

Title.	An Ordinance enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, to make further Provision in relation to Emigration in Chinese Passenger Ships.
Preamble.	W HEREAS it is expedient to make further Provision in relation to Emigration in Chinese Passenger Ships; Be it enacted by the Governor of Hongkong, with the Advice of the Legislative Council thereof, as follows:—
Short Title.	I. This Ordinance may be cited for all purposes as "The Hongkong Emigration Ordinance, 1869."
Interpretation of "Chinese Passenger Ship."	II. In the Interpretation of this Ordinance, the Expression "Chinese Passenger Ship" shall have the same Meaning as that prescribed by Section 3 of "The Hongkong Emigration Ordinance, 1868."
No Chinese Passenger Ship to proceed to Sea without a License from the Governor.	III. From and after the Passing of this Ordinance, no Chinese Passenger Ship shall clear out or proceed to Sea, and the Emigration Officer shall not grant the Certificate provided by Section 4 of the "Chinese Passengers Act, 1855," and contained in Schedule B thereof, unless the Owners or Charterers of such Ship shall have previously obtained a License under the Hand and Seal of the Governor in Manner hereinafter provided.
Time and Mode of Application for License.	IV. The Owners or Charterers of every Chinese Passenger Ship, or if absent from the Colony their respective Agents, shall, before such Ship is laid on for the Conveyance of Chinese Emigrants and before any Depot is opened for their Reception, apply in Writing to the Colonial Secretary for a License under the Hand and Seal of the Governor for the Conveyance of such Emigrants and shall furnish all Particulars in relation to the Destination of the said Ship and other Matters which may be required of them or which may be prescribed by any Regulation to be made by the Governor in Council under this Ordinance.
Punishment for furnishing untrue Particulars.	V. All such Particulars shall, if so ordered, be verified upon Oath before the Emigration Officer or any Justice of the Peace and every Person who shall knowingly furnish untrue Particulars shall be liable to Imprisonment with or without Hard Labor, 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.
Power to revoke License and cancel Certificate.	VI. In Case it shall appear to the Satisfaction of the Governor in Council at any Time before the Departure of any Chinese Passenger Ship that the Particulars furnished in Relation thereto are untrue, it shall be lawful for the Governor to revoke the License granted to the Owners or Charterers thereof, and to order that the said Ship be seized and detained until the said License and the Certificate of the Emigration Officer, (if already granted) be delivered up to be cancelled.
The Governor in Council may make Regulations to be enforced by Penalties.	VII. The Governor in Council may from Time to Time make, vary and repeal any Regulations for carrying out the Provisions of this Ordinance or of any Ordinance for the Time being in Force in relation to Emigration in Chinese Passenger Ships and such Regulations may be enforced by such Penalties as shall be specified therein: Provided that no such Penalty shall exceed Five hundred Dollars.

No. 113.

GOVERNMENT NOTIFICATION.

With reference to Government Notification No. 53 of 8th May last, it is hereby notified that His Excellency The GOVERNOR has been informed by the Right Honorable The SECRETARY OF STATE FOR THE COLONIES, that The QUEEN'S Exequatur empowering A. EIMBCKE, Esquire, to act as Consul at Hongkong for the North-German Confederation, has received Her Majesty's Signature on the 7th August, 1869.

By Command,

J. GARDINER AUSTIN,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 23rd September, 1869.

No. 114.

GOVERNMENT NOTIFICATION.

The following MEMO: which has been submitted to His Excellency the GOVERNOR by the CAPTAIN SUPERINTENDENT OF POLICE, is published for general information.

By Command,

J. GARDINER AUSTIN,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 25th September, 1869.

MEMO:

HONGKONG, 20th September, 1869.

1. In the *London and China Express* of the 8th July last, is published a Communication, dated the 13th May, from Mr. A. J. JOHNSTON, Secretary of the Anglo-American Municipal Council at Shanghai, in reply to some remarks made in the House of Lords last March reflecting on the general character of the population at Shanghai.

