finally, the Committee likewise reminds your Excellency of the urgent necessity of embodying into one code of Regulations all the various enactments at present in force with respect to emigration, paying due attention to the necessary reforms which it is expedient should be introduced into the said Regulations, in order that the measures and recommendations suggested by this Committee may be rendered useful, and that the
Authorities entrusted with the duty of exercising a supervision over the emigration may fulfil their task without obstruction.

(Signed) JULIO FERREIRA PINTO-BASTO.
JOSE MANOEL CRISPIANO DA FONSECA, Jun.
GREGORIO JOSE RIBEIRO.
BERNARDINO DE DENA FERNANDEZ.
PEDRO ROLASCO DA SILVA, Jun.
VICENTE DE PAULO SALALWICH PITTER.
ANTONIO JOQUIM BASTOS, Jun.

To the Most Excellent and Illustrious Councillor
and Vice-Admial, Antonio Sergio de Souza,
Governor of the Province of Macao and Timor,
&c. &c.

Inclosure 3 in No. 8.

Memorandum.

(Translation.)

Department of Marine and Colonies, Lisbon,
August 29, 1871.

ONE of the coolies shipped from Macao in the French ship "Nouvelle Pénêlope," and who, as reported was one of the principal chiefs of the revolt, and an accomplice in the murders committed on board that ship, was arrested at Hong Kong, and his extradition was demanded by the authorities of Canton.

Having been indicted as guilty in the Court of First Instance of that English Colony, he appealed to the Superior Court, and after a prolonged discussion, his extradition was suspended by Judge Smale, subject to the decision of the English Government, against which step the Attorney-General to the Crown protested.

As may be seen from the respective sentence, the British Judge impugned the extradition of the guilty Chinaman on the ground that the coolies at Macao were forced to embark; that they were not cognizant of the act they committed; that even if they had made and signed contracts, these contracts could not be valid, because no one can make a contract as to his own freedom; that coolies are conveyed on board under an escort of the public force; and finally, that the Chinese had the right to assassinate the captain and crew of a ship (alluding to the "Nouvelle Pénêlope") which was engaged in the Slave Trade, having gratings in the hatchways, and with a part of the crew armed.

In that sentence the said Magistrate not only censured the Portuguese laws, but he also attacked with the greatest animosity the emigration from Macao, to which he has been a bitter enemy, as well as the journal "Daily Press," which advocates the same principles. He was not ashamed to publish that the object of that sentence, and that his (the Judge's) intention, was to put an end to the emigration from the Port of Macao.

As soon as the Governor of Macao became acquainted with this sentence, he forwarded to this Department several documents and reports to prove—1stly, That the Chinese emigration is carried on at Macao with greater legality than at Hong Kong, or any other place on the coast of China; 2ndly, That the coolie ships adopt toward the Chinese passengers on long voyages the same precautions as are taken on board the English and American steamers on the daily line between Macao, Hong Kong, and Canton, on voyages of a few hours' duration; and, 3rdly, That revolts have taken place on board vessels from Hong Kong, and even in that port itself, where coolies are compelled to embark by force when they have signed contracts.

From a Return transmitted to this Department by the Governor of Macao, relative to the working of the Board of Superintendence of Chinese Emigration from the date of its establishment in September, 1868, it may be seen that out of 51,811 coolie emigrants to Havannah and Peru, 8,622 have returned to their own country, in addition to 1,463 who prepared to remain at Macao rather than return to their own native places; there were 195 who did not emigrate because they were claimed by their relatives; 82 fell sick and withdrew from the Superintend's supervision; and 53 desisted from emigration on arriving on board, after signing the respective contracts; and, finally, from the said Return it appears that 169 brokers have been punished with from three to six months' imprisonment in chains, with hard labour, for having entered the Superintend's office as false emigrants, for the purpose of enticing coolies to ship. It is, therefore, proved by these statistics that means have been taken to ascertain the spontaneity with which
Chinese emigrate from the port of Macao, allowing them the option of desisting from their intentions, even after signing the contracts, and that when they do desist they are sent back to their own native places, whereas, on the contrary, at Hong Kong they are compelled to embark after they have signed their contracts.

It is alleged that the coolie emigrants from Macao are compelled to emigrate because each lorchá carrying fifty emigrants is accompanied by a police-soldier, and because there is a soldier on the watch on board each ship. It is true that such is the practice, and that all coolie ships are accompanied by three men of the Maritime Police until the pilot quits the ship. But all these precautions are taken for the purpose of preventing the coolies from being robbed in the boats which convey them on board, and also of preventing any articles being sold to them at a higher price than is lawful, or their being ill-treated, or emigrants being clandestinely admitted on board the vessels, as has sometimes happened.

It is also alleged that the coolie ships from Macao adopt measures of precaution towards the emigrants on three or four months' voyages, and that on account of such measures they ought to be considered as slave ships; but it is certain that on board the English and American steamers on the daily line between Macao, Hong Kong, and Canton, and in passages of only a few hours' duration similar precautions are also adopted. On board these steamers there are places set apart for the Chinese passengers who are watched by armed men, these precautions having been adopted since February 1857, when twenty pirates, disguised as passengers, surprised and murdered the crew and passengers of the steamer "Queen," on the voyage from Hong Kong to Canton, stole 150 boxes of opium, and set fire to the steamer; and subsequently other cases of piracy occurred on board the English steamers "Thistle" and "Iron Prince," the former while on a voyage from Canton to Hong Kong, and the latter from Hong Kong to Macao.

It is well that it should be known that the Chinese, called free passengers, who emigrate by thousands to San Francisco in California, in American steamers from Hong Kong, are by far the greater number coolies who have been engaged as labourers, with this difference, that those from Macao go by contract and receive sums in advance, which they leave to their families, whereas those from Hong Kong to California have to make their contracts at the last named place, where it is not so easy for them to reject the conditions imposed upon them, being at a great distance from their homes. These passengers, whom they call free, are put into separate places, and are watched by armed men, and, therefore, in the opinion of the Chief Magistrate of Hong Kong, they ought to be considered as slaves, and have the right to assassinate the captain and crew of the ship that conveys them; but as such vessels are under the American flag they are exempt from all suspicion, and even the Hong Kong journals do not venture to censure this system of Chinese emigration.

It is a public and notorious fact that at Hong Kong there are agents of emigration for California, and that they pay for the passage of the coolies, giving them a bill or card in virtue of which they receive on board the steamers, and on their arrival at the port of their destination other agents take hold of them, and it is then that the contracts are made.

It is also known that in January of last year no less than two revolts occurred on board the Belgian ship "Frederic," then in the port of Hong Kong, ready to sail for Peru with coolies, and the emigrants who had revolted on board were forcibly compelled by the Judge Smale to return on board under the pretext that they had already signed their contracts.

Finally, the intention of that Magistrate, as may be seen from the sentence above referred to, and according to the declarations contained in the newspapers, is to draw public attention in Europe, and even in the Court of Pekin, to the Chinese emigration from Macao, in order to try whether the same can be be prohibited from that port alone.

In the absence of the Director-General,
(Signed) JOSE TAVARES MONDO.
Mr. Hammond to Mr. Meade.

Sir,

WITH reference to Mr. Russell's letter of September 4th, I am directed by the Secretary of State to transmit to you, to be laid before the Earl of Kimberley, a copy of a despatch from Her Majesty's Chargé d'Affaires at Lisbon, inclining the answer of the Portuguese Government to the representations made by Her Majesty's Government on the subject of the coolie traffic at Macao.

I am, &c.

(Signed) E. HAMMOND.

No. 10.

Mr. Meade to Mr. Hammond.—(Received March 19.)

Sir,

WITH reference to your letter of the 7th October last, I am directed by the Earl of Kimberley to transmit to you, for the information of Earl Granville, a copy of a Report from the Emigration Commissioners respecting Chinese emigration from Hong Kong. I am also to annex a despatch on the same subject from Governor Sir R. MacDonnell.

The documents now forwarded appear to Lord Kimberley to completely disprove the allegations brought by the Portuguese Government against the Government of Hong Kong in the document inclosed in the Marquis d'Avila's letter of the 6th September last to Her Majesty's Chargé d'Affaires at Lisbon.

I am, &c.

(Signed) R. H. MEADE.

Inclusion 1 in No. 10.

Sir R. MacDonnell to the Earl of Kimberley.

My Lord,

I HAVE the honour to acknowledge receipt of your Lordship's despatch (18th October, 1871), covering copy of a communication by the Portuguese Foreign Minister, in which the latter institutes a comparison between emigration as conducted from Macao and Hong Kong, and upholds the greater legality and general fairness of the rules and conduct of such emigration from Macao, which he represents as superior to that from any port of China.

2. I have also the honour to acknowledge receipt by last mail of your Lordship's further despatch, 10th November, 1871, on the same subject, and covering a letter from Sir C. Murdoch, on the part of the Emigration Board, commenting on the statements transmitted by the Portuguese Minister of Foreign Affairs.

3. Although by a reference to Mr. Cecil Smith, the Registrar-General, and Mr. Cairns, the Acting Harbour Master, I am enabled to forward to your Lordship detailed, fresh, and accurate refutations of the assertions contained in the Portuguese Minister's despatch, I confess that the comments made thereon by Sir C. Murdoch, in his communication of the 2nd November to Mr. Herbert, have anticipated in the most important particulars the authoritative and clear contradiction given by Messrs. Smith and Cairns to the inexcusable misstatements of the Portuguese Government. Thus, when it is stated that two "revolts" occurred on board of the "Frederic" when in this harbour, and that emigrants who had revolted were forcibly compelled by Judge Smale to return on board, on pretence that they had already signed their contracts, it adds considerably to the point of Sir C. Murdoch's conclusion as to the improbable character of such an assertion, to learn that Chief Justice Smale was not in the Colony at the time, and that there were no revolts on board of the "Frederic," but merely the usual gambling quarrels and petty assaults consequent thereon amongst the

* No. 8.
emigrants themselves, all which cases were adjudicated on by the Marine Magistrate, and could not, in any case come before the Chief Justice.

4. It is difficult to imagine that any one with the least knowledge of this Colony, or of the action taken by this Government from the first in controlling, and finally arresting altogether, emigration to places, where it was rumoured that the emigrants were unfairly and cruelly treated, could have advanced such extraordinary assertions as that emigration is conducted more legally from Macao than from Hong Kong, and that the coolie ships from there adopt only the same precautions as are taken in the daily line of steamers between Macao, Canton, and Hong Kong.

5. Equally unfounded is the statement that revolts had taken place on board of vessels from Hong Kong, and even in that port, and that coolies who had signed contracts had been compelled by force to embark. It is often impossible to do more than flatly contradict an erroneous statement, but I venture to say that few errors have ever been more completely and satisfactorily exposed than the asserted compulsory embarkation here of the coolies in question, or, indeed, of any coolies whatsoever. The extraordinary precautions which I took in the case of the "Frederic" owing to my supposed absence of legal authority at that time to stop altogether emigration to Peru, have been fully detailed to Her Majesty's Government, but above all usual precautions was that to which I resorted in appointing a board of Chinese merchants—men perfectly independent and, as a rule, opponents of emigration—to institute special inquiries by direct personal examination into the voluntary and perfectly unfettered assent of each emigrant previous to his embarkation. I doubt if there ever had been previously so stringent an examination into such a question in the case of any emigrant vessel whatever.

6. I may further add, in reference to the observations of the Portuguese Government on Chinese passengers conveyed in the large American steamers from Hong Kong to San Francisco, that they are not only "called free" but are as free and unrestricted as any European or American passengers in those vessels. They pay a comparatively small sum for their passage, and of course have less luxurious quarters, but they are neither watched by armed men nor dreaded in any way, as I can testify, having made the voyage in 1870 from here to San Francisco in the United States' steamer "Japan" with more than 1,200 Chinese passengers on board.

7. Those passengers were all fed with abundant, wholesome, and clean food, and all seemed thoroughly happy at the prospect of improving their lot at San Francisco. When at the latter place I personally instituted inquiries into the condition of the Chinese who had previously gone out, and found that almost all had done remarkably well, and realized considerable sums of money. The principal drawback was their liability to suffer from the brutal violence of the rowdies and loafers of the place, who regard with intense jealousy the supply to the labour market of such patient and industrious rivals.

8. I have already given full explanations of the character of the emigration hence to California by the United States' steamers; and as I have several times gone personally amongst the emigrants, making numerous inquiries of them, and have now actually made the voyage with them, I think myself entitled to express an opinion on that subject. That opinion is that the emigration in question—if we may use such an expression in reference to Chinese passengers—is conducted openly and fairly, and that it confers the greatest benefit on the emigrants—whether male or female—by improving their position beyond what would have been at all probable, if possible, had they remained in China.

9. I am not aware that I need add anything further to the conclusive statements in the inclosed Memorandum by Messrs. Smith and Cairns; but I may remark that I quite agree with Sir C. Mardoch in his observation (paragraph 8) as to the weak point in the Portuguese Regulations respecting the coolie's liability to repay his cost in the depot, and half his travelling expenses back, if he declines to complete his agreement.

It is true that I have stated that in reply to my inquiries on that point Admiral de Souza, the Governor of Macao, had assured me, and confirmed the assurance by subsequently publishing a notice to the same effect in his Gazette, that no coolie, desirous of returning instead of completing his contract, was to be held liable for any expenses, but was to be sent free to his home.

10. I fear this arrangement has not been found practicable, and that it has been eluded.

At the same time, owing to my recent return here, I am not in a position to affirm anything positive on the subject. I notice, however, in this day's "Advertizer," a translation from the "Macao Gazette," and a Return compiled from the "Gazettes" of 1871, showing the number of dead bodies found "mostly Chinese emigrants discharged
from the Barracoons," amounting during the past year to 348. That number, shocking though it be, must be regarded as very far from the actual number of those who had perished from starvation and apparent neglect at the centre of Portuguese authority and civilization in the East. Even if it be a full statement so far as it goes, it does not include, as the Return states, "those found in a dying state, and removed to the asylum." In Hong Kong a much larger proportion of the destitute class and those enfeebled by disease is found alive than dead, though many are in extremis, and if I were to draw any inference from the slight glimpse behind the scenes afforded by the above Return, I should infer that the number annually perishing at Macao directly and indirectly as above, is nearer 1,000 than 500.

I have, &c.

(Signed) RICHARD GRAVES MACDONNELL.

Memorandum by Director-General Lisbon, on Emigration at Macao and Hong Kong.

1st. That the Chinese emigration is carried on at Macao with greater legality than at Hong Kong or any other place on the coast of China.

2nd. That the coolie ships adopt towards the Chinese passengers on long voyages the same precautions as are taken on board the English and American steamers on the daily line between Macao, Hong Kong, and Canton, on voyages of a few hours' duration.

3rd. That revolts have taken place on board vessels from Hong Kong, and even in that port itself, where coolies are compelled to embark by force when they have signed contracts.

During the past five years (and this limit might well be extended) not more than three cases have appeared in our Courts, where persons have been charged with committing breaches of the Emigration Laws. While, according to the Director-General's statements, 169 brokers have, within the past three years, suffered punishment for similar offences in Macao.

2. The Macao coolie ships are fitted with barricades (frequently of iron) immediately abaft the mainmast, and cannon are placed to rake the maindecks through the barricades. Gratings of iron are fitted over the hatchways, and only a few of the emigrants are allowed on the upper deck at one time.

In the steamers running between this port, and Macao, and Canton, precautions are only taken on those occasions where there is a very valuable cargo (of opium or treasure) on board, and when there is reason to believe that suspicious and dangerous characters have taken their passages. As a rule the passengers are under no more restriction than is customary in Europe, where the passengers of different classes are kept separate. There is, sometimes, a loose barricade put up for the purpose last mentioned, but otherwise the Chinese passengers on the maindeck can readily pass to the other parts of the ship.

3. There have been no revolts on board any emigrant ships in this port, nor to the best of our knowledge and belief have any revolts occurred on board such ships during their voyages to their respective places of destination.

No force has ever been used by way of compelling emigrants to go on board the ships by which they were to travel. From personal experience, especially in the case of the "Frederic," much quoted in this
Memorandum by Director-General Lisbon, on Emigration at Macao and Hong Kong.

At Hong Kong they (i.e. the coolies) are compelled to embark after they have signed their contracts.

But it is certain that on board the English and American steamers on the daily line between Macao, Hong Kong, and Canton, and in passages of only a few hours' duration, similar precautions are also adopted (i.e. to those on board the Macao coolie ships).

These passengers (to California) whom they call free, are put into separate places, and are watched by armed men.

It is a public and notorious fact that, at Hong-Kong, there are agents of emigration for California.

Notes.

document, we can state that the emigrants left the shore for the ship in small detachments in boats, having no official on board of any sort or character.

In all cases, even after the emigrant had shipped, he could, and in some instances did, return to the shore.

The "Frederic" was burnt at Batavia. There was a mere suspicion, unsupported by any sort of evidence, that the coolies had set the vessel on fire. Suffice it to say that there was little or no disturbance, beyond what was naturally to be expected, after the fire broke out, nor was there any quarrel between the coolies and crew of the ship.

4. No compulsion whatever is used. The contracts are explained to the intending emigrants in the presence of the Emigration Officer and the Registrar-General, who understands Chinese. Great care is taken that the contracts are understood, and in the case of the "Frederic," some of the leading Chinese merchants assisted in the enquiry both ashore and afloat, where a last examination took place immediately before the ship sailed. The emigrants, of their own accord, went off to the vessel unaccompanied by any person in authority.

4. It is true that during the war in China, and for a limited period afterwards, armed men watched at the gangways and companions of the river steamers. As previously stated, this is not now done, except under rare and peculiar circumstances. Quartermasters, unarmed, are of course on duty, who look after the safety of the ship against fire, &c. But it is almost unnecessary to add that there is no analogy between the river steamers and the coolie ships.

6. They are certainly put into places separate from Europeans, but only because they pay less for their passages. But it is simply untrue to say that the emigrants travelling in the California steamers are watched over by armed men. Nor do they enter into contracts in Hong-Kong. It is now fairly well known that, by the American law, such contracts are wholly invalid.

7. It is not a public or notorious fact that, at Hong-Kong, there are agents of emigration for California. There may be such agents, but they are not known. Many Chinese in Hong-Kong are induced by those who have returned from California to seek their fortunes in that country, but such inducements are not put forward by agents in any sense of the word. This Government has always discouraged and obstructed any attempts to make Chinese emigrate to California, or other places where contracts were to be entered into. Two such attempts in late
It is also known that, in January of last year, no less than two revolts occurred on board the Belgian ship "Frederic," then in the port of Hong-Kong, ready to sail for Peru, with coolies, and the emigrants who had revolted on board were forcibly compelled by Judge Smale to return on board, under the pretense that they had already signed their contracts.

(Signed) CECIL C. SMITH, Registrar-General.
R. H. CAIRNS, Acting Emigration Officer.
December 27, 1871.

Inclosure 3 in No. 10.

Extract from the "Daily Advertiser."

Hong Kong, January 8, 1872.

WE subjoin hereunder a Return taken from the Macao "Boletim do Governo," which speaks for itself. No less than 348 dead bodies have, during 1871, been found in the streets of Macao, mostly, as we learn upon good authority, those of would-be "emigrants," who have been rejected by the coolie agents, on account of sickness or physical incompetency. With every disposition to acknowledge the services already rendered by Admiral Souza, in purging the coolie trade of some of its worst abuses, we must repeat that such a state of affairs reflects great discredit on his administration. Whether the conditions be hard or not, it is indispensable that every coolie broker should be responsible for the return to his native place of those rejected. Must Chinese emigration always be attended by horrors? If so, the sooner it is abolished the better!

The following is the Return:—

Statement of dead bodies, mostly of Chinese emigrants, discharged from the barracoons on account of sickness: those found in a dying state and removed to the asylum excepted:—

<table>
<thead>
<tr>
<th>January</th>
<th>February</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>32</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>34</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>33</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>28</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>39</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>25</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>47</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>27</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>48</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>348</td>
</tr>
</tbody>
</table>

Inclosure 4 in No. 10.

Sir C. Murdoch to Mr. Herbert.

Sir,

I HAVE to acknowledge your letter of the 20th ultimo, inclosing a correspondence which has passed between the Foreign Office and the Portuguese Government on the subject of emigration from Macao.

Emigration Board, November 2, 1871.
2. It appears that Earl Granville having recently called the attention of the Portuguese Government to the manner in which emigrants are procured at Macao, with reference to the revolt on board the "Nouvelle Penelope," and the burning of the "Don Juan," the Portuguese Foreign Minister retorted by enclosing a Memorandum, in which it is asserted that emigration from Macao is carried on "with greater legality" than from Hong-Kong, or any other place on the coast of China; that the precaution adopted in the Macao ships on long voyages (meaning, I presume, the imprisonment of the people in the between-decks) are no more than the precautions adopted in American and English steamers, on the daily line between Hong-Kong, Macao, and Canton, and that revolts have taken place in Hong-Kong harbour, and unwilling emigrants been compelled to embark, on the ground that they had signed contracts. It is further alleged that the Chinese, who emigrate from Hong-Kong to California in American steamers, "are put into separate places and are watched by armed men;" that they are not spontaneous emigrants, but are collected by Californian agents, and are "taken hold of" by other agents on their arrival at their destination. Under these circumstances the Earl of Kimberley desires us to furnish such observations as we have to offer in reply to the allegations of the Portuguese Government respecting emigration from Hong-Kong to America.

3. The information in this office as to emigration from Hong-Kong to the United States is contained in Sir R. MacDonnell’s despatches to the Colonial Office, of February and April, 1870. In those despatches he stated that a considerable emigration had then recently sprung up from China to the Southern States, through Hong-Kong; that the emigrants were engaged through the intervention of a Chinese, who had been resident in Louisiana, but that he had apprized the agent in Hong-Kong that he could not sanction any emigration under contract, except to British Colonies. The result of this notice was that a large number of the Chinese refused to embark without a previous contract, and of those already embarked a portion relanded. The ships which carried these emigrants were dispatched under the Chinese Passengers’ Act 1855, which fixes the number that may be carried in proportion to space, and the mode in which the vessel must be fitted and provisioned—requires a survey to ascertain her seaworthiness and the efficiency of her crew, and prescribes the regulations necessary to ensure that the emigrants understand where they are going, are in a fit state of health, and emigrate voluntarily. There is no ground for doubting that these requirements of the law were duly observed by the emigration offices at Hong-Kong before the vessels in question sailed.

4. Previous to this emigration an attempt had been made to establish emigration from Hong Kong to Peru, and as it appeared that the Governor had no power to interfere with such emigration, provided the conditions of the Chinese Passengers Act were observed, he was directed to propose to the Legislature an Ordinance to give him the power. An Ordinance (No. 4 of 1870) was, in consequence, passed, by which it was provided that no Chinese passenger ship should proceed to sea from Hong Kong without a licence from the Governor, and that the grant of such licence should be subject to such conditions as should from time to time be prescribed by the Secretary of State. In exercise of this authority, the Secretary of State, on 30th May, 1870, prohibited the emigration of Chinese from Hong Kong to any place not within the British Dominions, and, consequently, the emigration to the United States came to an end.

5. But the peculiar feature of the emigration from Macao which led to the frightful loss of life on board the "Don Juan" is the imprisonment of the coolies in the between-decks by iron gratings, and it is in vindication of this practice that the Memorandum inclosed by the Portuguese Minister alleges that similar precautions have been adopted in the English and American steamers plying between Macao and Hong Kong since February 1857, when several cases of piracy by men disguised as passengers took place on those vessels. It will not fail to be remarked, however, that the "precautions" specified in the Memorandum are the setting apart a special place for the Chinese; and watching them by armed men, not a word is said about iron gratings, which are the whole gist of the matter. As regards the steamers plying in the Canton waters, we have no information, but as regards emigrant ships we are perfectly satisfied that no attempt has ever been made in a Chinese passenger ship from Hong Kong to restrain the emigrants by confining them under hatches. No such mode of restraint could have been adopted without coming to the knowledge of the Government. In the case of the "Jeddo," which on a voyage to British Guiana was destroyed by fire in the Straits of Sunda in April 1866, so far from the emigrants being left to perish under hatches, as in the "Don Juan," every exertion was made by the master and officers to save them, the surgeon remaining in the ship till he could no longer do so without sacrificing his own life. The majority of the emigrants in that ship did escape, and all would probably have done so if they had had courage to use the means of escape provided for them.
6. It is further alleged in the Memorandum that in the Belgian ship "Frederic," which sailed from Hong Kong for Peru in January 1870, with emigrants, no less than two revolts occurred in the port of Hong Kong, and "the immigrants who had revolted were forcibly compelled by the Judge Smale to return on board, under the pretext that they had already signed their contracts." The writer of the Memorandum does not give his authority for this statement, which, I have no doubt, is altogether unfounded. The circumstances connected with the emigration by the "Frederic" are reported in Sir R. MacDonnell’s despatches of May 25, July 90, and August 4, 1869, and January 26, 1870. In the last despatch he reports the sailing of the vessel, and incloses a letter from the Registrar-General, who inspected the emigrants when on the point of departure, in which it is said that the emigrants appeared to be in good spirits and health, and that the only complaints were by some men who said they had been swindled by an interpreter. In none of the despatches is there the least hint of a revolt on the part of any of the emigrants. As to men having been ordered by Judge Smale to return on board on the plea that they had signed contracts, it is sufficient to answer that Judge Smale had no legal power to make such an order, and that his known opinions on the subject of Chinese emigration would have made him most reluctant to use such a power if he had possessed it. I can have no hesitation in saying that in what he has stated in regard to the "Frederic" the writer of the Memorandum has been misinformed.

7. At the same time, it is not to be denied that the system of conducting emigration from Macao has been much improved since the appointment of the present Governor, Vice-Admiral da Souza. Formerly no control was attempted over the crimps employed to collect emigrants, and the frauds and violence with which their operations were carried out led to repeated outbreaks among the Chinese, in which the crimps and those connected with them were put to death with circumstances of revolting cruelty. In 1868, Admiral da Souza, who had recently been appointed to the Government of Macao, issued a set of regulations, by which the dépôts, the agents, and the brokers employed to collect emigrants were brought under the supervision of the Government. Free ingress and egress from the dépôts between 8 A.M. and 4 P.M. was enforced, corporal punishment was prohibited, and emigrants before embarkation were transferred for four days to a Government building, in which they were each day examined in the presence of certain public officers as to their willingness to emigrate, with full opportunity to refuse if they chose to do so. During that time, moreover, they were precluded from communication with the agents, sub-agents, contractors, or brokers.

8. If these regulations were carried out with good faith it is scarcely possible that any emigrant could be embarked at Macao without his own consent; and it will be observed in the examination of the men saved from the "Don Juan," that they all admitted that they had been asked whether they emigrated voluntarily, and had answered in the affirmative. Several said they have been deceived by the brokers, with whom they had conspired to commit a fraud, and had found themselves entrapped. That, however, is no imputation on the Government Regulations. The essential point is that all might have refused to emigrate if they had been kidnapped, as was formerly the practice, and would have been protected in their refusal by the Portuguese authorities. The objectionable point in the Portuguese Regulations is the provision that a coolie refusing to emigrate should repay the cost of his subsistence in the dépôt, and half his travelling expenses. Yet it is difficult to see how otherwise the agent could be protected against the fraud of men who might possess an intention to emigrate, solely for the purpose of being conveyed to Macao, and supported for an indefinite period at the expense of the agent.

9. The regulations under which emigrations from Hong Kong may be conducted will be found in Sir R. MacDonnell's despatch of 19th July, 1869. As, however, emigration from Hong Kong to any but British Colonies has been forbidden, and as emigrants cannot be collected for those Colonies in China without the employment of native agents, which is not allowed, emigration from Hong Kong is for the present at an end.

I have, &c.

(Signed) T. W. C. MURDOCH.
CORRESPONDENCE

RESPECTING

THE MACAO COOLIE TRADE,

AND THE

STEAMER "FATCHOY."

Presented to the House of Commons by Command of Her Majesty, in pursuance of their Address of June 16, 1873.

LONDON:
PRINTED BY HARRISON AND SONS.

[C.—797.] Price 2d.
**LIST OF PAPERS.**

<table>
<thead>
<tr>
<th>No.</th>
<th>From/To</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Mr. Holland to Mr. Hammond</td>
<td>November 9, 1872 1</td>
</tr>
<tr>
<td></td>
<td>Two Inclosures.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Viscount Enfield to Mr. Holland</td>
<td>November 16, — 2</td>
</tr>
<tr>
<td>3.</td>
<td>Mr. Wade to Earl Granville</td>
<td>November 2, — 2</td>
</tr>
<tr>
<td></td>
<td>One Inclosure.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Consul Dunlop to Earl Granville</td>
<td>December 24, — 3</td>
</tr>
<tr>
<td></td>
<td>Two Inclosures.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Mr. Hammond to Mr. Holland</td>
<td>January 24, 1873 5</td>
</tr>
<tr>
<td>6.</td>
<td>Earl Granville to Lord Odo Russell</td>
<td>January 30, — 5</td>
</tr>
<tr>
<td>7.</td>
<td>Mr. Hammond to Mr. Holland</td>
<td>January 30, — 5</td>
</tr>
<tr>
<td>8.</td>
<td>Mr. Herbert to Mr. Hammond</td>
<td>February 14, — 5</td>
</tr>
<tr>
<td>9.</td>
<td>Earl Granville to Sir C. Murray</td>
<td>February 27, — 6</td>
</tr>
<tr>
<td>10.</td>
<td>Lord Odo Russell to Earl Granville</td>
<td>March 6, — 6</td>
</tr>
<tr>
<td>11.</td>
<td>Mr. Holland to Mr. Hammond</td>
<td>June 21, — 6</td>
</tr>
<tr>
<td></td>
<td>Eight Inclosures.</td>
<td></td>
</tr>
</tbody>
</table>
RETURN to an Address of the Honourable the House of Commons, dated June 16, 1873:

I transmit copy Bueno H. natives labour Downing B Yrurac time the despatch request you in

“Copies or Extracts of Correspondence between the Foreign Office and Her Majesty’s Representatives at Lisbon and Peking, Her Majesty’s Consuls in China, and the Colonial Office, relative to the Macao Coolie Trade (in continuation of Parliamentary Paper, C. 504, of Session 1872):

“Of the Despatch of the Foreign Office to Her Majesty’s Ambassador at Berlin regarding the steamer ‘Fatchoy’ (the property of German owners at Hong Kong), engaged in the said traffic:

“And, of the Letter of Her Majesty’s Consul-General at the Havana, dated the 24th day of December, 1872, and its inclosures.”

No. 1.

Mr. Holland to Mr. Hammond.—(Received November 11.)

Sir,

Downing Street, November 9, 1872.

I AM desired to transmit to you a copy of a despatch which Lord Kimberley proposes, with the concurrence of Lord Granville, to address to the Governor of Hong Kong, bringing to Sir Arthur Kennedy’s notice the reports that foreign vessels engaged in the shipment of coolies from Macao are equipped in the port of Hong Kong.

I am, &c.

(Signed) H. T. HOLLAND.

Inclosure 1 in No. 1.

The Earl of Kimberley to Governor Sir A. Kennedy.

Sir,

Downing Street, November 9, 1872.

IT has at different times been represented to me that foreign vessels engaged in the shipment of coolies from Macao are equipped in the port of Hong Kong, or furnished with supplies or stores from that Colony, and my attention has recently been directed to the following paragraph extracted from a Hong Kong newspaper:

“The Spanish steamer ‘Bueno Ventura,’ a sister to, and belonging to the same owner as the steamship ‘Yrruc Bat,’ which vessel fitted up here and left a few days back for Macao, for a cargo of coolies, has arrived here to fit up for the same purpose.”

2. You are probably aware that during the late Session of Parliament an Act (three copies of which I inclose) was passed for the purpose of repressing the abuses connected with the movement of natives from their islands in the Pacific Ocean to labour on plantations.

3. Although great cruelties have been perpetrated in connection with this traffic in South Sea islands, they can hardly have been greater than those which have led to the disgraceful and horrible occurrences from time to time reported as having place on board ships conveying Chinese coolies from Macao.

4. Her Majesty’s Government, which has been under the necessity of making repeated remonstrances to the Portuguese Government on the subject of the Macao coolie trade, cannot permit that there should be even the shadow of a justification for any such imputation as that British subjects in Hong Kong partake in, and profit by, a traffic which the Queen’s Government deplores and protests against. And I see no reason why British subjects resident in Hong Kong should not as well as those in Australasia be subjected to the punishment prescribed in Section 9 of the “Kidnapping Act, 1872,” for the offences specified in that section, if committed within the territorial jurisdiction of the Colony.

5. I request you to give particular attention to the “Kidnapping Act, 1872,” and to consider whether some of its provisions might not with the necessary alterations be made applicable to Hong Kong. If you are of opinion that they might be, I request you to transmit to me, as soon as possible, the draft of an Ordinance for that purpose.

[418]
As Chief Justice Smale has given much attention to this question I request you to give him a copy of this despatch, and of the Act inclosed in it, and to intimate to him that I shall be glad to receive from him, through you, any observations or suggestions which he may wish to offer either in conjunction or after consultation with the Attorney-General and yourself, or separately.

You will also lay this despatch before the Legislative Council.

I have, &c.

(Signed) KIMBERLEY.

---

Inclosure 2 in No. 1.

35 & 36 Vict.—Chapter 19.

An Act for the Prevention and Punishment of Criminal Outrages upon Natives of the Islands in the Pacific Ocean.—[27th June, 1872.]

No. 2.

Viscount Enfield to Mr. Holland.

Sir, Foreign Office, November 16, 1872.

I AM directed by Earl Granville to request that you will inform the Earl of Kimberley that Earl Granville concurs in the proposed instruction to the Governor of Hong Kong, which was inclosed in your letter of the 9th instant, relative to the reported equipment at Hong Kong of foreign vessels engaged in the shipment of coolies from Macao.

I am, &c.

(Signed) ENFIELD.

---

No. 3.

Mr. Wade to Earl Granville.—(Received January 11, 1873.)

My Lord, Peking, November 2, 1872.

I HAVE the honour to inclose an extract from an interesting note I have received from Sir Brooke Robertson. The Chinese Government is doing something to stop the Slave Trade at Macao, but as usual its action for good is greatly hindered by its incurable corruptions.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

---

Inclosure in No. 3.

Consul Sir D. Robertson to Mr. Wade.

(Extract.)

Hong Kong, October 5, 1872.

I FOUND the Macao barracoons were supplied chiefly from Canton and the kidnapped were shipped as passengers by the daily steamers, so, in communication with the Viceroy, Wiyunes or Weiyuens were appointed to board these vessels every morning and pick out the prisoners, for such they really are. I wrote to the Secretary of the Company at Hong Kong that this would be done, and to instruct the masters not to make any opposition. I have had some trouble with these gentlemen (the masters), but a great many have been removed.
Consul Dunlop to Earl Granville.—(Received January 20, 1873.)

No. 4.

My Lord,

I HAVE the honour to transmit herewith to your Lordship, the copy of a statement made to the American Consul-General here, regarding a recent voyage of a steamer nominally under the Spanish flag, called the “Fatchoy,” employed in bringing Chinese coolies from Macao to Cuba.

This declaration was made by one of the men employed in the engine-room of the steamer, who has now left her.

The American Consul-General gives implicit credence to the statement, which he has officially reported to his Government.

It would appear from this evidence that the “Fatchoy” is really engaged in slave trading, with the knowledge and concurrence of her German owners at Hong Kong.

The Chinese, on arrival here, are immediately “contracted” or sold to the planters (as I have already explained to your Lordship), and are as much “slaves” as the negro bondmen throughout Cuba. This will be their real condition, so long as negro-slavery in any shape, exists here.

I ask leave to subjoin a notice of the voyage of the “Fatchoy,” lately published in an American paper.

I have, &c.

(Signed) A. GRAHAM DUNLOP.

Inclosure 1 in No. 4.

Extract from an American Newspaper.

CHINESE labourers continue to arrive. The steamer “Fatchoy” brought over 900 of this unfortunate people, and official notice has been published of the expected arrival of the “Irurac Bat” with the same number. Other vessels now in China are engaged in the same traffic, which yields an immense profit to shipowners and all engaged in it. A passenger of the “Fatchoy” has informed your correspondent that the vessel went from point to point kidnapping Chinese; others were inveigled on board by speculators or “vagabonds,” as they are called there, who received 30 dollars for each one of their victims. As soon as they arrive on board they are stowed away below in irons until the full complement was received, which was ten times the number the capacity of the vessel allowed. The horrors of the traffic and the voyage of the “Fatchoy” can easily be imagined.

Three mutinies and an attempt to burn the steamer took place during the voyage. The crew and all hands on such occasions fired into the Chinese and adopted other severe measures, such as hard knocks and scalding water, until the tumults were quelled.

The loss on the voyage of the “Fatchoy” on this account and deaths from sickness and suffering was over eighty Chinese.

Inclosure 2 in No. 4.

Declaration.

(Extract.)

THE steamer “Fatchoy,” formerly “Vixen” (British), was sold at Hong Kong in July 1872, and placed under the German flag. The purchasers, Messrs. Paul Eblers and Co., had her then put under the Spanish flag by nominal transfer to a Spaniard. She was then fitted-out at Hong Kong with iron grating on the hatches, and round the hatches, and in the between decks, and at the side ports, iron barricades were also fitted out in deck. After this work had been done, she took in water and coal and proceeded, on the 1st of last August, to Macao.

On or about the 15th of August she commenced loading coolies; they were sent off in lots, three times a week, generally on Tuesdays, Thursdays, and Saturdays, sometimes from 40 to 100 in a lot, but seldom above 50. The coolies are never considered to be finally secured until they are once on board, then their case becomes one of desolation and despair.

While “Fatchoy” was lying at Macao, the steamer “Roseta d’Nina,” which had been dispatched some six weeks previously, returned to Macao in distress, and her cargo
of 700 coolies was transferred to the "Patchoy;" these coolies were in a sad state, many of them had been cruelly flogged and otherwise ill-used on board the "Roseta d'Nina."

With this large accession, the cargo was soon completed to the number of 1,005 coolies.

Every one of these men gave indications that the vilest deception had been practised upon them, and once having "realized" the utter hopelessness of their situation, gave themselves up to frantic despair. Some would throw themselves overboard whenever an opportunity offered, but two boats were constantly alongside to pick them up and return them on board.

The price paid the "coolie-catchers," as they are called, is $50 dollars per head (delivered at the barracoons), but the amount is not paid over until the coolie is on board ship. Thus the "catcher" or "kidnapper," insures the delivery of the coolie, although he is sent off in the ship's boats.

The "Patchoy" left Macao on the 26th August, with the 1,005 coolies on board; all went well until the fourth day out. On this day, at about 3 P.M., a cry of "Mutiny forward" was raised. The coolies had attacked the guards; one of the guards went overboard, probably thrown over by the coolies; the other guard took to the rigging. The coolies had made a rush to the Chinese "galley" (for cooking), probably to try to get knives or weapons. The mate and second mate, from the bridge, shot into the crowd and wounded three of the coolies. This checked the mutiny. The officers then rallied, and succeeded in catching a number of the coolies and tying them by their long hair to the iron "barricade," or to the iron gratings, and driving the rest below. About 150 were put in irons.

The next morning the Spanish captain had them brought up. Some bags of rice were placed on deck and the prisoners were laid across the bags, then unmercifully flogged and beaten by two men keeping time with their whips or sticks. In a short time the deck was covered with blood. As each coolie was flogged, he was washed with salt and water and sent below.

We arrived at Anger, Batavia, on the 9th September, remained there two days, and thence proceeded to the Mauritius, and there took in water and coal, the ship remaining in quarantine. From the Mauritius we went to the Cape of Good Hope. In all these ports the coolies were kept below; and while coaling was going on, the hatches were put on, and the "hospital" bulkheads for the sick were closed. The heat was intolerable even in the open air.

The voyage for the coolies was one of the most unimaginable sufferings; they were struck, kicked, flogged, and otherwise treated with the greatest brutality. The filthy and stench was something horrible. The hospitals were not cleaned during the whole voyage. I often turned away my eyes when I witnessed such dreadful scenes. I venture to say that in the annals of the African Slave Trade all the horrors of the "middle passage" never surpassed those of this China slave-ship.

The deaths on this direful and murderous voyage reached eighty, or about 8 per cent. of the number taken on board at Macao. Their deaths were, doubtless, caused by the blows they received, by general ill-usage, and by the filthy condition of the ship.

We reached Havana in due time, and were not put into quarantine, but proceeded at once to discharge our cargo of live freight.

The steamer "Patchoy" is, to all intents and purposes, German property. She has been in some way chartered to the Havana Coolie Importing Society for two trips, one of which is now fulfilled.

There was on board a man styled, in sailor parlance, a "paper captain." He appeared to be the agent of the owners of the coolies, or something like a supercargo. He had full control of the coolies, superintending the beatings and other punishments inflicted on the coolies throughout the voyage. A more merciless ruffian never lived.

The other "captain" is a German. On the ship's papers he is styled "sailing-master." The first, second, and third mates, and the carpenter, are all Germans. The chief engineer is an American; the others English, Scotch, and Irish. The crew comprised of several nations, but all of them understanding English. There were only two or three on board who spoke Spanish.

The officers always spoke English or German.

_Havana, December 18, 1872._
Mr. Hammond to Mr. Holland.

Sir, Foreign Office, January 24, 1873.

I AM directed by Her Majesty's Secretary of State to transmit to you, to be laid before the Earl of Kimberley, a copy of a despatch from Mr. Wade, inclosing an extract of a letter from Sir B. Robertson respecting the emigration of coolies from Macao.*

I am, &c.
(Signed) E. HAMMOND.

Earl Granville to Lord Odo Russell.

My Lord, Foreign Office, January 30, 1873.