2. Mr. JOHNSTON endeavours to show that Statistics prove the population of Shanghai to be comparatively better conducted than that of Hongkong. He fortifies himself by reference to my Official Report of last April, and in doing so, makes such erroneous and extraordinary statements, that to pass them by in silence, when published in a Paper having extensive circulation, might create an injurious impression in the mind of the Public.

3. The following are Mr. JOHNSTON's statements in his own language:—

"6. Perhaps, however, the most satisfactory argument is to be derived from official statistics, and I will therefore with your permission compare the police statistics of Shanghai with those of Hong Kong. I take Hong Kong alone, partly because its official returns are readily accessible, partly because it is situated in circumstances somewhat similar to those prevailing at Shanghai, but especially because, from the sweeping nature of the Duke of Somerset's remarks, one well authenticated fact in opposition to them is as good as a hundred.

"7. From the official report of 1868, published by the Captain Superintendent of Police at Hong Kong in the *Hong Kong Government Gazette* of the 17th April, 1869, it appears that the total strength of the police force in that colony was 633, viz., 113 Europeans, 328 coloured, and 192 Chinese. In Shanghai, for the same period, the police force numbered 105, viz., 39 Europeans and 66 Chinese. In both places the Chinese element in the police force is useful only against crime committed by Chinese, and, therefore, so far as the prevention of crime by Europeans is concerned, Hong Kong maintains 441 police against 39 in Shanghai. By the census taken in Hong Kong on the 31st December, 1867, published in the *Hong Kong Government Gazette* of 14th March, 1868, it appears that on that day the number of Foreigners of all nationalities resident in the colony was 3,551. Hence assuming, which may fairly be done, that the number of Foreigners leaving Hong Kong in 1868, about balanced the number arriving, it will appear that the police were in the proportion of about one to seven Foreign Residents.

"8. In Shanghai the number of Foreigners at present is, exclusive of police, 4,600. Hence the Foreign police force is to the Foreign residents in the proportion of one to one hundred and twenty.

"9. As to crimes:—In Hong Kong during 1868 there were 1,033 convictions of Foreigners under the heads of "Murder," "Manslaughter," "Robbery with Violence," "Burglary," "Assault," "Larceny," "Kidnapping," "Unlawful Possession," and "Piracy." This is a percentage on the whole number of Foreign residents of twenty-nine convictions for serious offences. In Shanghai for the period of twelve months, from April, 1868, to March, 1869, the number of Foreigners apprehended and convicted was 565, of which 387 were simple drunkenness, 17 were "Desertion," 2 were "Forgery" (of which one was an *ex-employé* of the Hong Kong Government), and 24 were "Furious Riding." Thus 135 may fairly represent the number of more or less serious crimes committed by Foreigners during the twelve months indicated. Of these the worst were three cases of "Cutting and Wounding," and 61 cases of "Assault." But 135 bears to 4,600 the proportion of 2.9 to 100, or exactly one-tenth of the Hong Kong percentage of convictions to the number of residents.

"10. It is obvious from the above figures that a much smaller police force is required to keep order in Shanghai than is required for a like purpose in Hong Kong, although Foreigners here are more numerous by 1,187 than in Hong Kong. It will further appear that, in spite of this, order is much more effectually maintained here than it is there, although Hong Kong is a colony under a well-organised Government, regulated by English law, while in Shanghai we have to deal with the Courts of no less than twelve Foreign Governments.

"11. The deduction from my argument is, I trust, obvious—that in comparison with Hong Kong alone Shanghai cannot justly be denominated a sink of iniquity exceeding in its immorality all other ports of Europe, America, and Asia."

4. In the first place, Mr. JOHNSTON assumes in the above 7th paragraph, that the resident Hongkong Foreign Population was only 3,551 in 1868, and makes that number his standard of comparison for obtaining the ratio of crime to population in Hongkong and Shanghai, respectively. For such a purpose, all the Foreign Population under Police supervision should, in fairness, be included in Hongkong, as well as Shanghai. The Census Returns from which that total was taken do not profess to include soldiers and seamen. Now, the Foreign Population, including seamen and soldiers, as well as residents and others from Goa, Manila and India, has for years been more than double the number stated by Mr. JOHNSTON, and was, at the last Census, shewn to be 7,699, a number which at once makes an error of more than 50 per cent in all Mr. JOHNSTON's comparative statements. (Vide Appendix A.)