I TRANSMIT herewith copies of a despatch and of its inclosure from Her Majesty's Consul-General at Havana relative to the proceedings of a steamer named the "Fatchoy," said to be a German vessel; † and I have to request that your Excellency will bring this matter to the knowledge of the German Government.

I am, &c.
(Signed) GRANVILLE.

Mr. Hammond to Mr. Holland.

Sir, Foreign Office, January 30, 1873.

I AM directed by Earl Granville to transmit to you, for the information of the Earl of Kimberley, copies of a despatch and of its inclosures from Her Majesty's Consul-General at Havana, relative to the proceedings of a vessel named the "Fatchoy," said to be German, in kidnapping Chinese coolies for sale in Cuba. ‡

Her Majesty's Ambassador at Berlin has been requested to bring the matter to the notice of the German Government.

I am, &c.
(Signed) E. HAMMOND.

Mr. Herbert to Mr. Hammond.—(Received February 15.)

Sir, Downing Street, February 14, 1873.

I AM directed by the Earl of Kimberley to acknowledge your letter of the 30th ultimo, relative to the proceedings of a vessel named the "Fatchoy," said to be German, in kidnapping Chinese coolies for sale in Cuba.

As this ship is stated to have sailed from Macao, Lord Kimberley presumes that Lord Granville will bring the substance of Mr. Dunlop's despatch to the notice of the Portuguese Government as well as to the notice of the German Government.

Lord Kimberley has already instructed the Governor of Hong Kong, in a despatch, a copy of which was transmitted in my letter to you of the 9th of November, to pass an Ordinance to prevent any ships being fitted out in that Colony, as it appears was the case with the "Fatchoy," to carry coolies from China to any port not in Her Majesty's dominions. But unless the Chinese authorities enforce a similar prohibition at Whampoa, Lord Kimberley fears that it is not probable that any serious impediment will be put in the way of the dispatch of these ships.

I am, &c.
(Signed) ROBERT G. W. HERBERT.
No. 9.

Earl Granville to Sir C. Murray.

Sir,  

WITH reference to my despatch to Mr. Doria, of the 22nd August last, and to previous correspondence respecting the shipment of Chinese coolies at Macao, I transmit to you herewith a copy of a despatch from Her Majesty's Consul-General at the Havana, inclosing a statement relative to the voyage of the steamer "Fatchoy" with coolies from Macao to the Havana.*

In communicating this despatch to the Portuguese Minister for Foreign Affairs, you will inform his Excellency that the Governor of Hong Kong has been instructed to pass an Ordinance to prevent any ships being fitted out in that Colony to carry coolies from China to any port not in Her Majesty's dominions; and also that Her Majesty's Ambassador at Berlin has been instructed to bring the case of the "Fatchoy" to the notice of the German Government.

I am, &c.

(Signed) GRANVILLE.

No. 10.

Lord Odo Russell to Earl Granville.—(Received March 10.)

My Lord,  

I HAVE brought the facts relative to the proceedings of a steamer named the "Fatchoy," said to be a German vessel, to the knowledge of Herr von Balan, in obedience to your Lordship's instructions of the 30th January.

I have, &c.

(Signed) ODO RUSSELL.

No. 11.

Mr. Holland to Mr. Hammond.—(Received June 23.)

Sir,  

WITH reference to the letter from this Department of the 16th February, I am directed by the Earl of Kimberley to transmit to you, for the information of Earl Granville, copies of the accompanying despatches respecting the vessel "Fatchoy," which is engaged in the Macao coolie trade. Lord Kimberley presumes that these papers will be added to those about to be laid before Parliament in compliance with Sir C. Wingfield's motion of the 16th of June.

I am, &c.

(Signed) H. T. HOLLAND.

Inclosure 1 in No. 11.

The Earl of Kimberley to Sir A. Kennedy.

Sir,  

I TRANSMIT to you a copy of a letter from the Foreign Office, inclosing a despatch from Her Majesty's Consul-General at Havana relative to the proceedings of a vessel named the "Fatchoy," and which is said to be German, in kidnapping Chinese coolies for sale in Cuba.

This vessel is stated to have been sold in July last, in Hong Kong, to Messrs. Paul, Ehlers and Co., and to have been fitted out there with "iron gratings on the hatches, and round the hatches in the between decks, and at the side ports," and also to have had iron barricades fitted on the deck.

I greatly regret to receive this official corroboration of the allegation which has been repeatedly made, that persons residing in Hong Kong are profitably connected with a traffic
which has been productive of the most disgraceful abuses, and which Her Majesty's Government have been most desirous to see abolished; and I wish to be informed whether those who fitted out this vessel were British subjects, and whether the fittings out were approved by the Harbour Master, under section 27 of the Ordinance No. 1 of 1862.

I have, &c.

(Signed) KIMBERLEY.

Inclosure 2 in No. 11.

Governor Sir A. Kennedy to the Earl of Kimberley.

My Lord,

Government House, Hong Kong, April 25, 1873.

I HAVE the honour to acknowledge your Lordship's despatch of the 13th February, regarding the emigrant ship "Fatchoy," which left Macao with a large number of coolies for Havana after partly fitting out in this harbour.

2. The statements which formed inclosures to this despatch are fully corroborated by sworn testimony contained in this Colony. As, however, the documents already in the Colonial Office contain the same information which I have gathered here, I do not think it necessary at present to transmit it to your Lordship.

3. I have, however, to report in reply to the inquiries which the despatch contains that, although the "Fatchoy" was purchased by a German firm, Messrs. Paul Ehlers and Co., she was prior to her leaving this harbour sold to Mr. Abella, a Spanish subject, and she wore the Spanish colours.

4. Nevertheless, it is quite certain Messrs. Paul, Ehlers and Co. did not give up entirely their interest in the vessel, inasmuch as one of the partners of that firm, Mr. C. R. Menser, sailed in her as supercargo, and played a very prominent part, according to the information at hand, in what went on during the voyage.

5. Of this firm I am unable to give your Lordship many particulars. Mr. Paul Ehlers is the resident head of the business, and he signs himself as attorney for Mr. Abella. There can, I think, be no reasonable doubt that the "Fatchoy" was fitted out by that firm, and further, that she is under a contract not for one but for two voyages. The actual fittings, i.e., barricades, &c., were made by Chinese artisans.

6. I have called upon the Harbour Master to state what took place in his jurisdiction when the "Fatchoy" was fitting out, and I inclose a copy of that officer's report. It is quite clear that her fittings were made in Hong Kong, and there are good reasons for concluding that at any rate part of the barricades were actually fixed before the vessel left these waters.

7. Nevertheless, it is equally clear that the officers of the Harbour Department were on the alert with a view to preventing, as far as their limited powers permitted, the fixing of objectionable gratings. The statement of Mr. Thomsett is, in this subject, supported by the agents of the steamer in a letter to the "China Mail," a copy of which I inclose; and although the boarding officer did not go on board every day, yet he frequently inspected the vessel in the course of his duties in order to insure the requirements of the law being observed.

8. There is little advantage to be obtained from concealing the fact that the law as it stood when the "Fatchoy" lay in this harbour was, to all practical intents and purposes, a dead letter. It was not within anybody's province to stop the gratings and barricades from being made. Chinese blacksmiths and carpenters took measurements and executed their work without infringing the law of the Colony, and the Harbour Master was left without adequate means to prevent barricades from being fixed, a matter easy of execution and which could be done as the vessel was leaving the harbour, or, as we now know, more frequently at Macao, whither the articles were shipped in junks, or concealed in the hold of the coolie ship when clearing for that port.

9. Happily, all this is now at an end, owing to the passing of an Ordinance which I am this day transmitting to your Lordship.* Public officers will never satisfactorily perform what is supposed to be their duty, when it is acknowledged on all sides that the law they are attempting to enforce is a farce, as was stated by the Attorney-General yesterday before the Legislative Council. At the present hour it is impossible for such a case as that of the "Fatchoy" to occur, so far as Hong Kong is concerned; for from the time such a vessel is intended to be used for the conveyance of emigrants from ports outside this Colony up to the hour when she leaves, she is brought immediately under the

* No. 3 of 1873.
Emigration Officer, who has a plain and intelligible course to follow about which no sort of doubt can arise so as to interfere with the operation of the law.

10. In conclusion I have only to add that in place of a comparatively useless law perfunctorily administered, the Colony now possess a clear and stringent enactment, easy of comprehension and sure in its operation, which will, I trust, put a stop to the residents of Hong Kong aiding or profiting by the fitting out in this harbour of any vessel engaged in any kind of Chinese emigration which is not approved of by Her Majesty's Government. I have, &c.

(Signed) A. E. KENNEDY.

Inclosure 3 in No. 11.

Report by the Harbour Master of Hong Kong.

THE "Fatchoy," lately the British steamer "Vixen," of London, official number 63,588, of 1081 registered tons, was transferred to the German flag on the 13th April, 1872, at this port.

I have been unable to ascertain who the purchaser was or under what circumstances she became entitled to assume the Spanish flag.

After her last change the master obtained permission to fit his ship for the conveyance of emigrants.

The only fittings approved in any vessels fitting at Hong Kong, whether to embark their passengers here or elsewhere, are sleeping berths, hospital, ventilators, cooking-places, and such like.

The "Fatchoy" probably fitted her gratings and barricades at this port as stated, but they could not have been fixed here as a permanency, or they must have been seen by the officers of this Department at their visits. Such fittings are made in pieces of iron framework, the height of the between decks, and from seven to nine feet in width; they are fitted at their top and bottom with nuts and screw bolts to admit of their being readily put up and taken down.

The only effectual means of ascertaining if these objectionable gratings, &c., are being fixed, would be by keeping men stationed on board for this special purpose; but even then, the existing state of the law would not prevent measurements being taken, and the gratings, &c., being made here, and afterwards conveyed to Macao, either in the ship or by means of junk.

With regard to vessels already fitted, it is known, from the information of the carpenter of a Peruvian coolie ship lately returned from Callao, that her gratings and bulkheads were removed before coming into Hong Kong waters and put below, until again required at Macao, when they were to be replaced.

This system of taking down their fittings is confirmed by the boarding officer of the Department.

With regard to the allusion in this despatch to Section 27 of Ordinance 1 of 1862, the following case was recently tried here, with the view of seeing how far that part of the Section, referring to the approval of the Harbour Master in the fitting of emigrant ships, could be enforced:

The French steam-ship "Charles Albert" was fitting for the conveyance of coolies from Macao to Havana. The master received directions not to take on board, nor to fit gratings or barricades whilst his ship was in Hong Kong waters. This vessel was visited by the Captain Superintendent of Police and myself, when no objectionable fittings were found on board. The following day it was reported that gratings and barricades were being fitted on board the "Charles Albert."

A summons for breach of Section 27 of Ordinance 1 of 1862 was issued against the master, who was fined 500 dollars, or three months' imprisonment. This sentence was, on appeal to Supreme Court, sent back for amendment, an opinion having been expressed by the Honourable the Attorney-General that the master could not be punished for the offence under Section 27, but that he might be punished for disobedience of orders under Section 10. On this opinion the fine was reduced to 200 dollars, or one month's imprisonment.

I call his Excellency's attention to this case, as, until advised, I did not consider the words in section 10 "or obey any other order which the Harbour Master may think fit to give," as applying to convictions under section 27 of Ordinance 1 of 1862.

(Signed) H. G. THOMSETT, Harbour Master, &c.

Hong Kong, April 9, 1873.
Inclosure 4 in No. 11.

Mr. Frensberg to Mr. Thomsett.

Imperial German Consulate, Hong Kong, April 14, 1873.

Sir,

I have the honour to acknowledge the receipt of your letter of the 7th April, by which you put several questions to me, regarding the transfer of the German steamer "Fatchoy" from her German owners to a Spanish subject. With reference to these questions, I beg to inform you that the steamer "Fatchoy," late "Vixen," was sold to the German firm Paul Ehlers and Co., at Hong Kong. Messrs. Paul Ehlers and Co. sold the steamer to Mr. Francisco Abella on the 30th July, 1872. This fact has been made known to you by letter from the then German Consul, M. Eimbcke, dated the 31st July, 1872, of which I beg to inclose a copy for your information, should the original letter not have reached you. According to a communication of Messrs. Paul Ehlers and Co., the deed of transfer has been deposited with the Spanish Consulate at Hong Kong.

I have, &c.

(Signed) CH. FRENSBERG.

Inclosure 5 in No. 11.

Mr. Eimbcke to Mr. Thomsett.

Sir,

Hong Kong, July 31, 1873.

I have the honour to inform you that the German steamer "Fatchoy," now in this harbour, has been sold to a Spanish subject. She is therefore no longer entitled to wear the German colours, and has ceased to be German property.

I have, &c.

(Signed) EIMBCKE,

Consul for the German Empire.

Inclosure 6 in No. 11.

Extract from the "China Mail" of April 10, 1873.

The "Fatchoy" Revelations.

To the Editor of the "China Mail."

Sir,

Hong Kong, April 10, 1873.

Referring to the article which appears in your issue of 9th instant, headed the " 'Fatchoy' Revelations," we thank you for your promise to publish any rebutting statements we may forward bearing on the assertions made by you or others equally badly informed. We take the liberty to trouble you with the publishing of this letter.

We received this morning the following letter from the late American chief Engineer of the steamer "Fatchoy," which we have his permission to publish:

"In answer to your inquiry, I beg to state that I never wrote any article relative to the voyage of the steamer 'Fatchoy' to Havana, nor have I ever been interviewed by any editor or reporter of any newspaper whatsoever respecting the said voyage, and the only statement I ever made upon the voyage I made to the Consul-General at Havana. Many of the statements made upon the subject under question, in the 'China Mail' and other newspapers, are incorrect. Please note that I do not wish to have any further correspondence upon this matter or to give any further information relative to the subject."

We take it for granted that you were allowed to publish the ex parte statements from official documents as we read them in your issue of the 9th instant, and we hope that we are allowed to rebut such statements as far as we have proof for the assertions we now make.

To say that the steamer "Fatchoy," or her crew, has been employed in kidnapping coolies is too absurd a statement to merit any attention whatever; it is tantamount to asserting that the captain kidnapped a few coolies in Queen's Road or on the Praya and concealed them in his waistcoat-pocket. 1,005 emigrants and 2 cabin-boys left by the "Fatchoy;" all their contracts were countersigned by the Spanish Consul at Macao.
As regards the conclusion come to by the American Consul-General, that the "Fatchoy" had been really engaged in slave-trading, he is certainly right, if the emigration from Macao to Havana is, by the dictum of this mighty personage, henceforth to be called "slave-trading."

Relative to the German ownership, the respective Consuls might have taken the trouble to inquire at the Registry at Havana, the "Fatchoy" being registered at that port. The "Fatchoy," formerly "Vixen") was bought by us at Hong Kong in April 1872, not July 1872; we sold her in July 1872, and her present owner put her under the Spanish flag, in his name she is registered at Havana. The bill of sale lies open for inspection at the Spanish Consulate.

The "Fatchoy" was certainly fitted up as an emigrant ship in the harbour of Hong Kong, and Mr. Sampson, of the Harbour-Master's, came on board every day to see that no iron gratings were fitted on the hatches, and that no barricades were erected. The coolies from the "Rosita y Nina" were certainly transferred to the "Fatchoy," when she had only about 150 emigrants on board.

That your statements are vouched for as facts by two Consuls-General as sworn evidence is a simple error; the chief engineer told us this morning that he never swore to anything before the Consul-General at Havana, but that he simply told his tale in a conversational manner.

There is no doubt but that the American Consul-General drew largely upon his imagination if his statements of facts really are what you represent them to be. We repeat that your statement that the coolies were during the voyage "flogged, kicked, cuffed and treated with the greatest inhumanity," is incorrect, and for this we have now likewise the authority of the chief engineer himself.

That all the crew understood English is not true; only the minority understood it, and partly very imperfectly too. There were on board the captain, the sailing master, the passenger, the chief engineer, two Chinese sergeants (emigrants who had already been once as coolies to Havana), one interpreter, and five Manila men, who spoke Spanish fluently.

It is refreshing to hear that Her Majesty's Ambassador at Berlin has been requested to bring the matter to the notice of the Berlin Government, because, if any notice is taken of these representations at all, they are not likely to overshoot the mark, and as the investigation into the matter has now been taken up by the respective Governments, and as we shall be perfectly willing to give them all the information that lies in our power, if they will but ask for it, so we think you may set your mind at rest. As the "Fatchoy" has been lying over a month in the harbour of Liverpool, after having been to New Orleans, in the United States of America, represented by the Consul-General at Havana, having all the time the same captain and the same English engineers on board, and, as far as we know, without being in any way molested and without any inquiries having been made, so we can only presume that the respective Home Governments ultimately came to the conclusion that the "Fatchoy" is not a slaver, and that the report of fiendish outrages said to have been committed on board of her rests upon the same foundation and authority as the report said to have been written, "by an officer of the 'Fatchoy,' the late American chief engineer" your trump-card!

Your own remarks and comments we may be allowed to pass over in silence, because we already clearly proved that you represent as fact what which is no fact at all, and as notwithstanding our denial you apparently still adhere to your version of the story and as you refuse to accept the information which we offered to give you, consequently show no desire to learn the truth, so we must leave you to the admiration of those who find pleasure in perusing your splendid literary efforts.

We remain, &c.

(Signed) PAUL EHLERS AND Co.,

Agents of the Spanish steamer "Fatchoy."

Inclousure 7 in No. 11.

Governor Sir A. Kennedy to the Earl of Kimberley.

My Lord,

REFERRING to my despatch of 25th ultimo, I have the honour to transmit copy of a report from the Harbour Master relating to the return of the "Fatchoy" to this port from Liverpool.

Government House, Hong Kong, May 2, 1873.
Your Lordship will observe that, in face of recent legislation,* that vessel did not drop anchor in this harbour, but proceeded at once to Macao.

I have, &c.

(Signed) A. E. KENNEDY.

. Inclosure 8 in No. 11.

Mr. Thomsett to Mr. Smith.

Sir, *Ordinance No. 3 of 1873.

Harbour Department, Hong Kong, May 1, 1873.

I HAVE the honour to report that the Spanish steamer "Patchoy" arrived here this day at 11 A.M. She was immediately boarded by Mr. Sampson, the Boarding Officer.

The "Patchoy" is from Liverpool, which port she left on the 11th March. Mr. Menser is a passenger by her. She has a coal cargo, the greater portion of which has been consumed on the voyage.

Mr. Sampson reports that he saw iron barricades and gratings lying on the between decks.

Mr. Ehlers, of the firm of Paul, Ehlers and Co., went on board. The vessel did not anchor, as Mr. Ehlers gave the master orders to proceed to Macao.

There was not time for me to proceed on board for the purpose of searching for the barricades, &c., as directed, as when the report of her arrival reached me, she was on her way out of our jurisdiction.

I have, &c.

(Signed) H. G. THOMSETT, Harbour-Master, &c.
CORRESPONDENCE respecting the Macao 
Coolie Trade, and the Steamer 
"Fatchoy."

Presented to the House of Commons by Command 
of Her Majesty, in pursuance of their Address 
dated June 16, 1873.
HONG KONG COOLIE TRADE.

PAPERS

RELATIVE TO THE

MEASURES TAKEN TO PREVENT THE FITTING OUT OF SHIPS AT HONG KONG

FOR THE

MACAO COOLIE TRADE.


LONDON:
PRINTED BY WILLIAM CLOWES & SONS, STAMFORD STREET AND CHARING CROSS, FOR HER MAJESTY'S STATIONERY OFFICE.

[C.—829.] Price 6d. 1873.
<table>
<thead>
<tr>
<th>Number in Series</th>
<th>From whom</th>
<th>Date</th>
<th>Subject</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Governor Sir A.E. Kennedy</td>
<td>June 7, 1872</td>
<td>Transmits translation of a Chinese statement relative to abnorme connected with emigration from Macao.</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>To Governor Sir A.E. Kennedy</td>
<td>Aug. 12, 1872</td>
<td>Inquiring what truth there is in the allegation that persons make large profits for supplying the Coolie ships with means for fitting them out for this service.</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>To Governor Sir A.E. Kennedy</td>
<td>Nov. 20, 1872</td>
<td>Bringing to his notice the reports that foreign vessels engaged in the shipment of Coolies from Macao are equipped at Hong Kong.</td>
<td>4</td>
</tr>
<tr>
<td>4</td>
<td>Governor Sir A.E. Kennedy</td>
<td>Oct. 19, 1872</td>
<td>Extract.</td>
<td>5</td>
</tr>
<tr>
<td>5</td>
<td>To Governor Kennedy</td>
<td>Dec. 17, 1872</td>
<td>The state of things as described in the above Despatch is most unsatisfactory, and strongly confirms the opinion already expressed as to the necessity for fresh legislation on the subject.</td>
<td>6</td>
</tr>
<tr>
<td>6</td>
<td>Governor Sir A.E. Kennedy</td>
<td>Jan. 15, 1873</td>
<td>Enclosing copy of a draft Ordinance for suppressing the abuses;—but will introduce a more comprehensive measure, in accordance with the views of Her Majesty's Government.</td>
<td>7</td>
</tr>
<tr>
<td>7</td>
<td>Ditto.</td>
<td>Jan. 22, 1873</td>
<td>Encloses draft Ordinance to prevent Hong Kong residents from participating in the Macao Coolie trade.</td>
<td>9</td>
</tr>
<tr>
<td>8</td>
<td>Governor Sir A.E. Kennedy</td>
<td>Feb. 5, 1873</td>
<td>Transmits notes on a visit to Peruvian vessels engaged in the Macao Coolie trade, now lying in Hong Kong Harbour.</td>
<td>14</td>
</tr>
<tr>
<td>9</td>
<td>Ditto.</td>
<td>Feb. 10, 1873</td>
<td>Transmits Correspondence with the Chief Justice regarding vessels engaged in this trade; together with returns and a Proclamation referring to Emigrants by the Governor of Macao.</td>
<td>16</td>
</tr>
<tr>
<td>10</td>
<td>Ditto.</td>
<td>Feb. 11, 1873</td>
<td>Reports that Lord Kimberley's Despatch of November 20, 1872, has been laid before the Legislative Council.</td>
<td>20</td>
</tr>
<tr>
<td>11</td>
<td>Ditto.</td>
<td>Feb. 12, 1873</td>
<td>Transmitting observations of the Chief Justice on Lord Kimberley's Despatch of November 20, 1872.</td>
<td>22</td>
</tr>
<tr>
<td>12</td>
<td>To the Officer administering the Government</td>
<td>April 14, 1873</td>
<td>Recording the substance of a telegram which was sent on the 12th instant.</td>
<td>27</td>
</tr>
<tr>
<td>13</td>
<td>Ditto.</td>
<td>April 23, 1873</td>
<td>Recording the substance of another telegram which was sent on the 23rd instant.</td>
<td>28</td>
</tr>
<tr>
<td>14</td>
<td>To Governor Sir A.E. Kennedy</td>
<td>April 27, 1873</td>
<td>Pointing out what is the proper course for the Colony of Hong Kong to pursue with reference to the passing the Ordinance.</td>
<td>28</td>
</tr>
<tr>
<td>15</td>
<td>To Governor Sir Harry Ord.</td>
<td>April 27, 1873</td>
<td>Conveying instructions for the passing a measure to carry into effect the Secretary of State's desire.</td>
<td>29</td>
</tr>
<tr>
<td>Number in Series</td>
<td>From whom.</td>
<td>Date.</td>
<td>Subject.</td>
<td>Page</td>
</tr>
<tr>
<td>-----------------</td>
<td>-------------------------------------</td>
<td>---------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>16</td>
<td>Governor Sir A. E. Kennedy.</td>
<td>April 14, 1873.</td>
<td>Acknowledges telegram of April 12.</td>
<td>30</td>
</tr>
<tr>
<td>17</td>
<td>Ditto.</td>
<td>April 25, 1873.</td>
<td>Acknowledges the further telegram of April 23.</td>
<td>30</td>
</tr>
<tr>
<td>18</td>
<td>Ditto.</td>
<td>April 25, 1873.</td>
<td>Transmitting &quot;Chinese Emigrant Ship Fitting Ordinance,&quot; No. 3 of 1873.</td>
<td>30</td>
</tr>
<tr>
<td>19</td>
<td>Ditto.</td>
<td>May 9, 1873.</td>
<td>Transmitting Ordinance to prevent abuses in connection with Chinese Emigration, No. 5 of 1873.</td>
<td>34</td>
</tr>
<tr>
<td>20</td>
<td>To the Officer administering the Government.</td>
<td>June 27, 1873.</td>
<td>Confirming the above Ordinance, No. 3 of 1873.</td>
<td>42</td>
</tr>
<tr>
<td>21</td>
<td>Governor Sir A. E. Kennedy.</td>
<td>May 9, 1873.</td>
<td>Transmitting Ordinance for the Protection of Women, &amp;c., No. 6 of 1873.</td>
<td>42</td>
</tr>
<tr>
<td>22</td>
<td>To the Officer administering the Government.</td>
<td>July 4, 1873.</td>
<td>Confirming the above Ordinance, No. 6 of 1873.</td>
<td>44</td>
</tr>
<tr>
<td>23</td>
<td>To Governor Sir A. E. Kennedy.</td>
<td>July 7, 1873.</td>
<td>Suggesting amendments in the Ordinance, No. 5 of 1873.</td>
<td>44</td>
</tr>
</tbody>
</table>
PAPERS

RELATIVE TO THE

MEASURES TAKEN TO PREVENT THE FITTING OUT OF SHIPS
AT HONG KONG FOR THE MACAO COOLIE TRADE.

HONG KONG COOLIE TRADE.

No. 1.

Governor Sir A. E. Kennedy, K.C.M.G., to The Earl of Kimberley.

Government House, Hong Kong, June 7, 1872.

My Lord,

The accompanying paper, headed ‘A correct Statement of the wicked practice of Decoying and Kidnapping,’ is the translation of a document handed to me by a deputation of very influential Chinese inhabitants of Hong Kong.

2. I have had several interviews with the deputation, and I am fully impressed with the sincerity and earnestness of their desire to put an end to the cruel and disgraceful traffic which they describe as being carried on at “Macao.”

3. It is sufficiently obvious that such proceedings in our immediate neighbourhood, though out of our jurisdiction, cannot fail to influence the population of Hong Kong.

4. It is reported to me on authority on which I think reliance may be placed, that a scheme is now on foot to send several hundred women from Hong Kong to San Francisco, where they would be virtually sold for purposes of prostitution.

5. I entertain no doubt that the ample powers which the law confers, aided by the vigilance of the officers charged with that duty, will be sufficient to defeat so nefarious a project, more especially as the respectable and influential members of the Chinese community are disposed to afford the Government every information on the subject.

6. I am credibly informed that not less than 300 barracoons, and more than 800 Coolie brokers, are at present engaged at Macao in the trade so graphically described in the accompanying paper.

7. I have the pleasure of being personally acquainted with, and on friendly terms with, Viscount de Sam Januario, the present Governor of Macao; but I do not feel justified in communicating what has been brought under my notice on this painful subject without the sanction of Her Majesty’s Government.

I have, &c. &c. &c.

(Signed) A. E. Kennedy, Governor.

The Earl of Kimberley,

Enclosure in No. 1.

A correct Statement of the wicked practice of Decoying and Kidnapping, respectfully laid before His Excellency.

1. A man who is a Coolie catcher and decoys people, the retribution for his crime is great and heavy. For when a man is kidnapped, a whole family who look to him for support are deprived of it; they have no longer anyone on whom they can depend; they are afflicted with grief, calling out with hunger and moaning with the cold. It is impos-
able to narrate all the evils. How is it that the Coolie catcher fears not the wrath of
heaven? He is only a Coolie catcher because he really cannot help himself. If a
foreign vessel comes to China to invite labourers, the number which each vessel will
carry is fixed at so many, and the Coolie catcher has to enter into an agreement, a
certain day is fixed for the time of the vessel’s sailing, and the number must be com-
pleted by that day. When the Coolie catcher has settled his agreement, he seeks out in
each village and each district a subordinate Coolie catcher, and makes him enter into an
agreement. At a fixed period each subordinate Coolie catcher must supply the complete
number of Coolies according to the time fixed in the agreement with the foreigner. If
the appointed day passes without the Coolie catcher having supplied the correct number
of Coolies, then the foreigner requires the head Coolie catcher to repay him the
money for the charter of the ship, the expenses of the rice and food, and whatever
money he may have already received in advance from the foreigner, as well as interest
on each item of expense. Then the head Coolie catcher comes down on his subordinate
to make him amends for the amount, just as the hammer strikes the chisel, and the
chisel repeats the blow on the wood. He presses him very hard, and perhaps it comes
involving the security, and causes the Coolie catcher to overturn his household and
disseminate his patrimony, to sell his wife and children, and even then to make up any
further deficiency. On this account, directly he has entered into an agreement, he must
not delay a minute: he must hurry to the four points of the compass and invite labourers.
If he is at all pressed for time, he must devise crafty schemes as numerous as trees in a
wood. He either makes use of a stupefying drug, or practises deception, or forcibly
kidnaps. He puts into force every kind of evil device, and repeats them without end.
He is anxious to complete his number and close his responsibility. For this reason he
conceives in his heart a plan for kidnapping. He is driven to it by the force of circum-
stances.

2. Very often the head Coolie catcher is a bad man originally. Supposing he has
entered into an agreement with a foreigner, and has undertaken to supply a certain
number of Coolies, he immediately gets the foreigner to make him an advance adequate
to the expenses of his journey on all sides in search of Coolies. When he has got the
money in his possession, he goes and indulges in gambling and other riotous kinds of
living until his money is all spent. He is then indebted to the foreigner for the amount,
and has no means of making up the deficiency. If he does not kidnap the men the
foreigner will lay hold of him for his money. This is another way in which a Coolie
catcher is driven to kidnapping.

3. Country clowns are certainly asked again and again by the Portuguese officer if they
are willing to go or not. This to outsiders seems a salutary regulation which cannot
fail. How is it that these country clowns cannot make themselves understood before the
officers? Because in Macao the people who appear before the officer have assumed
names. The persons who have been kidnapped never appear at the office at the time of
examination. When the time comes to go on board, the real Coolies are sent to the ship.
Perhaps the officer goes on board the ship to examine the people. When this is the
case, they do not change the real Coolies for those who assumed their names until the
vessel has weighed anchor, when they carry the Coolies in large boats and intercept the
ship at sea and make the exchange, putting the real Coolies in place of the false ones.
If at any time the state of the winds prevents them reaching the ship, the false Coolies
find themselves converted into real ones, and are carried to foreign countries. This
times happens.

4. Suppose the Coolie catcher has got hold of a man of some intelligence, who under-
stands the foreign and Chinese language and writing. After he has kidnapped him, he
shuts him up in a separate house by himself so that he may not be able to see any
person. When he takes him to Macao he confines him on one of the islands, and pro-
cures another man to go to the office and assume his name. Before he effects an ex-
change, he waits either till the Coolies go down to the ship or the ship puts to sea; when
this intelligent man sees any other person, he assuredly acquaints him with the manner
of his capture. The Coolie catcher on the other hand tells people a story after this
fashion:—This man has already cheated me out of my money; he was asked several
"times before the authorities if he was willing to go, and he consented. Now he has
"spent all his money, and is therefore unwilling to go." When he gets on board the ship,
the Coolie catcher’s right-hand men take up the story. The consequence is that third
persons looking on cannot distinguish which to believe, and which to disbelieve, and
therefore, though willing to render assistance, are unable to do so. This man of intelli-
gence having his body already within the trap, and wanting to raise money to pay back
what he is alleged to have received, has no means at his hand. He is just as helpless as
a man who, being a great adept at military exercises, has no parade ground to display his ability in.

There are some instances in which a person has been willing at first to go, but when he arrives on board ship, his money being already spent, he raises a great outcry, weeping and lamenting. The Coolie catcher makes use of these men to confirm his story. He says, they have themselves to blame for their mistake. In these cases the Coolies themselves are bad, and have been trying to practise deception. Thus the person whose place it is to make inquiry into the matter is unable to sift the true from the false. If he was to release all, the foreigners who had laid out his money would lose everything; on the other hand, if he was to assist one, all the Coolies in the ship would with one voice say they were unwilling to go. Who could stand the loss of so much money? When intelligent men who are kidnapped are mixed up with the Coolies, it is really very difficult for those inquiring into the matter to find out the truth. If we could put ourselves into their place we should be utterly at a loss.

5. A great many of those who are willing to proceed to foreign countries to engage in labour are poor men, and a great many are bad men, who, when in their native place, have consented to go, and have received from the Coolie catcher clothes and money for their expenses, but who, when they have got to some place half way, run away or get their companions to rescue them forcibly. The Coolie catcher has no means whereby he can refund the money. This is another cause which makes him resort to kidnapping.

6. The artifices which the Coolie catchers employ to kidnap uneducated country people are too numerous to mention. Every newspaper has given them in detail. People in China have a difficulty in obtaining the necessaries of life, and are at the same time not over intelligent. This lays them open to deception. In the commencement they are deceived into signing the agreement by the hopes of earning a few more dollars by engaging as labourers in a foreign country, or they are made to believe that a year in foreign countries is only equal to six Chinese months, and that in a foreign land one dollar will buy as much food as two dollars in China. They are told that if they sign an agreement for ten years, when no more than five years are passed there will be a vessel ready to bring them back to China, and for the expenses of which they will not be charged one cash. These country clowns do not know at first that they are being deceived, and look at it as a golden opportunity not to be lost, and they rejoice at having met with it. When they get to their destination they are confined in a close room, and are at last carried away in a ship.

7. Sometimes when these country people have been obtained by fraud and have arrived at their destination, they wake up to the real state of affairs and are unwilling to go. They are immediately locked up in a separate house, and are made to undergo a severe punishment by flogging. They are then taken to a barracocon, and are brought up before a pretended foreign officer, and are asked to declare if they are willing to go. If they say they are unwilling to go, they are immediately punished for having received their money and then backing out. The Coolie catcher follows them to each place and substantiates his story. The pretended foreign officer sentences them to even a heavier punishment. They are then transferred to another place and undergo a repetition of the punishment, and are subjected to a more severe beating, and this continues until they express their willingness to go, and then it ceases. The next day they are taken before a real foreign officer to be examined. These country clowns being in dread of the regime they have gone through are compelled by force of circumstances to give in. A great many of these country people have never even seen a foreigner, much less been to a foreign country, or even to Macao. When they get to a distant place they are flurried, and have no resource. If they are driven out of doors whom have they got to fall back upon? Perhaps they are recommended to run away secretly, and private orders are given for them to be seized and put into another barracocon, and they undergo similar treatment,—they are thrashed most unmercifully until it becomes impossible for them to refuse. When they arrive at a foreign place both the people and the locality being strange to them, where can they find means to live? How can kind-hearted people assist them? It is not difficult for them to become beggars, but even as beggars they have no means of getting a livelihood. What can they do but be compelled to give in? Thus they are forced to go, either in consequence of the beating which they are subjected to, or through the great pressure which is brought to bear on them.

8. Sometimes in each village the dialect is different; for in China, in the same prefecture and in the same district, the dialect varies. It may happen that these people are taken before a foreign officer to be examined, and the interpreter does not very well understand what they are saying, and confuses the meaning. Thus a great injury is done
to the men. Perhaps the interpreters have received a bribe from the Coolie catcher as hush-money. There are some who do this.

9. Sometimes the Coolie catcher purposely lends money to ignorant country people to go and gamble with. This is called "gambling for Coolies." If the man wins no interest is required, the capital only has to be returned. If he loses, he has to sign a paper making over his body to the Coolie catcher. The manager of the gambling-house is an accomplice of the Coolie catcher. They league together to deceive, and use every effort to make the poor countrymen fall into their trap.

10. There are some who, after the men they have decoyed have reached their destination, make them give an I.O.U. for $100 or $200. If they refuse to give it, they are beaten till they do. If they have already given the I.O.U. and refuse to go, the Coolie catcher produces the I.O.U. as a proof, and prosecutes them and gets them put in prison.

11. In the world the men who yearn after money make use of a hundred artifices to obtain it; when they see the prospect of gain they forget every sense of right. Men of this kind are not few. The Coolies who each year go to foreign countries, calculated in the total, number some tens of thousands, and each man is worth a few hundred dollars. For each man $3 or $5 have to be given as bribes and hush money. The amount given away is very large. Even right-principled officials, when they exert themselves to the utmost to guard against any evil practice, cannot always, it is to be feared, arrive at the truth; how much more, when the officials are at all careless in the matter, will subordinates make use of evil practices? Therefore in making regulations, officials must not feel a dislike to make a great many, but must use every endeavour to get at the truth.

12. The Coolie catchers in Macao are cruel and fearless, and different to the generality of people. Their assistants are more numerous. The respectable shopkeepers fear to do them a secret injury. They are always spectators of the wretched treatment of the kidnapped Coolies, and do not dare to remonstrate with the Coolie catchers. The streets being deserted and narrow, they are afraid of walking in them by night lest they should be kidnapped. If these men are so bold and fierce in the very streets of Macao, we consider they will be much more so in any other place.

Translated by
(Signed) M. S. TONNOCHY, Acting Registrar-General.

N.B.—I have used the word Coolie catcher in the above translation as being more easily understood than "pig dealer," or head of little pigs, which the expression in the Chinese literally means.

True copy. CECIL J. SMITH, Acting Colonial Secretary.

No. 2.

The Earl of Kimberley to Governor Sir A. E. Kennedy, K.C.M.G.

Sir,

Downing Street, August 12, 1872.

In the sixth paragraph of your Despatch of the 7th June last,* you state that you are credibly informed that not less than 300 barraconos and more than 800 Coolie brokers are at present engaged at Macao in the Coolie emigration trade.

I should be glad to learn from you what truth you believe there is in the allegation that has at times been made that persons in Hong Kong derive large profits from supplying the Coolie ships with stores, provisions, and means of fitting the ships for the service in which they are to be engaged.

I have; &c.,

Governor Sir A. E. Kennedy, C.B.,
&c. &c.

(Signed) KIMBERLEY.

No. 3.

The Earl of Kimberley to Governor Sir A. E. Kennedy, K.C.M.G.

Sir,

Downing Street, November 20, 1872.

It has at different times been represented to me that foreign vessels engaged in the shipment of Coolies from Macao, are equipped in the port of Hong Kong, or furnished with supplies or stores from that Colony, and my attention has recently been directed to the following paragraph extracted from a Hong Kong newspaper:

---

* No. 1.
"The Spanish steamer 'Bueno Ventura,' a sister to, and belonging to the same owner as the steamship 'Yurze Bat,' which vessel fitted up here, and left a few days back for Macao for a cargo of Coolies, has arrived here to fit up for the same purpose."

2. You are probably aware that, during the late Session of Parliament, an Act (three copies of which I enclose) was passed for the purpose of repressing the abuses connected with the movement of natives from their Islands in the Pacific Ocean to labour on plantations.

3. Although great cruelties have been perpetrated in connection with this traffic in South Sea Islanders, they can hardly have been greater than those which have led to the disgraceful and horrible occurrences from time to time reported as having taken place on board ships conveying Chinese Coolies from Macao.

4. Her Majesty's Government, which has been under the necessity of making repeated remonstrances to the Portuguese Government on the subject of the Macao Coolie trade, cannot permit that there should be even the shadow of a justification for any such imputation as that British subjects in Hong Kong partake in, and profit by, a traffic which the Queen's Government deplores and protests against. And I see no reason why British subjects resident in Hong Kong should not, as well as those in Australasia, be subjected to the punishment prescribed in section 9 of the "Kidnapping Act, 1872," for the offences specified in that section, if committed within the territorial jurisdiction of the Colony.

5. I request you to give your particular attention to the "Kidnapping Act, 1872," and to consider whether some of its provisions might not, with the necessary alterations, be made applicable to Hong Kong. If you are of opinion that they might be, I request you to transmit to me, as soon as possible, the draft of an Ordinance for that purpose.

As Chief Justice Smale has given much attention to this question, I request you to give him a copy of this Despatch, and of the Act enclosed in it, and to intimate to him that I shall be glad to receive from him, through you, any observations or suggestions which he may wish to offer, either in conjunction or after consultation with the Attorney-General and yourself, or separately.

You will also lay this Despatch before the Legislative Council.

Governor Sir A. E. Kennedy.  
I have, &c. 
(Signed) KIMBERLEY.

No. 4.

Governor Sir A. E. Kennedy, K.C.M.G., to The Earl of Kimberley.

(Extract.) Government House, Hong Kong, October 19, 1872. 
(Received December 2, 1872.)

I have the honour to acknowledge the receipt of your Lordship's Despatch, dated 12th August, 1872,* requesting information as to the truth of the allegation that has at times been made, that persons in Hong Kong derive large profits from supplying Coolie ships with stores, provisions, and the means of fitting the ships for the service in which they are engaged.

Having made careful inquiries from the most authentic sources, I think your Lordship may rely upon the accuracy of the following details as far as they go.

The Macao Coolie ships are almost invariably fitted in the port of Hong Kong. Section XXVII. was inserted in Ordinance L, 1862, to meet such cases. When the master of such vessels report they are about to fit their ships, they are visited by an officer of the Harbour Master's Department, to see that they do not put up barricades or gratings while in this port.

That these fittings are made here I have no doubt; but they are carried to sea, and put up elsewhere.

With regard to provisions, I learn that all articles of Chinese produce, except wood and water, are put on board at Macao; the remaining articles, such as beef and pork, which are imported from Europe and America, are generally put on board in this harbour, but are often sent to Macao in coasting steamers and junks.

I do not think that any large profits are derived from the sale of such articles, by reason of their being supplied to "Coolie ships," inasmuch as the law makes no distinction between the supply to "Coolie" and other ships requiring them.

* No. 2.
The Macao Coolie trade has been conducted under flags of various nations. At one time the Italian flag was extensively used, subsequently the Peruvian, and flags of other Central States of America.

Since the 1st January, 1872, the following vessels have cleared from Hong Kong for Macao, almost all of which were engaged in the Coolie trade:

<table>
<thead>
<tr>
<th>Country</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peruvian</td>
<td>15</td>
</tr>
<tr>
<td>French</td>
<td>10</td>
</tr>
<tr>
<td>Spanish</td>
<td>9</td>
</tr>
<tr>
<td>Dutch</td>
<td>3</td>
</tr>
<tr>
<td>Austrian</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>38</strong></td>
</tr>
</tbody>
</table>

The following vessels have been sold, and are now employed in the Coolie trade:

<table>
<thead>
<tr>
<th>Country</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>British</td>
<td>2</td>
</tr>
<tr>
<td>German</td>
<td>2</td>
</tr>
<tr>
<td>American</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6</strong></td>
</tr>
</tbody>
</table>

I shall from time to time furnish your Lordship with such further information as I am able to obtain.

The better class of Chinese are strongly opposed to the traffic as carried on from Macao.

I have on several occasions, without alluding specially to the Macao Coolie trade, assured intelligent and well-to-do Chinese, with whom I have had communication, that Her Majesty's Government would not sanction any movement of the kind, without the fullest guarantees for the exercise of entire free-will on the part of the immigrants, their good treatment, and means of safe return to their country at the conclusion of their engagement.

I can answer for the natives and residents of Hong Kong, that they have entire confidence in the good faith of Her Majesty's Government in regard to this subject.

The Earl of Kimberley,

(Signed)

Enclosure in No. 4.

(Extract.)

No. I. Ordinance, 1862.

XXVII. Every master of any vessel whatsoever fitting in this harbour for the conveyance of emigrants, whether to be shipped at this or any other port, shall report the same to the Harbour Master, under a penalty not exceeding five hundred dollars, and the fittings of the said vessel shall be subject to the approval of such officer, who is hereby empowered at all reasonable times to go on board and inspect such vessel; and any person who shall in any way impede the Harbour Master in the execution of this duty shall also be liable to a penalty not exceeding five hundred dollars.
AT HONG KONG FOR THE MACAO COOLIE TRADE.

gratings at the time of inspection, under Clause 27 of the Harbour Ordinance, yet you have no doubt that they are made in Hong Kong, carried to sea and fitted elsewhere. I presume that they are carried to sea in trading vessels, but it would be desirable to know whether the inspection of the passenger vessels has been as searching as it ought to have been. Your Despatch strongly confirms the opinion as to the necessity for fresh legislation, which I expressed in my Despatch of the 20th ultimo.*

Governor Sir A. Kennedy, &c.

(Signed) KIMBERLEY.

No. 6.

GOVERNOR Sir A. E. KENNEDY, K.C.M.G., to The EARL OF KIMBERLEY.

Government House, Hong Kong, January 15, 1873.

(Received February 20, 1873).

I have the honour to acknowledge the receipt of your Lordship's Despatch of 20th November,* covering copies of "the Kidnapping Act, 1872," which reached me yesterday.

It is with some satisfaction that I am able to report that in certain respects I have anticipated the instructions of your Lordship, as will be seen by the enclosed copies of a draft Ordinance which I laid before the Legislative Council on the 6th instant. By the 3rd Section of that Ordinance, the decoying persons into and from this Colony for the purpose of effecting their emigration from Macao has been made an offence punishable as a misdemeanor.

Nevertheless, I shall hope to introduce a more comprehensive measure, in accordance with the views of Her Majesty's Government, at an early date.

I have, &c.,

The Earl of Kimberley, &c. &c. &c.

(Signed) A. E. KENNEDY.

Governor.

Enclosure in No. 6.

GoverNMENT Notification.

The following Bills, which were read a first time at a Meeting of the Legislative Council held on the 6th instant, are published for general information.

By command,

L. D'ALMADA E CASTRO, Clerk of Councils.

Council Chamber, Hong Kong, 10th January, 1873.

An Ordinance enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, for the better Protection of Chinese Women and Female Children, and for the Repression of certain Abuses in relation to Chinese Emigration.

[Title]

WHEREAS it is expedient to make better provision for the Protection of Chinese Women and Female Children, and for the Repression of certain Abuses in relation to Chinese Emigration: Be it enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, as follows:

I. Whosoever shall unlawfully, either by force or intimidation, or by any artifice, false representation, false pretence, or other fraudulent means, lead, take, decoy, or entice away from any place whatsoever any woman or female child with intent to sell her for the purpose of prostitution, or who shall sell or purchase any woman or female child for the purpose aforesaid, or who shall knowingly derive any profit from the sale or purchase of any woman or female child so sold or purchased as aforesaid, or who shall harbour or receive any woman or female child, knowing the same to have been by any

Abduction of a woman or female child with intent to sell her for prostitution.

Selling or purchasing.

Harboring or receiving.

[No. 3]
such means as aforesaid led, taken, decoyed, or enticed away, or sold or purchased with the intent or for the purpose in this section mentioned, shall be guilty of a misdemeanor, and on conviction thereof shall be liable to the punishments hereinafter provided.

II. Whosoever shall unlawfully, by force or intimidation, or by any artifice, false representation, false pretence, or other fraudulent means, detain any woman or female child in any place against her will with the intent that she may become a prostitute, or who shall by any artifice, false pretence, false representation, or other fraudulent means, procure any woman or female child to have illicit carnal connection with any man, shall be guilty of a misdemeanor, and on conviction thereof shall be liable to the punishments hereinafter provided.

III. Whosoever shall unlawfully, by force or intimidation, or by any artifice, false representation, or false pretence, or other fraudulent means, lead, take, decoy, or entice away any person from the Colony, as an emigrant to foreign parts beyond the seas, or with the intent that such person should become an emigrant from any other place to foreign parts beyond the seas, or who, by any such means as aforesaid, shall bring, lead, decoy, or entice any person into the Colony with the intent that such person should become an emigrant from the Colony, or from any other place to foreign parts beyond the sea, shall be guilty of a misdemeanor, and on conviction thereof shall be liable to the punishments hereinafter provided.

IV. Every person who shall be convicted of any offence against the provisions of this Ordinance shall be liable to be imprisoned for any term not exceeding two years, with or without hard labour.

V. Two Magistrates sitting together may and are hereby empowered to hear and determine summarily cases of offences against this Ordinance; but in every such case, if it shall appear at any stage of the proceedings that the ends of justice will best be met by committing the offender for trial before the Supreme Court, it shall be lawful for the said Magistrates so to do.

VI. The provisions of Section LXVI. of Ordinance No. 4 of 1865 shall apply to every summary conviction under this Ordinance.

VII. Whenever any person shall be convicted before the Supreme Court of any offence against the provisions of this Ordinance, if it shall be proved that the offender has been previously convicted, either before the Supreme Court or before two Magistrates sitting together, of an offence under the same or any other section of this Ordinance, it shall be lawful for the Court, in its discretion, to direct that, in addition to the punishment hereinafore prescribed, the offender, if a male, be once, twice, or thrice publicly or privately whipped, subject to the provisions contained in Section I. of Ordinance No. 3 of 1868, and all the provisions of Section XCIV. of Ordinance No. 7 of 1865, relating to the form of information for a subsequent offence and proceedings thereon, shall apply to offences punishable under this Ordinance.

VIII. This Ordinance shall not come into operation until Her Majesty's confirmation thereof shall have been proclaimed in the Colony by the Governor.

Statement of Objects and Reasons.

The provisions of this Ordinance are intended to repress certain offences and abuses which there is reason to believe are of frequent occurrence among the lower classes of the Chinese population of this Colony, viz. the buying and selling of women and girls and their forcible or fraudulent abduction or detention for the purposes of prostitution. Also, the decoying away under false pretences, or the abduction by force or intimidation, of persons for the purposes of Chinese emigration. All the offences defined by this Ordinance are in a great measure ejusdem generis, and are made punishable alike by imprisonment, with or without hard labour, for a period not exceeding two years; and power is given to the Supreme Court, whenever previous convictions are proved, to direct the offender, if a male, to be whipped under the provisions of Ordinance No. 3 of 1868. It is proposed that this Ordinance should not come into force until Her Majesty's confirmation of it has been received, and therefore the usual Suspending Clause to that effect has been inserted.

JULIAN PAUNCEFOTE,
Attorney-General.
AT HONG KONG FOR THE MACAO COOLIE TRADE.

An Ordinance enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, to abolish Minimum Punishments on Summary Convictions before Magistrates.

Whereas by various Ordinances of the Colony a minimum as well as a maximum amount of fine or term of imprisonment is prescribed by way of punishment for certain offences triable summarily before the Magistrates; and whereas it is expedient to confer upon the Magistrates the power of awarding, in their discretion, a lesser, and in certain cases, a nominal punishment for such offences: Be it enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, as follows:

Whenever any person shall be convicted upon a summary trial before a Magistrate of an offence against the provisions of any Ordinance or Law now in force in the Colony, whereby a minimum amount of fine or term of imprisonment is prescribed by way of punishment for such offence, it shall be lawful for the Magistrate, if he shall in his discretion think fit, to award a lesser amount of fine or term of imprisonment than that prescribed by way of minimum punishment as aforesaid, or to award, in certain cases, a merely nominal punishment, anything in such Ordinance or Law contained to the contrary notwithstanding.

Statement of Objects and Reasons.

By this Ordinance, it is proposed to abolish generally all enactments providing minimum punishments for offences triable summarily before Magistrates. In cases of a first offence, or where there are mitigating circumstances, it is very desirable to leave the amount of punishment (below the maximum limit) to the entire discretion of the Magistrate. Examples of the restriction which it is intended to abolish may be found in the "Victoria Registration Ordinance," the "Harbour and Coasts Ordinance," and others. There have been instances in which Magistrates have been reluctantly compelled either to dismiss the case without any punishment at all, or to inflict a graver punishment than the circumstances of the case seemed to justify. This Ordinance, therefore, will give greater latitude to the Magistrates, and is intended as a just measure of relief.

JULIAN PAUNCEFOTE,
Attorney-General.

No. 7.

GOVERNOR SIR A. E. KENNEDY, K.C.M.G., to THE EARL OF KIMBERLEY.

Government House, Hong Kong, January 22, 1873.

My Lord,

In obedience to your Lordship’s instructions, and in accordance with my Despatch of 15th January, I have the honour to transmit herewith a Draft Ordinance which, together with the Bill forwarded in my Despatch above quoted, will, I trust, satisfactorily deal with the class of offences connected with Chinese emigration which so urgently require to be suppressed.

2. As your Lordship will not fail to observe, no time has been lost in preparing the Draft Bill which I now send for your Lordship’s consideration. It is accompanied by a full and complete Memorandum by Mr. Attorney-General Pauncefote, to whom I am much indebted for the care and attention he has devoted to the subject, and to the assiduity with which he has carried out my instructions.

3. I entirely concur in Mr. Pauncefote’s opinion as to the direction in which the proposed legislation should run, and as to the sufficiency of the enclosed Bill, when taken with the other Ordinances relating to emigration, to meet all the requirements of the case. There is also, I think, no doubt that the reports regarding the participation of the British residents here in the Macao Coolie Trade are grossly exaggerated. Nevertheless, it is highly desirable that there should be no room for suspicion as to the intention of the Legislature to put down by all legitimate means any attempt in the Colony to aid, promote, or benefit by the Macao Coolie Trade. Hence, however stringent the law to effect this object may be, I feel assured that not only in the Council, but throughout the British mercantile community, the Executive will receive hearty support and co-operation in its endeavours to carry out the intention of the Queen’s Government.

* No. 6.
MEASURES TO PREVENT THE FITTING OUT OF SHIPS

HONG KONG.

4. I am anxious to be placed as soon as possible in possession of your Lordship's views as to the Draft Bill now forwarded. If, therefore, it meets with the approval I anticipate, I shall be glad to hear by telegram that the progress of the measure through the Council may be commenced. This will take some time as, having regard to the stringency of the proposed law, it is advisable not to unduly hurry the discussions which will profitably take place upon its introduction.

5. I should add that Chief-Justice Smale has been furnished with a copy of your Lordship's Despatch and its enclosure. I understand that he is not yet prepared with his observations on the proposed legislation, and that there is no prospect of his being able to attend to the subject until next month.

6. I have not on this account deemed it advisable to delay taking action on your Lordship's instructions, but as soon as the report of the Chief Justice is received I will transmit it without delay.

7. In conclusion, I can only express an earnest hope that I shall be able to effect the object which Her Majesty's Government has in view, and I beg to assure your Lordship that no time or labour shall be spared in preserving this Colony from any implication in the Macao Coolie Trade, which has been so justly condemned.

I have, &c.

The Earl of Kimberley,

(Signed) A. E. KENNEDY,
&c. &c. &c.

Governor.

Enclosure 1 in No. 7.

 Whereas by "The Hong Kong Emigration Ordinance, 1870," it is provided that no ship shall be laid on for the conveyance of Chinese emigrants, unless application shall have been previously made in manner therein directed for a licence under the hand of the Governor and the seal of the Colony: And whereas complaints are frequently made that Chinese emigrants embarking at ports or places out of the Colony are subjected to ill-treatment as well on board ship as at the place of their destination, and by reason thereof it is expedient to provide that no ship intended for the conveyance of Chinese emigrants to be embarked from any port or place out of the Colony shall hereafter be built, equipped, and fitted out within the Colony without such licence as is required under "The Hong Kong Emigration Ordinance, 1870," and to prohibit the departure of any such ship from the Colony, and also to make further provision for the repression of abuses in relation to Chinese emigration: Be it enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, as follows:

I. This Ordinance may be cited as "The Chinese Emigration Ordinance, 1873."

II. In the construction of this Ordinance, if not inconsistent with the context, the following terms and expressions shall have the meanings hereinafter respectively assigned to them, that is to say—

"Building." "Building" in relation to a ship shall include the doing any act towards or incidental to the construction of a ship, and all words having relation to building shall be construed accordingly.

"Equipping." "Equipping" in relation to a ship shall include the furnishing a ship with any tackel, apparel, furniture, provisions, arms, munitions, or stores, or any other thing which is used in or about a ship for the purpose of fitting or adapting her for the sea, and all words relating to equipping shall be construed accordingly;

"Ship." "Ship" shall include any vessel or boat;

"Ship and equipment." "Ship and Equipment" shall include a ship and everything in or belonging to a ship;

"Master." "Master" shall include any person having the charge or command of a ship.

III. All licences granted under this Ordinance shall be under the hand of the Governor and the seal of the Colony, and application for the same may be made in the manner provided in respect of licences under "The Hong Kong Emigration Ordinance, 1870;" and the granting of every such licence shall be in the discretion of the Governor in Council.

IV. If any person within the Colony, without licence from the Governor, does any of the following acts, that is to say:

(1.) Builds, alters or repairs, or agrees to build, alter or repair, or causes to be built, altered or repaired, any ship, with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the
conveyance of Chinese emigrants to be embarked at any port or place out of the Colony; or,
(2) Fits out, mans, navigates, equips, uses, lets or takes on freight or hire any ship, or commands or serves on board any ship, with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in manner aforesaid; or,
(3) Despatches; or causes or allows to be despatched, any ship, with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in manner aforesaid; or,
(4) Holds or takes any share or interest in; or makes any advances of money to any ship, with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in manner aforesaid; or,
(5) Ships, embarks, receives, detains, or confines any person on board any ship, with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in manner aforesaid; or,
(6) Despatches or causes or allows to be despatched, or commands or serves on board any ship carrying Chinese passengers, with the intent or knowledge, or having reasonable cause to believe that such passengers are being carried or intended to be carried to any port or place out of the Colony for the purpose of being conveyed therefrom as emigrants in the same or any other ship:
Such person shall be deemed to have committed an offence against this Ordinance, and the following consequences shall ensue:—
(1) The offender shall be liable to imprisonment with or without hard labour for any term not exceeding two years, and to a fine not exceeding two thousand dollars, or to either of such punishments at the discretion of the Court;
(2) The ship in respect of which any such offence is committed, and her equipment shall be forfeited to Her Majesty:
Provided that a person committing any of the acts prohibited by this section, in pursuance of a contract made before the commencement of this Ordinance, shall not be liable to any of the penalties imposed by this section.
V. Any police magistrate upon being satisfied that there is reasonable and probable cause for believing that a ship within the waters of the Colony has been, or is being built, altered, repaired or equipped, or is about to be despatched and taken out to sea contrary to the provisions of this Ordinance, may issue a warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant the said ship may be seized and searched and detained until it has been either condemned or released by process of law or in the manner hereinafter mentioned.
VI. Any officer authorized to seize or detain any ship in respect of any offence against this Ordinance may, for the purpose of enforcing such seizure or detention, call to his aid any constable or officers of police, or any officers of Her Majesty’s army or navy or marines, or the harbour master, or any officer having authority by law to make seizures of ships, and may put on board any ship so seized or detained any one or more of such officers to take charge of the same, and to enforce the provisions of this Ordinance, and any officer seizing and detaining any ship under this Ordinance may use force, if necessary, for the purpose of enforcing seizure or detention, and if any person is killed or maimed by reason of his resisting such officer in the execution of his duties, or any person acting under his orders, such officer so seizing or detaining the ship, or other person, shall be freely and fully indemnified as well against the Queen’s Majesty, her heirs and successors, as against all persons so killed, maimed, or hurt.
VII. The Governor may at any time release any ship seized and detained under this Ordinance, on the owner giving security to the satisfaction of the Governor that the ship shall not be employed contrary to this Ordinance, or may release the ship without such security if the Governor think fit so to release the same.
VIII. The owner of the ship seized and detained under this Ordinance, or his agent, may apply by petition to the Supreme Court for its release.
IX. The Crown solicitor shall, upon the seizure of any ship as aforesaid, cite the owners thereof, by a notice which may be in the form contained in the schedule to this Ordinance, to appear before the Supreme Court to show cause why the said ship should not be condemned and forfeited to Her Majesty for breach of the provisions of this Ordinance; and in case there shall be no owner of the said ship in the Colony, the said notice shall be published twice in the ‘Gazette,’ and such publication shall be equivalent to personal service of the citation.
MEASURES TO PREVENT THE FITTING OUT OF SHIPS

Hong Kong.

X. On the day appointed for the hearing of any petition for the release of the ship or for the appearance of the owners in obedience to a citation to show cause why the same should not be forfeited, the Court shall proceed to inquire into the matter and to make such orders as may be necessary to put the matter of the seizure and detention of the ship in course of trial between the owner and the Crown, and for such purpose may direct the trial of any issue of fact before the Court, either with or without a jury; and during or before such proceedings may grant warrants for the entering and searching of any premises and the seizure of any papers or documents in such premises, or may summon any person to appear before the Court, and to produce any papers and documents, and may interrogate such persons on oath touching the subject-matter of the inquiry.

XI. Whenever any person shall have been convicted before the Supreme Court of an offence against this Ordinance, the evidence taken upon the trial of such offender shall be received in evidence, in any proceedings instituted for the condemnation or release of the ship in respect of which such offence shall have been committed.

XII. The fact of a ship being apparently fitted and equipped, or in course of being fitted and equipped, for the conveyance of Chinese emigrants without a licence from the Governor shall be prima facie evidence that such ship is intended for the conveyance of Chinese emigrants to be embarked at some port or place out of the Colony.

XIII. If on the proceedings for the condemnation or release of a ship so detained, the owner establish to the satisfaction of the Court that the ship was not and is not being built, altered, repaired or equipped, or intended to be despatched contrary to this Ordinance, the ship shall be released and restored.

XIV. If the owner fail to establish to the satisfaction of the Court that the ship was not and is not being built, altered, repaired or equipped, or intended to be despatched contrary to this Ordinance, the Court shall declare the ship to be forfeited to Her Majesty: Provided always, that the Governor may notwithstanding such forfeiture, if he shall think fit, order the release and restoration of the ship under Section VII.

XV. If the Court be of opinion that there was not reasonable and probable cause for the detention, and if no such cause appear in the course of the proceedings, the Court shall have power to declare that the owner is to be indemnified by the payment of costs and damages in respect of the detention, the amount thereof to be assessed by the Court, and any amount so assessed shall be payable by the Treasury out of the general revenues of the Colony.

XVI. Every ship forfeited to Her Majesty for breach of the provisions of this Ordinance may be sold by public or private contract, and may be transferred to the purchaser by bill of sale under the hand of the Governor and the seal of the Colony, and such bill of sale shall confer upon the purchaser, his executors, administrators and assigns, an indefeasible title to such ship.

XVII. In case any ship which shall have cleared out from any port or place out of the Colony, carrying Chinese emigrants, shall come within the waters of the Colony under stress of weather or from any other cause, or for any purpose, it shall be lawful for the Governor, by warrant under his hand and the seal of the Colony, to order such ship to be seized and detained until further order.

XVIII. The costs of all proceedings for the condemnation or release of a ship shall be in the discretion of the Court.

XIX. Subject to the provisions of this Ordinance providing for the award of damages in certain cases in respect of the seizure or detention of a ship by the Court, no damages shall be payable, and no officer shall be responsible, either civilly or criminally, in respect of the seizure or detention of any ship in pursuance of this Ordinance.

XX. This Ordinance shall not come into operation until Her Majesty's confirmation thereof shall have been proclaimed in the Colony by the Governor.

(SCHEDULE.)

IN THE SUPREME COURT OF HONG KONG.

The day of 187 .

In re The "——-".

Take notice that under and in pursuance of "The Chinese Emigration Ordinance, "1873," you are hereby cited to appear before the Supreme Court on the day of to show cause why the above-named ship and her
AT HONG KONG FOR THE MACAO COOLIE TRADE.

The equipment should not be forfeited to Her Majesty for breach of the provisions of the said Ordinance.

To the owners of the ship "——.

Memorandum by the Attorney General (The Honourable Julian Pownefoot), to accompany the Draft of "The Hong Kong Emigration Ordinance, 1873."

Hong Kong, 22nd January, 1873.

I have been favoured by his Excellency the Governor with a copy of the Earl of Kimberley’s Despatch of the 20th November, 1872, enclosing a copy of “The Kidnapping Act, 1872,” and recommending the passing of an Ordinance in Hong Kong embodying some of its provisions with the view of removing any pretence for the imputation that “British subjects in Hong Kong partake in and profit by the Macao Coolie trade.”

I believe that every British subject in the Colony, from the Governor down to the humblest resident, will hail such a measure with the greatest satisfaction, and after a perusal of the Earl of Kimberley’s Despatch, I applied myself at once to the task of preparing a Draft Bill, or rather a sketch of a Bill, which, if approved of by his Excellency the Governor, it might be desirable to submit to the Secretary of State before introducing the subject to the Legislative Council, in case its provisions should be deemed too stringent or likely to conflict with treaty obligations.

“The Kidnapping Act, 1872,” is most skilfully drawn, and admirably fitted for the suppression of the fearful traffic carried on in the seas adjoining our Australasian Colonies; and therefore from that Act and the Foreign Enlistment Act (33 & 34 Vict., c. 90), most of the clauses of my Draft Bill are taken.

The offences of detaining and carrying away by force or fraud any Chinese for the purpose of the Coolie trade, as will be seen by reference to Section 19 of Ordinance No. 12 of 1868, are already provided for by law, and the offender is declared to be guilty of felony and liable to as severe a punishment as penal servitude for seven years. That enactment, however, appears to apply only to the forcible or fraudulent detention of Chinese for the purpose of Coolie emigration from this Colony. A perusal of the Hong Kong Ordinances relating to Chinese emigration must satisfy every one that more stringent laws than those which already exist for the prevention of abuses, in the Colony, can scarcely be devised, and indeed they are so stringent that Chinese emigration under the “Chinese Passengers’ Act, 1855,” has practically ceased to be carried on in Hong Kong, and no case has ever occurred of an offence under Section 19 of Ordinance No. 12 of 1868. The efforts of the local Legislature, therefore, can only be usefully directed to the prevention of any participation whatever by British subjects, or other residents of the Colony, in Chinese emigration from ports or places out of the Colony.

Without entering into the question as to whether the laws of Macao for the prevention of abuses in relation to Chinese emigration are as good as our own laws on that subject, or whether the laws of Macao are or are not diligently put in force and carefully administered by the public functionaries of that Colony, it is an incontestable fact that instances of great cruelty and injustice towards the emigrants after they have left Macao, and especially after their arrival at the port of destination, are constantly brought to light, and it seems to me that the Legislature of this Colony is quite justified in passing a measure to prohibit any person, while within this jurisdiction, from taking any part whatever in promoting a system which is attended with such deplorable results, and which has earned for itself so unenviable a notoriety.

With respect to the decaying Chinese from this Colony to Macao, or the decaying them from the mainland of China into the Colony with a view to their transmission to Macao for the purposes of emigration, these offences have already been provided for by a Bill now before the Legislative Council, of which a copy has, I believe, been transmitted to the Secretary of State.

It is unnecessary to say that no British ship can clear out with Chinese emigrants from Macao; for the British emigration officer’s certificate for that purpose cannot be obtained, and without it the ship would be liable, under “The Chinese Passengers’ Act, 1855,” to seizure and condemnation, and the master would incur a severe penalty.

The new Bill, therefore, which I have drafted, though general in its terms, and though it makes no allusion to Macao, is practically directed against the building and equipping within the Colony of foreign ships for the purpose of Chinese emigration from Macao, and it prohibits any participation in such emigration. It may be considered in the light of a quasi Anti-Slavery Ordinance, and I do not see how the subject can efficiently be dealt with in any other way.
MEASURES TO PREVENT THE FITTING OUT OF SHIPS

HONG KONG. I think it right, however, to state, in justice to the foreign merchants of the Colony, that although a few vessels intended for the Macao Coolie trade may from time to time have been repaired or altered in the docks of public companies in this Colony, I have been unable to discover, either from my own observation or from the inquiries which I have made, that any but Portuguese or Chinese firms, or individuals, have any dealings or transactions whatever which can lay them open to the imputation of 'partaking in, or profiting by, the Macao Coolie trade.

The Earl of Kimberley's Despatch only reached this Government on the 14th instant, so that the draft of the new Bill is, no doubt, in many respects imperfect, but it will, I trust, be considered to carry out in substance the views and instructions of his Lordship.

HONG KONG, 22 January, 1873.

JULIAN PAUNCEFOTE, Attorney-General.

No. 8.

GOVERNOR SIR A. E. KENNEDY, K.C.M.G., to THE EARL OF KIMBERLEY.

Government House, Hong Kong, February 5, 1873.

(Received 20th March, 1873.)

MY LORD,

Referring to my Despatches named in the margin, I have the honour to inform you that I visited two ships now in harbour completing their fittings preparatory to their embarking Coolies at Macao.

2. I adopted this course in the belief that your Lordship would desire to have my opinion and remarks upon the character and fittings of these vessels after a personal inspection of them; and with this view I was accompanied by the Acting Colonial Secretary and the Harbour Master.

3. The result of our visit and examination is contained in the enclosed Memorandum marked A, which was drawn up by the Acting Colonial Secretary and myself immediately on return to shore.

4. I need not offer any lengthened comment upon the contents of this document, which is painfully confirmatory of all that has been previously stated of the character of the so-called Macao Coolie trade.

5. I subsequently, in compliance with your Lordship's Despatch, 20th November, 1872,* held a conference with his Honour Chief Justice Smale and the Attorney-General, to whom I read the Memorandum.

6. While those officers were fully impressed with the necessity for relieving this Colony from all possible imputation of any of its inhabitants participating in the profits of a scarcely disguised slave trade, they were unable to advise me of any practical steps which the existing laws would justify me in directing against the owners or commanders of those ships.

7. In this state of the law I am reluctantly compelled to defer any further action pending your Lordship's reply to my Despatch of 22nd January, 1873,† and your decision upon the Draft Ordinance which accompanied it.

8. I am of opinion that no measure short of the entire prevention of ships fitted for the Coolie trade entering this harbour, will meet the evil; but unhappily no local law, however stringent, can prevent the same ships being fitted and carrying on their trade in neighbouring waters a few miles distant.

9. It is proper for me to state that my visit to the ships named was made without any previous notice, and that the information detailed in the Memorandum was freely and frankly given by the carpenter of the "Lousa Canevara" in entire ignorance of who his visitors were—the harbour master possibly excepted.

I have, &c.,

(Signed) A. E. KENNEDY, Governor.

The Earl of Kimberley,
&c. &c. &c.

* No. 3.
† No. 7.
AT HONG KONG FOR THE MACAO COOLIE TRADE.

A.

Enclosure in No. 8.

[MEMORANDUM.] Hong Kong, February 3, 1873.

This day his Excellency the Governor, Sir A. E. Kennedy, accompanied by the Acting Colonial Secretary, Cecil C. Smith, and the harbour master, H. G. Thomsett, R.N., visited, for the purpose of inspecting, two of the eight Peruvian ships now lying in this harbour, which are wholly engaged in the Macao Coolie trade.

The first ship visited was the 'San Juan,' of 1,400 tons. The captain was not on board, but without hesitation the chief mate showed us all over the vessel. She is a new ship, and has only made one voyage to Callao, when she carried about 650 Chinese. She was in excellent order, though it was remarked that the space allotted to each Coolie was small, and was stated by the chief mate to be 20 inches in width. (N.B.—In British ships the space is 24 inches.) There were no gratings visible. She was taking in firewood.

We next visited the 'Luisa Canevaro,' of about 1,300 tons. This vessel has been engaged in the Macao Coolie trade for nine or ten years. The captain was not on board, but we were shown over the ship by the carpenter, an Englishman. He stated that they carried 780 Chinese on the last voyage to Callao. They were discontented and mutinous the whole way, and being afraid that they would fire the ship, water and provisions were kept on deck up to the last moment.

On being questioned, the carpenter stated that many of the Coolies on being put on board the ship at Macao, wanted to go ashore again, but he ridiculed the idea of their being allowed to do so. Once on board, the Coolies were not allowed to land (the ships lie about three miles from the shore), though some jumped overboard and got away in sampans.

In some ships the Coolies were allowed to gamble all the way, but this was not permitted in the 'Luisa Canevaro.' They might go on deck during the day as much as they liked, but at night they were confined below. To each Coolie a berth of 17 inches in width was allotted. There were no iron gratings fitted then, but they were all ready in the hold for putting up at Macao. "They were not allowed in Hong Kong, so they were kept below."

The vessel had now on board firewood, provisions, and water for the voyage, which had been procured in this harbour. The carpenter did not know when they were going to Macao, as there was some argument going on between the rival owners of the ships, and there were not at present sufficient Coolies at Macao to freight all the ships.

He added further that when the Coolies were turbulent during the voyage they were put in irons and thrashed with a cane, and having extorted who were the ringleaders, they got a little more. They never used the "cat"—"nothing to kill the Coolies; that wouldn't answer." After the Coolies had been thrashed, their backs were lanced to let the black blood out, and then they were dressed with vinegar and salt, "which made them dance a bit, but they got over it in three or four days."

In that ship they carried a Portuguese doctor, but in the other vessels they had Chinese doctors. The length of voyage from Macao to Callao was about 90 days.

He (the carpenter) had $35 to $40 a month, but wages were no object compared with what he could make each trip by carrying things to sell in Peru. The Chinese there would give anything for what you told them had come from China. A thousand dollars could easily be made two thousand each voyage. (How this was to be done he did not or could not explain.) He did not take a share in the Coolies. "No, he did not want to deal in slaves."

They had during the voyage six or seven police or soldiers on board, who, armed with swords, kept order among the Coolies.

The captain at this time appeared; he spoke but little English.

The ship was well built, roomy, and apparently well ventilated, but when batten down with a full complement of Coolies would doubtless be very unwholesome. The means for ablution and for the calls of nature were evidently very defective. She was, however, in good order, and quite clean.

I have, &c.,

(Signed) CECIL C. SMITH,
Acting Colonial Secretary.
MEASURES TO PREVENT THE FITTING OUT OF SHIPS

No. 9.

Governor Sir A. E. Kennedy, K.C.M.G., to The Earl of Kimberley.

Government House, Hong Kong, February 10, 1873.

(Received March 20, 1873.)

My Lord,

In reference to the correspondence which has passed on the subject of the Macao Coolie trade, I have the honour to transmit copy of a letter which I have received from Chief Justice Smale, drawing my attention to certain Peruvian ships belonging to that trade now lying in this harbour.

2. It is almost needless to add, that the presence of those vessels in the waters of the Colony, and their object in being here, was previously well known to me; yet, under the circumstances, I deemed it right to call officially on the harbour master to report generally upon them.

3. The return which that officer made (a copy of which I enclose), was transmitted, on the 30th ultimo, to the Chief Justice with a request that I might be favoured with any suggestions for my adoption which he might be able to offer.

4. To that letter I have not as yet received any reply, but when holding a personal interview with the Chief Justice, I inquired as to the object in forwarding his letter of the 23rd ultimo, unless with the information gained, which was exactly what was expected, there was some legal remedy for a state of affairs so much deplored.

5. Mr. Smale, however, was unable to point out any course which he thought I could legally take with a view to interfering with the vessels referred to, and I am, therefore, in the dark as to what the Chief Justice contemplated.

6. Bearing on this subject, I take the opportunity of transmitting copy of the 'Boletim da Provincia' of Macao, wherein is published the Report for 1872 of the Superintendent of Emigration, and the Returns as to the number, &c., of emigrants who have left that Colony for Havana, Callao, and other places.

7. I annex also a later copy of the same gazette containing a proclamation of the Governor of Macao, notifying that the emigrants to Peru are to receive gratuitous return-passages to China, or a sum of money in lieu thereof, at the expiration of their periods of service.

8. There is no reason to doubt the bona fides of this well-intentioned statement as far as the Macao Government is concerned, but I am at a loss to conceive how this stipulation is to be carried out, or how the Macao Government is going to insure, on behalf of the emigrant, the faithful discharge in Peru of what is thus promised.

I have, &c.,

A. E. Kennedy, Governor.

The Earl of Kimberley, (Signed)

&c. &c. &c.

Enclosure 1 in No. 9.

Sir,

I this morning accidentally took up the 'Supplement to the Overland China Mail.'

I have in these copies marked no less than twelve ships either under Peruvian flag, or having destination for Peru. Of these, 'America,' the 'Camille Cavour,' and the 'Providencia' have, I believe, acquired special notoriety.

The added tonnage of all the ships I have marked is about 10,152; a reference to the harbour master would readily show what number of Coolies such a tonnage would carry.

I beg respectfully to call the attention of his Excellency the Governor to this state of matters in this harbour.

The legitimate trade between this port and the whole of China is, I believe, very limited indeed. According to former practice, these twelve vessels or most of them are now in preparation, probably down to rice and water, for the Coolie trade.

I fear that a searching examination, just previous to the papers being given to each ship, would demonstrate the accuracy of the representations made to his Lordship to which Lord Kimberley refers in his Despatch, Hong Kong, dated the 20th November last, of which, by direction of his Excellency, you forwarded a copy to me.

In one of my decisions in the Kwok-a-Sing case, now more than eighteen months since,

* Not printed.
† No. 3.
I referred to the fitting out of ships with stores and equipments for the voyage from Macao to Callao in this harbour, then notorious. I understood that these operations had ceased, till this day's list of shipping in the harbour startled me into the conviction that the trade was never so brisk as at present.

From the small number of sailing vessels now in this port, I fear that relatively a large proportion of the minor trade by foreign trading ships of this port is now in fitting out vessels to be—as to several of them, in every way—ready to take in the Coolies at Macao.

One Coolie dealer lives in an expensive style in Hong Kong, and I see a man here who, whilst I was travelling across America, said he was going out to get a cargo of Coolies.

Being without the means proper to test the accuracy of my views, I write, subject to correction, in the light of careful inquiry.

The Hon. Cecil C. Smith, Acting Colonial Secretary.

| Lola       | - | - | - | tonnage 904 |
| Canadian   | - | - | - | 856         |
| Leonore    | - | - | - | 226         |
| Dioscuron  | - | - | - | 330         |
| America    | - | - | - | 1,569       |
| Camile Cavour | - | - | - | 843         |
| Harbottle  | - | - | - | 319         |
| Carried forward | - | - | 5,128 |

| Brought forward tonnage 5,128 |
| Hong Kong        -     -     -     458 |
| Lola (see above) -     -     -     | |
| Luisa Canevaro   -     -     -     1,150 |
| Macao            -     -     -     700  |
| Providencia      -     -     -     600  |
| Rosalia          -     -     -     615  |
| San Juan         -     -     -     1,500 |
| Total            -     -     -     10,152 |

I have, &c.,
(Signed) JOHN SMALE,
Chief Justice.
Enclosure 2 in No. 9.

RETURN (of Vessels in Victoria Harbour bound for Peru) called for by Hon. the Acting Colonial Secretary in C.S.O. No. 272.

<table>
<thead>
<tr>
<th>Vessel</th>
<th>Tons</th>
<th>Flag</th>
<th>Owners</th>
<th>Consignee</th>
<th>Cargo</th>
<th>Fittings</th>
<th>Crew</th>
<th>Nationality of Captain</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>America</td>
<td>1562</td>
<td>Peruvian</td>
<td>R. Ascani</td>
<td>None</td>
<td>Ballast</td>
<td>None</td>
<td>Old Fittings</td>
<td>36</td>
<td>7</td>
</tr>
<tr>
<td>Camillo Cavour</td>
<td>843</td>
<td></td>
<td>C. Canevaro</td>
<td>Pusgan &amp; Co.</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hong Kong</td>
<td>468</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>{ For Chinese }</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lola</td>
<td>904</td>
<td></td>
<td>B. D. Ugarte</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Luis Canevaro</td>
<td>1013</td>
<td></td>
<td>R. Canevaro</td>
<td>Pusgan &amp; Co.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Providencia</td>
<td>574</td>
<td></td>
<td>B. Figari</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rosalia</td>
<td>616</td>
<td></td>
<td>G. Garcia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>San Juan</td>
<td>1466</td>
<td></td>
<td>B. D. Ugarte</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dioscuran</td>
<td>340</td>
<td>German</td>
<td>Bahl Brothers</td>
<td>Hamburg</td>
<td>Pusgan &amp; Co.</td>
<td>General</td>
<td>General</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Leonora</td>
<td>224</td>
<td></td>
<td>J. Friedrichs</td>
<td>Leer, Prussia</td>
<td>Sierussen &amp; Co.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* These vessels are lying here until their services are required to convey Chinese from Macao to Callao. They discharged the greater portion of their crews on arrival at Hong Kong, and will complete their complements again at Macao.

This vessel brought three Chinese from Chefoo for Callao, and took on board two more at this port.

Three Chinese passengers brought from Chefoo for Callao.

(Signed) H. G. THOMSETT,
Harbour Master, &c.

Harbour Department,
Hong Kong, January 28, 1873.
Enclosure 3 in No. 9.

Colonial Secretary's Office, Hong Kong, January 30, 1873.

SIR, Referring to my letter of 24th instant, I am directed to transmit for your information a return from the harbour master, containing replies to queries which were addressed to him by his Excellency the Governor, relative to certain ships now in harbour, to which you called his Excellency's attention.

As the subject is one of much importance and interest to Her Majesty's Government, his Excellency would feel obliged for any remarks or suggestions which you can offer for his adoption.

The Chief Justice, 
&c. &c. &c.

(Signed) CECIL C. SMITH,
Acting Colonial Secretary.

Enclosure 4 in No. 9.

Translation.

Government House, Macao, January 25, 1873.

The Governor of the Province of Macao and Timor, and their Dependencies, in Council, directs as follows:—

Experience having shown the necessity which exists of securing to the Chinese labourers who emigrate through this port, the possibility of returning to their country after the expiration of their contracts:

Considering the difficulty in which the said labourers are many times placed to obtain a passage back at their own expense, from their neglect to provide during the term of their contracts the means necessary for that purpose:

Considering the inconveniences which may accrue to the Governments of the countries in which the said labourers reside, from the state of vagrancy in which perchance they may remain, when at the termination of their contracts a return passage is not immediately procurable, or that they are unable to occupy themselves usefully in other works:

Considering the difficulties which the said labourers may experience when, being unwilling to enter into new contracts at the countries where they have served, they should prefer returning to their homes, and the necessary means may be wanting to them for that purpose:

Considering that it is the intention of His Majesty's Government, by which it has been pressingly recommended, that in allowing the emigration through this port, there may be secured to the labourers not only liberty in emigrating, but also that all the conditions tending to better their situation should be promoted, amongst which cannot fail to be comprised the possibility and certainty of their returning to their native land, when so they may desire:

I hereby direct, with the advice of the Council of Government, that in the contracts for service which in future may be entered into with the Chinese who propose to emigrate through this port, there be included a condition that a return passage be secured to the labourer, or its equivalent in money, as soon as the respective contracts have terminated, without which condition such contracts will not be approved. And I further direct that this order shall commence and take effect three months from the date of this proclamation.

The authorities whom it concerns to carry out these instructions will govern themselves accordingly.

(Signed) VISCOUNT DE SAM JANUARIO,
Governor of the Province.
Translation.
Superintendency of Chinese Emigration, Macao,
January 4, 1873.

Sir,

I have the honour to hand you, for the information of his Excellency the Governor, the enclosed Return, showing the proceedings of this Superintendency in respect of labourers who emigrated during the year 1872; viz., from the 2nd January to 31st December.

As it will be seen, the increase for the year was 908 emigrants to Havana and 3,429 to Peru, making a total of 5022.

The increase in the number of emigrant vessels during the year was six, including five steamers.

The increase in the number of emigrants who shipped from this port during the year is certainly attributable to the efficient measures taken by his Excellency the Governor at the commencement of his government, and which were of urgent necessity.

No effort was wanting on the part of the officers of this department to carry out strictly the instructions of his Excellency, with a view to the accomplishment of the object desired.

I beg to inform you with pleasure that there was no disaster to lament during this year, and that if all the ships despatched did not reach the port of their destination as was to be desired, it was in consequence of the changes of the season, which latterly caused so much damage. Some of them, however, arrived in excellent condition, as will be seen by the certificates of the respective Consuls.