5. Again, it may be true that there are 113 Europeans, and 328 Indians in the Police of Hongkong, and only 39 European Police at Shanghai, if the Consular staff, and that of the Supreme Court be omitted. It is not, however, true, as assumed by Mr. JOHNSTON (par. 7), that the Chinese portion of the force is useful only against Natives, which assertion is evidently intended to lead the reader to infer that the Foreign Police are useful only against Foreigners. There is no such distinction. The European and Native Force act indiscriminately, whether in the city, or whether in the outlying villages and harbor, which latter duties alone engage 200 of the force.

6. The proportion, therefore, of Hongkong Police to the total population—121,000—which it supervises is 1 to 191, and the proportion of Foreign Police to Foreign residents is nearly 1 to 70.

7. Misstatements of the materiel and working of the Police force are, however, of little consequence compared with the unnoticed fact that in Shanghai there is only a small level and compact space, and a native population thereon to be watched, whose comparatively peaceful and docile character enables them to be governed with peculiar facility, especially as the Chinese authorities lend material assistance on the spot. In Hongkong, there is no such help. The resident population is far larger than that under supervision of the Anglo-American Council at Shanghai, whilst it is, moreover, continually recruited with professional criminals from the most restless and turbulent Provinces of the Chinese Empire, so that Hongkong may be said to be in a constant state of siege from within.

8. In Hongkong, moreover, the hills and valleys have to be watched and patrolled. Numerous outstations are maintained, and the Police employed on many duties which never occur at all at Shanghai, and in the absence of which, it would be essentially unnecessary to maintain so large a force as is required by the special peculiarities of Hongkong, whether geographical or moral.

9. Nevertheless, no ignorance of special circumstances can be held to justify a wanton distortion of statistical returns, or the untrue statement, (par. 9), that in 1868, there were at Hongkong, 1,033 convictions of Foreigners under the head of "Murder, Manslaughter, Robbery with Violence, Assault, Larceny, Kidnapping, Unlawful Possession and Piracy," amounting to 29 per cent on the number of Foreigners.

10. The subjoined analysis of the 1,033 convictions of Foreigners in 1868, shows that the total percentage was not 29 as stated by Mr. JOHNSTON, but 13.2. It also shows that the number of convictions *under the heads given by Mr. Johnston was not 1,033, but 334*, of which 255 were cases of common Assault or Disturbance on board ship. (Vide Appendix B.)

11. Under Piracy, Kidnapping, and Murder, which Mr. JOHNSTON puts forward so prominently (par. 9) as three of the classes of "serious" crime committed by Foreigners in Hongkong, not even one case occurred!

12. Finally, if both for Hongkong and Shanghai the cases of Assault, which are generally trivial, and unfit to be classed with Felonies, and if also the minor offences, such as Drunkenness, Refusal of Duty, &c., be deducted from the totals in each place, the serious crimes committed by Foreigners will be found to have been in the ratio of 1.5 per cent to the population in Shanghai in 1868, and of only 1 per cent to the population of Hongkong.

13. Nevertheless, Mr. JOHNSTON did not scruple to assert that the proportion of "serious crime" to population in Hongkong was 29 per cent, an inexcusable misrepresentation, which I respectfully trust this Government will cause to be corrected, as such misstatement by their Secretary in no way improve the position of the Anglo-American Council at Shanghai, a body whose excellent administration is generally acknowledged.

Respectfully submitted,

W. M. DEANE,
Captain Superintendent of Police.

To

The Honorable J. GARDINER, AUSTIN,
Colonial Secretary,
Hongkong.

Appendix A.

EXTRACT from No. 1.—CENSUS of HONGKONG, including the MILITARY and NAVAL DEPARTMENTS, 1st June, 1869.