The only cloud which obscures this Report is the fact of what happened to the Peruvian barque, ‘Maria Luz,’ which put back to Japan on the 9th July—a case to which I have already referred in my Despatch of 30th August, showing the little confidence which was to be placed in the statements said to have been made by the emigrants in the Japanese Court, as the names which they gave there could not be found in the books in this Superintendency nor in the depôts, thus leading one to believe that even in this they failed to speak the truth.

It is proper to state here that many of the labourers who arrived at Japan in that vessel have again emigrated in different ships through this Superintendency, and others in small number still continue to appear from time to time, shipping again with the greatest satisfaction.

I have equally to assure you with the greatest pleasure that to the good discharge of the service entrusted to the employés of this Superintendency, to their honour and powerful assistance, I am able to-day to lay before you this Return, from which are to be seen the favourable results obtained during the year.

I hope that the labours of this department will merit the approval of his Excellency the Governor.

Should his Excellency approve of my request, I beg you will be good enough to publish this Return as usual in the ‘Boletim’ of the Province under your immediate supervision.

God preserve you.

Henrique de Castro, Esq.,
Secretary to the Government,
&c. &c. &c.

(Signed) H. A. PEREIRA RODRIGUES,
Superintendent of Chinese Emigration.

No. 10.

Governor Sir A. E. KENNEDY, K.C.M.G., to The Earl of Kimberley.

Government House, Hong Kong, February 11, 1873.

My Lord,

I have the honour to inform you that I this day laid your Lordship’s Despatch, dated 20th November, 1872,* before the Legislative Council of this Colony, accompanied by remarks, of which I enclose a copy.

I have, &c.,

The Earl of Kimberley,
&c. &c. &c.

(Signed) A. E. KENNEDY, Governor.

* No. 3.
AT HONG KONG FOR THE MACAO COOLIE TRADE.

Enclosure in No. 10.

LEGISLATIVE COUNCIL.—IMPORTANT DESPATCH CONCERNING THE MACAO COOLIE TRADE.

'The China Mail,' Hong Kong, Tuesday, February 11, 1873.

A Meeting of the Legislative Council took place at 2.30 p.m. this afternoon. Present: H. E. the Governor, The Hons. the Chief Justice, the Act. Col. Secretary, the Attorney General, the Act. Col. Treasurer, Judge Ball, Phineas Ryrle, R. Rowett, and James Whittal.

The minutes of the last meeting having been read and confirmed,

H. E. then said:—Since the last meeting of the Council I have received a very important Despatch from the Earl of Kimberley in relation to the abuses which constantly arise out of the system of Chinese emigration carried on in the neighbouring Colony of Macao, and which have been so long the subject of complaint and remonstrance on the part of the British Government.

The Despatch is in these terms:—

[Then follows Lord Kimberley's despatch, dated Downing Street, 20th November, 1872, which will be found printed as No. 3.]

His Excellency then said:—

In compliance with the Earl of Kimberley's instructions, I have conferred with the Chief Justice, and with the Attorney General, and have carefully considered, in conjunction with these officers, the kind of legislation which is best calculated to carry out effectively the wishes of Her Majesty's Government.

I am also, at the present time, in communication with the Secretary of State on the subject, and I hope to be able very shortly to submit to the Council the draft of an Ordinance, intended to prohibit and prevent, to the fullest extent that the powers of this Legislature will allow, all residents of this Colony, of whatever nationality they may be, from taking any part in what is commonly known as the "Macao Coolie trade," and from participating, directly or indirectly, in its profits, either by chartering or equipping and furnishing vessels for the purpose of Macao emigration, or in any other manner.

I have every reason to believe that, in introducing such a measure, I shall have the hearty support and co-operation of every member of the Council, as well as the approval of the community of the Colony.

I do not now invite any expression of opinion on what is proposed, but when the draft Ordinance is laid on the table, the subject can be fully discussed.

Mr. Whittal wished to make a remark with reference to the Despatch just read. Some of the remarks of Earl Kimberley were, he thought, hardly called for. The Earl seemed to labour under an impression that the British merchants of Hong Kong were interested in the Coolie traffic. Now, this was not the case, and so long ago as 1867, he had joined the Chief Justice in opposing the Chinese Passengers' Act—

H. E. did not wish to interrupt the hon. member, but he desired to point out that if any remarks were made now, they would lead to discussion. He did not of course know what the hon. member was about to say, but this was not the time for discussing the question. As instructed, he would frame an Ordinance, and when this was brought forward there would be time for discussion.

Mr. Whittal said he did not desire to raise any discussion. He only wished to ask his Excellency if he would take steps to disabuse the mind of Earl Kimberley on the subject.

H. E. replied that he had already taken good care to do this. He was quite satisfied from inquiry that British merchants were not accomplices of the Coolie trade.

H. E. the Governor proposed the second reading of "The Sheriff's Ordinance, 1873." The amount of salary was not, H. E. observed, fixed, but that would be duly brought before the Council. The Ordinance was then read a second time and passed.

The Ordinance to abolish Minimum Punishment on Summary Convictions was also read and passed.

The Council was then adjourned sine die.
No. 11.

Government House, Hong Kong, February 12, 1873.

My Lord,

I RECEIVED yesterday from Chief Justice Smale the observations and suggestions (of which I enclose a copy) which he had to make on the subject of your Lordship's Despatch of the 20th November,* regarding the Macao Coolie trade.

2. At the same time I beg to transmit a copy of the Attorney-General's Report as to the powers of the local legislature in dealing with the same subject, and as to the existing state of the law.

3. These two documents express opinions in the most important respect so diametrically opposite, that when I find the Attorney-General (with whose opinions I must express my concurrence) is supported by the law officers of the Crown in England, I very naturally, though reluctantly, decline to act as Mr. Smale suggests.

4. Moreover, the decision of the Chief Justice, to which he refers, is under appeal to the Privy Council, and the portion of it in which it is to be inferred that this Government ought to act was not brought before the Supreme Court, but was more in the nature of an "obiter dictum," when deciding on the writ of habeas corpus, applied for in the case of Kwok-a-Sing.

5. Your Lordship's department is in full possession of all the details bearing on the above case, and as no fresh instructions have been issued for the guidance of the Governor of this Colony, I conceive that I should not now be justified in acting on Mr. Smale's view of the law.

6. If that view is correct, I believe I am right in saying that it would be the duty of the Naval Commander-in-Chief, who is now here with the squadron under his command, to seize the eight or nine Peruvian ships which are in this harbour, and which, as a matter of public notoriety, must be known to him as vessels engaged in the Macao Coolie trade.

7. I do not propose to discuss at any length Mr. Smale's letter, but I deem it my duty to draw attention to one or two points which seem to require some remarks at my hands.

8. In paragraph 7 reference is made to an American steamer ('Kin shu'), which convoyed from one of the coast ports a large number of Coolies to the Straits Settlements. I have no means of ascertaining the truth of the report given from the newspapers, but I apprehend that it is wholly beside the present question, which is shortly what legislation, local or imperial, should be adopted, to prevent the residents of Hong Kong from participating in the profits of the Macao Coolie trade.

9. No local or imperial legislation could touch American vessels clearing from a treaty port in China, nor in the present instance is it proposed to deal with any other sort of emigration than that from Macao.

10. The American Admiral was, too, in close and friendly communication with me not long ago, and I think I should have learnt from him if there were, in his opinion, just grounds to complain of the action of his nationals in the manner reported.

11. However that may be, I must confess my inability to follow the logic of the Chief Justice, when, after recapitulating what I have referred to, he adds, "I also believe that a report has been forwarded to Washington, which that Government will probably be not unwilling to use, as showing how inadequate English law is for repressing such occurrences."

12. Regarding the case of the 'Coquet,' I can only say that she cleared from Swatow, and that, being a British vessel, she must have left with the knowledge and the approval of Her Majesty's Consul, who may justly be assumed to have performed the duties imposed upon him by the Chinese Passenger Act, 1855, and of the Hong Kong Ordinance, No. 8, of 1871.

13. Mr. Smale has further reiterated the views which were expressed in the memorial of 27th June, 1867, wherein the entire prohibition of Chinese emigration is advocated. I do not concur in those views, but in face of the able and conclusive letter which my predecessor, Sir Richard Graves MacDonnell, caused to be sent to Messrs. Smale and Whittal, and of the Duke of Buckingham's remark that the Governor had "sufficiently answered the arguments of the memorialists," I do not consider it necessary to trouble your Lordship with any additional observations on the point which has been thus treated by Her Majesty's Government.
14. It may, I presume, be considered as settled that Chinese emigration, under certain provisions, is not to be prohibited, and thus it is of importance (and I do not underrate the importance and the difficulty) to decide as to what legislation is to be introduced.
15. Very probably, as submitted by the Chief Justice, an Imperial Act may be required, but I must very distinctly and very firmly dissent from the opinion that such legislation is necessary "fully to reach Coolie atrocities by British subjects on the sea, and especially in China waters."
16. My Lord, I know of no grounds, indeed, of no reports, which justify such a statement. I believe that British subjects are entirely free from any such imputation or charge as that contained in the above extract, and I cannot but express my deep regret that Her Majesty's Government should be invited to cause enactments to be passed to deal with offences which do not exist, the introduction of which would cast a slur on a nation honourably exempt from participation in that phase of Chinese emigration so justly deprecated by all right-minded persons.
17. I have, however, written more at length, though under much pressure, than I had contemplated.
18. In conclusion, I have only to add my inability to accept Mr. Smale's offer to go to England, as, irrespective of other reasons, I could not sanction both judges being absent from the Colony; and Mr. Ball has already applied for leave.

The Earl of Kimberley,
(Signed) A. E. KENNEDY, Governor.

Enclosure 1 in No. 11.

Sirs,

I have the honour to acknowledge the receipt of your letter of the 15th of January last, covering a copy of a Despatch from the Earl of Kimberley, of 20th November, 1872," with an enclosure of the Kidnapping Act, 1872.

2. I was considering that communication when I accidentally perused the 'Supplement to the Overland China Mail,' of 23rd January last, and I was astounded at finding that there were (I thought then 12) certainly 10 vessels in this harbour of an aggregate tonnage of 8,977 tons, apparently outfitting for the Macao Coolie trade.

3. On my communicating this fact to you, his Excellency the Governor immediately obtained a Report by the Harbour Master as to these vessels, from which I find that on the 28th January, 1873, eight vessels, some of previous Coolie notoriety, with a total tonnage of 7,466 tons were then in this harbour, as to which the Harbour Master reports:—"these vessels are lying here till their services are required to carry Chinese from "Macao to Callao."

4. When to this is added their condition as to actual fittings derived from his Excellency's personal inspection, it would seem that the fittings-out of these ships in these waters if proved would be within the provisions of the Slave Trade Abolition Act of 1824, and the definition in Section II. of the 6 and 7 Vict., c. 98, if I was correct in declaring, as I did in the Kwok-a-Sing case, that the Coolie trade from Macao is the slave trade. That decision is, I am informed, inserted in full in the annual Blue Book of Foreign Correspondence at Washington, giving the sanction by that Government of the principles I have enunciated; but the Attorney-General (in whose opinion eminent lawyers in England have, as I understand, concurred) does not accede to that decision, which is now under appeal to the Privy Council.

5. If my decision is correct, there would obviously be a power to put down these fittings out of ships within the waters of this Colony as being felony within the provisions of the Acts; but under appeal as my decision is, I am not surprised at your statement that his Excellency is advised that unfortunately he has no power to interfere with the vessels thus fitted out in this harbour. I understand that there is no one who denies the necessity for additional powers to put down the traffic in which these vessels are engaged.

6. The Harbour Master's Report discloses, as I believe, not an exceptional but the usual state of activity during the season of the Coolie trade in this harbour, which appears to be actually a justification for at least some portion of the imputation by the Portuguese Government, that British subjects in Hong Kong habitually partake in and profit by a traffic which the Queen's Government deplores.

7. Lord Kimberley quotes a paragraph from a Hong Kong newspaper. Enclosed I send a paragraph from the 'China Mail,' of the 19th December last, and another paragraph

* No. 3.
MEASURES TO PREVENT THE FITTING OUT OF SHIPS

Hong Kong.

from the same newspaper of the 7th of February instant, each being an extract from 'The Straits Times.'

I am enabled to add that the 'Kiushu' steamer referred to in the first paragraph is an American vessel, that she took over 1,700 and not 1,400 on board, and that her tonnage is only 684 tons, that her owners have always ranked as of all Americans in China eminently Christian, having been the great American Missionary House for China. Of the vessels said in the second paragraph to be "arriving almost daily" in Singapore, I understand that there are two other American vessels, the 'C. C. Leary,' and 'Jas. B. Bell,' with the like clearances from Swatow, and the like close packing of Coolies.

Admiral Jenkins, in command of the American navy in Asiatic waters, has been at Singapore. I believe a remonstrance has been sent to Peking, which will, I hope, prevent the recurrence of any permission by a Mandarin of these occurrences. I also believe that a Report has been forwarded to Washington, which that Government will probably be not unwilling to use, as showing how inadequate English law is for repressing such occurrences.

8. I am informed that more recently the English steamer 'Coquet' has taken Coolies from, I believe, Swatow, and landed them at Singapore in a similar way, as much to be deplored as in the case of the 'Kiushu.'

9. An American gentleman informs me as to these Singapore transactions, that American and English vessels are engaged largely in it (this traffic), and that it is becoming a great scandal to both nations, and that whilst we cry out against Macao we should look to it speedily that we are not engaged in a traffic almost as bad. I make the above statements solely in order that Her Majesty's Government may know that the evils to be grappled with are real, and of far larger proportions than they are supposed to be in the Despatch of the Earl of Kimberley.

10. From articles on the Emigration Convention of 1866 in the 'China Review' of this year, Nos. 2 and 3, I find that legalized Coolie emigration from China was initiated there in 1859, but the Imperial Chinese Passengers' Act was passed in 1855, on a recital that "abuses have occurred in carrying emigrants from ports in the China seas"; and without going further back, I believe that the earliest Hong Kong Ordinance now in force in reference to emigration is No. 11 of 1857. Several other enactments are scattered in the Ordinances up to 1867, so that the law is not quite clear. In that year an Ordinance, No. 6 of 1867, was passed under express directions in a Despatch from Mr. Cardwell of the 26th April, 1866, founded on evidence of at least gross negligence in the shipment of Coolies from the harbour per the 'Tricolor.' The object of that Ordinance, as stated by the Governor, was to ensure that the emigration from this port would be of a creditable kind. On the second reading, on June 29th, 1867, Mr. Whittall and I submitted that Chinese emigration was so tainted that it could not be regulated even for ameliorating the Coolies' condition, but that it ought to be entirely prohibited.

The Ordinance was, however, passed.

On the suggestion of the Governor, Mr. Whittall and I presented a memorial, dated the 27th of June, 1867, embodying our reasons, which was transmitted to the Duke of Buckingham, with an answer by the Governor, dated July 4th, 1867. This Ordinance was repealed by No. 12 of 1868, which re-enacted most of its provisions.

11. I am answerable for the contents of the above memorial; but I am not entitled to credit for a single word in it, as I never saw it until in fair copy I signed it. I may therefore the more freely say that, fully concurring in it, I thought its reasons conclusive.

The experience since 1867 has satisfied me that the entire prohibition of the Coolie trade then advocated has become the only effectual remedy, because its atrocities are so inherent in the trade that all attempts at modification have utterly failed.

12. I should have thought that the American Act (Public Act No. 24) of 1862, an Act to prohibit the "Coolie trade" by American citizens in American vessels, would have been large enough to have covered the case of the 'Kiushu,' and have brought its owners within its stringent provisions.

13. If the Slave Trade Abolition Acts are held not to apply, I respectfully submit that fully to reach Coolie atrocities by British subjects on the sea, and especially in China waters, an Imperial Act, similar to the Kidnapping Act, 1872, is necessary, and as that Act was supplemented by an Ordinance of Queensland, so the Imperial Act should be supplemented by a Hong Kong Ordinance.

14. I should submit as the only safe course the recital and repeal of every Colonial enactment having reference to the Coolie trade, a declaration that the Coolie trade is the slave trade, or that it is in all its phases felony, with clauses prohibiting and furnishing every Act that comes within it in terms similar to the Kidnapping Act of 1872. There should be additions adapted from the Slave Trade Abolition Acts. I further suggest

See at full in Appendix p.256, of Hong Kong Directory for 1873.
that valuable additions for any such legislation would be found in the sweeping provisions of the American Coolie Trade Prohibition Act, 1862.

15. The utter failure of all previous legislation duly to regulate Coolie emigration appears to me to conclusively show that prohibition and not regulation is the remedy, and the only remedy.

16. If the contention that Coolie emigration may in some cases be effected from this Colony with benefit to the Chinese Coolies as well as to the planters, should have value in the estimation of the Government, a clause might be introduced into the Imperial Act authorizing exceptional legislation in Hong Kong, and into the Hong Kong Abolition Ordinance a proviso might be introduced authorizing the Colonial Executive (upon such evidence of necessity, and under such conditions as it might impose in each case for protecting the Coolie during his term of servitude, and for securing his return at its termination) to permit emigration by an authorization in each case under the Colonial seal, somewhat in the terms used in the Ordinance No. 4 of 1870; but all this would be matter of detail in a view of the circumstances in which I do not concur.

17. Hong Kong has no proper Coolie or pauper emigrants of its own. Emigration is not then necessary there, and it can be expedient there only merely as a commercial venture, which is an element always tending in emigration matters to convert the Coolie into a mere article of commerce.

From Hong Kong, equally as from Macao, emigration can be fed only by collecting and taking, it may be, paupers voluntarily; it certainly often is men in decent positions kidnapped from out of the protection of their own families and friends, and kindred superiors, in making their contracts (if emigrate they must) to their advantage, and removing them into a distant land, far away from all protection, where they are aliens in language, in customs, in every respect, and where the love of gain predominates, and they are frightened or bewildered into contracts for their labour, the full meaning of which they do not and cannot understand.

In my estimation there is no contr contra of advantage to these inherent evils.

18. If there is to be any Chinese emigration it should be from China alone and from Chinese ports direct that the emigration of her own surplus population should be carried on.

There would, then doubtless be abuses which England and America could from high ground concur in mitigating, and at all events the character for humanity of England would (for the first time in China) be freed from the possibility of taint.

19. I know I am held to take an exaggerated view of the horrors of the Coolie trade. No one would say so who had had my experience. In, I believe, 1863 Sir Hercules Robinson directed me, as Attorney-General, with the effectual aid of Mr. Mayers, then interpreter to the Consulate at Canton, to take the informations of the hundreds of Coolies whom we released from out of the Coolie ship, the 'Ville d'Anjou,' in this harbour. These informations were preserved in your office. These histories of misery I then was compelled to collect filled me with a horror which has never left me. An instance, during that examination one of the so-called 'Coolies,' a schoolmaster, told his tale, and, watching him daily, I saw him in his misery sink from the kidnapped capable schoolmaster into the merest confirmed idiot, and as such he was sent back to his native village.

I doubt not that like causes in the thousands of cases which I have since known or heard of, have produced and are producing like fearful results, for which no material good can compensate.

20. My time is at the command of the Attorney-General to concur with him in framing any Ordinances to carry out the objects of the Earl of Kimberley within this Colony.

I presume that any Bill for an Imperial Act would be framed at home.

21. I feel so deeply interested in the speedy passing of these laws, that I offer my services to go to England for the period necessary at half salary, or even without salary, in order that prompt information may be given to Her Majesty's Government, which may be required in order to facilitate speedy legislation.

Having so recently returned to this Colony, the voyage would be a wearisome labour, necessary or desirable neither for health nor for change.

22. I write this letter in more haste than I could wish, in order that his Excellency may be fully in possession of my views before the meeting of the Legislative Council convened for this day.

I have, &c.,

The Hon. Cecil C. Smith, (Signed) JOHN SMALE,
Acting Colonial Secretary. Chief Justice.
MEASURES TO PREVENT THE FITTING OUT OF SHIPS

Enclosure 2 in No. 11.

No. 1.

'China Mail' of December 19, 1872.—We do not know, says the ‘Straits Times,’ who is to blame, and we are assured Government can do nothing in the matter, but the spectacle of the deck of the American steamer ‘Kiushu’ presented in this port last week was a disgrace to humanity. Her deck was crowded with Coolies from Swatow, packed like herrings, and she was at one time so top-heavy, that it was a miracle, until she was ballasted, she did not topple over and drown her human freight like rats. These wretched slaves are sent down here on consignment, and are not allowed to land until their passage is paid by the consignee. Ordinarily there is not much difficulty in this, and they are landed at once, but recent times have been so calamitous, that in the ‘Kiushu’s’ case, and also in the case of a sailing vessel which arrived crowded recently, there has been a difficulty about the passage-money, the consignees being unable to raise the needful; and, of course, it is out of the question for the captains or consignees of the vessels to allow the Coolies to land, for they would disperse into the jungle at once. The spectacle is not creditable to any civilized port, more especially a British one, and some representations should be made on the subject to the authorities in the Chinese outports.

No. 2.

'China Mail' of February 7, 1873.—A large importation of Chinese Coolies is, says the ‘Straits Times,’ going on at Singapore, vessels arriving almost daily from Amoy and Swatow, laden, or more properly speaking, overladen with them. They are a troublesome cargo, in some instances being packed so densely on board as to impede the working of the ship. On board of one vessel that recently arrived there were no less than 1,400, the ship's tonnage being between 800 and 900 tons. Most of the ships thus freighted anchor as far outside as possible, to render the escape of their “passengers” a matter of difficulty. Despite this precaution, whether to evade payment of their passage money or the clutches of their consignees, or that impatience seizes the Celestial mind at sight of the promised land, or that the durance on board appears particularly vile, one knows not, but numbers of them jump overboard, risking a briny grave in attempting to reach some of the numerous sampans that are constantly dodging about these ships, and thus get quickly ashore. A few nights ago seven escaped in this manner from one ship, whilst on board another, one of the crew, having interfered with the “fixings” of a Coolie, received a stab from the latter's knife. We shall have more to say on this subject of Coolie emigration, to which we have already called attention in late issues of this paper.

The Legislature of Hong Kong may pass an Ordinance forbidding persons of whatsoever nationality from doing any act whatever, within the Colony or the waters thereof, in furtherance of the Macao Coolie trade. Thus the chartering, equipping, provisioning and furnishing of ships in this harbour intended for that trade, and the manufacture or sale in Hong Kong of fittings for such ships, and the embarking of capital in Hong Kong to be applied in that trade, or the conveying provisions or fittings or Coolies out of this Colony with intent that they should be put on board Macao Coolie ships, are all instances of acts which may be made punishable by a local Ordinance.

It is unnecessary to say that bare intent cannot be made punishable unless it be coupled with some act, and that the act must be committed within the jurisdiction.

This Legislature cannot make laws affecting even British subjects in respect of acts committed by them out of the jurisdiction of Hong Kong, except under the special power conferred upon it by Section II. of the Imperial Act 18 and 19 Vict. c. 104 ("The Chinese Passengers’ Act, 1855").

I wish to draw attention, however, to Article 159 of Her Majesty's Order in Council, of the 9th day of March, 1865, for the government of Her Majesty's subjects in China and Japan. It is as follows:

“The Supreme Court of Hong Kong may take cognizance of offences committed by British subjects within the peninsula of Macao, and of suits originating there, when the party offending or the party sued comes or is found within the jurisdiction of that Court; but that Court shall not have power to issue any warrant or writ to be executed or served within that peninsula.”

It would be satisfactory to obtain the opinion of the Secretary of State as to whether, the word "offence" in that Article would extend to acts declared to be offences by the
Colonial Legislature only, as distinguished from offences against imperial acts which follow British subjects wherever they may be.

It seems to me that, inasmuch as the Hong Kong Legislature cannot make laws affecting British subjects in respect of acts committed by them out of the jurisdiction (save under the Chinese Passengers' Act) the word "offence" in that Article of the Order in Council must be limited to offences against the Common Law or the Statute Law of England.

Before the passing of the Order in Council the Supreme Court exercised jurisdiction over all British subjects in China and Japan, but I apprehend that a British subject could not at that time have been punished "ratione loci delicti" for an act committed in Shanghai or Yokohama, if such act were rendered unlawful and punishable solely by an Ordinance of Hong Kong Legislature.

If that be so, the same rule must apply to Macao, which place was alone excepted by the Order in Council by which the extra territorial jurisdiction formerly exercised by the Supreme Court of Hong Kong over British subjects in China and Japan was taken away.

With regard to the Peruvian ships now in this harbour, I have already written an opinion to the effect that, as the law at present stands, there is no power to interfere with them, further than for the purposes of inspecting their fittings, under Section 27 of Ordinance No. 1, of 1862.

I may state, however, that if a Macao Coolie ship were to put into Hong Kong on her voyage with Coolies on board, she would be stopped, and the Coolies would be landed under the powers contained in "The Chinese Passengers' Act, 1855," and Ordinance No. 4, of 1870.

But emigration under the laws of Macao is not slavery "per se." It only opens the door to abuses which, under the colour of law, are as bad as African slavery.

For instance, a foreign Coolie ship having left Macao, the master may tear up all the contracts and carry off his victims in bondage. Assuming such a case to happen, could a British man-of-war legally board and seize the foreign ship on the high seas?

I apprehend that it could not do so legally in the absence of a Convention between Great Britain and the nation to which the foreign ship belonged, because our statutes against slavery only apply to British subjects, and slavery is not a criminal traffic by the Law of Nations. (See Le Louis, 2 Dodson, 210, Madrazo v. Willis, 3 B and A, 353, and the excellent résumé of slave trade cases in Kent's Commentaries by Abdy, 442-445, Stevens and Son, 1866; and Wheaton's International Law, by Dana, 1866.)

As for the Peruvian ships now lying in this harbour, although within our jurisdiction, they have no emigrants on board, and, so far as we can possibly know, they are intended to carry emigrants from Macao under the laws of that Colony, and after complying with the public regulations of the local government.

I am aware of no law which could warrant their seizure. With every deference for the contrary opinion of the Chief Justice, I hardly think that a Colonial Attorney-General would be justified in advising such a step without previous reference to the Secretary of State.

(Signed) JULIAN PAUNCEFOTE, Attorney-General.

February 12, 1873.

No. 12.

To the Officer Administering the Government.

Sir, I am directed by the Secretary of State to inform you that on the 12th instant he sent a telegraphic Despatch to you in the following words:

"Proceed with Chinese Emigration Ordinance. In Section IV., Subsection II., after 'equipment shall,' insert the words 'if within the waters of this Colony;' in Sections IX., and X., after 'owners,' insert 'or their agents in the Colony;' in Section XII., after
Measures to Prevent the Fitting Out of Ships

The Officer administering the Government
of Hong Kong.

No. 13.

To the Officer Administering the Government.

Sir, Downing Street, April 23, 1873.

I am directed by the Secretary of State to inform you that on the 23rd instant he sent a telegraphic Despatch to you in the following words:

"Pass Protection of Chinese Women Ordinance without suspending clause."

I have, &c.,

(Signed) ROBERT G. W. HERBERT.

The Officer administering the Government of Hong Kong.

No. 14.

(Extract.)

The Earl of Kimberley to Governor Sir A. E. Kennedy, K.C.M.G.

Sir, Downing Street, April 27, 1873.

I have to acknowledge your Despatches of the 5th, 10th, 11th, and 12th of February last,* on the Macao Coolie trade, and to state that, after careful consideration of the different points raised by this correspondence, I am of opinion that, so far as the Colony of Hong Kong is concerned, the proper course to pursue is to pass, with the alterations pointed out in my telegram of the 12th instant, the Chinese Emigration Ordinance, a draft of which was enclosed in the Despatch of the 22nd January.†

2. There are, however, two points in the Report of the Attorney-General, enclosed in Despatch of the 12th February, which require notice.

3. With respect to the construction of Article 159 of Her Majesty's Order in Council of the 9th March, 1869, for the government of Her Majesty's subjects in China and Japan, I am advised that the view taken by the Attorney-General is correct, and that the word "offence" in that Order would not extend to acts declared to be offences by the Colonial Legislature only, but must be limited to offences against the common law or statute law of England.

4. But with respect to his statement, that if a Macao Coolie ship were to put into Hong Kong on her voyage, she would be stopped and the Coolies on board be landed under the powers contained in the Chinese Passengers' Act, 1855, and Ordinance No. 4 of 1870, I am advised that it is open to grave doubt whether such a course could be legally taken under the existing law.

5. You will observe that I have directed the omission of the 17th Section in the draft Chinese Emigration Ordinance, which would authorize the seizure in all circumstances of any ship (British or foreign) which, carrying Chinese emigrants, might come within the waters of the Colony; and which, in fact, forbids, under penalty of seizure and detention, the waters of the Colony to every ship, wherever equipped and however employed, in carrying every description of Chinese emigrant to any part of the world.

6. This omission has been directed under the advice of the Law Officers to whom the Draft Ordinance was referred, and who reported further that the case of the "Maria Luz," which was brought under their notice with reference to this section, was a case in which the conduct of the Peruvian master towards the Chinese on board his vessel just-

* Nos. 8, 9, 10, and 11.
† No. 7.
tified the action of the Japanese authorities and, in their opinion, had but a remote bearing, if any at all, upon the propriety of the proposed section of the Hong Kong Ordinance.

7. With reference to another point arising upon the letter of the Chief Justice on the subject of the emigration from Macao to Singapore, I have to inform you that the Governor of the Straits Settlements will be desired to introduce a measure providing that no vessel conveying emigrants from China to those settlements, shall convey a greater number of passengers than in the proportion fixed by the Hong Kong Ordinance of 1871, and imposing a substantial fine for every emigrant above the number allowed.

8. I anticipate that the passing of these Ordinances in the Straits Settlements and Hong Kong, will, if they are effectively carried into operation, tend materially to check illegal participation by British subjects in the Chinese Coolie traffic, but should this unfortunately not prove to be the case, the subject will receive further consideration by Her Majesty's Government.

9. I request that after the Ordinance has been passed I may from time to time be furnished with reports upon the working of the measure.

10. I also request that you will thank Mr. Smale for his reports and for his offer to come to England, if he could be of assistance there.

Governor Sir A. E. Kennedy, K.C.M.G.
&c. &c. &c.

(Signed) KIMBERLEY.

No. 15.

The Earl of Kimberley to Governor Sir Harry Ord, C.B.

Sir,

I have the honour to enclose for your information two extracts from a newspaper called the 'China Mail.' It appears from the statements quoted in them from the 'Straits Times,' if correct, that some vessels which carry emigrants to Singapore are dangerously overcrowded, and whether these statements be correct or not, I am of opinion that measures should be taken at the earliest opportunity to prevent the possibility of such abuses.

The Hong Kong Ordinance of 1871, which will be found at p. 148 of the Appendix to the Emigration Report of 1872, requires that emigrants from that Colony to the Straits Settlements should have in the between decks 9 superficial and 54 cubic feet, and on deck, 16 superficial feet per adult, and this, in the opinion of the Emigration Commissioners, is not more than enough, even assuming that the great bulk of the emigrants remain on deck during the passage.

I request you to introduce a Bill providing in substance—

(1) That no vessel conveying emigrants from China to any of the Straits Settlements shall convey a greater number of passengers than in the proportion fixed by the Hong Kong Ordinance above referred to, and that the master of any vessel conveying to the Colony from China a greater number of passengers than in the proportion above stated, shall be subject to a penalty (which might be $10) for each passenger in excess.

(2) That no such vessel shall be allowed to land her emigrants until they and the ship have been inspected by the proper officer of the Government appointed in that behalf.

The law shall be made to apply to all vessels, foreign as well as British, but its operation should be deferred for four or six months to give time for its notification in Chinese ports.

I presume that regulations have been issued under Ordinance 7 of 1868, to ascertain that there is no infectious or contagious disease among emigrants, and the officer who performs the necessary inspection for that purpose, or the surveying officer under Ordinance 14 of 1868, might perhaps be required also to ascertain the number carried, and the capacity of every ship which arrives from China with emigrants.

I have, &c.,

(Signed) KIMBERLEY.
No. 16.

Governor Sir A. E. Kennedy to The Earl of Kimberley. (Received May 26, 1873.)

My Lord,

Government House, Hong Kong, April 14, 1873.

I have the honour to acknowledge your Lordship’s telegraphic Despatch of the 12th instant, which was as follows:—*

12th April.—Proceed with Chinese Emigration Ordinance. In Section IV., Sub-section II., after equipment, shall insert the words, if within the waters of this Colony; in Sections IX. and X., after orders [owners], insert, or their agents in the Colony; in Section XII., after equipped, insert, within the waters of the Colony, and contrary to the provisions of this Ordinance. Omit Section XVII.”

In compliance with these instructions, I propose to lay before the Legislative Council, on Thursday next, the 17th instant, the amended draft of the Chinese Emigration Ordinance, 1873.

I have, &c.,

The Earl of Kimberley, &c. &c. &c.
(Signed) A. E. KENNEDY, Governor.

No. 17.

Governor Sir A. E. Kennedy, K.C.M.G., to The Earl of Kimberley.
(Received June 16, 1873.)

My Lord,

Government House, Hong Kong, April 25, 1873.

I beg to acknowledge your Lordship’s telegraphic Despatch of the 23rd instant, which is as follows:—†

23rd April.—Pass Protection of Chinese Women Ordinance without suspending clause.”

At the meeting of the Legislative Council yesterday, I laid on the table for the second reading the Bill referred to, and after some progress, further consideration was adjourned until Monday next.

I have, &c.,

The Earl of Kimberley, &c. &c. &c.
(Signed) A. E. KENNEDY, Governor.

No. 18.

Governor Sir A. E. Kennedy, K.C.M.G., to The Earl of Kimberley.
(Received June 9, 1873.)

My Lord,

Government House, Hong Kong, April 25, 1873.

I have the honour to transmit an Ordinance “to make better provision for the Regulation, Inspection and Approval of the Fittings of Ships intended for the Conveyance of Chinese Emigrants to be embarked at ports and places out of the Colony,” No. 3 of 1873, which passed the Legislative Council yesterday.

2. The necessity for this legislation is abundantly proved by facts which are already in your Lordship’s possession. Section XXVII. of Ordinance No. 1 of 1862, dealt very imperfectly with abuses which were brought to light by the case of the ‘Ville d’Agen,’ in former years, and of the ‘Fetchoy,’ and other vessels, at the present time,—so much so, that if the views of Her Majesty’s Government were to be carried out in their integrity, there was no doubt as to the duty of this Legislature to supplement by stringent clauses the provisions of the section quoted.

3. With this object, the Section XXVII. of the Harbour Ordinance has been repealed, and re-enacted with the addition of other sections, affecting not only the mere possession of prohibited fittings (such as barricades, gratings, &c.), but also their manufacture. The powers, also, of the Emigration Officer are now ample to prevent the fitting out of emigrant vessels in any objectionable manner, while the public will be protected against vexatious proceedings through the operation of the last section, which provides that prosecutions under the Ordinance cannot be instituted without the consent of the Attorney-General.

4. It may, perhaps, be suggested that this Ordinance is not called for, having regard

* No. 12.  † No. 18.
to the more comprehensive measure about to be introduced, which was submitted for your Lordship’s consideration in my Despatch, of 22nd January,* and I may at once admit that after the passing of that Bill I do not anticipate that there will be much need for the “Fittings’ Ordinance.” Nevertheless, it is of great importance that the Government should be armed with adequate powers to suppress the abuses at which this Ordinance is aimed, during the period that will elapse before the other enactment can be passed. Hence I very confidently solicit your Lordship’s approval of the Ordinance, and trust that it will receive Her Majesty’s gracious allowance and confirmation.

The Earl of Kimberley,
&c. &c. &c.

(Signed) A. E. KENNEDY, Governor.

Enclosure 1 in No. 18.
No. 3 of 1873.

A. E. KENNEDY, Governor and Commander-in-Chief.

An Ordinance enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, to make better provision for the regulation, inspection and approval of the fittings of ships intended for the conveyance of Chinese emigrants, to be embarked at ports or places out of the Colony.

April 24, 1873.

Whereas it is expedient to make better provision for the regulation, inspection and approval of the fittings of ships intended for the conveyance of Chinese emigrants to be embarked at ports or places out of the Colony: Be it enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, as follows:—

I. This Ordinance may be cited as the “Chinese Emigrant Ship Fittings Ordinance, 1873.”

II. In the construction of this Ordinance, if not inconsistent with the context, the following terms and expressions shall have the meanings hereinafter respectively assigned to them, that is to say:—

The expression “Chinese Passenger Ship” shall mean a ship defined by and coming under the provisions of the “Chinese Passengers’ Act, 1855.”

The expression “Chinese Emigrant Ship” shall mean any ship not being a “Chinese Passenger Ship” lying in the waters of the Colony, and fitting out or intended to be used for the conveyance of Chinese emigrants to be embarked at any port or place out of the Colony.

The term “Fittings” shall include any article capable of being used as part of the tackle, apparel, furniture, or equipment of a ship.

The expression “Prohibited Fittings” shall mean any fittings prohibited by this Ordinance, or by a proclamation of the Governor.

The expression “Emigration Officer” shall include any person deputed or authorized by the Emigration Officer to execute any power or perform any duty vested in him or imposed upon him by this Ordinance.

III. Section XXVIII. of Ordinance No. 1 of 1862 is hereby repealed.

IV. Before beginning to fit out any ship intended to be used for the conveyance of Chinese emigrants to be embarked at any port or place out of the Colony, a notice to that effect shall be given in writing to the Emigration Officer, and such notice shall be signed by the owner and master of such ship, or in the event of the owner not being resident within the Colony, by the agent and master thereof, and in case such notice shall not have been given, the owner and master, or the agent and master of such ship, as the case may be, shall be guilty of an offence against this Ordinance, and shall be liable to the punishment hereinafter prescribed: Provided always, that where there shall be no agent of an absent owner in the Colony, the notice may be signed by the master alone.

V. The master of every ship arriving within the waters of the Colony and which shall be fitted out for the conveyance of Chinese emigrants shall, within twenty-four hours, report the same to the Emigration Officer, and in case he shall neglect so to do, he shall be deemed guilty of an offence against this Ordinance, and shall be liable to the punishment hereinafter prescribed.

VI. The fittings of every such ship shall be subject to the approval of the Emigration officer, who is hereby empowered at all reasonable times to go on board and search and inspect such ship and her fittings, and to order any fittings which shall in his opinion be

---

* No. 7.
provide, ship, and refusal thereof.

VII. No such ship shall clear out or proceed to sea until the master thereof shall have received from the Emigration Officer a certificate in the form contained in the Schedule to this Ordinance, or in such other form as the Governor in Council may from time to time prescribe, and every such certificate shall be liable to a stamp duty of twenty-five dollars.

VIII. All barricades and gratings apparently intended to be used, or which are capable of being used for the purpose of confining Chinese emigrants below decks, or within any particular part of a ship, shall be deemed to be prohibited fittings within the meaning of this Ordinance.

IX. It shall be lawful for the Governor, from time to time, by proclamation to be inserted in the 'Gazette,' to prohibit the use or carriage in any ship of any other description of fittings therein specified, and every such prohibition shall have the same force or effect as if it were expressly enacted in this Ordinance.

X. All prohibited fittings, wherever found within the Colony, shall be seized and shall be forfeited to the Crown in manner hereinafter mentioned.

XI. Whoever shall, without lawful excuse (the proof of which shall lie on the accused), manufacture, purchase, sell, or have in his possession any prohibited fittings, shall be guilty of an offence against this Ordinance, and shall be liable to the punishment hereinafter prescribed.

XII. The owner, agent, or master of any ship intended for the conveyance of Chinese emigrants to be embarked at any port or place out of the Colony, who shall knowingly permit any prohibited fittings to be taken on board such ship, or to remain therein after the same have been taken on board, or who shall refuse to remove forthwith any fittings which the Emigration Officer shall have ordered to be removed shall be guilty of an offence against this Ordinance, and shall be liable to the punishment hereinafter prescribed, and all such last-mentioned fittings shall, in case of such refusal as aforesaid, be seized and forfeited to the Crown as in the case of prohibited fittings.

XIII. If any such ship shall leave or attempt to leave the waters of the Colony without the certificate required by Section VII., or shall leave or attempt to leave the waters of the Colony, having on board any prohibited fittings, or any fittings which the Emigration Officer shall have ordered to be removed, or any other fittings of a similar kind and description, in every such case the master of such ship, and the owner or agent if proved to have sanctioned such leaving or attempting to leave as aforesaid, shall be deemed guilty of an offence against this Ordinance, and shall be liable to the punishment hereinafter prescribed, and all such fittings shall be seized and forfeited to the Crown, whether the same be prohibited fittings or not.

XIV. If any person shall make or attempt to make any fraudulent use of a certificate granted under this Ordinance, or shall forge, counterfeit, alter, or erase the whole or any part thereof, or shall use or attempt to use any spurious or fraudulent certificate, the person so offending, and every person aiding and abetting in such offence, shall be liable to the punishment hereinafter prescribed.

XV. All cases of violation or disobedience of, or default in compliance with the provisions of this Ordinance, may be heard and determined summarily by two magistrates sitting together, who shall constitute a court for this purpose: Provided, that if at the close of the investigation, the accused shall apply for a trial by jury, or the magistrates shall be of opinion that the case ought to be so tried, they may commit the accused for trial at the Supreme Court.

XVI. On conviction of such offences, the respective offenders shall be liable to the following punishments:

(1.) For every offence against Sections IV., V., VI., XI. and XII., a fine not exceeding five hundred dollars, and imprisonment with or without hard labour for any term not exceeding six months, or either of such punishments, at the discretion of the court.

(2.) For every offence against sections XIII. and XIV., a fine not exceeding one thousand dollars and imprisonment with or without hard labour for any term not exceeding one year, or either of such punishments, at the discretion of the court. Provided always, that where a fine shall be imposed for any offence against Sections XIII. or XIV., the court may sentence the offender in default of payment of such fine, to imprisonment with or without hard labour for any term not exceeding one year in lieu of such fine, and such imprisonment shall commence from the expiration of any term of imprisonment to which the offender may have been sentenced in addition to the fine.
XVII. The Supreme Court and the said Court of Magistrates shall have full power and authority to hear and determine all cases of seizure of fittings, and upon proof of the legality of the seizure, to declare the said fittings to be forfeited to the Crown; and no fittings seized under this Ordinance shall be deemed to be forfeited to the Crown except under the sentence of one or the other of the said courts.

XVIII. Nothing herein contained shall be deemed to affect the powers vested in the superintendent and inspectors of police by Section VII. of Ordinance No. 14 of 1845.

XIX. Any action or prosecution against any person for anything done in pursuance or execution, or intended execution, of this Ordinance, shall be commenced within three months after the thing done, and not otherwise.

Notice in writing of every such action and of the cause thereof shall be given to the intended defendant one month at least before the commencement thereof.

In any such action the defendant may plead generally, or set up by way of special defence that the act complained of was done in pursuance or execution, or intended execution, of this Ordinance, and give this Ordinance and the special matter in evidence at any trial to be had thereupon.

The plaintiff shall not recover if tender of sufficient amends is made before action brought, or if after action brought a sufficient sum of money is paid into court by or on behalf of the defendant.

If judgment is given for the defendant, or the plaintiff becomes nonsuit or discontinues the action after issue joined, or if on demurrer or otherwise judgment is given against the plaintiff, the defendant shall recover his full costs, and shall have the like remedy for the same as any defendant has by law for costs in other cases.

If judgment is given for the plaintiff, he shall not have costs against the defendant unless the judge before whom the trial is had certifies his approbation of the action.

XX. No proceedings shall be instituted for any offence against the provisions of this Ordinance, or for any forfeiture thereunder, except at the suit or prosecution of, or with the consent of the Attorney-General.

Passed the Legislative Council of Hong Kong, this 24th day of April, 1873.

(Signed) L. D'ALMADA E CASTRO,
Clerk of Councils.

SCHEDULE.

Emigration Officer's Certificate under "the Chinese Emigrant Ship Fittings Ordinance, 1873."

I (A. B.), Emigration Officer of Hong Kong, do hereby certify, that I have inspected the fittings of the ship "", of which is master, bound for ; and that there are no prohibited or objectionable fittings on board.

Dated at Hong Kong, the day of 187.

A. B.

Enclosure 2 in No. 18.

Statement of Objects and Reasons.

This Ordinance is intended to supplement the law in reference to the inspection and regulation of the fittings of ships which leave this Colony in ballast, to take up Chinese emigrants at places out of British jurisdiction. The inspection and regulation of the fittings of ships intended for the conveyance of Chinese emigrants to be embarked in this Colony is amply dealt with by the "Chinese Passengers Act, 1855," as well as by local Ordinances. Section III. of Ordinance No. 9 of 1856, provides that any "Chinese passenger ship" (that is, a ship "carrying more than twenty passengers being natives of Asia,") clearing for any port out of the Colony for the purpose of commencing at such port a voyage of more than seven days' duration, shall be within the "Chinese Passengers Act, 1855;" but the vessels to which the present Ordinance is intended to apply, are those which leave this Colony without any Chinese passengers on board, and with the view to the embarkation of Chinese passengers elsewhere. Such vessels are not "Chinese passenger ships," within the meaning of the "Chinese Passengers Act, 1855," and therefore, unless they are British ships, are not subject to its provisions.

The only enactment under which the fittings of such ships can be regulated is Section
MEASURES TO PREVENT THE FITTING OUT OF SHIPS

Hong Kong. XXVII. of the Harbour Ordinance (No. 1 of 1862). That section is as follows: “Every master of any vessel whatsoever fitting in this harbour for the conveyance of emigrants, whether to be shipped at this or any other port, shall report the same to the Harbour Master under a penalty not exceeding five hundred dollars, and the fittings of said vessel shall be subject to approval of such officer, who is empowered at all reasonable times to go on board and inspect such vessel; and any person who shall in any way impede the Harbour Master in the execution of this duty shall also be liable to a penalty not exceeding five hundred dollars.”

Since the passing of the Harbour Ordinance in 1862, further provision has been made by law for compelling vessels coming under the operation of the “Chinese Passengers Act, 1856,” to report themselves (see Section V. of No. 12 of 1868), and the reporting of such vessels, and the inspection and regulation of their fittings, is provided for by the Imperial Act itself.

Therefore Section XXVII. of the Harbour Ordinance is of no utility as respects “Chinese passenger ships,” and it is found in practice insufficient in its provisions to enable the authorities to deal satisfactorily with the class of ships to which the new legislation is intended to apply.

Thus, under that section, the Harbour Master has power to inspect and approve the fittings of any Chinese emigrant ships in this harbour, but that section does not specifically prohibit gratings or barricades, nor does it direct what steps should be taken in case of his not approving of the fittings of a ship which is not a “Chinese passenger ship.” He cannot, for instance, detain the vessel’s papers, because in the case of every foreign ship they are deposited with the consul representing its flag. The practice hitherto has been for Coolie ships in this harbour either to conceal such fittings in the hold, or to send them by junk or otherwise to Macao. The only remedy in the hands of the Harbour Master has been to order the fittings, when discovered on board, to be at once landed. If the master refused to obey the order, he could be summoned under Section X. of the Harbour Ordinance, which provides that “every master of a merchant vessel shall immediately strike spars, clear hawse, or shift berth, or obey any other order which the Harbour Master may think fit to give, and any master wilfully disobeying or neglecting this Regulation shall be liable to a fine not exceeding two hundred dollars.” It has been doubted whether the words “or obey any other order” are not restricted in their application to matters specified in the preceding sentence, viz.: mooring ship and similar evolutions, and whether they apply at all to the 27th section, which is an isolated enactment about the fittings of Coolie ships, inserted near the end of the Ordinance, and under which the Harbour Master is not expressly empowered to give any order. But assuming they do apply, there is no provision which prohibits the carriage of the objectionable fittings in a junk or other vessel to Macao, which is only forty-two miles distant from this Colony.

The proposed Ordinance, therefore, repeals Section XXVII. of the Harbour Ordinance, and substitutes much more stringent regulations, which will, among other things, put a stop to the practice of exporting for the Macao Coolie trade, gratings, barricades, and other objectionable fittings manufactured by carpenters and artisans in this Colony.

JULIAN PAUNCEFOTE,
Attorney-General.

No. 19.

Governor Sir A. E. Kennedy, K.C.M.G., to The Earl of Kimberley.

(Received June 24, 1873.)

My Lord,

Government House, Hong-Kong, May 9, 1873.

Immediately on receipt of your Lordship’s Telegraphic Despatch of the 12th April, I caused the Draft Ordinance, to prevent the residents of this Colony from participating in the Macao Coolie trade, to be amended according to instructions, and shortly after it was laid before the Legislative Council.

2. The principle and details of this measure, “To make further provision for the repression of abuses in relation to Chinese emigration,” have been discussed during five long sittings of the Council, and the form in which the Ordinance is now submitted for Her Majesty’s gracious confirmation and allowance will, I trust, meet with your Lordship’s approval.

3. I enclose the very full Report of the Attorney-General Pauncfote. Therein he
exhibits the alterations and additions which have been made in the Bill, and deals with the objections which Judge Ball entertained to certain of its provisions.

4. Those objections, which were duly considered by the Council, are embodied in the enclosed memorandum, which Mr. Ball has furnished me. Both the Chief Justice and the Attorney-General concurred in differing from Mr. Ball, and as the points in dispute were mainly of a technical nature, the Council naturally supported the views held by the former.

5. In transmitting this Ordinance, I may avail myself of the opportunity of expressing my opinion that, when it is taken in connection with the Ordinance that precedes and the one that follows it, the Government of the Colony will be able not only to remove the imputation from the inhabitants of this Colony of assisting or profiting by the Macao Coolie trade, but will also prevent Hong Kong from being made any longer the basis of operations of those who live on the profits accruing from the sale and purchase of their fellow-creatures, whether for prostitution or an enforced emigration.

I have, &c.,

The Earl of Kimberley,
(Signed) A. E. KENNEDY, Governor.
&c. &c. &c.

Enclosure 1 in No. 19.

No. 5 of 1873.

A. E. KENNEDY, Governor and Commander-in-Chief.

An Ordinance enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, to make further provision for the repression of abuses in relation to Chinese emigration.

May 6, 1873.

Whereas by "The Hong Kong Emigration Ordinance, 1870," it is provided that no Chinese passenger ship, as therein defined, shall be laid on for the conveyance of Chinese emigrants, unless application shall have been previously made in manner therein directed for a licence under the hand of the Governor and the seal of the Colony; and that no such ship shall clear out or proceed to sea unless the master thereof shall be provided with such licence. And whereas complaints are frequently made that Chinese emigrants embarking at ports or places out of the Colony are subjected to illtreatment as well on board ship as at the place of their destination, and by reason thereof it is expedient to provide that no ship intended for the conveyance of Chinese emigrants to be embarked from any port or place out of the Colony shall hereafter be built, equipped and fitted out within the Colony, without such licence as is required under "The Hong Kong Emigration Ordinance, 1870," and generally to make further provision for the repression of abuses in relation to Chinese emigration: Be it enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, as follows:

I. This Ordinance may be cited as "The Chinese Emigrant Ship Ordinance, 1873."

II. In the construction of this Ordinance, if not inconsistent with the context, the following terms and expressions shall have the meanings hereinafter respectively assigned to them, that is to say:

"Master," shall include any person having the charge or command of a ship.

"Ship," shall include any vessel or boat.

"Chinese Passenger Ship" shall mean a ship defined by and coming under the provisions of "The Chinese Passengers' Act, 1855."

"Chinese Emigrant Ship," shall mean a ship, not being a Chinese passenger ship, which shall be fitting out in this Colony, or intended to be used after leaving the waters thereof, for the conveyance of Chinese emigrants, to be embarked at any port or place out of the Colony.

"Building," in relation to a ship, shall include the doing any act towards or incidental to the construction of a ship, and all words having relation to building shall be construed accordingly.

"Equipping," in relation to a ship, shall include the furnishing a ship with any tackle, apparel, furniture, provisions, arms, munitions, or stores, or any other thing which is used in or about a ship for the purpose of fitting or adapting her for the sea, and all words relating to equipping shall be construed accordingly.

"Ship and Equipment," shall include a ship and everything in or belonging to a ship.
III. No Chinese emigrant ship shall clear out or proceed to sea from this Colony unless the master of such ship shall be provided with a licence under this Ordinance.

IV. No person shall do any of the acts hereinafter specified in Section IX., without a licence from the Governor, or unless the owner, agent, or master of the ship in respect of which such act shall be done shall have obtained such licence.

V. Every such licence shall be under the hand of the Governor and the public Seal of the Colony, and the granting thereof shall be in the discretion of the Governor, and shall be subject to the payment of such fee to the Crown, and to such conditions as may, in each particular case, be prescribed by the Governor in Council.

VI. Application for such licence shall be made in writing to the Colonial Secretary, and shall be transmitted through the Emigration Officer, and the owner, agent, or master of the Chinese emigrant ship in respect of which such licence is applied for, shall furnish all particulars as to the destination of the ship, and as to all matters relating to the intended voyage and emigration which may be required of him.

VII. All such particulars shall, if so ordered, be certified upon oath before any justice of the peace, and every person who shall knowingly furnish untrue particulars shall be liable to imprisonment with or without hard labour, for any period not exceeding six calendar months, and to a fine not exceeding one hundred dollars, either in addition to or in substitution of such imprisonment.

VIII. If it shall appear to the satisfaction of the Governor at any time before the departure of a Chinese emigrant ship:—

(1.) That the particulars furnished in relation thereto are untrue; or

(2.) That further particulars have been discovered since the granting of the licence; or

(3.) That any condition of the licence has been violated,—

It shall be lawful for the Governor in Council to revoke or vary the licence granted under this Ordinance in respect of such Chinese emigrant ship, and to order that the said ship be seized and detained until the said licence be delivered up to be cancelled, or varied.

IX. If any person does any of the following acts within the Colony without having obtained a licence from the Governor under this Ordinance, or without any such licence as aforesaid having been granted to the owner, agent, or master of the ship, in respect of which such act shall be done, or in contravention of the terms of any such licence if granted, that is to say:—

(1.) Builds, alters or repairs, or agrees to build, alter or repair, or causes to be built, altered, or repaired, any ship, with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the conveyance of Chinese emigrants to be embarked at any port or place out of the Colony; or

(2.) Fits out, mans, navigates, equips, uses, lets or takes on freight, or hire any ship, or commands, or serves on board any ship, with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in manner aforesaid; or

(3.) Despatches, or causes or allows to be despatched, any ship, with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in manner aforesaid; or

(4.) Holds or takes any share or interest in, or makes any advances of money to any ship, or becomes security for such advances, with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in manner aforesaid; or

(5.) Despatches or causes or allows to be despatched, or commands or serves on board any ship carrying Chinese passengers, with the intent or knowledge, or having reasonable cause to believe that such passengers are being carried or intended to be carried to any port or place out of the Colony for the purpose of being conveyed therefrom as emigrants in the same or any other ship; or

(6.) Being the master of a Chinese emigrant ship, clears out and proceeds to sea in such ship,—

Such person shall be deemed to have committed an offence against this Ordinance, and the following consequences shall ensue:—

(1.) The offender shall be liable to imprisonment, with or without hard labour, for any term not exceeding two years, and to a fine not exceeding two thousand dollars, or to either of such punishments, at the discretion of the court;
The ship in respect of which any such offence is committed and her equipment shall, if within the waters of this Colony, be forfeited to the Crown.

X. Any person who aids, abets, counsels, or procures the commission of any offence against this Ordinance, shall be liable to be tried and punished as a principal offender.

XI. Any police magistrate, upon being satisfied by information on oath that there is reasonable and probable cause for believing that a ship within the waters of the Colony has been, or is being built, altered, repaired, or equipped, or is about to be despatched and taken out to sea contrary to the provisions of this Ordinance, or that any other offence against the said provisions has been committed, rendering the said ship liable to forfeiture, may issue a warrant stating that there is reasonable and probable cause for believing as aforesaid, and upon such warrant, the said ship may be seized and searched and detained until it has been either condemned or released by process of law, or in the manner hereinafter mentioned. Every such warrant may be in the form contained in the Schedule to this Ordinance.

XII. Any officer so authorized to seize, search, and detain any ship under this Ordinance may, for the purpose of enforcing such seizure, search, and detention, call to his aid any constable or officers of police, and may apply for assistance to any officers of Her Majesty's army or navy or marines, or to the Harbour Master, or any officer having authority by law to make seizures of ships, and may put any persons on board such ship to take charge of the same, and to enforce the provisions of this Ordinance, and any officer so authorized as aforesaid, may use force, if necessary, for the purpose of enforcing such seizure, search, and detention, and if any person is killed, maimed, or hurt by reason of his resisting such officer in the execution of his duties, or any person acting under his orders, or at his request, such officer so seizing, searching, and detaining the ship, or other person, shall be freely and fully indemnified as well against the Queen's Majesty, her heirs and successors, as against all persons so killed, maimed, or hurt.

XIII. The Governor may, at any time, release any ship seized and detained under this Ordinance, notwithstanding her forfeiture by the sentence of the Supreme Court, on the owner or agent giving security to the satisfaction of the Governor that the ship shall not be employed contrary to this Ordinance, or may release the ship without such security if the Governor think fit so to release the same.

XIV. The owner of the ship seized and detained under this Ordinance, or his agent, may apply by petition to the Supreme Court for his release.

XV. The Crown Solicitor shall, upon the seizure of any ship as aforesaid, cite the owners or their agents in the Colony by a notice which may be in the form contained in the Schedule to this Ordinance, to appear before the Supreme Court to show cause why the said ship should not be condemned and forfeited to the Crown for breach of the provisions of this Ordinance; and in case there shall be no owner of the said ship in the Colony, or any agent of such owner, the said notice shall be published twice in the 'Gazette,' and such publication shall be equivalent to personal service of the citation.

XVI. On the day appointed for the hearing of any petition for the release of the ship, or for the appearance of the owners or their agents in the Colony in obedience to a citation to show cause why the same should not be forfeited, the Court shall proceed to inquire into the matter, and to make such orders as may be necessary to put the matter of the seizure and detention of the ship in course of trial between the owner and the Crown.

The Court may, if it shall think fit, direct a written statement and answer and any additional pleading to be filed, and may in its discretion receive evidence orally or by affidavit, or partly orally and partly by affidavit, and may determine all questions of fact as well as of law, or may, of its own motion or on the application of either party, direct a jury to be empanelled for the determination of any question of fact.

The Court may frame issues of law and of fact, and generally may exercise the same powers and authorities as on the trial of any other suit, cause, or matter, within its ordinary jurisdiction.

The Court may also, during or before the said proceedings, grant bench warrants for the entering and searching of any ship or tenement within the jurisdiction, and the seizure of any papers or documents which may be found therein respectively, or may summon any person to appear before the Court, and to produce any papers and documents, and may interrogate such persons on oath touching the subject matter of the inquiry.

XVII. Whenever any person shall have been convicted before the Supreme Court of an offence against this Ordinance, the evidence taken upon the trial of such offender shall be received in evidence, in any proceedings instituted for the forfeiture or release of the ship in respect of which such offence shall have been committed; but it shall not be
MEASURES TO PREVENT THE FITTING OUT OF SHIPS

Hong Kong.

necessary to take proceedings against an offender because proceedings are instituted for
the forfeiture, or to take proceedings for the forfeiture because proceedings are taken
against the offender.

XVIII. The fact of a ship being apparently fitted and equipped, or in course of being
fitted and equipped within the waters of the Colony for the conveyance of Chinese
emigrants shall, if the owner, agent, or master shall not have obtained a licence from the
Governor under this Ordinance, or under "The Hong-Kong Emigration Ordinance, 1870,"
be prima facie evidence that such ship is intended for the conveyance of Chinese emigrants
to be embarked at some port or place out of the Colony.

XIX. If on the hearing of the proceedings for the forfeiture or release of a ship
seized under this Ordinance it shall be established to the satisfaction of the Court that
no offence has been committed, in respect of such ship, against the provisions of this
Ordinance, rendering such ship liable to forfeiture, the ship shall be released and restored
to the owners thereof or their agents.

XX. If on the hearing of the said proceedings it shall be established to the satisfaction
of the Court that an offence has been committed in respect of such ship rendering the
same liable to forfeiture under this Ordinance, the Court shall declare such ship to be
forfeited to the Crown.

XXI. It shall be lawful for the Court to impose such a pecuniary penalty as to the
Court shall seem fit, in lieu of condemning the ship, and in such case to cause the ship
to be detained until the penalty is paid, and to cause any penalty so imposed to be
applied in the same manner in which the proceeds of the said ship, if condemned by
order of the Court, and sold, would have been applicable.

XXII. The costs of all proceedings for the forfeiture or release of a ship, shall be in
the discretion of the Court.

XXIII. If the Court be of opinion that there was not reasonable and probable cause
for the seizure or detention, and if no such cause appear in the course of the proceedings,
the Court shall have power to declare that the owner is to be indemnified by the payment
of costs and damages, in respect of the seizure or detention, the amount thereof to
be assessed by the Court, and any amount so assessed shall be payable by the Treasury
out of the general revenues of the Colony.

XXIV. Every ship forfeited to the Crown for breach of the provisions of this
Ordinance may be sold by public auction or private contract, and may be transferred
to the purchaser by bill of sale under the hand of the Governor, and the Seal of the
Colony, and the net proceeds of such sale shall be paid into the Colonial Treasury for
the use of the Crown.

XXV. Subject to the provisions of this Ordinance providing for the award of damages
in certain cases in respect of the seizure or detention of a ship by the Court, no damages
shall be payable, and no magistrate, public officer, or other person acting under his
orders or at his request, shall be responsible either civilly or criminally, in respect of the
seizure or detention of any ship in pursuance of this Ordinance.

XXVI. No proceedings, other than the issue of a warrant for the seizure of a ship, or
for the apprehension of an offender, shall be instituted for any offence against the pro-
visions of this ordinance, except at the suit or prosecution of, or with the consent of, the
Attorney-General.

XXVII. This Ordinance shall not come into operation until Her Majesty's confirma-
tion thereof shall have been proclaimed in the Colony by the Governor.

Passed the Legislative Council of Hong Kong, this 6th day of May, 1872.

L. D'ALMADA E CASTRO,
Clerk of Councils.
AT HONG KONG FOR THE MACAO COOLIE TRADE.

(SCHEDULE.)

Form of Warrant under Section XI.

"THE CHINESE EMIgrant SHIP ORDINANCE, 1873."

Hong Kong, [To]

Whereas it has been made to appear to my satisfaction by information on oath that there is reasonable and probable cause for believing that an offence has been committed against the provisions of the above Ordinance in respect of the ship, now lying in the waters of this Colony, rendering the said ship liable to forfeiture,—

This is therefore to command you in Her Majesty’s name forthwith to seize the said ship wherever she may be lying within the waters of this Colony, and to search the said ship and her equipment, and to detain the same in your charge and custody until the forfeiture or release thereof, according to law, for which this shall be your warrant.

Given under my hand and seal, at the Magistrates’ Court of this Colony, this day of in the year of our Lord, 187

[Signature]

Police Magistrate.

Form of Citation under Section XV.

IN THE SUPREME COURT OF HONG KONG.

The day of 187

In re The ‘——’

Take notice, that under and in pursuance of “The Chinese Emigrant Ship Ordinance, 1873,” you are hereby cited to appear before the Supreme Court on the day of to show cause why the above-named ship and her equipment should not be forfeited to the Crown for breach of the provisions of the said Ordinance.

To the Owners of

the ship ‘——’

or their Agents.

Enclosure 2 in No. 19.

REPORT OF THE ATTORNEY-GENERAL (THE HON. JULIAN PAUNCHFOTE) ON ORDINANCE No. 5 of 1873.

Before offering any remarks upon the additions which have been made in Council to the Bill as originally prepared and submitted to the Secretary of State by His Excellency the Governor in January last, I should premise that only three of its provisions have been omitted.

The first is sub-section 5 of Section IV.

It was considered that this offence ought to be dealt with under a general clause in Ordinance No. 6 of 1873, because the acts specified in Section IV. may be lawfully done with a licence from the Governor, and one cannot contemplate the possibility of a licence being granted to commit the offence of detaining or confining a person on board ship. This offence, accordingly, can be dealt with under the new Ordinance, No. 6 of 1873 (see Section IV.).

The second provision omitted is the saving clause, or proviso, at the end of Section
IV. of the Draft Bill, relating to acts done in pursuance of contracts entered into before the passing of the Ordinance. It was considered that it would be more prudent, in a measure of this kind, to leave the consideration of such cases to the discretion of the Executive.

The third provision omitted is Section XVII., relating to foreign Coolie ships touching at Hong Kong. This clause was struck out by direction of the Secretary of State, and it is, therefore, unnecessary to explain the reasons for its original insertion in the draft.

I will now proceed to point out the clauses and passages which have been added to and inserted in the Bill during its progress through the Council.

For the sake of convenience I have underscored them in the accompanying printed copy of the Ordinance as finally passed,—and will confine my remarks to those which are of importance.

Sections V. to VIII.

These sections are taken from Ordinance No. 4 of 1870, and are inserted in full instead of being incorporated by reference; and Section VIII. as to the revocation of the licence has been adopted in addition to the others.

Section IX.

The Honourable Mr. Ball (Judge of the Court of Summary Jurisdiction) strongly opposed the portion of this section relating to the penalties. He considered the punishment of offenders too severe, and that the forfeiture of the ship for such offences would be contrary to the comity of nations, and give rise to complications with foreign governments.

It is clear, however, that in England foreign ships are liable to forfeiture for offences against certain municipal laws, as for instance, under the "Foreign Enlistment Act," and the "Customs' Consolidation Act"; moreover, the "Chinese Passengers' Act, 1855," which is in pari materia, subjects a foreign ship leaving Hong Kong Harbour with more than twenty Asians on a voyage of more than seven days' duration, to forfeiture, unless the master be provided with the Emigration Officer's certificate.

It appears to me, therefore, that there is no objection in principle to the passing of such a law by the Colonial Legislature, its action being expressly confined to the limits of the Colony.

Section X.

This provision is already in force by the criminal law of the Colony (see Section VII. of No. 5 of 1865), but it was thought desirable to insert it as a caution or warning, especially as it is inserted in "The Kidnapping Act, 1862." It will apply to the case of brokers and middlemen.

Section XII.

The language of this section was slightly altered, so that it should not appear that the intervention of the naval or military authorities was made obligatory upon them by the Ordinance.

Section XVI.

I re-drafted this section in consequence of the doubts expressed in Council by the Chief Justice as to the sufficiency of the clause as originally framed, to give him the necessary powers to deal with cases of forfeiture.

I should mention here, that a strong objection was made by the Honourable Mr. Ball, throughout the sittings of Council upon this Ordinance, to the power of dealing with the forfeiture of ships being vested in the Supreme Court. While admitting that the Colonial Legislature could not impose new duties upon the Vice-Admiralty Court, or pass a measure affecting that Court in any way, he contended that the jurisdiction over the forfeiture of ships appertains specially and exclusively to Courts of Admiralty, and that the powers vested in the Supreme Court by the Ordinance are an encroachment upon or an invasion of that special jurisdiction.

He also urged that the rights of innocent mortgagees should be protected by the Ordinance, as they would, according to his opinion, be protected in case of the condemnation of the ship in a Court of Admiralty.

With respect to the first objection, it seems to me that the reason why the Court of Admiralty exercises special jurisdiction over cases of forfeiture of ships, is because they are to be classed with maritime causes which arise on the high seas out of the jurisdiction of the Courts of Common Law; but I cannot see that there is anything so exclusive in the
jurisdiction of the Courts of Admiralty, as to prevent the Colonial Legislature from con-
ferring upon local Courts the power of entertaining causes of forfeiture of ships, where the
offence is committed within their jurisdiction.

With regard to the second objection, I apprehend that in the case of the forfeiture of a
ship in the Admiralty Court for violation of an Act of Parliament no legal claim to
relief could be preferred by any mortgagee of ship, or by any person entitled to a
maritime lien thereon, but that the security collapses by the forfeiture, and the claims of
such persons can only in such a case be enforced in personam.

The inconvenience of calling upon the Supreme Court to adjudicate upon claims of
foreign mortgagees, and others on foreign ships, in cases of forfeiture, would be extreme,
and I think the Council wisely decided to leave the consideration of such claims to the
discretion of the Executive.

SECTION XVII.

The last lines of this section are taken from Section XX. of "The Foreign Enlistment
Act, 1870" (33 and 34 Vict. c. 90).

SECTION XXVI.

This is the last section which calls for any remark. It was unanimously approved of
and agreed to in Council, and will obviate the possibility of any undue advantage being
taken of so stringent an Ordinance, to harass persons who may be legally but not morally
guilty of an offence against its provisions.

JULIAN PAUNCEFOTE,
Attorney-General.

Hong Kong, 9th May, 1873,

Enclosure 3 in No. 19.

Ordinance No. 5 of 1873.

May 8, 1873.

Although I agree in the principle of this Ordinance, and cannot but be desirous of
repressing the abuses of what is ordinarily designated as the Macao Coolie trade, I
objected in Council to the forfeiture of a ship for a breach of this Ordinance on three
grounds.

1. I was of opinion that the object of the Ordinance might be attained without
having recourse to what I could not but consider a vexatious proceeding. The offence,
it is to be observed upon reference to Section IX., is the doing of certain acts in themselves
innocent, but rendered criminal only by reason of the same having been done without the
obtaining of the Governor's licence, or in contravention of its terms. The mistake which
appeared to me to have been committed in the framing of this Ordinance was the
confounding of two offences in themselves radically distinct, namely, kidnapping of
individuals for the purpose of emigration on the one hand, and the doing of certain
innocent acts without the licence of the Governor on the other.

2. I was of opinion that, inasmuch as the ships liable to forfeiture under this Ordin-
ance would in all probability be foreign ships, it was not within the province of a
Colonial Legislature so to interfere as to render difficult the solution of those international
questions which would in all probability arise. A most important distinction is, in my
judgment to be drawn between a Statute passed by the Imperial Parliament and a local
Legislature.

3. I was of opinion that proceedings in reference to the forfeiture and condemnation
of a ship as provided by the Ordinance are an encroachment on the jurisdiction of the
Court of Vice-Admiralty. I believe I am right in stating that had the Imperial
Parliament thought proper to legislate upon this or any kindred subject, the Court of
Vice-Admiralty would have been the Court on which jurisdiction in respect thereof
would have been conferred. I could not, therefore, understand why a Colonial Legisla-
ture, not having the power to assign to its Court of Vice-Admiralty a jurisdiction not
heretofore possessed by it, should assume to itself the power of transferring to the police
magistrate in the first instance, and then to the Supreme Court, authority to deal with
cases of forfeiture.

(Signed) HENRY JOHN BALL.
MEASURES TO PREVENT THE FITTING OUT OF SHIPS

HONG KONG.

No. 20.

The Earl of Kimberley to Governor Sir A. E. Kennedy, K.C.M.G.

Sir, Downing Street, June 27, 1873.

I have the honour to convey to you Her Majesty’s gracious confirmation and allowance of the following Ordinance of the Legislature of Hong Kong, No. 3, of 1873, transcript of which accompanied your Despatch, of the 25th April:—

“To make better provision for the regulation, inspection, and approval of the fittings of ships intended for the conveyance of Chinese emigrants to be embarked at ports or places out of the Colony.”

The Officer administering the
Government of Hong Kong.

(Signed) KIMBERLEY.

No. 21.

Governor Sir A. E. Kennedy, K.C.M.G., to The Earl of Kimberley.

(Received July 1, 1873.)

Government House, Hong Kong, May 9, 1873.

My Lord,

I have the honour to transmit to your Lordship an Ordinance “for the better protection of Chinese women and female children, and for the repression of certain abuses in relation to Chinese emigration (No. 6 of 1873).”

The draft of this Ordinance was submitted in my Despatch, of 15th January,† and on receipt of your Lordship’s telegram of the 23rd ultimo,‡ I laid the Bill before the Legislative Council for the second reading.

Very great care has been given to the details of this enactment by the Council; and being passed in a more comprehensive form than was originally intended, there is, I think, no ground for anticipating difficulties in dealing for the future with the class of offences which the Legislature desires to repress.

I enclose the Attorney-General’s report, which explains the alterations effected in the Bill, and the object of their introduction.

I have, &c.,

The Earl of Kimberley,
&c. &c. &c.

(Signed) A. E. KENNEDY,
Governor.

Enclosure 1 in No. 21.

No. 6 of 1873.

A. E. Kennedy, Governor and Commander-in-Chief.

An Ordinance enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, for the better protection of Chinese women and female children, and for the repression of certain abuses in relation to Chinese emigration.

8th May, 1873.

WHEREAS it is expedient to make better provision for the punishment of persons guilty of selling, purchasing, or decoying into the Colony, or unlawfully detaining therein Chinese women and female children for the purpose of prostitution, and of decoying Chinese into or away from this Colony for the purpose of emigration, or for any other purpose whatsoever: Be it enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, as follows:—

I. Whosoever shall bring, lead, take, decoy, or entice into the Colony any woman or female child with intent to sell her for the purpose of prostitution, or who shall sell or purchase any woman or female child for the purpose aforesaid, or who shall knowingly derive any profit from the sale or purchase of any woman or female child so sold or purchased as aforesaid, shall be guilty of a misdemeanour, and on conviction thereof, shall be liable to the punishments hereinafter provided.

II. Whosoever shall unlawfully detain any woman or female child in any place against her will with the intent that she may become a prostitute, or for any other purpose whatsoever, or who shall by any false pretences, false representations, or other fraudu-
lent means procure any woman or female child to have illicit carnal connection with any
man, shall be guilty of a misdemeanour, and on conviction thereof, shall be liable to the
punishments hereinafter provided.

III. Whosoever shall unlawfully receive, or harbour any woman or female child with
intent that such woman or female child should be sold or purchased for the purpose of
prostitution, shall be guilty of a misdemeanour, and on conviction thereof, shall be liable
to the punishments hereinafter provided.

IV. Whosoever shall unlawfully by force or fraud imprison or detain any person
within the Colony, for the purpose of emigration, or for any other purpose whatsoever,
shall be guilty of a misdemeanour, and on conviction thereof, shall be liable to the
punishments hereinafter provided.

V. Whosoever shall unlawfully, by force, intimidation, or any fraudulent means bring,
lead, take, decoy, or entice any person into or away from the Colony, for the purpose of
emigration, or for any other purpose whatsoever, shall be guilty of a misdemeanour,
and on conviction thereof, shall be liable to the punishments hereinafter provided.

VI. Every person who shall be convicted of any offence against the provisions of this
Ordinance shall be liable to be imprisoned for any term not exceeding two years with or
without hard labour.

VII. All offences against this Ordinance may be heard and determined summarily by
two magistrates sitting together, who shall constitute a court for this purpose: Provided
that if at the close of the investigation, the accused shall apply for a trial by jury, or the
magistrates shall be of opinion that the case ought to be so tried, they may commit the
accused for trial at the Supreme Court.

VIII. The provisions of Section LXVI. of Ordinance No. 4 of 1865 shall apply to
every summary conviction under this Ordinance.

IX. Whenever any person shall be convicted before the Supreme Court of any offence
against the provisions of this Ordinance, if it shall be proved that the offender has been
previously convicted either before the Supreme Court, or before two magistrates sitting
-together, of an offence under the same or any other Section of this Ordinance, it shall
be lawful for the Court, in its discretion, to direct that, in addition to the punishment
hereinafter prescribed, the offender, if a male, be once, twice, or thrice publicly or
privately whipped, subject to the provisions contained in Section I. of Ordinance No. 3 of
1868; and all the provisions of Section XCIV. of Ordinance No. 7 of 1865 relating to
the form of information for a subsequent offence and proceedings thereon, shall apply to
offences punishable under this Ordinance.

Passed the Legislative Council of Hong Kong, this 8th day of May, 1873.
(Signed) L. D’ALMADA E CASTRO.
Clerk of Councils.

Enclosure 2 in No. 21.

Report of the Attorney-General (Hon. Julian Pauncefote) on Ordinance
No. 6 of 1873.

May 9, 1873.

The draft Bill for this Ordinance was submitted to the Secretary of State before its
second reading in the Legislative Council, and in accordance with the Earl of Kimberley’s
instructions it has been passed without a suspending clause.

No material alterations have been made in the Bill.

One important provision, however, has been added, which will be found in Section IV.,
providing for the unlawful detention of Chinese by force or false pretences for the pur-
poses of emigration, or for any other purpose, is made punishable.

This section will, I believe, prove of great utility in this Colony, where the Chinese
are very prone to take the law into their own hands, by the forcible detention of persons,
in the hope of obtaining payment of a debt or compensation for some alleged injury; and
it will meet, among others, the case of detention for the purpose of emigration,
whether from this Colony or from other places.

In Sections II., IV., and V., it was necessary to insert the words “or for any purpose
whatever,” as it appears from the experience of the magistrates that although a moral
certainty exists that the purpose in most cases is that of emigration, it is almost impos-
sible to get the complainant to give evidence to that effect, and but for the insertion of
those words, nearly all the cases under the Ordinance would break down from the
absence of proof of the intent.
MEASURES TO PREVENT THE FITTING OUT OF SHIPS, &c.

The language of the clauses throughout the Ordinance has been simplified and abridged, and as finally passed, I believe, the law will work well and be attended with beneficial results.

I have, &c.,
(Signed) J. PAUNCEFOTE, Attorney-General.

No. 22.

The Earl of Kimberley to the Officer Administering the Government.

Sir, Downing Street, July 4, 1873.

I have the honour to convey to you Her Majesty's gracious confirmation and allowance of the Ordinance No. 6 of 1873 of the Legislature of Hong Kong, entitled "An Ordinance for the better protection of Chinese women and female children, and for the repression of certain abuses in relation to Chinese emigration," a transcript of which accompanied your Despatch of the 9th of May last.*

The Officer administering the Government of Hong Kong.

(Signed) KIMBERLEY.

No. 23.

The Earl of Kimberley to Sir A. Kennedy, K.C.M.G.

Sir, Downing Street, July 7, 1873.

I have received your Despatch of the 9th of May,† transmitting the "Chinese Emigrant Ship Ordinance, 1873," (No. 5 of 1873), and I have to signify to you Her Majesty's gracious confirmation and allowance of this Ordinance.

I desire, however, to point out that the effect of Sections XIX. and XX. is to enact that if forfeiture of a ship is sought on particular specified grounds and the evidence fails as to those grounds, the ship may still be forfeited if the evidence shows that other breaches than those specified have been committed. This may not have been the intention of the Legislature, but these sections are capable of this construction, and it is unfair to the owner of a ship that it should be forfeited for an offence with which he was not charged, and to which, if it had been alleged in the proceedings, he might possibly have been able to advance a valid defence. I have, therefore, to request that you will procure the amendment of the Ordinance by the substitution in Section XIX. of the words "the offence charged has not been committed," for the words "no offence has been committed," and in Section XX. of the words "the offence charged," for the words "an offence." If, in the course of the proceedings it appears that another offence than that charged has been committed against the Ordinance, fresh proceedings may be instituted, of which the owner will have due notice.

I have, &c.,
Governor Sir A. Kennedy, K.C.M.G., &c. &c. &c.

(Signed) KIMBERLEY.

* No. 21.
† No. 19.

LONDON:
PRINTED BY WILLIAM CLOWES AND SONS, STAMFORD STREET AND CHARING CROSS, FOR HER MAJESTY'S STATIONERY OFFICE.
CHINA. No. 2 (1874).

CORRESPONDENCE

RESPECTING THE

MACAO COOLIE TRADE.

Presented to both Houses of Parliament by Command of Her Majesty.
1874.

LONDON:
PRINTED BY HARRISON AND SONS.

Price 2d.
<table>
<thead>
<tr>
<th>No.</th>
<th>From</th>
<th>To</th>
<th>Inclosures</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Mr. Holland to Mr. Hammond</td>
<td>Mr. Hammond</td>
<td>Four</td>
<td>October 22, 1873</td>
<td>1</td>
</tr>
<tr>
<td>2.</td>
<td>Consul Sir B. Robertson</td>
<td>Mr. Hammond</td>
<td>Three</td>
<td>September 16, 1873</td>
<td>3</td>
</tr>
<tr>
<td>3.</td>
<td>Mr. Meade to Lord Tenterden</td>
<td>Lord Tenterden</td>
<td>Three</td>
<td>November 3, 1873</td>
<td>4</td>
</tr>
<tr>
<td>4.</td>
<td>Lord Tenterden to Mr. Herbert</td>
<td>Mr. Herbert</td>
<td></td>
<td>November 6, 1873</td>
<td>6</td>
</tr>
<tr>
<td>5.</td>
<td>Lord Tenterden to Mr. Herbert</td>
<td>Mr. Herbert</td>
<td></td>
<td>November 11, 1873</td>
<td>6</td>
</tr>
<tr>
<td>6.</td>
<td>Mr. Herbert to Lord Tenterden</td>
<td>Lord Tenterden</td>
<td>Two</td>
<td>November 20, 1873</td>
<td>7</td>
</tr>
<tr>
<td>7.</td>
<td>Earl Granville to Consul Sir B. Robertson</td>
<td>Consul Sir B. Robertson</td>
<td>Three</td>
<td>November 26, 1873</td>
<td>7</td>
</tr>
<tr>
<td>8.</td>
<td>Mr. Wade to Earl Granville</td>
<td>Earl Granville</td>
<td>One</td>
<td>September 11, 1873</td>
<td>8</td>
</tr>
<tr>
<td>9.</td>
<td>Mr. Wade to Earl Granville</td>
<td>Earl Granville</td>
<td>Two</td>
<td>September 19, 1873</td>
<td>9</td>
</tr>
<tr>
<td>10.</td>
<td>Lord Tenterden to Mr. Herbert</td>
<td>Mr. Herbert</td>
<td></td>
<td>December 2, 1873</td>
<td>10</td>
</tr>
<tr>
<td>11.</td>
<td>Mr. Herbert to Lord Tenterden</td>
<td>Lord Tenterden</td>
<td>Two</td>
<td>December 13, 1873</td>
<td>10</td>
</tr>
<tr>
<td>12.</td>
<td>Consul Sir B. Robertson to Lord Tenterden</td>
<td>Lord Tenterden</td>
<td>(Telegraphic)</td>
<td>December 30, 1873</td>
<td>11</td>
</tr>
<tr>
<td>13.</td>
<td>Sir C. A. Murray to Earl Granville</td>
<td>Earl Granville</td>
<td>One</td>
<td>December 30, 1874</td>
<td>12</td>
</tr>
</tbody>
</table>
Correspondence respecting the Macao Coolie Trade.

No. 1.

Mr. Holland to Mr. Hammond.—(Received October 23.)

Sir,

Downing Street, October 22, 1873.

I am directed by the Earl of Kimberley to transmit to you, to be laid before Earl Granville, a copy of a despatch from the Governor of Hong Kong, reporting the action taken with regard to vessels engaged in the Macao coolie trade, which were in the waters of the Colony at the time of the coming into force of the Colonial Ordinance No. 5 of 1873.

The circumstances which led to the passing of this Ordinance are fully detailed in the paper, No. 829, presented to both Houses of Parliament in July last.

I am to state that, with Lord Granville’s concurrence, Lord Kimberley proposes to approve Sir A. Kennedy’s proceedings.

I am, &c.

(Signed) H. T. HOLLAND.

Inclosure 1 in No. 1.

Governor Sir A. E. Kennedy to the Earl of Kimberley.