	NO. OF HOUSES.	NO. OF BOATS.	POPULATION.				TOTAL.
			Men.	Women.	Boys.	Girls.	
*Europeans and Americans, Resident Population,	1,161	523	323	282	2,289
Europeans, Military,	581	62	61	69	763
†Europeans and Americans, Naval Establishments,	729	..	..	..	729
Europeans and Americans, Crews of Mercantile Shipping in the Harbour,	915	..	..	..	915
Europeans and Americans, Temporary Residents,	130	..	..	..	130
Europeans and Americans, Prisoners,	63	..	..	..	63
Total of Europeans and Americans,	3,579	585	384	341	4,889
Goa, Manila, Indian, and others of Mixed Blood, Resident Population,	820	91	41	45	997
Goa, Manila, Indian, and others of Mixed Blood, Crews of Mercantile Shipping in the Harbour,	862	..	..	..	862
Indians, Military,	895	18	6	10	929
Goa, Manila, Indian, and others of Mixed Blood, Prisoners,	22	..	..	..	22
Total of Indians, &c.,	2,599	109	47	55	2,810
Grand Total,							7,199

ALFRED LISTER,
Acting Registrar General.

Appendix B.

RETURN of CONVICTIONS of Foreigners for Serious and Minor Crimes and Offences, during 1868, in Hongkong.

Robbery with Violence.	Burglary.	Assault with Intent to rob.	Larceny.	Manslaughter.	Disturbance on board ship and Assaults.	Gambling.	Kidnapping.	Unlawful Possession.	Piracy.	Drunkennes.	Nuisances.	Neglect and Refusal of Duty.	Extortion.	Rogues & Vagabonds.	Damaging Property.	Breach of Gaol Ordinance.	Breach of Public Vehicles Ordinance.	Obtaining goods under false pretences.	TOTAL.
1	1	3	64	2	255	2	0	6	0	444	15	154	8	53	6	4	14	6	1,033

Estimate of 'Foreign' Population, including Soldiers and Seamen,7,190

Ratio of Convictions for Serious Crimes,..... 1.0 per cent

 " Assaults and Disturbances on board ship,..... 3.2 " } 4.2 per cent.

 " Minor Offences, 9.0 " }

13.2

W. M. DEANE,
Captain Superintendent of Police.

GOVERNMENT NOTIFICATION.

Owners of Tenements assessed to the Police, Lighting, Water and Fire Brigade Rates, are informed that the Rates are payable *in advance* during and within the month of October, for the Fourth Quarter of the year 1869.

After the 31st October, Rates not paid are recoverable under Section 2 of Ordinance No. 9 of 1869.

FREDK. FORTH,
Colonial Treasurer.

Colonial Treasury, Hongkong, 25th September, 1869.

POST OFFICE NOTIFICATION.

It is hereby notified for general information that under the Provisions of a Treasury Warrant which will come into operation on the 1st October next, correspondence addressed to Constantinople will be forwarded at the following reduced Rates of Postage, which must be paid in advance, viz. :—

For LETTERS :

20 cents each half-an-ounce weight.

For NEWSPAPERS, PACKETS OF PATTERNS, AND BOOKS :

2 cents each two ounces up to half-pound, and 8 cents for every additional half-pound.

F. W. MITCHELL,
Postmaster General.

General Post Office, Hongkong, 23rd September, 1869.

No. 112.

GOVERNMENT NOTIFICATION.

It is hereby notified that under the Provisions of Ordinance No. 11 of 1844, Thursday, the 28th Day of October next, is fixed for a Special Sessions of the Justices of the Peace, to be held at the Police Magistrates' Office, at 11 o'clock in the forenoon of that day, for the purpose of considering Applications for Licenses for the sale of Spirituous and Fermented Liquors during the year commencing on 1st December next.

Applications for such Licenses must be lodged at the Police Magistrates' Office at least Ten Days before the Sessions, in the form prescribed in the said Ordinance, and no Application will, after that period, be received for submission to the Sessions.

Printed Forms of Applications may be obtained by intending Applicants at the Police Magistrates' Office between the hours of 10 A.M. and 4 P.M.

By Command,

J. GARDINER AUSTIN,
Colonial Secretary.

Colonial Secretary's Office, Hongkong, 15th September, 1869.