My Lord,

Government House, Hong Kong, August 29, 1873.

On the 22nd instant I received your Lordship’s despatch of 7th July, conveying Her Majesty’s Gracious confirmation and allowance of the Foreign Emigrant Ships Ordinance No. 5 of 1873.

1. Immediately on receipt of this despatch I directed notice to be given to the owners or agents and masters of the vessels engaged in the Macao coolie trade, which were lying in the waters of the colony for repairs, &c.

2. These vessels were as follows:—

<table>
<thead>
<tr>
<th>Vessel</th>
<th>Flag</th>
<th>Agents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glensannox</td>
<td>Italian</td>
<td>Jardine, Matheson, and Co.</td>
</tr>
<tr>
<td>Neluko, steam-ship</td>
<td>Belgian</td>
<td>Pustau and Co.</td>
</tr>
<tr>
<td>Louisa Canavar</td>
<td>Peruvian</td>
<td>Ditto.</td>
</tr>
<tr>
<td>Columbia</td>
<td>Ditto.</td>
<td>Ditto.</td>
</tr>
<tr>
<td>Cecilia</td>
<td>Portuguese</td>
<td>Remedios and Co.</td>
</tr>
<tr>
<td>Agustinha</td>
<td>Peruvian</td>
<td>Ditto.</td>
</tr>
<tr>
<td>Isabel</td>
<td>Ditto.</td>
<td>A. Eimbecke.</td>
</tr>
</tbody>
</table>

3. Five of these cleared at once and left for Macao or Whampoa. Of the remainder I allowed a few days in each case, so that they might be removed from the harbour without danger, though they might not be in a fit state to make a long voyage.

4. At the time I am writing there is but one vessel remaining—the “Columbia,” and she has been permitted to stay for seven days from the date of notice.

5. In the case of the “Glensannox,” she overstayed the time allowed to her, and legal proceedings were being taken when she cleared and quitted the jurisdiction of the Colony.

6. I have received, as your Lordship might expect, protests from the agents of these coolie ships as to my action, but I have not felt justified in relaxing my instructions, that

[199]

B 2
each of these vessels should depart as soon as my inquiries enabled me to decide what was in each case sufficient to allow of their being removed, by tug or otherwise, from the harbour.

8. It is unnecessary to trouble your Lordship with all the correspondence which has passed, as it has been of the same tenour as the letters (copies inclosed) which I have received from, and caused to be sent to, the Peruvian Consul.

I have, &c.

(Signed) A. E. KENNEDY.

---

Inclosure 2 in No. 1.

Mr. Eimbcke to Mr. Smith.

Peruvian Consulate, Hong Kong, 23, Queen’s Road, Central.

[No date.]

Sir,

THE captain of the Peruvian ship "Columbia," now in this harbour, has made an official communication to me as his Consul, that the Government of this Colony insists upon the said vessel leaving this harbour.

I shall feel obliged by your letting me know in writing, with as little delay as possible, what steps are required to be taken by the said captain, in order that the said vessel, now being under repairs in this harbour, may be allowed to put his vessel in a fit state to be able to proceed to sea.

I have, &c.

(Signed) A. EIMBCKE, Consul for Peru.

---

Inclosure 3 in No. 1.

Mr. Eimbcke to Mr. Smith.

Peruvian Consulate, Hong Kong, August 28, 1873.

Sir,

THE captain of the Peruvian ship "Luisa Canevaro," having made just now an official intimation to me as his Consul that the Government of this Colony insists upon his leaving the harbour, I beg you will be good enough to let me know, with as little delay as possible, which steps are required to be taken that the said vessel, the "Luisa Canevaro," may be allowed to complete the repairs she has to do in order to enable her to be fit to go to sea.

I have, &c.

(Signed) A. EIMBCKE, Consul for Peru.

---

Inclosure 4 in No. 1.

Mr. Smith to Mr. Eimbcke.

Colonial Secretary’s Office, Hong Kong, August 28, 1873.

Sir,

IN reply to your letter, without date, which has just been received, I have the honour to inform you that the Government require the Peruvian ship "Columbia" to leave the waters of the colony within seven days from the 23rd instant, the day on which notice of the Queen’s confirmation of Ordinance No. 5 of 1873, was notified to the Captain and others concerned.

This time has been allowed to the "Columbia" because his Excellency the Governor has reason to know that only within that period can the vessel be made ready for being removed from the jurisdiction of the Colony.

You are aware that the Ordinance referred to was passed on the 6th May last, and its operation was only delayed until Her Majesty’s confirmation of it had been proclaimed in Hongkong.

Further, the views of the Queen’s Government as to residents of Hong Kong participating in, or profiting by, the Macao Coolie Trade, have been before the community for many months. Thus, as regards the "Columbia," and other vessels engaged in the same trade, which have come into this port to repair and fit out since the passing of the above quoted Ordinance, in defiance of the expressed intention of the local, as well as the home authorities, to prevent this Colony from being utilized on behalf of the Macao
Coolie Trade, his Excellency the Governor declines to forward or promote the object their owner or Agents have in view, and will not sanction their making this port the place in which they may effect their repairs and complete their equipment.

If this vessel has to leave the harbour in a state unfit to make a long voyage, the responsibility rests with those who brought her here and entered into contracts, well knowing of the legislation to which I have already drawn your attention.

The Government will allow only such time for repair as will fit the vessel to be removed by tug or otherwise out of the waters of the Colony, and the period specified is considered ample for the purpose.

I have, &c.
(Signed) • CECIL C. SMITH,
       Acting Colonial Secretary.

P.S.—Since writing the above, your letter of this day's date regarding the "Luisa Canevaro," has reached me. To this vessel his Excellency has allowed five clear days from the 23rd instant, and the remarks which I have made with reference to the "Columbia," apply equally to the "Luisa Canevaro."

C. C. S.

No. 2.

Consul Sir B. Robertson to Mr. Hammond.—(Received October 29.)

Sir, Canton, September 17, 1873.

I HAVE the honour to inclose copy of a despatch with its inclosures, which I have addressed to Her Majesty's Minister at Pekin, reporting the expulsion of the Macao coolie vessels from the anchorage at this port:

I have, &c.
(Signed) B. ROBERTSON.

Inclosure 1 in No. 2.

Consul Sir B. Robertson to Mr. Wade.

Sir, Canton, September 16, 1873.

I HAVE the honour to inclose, for your information, translation of a despatch I have received from the Viceroy, with reference to the repulsion from this river of a number of Macao coolie ships which had anchored there after being evicted from the harbour of Hong Kong, under an Ordinance lately passed and confirmed.

So far back as July last, I had informed the Viceroy that such Ordinance would shortly become law, and as one or two of these vessels had already, and in anticipation of it, I believed, come up the river to the Whampoa anchorage, their being allowed to find refuge in, Chinese territory, when their avocation was a breach of Chinese law, would be an anomaly I would find difficult to explain to my Government. His Excellency seemed doubtful as to what he could do in the matter, on the ground that it was not easy to distinguish a coolie from a trading ship, but I suggested that the fittings of a vessel would determine that at once, and he might direct Mr. Acting Commissioner Brown, of the Customs, to ascertain the fact by examination. This the Viceroy consented to do.

When the confirmation of the Ordinance reached Hong Kong, notice was given to the coolie vessels in the harbour to leave, and this they did, making their way to Whampoa. I then addressed the Viceroy, informing him of such confirmation, and upon this notice was given to the vessels at Whampoa, a copy of which I inclose, to leave the river.

I may mention that on one or two occasions previous to the arrival of the bulk of the coolie vessels at Whampoa, I had conversations with the Viceroy on the subject, and impressed upon him the necessity of acting with determination in this matter.

You will observe that the Viceroy's despatch makes no allusion to my action in the matter. This arises from a desire I expressed to him that my name should not publicly appear in connection with it.

I have, &c.
(Signed) B. ROBERTSON.
September 13, 1873.

The Viceroy of Kwang-tung to Consul Sir B. Robertson.

(Translation.)

The Viceroy has the honour to acknowledge the receipt of Her Majesty’s Consul’s statement of the 8th instant, informing him that “the Government of Hong Kong having lately passed an Ordinance forbidding the fitting out and provisioning of ships intended for the conveyance of coolies from Macao and other places, and Her Majesty’s Government having confirmed the same, notice thereof was given to the Peruvian and other vessels then in the harbour of Hong Kong, that they were to leave within three or four days; and accordingly they did so leave, and proceeded at once to the anchorage of Whampoa in this River, where they now are to the number of six or more Peruvian, one Italian, and one Belgian vessels.

“It is the duty of Her Majesty’s Consul to make known to the Viceroy the publication of this Ordinance, in order that his Excellency may see that Her Majesty’s Government will in no way give countenance to or support coolie emigration, except under the provisions of the Treaties and the Rules and Regulations agreed upon by the respective Governments, &c.”

The Viceroy has carefully considered the information contained in the above statement, and in reply, begs to inform Her Majesty’s Consul that Mr. Acting Commissioner Brown had lately reported to the Viceroy that these coolie vessels had, since they were driven from Hong Kong, taken refuge at Whampoa, and anchored in the river there. The Viceroy accordingly informed the Provincial Chancellor and Judge to order the Canton Prefect to take measures with the Nanhai and P’anyi Magistrates, and with the Commanders of the various garrisons, for the dispatch of troops and police to the Whampoa River, and to notify to the officers of the Government steamers and guard-boats, and to the Customs’ tidewaiters, that these coolie vessels were to be driven away from the spot and not allowed to remain there.

The Provincial Chancellor and Judge will issue Proclamations on the subject; and the Viceroy has written to the Superintendent of Customs, asking him to communicate what has been done, for the guidance of Mr. Acting Commissioner Brown.

On receipt of Her Majesty’s Consul’s statement under acknowledgement, the Viceroy has further directed the Provincial Chancellor and Judge to give the necessary instructions to the Chinese officers on the coast; and he now deems it his duty officially to notify to Her Majesty’s Consul what has been done.

Usual compliments, &c.

Inclosure 3 in No. 2.

Notice to Masters of Coolie Vessels.

Sir,

Canton, September 6, 1873.

I HAVE to acquaint you that instructions have been received from his Excellency the Viceroy, through the Superintendent of Trade, ordering that you will leave this port and the adjacent waters at once, with the vessel which you are the master of. Your ship’s papers will be handed to you by the Tide-Surveyor at Whampoa, who will take your receipt for same. At the same time I have to notify to you that no vessel being destined for the carriage of Chinese Coolies, and belonging to non-treaty Powers, will, in future, be allowed to enter this port.

I am, &c.

(Signed) H. O. BROWN.

No. 3.

Mr. Meade to Lord Tenterden.—(Received November 3.)

Downing Street, November 3, 1873.

My Lord,

In reference to previous correspondence, I am directed by the Earl of Kimberley to transmit to you, to be laid before Earl Granville, the inclosed copy of a despatch from the Governor of Hong Kong, reporting his action in regard to the German firms in that Colony connected with the Macao Coolie traffic.
Lord Kimberley proposes with Lord Granville's concurrence, to approve the Governor's action in this matter.

I am, &c.

(Signed) R. H. MEADE.

Inclosure 1 in No. 3.

Sir A. E. Kennedy to the Earl of Kimberley.

My Lord,

Government House, Hong Kong, September 3, 1873.


2. Of the former firm, which acted as agents for the notorious steamer "Fatchoy," I can add nothing to the information already in your Lordship's possession.

3. Regarding Messrs. Pustan and Co., I must admit that I was surprised, at a late date, to find them acting as agents for three ships engaged in the same trade, viz., "Luisa Canevaro," "Columbia," and "Nelusko" (steamer). They were notified in due course of the confirmation of Ordinance No. 5 of 1873, and, consequently, of its being in force in the Colony, when, after receiving a warning that their vessels must leave the jurisdiction within a fixed time, they have thought proper to enter a protest against the action of the Government, on behalf of the owners, the insurers, and all concerned.

4. I inclose, for your Lordship's consideration, a copy of that protest, and of the letter which I caused to be written to them on their applying for time to complete the repairs of their vessels.

I have, &c.

(Signed) A. E. KENNEDY.

Inclosure 2 in No. 3.

Mr. Smith to Messrs. Pustan and Co.

Gentlemen,

Colonial Secretary's Office, Hong Kong, August 26, 1873.

HAVING duly considered your letter of the 23rd instant, and the documents which you forwarded in your letter of the 25th instant (which I now return), his Excellency the Governor instructs me to inform you that he is unable to sanction the "Luisa Canevaro" remaining within the jurisdiction of the Colony, in contravention of the provisions of Ordinance No. 5 of 1873, for a longer period than five days from the 23rd instant.

His Excellency has fixed this allowance in accordance with the statement of the Secretary of the Hong-kong and Whampoa Dock Company, that the necessary repairs would be completed in that time.

In making this communication to you, I am to point out that the Ordinance above referred to was passed on the 6th May last, and that it was a matter of public notoriety that it would come into operation as soon as the Queen's confirmation had been proclaimed in the Colony.

Further, the views of Her Majesty's Government as to the Macao cooie trade, to which the "Luisa Canevaro" belongs, and their firm intention to prevent residents of Hong Kong aiding and profiting by it, must have been well known to yourselves, as well as the rest of the community, after the publication of Lord Kimberley's despatch in the "Gazette" of the 1st of March.

And having regard to the instructions which are therein given, the Governor considers that he would not be justified in granting to you any further time than that stated in this letter, which is sufficient to enable the vessel to be safely removed from the waters of the Colony.

I have, &c.

(Signed) CECIL C. SMITH, Acting Colonial Secretary.
Inclosure 3 in No. 3.

Messrs. Pustan and Co. to Mr. Smith.

Sir, 

Hong Kong, August 28, 1873.

WE acknowledge to have received yesterday your letter of the 26th instant, granting to the "Luisa Canevaro" only five days' grace, from the 23rd, to take her departure.

In compliance with the tenor of your decision, we have requested the captain of the said vessel to proceed to Whampoa to-day, in tow of a steamer, though entailing great risk and extra expense.

As you enter upon comment of motives, we beg to justify our request for four weeks' grace, by the crippled state of the vessel; and though Mr. Duncan's work upon her, repairing her bottom and rudder in dock could be accomplished, the work of Messrs. MacQueen, Frickell and Co., i.e. rigging her, and supplying sails, could not be effected.

She must thus leave without being fitted with masts and sails, the necessaries for safe navigation, without which she is completely helpless at sea.

We, therefore, according to our duty as agents, hereby beg most respectfully to protest, on behalf of the owners and insurers (in England), and all concerned, against the Government of the British Colony of Hong Kong, and to hold them responsible for all consequences that may arise from the vessel's complying with the Government's act of "force majeure."

We have always refused to be in any way connected with the coolie trade; but we could not help rendering assistance to distressed vessels, with the owners of which we have other business relations; and after we had obtained from the Harbour Master, your officer, the permission, we might well have expected that she would have been indeed permitted to accomplish repairs.

We have informed the captain that our agency ceased with this date; and we also beg you to take notice, that from this date we do not consider ourselves agents of the "Luisa Canevaro."

We have, &c.

(Signed) WM. PUSTAN & Co.

No. 4.

Lord Tenterden to Mr. Herbert.

Sir, 

Foreign Office, November 6, 1873.

I AM directed by Earl Granville to transmit to you, for the information of the Earl of Kimberley, copies of a despatch and of its inclosures from Her Majesty's Consul at Canton respecting the expulsion of the Macao coolie-vessels from the anchorage of that port.*

I am, &c.

(Signed) TENTERDEN.

No. 5.

Lord Tenterden to Mr. Herbert.

Sir, 

Foreign Office, November 11, 1873.

I HAVE laid before Lord Granville your letter of the 22nd ultimo, forwarding a despatch from the Governor of Hong Kong respecting the steps taken by him to carry out the Colonial Ordinance of 1873 in regard to vessels engaged in the Macao coolie trade, and I am directed by his Lordship to inform you that he concurs in the approval which Lord Kimberley proposes to express of the Governor's proceedings.

I am, &c.

(Signed) TENTERDEN.

No. 2.
Mr. Herbert to Lord Tenterden.—(Received November 21.)

Downing Street, November 20, 1873.

My Lord,

I am directed by the Earl of Kimberley to transmit to you, to be laid before Earl Granville, for his information, a copy of a despatch from the Governor of Hong Kong, reporting the steps taken to prevent Whampoa being used by vessels engaged in the coolie trade, and I am to request that you will express to his Lordship Lord Kimberley’s satisfaction at the action taken by Sir B. Robertson in this matter, and to state that he presumes that Lord Granville will approve the Consul’s proceedings, which are more fully stated in your letter of the 6th instant.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

Inclosure 1 in No. 6.

Governor Sir A. E. Kennedy to the Earl of Kimberley.

Government House, Hong Kong, September 11, 1873.

My Lord,

Referring to my despatch of the 29th ultimo, I have the honour to inclose a cutting from a local newspaper, having reference to the fitting and repairing of coolie passenger ships at Whampoa.

It will be satisfactory to your Lordship to learn that the Viceroy at Canton has given such practical and prompt effect to the Ordinance so recently passed in this Colony under your Lordship’s instructions.

I am sure that Her Majesty’s Government is greatly indebted to Sir Brooke Robertson, Her Majesty’s Consul at Canton, for the action of the Chinese Government in this matter.

Sir Brooke Robertson has cordially co-operated with the Government of Hong Kong in its efforts to put an end to the scandals of the coolie trade, which have occupied the attention of Her Majesty’s Government.

I have, &c.

(Signed) E. A. KENNEDY.

Inclosure 2 in No. 6.

Extract from the “Hong Kong Times” of September 11, 1873.

Canton, September 6, 1873.

Sir,

I have to acquaint you that instructions have been received from his Excellency the Viceroy through the Superintendent of Trade, ordering that you will leave this port and the adjacent waters at once with the vessel which you are the master of. Your ship’s paper will be handed to you by the Tide-Surveyor at Whampoa, who will take your receipt for same. At the same time I have to notify you that no vessel being destined for the carriage of Chinese coolies and belonging to non-Treaty Powers, will in future be allowed to enter this port.

I am, &c.

(Signed) H. O. BROWN.

No. 7.

Earl Granville to Consul Sir B. Robertson.

Foreign Office, November 26, 1873.

Sir,

I have received your despatch of the 17th of September, reporting the steps taken by the Viceroy of Kwang-tung, on your recommendation, for the expulsion from Whampoa of vessels engaged in the Macao coolie trade, and I have to state to you that I entirely approve of your proceedings in this matter.
A copy of a letter on this subject from the Governor of Hong Kong, which has been communicated to me by the Colonial Office, is inclosed for your information.

I am, &c.
(Signed) GRANVILLE.

No. 8.

Mr. Wade to Earl Granville.—(Received December 1.)

My Lord,

IN June last Sir Brooke Robertson received a communication from the Governor-General Julin, to the effect that troops are engaged in suppressing brigandage in Kwang-si and piracy upon its waters. The water ways not being safe, he requested that, until the country was more settled, no passports should be granted for Kwang-si.

It appears from another paper, also quoted by Sir Brooke Robertson, that a daring attempt, which however failed, had been made by rebels to capture a Prefectural city on the border of the province of Kiang-si; also that the affiliated societies with which the south of China abounds have been giving trouble in the west of Kwang-tung.

But I attribute the Governor-General’s request above referred to, rather to some purpose of his to suppress kidnapping up the river which, after leaving Kwang-si, traverses the west of the Kwang-tung province.

From a notice upon the subject of kidnapping recently issued by the provincial Government, it is plain that an endeavour is being made to stop the Macao coolie trade. The notice which is in the form of a pamphlet, is remarkable for the outspoken plainness with which, near the close, it distinguishes between the Portuguese of Macao and the subjects of other powers “travelling for pleasure or for missionary purposes,” who will be provided with passports. The Government of Macao is at the same time alluded to as having been invited to look into the case of a Portuguese kidnapper taken by the Chinese authorities.

I forward translation of the notice as I received it from Sir Brooke Robertson. It runs as if addressed to the Governor of Kwang-si, the subordinate in that capacity, of the Governor-General.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 8.

Extract from Consul Sir B. Robertson’s “Service Report,” dated Canton, August 6, 1873.

THE Viceroy and Governor have issued, in the form of a small tract, the following Proclamation against kidnapping:

“Whereas evilly-disposed persons decoy and kidnap human beings, and take them to Macao for sale abroad, to the great injury of the people; and whereas on various occasions instructions have been issued to all the military and civil officers under their jurisdiction to use every effort for the discovery and capture of the guilty parties; and whereas last year it came to the hearing of the undersigned that the Chinese who went to Peru as labourers were generally very much oppressed there, and had to perform fatiguing tasks and most extraordinarily laborious work, at that time Proclamations were issued, warning all the people under their jurisdiction by no means to go as formerly to Macao to embark for foreign countries; and this was done to prevent their suffering injury. as is on record. In March this year a certain Portuguese named Antonio Lapiola conspired with some worthless natives, and set sail in a boat from Macao to the sea off Tung-ming-hsün, in the jurisdiction of the Linchow Prefecture (west coast of Kwang-tung), and there kidnapped eight persons. Further, certain Portuguese, named Francisco Baptista and others, started in boats from Macao to Shih-tou-pu, in the Prefecture of Lien-chow, and there kidnapped over sixty natives.

“The Viceroy and Governor accordingly dispatched Brigadier-General Fan and others to proceed, with the utmost speed, on steamers to the spots, and they rescued the people who had been kidnapped, released them, and sent them home. They further arrested the Portuguese above-mentioned, together with the Master and crews of the boats, and sent them to the Prefect of Canton for trial and punishment.

“It is reported that these kidnapping vessels assume the character and appearance of
traders, and go to various places on the sea coast, where they anchor, and kidnap human beings. They are generally in league with worthless natives, who call themselves brokers (lit., head sucking pigs). These brokers generally act as inveiglers and decoys, either by declaring falsely that they wish to hire peasants to go on board and discharge cargo, and offering liberal wages, or else they declare that they are Macao shopkeepers, and are searching for assistants, whom they will pay so many dollars a month to. They promise to take them to the spot and pay their passage for them.

"All these statements are cunning falsehoods, made to deceive: and they are only employed in order to decoy people. Peasants who are simple-minded and do not know this believe the promises are true, and accompany their decoyers; but directly they get on board they are imprisoned and thrust into the hold, and carried to Macao, whence they are sold abroad.

"The above being most obnoxious to morality, the various local authorities, together with specially appointed civil and military officers, have been instructed to use every effort to inquire into such crimes and to capture the criminals. Further, a communication has been forwarded to the High Portuguese official residing at Macao also to investigate the matter, with a view to the prohibition of the crime. It is, further, deemed right to issue a Proclamation for general information.

"Therefore this Proclamation is now issued, for the information of the gentry and people of all places under the jurisdiction of the Undersigned.

"You, gentry, scholars, and elders, must earnestly warn and inform the young members of your communities and families, and the simple-minded peasants scattered in the hamlets, that they may also know that this iniquity is rife, and may guard against being victims.

"Whenever you come across kidnapping of the above description do not be deceived and decoyed by them. Do not allow any persons, under the pretence of being coolie brokers, to harbor designs to injure the neighbourhood, induce and decoy the simple-minded peasants on board vessels in which they will be carried to Macao for sale. If in the villages there are found any of these worthless vagabonds, either at once report the matter to the authorities, who will arrest and try them, or else tie them up and send them for trial, that they may be punished in accordance with ordained Statutes. Thus the evil will be eradicated. The Viceroy and Governor are actuated with the desire of protecting the lives of the people. Their words are essential."

The Viceroy has sent this Proclamation to the Governor of Kwang-si, with orders that he is to issue a similar one, and has, in a separate despatch, stated that kidnapping is confined to Portuguese, and that respectable subjects of other nations are not concerned in the offence. Hence he must distinguish between Portuguese and subjects of the Treaty Powers, the latter of whom, when travelling for pleasure or for missionary purposes, will be provided with passports issued by the Viceroy, and they must be duly respected.

The Governor of Kwang-si is ordered to forward copies of this despatch to all the local authorities.

No. 9.

Mr. Wade to Earl Granville.—(Received December 1.)

My Lord,

I HAVE the honour to inclose two extracts from one of the Shanghai papers, that dated the 3rd instant showing that the confirmation of the recently-enacted Colonial Ordinance for repression of the coolie traffic had compelled the departure from Hong Kong of four Peruvian ships, one Portuguese barque, and one Belgian steamer, engaged or about to engage in the traffic; that of the 4th instant concerning the decline of the coolie traffic at Macao. This, it will be seen, has been seriously discouraged by the Ordinance referred to above. The chief hindrance, however, I am glad to observe is the increased vigilance of the Chinese authorities.

It should be remarked, notwithstanding, that nearly 1,600 Chinese had been shipped to Peru in the month of August.

I have, &c.

(Signed) THOMAS FRANCIS WADE.
THE “Hong Kong Times” has the following:—In consequence of the confirmation, by Her Majesty, of the Ordinances prepared by his Excellency the Governor of Hong Kong and Legislative Council, and now immediately taking effect, relating to—Further Provision for Repression of—call it “Coolie Traffic,” and every one understands it—the following vessels, which have brought themselves under the distinction of being, we believe, more or less engaged in such, received notice from the authorities, and took their departure:—“Augustus,” Persian ship; “Cecilia,” Portuguese barque; “Columbus,” Persian ship; “Luisa Canervaro,” Persian ship; “Nelusko,” Belgian steamer; “Ysabel,” Persian ship.

Extract from the “North China Daily News” of September 3, 1873.

MACAO.—The correspondent of the “Hong Kong Times” writes from Macao:—Business in coolies is most distressing at present. Since 1st August only two departures have been effected, viz., the “Camilo Cavour,” with 683 coolies, and the “Amboto,” with 889, both Peruvian ships. Many private barracoons have been closed, and the two or three that remained have their gates wide-opened—a sure sign that no birds are in them. Coolie crimps show much reluctance to go to the country, owing to the vigilance of the Mandarins, who have stationed armed boats and steamers at all the entrances to Macao harbour, and all boats laden with coolies are intercepted and taken to Canton, where the crimps found in them are tried and beheaded. The employés of the Government dépôt or barracoons are doing nothing, except mending their fishing-lines for a pescaaria! The news of the perfidious Ordinance becoming law has had the effect of a bombshell here; many of the sceptics who never could believe that the Court of St. James’s would confirm the perfidious law are now asking for copies of same! The days of the coolie traffic are doomed, thanks to the humane efforts of the English press, whose unanimous and uninterrupted cries and denunciations for the past twenty years are about to be crowned with success. Finis coronat opus! In my next letter to you, I hope I shall be able to announce the suspension of the abominable trade—a trade that has, it is true, filled the pockets of a few, but has brought sorrow and tears to many, and has cast a stigma on the Portuguese flag that for many years will not be blotted out.

No. 10.

Lord Tenterden to Mr. Herbert.

Sir, Foreign Office, December 2, 1873.

I HAVE laid before Earl Granville your letter of the 3rd ultimo, forwarding a despatch and inclosures from the Governor of Hong Kong, respecting the action taken by him in regard to the German firms in that Colony connected with the Macao coolie trade, and I am directed by his Lordship to state to you, for the information of the Earl of Kimberley, that he concurs in the approval which his Lordship proposes to express of the Governor’s proceedings in this matter.

I am to add that the correspondence has been communicated to the German Ambassador in London.

I am, &c.
(Signed) TENTERDEN.

No. 11.

Mr. Herbert to Lord Tenterden.—(Received December 16.)

Downing Street, December 13, 1873.

My Lord,

I AM directed by the Secretary of State for the Colonies to transmit, for the information of the Earl Granville, with reference to your letter of the 11th November,
and other correspondence on the subject, a further despatch from the Governor of Hong Kong on the Macao coolie trade.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

Inclosure 1 in No. 11.

Governor Sir A. E. Kennedy to the Earl of Kimberley.

My Lord, Government House, Hong Kong, October 24, 1873.

I HAVE already in my despatch dated 29th August informed your Lordship of the departure from British waters of Peruvian and other ships fitted for the conveyance of coolies.

Several of those ships proceeded to Whampoa, and I have now the honour to transmit the translation of a Proclamation issued by the Chinese Government directing their removal therefrom and forbidding their entrance to the Canton river.

This prompt action on the part of the Chinese authorities will, I trust, go far to put an end to the abuses hitherto complained of.

I have, &c.

(Signed) A. E. KENNEDY.

Inclosure 2 in No. 11.

Proclamation issued on the 17th of October, 1873, with regard to Coolie Vessels.

THE Provincial Judge and the Provincial Chancellor issue a Proclamation for general information:—

"Whereas instructions have been received from Jui, Viceroy of the two Kwang, to the effect that, with regard to emigration, it may not be carried on by any Power whatsoever not having a Treaty, and that countries that have Treaties must first report; and the Viceroy having examined into the matter, must have first given his permission before they can engage in it.

"Some days ago certain empty coolie vessels, under the Peruvian and other flags, coming up to the Whampoa in the province of Kwang-tung, and anchored there and at other places in the river, for the purposes of re-fitting and provisioning, it became necessary at once to ascertain what these ships were and to give orders for their dismissal.

"Thereupon the Chancellor and Judge in their turn gave orders that these vessels should be directed to depart, as is on record, and at the same time the writers issued Proclamations strictly prohibiting coolie ships to come to Whampoa. It is, however, much to be feared that the prohibition is not yet universally known, and it therefore becomes their duty to issue further Proclamations.

"Therefore this Proclamation is issued to let your people of all denominations know that in future no coolie ship whatever, not having obtained a permit from the Viceroy, is allowed to anchor in Kwang-tung waters for the purpose of fitting and victualling, in order that abuses may be put a stop to."

Do not disobey.
A special proclamation.

No. 12.

Consul Sir B. Robertson to Lord Tenterden.—(Received December 30, 1.50 P.M.)

(Telegraphic.) Hong Kong, December 30, 1873, 4.45 P.M.

MACAO coolie emigration closed by Proclamation No 89 by the Governor of the Province of Macao, in obedience to the orders from His Majesty’s Government, the following is enacted:—

The Chinese emigration, hitherto carried on in the port of Macao, is henceforward prohibited, in conformity with the provisions of Article 83 of the Emigration Regulations. This determination shall be complied with within three months after this date.

Let the competent authorities take note, and execute the present Proclamation.
No. 13.

Sir C. A. Murray to Earl Granville.—(Received January 11, 1874.)

My Lord,  
Lisbon, December 30, 1873.

I HAVE the honour to transmit herewith to your Lordship translation of a note addressed to me by Senhor Corvo, wherein he states that the Portuguese Government have determined to put an end to the coolie emigration as hitherto carried on at Macao, and have adopted for that port the very same regulations which are in force at Hong Kong on the subject of Chinese Emigration.

His Excellency adds that this decision of the Portuguese Government, which was duly published at Macao on the 27th instant, will, no doubt, be gratifying to Her Majesty's Government.

I have, &c.

(Signed)  
CH. A. MURRAY.

Inclosure in No. 13.

Señor Corvo to Sir C. A. Murray.

(Translation.)

Sir,  
Foreign Department, Lisbon, December 29, 1873.

I HAVE the honour to inform your Excellency that His Majesty's Government has determined to put an end to the Chinese emigration carried on, under contract, through the port of Macao, and has directed that all the provisions and regulations which are in force at Hong Kong with reference to Chinese emigrants should likewise be adopted there.

I beg also to acquaint your Excellency that on the 27th instant the above-mentioned decision of His Majesty's Government was made public at Macao, in pursuance of a clause in the Regulations upon Emigration, wherein it is provided that the Emigration Agents shall receive notice beforehand of any alterations about to be made in the said regulations.

While communicating to your Excellency the decision taken by His Majesty's Government, I have no doubt that Her Britannic Majesty's Government will duly appreciate the same.

I avail, &c.

(Signed)  
JOAO DE ANDRADE CORVO.

No. 14.

Earl Granville to Sir C. A. Murray.

Sir,  
Foreign Office, January 19, 1874.

I HAVE received and laid before the Queen your despatch of the 30th ultimo, inclosing a note from the Portuguese Minister for Foreign Affairs, in which his Excellency announces that His Most Faithful Majesty's Government has determined to put an end to the Chinese emigration carried on, under contract, through the port of Macao, and has directed that all the provisions and regulations which are in force at Hong Kong with reference to Chinese emigrants should likewise be adopted there. His Excellency adds that the above-mentioned decision was made public at Macao on the 27th ultimo.

I have to instruct you to express to Senhor Corvo the gratification with which Her Majesty's Government have learnt the determination of the Portuguese Government to put an end to the system of contract coolie emigration through the port of Macao, which had led to such grave abuses, and you will add that Her Majesty's Government trust the authorities at Macao will exercise the utmost vigilance in carrying out the orders of His Most Faithful Majesty's Government in this matter.

I inclose for your information copy of a telegram from Her Majesty's Consul at Hong Kong,* reporting the issue, by the Governor of Macao, of a proclamation, announcing the orders he had received on the subject from the Portuguese Government.

I am, &c.

(Signed)  
GRANVILLE.

* No. 12.
CORRESPONDENCE

RESPECTING THE

MACAO COOLIE TRADE:

1874-75.
# List of Papers

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Mr. Herbert to Lord Tenterden</td>
<td>April 20, 1874</td>
</tr>
<tr>
<td>2.</td>
<td>Lord Tenterden to Mr. Herbert</td>
<td>April 23, 1874</td>
</tr>
<tr>
<td>3.</td>
<td>Lord Odo Russell to the Earl of Derby</td>
<td>April 20, 1874</td>
</tr>
<tr>
<td>4.</td>
<td>Mr. Dunlop to the Earl of Derby</td>
<td>April 8, 1874</td>
</tr>
<tr>
<td>5.</td>
<td>The Earl of Derby to Sir C. Murray</td>
<td>April 30, 1874</td>
</tr>
<tr>
<td>6.</td>
<td>Sir B. Robertson to Lord Tenterden</td>
<td>March 31, 1874</td>
</tr>
<tr>
<td>7.</td>
<td>Sir C. Murray to the Earl of Derby</td>
<td>May 19, 1874</td>
</tr>
<tr>
<td>8.</td>
<td>Sir B. Robertson to Lord Tenterden</td>
<td>May 21, 1874</td>
</tr>
<tr>
<td>9.</td>
<td>Mr. Wade to Earl Granville</td>
<td>April 27, 1874</td>
</tr>
<tr>
<td>10.</td>
<td>Sir B. Robertson to Lord Tenterden</td>
<td>June 9, 1874</td>
</tr>
<tr>
<td>11.</td>
<td>Count Münster to the Earl of Derby</td>
<td>July 28, 1874</td>
</tr>
<tr>
<td>12.</td>
<td>Mr. Herbert to Lord Tenterden</td>
<td>August 7, 1874</td>
</tr>
<tr>
<td>13.</td>
<td>The Earl of Derby to Baron von den Brincken</td>
<td>September 4, 1874</td>
</tr>
<tr>
<td>14.</td>
<td>Mr. Dunlop to the Earl of Derby</td>
<td>September 1, 1874</td>
</tr>
<tr>
<td>15.</td>
<td>Sir B. Robertson to Lord Tenterden</td>
<td>August 1, 1874</td>
</tr>
<tr>
<td>16.</td>
<td>The Earl of Derby to Mr. Cobbold</td>
<td>October 10, 1874</td>
</tr>
<tr>
<td>17.</td>
<td>Mr. Lister to Mr. Herbert</td>
<td>October 14, 1874</td>
</tr>
<tr>
<td>18.</td>
<td>Mr. Cobbold to the Earl of Derby</td>
<td>October 6, 1874</td>
</tr>
<tr>
<td>19.</td>
<td>The Earl of Derby to Mr. Cobbold</td>
<td>October 19, 1874</td>
</tr>
<tr>
<td>20.</td>
<td>Sir J. Pauncefort to Lord Tenterden</td>
<td>October 26, 1874</td>
</tr>
<tr>
<td>21.</td>
<td>The Earl of Derby to Sir B. Robertson</td>
<td>November 4, 1874</td>
</tr>
<tr>
<td>22.</td>
<td>Sir B. Robertson to Mr. Lister</td>
<td>December 5, 1874</td>
</tr>
<tr>
<td>23.</td>
<td>Sir B. Robertson to Lord Tenterden</td>
<td>December 15, 1874</td>
</tr>
<tr>
<td>24.</td>
<td>Mr. Lister to Mr. Herbert</td>
<td>February 12, 1875</td>
</tr>
<tr>
<td>25.</td>
<td>Mr. Herbert to Lord Tenterden</td>
<td>February 25, 1875</td>
</tr>
<tr>
<td>26.</td>
<td>The Earl of Derby to Mr. Cobbold</td>
<td>March 2, 1875</td>
</tr>
<tr>
<td>27.</td>
<td>Lord Tenterden to Mr. Herbert</td>
<td>March 6, 1875</td>
</tr>
<tr>
<td>28.</td>
<td>Mr. Cobbold to the Earl of Derby</td>
<td>March 22, 1875</td>
</tr>
</tbody>
</table>
Correspondence respecting the Macao Coolie Trade: 1874-75.

No. 1.

Mr. Herbert to Lord Tenterden.—(Received April 20.)

Sir, Downing Street, April 20, 1874.

I AM directed by the Earl of Carnarvon to transmit to you, for the consideration of the Earl of Derby, two despatches lately received from Sir Arthur Kennedy, reporting the refusal of the Governor to allow Peruvian and Spanish vessels to embark free Chinese emigrants at the port of Hong Kong.

The Governor has full power to grant or withhold his license; and in stating this to Lord Derby, I am to request that you will inform his Lordship that, in Lord Carnarvon's opinion Sir Arthur Kennedy was perfectly right in the policy adopted on the present occasion; and his Lordship proposes, with Lord Derby's concurrence, to approve of the manner in which the Governor has exercised the discretion entrusted to him by the law.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

Inclosure 1 in No. 1.

Sir A. E. Kennedy to the Earl of Kimberley.

(Extract.) Government House, Hong Kong, February 18, 1874.

I HAVE the honour to inclose, for the information of your Lordship, the copy of a letter which I have received from Messrs. Vogel, Hagedorn and Co., merchants at this port, asking whether there would be any objection to vessels under the Peruvian and Spanish flags proceeding from this place with free emigrants to California, provided all the rules and regulations now in force were carefully complied with.

2. Being under the impression that the two monthly steamers, under English and American flags, amply sufficed for the accommodation of the free emigrants to San Francisco, I was not disposed to give a favourable reply, and considered it expedient to consult my Council.

3. Another reason influencing me in the adoption of such course, was the knowledge that the vessels for which licenses were being sought, had been engaged for the Macao coolie trade.

4. When submitting the question to the Council, I pointed out that no objection had at any time been made by Her Majesty's Government to the emigration of free labourers from this port; that it was only in reference to the stoppage of contract emigration that the prohibitory orders were peremptory, and that consequently the question to be decided was, whether by the adoption of a general rule we could not, and should not, exclude from emigration operations at this port all those vessels which had been tainted by the Macao traffic.

5. After mature deliberation, the Council was of opinion that all proceedings in connection with emigration, should be most closely watched; that it would not be expedient to issue licenses to vessels which would not be under entire control at departure, during the voyage, and on disembarkation of the passengers; and that for the present it would be
advisable to confine emigration from Hong Kong to San Francisco, to vessels carrying the
English and American flags.

6. Accordingly I caused it to be notified to Messrs. Vogel, Hagedorn and Co. that I
was not at present prepared to entertain their application; and I trust my decision will not
be disapproved of by your Lordship.

Inclosure 2 in No. 1.

Messrs. Vogel, Hagedorn and Co. to Mr. Austin.

Sir,

Hong Kong, February 9, 1874.

WE beg leave to inquire whether there would be any objection to vessels under the
Peruvian or Spanish flags proceeding from this port to California, provided that all the
rules and regulations now in force are carefully complied with.

Soliciting the favour of an early reply, we have, &c.

(Signed) VOGEL, HAGEDORN & Co.

Inclosure 3 in No. 1.

Governor Sir A. E. Kennedy to the Earl of Kimberley.

My Lord,

Government House, Hong Kong, March 4, 1874.

WITH reference to my despatch of the 18th of February, reporting the contemplated refusal of licenses for the conveyance of emigrants to California to vessels which had been engaged for the Macao Coolie trade, and the determination at which I had arrived with the advice of my Council to confine emigration from Hong Kong to San Francisco to vessels carrying the English and American flags, I have now the honour to acquaint your Lordship that applications for licenses have been recently made on behalf of three Peruvian vessels, named in the margin,* and that I have declined to grant them.

2. It was indeed high time that some decision should be arrived at, as, owing to the
check given at Macao to the embarkation of Coolies, a very large amount of tonnage was left without employment, and any, the least, hope held out of the possible establishment of the Coolie traffic at Hong Kong under the grant of free emigration would have brought all of them here.

3. Very possibly some of these vessels may be well adapted for the conveyance of passengers, and their officers and crews may be above reproach; but generally the Macao traffic will, I apprehend, be considered dangerous, and, as such, not likely to attract the services of men of high character.

4. At all events it would scarcely be too much that the uncontrolled care of passengers would be given, and as I know of no way by which proper control could be obtained, and of no means through which the good treatment of passengers could be secured during the whole course of the voyage under the flags of these vessels, I see no reason why the decision already arrived at in respect to the preference to be given to the English and American flags should be altered.

I have, &c.

(Signed) A. E. KENNEDY.

* "Peru," "Francisco Calderon," and "Florentia."
No. 2.

Lord Tenterden to Mr. Herbert.

Sir,  

I am directed by the Earl of Derby to acknowledge the receipt of your letter of the 20th instant in regard to the refusal of the Governor of Hong Kong to allow Peruvian and Spanish vessels to embark free Chinese emigrants, and I am to request that you will state to the Earl of Carnarvon that Lord Derby fully concurs in his Lordship’s proposal to approve Sir A. Kennedy’s proceedings on the occasion in question.

I am, &c.

(Signed) TENTERDEN.

No. 3.

Lord Odo Russell to the Earl of Derby.—(Received April 27.)

My Lord,  

IN a discussion in the Reichstag on the 18th of April on the Supplementary Budget for 1874, Deputy Kapp asked President Delbrück whether he had official intelligence that German citizens and merchants had engaged in the coolie trade between Macao and Callao, under the Peruvian flag, and were still engaged therein, that German captains of ships have forwarded coolies from the eastern coasts of Asia to Peru, and what steps the Imperial Chancery has taken to stop such offences.

President Delbrück replied, that it had been reported in the newspapers that a German firm in Hong Kong had been shipping coolies, and that very sad things had occurred. This appeared in a Blue Book of the English Parliament. It was found, on further investigation, that if there had been any infraction of the law, it had happened under English jurisdiction at Hong Kong, and we promised our co-operation in any proceedings which might be taken. The English lawyers were, however, of opinion that there was no ground for action, so that neither could there be any action on our part. The legal position of the coolie trade is as follows:—

"The shipment of coolies commenced when the Slave Trade ceased. For a long time the Chinese Government troubled themselves little about the subject. A later attempt to mend matters did not succeed; and the subject was first taken up again in earnest by the Treaties of Peace concluded by Great Britain and France with China in 1860. These recognized the right of emigration to Chinese; but it was wished to frame regulations for preventing this right from being misused in the engaging, or by the maltreatment of, emigrants. In 1866 regulations were agreed upon for emigration from China, which appear to me to be entirely suitable. They were communicated to all the Powers, and forthwith published in China as a law of the country. One Article, however, stipulated that a Chinese might not engage himself before emigrating for longer than five years; besides, the Chinese was to be brought back gratis by the Agent under certain conditions, France and England demanded an alteration of these Articles, but China refused. The Regulations therefore exist, and regulate the case for the German flag. There is only one omission, which is, that as far as relates to the disposition and maintenance of coolies, they are placed under the rules of the flag under which the ship sails. This is the case with the above-mentioned Articles. Now, as we have no legal regulations in these matters, the German Consulates have published such in order to render possible the transport of coolies on our ships. I can only say that the Consulates, according to the instructions given to them and the Legation at Peking, will take strict care that the German flag shall not be misused."

I have, &c,

(Signed) ODO RUSSELL.

No. 4.

Mr. Dunlop to the Earl of Derby.—(Received April 27.)

(Extract.)

Havana, April 8, 1874.

WE learn here, on good authority, that the Portuguese at Macao have now made some arrangements of a peculiar and questionable nature, so as to renew the "emigration"
of Chinese coolies, under a new "law," which they issued on the 28th of last January. These unfortunate "emigrants" are now to be named "free passengers," and to be exported as such.

We do not hear that the Chinese Government have assented to this, but it will certainly continue the "coolie traffic" under another name. A vessel called the "Lola" is reported to have left Macao on the 27th of last month (March) with 363 Chinese coolies, bound for Peru, who were shipped as "free passengers," or "voluntary colonists."

No. 5.

The Earl of Derby to Sir C. Murray.*

Sir, Foreign Office, April 30, 1874.

I INCLOSE for your information, and for such inquiries as you may be able to make into the matter, an extract from a despatch from Her Majesty's Consul-General in the Havana,† mentioning a report that the coolie traffic from Macao is being resumed under the name of free emigration.

I am, &c.
(Signed) DERBY.

No. 6.

Sir B. Robertson to Lord Tenterden.—(Received May 11.)

Canton, March 31, 1874.

My Lord,

I HAVE the honour to inclose a copy of a despatch and its inclosures I have sent to Her Majesty's Minister at Peking. They inclose a proclamation by the Viceroy and Governor of these Provinces, announcing the extinction of the coolie traffic at Macao.

I have, &c.
(Signed) B. ROBERTSON.

Inclusion 1 in No. 6.

Sir B. Robertson to Mr. Wade.

Sir,

IN a previous despatch I mentioned the intention of the Viceroy, Jui-lin, to issue a Proclamation announcing the termination of the Macao coolie traffic, and I have now the honour to inform you he has done so, and to send you a copy of the document (in original, with translation annexed) which has been posted up at the gates of the city.

I trust this is the last we shall hear of that most iniquitous trade. Publicly and privately I have ever done my best to expose its inhumanity and bring pressure to bear on the Lisbon Government to decree its extinction, and at last the end has come, and Macao, upon whose shore more tears have been shed than in any other spot on earth, will have to look elsewhere to enrich its citizens, in a more legitimate manner, and more in accordance with the professions of a Christian nation.

I inclose for your information a Memorandum of the disasters by mutiny, fire, and shipwreck, which have occurred to coolie ships from the year 1845 to 1872, and a fearful record it is; indeed I venture to say it could not be matched in the palmiest days of the African Slave Trade.

I have, &c.
(Signed) B. ROBERTSON.

* A similar despatch was addressed to Sir B. Robertson.
† No. 4.
Inclosure 2 in No. 6.

Proclamation with regard to the Prohibition of Chinese Emigration from Macao, dated March 1874.

(Translation.)

JUY, Senior Guardian of the Throne, Titular President of the War Office, and Viceroy of the Two Kwang, Chang, Titular Vice-President of the War Office, and Governor of Kwang-tung, hereby issue a Proclamation for general information.

Whereas certain lawless characters used in sundry places to decoy and kidnap human beings, and carry them to Macao for sale to foreign traders, who transmitted them, to dispose of them, abroad; and whereas this traffic was called "the selling of sucking-pigs," and inflicted the greatest injury on families; and whereas, on many occasions, orders have been promulgated to the military and civil authorities to use their utmost endeavours to arrest the guilty parties, and a communication has been addressed to the Portuguese High Official, residing at Macao, entirely to close the Macao coolie barracoons; and whereas, in the 11th month of last year (December 1873, January 1874), a communication in reply was received from the Viscount de San Januario, the high Portuguese officer residing at Macao, reporting that he had received an Edict from the King of Portugal prohibiting the engagement in Macao of Chinese to emigrate abroad as labourers. In obedience to this Edict Senhor Januario fixed a period of three months, commencing from the 27th of December, 1873, after which no engagement in Macao of Chinese to emigrate abroad as coolies would be again allowed. Hereafter, consequently, there will be no emigration from Macao. The (Viceroy) communicated this despatch to the (Governor).

The other day the Viscount Januario came to Canton, where it was again agreed between him, the Viceroy and the Governor, that from the 11th month of last year to the 1st month of this year (December 27, 1873, to March 1, 1874) made the complete period of three months above alluded to, and that all the barracoons should after that date be closed without exception, in order to eradicate what had been a great evil.

With regard to the Macao coolie catchers, though they ought to be arrested and severely punished, yet leniency should be shown them on this occasion, and it was agreed that, dating from the establishment of the new order of things, if these coolie catchers sincerely repented of their past misdeeds, and altered their conduct, and sought an honest livelihood, they should be allowed to pursue their peaceful avocations without molestation, but if they ventured again to kidnap and trade in human beings, or to commit any other breach of the law, they should immediately be arrested and punished with the utmost rigour.

Instructions have been issued to the Provincial Chancellor and Judge to order all the local authorities and the military and civil weiyuans to act accordingly, and it is further deemed expedient to issue a Notification on the subject.

Wherefore it is hereby notified, and it is trusted that merchants and all classes of people may know, that the Macao Portuguese have now prohibited the engagement of Chinese to emigrate abroad, and that all the coolie barracoons have been closed, hereafter it is not permitted to decoy or kidnap human beings to take them to Macao for sale, such being a capital offence.

With regard to the Macao coolie catchers, they must understand this, repent of their former misdeeds, and seek a new manner of livelihood that shall be honest, and if they do this, they are hereby promised that they shall be allowed to carry on their avocations without molestation, but if they again venture to engage in the crime of kidnapping, directly this is found out, or an accusation to the effect is laid against them, large bodies of troops shall be told off, and the Portuguese high official at Macao will be communicated with, in order to give his assistance, to effect their arrest, they shall be brought up for trial and executed. No mercy or leniency will be shown. Let all obey in trembling. Do not disregard this notice.
Memorandum of the Coolie Ships on board of which Mutinies have occurred, or in which the Vessels or Passengers have met with Disaster, from the Year 1845 up to the Year 1872.

<table>
<thead>
<tr>
<th>Year</th>
<th>Date of Departure</th>
<th>Vessel's Name</th>
<th>Flag</th>
<th>Captain</th>
<th>Where From</th>
<th>Where Bound</th>
<th>No. of Coolies</th>
<th>General Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1852</td>
<td>Feb. 17, 1850</td>
<td>Lady Montague</td>
<td>British</td>
<td>Smith</td>
<td>Hong Kong</td>
<td>Callao</td>
<td>450</td>
<td>A great sickness on board; about 300 of the coolies died on the passage. Reached Callao. The coolies tried to revolt, but were stopped by the interference of the Chinese interpreter. — See &quot;China Mail,&quot; 1852, No. 400, and 1856, No. 590; also &quot;Hong Kong Register,&quot; July 23, 1850, and &quot;Daily News,&quot; July 29, 1852. The coolies revolted, killed the captain and part of the crew, and forced the remaining crew to take the vessel back to Amoy. — See &quot;China Mail,&quot; 1852, pages 70, 74, and 102, also 1856, page 146. The coolies broke out on the passage, murdering the captain, officers, and crew. — See &quot;China Mail,&quot; 1853, No. 422; also, 1855, No. 588. Great mortality on board, including captain, second officer, and part of the crew. The vessel put into Kenah on the north-east coast of Celebes. — See &quot;China Mail,&quot; 1853, No. 414; also 1856, No. 606. The coolies revolted, and killed the commander of the vessel; the ship was taken to Singapore on the 15th December, 1853. — See &quot;China Mail,&quot; 1853, No. 414; also 1856, No. 606. The captain died after her departure. Great mortality on board; over 250 coolies died, and 45 coolies were missing, leaving only 146 on board. — See &quot;China Mail,&quot; 1855, No. 581, page 182. On the 2nd October, 1856, the vessel returned to Hong Kong. The captain, officers, supercargo, and part of the crew had been killed by the Chinese. Before reaching Hong Kong, about 140 of the Chinese left the vessel in fishing boats. The rest were taken by the police on her arrival here. — See &quot;China Mail,&quot; 1856, No. 596, page 115. On the 26th January, 1852, the vessel was taken to Singapore. The captain, officers, part of the crew, and ship’s cook had been killed by the Chinese, who plundered the cargo and landed on two islands in the Gulf of Siam. — See &quot;China Mail,&quot; 1856, No. 597, page 119. The vessel arrived at that port after several days. — See &quot;China Mail,&quot; 1856, No. 608, page 162. The vessel put into Singapore, leaky. On arrival there, the Chinese revolted and escaped from the vessel to the shore. — See &quot;China Mail,&quot; 1853, No. 597, page 119. A few days after her departure, the coolies revolted on the passage, severely wounding captain and officers. Numbers of the Chinese were killed during the revolt. The vessel put into Singapore. — See &quot;China Mail,&quot; 1856, No. 608, page 162. Great mortality on board; over 45 coolies died on the voyage from debility and dropsey. — See &quot;China Mail,&quot; 1856, No. 608, page 184. Put into Singapore on account of the coolies having revolted. — See &quot;China Mail,&quot; No. 597, page 119.</td>
</tr>
<tr>
<td>1852</td>
<td>March 20, 1852</td>
<td>Robert Brown</td>
<td>American</td>
<td>Bryson</td>
<td>Amoy</td>
<td>San Francisco</td>
<td>410</td>
<td></td>
</tr>
<tr>
<td>1853</td>
<td>March 8, 1853</td>
<td>Ross Elias.</td>
<td>Peruvian</td>
<td>Barclay</td>
<td>Hong Kong</td>
<td>Peru</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>1853</td>
<td>Aug. 18, 1852</td>
<td>British Sovereign</td>
<td>British</td>
<td>Harris</td>
<td>Amoy</td>
<td>Havana</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1853</td>
<td>Dec. 3, 1853</td>
<td>Lady Amherst</td>
<td>Ditto</td>
<td>Reid</td>
<td>Ditto</td>
<td>Ditto</td>
<td>250</td>
<td></td>
</tr>
<tr>
<td>1855</td>
<td>Oct. 1855</td>
<td>Waverley</td>
<td>American</td>
<td>Wellman</td>
<td>Ditto</td>
<td>Ditto</td>
<td>442</td>
<td></td>
</tr>
<tr>
<td>1856</td>
<td>Sept. 7, 1850</td>
<td>Albert</td>
<td>French</td>
<td>Pain</td>
<td>Hong Kong</td>
<td>Peru</td>
<td>156</td>
<td></td>
</tr>
<tr>
<td>1856</td>
<td>Dec. 6, 1851</td>
<td>Victory</td>
<td>British</td>
<td>Mulkins</td>
<td>Ditto</td>
<td>Callao</td>
<td>355</td>
<td></td>
</tr>
<tr>
<td>1856</td>
<td>Sept. 24, 1852</td>
<td>Columbus</td>
<td>Ditto</td>
<td>Holton</td>
<td>Amoy</td>
<td>Havana</td>
<td>266</td>
<td></td>
</tr>
<tr>
<td>1856</td>
<td>Jan. 20, 1852</td>
<td>Beartice</td>
<td>Peruvian</td>
<td>Edwards</td>
<td>Hong Kong</td>
<td>Callao</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>1856</td>
<td>Jan. 24, 1852</td>
<td>Spartan</td>
<td>British</td>
<td>Marshall</td>
<td>Amoy</td>
<td>Sydney</td>
<td>254</td>
<td></td>
</tr>
<tr>
<td>1856</td>
<td>Aug. 23, 1852</td>
<td>Lord Elgin</td>
<td>Ditto</td>
<td>McCleland</td>
<td>Ditto</td>
<td>Demerara</td>
<td>110</td>
<td></td>
</tr>
<tr>
<td>1856</td>
<td>Sept. 25, 1852</td>
<td>Panama</td>
<td>Ditto</td>
<td>Fisher</td>
<td>Ditto</td>
<td>Havana</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1856</td>
<td>Oct. 13, 1852</td>
<td>Gertrude</td>
<td>Ditto</td>
<td>Campbell</td>
<td>Ditto</td>
<td>Ditto</td>
<td>350</td>
<td></td>
</tr>
<tr>
<td>1857</td>
<td>Jan. 29, 1857</td>
<td>Anais</td>
<td>French</td>
<td>Carignac</td>
<td>Swatow</td>
<td>Ditto</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1857</td>
<td>Feb. 9, 1857</td>
<td>Henrietta Maria</td>
<td>Dutch</td>
<td>Bakker</td>
<td>Meso</td>
<td>Ditto</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1857</td>
<td>March 13, 1856</td>
<td>John Calvin</td>
<td>British</td>
<td>Thornhill</td>
<td>Hong Kong</td>
<td>Ditto</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Year</td>
<td>Date of Departure</td>
<td>Vessel's Name</td>
<td>Flag</td>
<td>Captain</td>
<td>Where From</td>
<td>Where Bound</td>
<td>No. of Coolies</td>
<td>General Remarks</td>
</tr>
<tr>
<td>-------</td>
<td>-------------------</td>
<td>-----------------</td>
<td>---------</td>
<td>-----------</td>
<td>------------</td>
<td>-------------</td>
<td>---------------</td>
<td>----------------</td>
</tr>
<tr>
<td>1857</td>
<td>Apr. 2, 1857</td>
<td>Duke of Portland</td>
<td>British</td>
<td>Seymour</td>
<td>Hong Kong</td>
<td>Havana</td>
<td>332</td>
<td>132 of the coolies died on board during the passage.—See &quot;China Mail,&quot; 1857, No. 631; also No. 636. The coolies revolted, killing about 33 or 40 of the crew.—See &quot;China Mail,&quot; 1857, No. 631, page 46. On the 14th October the vessel encountered a hurricane, which continued for several days without abatement. The ship struck on a reef not marked on the charts. The captain, mates, and crew left the vessel in their boats; one of them, containing 51 men, including the captain and his brother, reached Tourn in Cochlin China. They were kindly received by the French Admiral, M. Page, of His Imperial Majesty's steamer &quot;Gironde,&quot; who immediately despatched a vessel in search of the missing boats, and to look for the wreck. It was gradually disappearing when found, and as nothing was ever learned of the 850 coolies on board her, there is every reason to believe they must have perished. See &quot;Daily Press,&quot; 1858, No. 666; also Supplement to the &quot;China Mail,&quot; 1st December 1859. A mutiny took place on board this ship, when 3 miles below Macao Fort, before leaving.—See &quot;China Mail,&quot; 1861, No. 837, page 26. Put into Hong Kong in distress, the coolies having revolted.—See &quot;China Review,&quot; Vol. II, page 16. The vessel touched at Tahiti. Of 550 coolies, only 162 were left on board.—See &quot;China Review,&quot; Vol. II, page 16.</td>
</tr>
<tr>
<td>1861</td>
<td>May 3, 1861</td>
<td>Villas d'Agen</td>
<td>French</td>
<td>Fourzon</td>
<td>Macao</td>
<td>Pondicherry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1865</td>
<td>Sept. 6, 1865</td>
<td>Dea dal Mare</td>
<td>Italian</td>
<td>Giacomo</td>
<td>Ditto</td>
<td>Callao</td>
<td>550</td>
<td></td>
</tr>
<tr>
<td>1866</td>
<td>March 17, 1866</td>
<td>Napoleone Canavaro</td>
<td>Ditto</td>
<td>Denmore</td>
<td>Ditto</td>
<td>Ditto</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1866</td>
<td>Oct. 10, 1866</td>
<td>Eugene Adice</td>
<td>French</td>
<td>Frudden</td>
<td>Ditto</td>
<td>Ditto</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1868</td>
<td>March 8, 1866</td>
<td>Jeddo</td>
<td>British</td>
<td>West</td>
<td>Amoy</td>
<td>Demerara</td>
<td>480</td>
<td></td>
</tr>
<tr>
<td>1868</td>
<td>Feb. 3, 1868</td>
<td>Therese</td>
<td>Italian</td>
<td>Bolero</td>
<td>Macao</td>
<td>Callao</td>
<td>296</td>
<td></td>
</tr>
<tr>
<td>1868</td>
<td>July 23, 1866</td>
<td>Providencia</td>
<td>Ditto</td>
<td>Villasayegge</td>
<td>Ditto</td>
<td>Ditto</td>
<td>380</td>
<td></td>
</tr>
<tr>
<td>1870</td>
<td>Dec. 1869</td>
<td>Uncowah</td>
<td>Ditto</td>
<td>Rosciano</td>
<td>Ditto</td>
<td>Ditto</td>
<td>548</td>
<td></td>
</tr>
<tr>
<td>1870</td>
<td>Jan. 19, 1869</td>
<td>Frederic</td>
<td>Belgian</td>
<td>Nicaise</td>
<td>Hong Kong</td>
<td>Ditto</td>
<td>379</td>
<td></td>
</tr>
<tr>
<td>1870</td>
<td>April 24, 1869</td>
<td>Tamania</td>
<td>French</td>
<td>Roue</td>
<td>Macao</td>
<td>Havana</td>
<td>235</td>
<td></td>
</tr>
<tr>
<td>1870</td>
<td>Oct. 4, 1870</td>
<td>Nuevo Penelope</td>
<td>Ditto</td>
<td></td>
<td>Callao</td>
<td></td>
<td>300</td>
<td>The coolies revolted, killed the captain, officers, and some of the crew. About 30 coolies left the vessel. Put the vessel back to Macao.—See &quot;China Mail,&quot; 1870, No. 2,300. Two days after departure, the coolies set fire to the vessel; 600 coolies were burnt to death. The captain, officers, and crew left in the ship's boats.—See &quot;China Mail,&quot; 1871, No. 2,446. On her arrival at Japan, the Japanese Government released the coolies and sent them back to their homes.—See &quot;China Mail,&quot; 1872, Nos. 9,079, 9,079, and 9,042.</td>
</tr>
<tr>
<td>1871</td>
<td>May 4, 1870</td>
<td>Dolores Ugarte</td>
<td>Salvador</td>
<td>Garaye</td>
<td>Ditto</td>
<td>Peru</td>
<td>650</td>
<td></td>
</tr>
<tr>
<td>1872</td>
<td>May 28, 1872</td>
<td>Maria Luz</td>
<td>Peruvian</td>
<td>Herreira</td>
<td>Ditto</td>
<td>Callao</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Canton, March 31, 1874.

(Signed) B. ROBERTSON.
My Lord,

IN reply to your Lordship's despatch of the 30th ultimo, I have the honour to inform you of the despatch from Her Majesty's Consul-General at the Havana, alluding to a report that the coolie traffic from Macao is about to be resumed under the name of free emigration, which formed the inclosure in that despatch. His Excellency took note of the document in question, with a view to making the necessary inquiries into the matter.

I have the honour to transmit herewith to your Lordship the printed report laid this year before the Cortes by the Minister for Foreign Affairs on the subject of the emigration of Chinese under contract from Macao.

I also inclose a précis of the said report by Mr. Phipps, and a translation of the two last documents published therein.

I have, &c.

(Signed) CH. A. MURRAY.

---

Inclosure 1 in No. 7.


SENHOR CORVO commences his report by referring to the rapid development of the coolie emigration system of late years, and to the interests connected therewith in Macao. The Government, while recognizing the importance of this lucrative commerce, had endeavoured constantly, by the most active vigilance and the severest measures, to restrict the abuses which experience, however, had proved to be inseparably connected with the system.

These abuses could not fail to attract the attention of the Portuguese Government, but "in this, as in other cases of an analogous nature," Portugal had been "more than once unjustly treated by artificially excited opinions, not always animated by sincerity and disinterestedness." Portugal had always adopted repressive measures, at least, as severe as those adopted in other parts of China, but finding it impossible entirely to arrest the inevitable abuses, she had decided on putting an end to the system.

Senhor Corvo goes on to sketch the origin of Chinese emigration, and its original advantages from the year 1845, and refers finally to the questions addressed by the British Government to its Consuls in China in 1852, adding that that Government was trying to recruit its sugar-producing Colonies with labour, the economical position of those Colonies being affected by the competition of slave-holding countries.

He cites, in proof of this, a paragraph in Earl Grey's pamphlet of 1852, "The Colonial Policy of Lord J. Russell's Administration," quoting a passage running thus:—

"From that disadvantage (the competition of slave-holding countries) the Government tried to free them, and with this object, as well as from the highest principles of humanity, made every endeavour to suppress the slave trade by a vigorous exercise of our naval power."

Senhor Corvo quotes largely from Earl Grey, whose words, he says, deserve special attention, as they explain important facts directly connected with the extinction of the slave trade, as well as the increase of coolie emigration.

He adds that, when it was endeavoured by more or less direct measures thus to promote that emigration, numerous facts had already proved that it was not exempt from danger to the emigrants, "and that in it serious offences against humanity and justice had been and might continue to be practised." He cites, in proof of this, passages in a despatch of Sir J. Bowring in 1852, and in a report of the Emigration Commissioners the following year, and goes on to say that the English agents tried to promote the system, while improving its conditions; but while doing justice to British functionaries, it could not but be admitted, Senhor Corvo says, "that they had markedly hostile dispositions to any emigration which might seek other shores than those of British Colonies," and declares that if the Portuguese had a complaint of the opinion of England, it was that she had not done them justice in their attempts to diminish the abuses and crimes of the coolie trade.

Senhor Corvo traces the establishment of superintendence over the coolie trade at Hong Kong, that of warehouses and depôts for the coolies, the measures regulating the
voyages, &c., and the institution of licences for the inland native recruiting agents, in all which measures the Macao authorities followed suit.

All these measures, most of them ineffectual, Senhor Corvo says, show that at that time (1856-7) the essential abuses connected with the system were well recognized; and yet the emigration was still encouraged by England, and adds that the Portuguese, hoping that they might yet be mitigated (as the English doubtless also did), also consented to the coolie emigration continuing.

He touches then on the emigration organized successively to Peru, Cuba, and California, and then at considerable length gives details as to the origin in 1851 of the system in Macao, and the various repressive measures adopted ever since 1853 by the Portuguese authorities, most of which, he admits, were ineffectual, chiefly, he maintains, from the fact that the emigration, in its origin and in its ultimate destination, was out of the control of the authorities who presided over the engagement of the coolies in the ports and their embarkation.

He gives in detail the provisions of the Treaty of Peking in 1866, as well as the declaration of Prince Kung, annexed to it, which he declares was specially directed against the Macao emigration, and with a view of restricting the privilege of drawing labourers from China to the Powers who signed the Treaty with China—France and England; and adds that, “as may be gleaned from the instructions given to Lord Elgin, the idea of supplying their Colonies in the tropics with labourers pre-occupied the Agents of the European Powers in China more than any other object.”

Senhor Corvo then enumerates all the efforts of Portugal to come to an agreement with China, both previous and subsequent to 1866, on the subject of the Macao emigration, all of which were fruitless, he considers, owing to no fault of Portugal, and he embodies the substance of a letter addressed by the Viceroy of Canton to the Governor of Macao, full of hostility to the Macao emigration, which hostility was, he declares, shared by diplomacy at Peking. The tendency of Senhor Corvo’s argument in the succeeding pages is to prove that the refusal of China, approved, if not instigated, by European diplomacy at Peking, to come to an agreement with the Portuguese authorities at Macao, was one of the principal causes of the perpetuation of the abuses connected with the emigration from that port. He admits that great objections existed to the presence of a Mandarin at Macao, but considers that were the powers of such an official limited by Treaty those objections might have ceased to exist.

Senhor Corvo then criticizes the regulations published in Macao in 1872 for regulating the coolie emigration, allowing that they were couched rather in a spirit favourable to the Emigration Agents than to the Coolies; a fact which he says accounts for their modification in 1873. In April of that year the Governor of Macao admitted that the Portuguese Government were totally powerless to prevent the abuses and horrors of the whole system, which he, however, maintained were perpetrated entirely before the emigrants ever came under the influence of Portuguese rule.

Senhor Corvo then gives minute details as to the abuses perpetrated by the Emigration Agents, citing many Chinese Proclamations on the subject, and then goes into similar details with regard to the fearful mortality in the Coolie ships, and the crimes committed on board, citing the cases of the “New Penelope,” “Dolores Ugarte,” or “Don Juan,” “Fatchoy,” &c.

He then proceeds to review the regulations existing in Hong Kong, and the statistics of the emigration from that port, and then examines the connection between the emigration system and the social and economical position of Macao.

Ever since the Hong Kong authorities had prohibited it the emigration from Macao had had a tendency to increase, and Senhor Corvo feels that there are many reasons which call for its suppression, also declaring that the real interests of the Colony were sacrificed to an illusory prosperity, which, while destroying the energy of the population, discredited the Portuguese name. At the same time the relations with China were becoming less and less cordial, and might come to open hostility were the traffic not abandoned. As a proof, however, of how faithfully the Portuguese authorities had fulfilled their duties, he says that, while the number of Coolies who emigrated from the Colony in the four years, 1868-1872, amounted to 57,883, the number of those who were repatriated, on the ground of their having been deceived, was 15,138.

Senhor Corvo then gives the following particulars about Macao:—

In 1829 the population consisted of 4,878 “Christians,” 537 slaves and 8,000 Chinese;
In 1849 (before the Coolie traffic had begun) of 4,087 Christians, 500 slaves, and 25,000 Chinese;
In 1860 of 5,219 Christians, and 56,252 Chinese;
In 1871 of 5,375 Christians, and 64,029 Chinese.
He then cites as a remarkable fact that the Portuguese population of Macao could not have found themselves under such favourable circumstances under the Coolie traffic system, inasmuch as the Portuguese residents in Hong Kong outnumbered the British by one-third, and that the more the coolie traffic developed itself the greater became this proportion.

He also declares that the commerce of Macao has been almost stationary of late years; the general commerce (export and import) amounting in 1864 to 10,552 contos of reis, in 1865 to 10,954 contos of reis, and in 1871 to 10,889 contos of reis. The average total annual commerce in the period 1864-1866 was 10,882 contos of reis; in 1870-1872, 8,915 contos of reis; the opium alone in the latter period exhibiting an increase of from 12 to 15 per cent.

These figures, he considers, show that the coolie traffic, instead of promoting the natural commercial development of the Colony, had absorbed its whole activity, destroying the natural sources of wealth; and a comparison with Canton and Hong Kong which he makes acts, he says, as an additional proof.

The public revenue of Macao, which in 1860-61 amounted to 208 contos of reis, attained in 1872-73 to 380 contos of reis, the expenditure being at these two periods 115 contos of reis and 266 contos of reis respectively. In the sixteen years from 1857 to 1873 the general receipts showed an increase of 365 per cent., but that portion of them derived from the sale of opium and the grant of licenses for lotteries and gambling-houses increased at the rate of 909 per cent. The augmentation in the receipts and in the expenditure therefore, as near as possible, kept pace, and the suppression of the coolie traffic will undoubtedly cause a corresponding diminution in both. Though this suppression will no doubt be prejudicial to individuals, Senhor Corvo considers that undoubtedly the traffic had corrupted the morals of the Colony, and alienated it from more legitimate sources of prosperity; at the same time he cites authorities which, he alleges, prove that the emigration business was concentrated in a few hands; that nearly all the gains derived therefrom went into foreign pockets; and that it was to a great extent, if not totally, in the hands of foreigners.

Senhor Corvo concludes by pointing out that this abolition is in consonance with Portuguese traditions and necessary to the honour of the Portuguese name.

Inclosure 2 in No. 7.

Extract from the Report and Documents respecting the Abolition of Chinese Contract Emigration at Macao, laid before the Cortes during the Legislative Session of 1874 by the Minister of Marine and Colonies.

(Translation.)

Ordinance issued by the Department of Marine and Colonies to the Governor of the Province of Macao and Timor, on the 20th of December, 1873, doing away with the Chinese Contract Emigration at Macao.

WHEREAS numerous documents proving the great abuses and disastrous occurrences occasioned by the emigration of Chinese Coolies, who are exported from China to foreign countries under contract as colonists, have been submitted to His Majesty the King; and His Majesty, considering that—in spite of the persevering efforts of the Portuguese authorities by means of the strictest and most minute regulations and of the most scrupulous vigilance—it has been found impossible to prevent the fatal irregularities which are inseparable from the emigration which is carried on through the Port of Macao, and that, therefore, it is not possible to tolerate any longer that, in Portuguese territory and under the sanction of its authorities, a trade should be continued, the effects of which have been proved to be so repugnant to the principles of justice and of humanity of a Christian and civilized nation, ordains, through the Department of State for Marine and Colonies, that the Governor of the Province of Macao and Timor shall declare, in accordance with, and for the purpose laid down in the 84th Article of the respective regulations that the contract emigration of Chinese colonists is prohibited through the port of the city of Macao; and that, on the expiration of the period mentioned in the aforesaid Article, the free emigration for the Portuguese Colonies shall alone be allowed; and with this view the said Governor shall adopt the same measures as prescribed in the regulations observed in the British Colony of Hong Kong, and report, through the said Department of State, both by telegraph and by letter, whatever may occur upon this matter.

At the Palace, December 20, 1873.

(Signed) JOAO DE ANDRADE CORVO.
Viscount of S. Januario, Governor of the Province of Macao and Timor, to the Minister and Secretary of State for the Department of Marine and Colonies.

(Extract.)
Most Illustrious and Excellent Sir,

I have the honour to inform your Excellency that, having received on the 22nd of December your Excellency’s telegram dated the 20th of that month, wherein you directed me to prohibit definitively the Chinese emigration through the Port of Macao, having in view the 84th Article of the Regulations, and to adopt measures in the sense of the Ordinance at Hong Kong, I immediately proceeded to carry the same into execution.

In the first Official Bulletin published after the reception of the said instruction I promulgated my Decree No. 89 of the 17th of December, containing that provision, as your Excellency will perceive from the inclosed copy. In the next Bulletin I published the Decree No. 1 of the 2nd instant, containing other provisions supplementary to the first, of which I also inclose copy.

I shall have to study and publish many other measures in continuation of these during the period which will elapse until the decision shall come finally into effect, and which will tend not only to the suppression of everything concerning the traffic in contract colonists, but also to the apportioning of some compensation to a great many employés who lose the greatest part of their emoluments; to the providing for the public peace and tranquillity, inasmuch as a great number of the Chinese who were emigration brokers, and who are far from being well behaved, remain without employment; and, finally, to assisting trade at Macao by opening new outlets for it, if possible.

Moreover, I am studying the new provisions to be enforced at Macao, like those at Hong Kong, with respect to the departure of Chinamen for foreign countries, and from the answer which your Excellency will be pleased to give to my telegram of the 31st of December, I shall know whether I can publish and enforce the regulations in question on my own authority or whether I must submit the same for your Excellency’s approval.

As I had the honour to state to your Excellency in my Reports upon this matter, a great decrease will be felt in the Treasury of Macao, in consequence of the measure which has just been adopted; the interests of many individuals will be affected either directly or indirectly, and this will produce a certain crisis at Macao; but this crisis will only be temporary; the faculties of that part of the population affected thereby will gradually devote themselves to affairs more respectable and safer; the public revenue will accrue from other sources; and, after some time, the equilibrium will be restored.

In the meanwhile a great reform, dictated by morality, by the exigencies of our international relations, and by the dignity of the nation, will have been effected; because, although it was not our fault, it is nevertheless evident that to allow this system of emigration to be carried on through this port, and the sanction given by the Portuguese Government to the contracts made here, imposed a great responsibility upon it.

Now this prohibition is meritorious, because it shows the greatest disinterestedness, and it is made spontaneously because it is exempt from all foreign pressure, and we cannot affirm that this would be the case later on.

I therefore congratulate your Excellency upon the adoption of this measure, which has been highly praised by the English press, and which, while it shows our disinterestedness and self-denial, frees Portugal from formidable charges; and your Excellency may rest assured that while I remain here I shall devote all my attention to facilitate this transition, which is indeed attended with a great many difficulties.

I shall report to your Excellency any future occurrence, and shall apply for the necessary authority to enforce any measures that may exceed the limits of my official jurisdiction.

May God preserve your Excellency.

Government House, Macao, January 3, 1874.

No. 8.

Sir B. Robertson to Lord Tenterden.—(Received July 11.)

My Lord,

In accordance with the instructions conveyed in a despatch from Her Majesty’s Minister, I have the honour to forward copies of the two despatches of the 28th
ad 29th of April, with copy of my reply, and three copies of the "Boletim da Provincia e Macau e Timor."*

I have, &c.  
(Signed)  
B. ROBERTSON.

Inclosure 1 in No. 8.

Mr. Wade to Sir B. Robertson.  
Peking, April 28, 1874.

I SHALL be obliged by your transmitting to the Foreign Office three copies of the "Boletim da Provincia de Macau e Timor," published at Macao on the 31st January last.

When forwarding them you will be so good as to state that they are the papers referred to in my despatch to Earl Granville of the 27th instant.†

Yours, &c.  
(Signed)  
THOMAS FRANCIS WADE.

Inclosure 2 in No. 8.

Mr. Wade to Sir B. Robertson.  
Peking, April 29, 1874.

I INDEPENDENTLY of any observations that may have been made on the subject in the Hong Kong journals, it has been suggested to me, by a person whose opinion is entitled to respect, that the careful regulations affecting shipment of coolies, promulgated in the Macao Gazette referred to in the foregoing despatch, will but cover a recommencement of coolie emigration under its former objectionable conditions. I need hardly recommend the matter to your watchful attention, and I shall be obliged to you at once to inform me whether, in your opinion, there is ground for the dangers which I mention as possible.

Yours, &c.  
(Signed)  
THOMAS FRANCIS WADE.

P.S.—You will be so good as to forward copies of this and the foregoing despatch, as well as of your reply, to the Foreign Office direct.

T. F. W.

Inclosure 3 in No. 8.

Sir B. Robertson to Mr. Wade.  
Canton, May 20, 1874.

I HAVE the honour to acknowledge the receipt of your despatches of the 28th and 9th of April, and to inform you that I have obtained, and will forward to the Foreign Office by the ensuing mail, three copies of the "Boletim da Provincia de Macau e Timor," stating they were the papers referred to in your despatch to Lord Granville of the 27th of April.

With reference to your despatch of the 29th of April, it is impossible to say to what expedients the coolie agents may resort to evade the stringent regulations of the passenger regulations lately published in the Macao Gazette. I call them passenger regulations, for you will observe from the copy of the Boletim of the 31st January, which I inclose, that they refer only to Asiatics, and not to Chinese emigrants, the preamble to the ordinance disposing of the latter as prohibited by the Decree of the 27th December, 1873.

This last mentioned Decree was so precise in its terms, "Emigration of Chinese polies must cease at the expiration of three months from the date thereof," that the coolie agents even concluded their business was closed; but, on the publication of the passenger regulations above mentioned, they appear to have seen their way to a restoration of the traffic, and the plan they adopted was to have the barracoons licensed as inns or hotels for Chinese passengers en route for foreign countries, and, strange to say, they obtained such
licences from the Government, although it must have been patent to everyone that, as regards the purposes to which these houses were to be applied, calling them inns instead of barracoons was a distinction without a difference.

I took an opportunity of speaking to the Viceroy Jui-lin on the subject, and I will repeat, as nearly as possible, what he said in reply:

That he wrote some time ago to the Governor of Macao that he had heard a new system had been established, called "inns," and he feared these inns were nothing but coolie barracoons under another name, and requested they might be suppressed.

To this the Viscount de San Januario replied that it was true he had sanctioned the establishment of inns, but they were to accommodate Chinese who traded between Macao and Singapore, Penang and Manila. Such traders, before the suppression of the barracoons, having been accustomed, while at Macao, to lodge in them, but now they were closed they required inns for their accommodation. On the receipt of this letter the Viceroy ordered Colonel Peng yak to go to Macao, and see the Viscount de San Januario, and tell him as follows:

"The King of Portugal has issued a Proclamation forbidding coolie emigration from Macao: this fact the Viscount de San Januario officially communicated to the Viceroy, and the Viceroy has memorialized the Emperor of China. If emigration is resumed whether under the name of barracoons or inns, the Viceroy will send gunboats to Macao, and will land troops with orders to destroy such inns, and bring the persons engaged to Canton for punishment."

Upon this the Viscount de San Januario wrote a despatch to the Viceroy, in which he said he had ascertained that many persons mixed up in the coolie business were also mixed up in these inns for Chinese, that these people had deceived him, or he would not have given his sanction to these inns being opened, and that, now he knew the real facts of the case, he had suppressed them. Coolie emigration, as regards Macao, had been closed, and if anyone tried to resume it, and the Viceroy heard of it, and should send troops to Macao, the Portuguese troops would aid them in suppressing the illicit traffic.

With this despatch the Viceroy said he was satisfied, and, as regarded any new regulations having reference to coolie emigration, he would admit but one, and that was no coolie emigration whatever could take place from Macao.

As far as the coolie agents are concerned, they are, with the exception of one firm, Garcia y Garcia, still at Macao, and expecting to recommence business again, but under what terms I have not yet discovered. The general opinion in the Settlement, however, is that emigration cannot go on unless the inns, or some establishment where coolies can be collected, are allowed to exist.

With regard to the regulations of the 31st January last, there is nothing in them to prevent emigration from Macao, provided the coolies are called passengers, and have no contracts. That the agents will endeavour to get over this difficulty, although they failed in the inn scheme, may fairly be anticipated. That affairs there will be closely watched by the Provincial Government of Canton there can also be little doubt, and less that immediate measures will be taken, as threatened, if the latter sees any signs of evasion of the promise that coolie emigration should cease.

I will, of course, furnish you with all the information in my power, but, since the Vice-Consulate at Macao was closed I have had, and have, great difficulty in obtaining reliable intelligence, which is to be got, not from common report, or the reply of some individual resident in the settlement to a question, but from some one whose duty it is to enquire and report what he hears, and to watch the course of events for the information of Her Majesty's Government.

---

No. 9.

Mr. Wade to Earl Granville.—(Received July 21.)

My Lord,

Peking, April 27, 1874.

MY attention has been directed to certain regulations recently issued at Macao regarding the carriage of Chinese or other Orientals to parts beyond the sea. The Regulations themselves are not in general other than any Government concerned in emigration would publish, but the known interest in emigration, as heretofore conducted at Macao, of many persons who must be sufferers by the sudden abolition of the system, and the known desire of more countries than one to secure emigrants, in particular Chinese emigrants, has occasioned some doubt as to the bona fides of these regulations, or at least as to the security of freedom to the emigrants shipped under them.
I inclose copy of that portion of the preamble which has provoked suspicion, and I have requested Sir Brooke Robertson to forward to your Lordship three copies of the "Boletim de Macao," in which they appeared. I have also instructed him to report his opinion as to the possibility of their provisions being abused.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 9.


THE Governor in Council, referring to the Proclamation of the 27th December last, in accordance with which the coolie trade, as heretofore conducted, was to cease on the 27th March, promulgates regulations in three sections to affect the transport of all Asiatics leaving Macao by ship for other than Chinese ports.

The third paragraph of the preamble runs thus:—

"Inasmuch as no authority can refuse any individual in the full enjoyment of his liberty the right to take a passage in this port (Macao) for any other to which he may be bound, it being a duty at the same time to watch over the preservation of his freedom, and the assurance to him of the good condition in every sense of the vessels which may have to carry a considerable number of passengers."

The clause regarded as suspicious is that at the head of the paragraph:—

"Considerando que a auctoridade não fode negar a nenhum individuo em pleno gozo da sua liberdade o direito de tomar passagem n'este porto para outro qualquer a que se destine," &c.

No. 10.

Sir B. Robertson to Lord Tenterden.—(Received July 23.)

(Extract.) Canton, June 9, 1874.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 30th April, inclosing, for my information, and such inquiries as I may be able to make into the matter, an extract from a despatch from Her Majesty's Consul-General in the Havana, mentioning a report that the coolie traffic from Macao is being resumed under the name of free emigration.

Your Lordship will have received my despatch of the 21st of May on this subject, from the inclosures in which you will see that free emigration has been substituted for that under contract at Macao. No vessel, however, has been dispatched under it, and, after the failure of the coolie agents to reopen the barraconos under the name of inns, nothing further has been done in the matter, and the general impression is that the Macao coolie traffic is a thing of the past.

I would not, however, go so far as to say that such is the case, for the profits made in the business are too large to be abandoned easily; and, indeed, I view this new phase of emigration with some suspicion. There is nothing, therefore, left but to trust that the Lisbon Government and the Executive at Macao will admit of no evasion of the conditions of the late Decree, and I will, as far as possible, watch events and keep Her Majesty's Minister at Peking informed on the subject.

No. 11.

Count Münster to the Earl of Derby.—(Received August 4.)

(Translation.)

My Lord,

German Embassy, July 28, 1874.

ON the 3rd of December last Lord Granville did me the honour of communicating to me a copy of a Report from the Royal British Governor of Hong Kong, from which it appeared that the German firms of Paul Ehlers and Co., and Pustau and Co. had been directly concerned in the coolie trade.
Since Sir Arthur Kennedy's Report on this subject has been inserted in the Parliamentary Correspondence (China), No. 2, 1874, the firm of Pustau and Co. has considered itself bound to protest against the, as it says, undeserved accusation of having taken part in the Macao coolie trade, and has applied for my intervention for this purpose.

In order to free themselves from the undeserved reproach, and to obtain from Sir Arthur Kennedy reparation for their wounded honour, Messrs. Pustau and Co. addressed to the Governor the letter dated the 3rd of last month, of which a copy is respectfully inclosed (letter A), and proved by their correspondence with the Authorities at Hong Kong, also inclosed, that the accusation contained in the above-mentioned Report must rest upon error.

Sir Arthur Kennedy, in his answer to the reclamation of Messrs. Pustau and Co., a copy of which is likewise inclosed (letter B), declares that he is ready to lay the correspondence of those gentlemen with the Authorities at Hong Kong before the Secretary of State, and if he should recognize the error committed, to make the desired reparation.

Since the Imperial German Consul at Hong Kong has also declared to me, in a letter of the 12th of last month, most decidedly that the firm of Pustau and Co. has always kept entirely clear from any direct or indirect participation in the coolie trade, I think I must most respectfully request that your Excellency will be kindly pleased to have the inclosed documents subjected to a strict examination; and, if the statements contained therein should turn out to be based upon truth, to cause the passage relating to Messrs. Pustau and Co. in the above-mentioned Parliamentary Correspondence, to be rectified in the most satisfactory manner for those concerned.

With, &c.  
(Signed) MÜNSTER.

Inclosure 1 in No. 11.

(A.)

Your Excellency,

Hong Kong, June 3, 1874.

FROM a friendly hand we just received a copy of the Blue Book, entitled "China, No. 2, 1873: Correspondence respecting the Macao Coolie Trade," and it is with deep regret and pain that we perceive in it, on page 5, an inaccuracy and imputation affecting us, which appears based upon erroneous impressions, and calls for immediate contradiction.

Ad 1. We most respectfully deny the justification of your accusation that we are directly concerned in the coolie trade.

Ad 2. Steamer "Nelusko." We had informed the Acting Harbour-master at once that we were not agents of her, and it is a matter of surprise to us that your Excellency entirely omits cognizance of our letter of the 23rd of August, 1873, to the Harbour-master, a copy of which we herein inclose.

We will, under the circumstances, tender an explanation as regards this steamer, because if this case remains as represented by your Excellency, it may mislead to the belief that we were indeed directly concerned in the Macao coolie trade, which insinuation we have every reason to reject.

The steamer "Nelusko," in consideration of our supplying most of her cargo from London to Hong Kong and Shanghai, was to be consigned to our firm also for outward employment. She was thus consigned to us on her return from Shanghai, and until the end of July 1873, when her captain declared that he wished to take no other than a coolie charter, upon which he was at once told by us that we would not lend our hands for such a purpose, and we accordingly lost the commission on an outward freight rather than procure a coolie charter for the steamer.

We afterwards heard that the captain of the "Nelusko" had himself carried out his intention, which to hinder was as little in our power as in your Excellency's.

Ad 3. "Louisa Canevaro" and "Columbia." These vessels came here for repairs, under circumstances detailed in our letters of 23rd of August, 1873, addressed to the Harbour-master; and 23rd, 25th, and 28th of August, 1873, addressed to the Colonial Secretary, and the simple services to be rendered to above vessels can, in fairness, and in our humble opinion, not be construed into the imputed inference.

We crave your Excellency's attention to our letter of the 23rd of August, 1873, addressed to the Colonial Secretary, explaining:—

"At the same time we beg to inform you that our agency, as on former occasions with these ships, refers to her (the "Louisa Canevaro") only whilst under repairs, and such temporary agency is necessitated from the owners only by the insurance being [320]
We effected in London, consequently she had to repair under Lloyd's Surveyor's supervision, and the average papers required due form."

It is pretty well known in this Colony that our such agency never extended any farther. We, therefore, most respectfully repeat that we have always refused to be in any way connected with the coolie trade, and your Excellency may sympathize with our resolve not to appear charged to the contrary.

May it therefore please your Excellency to fulfil our most respectful requests to supply the Secretary of State also with copies of our letters of 23rd of August, 1873, addressed to the Harbour-master; and 23rd and 25th of August, 1873, addressed to the Colonial Secretary; and of the present letter, or to take such measures as it may appear expedient to your Excellency's impartiality for their appearance in the next Blue Book, which direct course of publicity we would infinitely prefer to any other form, though the harm inflicted on us unjustly can hardly be mitigated thereby.

Noticing from the letter of Lord Tenterden of 2nd of December, 1873, to Mr. Herbert that the incomplete correspondence has been communicated to the German Ambassador in London, we request your kind permission to supply full copies also of the present to the German Consul, with the request to forward them to the German Ambassador in London.

It is a duty to ourselves, the eldest German firm in Hong Kong, to keep our good name in honour, and your Excellency may rest assured that we shall ever be prepared to uphold the same.

Yours, &c.

To His Excellency Sir Arthur Kennedy,
Governor of Hong Kong.

---

Dear Sir,

With reference to your Circular letter of yesterday, we beg at once to state that we are not the agents of the Belgian steamer "Nelusko."

The "Louisa Canevaro," which vessel sustained damages at sea by stress of weather, and the "Columbia" being insured in London, preferred to repair in Hong Kong under Lloyd's Surveyor's instructions, after first obtaining your permission to do so, and will, therefore, we trust, not fall under the provisions of the Ordinance.

If, nevertheless, and notwithstanding your permission, the ships will not be allowed to complete their repairs, kindly inform us at once.

We remain, &c.

Alfred Lister, Esq.,
Acting Harbour-Master.

---

Sir,

With reference to a letter addressed to us yesterday by the Harbour-master, from whom you have received information of our reply, we beg to state to you direct that the "Louisa Canevaro" is under contract for repairs in consequence of damages sustained at sea by stress of weather, and is disabled to leave.

We think she may be ready to leave in about four weeks from date, and we wish to ascertain whether there is any objection to completing her contracts entered upon with the Hong Kong and Whampoa Dock Company and with Messrs. MacEwen Frickel and Co., under observance of the forms hitherto in force.

At the same time we beg to inform you that our agency, as on former occasions with these ships, refers to her only whilst under repairs, and that such temporary agency is necessitated from the owners only by the insurance being effected in London; consequently she had to repair under Lloyd's Surveyor's supervision, and the average papers require due form.

We have, &c.

To the Hon. Cecil C. Smith,
Acting Colonial Secretary, Hong Kong.
Inclosure 2 in No. 11.

(B.)

Gentlemen,

Colonial Secretary's Office, Hong Kong, June 9, 1874.

I HAVE the honour to acknowledge the receipt of your letter of the 3rd instant, and to acquaint you, in reply, by desire of his Excellency the Governor, that no time will be lost in transmitting a copy of your letter to the Secretary of State for the Colonies, together with the whole of the correspondence between yourselves and the Local Government in reference to the ships "Nelusko," "Louisa Canevaro," and "Columbia."

If, with all the facts thus before him, the Secretary of State should be of opinion that an error has been committed, this Excellency feels assured that immediate steps will be taken to rectify it, and in such case his Excellency will be only too happy to retract any misstatement which may be shown to have been made.

In respect to the desire expressed by you that his Excellency should communicate directly with the German Ambassador in London, I am desired to point out that, although it is quite competent to you to adopt such course, his Excellency is unable to comply with your request.

At the same time, however, his Excellency wishes you clearly to understand that he has an earnest desire to aid you in removing all semblance of complicity in a trade which he is glad to find you consider incompatible with good name and honour.

I have, &c.

(Signed) J. GARDINER AUSTIN,
Colonial Secretary.

Messrs. Pustau & Co.,
&c. &c. &c.

No. 12.

Mr. Herbert to Lord Tenterden.—(Received August 8.)

Sir,

Downing Street, August 7, 1874.

I AM directed by the Earl of Carnarvon to transmit to you, for the information of the Earl of Derby, a copy of a despatch from the Governor of Hong Kong, transmitting a copy of correspondence with Messrs. Pustau and Co., a German firm trading at Hong Kong, respecting their alleged agency in respect of the coolie-carrying steamers "Nelusko," "Louisa Canevaro," and "Columbia."

I am to suggest that this despatch, and its inclosures, should be communicated to the German Ambassador at this Court, and that they should be included in any further correspondence to be presented to Parliament in continuation of the Macao Coolie Trade Paper of 1874.

I am also to transmit a copy of a despatch on the subject, which will be addressed to the Governor of Hong Kong by the next mail.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

Inclosure 1 in No. 12.

Sir A. Kennedy to the Earl of Carnarvon.

My Lord,

Government House, Hong Kong, June 12, 1874.

I HAVE the honour to transmit the copy of a letter dated June 3, 1874, from Messrs. Pustau and Co., a German firm in this Colony, complaining of statements made by me, and published in Parliamentary Paper No. 2 (1874), respecting the Macao Coolie Trade.

I also transmit copies of letters from Messrs. Pustau on the same subject,† which they deem essential to their justification, and which do not appear in the published correspondence.

I trust that it is hardly needful for me to preface my remarks by disclaiming all desire

* No. 11.
† Inclosure 1 in No. 11.
to injure the good name and honour of a firm with some of whose members I am on the most friendly terms.

Your Lordship will observe that in my despatch dated September 3, 1873, of which they complain, I express my surprise (and I might have sincerely added my regret) to find them acting as Agents for three of the most notorious coolie slave ships on the coast.

Messrs. Pustau complain that I have in the despatch just quoted charged them with “being directly concerned in the Macao Coolie Trade.”

On full consideration, I am of opinion that this is not verbally accurate, and that the omission of the word “direct” would have left the statement more in accordance with the knowledge I possessed.

On the other hand, Messrs. Pustau and Co. fully admit their agency in the case of the two ships “Louisa Canevaro” and “Columbia,” which they well knew as notorious coolie ships, and protested against their removal from Hong Kong waters *(vide page 6 of Printed Papers)*, when they well knew they were being fitted and provisioned for the transport of coolies,—an agency from which it is difficult to believe they did not derive profit.

Messrs. Pustau draw distinctions between different kinds of agency which I am unable to appreciate.

The ships for which they admittedly acted as Agents were notoriously being fitted and provisioned in Hong Kong Harbour before proceeding to Macao to ship their cargo.

Messrs. Pustau and Co. lay much stress on my alleged misstatement that they were Agents for the ship “Nelusko.”

I would not willingly charge Messrs. Pustau with aught that was not in my opinion borne out by facts; and I do not think that any stronger evidence of their agency can be adduced than the explanation they offer in their letter of the 3rd June, 1874, under this head, as well as their full knowledge of the character of the trade in which the ship was engaged.

I inclose a copy of the reply I caused to be returned to Messrs. Pustau’s letter.

* I have, &c.

(Signed) A. E. KENNEDY.

---

Inclosure 2 in No. 12.

*The Earl of Carnarvon to Sir A. Kennedy.*

Sir,

D **owning Street, August 6, 1874.**

I HAVE communicated to the Earl of Derby a copy of your despatch of the 12th of June last, respecting the agency connection of Messrs. Pustau and Co. with the coolie trade steamers “Nelusko,” “Louisa Canevaro,” and “Columbia,” and I have suggested to his Lordship that these papers should be communicated to the German Ambassador in London, and that they should be included in any future paper presented to Parliament respecting the Macao Coolie Trade.

I have, &c.

(Signed) CARNARVON.

---

*No. 13.*

**The Earl of Derby to Baron von den Brincken.**

M. le Baron,

*Foreign Office, September 4, 1874.*

ON the 28th of July last, his Excellency Count Münster forwarded to me a letter, addressed to the Governor of Hong Kong by the German firm of Pustau and Co., in which they complained that he had unjustly charged them with direct participation in the coolie trade; and, in doing so, his Excellency anticipated a communication I was about to address to him, sending him a copy of the identical letter which had been received from the Governor, as well as copies of the correspondence by which it had been followed.

On receiving his Excellency’s note, I thought it better to defer my communication till I had again consulted Her Majesty’s Secretary of State for the Colonies, through whose hands the correspondence had originally passed; the result of that consultation has been to confirm the opinion which I had previously formed, that the papers should be communicated to the Imperial Embassy; and I have, therefore, the honour to inclose copies of them herewith.

I have to add, that it is the intention of Her Majesty’s Government to include the
correspondence in the next series which may be published, and laid before Parliament, of
papers on the subject of the coolie traffic; and I hope that this step will satisfy the wish
which Messrs. Postau and Co. appear to entertain, that full publicity may be given to their
disclaimer, of their connection with that traffic.

I have, &c.
(Signed) DERBY.

No. 14.

Mr. Dunlop to the Earl of Derby.—(Received September 22.)

(Extract.) Havana, September 1, 1874.

I HAVE already solicited your Lordship's attention to negotiations which will probably
be privately attempted at Lisbon in favour of a re-opening of the Coolie traffic from Macao
to Cuba; and some days ago I learned that some of the head-men of the free Chinese in
Havana have been sounding on the possibility of their (the Chinese) acting with the
so-called Colonisation Society for the purpose of establishing "Agencies" in the Chinese
sea-ports, to induce "passenger colonists" to accept passages to other places, with an
ultimate destination to Cuba; and also to see if something can be done in the Japanese
sea-ports, so as to extend the system indirectly there.

I scarcely think the Chinese freemen (some of whom are in trade, keep small shops,
and make a little money) will fall into the snare; but the proposal has been made to
them, and prospects of lucrative shares in profits held out.

No. 15.

Sir B. Robertson to Lord Tenterden.—(Received October 6.)

My Lord.

REFERRING to my despatch of the 21st May, I have now the honour to forward
a translation of the Macao Passenger Regulations therein referred to.

I have, &c.
(Signed) B. ROBERTSON.

(Translation.)

Inclosure 1 in No. 15.

Regulations for Asiatic Passengers and their Transport at the Port of Macao.

Section I.—Passengers.

Art. 1. EMBARKATION at the Port of Macao is permitted to every Asiatic pas-

senger who is in the enjoyment of his liberty and who is not in any way subject to the

conditions of bondage.

Art. 2. The Portuguese Authorities in Macao shall not sanction nor recognize any

transaction entered into under the pretext of inducing persons to emigrate.

Art. 3. Asiatic passengers shall be considered in all respects as any other

passengers.

Art. 4. Passengers must provide themselves with individual passports obtained

from the Government Offices by means of a proper security,

§ 1. If any passenger goes on board without a passport, or if the passport be not in

order, he shall be disembarked.

§ 2. No passport shall be given to any individual whose arrest has been applied for,
in conformity with the Treaties existing with the nation to which the said individual

belongs.

§ 3. No passport shall be given to minors without the consent of their fathers or

guardians.

Art. 5. No lodgings shall be permitted in Macao for Asiatics who intend or not to

travel to foreign countries, except it be proved that such Asiatics are in a condition of

perfect freedom.
Art. 6. It is not permitted that those vessels which are intended for the conveyance of Asiatic passengers shall be provided with gratings, chains, or other fittings which are intended for the purpose of confining or interfering with the perfect liberty of the passengers.

Section II.—Emigrant Vessels.

Art. 7. The vessel which carries more than thirty Asiatic passengers for a voyage of more than seven days shall be considered an emigrant vessel, within the scope of these Regulations.

§ 1. The vessel which voyages for more than seven days, but which carries less than thirty passengers, shall only be subject to each of these Regulations as are framed to secure him freedom of the passengers.

§ 2. In both cases all the passengers must provide themselves with a proper passport.

Art. 8. Every individual who designs his vessel to be an emigrant ship for Asiatic passengers must obtain, through the Captain of the Port, a special licence from the Colonial Secretariat.

Art. 9. Every vessel intended as an emigrant vessel for Asiatic passengers shall be minutely examined by the Captain of the port, in order that it may be ascertained that the said vessel has the necessary capacity, armament, and fittings.

§ 1. The vessel must have a space of at least 2 mètres between decks for the accommodation of passengers.

§ 2. The number of passengers shall be regulated at the rate of 3 cubic mètres for each adult passenger, or for two children under 12.

§ 3. A separate compartment shall be assigned to the women.

§ 4. The Captain of the port shall report to the Government Secretariat the result of the said inspection, and shall declare what is the number of passengers that can be carried in the said vessel.

Art. 10. A medical man, as health officer, shall see that the vessel is in a healthy condition; that the quarters assigned to the passengers are sufficiently roomy and ventilated; that the various provisions, water and medicines, are of good quality and sufficient in quantity for the number of passengers the vessel is about to carry.

Art. 11. The captain of the vessel shall state a date by which he shall be bound to hand over to the Portuguese Consul of the port of destination, if there is any Consul, the passengers whom he has carried in his vessel. The captain is responsible for the fulfilment of this part of the Regulations, as well as for the carrying out the orders he has received from the Captain of the port and from the medical officer relative to the treatment of the passengers carried.

Art. 12. All the vessels destined to carry Asiatic passengers shall carry interpreters for the different dialects of the passengers on board.

Section Special. The said interpreters must be approved of by the Procurador of Chinese Affairs.

Art. 13. No vessel shall leave Macao with more than fifty passengers without a doctor, a sick attendant, and the proper medicines.

Section Special. Carrying more than 200 passengers the vessel must have on board two doctors if they are Chinese.

Art. 14. No sailing-vessel will be allowed to start from Macao with passengers during the season that the monsoon is adverse to the voyage which it is proposed to make.

Art. 15. The consignee or captain of the vessel, in accordance with Article 5 for the regulation of emigrant vessels, shall lodge as security a sum of 4,000 dollars in such manner as the Government Secretariat may lay down.

Special. The said security can be withdrawn after the presentation within fifteen months of legal documents showing that the vessel had arrived at her destination, and had complied with these Regulations. Provision to be made for exceptional cases.

Art. 16. Any offence committed by any passenger on board during the stay of the vessel at the port of Macao shall be reported by the master of the vessel to the Captain of the port.

In no case shall the master inflict any other punishment than detention until the offender can be sent on shore.

Art. 17. It is not permitted that any vessel should keep passengers on board for more than three days before the time fixed for sailing.

Art. 18. Every vessel intended to convey Asiatic passengers in accordance with these Regulations shall, three days before clearing, have on board a guard of police, whose
duty it shall be to maintain order in conformity with the instructions received from a competent authority.

Section Special. This guard shall be relieved daily.

Art. 19. On the day proposed for sailing, the vessel carrying Asiatic passengers, before weighing, shall be visited by the Captain of the port and by an officer specially appointed by the Governor, accompanied by one or more interpreters.

§ 1. The passengers shall be counted and gone over with the list furnished by the masters, be tallied with their passports, and shall at the same time be asked individually whether they wish to proceed on the voyage or not.

§ 2. In case any passenger refuses to proceed on the voyage he shall be immediately put on shore, and shall have no claim for the return of his passage money.

§ 3. The number of passengers that the vessel carries shall be recorded in the ship's log.

§ 4. An examination of the ship's articles shall be held to ascertain that the number and proficiency of the crew is correct.

§ 5. A search shall be made on board the vessel to certify that she is not clandestinely carrying other passengers.

Art. 20. If after the examination it is considered that all or part of the conditions of these regulations are not satisfied, the vessel shall be detained until the Captain has satisfied them, and such penalty shall be imposed as the infractions committed shall require.

Art. 21. After the examination of the vessel and the questioning the passengers is completed, a document shall be drawn up by the officials present allowing the vessel to proceed on her voyage. This document shall be given to the Captain, and a copy thereof shall be sent to the Secretary of the Government, and the vessel shall immediately proceed on her voyage. Exceptional circumstances excepted.

Art. 22. After the visit of these officers, no passenger will be allowed to go on board. The Captain will be held responsible for the breach of this rule.

Art. 23. A duplicate list of the passengers shall be sent to the Portuguese Consul, if any, at the port of destination, for the purpose of comparing it with the list presented by the Captain.

Section III.—General Rules.

Art. 24. The sanitary conditions, provisions, water, medicines, number of crew fittings, probable length and end of the voyages, shall be regulated by special tables and instructions.

Art. 25. Any infraction of the terms of these regulations shall be punished by the fines and penalties in accordance with laws and regulations now in force.

Art. 26. The terms of these regulations do not prevent the Government from contracting or authorizing contracts of emigrants, provided they are employed by our agricultural and industrial works in Portuguese possessions.

Colonial Secretariat, Macao, January 28, 1874.

(Signed) HENRIQUE DE CASTRO,
Secretary-General.

Inclosure 2 in No. 15.

Instructions which should be put in practice on board Vessels carrying Asiatic Passengers from the Port of Macao.

(Translation.)

1. THE Captains of vessels intended to convey Asiatic passengers shall adopt and promote the exact observance of the sanitary rules prescribed by these instructions.

2. No passenger shall be received on board until his quarters have been perfectly washed and are dry, and the interior sides, roof, and cabin of the ship have been washed two or three times with lime and water, to which is to be added a portion of glue and a small quantity of chloride of lime. The same operation shall be repeated at the end of each voyage in case the vessel intends to carry new passengers.

3. A place with the best condition of light and ventilation shall be portioned off as a hospital; this shall be completely separate from the quarters of the passengers, and is to have the same advantages stated above. The place for the hospital will vary according to the tonnage or other circumstances of the said vessel.

4. Passengers must be treated with great regularity, both during the voyage and in port, with respect to cleansing, disinfecting, and ventilation of their quarters, likewise with
respect to the disinfecting, cleansing, and airing their clothes; each individual is to be carefully advised to scrupulously attend to cleanliness, and to remove all causes of sickness, even the most insignificant.

5. The quarters shall be swept twice a-day, or oftener if necessary. The daily washing by pouring water shall be prohibited in this part of the vessel on account of the inconvenience such would cause. A general or partial washing of the floor by sponge or swab shall be made when thought necessary, after which the quarters shall be carefully dried.

6. The floor and other wooden portions of the quarters soiled with vomitings or diarrhoeic matter, shall be dried after having been well washed with the following preparation:—

<table>
<thead>
<tr>
<th>Chloride of lime</th>
<th>1 part.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Common water</td>
<td>32 parts.</td>
</tr>
</tbody>
</table>

7. Strict vigilance shall be used to remove from the passengers' quarters everything which might cause dampness or other exhalations noxious to health, such as wet and foul clothing, the remains of meals, pieces of salt fish, meat, &c.

8. The custom of the passengers smoking in their quarters, by which constantly a number of lights are kept up, is prejudicial to health, as the fumes caused by the burning oil, tobacco, and opium vitiate the atmosphere, and should consequently be prohibited. Smoking tobacco is allowed under the awning. For the smoking of opium, a special place should be appropriated until gradually the practice can be forbidden.

9. The passengers' quarters are to be daily disinfected as follows:—In the first place, passengers are to be ordered to leave their quarters, then all or nearly all the openings by which the air enters are to be closed, specially those to windward. An ordinary earthen vessel is to be placed in the centre of the quarters, or two earthen vessels at fixed distances, according to the size of the place. These earthen vessels are to be placed on hot sand or ashes and are to contain the following mixture:—

| Chloride of sodium (common salt) in powder | 3 parts. |
| Broude of manganese | 1 part. |
| Common water | 2 parts. |
| Sulphuric acid, at 66° | 2 parts. |

As sulphuric acid volatilizes the disinfecting vapours of the chloro it shall be mixed afterwards. After one or two hours open and keep open all the hatchways, portholes, and hatches of the passengers' quarters; and use all means to re-establish there a complete ventilation, without which the place is not to be reoccupied by the passengers. As this is a most convenient process, it should be done not only whenever the passengers' quarters can be emptied, but also in ships where there are the facilities of quick ventilation.

10. If circumstances do not allow of all the passengers being under the awning at once, then two-thirds or half of them should go up, and the disinfecting process should be conducted as follows:—

Let a person walking through the quarters with a vessel containing the mixture above stated pour in the sulphuric acid from time to time so that the acid vapours will not rise in sufficient quantity to cause coughing or other inconveniences to the passengers. The inconvenience may also be avoided by the use of vapours of nitric acid, in which there are the following substances:—

| Sulphuric acid, at 66° | 2 parts. |
| Common water | 1 part. |
| Pure nitré, in powder | 2 parts. |

The vessel containing the above should be placed on hot ashes and the nitré poured in little by little.

11. In case bad weather prevents the passengers quitting the hospital or their quarters, the disinfection is to be caused by placing dishes at fixed distances for a few hours containing the following mixture:—

| Chloride of lime, dry | 1 part. |
| Common water | 3 parts. |

12. The fumes of odoriferous substances, such as incense, essences, gunpowder, &c., are inconvenient as they do not destroy the miasma, but have a contrary effect, and add to the air exhalations that cause a difficulty in breathing. When, by any accident, the disinfectants above indicated are not to be found on board, vinegar poured over hot iron may be substituted.
13. The medicine chests of the vessels, besides the medicines prescribed for the use of
the sick, shall be provided with the following articles required for the fumigations above
mentioned, namely:—

Chloride of lime, dry.
Bromide of manganese.
Sulphuric acid, 66°.
Powdered purified nitre.

The quantity of these substances shall be regulated according to the length of the
voyage by the medical man who has to visit the vessel.

14. A daily examination shall be made of the passengers for the purpose of moving
the sick into the hospital, and this removal shall take place however slight the illness
may be.

15. All the refuse and excremental matters shall be at once removed from the
hospital and thrown into the sea. The same is to be done with the clothing and bedding
of those suffering from graver or infectious complaints, and which cannot be made useful
by means of disinfectants and washings.

16. Great care shall be taken that the corpses of the dead be not thrown into the sea
in a too hasty manner; at the same time, it should not be done too slowly, so as not to
prolong the painful sight to the other passengers.

17. The hospital shall be washed, dried and whitewashed whenever there is no patient
in it, and the atmosphere is to be disinfected by the means laid down in paragraphs 2
and 9.

18. Passengers should pass the greater part of the day under the awning, avoiding as
much as possible the checking of perspiration and the chills that atmospheric changes
might give rise to.

19. Bed clothes and other bedding shall be shaken, beaten, and exposed to the air
and brought back before night at least once a week; at the same time the boxes of the
passengers shall be brought on deck in order that their contents may be aired.

20. Personal cleanliness is absolutely necessary, not only for the preservation of the
health of the individual, but of that of all who surround him. This should be strictly
recommended to the passengers, they should be advised to wash their face, hands, and feet
daily, to change their clothing, and wash such as is dirty.

21. All these sanitary arrangements should be the more punctually carried out
whenever an epidemic should appear, or any serious or contagious disease manifest itself
on board.

Table 1.—Table of Provisions, &c., that all Vessels carrying Asiatic Passengers from the
Port of Macao must have on board.

<table>
<thead>
<tr>
<th>Daily Ration for each Asiatic Passenger.</th>
<th>1½ lb.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rice</td>
<td></td>
</tr>
<tr>
<td>Salt pork meat, or two-thirds pork, one-third fish; or, one-third pork, one-third beef, one-third fish</td>
<td>⅛ lb.</td>
</tr>
<tr>
<td>Preserved vegetables</td>
<td></td>
</tr>
<tr>
<td>Tea</td>
<td></td>
</tr>
<tr>
<td>Firewood</td>
<td></td>
</tr>
<tr>
<td>Water at the rate of 12 gallons a-week</td>
<td>20 oz.</td>
</tr>
<tr>
<td>for each Asiatic passenger.</td>
<td></td>
</tr>
</tbody>
</table>

No. 16.

The Earl of Derby to Mr. Cobbold.

Sir,

I TRANSMIT to you an extract of a despatch from Her Majesty's Consul-General
at the Havana, * relative to negotiations which he understands are likely to be made at
Lisbon with a view to reopening the coolie trade from Macao.

You will, of course, not fail to report to me anything that may come to your
knowledge with regard to the alleged negotiations.

I am, &c.

(Signed) DERBY.

* No. 14.

[320]

Foreign Office, October 10, 1874.
No. 17.

Mr. Lister to Mr. Herbert.

Sir,

Foreign Office, October 14, 1874.

I AM directed by the Earl of Derby to transmit to you, to be laid before the Earl of Carnarvon, for his perusal, a despatch from Her Majesty’s Consul at Canton, inclosing a translation of the Macao Passenger Regulations.*

I am, &c.

(Signed) T. V. LISTER.

No. 18.

Mr. Cobbold to the Earl of Derby.—(Received October 15.)

My Lord,

Lisbon, October 6, 1874.

I HAVE taken occasion to bring to the notice of the Portuguese Minister for Foreign Affairs the subject of the Macao Coolie Traffic, more especially that under the denomination of free emigration. I did not fail to point out to his Excellency the deep interest evinced by Her Majesty’s Government in the total suppression of this traffic, not alone in the cause of humanity, but in the very interests of civilization; and I clearly stated it as the opinion of my Government that the traffic in question, under whatever head, would never be entirely done away with unless the Portuguese Government were prepared to enforce to its utmost extent their Decree of March 1873.

Senhor Corvo, in reply, said that the considered this question as one of the past, as regards Portugal; he assured me that, in March of this year, he even telegraphed to the Governor of Macao not to allow free emigration as he feared it might serve as a cloak to the old traffic; and the advices received from that Colony state that all the vessels now leaving Macao do so in ballast.

The new Governor of Macao is appointed to leave for his post about the middle of this month, and he takes with him positive instructions to carry out all the engagements of Portugal with regard to the suppression of the coolie traffic, coupled with the strictest orders not even to allow free emigration.

His Excellency further stated that a contemplated Treaty between Portugal and Peru has not yet been ratified owing to the question of coolie emigration, and that he considers the negotiations at an end, inasmuch as he has written to the Portuguese Consul at Lima that he may come home on leave.

I have, &c.

(Signed) T. CLEMENT COBBOLD.

No. 19.

The Earl of Derby to Mr. Cobbold.

Sir,

Foreign Office, October 19, 1874.

I HAVE to instruct you to express to the Portuguese Minister for Foreign Affairs the satisfaction with which Her Majesty’s Government have received his Excellency’s assurances of the determination of the Portuguese Government not to allow a revival of the Macao Coolie Traffic in any form, as reported in your despatch of the 6th instant.

I am, &c.

(Signed) DERBY.

No. 20.

Sir J. Pauncefote to Lord Tenterden.—(Received October 27.)

Sir,

Downing Street, October 26, 1874.

I AM directed by the Earl of Carnarvon to return the inclosures which accompanied your letter of the 14th instant, and to suggest, for the Earl of Derby’s consideration, that

* No. 15.
Her Majesty's Consul at Canton should be requested to keep a watchful attention on the proceedings of the Portuguese authorities at Macao, in connection with coolie emigration.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 21.

The Earl of Derby to Sir B. Robertson.

Sir,

COMMUNICATED to Her Majesty's Secretary of State for the Colonies your despatch of the 1st of August on the subject of coolie emigration, and I have now to instruct you, in accordance with Lord Carnarvon's request, to keep a watchful attention on the proceedings of the Portuguese authorities at Macao in connection therewith.

I am, &c.

(Signed) DERBY.

No. 22.

Sir B. Robertson to Mr. Lister.—(Received January 27, 1875.)

Canton, December 5, 1874.

Sir, I HAVE had the honour to receive the Earl of Derby's despatch transmitting, for my information, under flying seal, a despatch to Her Majesty's Minister at Peking, inclosing extract from a despatch from Mr. Dunlop, Her Majesty's Consul-General at Cuba, upon the subject of coolie traffic there.

I shall use my best endeavours to watch proceedings at Macao, but I trust the Portuguese Government will resist the insidious attempts that will doubtless be made to restore the coolie traffic to its old form, probably under the name of a free emigration, and in which the coolie agents almost succeeded when the trade was abrogated. Nothing but a very firm attitude on the question at Lisbon will prevent a relapse.

I have, &c.

(Signed) B. ROBERTSON.

No. 23.

Sir B. Robertson to Lord Tenterden.—(Received February 8, 1875.)

Canton, December 15, 1874.

(Extract.)

I HAVE had the honour to receive the Earl of Derby's despatch of the 27th of October, transmitting, for my information, under flying seal, a despatch addressed by his Lordship to Her Majesty's Minister at Peking upon the subject of coolie traffic, with two inclosures.

In my last despatch I referred to the necessity of the Lisbon Government resisting insidious attempts to restore the coolie traffic under the name of free emigration, and I have reason to believe strong pressure will be brought to bear on the new Governor of Macao, Senhor d'Avila, for the coolie agents have never left China, although the barracoons have been closed; and, on the arrival of Senhor d'Avila lately, several who were residing at Hong Kong went at once to Macao, where the others have resided since the closing of emigration. It is evident, therefore, they expect a renewal of the traffic under a new Governor. Senhor Corvo's reply, however, to the remarks of Mr. Cobbold gives an assurance, at least, that they will be disappointed. At the same time every effort will doubtless be made by those interested in the traffic to induce Senhor d'Avila to re-establish the free migration regulations, which were suspended and not annulled by his predecessor.
No. 24.

Mr. Lister to Mr. Herbert.

Sir,

FOREIGN OFFICE, FEBRUARY 12, 1871

WITH reference to the letter from this Office of the 4th instant, I am directed by Earl of Derby to transmit to you, to be laid before the Earl of Carnarvon, the accompanying extract of a further despatch from Sir B. Robertson in his letter, a copy of which inclosed in your letter of the 12th instant.

I am, &c.

(Signed) T. V. LISTEI

No. 25.

Mr. Herbert to Lord Tenterden.—(Received February 25.)

Sir,

DOWNING STREET, FEBRUARY 25, 1871

1 AM directed by the Secretary of State for the Colonies to transmit to you, for information of Lord Derby, a copy of a despatch from the Governor of Hong K confirming the view expressed by Sir B. Robertson in his letter, a copy of which inclosed in your letter of the 12th instant.

I am, &c.

(Signed) ROBERT G. W. HERBERT

Inclosure 1 in No. 25.

Governor Sir A. Kennedy to the Earl of Carnarvon.

My Lord,

GOVERNMENT HOUSE, HONG KONG, JANUARY 13, 1872

ADVERTING generally to the correspondence on the subject of the so-called Macao coolie trade, I have now the honour to draw your Lordship's attention to the translation of two notices published in the "Boletim da Província de Macau e Timor," dated 3rd January, 1874.

2. Your Lordship will observe that the first of these documents established certain regulations for carrying on a system of Chinese emigration, and the latter suspends the operation for one year.

3. That term is about to expire, and I regard the resumption of the export of Chinese coolies from Macao with great apprehension of a recurrence of many, if not all, the old abuses.

4. Several well known and influential coolie traders with large sums of money in command, together with many of their staff, are already on the spot to take advantage of the reopening of the trade, if the prohibition of the Portuguese Government be renewed.

5. On this latter point I have not as yet any information to offer; but I should fear that the recent assumption of the Government of Macao by an officer new to Colombo, affairs may be taken advantage of by the influential class of persons, (both here and in Portugal) who are interested in a trade so highly profitable.

I have, &c.

(Signed) A. E. KENNEDY

Inclosure 2 in No. 25.

(Translation.)

(No. 11.)

THE Governor of the Province of Macao and Timor and its Dependencies in Command decree as follows:—

The embarkation of Chinese contract labourers from the port of Macao having been prohibited from and after the 27th March of the present year, as directed by the "Portuguese Government, 11th February, 1873,"

* No. 28.
of 27th December, 1873, and it being necessary to adopt measures to regulate the embar-
kation not only of Chinese, but also of any other Asiatics who may resort to this port for
the purpose of proceeding to foreign countries:

Considering that the Authorities cannot deny to any individual in full possession of
his liberty the right of taking passage from this port to any other to which he may wish to
proceed, and at the same time it being the duty of the Government to provide for the
maintenance of his liberty, as also to make sure of the good conditions and accommodation
of the vessels which may have to carry a large number of passengers:

I, with the concurrence of my Council, approve provisionally, and pending confirmation
by His Majesty the King, the Regulations which form part of this “Portarias,” and are signed
by the Secretary to this Government.

Further, I hereby direct that the said Regulations take effect from and after the
1st April next.

The proper Authorities are enjoined to carry out this Order.

Government House, Macao, January 28, 1874.

The Governor of the Province,
(Signed) VISCONDE DE SAN JANUARIO.

Inclosure 3 in No. 25.

(Translation.)

Notice.

Department of the Secretary of State for the Colonies.

(No. 42.)

HIS Majesty the King having taken into consideration the just and weighty reasons
given by the Governor of the Province of Macao and Timor in his despatch of 6th May
last, to justify the course adopted by him in suspending the execution of the Regulations
of the 28th of January of the present year, which were provisionally put in force on the
1st of April following for the dispatch of Asiatic passengers from the port of Macao, has been
pleased to approve the measures adopted by the said Governor by determining that the
said Regulations be suspended for one year, and directs that this decision be made known
to him through the Secretary of State for the Marine and Colonies, for his information and
guidance.

Paco, August 1, 1874.

(Signed) JOAO DE ANDRADE CORVO.

No. 26.

The Earl of Derby to Mr. Cobbold.

Sir, Foreign Office, March 2, 1875.

WITH reference to my despatch of the 12th of October, I transmit to you copies of
despatches from Her Majesty’s Consul at Canton, and from the Governor of Hong Kong.*

You will see from these despatches that fears are entertained both by Sir Brooke
Robertson and by Sir Arthur Kennedy, that influential persons interested in the coolie
traffic may take advantage of the arrival at Macao of the new Governor, Senhor d’Avila, in
order to make a strong effort to bring about a revival of that traffic.

I have to instruct you to communicate the substance of the inclosed despatches to the
Portuguese Minister for Foreign Affairs.

In doing so you will state that the positive assurances given to you by his Excellency,
as reported in your despatch of the 6th of October, have fully satisfied Her Majesty’s
Government of the sincere desire of the Portuguese Government not to allow the coolie
traffic from Macao to be resumed in any shape; and Her Majesty’s Government, therefore,
feel sure that the Portuguese Government will be glad to be informed of the efforts that are
likely to be made for its renewal, in order that they may take prompt measures to prevent
the success of those efforts.

You will add that, in view of the fact stated by Sir Arthur Kennedy, that the suspen-
sion of the Regulations for the coolie traffic expires on the 1st of April, Her Majesty’s

* No. 23, and Inclosure 1 in No. 25.
Government urges upon the Government of His Most Faithful Majesty the propriety of sending instructions upon this subject at once by telegraph to the Government of Macao.

I am, &c.

(Signed) DERBY.

No. 27.

Lord Tenterden to Mr. Herbert.

Sir,

WITH reference to your letter of the 25th ultimo, I am directed by the Earl of Derby to transmit to you, to be laid before the Earl of Carnarvon, the accompanying copy of an instruction which has been addressed to Her Majesty's Chargé d'Affaires at Lisbon, relative to the possible revival of the Macao Coolie Traffic.*

I am, &c.

(Signed) TENTERDEN.

No. 28.

Mr. Cobbold to the Earl of Derby.—(Received April 22.)

My Lord,

WITH reference to your despatch of the 2nd instant, I have the honour to inclose to your Lordship herewith translation of a note, dated the 19th instant, from the Portuguese Minister for Foreign Affairs, in which his Excellency states that the new Governor of Macao and Timor has been furnished with instructions to prohibit, until further orders, emigration under contract as well as all free emigration.

I have, &c.

(Signed) CLEMENT COBBOLD.

Inclosure in No. 28.

Senhor Corvo to Mr. Cobbold.

Sir,

I HAVE the honour to acknowledge the receipt of the note which you addressed to me on the 13th instant, wherein you inform me that you had received instructions from the Earl of Derby to call the attention of His Majesty's Government to the apprehension felt by Her Britannic Majesty's Government that, in case the provisions enacted last year by the ex-Governor of the Province of Macao and Timor, concerning the free emigration of Asiatic passengers from the Port of Macao should be enforced, the Coolie Trade will be renewed under the guise of free emigration, as may be inferred from the endeavours which are made use of for this purpose by the agents of the trade.

I have to state to you in reply that the Government of His Majesty, in view of the importance of the matter, has already taken the necessary steps, and accordingly instructions were given to the present Governor of the Province, in the sense of forbidding, until further orders, emigration under contract as well as all free emigration.

I take this opportunity to thank you for the information you give me as to the representations made to Her Britannic Majesty's Government upon this matter by the Governor of Hong Kong, and by the British Consul at Canton; as well as for your assurance that Her Britannic Majesty's Government are perfectly convinced of the sincere wish of His Majesty's Government not to allow the renewal of the Coolie Trade from the Port of Macao under any pretext whatsoever.

I avail, &c.

(Signed) JOAO DE ANDRADE CORVO.

* No. 26.
Correspondence respecting the Macao Coolie Trade: 1874-75.